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## How Private Developers Plan to Profit from a 90-Year Old Lake Michigan Public Park

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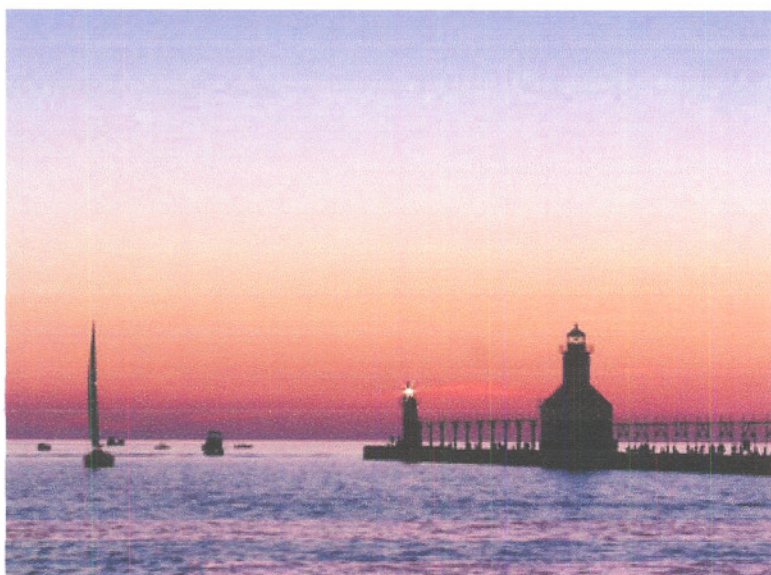
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St. Joseph, Michigan is sleepy little town on the shores of Lake Michigan not far from where I grew up. With a working lighthouse and quaint turn-of-the-century Victorian gingerbreads lining the brick paved streets, it's probably best known for it's connection with Al Capone, who frequented the Vincent Hotel in the 1920's.

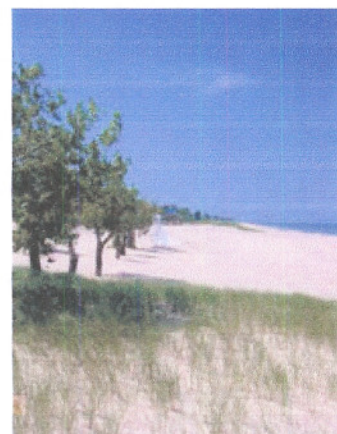
More recently, what St. Joseph is most known for is the city just across the river, Benton Harbor. The 1998 book **The Other Side of the River** by Alex Kotlowitz examines the economic and racial disparity between the two cities.

Known locally as the "Twin Cities", Benton Harbor is plagued with high unemployment, poverty and endless financial troubles. According to the 2000 census, with a population that is 92.4% black and a median income of \$17,471, the demographics of the city are in sharp contrast with those across the river in St. Joseph (90.3% white, median income \$37,032). More than half of Benton Harbor's children and 40 percent of its families live in poverty. The city's poverty rate was three and a half times that of the U.S. as a whole. In June 2003, racially charged rioting and arson broke out when a black motorcyclist being chased by a white police officer was killed.

Benton Harbor's economic decline is a familiar story of the loss of manufacturing jobs beginning in the mid-1970's. The administrative headquarters of Whirlpool Corporation are located just north of the city, and the appliance giant moved much of its manufacturing to



St. Joseph lighthouse and pier at sunset



Jean Klock Park shoreline

Southern states as it began to globalize its operations. Once the area's largest employer, from a peak of 2,400 in the 1960s, Whirlpool cut its Benton Harbor manufacturing workforce down to 300, a figure that remains the same today. With its recent acquisition of Maytag, Whirlpool has announced a reversal of this trend of sorts, planning to bring additional jobs to the area, although it's unclear whether any of the jobs will be non-administrative positions.

Despite its many economic problems, one thing Benton Harbor has going for it is its location along the Lake Michigan shore. One of the most desirable "underdeveloped" parcels along Lake Michigan is Jean Klock Park, a half mile of Lake Michigan shoreline and dune ecology including threatened **Great Lakes Dunes, Great Lakes Marsh, and Interdunal Wetlands**. One of the oldest parks in the state of Michigan, the land was donated to the City of Benton Harbor in 1917 by a wealthy philanthropist, and former mayor of the city, John Nellis Klock and his wife Carrie, in memory of the Klock's deceased daughter who died in infancy. At the dedication ceremony Mr. Klock stated:

*"In taking an inventory of life, we all take stock of the circumstances surrounding the happiest moments. The giving of this park to the city of Benton Harbor has been to Mrs. Klock and myself, the happiest moment of our lives. The deed of this park in the courthouse of St. Joseph will live forever. Perhaps some of you do not own a foot of ground, remember then, that this is your park, it belongs to you. Perhaps some of you have no piano or phonograph, the roll of the water murmuring in calm, roaring in storm, is your music, your piano and music box." In closing Mr. Klock stated, "The beach is yours, the drive is yours, the dunes are yours, all yours. It is not so much a gift from my wife and myself, it's a gift from a little child. See to it, that the park is the children's."*

The **deed** states that the land be donated to the City of Benton Harbor in perpetuity, and "at all times shall be open for the benefit and use of the public." Through the years unsuccessful attempts by developers were made to take over the land; to date the park has lost 17 acres. When the city of Benton Harbor planned to exploit a legal loophole in the terms of the deed to sell the land to developers, the citizen group **Friends of Jean Klock Park** was formed to prevent the sale of the park's property for a housing development. As a result of their lawsuit, a Settlement Agreement and Consent Judgement was rendered which allowed for 4 acres of the park to be developed in exchange for preserving the remaining park property forever.

In 2006, a group of investors led by the former Whirlpool CEO David Whitwam, current Whirlpool CEO Jeff Fettig and the **Cornerstone Alliance** – an inter-municipal Southwest Michigan chamber of commerce founded by Whirlpool, unveiled plans for a Jack Nicklaus Signature Golf course, which included utilizing a portion of the park for 3 of the 18 holes nestled among the dune grass. Although the proposal is for the use of approximately 22 acres, plans show the proposed development would effectively cut off access to additional land and encompass nearly 75% of the 73 remaining acres of parkland which includes the threatened dunes, marsh and interdunal wetlands. Development would be accomplished through a 99-year lease agreement for which the City would be compensated



2003 Benton Harbor riots (Source: BBC News)

\$30,000 per year. If the proposed plan goes through, the new entrance to the park, which would feature the Harbor Shores Beach and Golf Lodge, would be in St. Joseph, taking ownership away from Benton Harbor. In addition, the traditional uses of the park, which include baptisms, church suppers, weddings, picnics and an annual blues festival, would be eliminated.

Despite local opposition, the plan has moved inexorably forward, with the support of Michigan Governor Jennifer Granholm, who called the project essential for keeping Whirlpool in the state. Granholm backed the project after Whirlpool threatened to leave the state last year. The state offered funding and tax incentives worth more than \$120 million to the project. According to former Whirlpool CEO Whitwam, "We're acting as a catalyst for Harbor Shores. The heart of our plans is to create jobs and invest in the diversity of our local communities." Carol Drake, a member of [Friends of Jean Klock Park](#), disagrees: "It's going to be like putting a wall up between the park and the residents," Drake said. "The development will add an entire new element, culturally speaking, and there is going to be a clash. The children of Benton Harbor will not feel comfortable using the expansion of the park."

Currently the land remains in the permitting process, although that hasn't stopped the bulldozers. Harbor Shores Development began cutting down trees in the project area in March 2007, most notably an area of climax forest for which the The Environmental Protection Agency had placed restrictions on tree cutting between April 1 and September 30 to minimize impact to the migrating and nesting Indiana bat and birds.

The development suffered its first setback when the National Park Service ruled that proposed land to be exchanged for mitigation purposes was "insufficient in magnitude, capacity, and viability to mitigate the subject 22.11 acre or any larger conversion." The Park Service also noted that citizens have not been given the mandated 30-day comment period to voice their concerns. "The National Park Service saw it for what it was, a complete privatization plan," said Drake.

Meanwhile, local and state officials and the developers said they will appeal the ruling. "It's a disappointing setback," Benton Harbor City Manager Dwight Pete Mitchell said. He said a different land swap might be necessary. "We'll do whatever is needed," Mitchell said.

"We're not backing away from this project," Granholm spokeswoman Liz Boyd said. "Lots of work has gone into it, and we're very committed to it."

A statement on the [Friends of Jean Klock Park website](#) sums up the relevance of this issue beyond the local scope:

*Over a several year period, \$1.74M in state and federal grants were awarded to the City of Benton Harbor for improvements to the park. These funds come from our, and your, state and federal tax dollars which makes this anything but a local issue. The last improvements took place in 2002 with the addition of a boardwalk and deck, a concert pavilion, a sidewalk and street lamps. These grants, especially the federal Land Water and Conservation Act Fund, have restrictions that require the project area to remain public parkland in perpetuity.*

Concerned citizens, especially but not limited to Michigan residents, can get involved at [Save Jean Klock Park: How to Help](#), and sign their [petition](#).

Sources: