

## Critic claims most of Jean Klock for sale

By LYNN STEVENS / H-P Staff Writer | Posted: Tuesday, July 29, 2003 12:00 am

BENTON HARBOR -- Private development of Jean Klock Park could cover 80 of its 90 acres under a city pact with developers, a Benton Township resident charged at a public hearing Monday night.

Donna Probasco said during the hearing - preceding the regular Benton Harbor City Commission meeting - that all but the park's beach is open for private development under agreements between the city and Grand Boulevard Renaissance LLC.

Probasco told city commissioners she obtained copies of the agreements after a Freedom of Information Act request was filed with the city. Probasco showed aerial maps of the park that she said illustrated the terms.

According to Probasco's understanding, only the 10.3-acre area described in the agreement as "Jean Klock Beach" would be safe from future development.

City commissioners in June approved selling 3.8 acres along Grand Boulevard, the park's northern border, for Grand Boulevard Renaissance LLC to build 28 upscale houses. A group of people immediately sued the city to stop the sale.

Probasco is not a plaintiff.

The subject of Monday's public hearing was amending the city's master plan to limit the sale of park property to the 3.8 acres.

The agreement cited by Probasco defines "Jean Klock Beach" as that portion of the park from Jean Klock Boulevard to the shores of Lake Michigan, excepting Grand Boulevard and the "Southern Anchor."

Jean Klock Boulevard is not Klock Road, the access road to the parking lot. Instead, it is a road parallel to Lake Michigan, west of the dunes. It is buried under a new boardwalk.

The terms "Beach Lot" and "Southern Anchor" are new, too. The agreement defines the "Beach Lot" as a small, landlocked parcel located on the beach at the south end of the park. According to Probasco's notes, the lot is legally separate from Jean Klock Park, and Grand Boulevard LLC has an option to buy it.

The "Southern Anchor" refers to the beach lot and adjoining property, extending 375 feet north along the beach.

Under a separate agreement, the developers have a right of first refusal to buy that property, too, according to Probasco's notes. Plans attached to the agreement allegedly show it divided into five parcels. City commissioners made no comments during the 15-minute hearing.

An hour later, City Commissioner Ralph Crenshaw blasted people "inside and outside the community who do not deal with facts," but he did not specifically cite Probasco.

In the hearing, Roy Shoemaker of Benton Township told commissioners, "I believe the city is making a mistake" by selling the 3.8 acres.

Perry Heppler, a city resident, said, "I have great concern about the sale. I believe this may be legally dangerous for our city."

A woman who said she lives on Green Avenue said she understands the city's need to expand its tax base, the premise for the sale. She said that building a hotel on the Lake Michigan side of the city's water plant would be a better way to do it.

Not only would a seven-story hotel increase tax revenues, she said it would also provide jobs.

The 45 other people attending the public hearing applauded her.

Crenshaw said he appreciated her suggestion.

Commissioners did not vote Monday night on amending the master plan.