

New open space policy suggested

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"This is going to be a money hardship in a sense. But I see it as another way to merchandise a subdivision," Marks said.

In the past, the city has accommodated developers and their arguments for delaying completion of open spaces, Marks said.

"Times have changed. The sophistication of the buyer has changed. They know what they're buying. And they deserve what they're buying," he added.

At their meeting in late May, planning commissioners — after receiving

ing comments from builders and developers — recommended that the city council deny changing the current open space policy.

"... In light of the input given us by three builders/developers active in the community and in light of the discussion from the members of the planning commission, the proposed changes reflect a policy which may be too severe for the enforcement of the completion of open spaces," according to planning commissioners motion to deny the proposed policy.

IN THEIR motion, planning com-

missioners also said that recommended denial "is due to recent changes that already have been made and the relative untested position of the current policy."

Concerns about the new policy voiced by builders at a planning commissioners' meeting included the impracticality of putting in an open space when few homeowners are living in the subdivisions.

Builders also complained that such a policy would penalize all builders and developers for the wrongdoing of a few, and financial hardships will be created for builders and developers who will pass costs on to buyers.

Other builders suggested that when developers' open space plans are approved, a time schedule for completion of certain items should be determined. Builders also suggested that completion dates for the open spaces should be presented to potential buyers.

Open space is an option available to subdivision developers. By providing planning commission-approved, open-space park areas in a subdivision, a developer can reduce the size of individual lots.

THE CITY'S current policy calls for completion of open spaces in proportion to the amount of the neighborhood that's completed. For example, if 50 percent of the neighborhood is built, then 50 percent of the open space should be completed.

But the policy also requires com-

pletion of open spaces five years after the start of the neighborhood, regardless of the number of homes built.

To ensure developers make good on open space areas, developers are required to put the amount of money it will take to complete the park areas in a letter of credit or escrow account.

When developers do not complete open spaces by a required deadline, city officials can withhold building permits and take money in the escrow account or cash the letter of credit to complete the park.

Despite the city's policy and efforts — beginning last fall — to beef-up enforcement, the city has had trouble ensuring that developers complete the open spaces.

Because of the slump in the building industry in the late 1970s and early 1980s, "it was very common for us to give (developers) a two-year extension with the understanding that if (open space) would be completed after the recession."

Last fall, Richard Lampi, the city's community development manager, identified 32 subdivisions with incomplete open spaces. At that time, city officials set Oct. 10 as a deadline for open space completion. All but eight of the 32 were completed.

A JUNE 1 deadline was set for the eight remaining subdivisions. While work is progressing on those open spaces, building permits have been



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— Ben Marks, Hills councilman

withheld, pending open space completion. The city has also received money in escrow accounts and cashed in letters of credit for completion of the open spaces, Lampi said.

City officials have been in contact with developers or banks involved with the remaining eight open spaces.

In some cases, completion was anticipated by June 30. In other cases, work is in progress or is scheduled to begin soon.

"When these eight are complete we will be done with the old subdivisions," Lampi said, adding city staff will begin monitoring open space development in newer subdivisions.

Builder agrees to finish park

By Joanne Maliszewski
staff writer

It took some debating and negotiating. But finally after a five-year wait, the open Meadowbrook Park subdivision will be completed.

With Farmington Hills City Council's 7-0 approval last week, area builder Tony DeFrederico has agreed to complete the subdivision's open space within 45 days. Meadowbrook Park is one of eight subdivisions where the open space completion has run past a city council-established June 1 deadline.

The builder's offer to complete the open space came almost two weeks ago when DeFrederico complained to the council that the city was withholding building permits on 16 of his projects in Meadowbrook Park.

The permits were withheld — according to city policy — because the subdivision's developer (which is Standard Federal Savings in Troy for the Trinity Land Development Co.) failed to complete the open space.

"I have nothing to do with the park. I'm not the bank. I'm the builder," DeFrederico told council in early June. "You guys are penalizing me. Not the bank. Not the developer."

UNDER THE agreement — the city's first such agreement with a developer — the city will relapse DeFrederico's building permits. He, in turn, will complete the open space within 45 days. If he fails to complete the work within the designated time, the city will stop work.

Other builders in the subdivision who wish to obtain building permits will have to sign similar agreements that if the open space is not completed within the designated time, work will be stopped.

Under city policy, city officials take money in escrow or cash letters of credit that consist of the amount of money needed to complete an open space. This has been done in all eight of the open spaces that were not completed by a June 1 deadline.

In taking escrow money, however, the city is then faced with ensuring that the open space is completed. The money can be turned over to the subdivision association, or the city can contract to have the work done.

Because DeFrederico already has contacts with landscapers and other contractors, city manager William Costick said the open space would be completed in a more timely fashion than if the city attempted to find a contractor to complete the work.

MEADOWBROOK PARKS Homeowners Association supported DeFrederico doing the job.

"I'd like Tony to do the park. We are not naive enough to think we can go out and get the park done as fast as Tony (DeFrederico). We need to get this done. If Tony can get it done in 45 days..." said association member Preston Hopper.

DeFrederico will be paid for the open space work from the almost \$36,000 in escrow that is being held by the city.

Work that needs completing in Meadowbrook Park's open space includes walkway repair, regrading, playground equipment installation and weed cutting.

Meanwhile, work is either almost completed or still in progress in the remaining seven subdivision open spaces — Barbizon (Pines of Farmington), Farmington Brook, Country Ridge No. 1, Farmington Green North No. 1, 2, and 3, Hunters Pointe and Irv Wilcox (Foxmore subdivision).

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