

Hills subdivision requirements toughened

By Joanno Maliszowski
staff writer

As far as some Farmington Hills City Council members are concerned, a long-sought crackdown on developers and their completion of neighborhood open space should be an ordinance with penalties levied for violators.

In a 4-2 vote Monday, council adopted a tougher new policy that requires developers to complete neighborhood open spaces — in new subdivisions — before the fifth building permit is issued.

Council members Jan Dolan and Terry Sever opposed council action. Dolan said she preferred having a public discussion with developers, builders and other interested residents before adopting such a policy.

Sever agreed with Dolan. But he added that he believes much of the problem with the city's former open space policy was lack of enforcement.

"I feel there is a more workable policy between the two extremes (former and current policies)," Sever said.

Council also directed the city's ad-

ministrative staff to develop the new open space policy into an ordinance. When the proposed ordinance is later presented to council, a public hearing date will be scheduled.

SURPRISED THE administrative staff had presented the new open space requirements to be adopted as policy — after council in July requested it in ordinance form — Councilwoman Joan Dudley asked city attorney Paul Bibeau for his opinion.

"It (previous open space policy) has never been part of the ordinance before. I wouldn't recommend it to be in ordinance form," Bibeau said, adding that once in ordinance form, the open space requirements would be difficult to change.

But Bibeau's response failed to daunt Dudley, who pressed for an ordinance rather than a council policy. "This really is a dramatic change. I think we are going to hear some squawking about it. The planning commission already has. If we really believe in it and it's really startling, even without a great number of (new) developments, it's less likely to be changed in ordinance



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form," Dudley said.

Director of Public Services Thomas Blasell agreed. "An ordinance as such would provide for a stronger message, if you want to put it that way."

UNDER A council policy, Bibeau said, city officials can enforce the new requirements by issuing stop work orders. In addition, Bibeau said the city has the authority under zoning ordinance and the subdivision control act to issue violations.

"Very frankly, the stop work orders are the biggest joke this city ever instituted," Dudley said. "If we make it an ordinance, we can make it the force of law."

Council's new open space policy came in response to problems and controversy in the past year over incomplete neighborhood open spaces. Tired of continuing problems with open space completion, Councilman Ben Marks last November asked city staff to develop a tougher policy for the city's few remaining new subdivisions.

Under the new policy, open spaces would be treated as any other subdivi-

vision improvements, such as water and sewer lines, which are required in the subdivision platting process.

The city's former policy — under which developers received numerous extensions in the past year — 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.

THE FORMER policy also required developers to put the amount of money it would take to complete the parks areas in a letter of credit or escrow account. When developers did not complete open spaces by a required deadline, city officials in some cases withheld building permits and took money in escrow to complete the parks.

Despite the city's policy and efforts — beginning last fall — to beef-up enforcement, the city has had trouble ensuring developers complete the open spaces. But council has also experienced difficulty in ensuring maintenance of completed open spaces.

Under the new policy, the city will allow the developer to build four models, which provides enough time to complete the open space. In addition, the city will require an escrow account to assure open space completion.

The escrow amount will be 150 percent of the final cost estimate for the open space, as approved by the city council. The escrow amount will include estimated completion costs, administrative and inspection fees, and replacement and inflationary cost increases when work is postponed.

When complete, the open space will be inspected by city staff. If the open space is unacceptable, the developer will be sent a list of outstanding items that need to be completed. If the completed open space is acceptable, building permits will be issued when requested and a preliminary approval will be granted.

THE NEW policy incorporates an additional step in the open space process. Following the open space's completion, the developer is required to provide a maintenance deposit to cover the possibility that newly seeded areas and plants will survive for two years. If plants are

still living after one year, the deposit will be reduced by half.

After a full growing season, the open space will again be inspected to make sure plant and grass growth has been successful, according to the policy. If additional work is necessary, the developer will be given 30 days to complete improvements. If the work is not completed within that time period, building permits will be withheld.

When city inspectors give final approval of an open space, responsibility for the area's maintenance will be turned over to the subdivision association.

Although most council members supported the beefed-up policy, concerns about maintenance were expressed as well as the two-year period during which a maintenance deposit is required.

Councilwoman Jan Dolan suggested replacing the two-year requirement with a percentage of houses built in the subdivision in case housing construction slows. Using a percentage could ensure that developers remain responsible for open space completion and maintenance until enough residents live in the subdivision to take responsibility for the open space.

Meetings slated to discuss parks

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staff writer

Plans for two Farmington Hills parks will be the focus of discussion at scheduled meetings between city staff and residents.

The planned entrance to Heritage Park, west of Farmington Road between 10 and 11 Mile, will be discussed with nearby residents at 7:30 p.m. Thursday, Aug. 14, in the park's estate house.

Residents, particularly those living along Ridgewood, east of Farmington Road, are concerned that the park's planned entrance would be almost directly across from the entrance to their neighborhood, Special Services Director Dan Potter said.

City staff have mowed a path to show residents where Heritage Park's main road leading from the planned entrance would be, he said.

Modifications in plans for a 15-acre athletic park on the northwest corner of 13 Mile and Farmington roads will be the focus of a second meeting scheduled at 7:30 p.m. Thursday, Aug. 21, in North Farmington High School, 32900 13 Mile.

"Last week, we presented to the (Farmington Hills) Parks and Recreation Commission a proposal modifying the original concept for the park," Potter said.

THE PROPOSED modifications include enlarging the park's parking lot and reducing the number of soccer fields from three to two, as well as making all the fields regulation size to enable older youths to use them, he said.

Modifications will also allow use of the baseball/softball outfield for soccer during the fall season only, Potter added.

This will be the second meeting between city staff and parks and recreation representatives and residents. At a first meeting in June, residents of nearby neighborhoods — Briar Hill, Willowbrook Commons, Three Oaks Condominiums, Wedgewood and Canterbury West — had some concerns about the city's park plan, such as the potential for parking and traffic problems.

In modifying plans for the athletic park, "we took into consideration the concerns by residents in the areas as well as those by youth baseball and soccer representatives," Potter said. The athletic park's modifications would have to be presented to the Farmington Hills Planning Commission for site plan review before any construction begins, Potter said.

THE ATHLETIC park is designed to meet the community's need for youth athletic fields, as determined through a community survey included in the city's updated master parks

and recreation plan, approved by the Farmington Hills City Council in March.

Heritage Park and the athletic park are two of nine improvements currently top priorities in the Farmington Hills Parks and Recreation Commission's five-year action plan. The plan of suggested improvements completes the master parks and recreation plan. The action plan includes a listing of 21 suggested improvements.

But the first nine improvements — including work on Heritage Park, development of athletic fields and upgrading of Farmington Public Schools fields — will be the focus in the next five years.

Farmington Hills voters in June approved the city's request for a special 0.5-mill levy for five years to pay exclusively for development of parks and recreation facilities in the city.

The special millage will raise in excess of \$3 million over the next five years to finance priority improvements. The athletic park is expected to cost an estimated \$310,000. Heritage Park site development — park entrance, main road, gate, sign and landscaping — is expected to cost an estimated \$274,700, according to the action plan.

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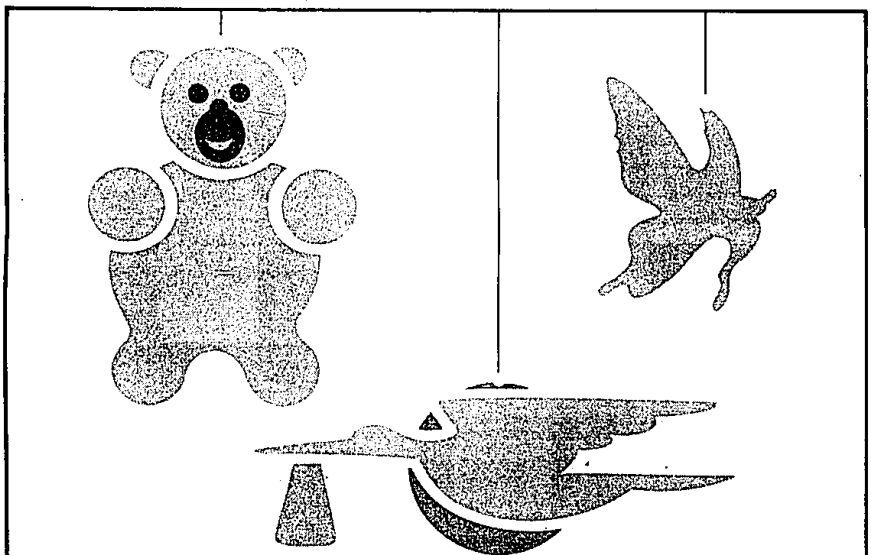
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