



### CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council

**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator

**Date:** July 26, 2005

**Subject:** Cambridge Condominiums - Motion to permit construction of 670 square foot restroom facility instead of 2,000 square foot clubhouse.

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**List of committees that have reviewed:** The Community Development Committee reviewed the developer's request at their July 25, 2005 meeting and recommended approval of a motion to allow the developer to construct a 670 square foot restroom facility instead of a 2,000 square foot clubhouse.

**Background:** Jeff Holland, owner and builder at Cambridge Condos on Cambridge Blvd, is nearing completion of his Condo project and is presently constructing the pool and clubhouse, which was approved by the City Council as part of the overall concept. Mr. Holland proceeded with construction of both without obtaining a building permit, so his project has been stopped pending receipt of a proper permit.

During our review of his plans, it was noted that the clubhouse had been scaled back significantly to two restrooms and a mechanical room, not a clubhouse as originally submitted and approved. It is staff's position that his proposal to construct the restrooms and mechanical room is not a clubhouse and staff could not issue a permit in contradiction of the Council's approval. Mr. Holland noted that there were no standards initially approved for the clubhouse. He also stated that the homeowners association only approved \$14.00/month for association fees, which would only build the restrooms and mechanical room as proposed.

The decision before the Council is whether the project as proposed is sufficiently close to a clubhouse as the Council intended to authorize release of a building permit to Mr. Holland. If the Council deems it to be reasonably close to the original intent of its ordinance, then staff will release a building permit for his plan. If the Council believes his proposal does not meet the Council intent when it approved a clubhouse in the PUD, then staff will not release the permit, thereby requiring him to revise his plans. It should be noted that there is not a minimum size for the clubhouse authorized by the PUD – he has great flexibility in designing a product that meets the intent of a “clubhouse”. This matter comes down to the Council interpreting its intent and providing staff direction on whether to release the building permit for his proposal.

**Legal Considerations, if any:** None

**Budget Impact:** None

**Staff recommendation:** Staff recommends that the plans be revised to meet the intent of the Planned Use which is to construct a clubhouse instead of a restroom facility.