



## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator  
**Date:** July 14, 2006  
**Subject:** **Resolution** Approving an Easement Plat for "Cambridge Condominiums, Phase IV" –

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**List of committees that have reviewed:** The Community Development Committee reviewed and unanimously recommended approval of the Easement Plat at its July 10, 2006 meeting.

**Update:** As you will recall, the next phase of Cambridge Condos was approved by the Council (across Cambridge Blvd. from the existing condo development) as a 44 unit preliminary Planned Development. As a follow-up to that preliminary approval and as part of their final construction plans, an easement plat needs to be approved allowing the dedication of the utilities and necessary easements to the City. The streets, while private, will also be subject to cross-access easements. Following construction of the units, a condominium plat will be prepared and recorded consistent with the state Condominium Act requirements.

Conditions of that preliminary planned development approval in May included the following:

1. *The park dedication requirement is 0.22 acres with the requirement being fulfilled through a fee in lieu of land in the amount of \$11,175.*
2. *Sidewalk variance be granted to allow construction on only one side of the street as indicated in the attached site plan.*
3. *The road width variance be granted to construct 26' wide private streets.*
4. *The applicant and the owner of Lot 5 to the north shall establish a cross access easement for the north entrance of the development from Cambridge Boulevard for access by both properties.*
5. *The builder shall update the existing pool facilities east of Cambridge Boulevard in accordance with the Illinois Department of Public Health's pool facility requirements so that residents in Phase IV may utilize said facilities. All pool improvements shall be completed prior to final occupancy of any unit within Phase IV.*
6. *The applicant will submit a detailed landscape plan at the time of construction document submittal to be approved by Planning and Zoning.*

Also, at the April 24, 2006 Community Development Committee meeting, it was noted that the builder, Jeff Holland, agreed to update the existing pool facilities in the original Cambridge Condos phase in accordance with the Illinois Department of Public Health's pool facility requirements so that all residents in this proposed Phase IV may utilize these facilities. Because portions of this new phase will be outside the pool's 500' exemption area, the state will

require among other elements, showers, toilets, and lavatories to be constructed at the pool. A condition of the prior zoning approval in May was that the above pool improvements must be completed prior to final occupancy of any unit in Phase IV.

**Legal Considerations, if any:** This development, Cambridge Condos Phase IV, has been named in a lawsuit by Lynn Adcock in an effort to stop its approval. Even so, Dale Funk stated the easement plat may be approved by the Council if it chooses to without adversely affecting the City's position in the lawsuit.

**Budget Impact:** If accepted, a fee of \$11,258 will be paid to the City by the developer as a fee in lieu of required parkland dedication.

**Staff Recommendation:** Approval of the Easement Plat subject to the following conditions:

1. All easements for utility and drainage be a minimum of 15'
2. The plat for signature be submitted with all appropriate plat certifications and signatures.
3. the private streets within the development, as well as adjacent properties, be granted cross-access easements.
4. A shared drainage easement be provided with the owner of Cambridge House to share drainage in the existing detention pond.