

STAFF REPORT
Cascade River Ranch
ANNEX-19-01, ZON-19-01, PUD-19-01, SUB-19-01

Staff: City of Cascade
Public Hearing: May 20, 2019
Applicant: Steve Arnold, A-Team Land Development & Real Estate
Owner: Cascade River LLC
Location: North-east of Highway 55, adjacent to the Payette River
Size of Site: 121.17 acres
Existing Zone: Mixed Use (MU)
Proposed Use: Mixed Use Subdivision (C Zone and R-3 Zone)

REQUEST

Steve Arnold, A-Team Land Development & Real Estate made a request for approval a mixed-use development for the River Ranch Subdivision. The development consists of: (i) 7.47 acres of commercial use; (ii) 13.7 acres of multi-family use; (iii) 36.2 acres of single-family use; and (iv) 34.4 acres of open space. The subject property is located northeast of Highway 55, adjacent to the Payette River. The property is further described as W/2 E/2; NE4 NW4; GOV'T. LOTS 1, 2, & 5; GOV'T. LOT 6, LYING N. AND E. OF HWY. 55 S31 T14N R4E.

BACKGROUND

ANNEXATION AND REZONE

The applicant is requesting annexation of the 121.17 acres currently zoned as MU. The site is located outside of the City limits within the area of impact and is currently used as agricultural/grazing land.

The property is contiguous with existing City limits to the west. The applicant has requested the property be rezoned to R-3.

PLANNED UNIT DEVELOPMENT

The residential portion of the property contains 145 family lots, 11 cottage lots, 46 townhouse lots and 64 multifamily lots. The gross density of the areas ranges from 1.9 units per acre for a single family up to 22 units per acres for the multifamily. All of the residential lots have frontage and access along public roadways and the multi-family units will have access to private drive isles that access the road network. All wetland areas will have pathway system near or adjacent to open rail fencing. There will be CC&R's and an Architectural Control committee, a uniform design scheme and color scheme will be implemented. The HOA will maintain all common areas through imposed assessments.

The commercial portion of the property contains 12 commercial lots on approximately 7.47 acres. Access to the commercial lots will be common drive isles located off the main collector and an easement will be recorded. As with the residential portion of the development, there will be CC&R's along with an Architectural Control committee, a uniform design scheme and color scheme will be implemented. A separate association will maintain all common areas through imposed assessments.

The site is on a major corridor into the City of Cascade and the developer wishes to create a sense of place as you enter the City. The fact that the site is situated within a floodplain and floodways, as well as its proximity to the Payette River and wetlands, create challenges to develop around but the developer believes they can become great amenities to the project. The multifamily component of the project can provide needed housing for the valley, and commercial will be developed as the project progresses. High-end estate lots will be created along with Payette River, and will most likely consist of second homes and/or vacation homes. Other resident development such as townhomes, cottages and standard single family residential lots will also be developed.

PRELIMINARY PLAT

Standard of Review for Subdivision

1. Idaho Code Section 67-6512, 6509 and 6535
2. Idaho Code Section 5-1301 through 50-1329
- a. Cascade City Code CCC 3-2-6-C-6, CCC 3-1-12-A-7(j), CCC 3-2-6-C-7, CCC 3-2-4-A, CCC 3-2-4-C/D, CCC 3-2-6-E-1(a-d), CCC 3-2-3-C-4, CCC 3-1-8-D-2(f-g), CCC 3-1-8-D-2(d), CCC 3-1-8-D-2(a), CCC 3-2-4-D-1, CCC 3-1-8-F, and Section 3.2.2 Functional Classification of the Comprehensive Plan

Final Plat for the subdivision will be considered at a later date.

FINDINGS

1. A pre-application meeting was held on November 1, 2018 at Cascade City Hall. The applicants were present as well as the land developer, city staff and representatives from ITD, Horrocks Engineering, City Public Works and Cascade Rural Fire.
2. The application was submitted on January 22, 2019.
3. Notice for the February 19, 2019 Public Hearing was provided in accordance with Idaho and City Code. Agency notice was provided on February 4 and/or 5, 2019. Newspaper notice was provided on Jan 31, 2019 and Feb. 7, 2019. Property owners within 300' were notified by mail on February 4 and/or 5, 2019. The site was posted on February 11, 2019.
 - a. Commissioner Perkins made a motion to re-open the public hearing on March 4, 2019 for Cascade River LLC, ANNEX-19-01, ZON-19-01, PUD-19-01, SUB-19-01. Commissioner White seconded the motion.

- b. Commissioner Perkins amended her motion to reopen the public hearing on March 4, 2019 for Cascade River LLC, ZON-19-01, PUD-19-01, SUB-19-01. Commissioner White amended the seconded. Roll call vote: LH, yes; HP, yes; CW, yes.
4. Notice for the May 20, 2019 Public Hearing was provided in accordance with Idaho and City Code. Agency notice was provided on May 2, 2019. Newspaper notice was provided on April 25, 2019 and May 2, 2019. Property owners within 300' were notified by mail on May 2, 2019. The site was posted on May 2, 2019.

COMMENTS

PUBLIC COMMENTS

1. A few neighbors of the adjoining properties came in to City Hall to further review the file.
2. Staff received a letter from adjacent land owner David Little of Little Enterprises, LLLP who states he is in favor of the development with a couple of comments for consideration:
 - a. Preservation of easements for future connectivity of city services, roads and utilities (water, sewer, power) to the adjacent lands from the proposed development.
 - b. If the subdivision streets are going to be public roads having them connect to neighboring lands will enhance future neighborhood connectivity.
 - c. Ensure water drainage is preserved so we don't run into future issues.
3. Staff received a phone call from adjacent property owner Lawana Stevens. Mrs. Stevens concerns are:
 - a. Their property being annexed into the City, as their property is currently receiving an AG exemption and they generally have a few cows on their property.
 - b. Has concerns with the size of the development, as she said there are a few other subdivisions in the area that aren't being utilized. Doesn't want to see this happen.
1. Staff received a letter from Central District Health on February 7th stating:
 - a. After written approval from appropriate entities are submitted, we can approve this proposal for central sewage.
 - b. The central sewage and central water plans must be submitted to and approved by the Idaho Department of Environmental Quality.
 - c. Run-off is not to create a mosquito breeding problem.
 - d. Subdivision application and engineering report is required by CDHD.
2. Staff received a letter from Trevor Howard, Project Engineer, Horrocks Engineering, on February 11, 2019 stating he recommends approval of the preliminary plat if it satisfactorily addresses the following comments:

- a. In order for the City to provide adequate services, the applicant shall submit a more detailed phasing plan to indicate the number and type of lots in each phase and estimate construction timeline for each phase.
- b. Clearly indicate if it's the applicant's intent to connect to City water & sewer services.
- c. Verify that water system connected to River Ranch Development can provide adequate fire flows by use of a water model.
- d. Enhance the appeal and value of the development by ensuring that the bike/pedestrian path network is fully connected. Some or all of the roadways may need shared use shoulders, sidewalk, or separated paths to provide a fully connected bike/pedestrian network.
- e. Clearly indicate if it is the applicant's intent to retain ownership and maintenance of the roadways or have the City accepts ownership and maintenance of the roadways. All roadways and intersections shall be designed to accommodate emergency vehicles, e.g. fire truck. All dead-end roadways shall have a hammerhead or cul-de-sac designed to accommodate emergency vehicles.
- f. Applicant shall provide a copy of the final grading plan approved by FEMA prior to approval of Final Plat.
- g. Applicant shall provide a copy of the US Army Corps of Engineers permit for the final grading plan prior to approval of the Final Plat.
- h. Provide a comprehensive Stormwater Management Plan prepared by an Engineer licensed in the State of Idaho that describes the basin characteristics, conveyance system, Erosion and Sediment Control measures, and Operation and Maintenance of the Stormwater Management System.
- i. The Stormwater Management System shall be designed so that post-development stormwater runoff leaving the development area is no larger than pre-development runoff leaving the development area.
- j. Applicant shall obtain an approved ITD permit for all approaches to Highway 55 prior to approval of the Final Plat.

AGENCY COMMENTS

1. Staff received a letter from Aaron Scheff, Regional Administrator, Department of Environmental Quality on February 14th, with the following comments and closed by saying they look forward to working you in a proactive manner to address potential environmental impacts that may be within our regulatory authority:
 - a. While DEQ would support annexation of this subdivision, we would like the County to ensure the wastewater, drinking water and storm water facilities have the capacity to

- serve this new development. Additionally, we ask the Cascade Planning & Zoning to strongly consider setbacks if and when this subdivision is platted.
- b. There is information provided on each of the following, offered as general comments to use as appropriate:
- i. Air Quality – Please review IDAPA 58.01.01 for all rules on Air Quality
 - ii. Wastewater and Recycled Water –
 - 1. DEQ recommends verifying that there is adequate sewer to serve this project prior to approval.
 - 2. Review IDAPA 58.01.16 and IDAPA 58.01.17 rules regarding wastewater and recycled water to determine whether this or future projects will require separate permits as well.
 - 3. All projects for construction or modification of wastewater systems require preconstruction approval.
 - 4. DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible.
 - iii. Drinking Water
 - 1. DEQ recommends verifying that there is adequate water to serve this project prior to approval.
 - 2. Review IDAPA 58.01.08 regarding public drinking water systems.
 - 3. All projects for construction or modification of public drinking water systems require preconstruction approval.
 - 4. DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system.
 - iv. Surface Water
 - 1. A DEQ short-term activity exemption from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water.
 - 2. Contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System Permit.
 - 3. If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices to assist in the protection of Idaho’s water resources.

v. Hazardous Waste & Ground Water Contamination

1. The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated.
2. No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site.

vi. Water Quality Standards

1. Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters.
2. Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04.

vii. Ground Water Contamination.

1. DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11).

2. Staff received a letter from Eric Gerke, Project Manager, Regulatory Division of the U.S. Army Corps of Engineers. They have reviewed the applications for Cascade River Ranch and have the following comments:
 - a. As proposed, the project will likely be processed under a Standard Permit (Individual Permit), since proposed development activities will require filling in Wetland A, and the majority of Wetland B and C. Activities as described will exceed impact thresholds for any Nationwide Permit. As such, the United States Army Corps of Engineers (USACE) will require as part of our permit process that a full range of development and design alternatives be considered.
 - b. The USACE will be issuing an Approved Jurisdictional Determination for the updated wetland delineation report in the next couple of weeks for this parcel of land.
 - c. The USACE has concerns regarding this development in respect to the recent FEMA floodplain mapping. We have forwarded your public notice and requested that a review of this action from the Idaho Department of Water Resources, State Floodplain Coordinator.
3. Sally Gossi, City Building Inspector, had the following comments:
 - a. Americans with Disabilities (ADA) standards will be required for all new construction such as:

- i. Accessible routes
 - ii. Accessible entrances
 - iii. Accessible parking spaces
 - iv. Playground and picnic areas.
4. Letter received from Steven Hull, Cascade Rural Fire Protection District with the following comments:
- a. All roads shall be built to City of Cascade standards or Section 503.2 IFC 2015.
 - b. All dead-end road and cul-de-sac shall meet the requirements in IFC Appendix D Figure D103.1 (attached).
 - c. Fire flow for buildings shall meet the requirements in IFC (Appendix B) attached.
 - d. Fire hydrant location shall meet the requirements in IFC Appendix C (attached).

CITY COMMENTS

Summary Section

RESPONSIVE

- 1. Please specify how the development is consistent with the City’s Comprehensive Plan.
- 2. Please detail the amenities as told in the narrative. What amenities specifically, what percentage does this cover within the development, who will maintain the amenities, and any other details that will be relevant to P&Z making a determination.
- 3. Per CCC 3-2-6-C-3(a, b, e): Provide colored rendering to show architectural style and design, materials and colors, and garbage areas. City is also requesting architectural footprint and dimensions of multi-family units, and detail image of proposed open fencing.
- 4. Per CCC 3-2-6-C-6: Show area(s) for storage of recreational vehicles (specifically for multi-family units, alley-load units and cottage lots).
- 5. Per CCC 3-2-6-C-7 and CCC 3-1-12-A-7(j): Correct required parking space counts for multi-family lots to reflect the required two (2) spaces per living unit, plus one (1) additional space for every three (3) dwelling units.

Access to State Hwy 55 Section

RESPONSIVE

- 1. Preliminary Plat and PUD acceptance will be subject to ITD’s approval and issuance of a new access permit.
- 2. Complete Traffic Impact Study to include commercial uses as per ITD condition in 2/20/19 letter.

3. Narrative indicates roadways will be public, however City has indicated that discussion at Pre-Application meeting determined roadways would be private. Conditions may be negotiated between the City and the Developer; therefore, final determination of roadways will be a condition of plat approval and shall be included as a Development Agreement item. In the interest of moving the plat forward, the following comments apply:
- a. Per Cascade Rural Fire Protection District, all roads whether private or public shall be built to City of Cascade Standards, therefore roadways will be dimensioned and constructed as per CCC 3-2-4-A, CCC 3-2-4-C/D, and Section 3.2.2 Functional Classification of the Comprehensive Plan.
 - b. Please revisit lengths of cul-de-sacs at D Street and both K Place roadways (Phase 3 and Phase 5). Variance and/or Special Fire Approval will be required.
 - c. At the time of issuance of these City Comments, Fire Marshall/Cascade Rural Fire Protection had indicated that additional comments of the Agency would be forthcoming; additional comments will need to be considered and/or addressed for approval of plat.

Annexation and Rezone Section

RESPONSIVE

1. City will require commercial and residential zones to be split: C-Zone along the highway frontage/entry of commercial lots (Lots 7-10 Block 1, Lots 1-4 Block 2); with R-3 Zone in the remainder of the development (including four commercial lots adjacent to the pond).

Design Considerations Section

RESPONSIVE

1. As per comments received from Army Corps of Engineers (USACE), please provide the 404(b)(1) Analysis Report provided to the Corps for City review and deliberation with USACE.
2. Approval of any development within the floodplain/way and wetlands will be conditional upon final Army Corp review and approval and will be subject to their stipulations and permitting.
3. Provide evidence that the pond fill excavated is sufficient to both raise the entirety of the building area of the development, and that that calculations and fill area will avoid impact to properties up-and down-stream.

Flood Prone Areas, and Wetland Avoidance Section

RESPONSIVE

1. Approval of Preliminary Plat and Planned Unit Development is conditional upon FEMA review and approval of removing lots out of the floodplain.
2. Please provide Army Corp of Engineers approval of wetland delineation and development within the area.

3. Given the special development area, City will require inclusion of an Erosion and Sediment Control Plan with CDs.
4. Per State Flood Coordinator correspondence, the development is subject to Title 44 of the Code of Federal Regulations State Statute 60.3 and NFIP regulations which require that a BFE (Base Flood Elevation) prior to approval. City requires that any area of the plat that does not have an approved and established BFE obtain a BFE and submit it as a condition of approval. Requirements as per the correspondence received from the State Flood Coordinator will be a condition of approval prior to start of construction.

Utilities, Irrigation, Storm Drainage, and Snow Storage Section **RESPONSIVE**

1. Please provide documentation that the existing well capacity, along with pond capacity, will be sufficient to service the whole development with irrigation.

Amenities and Open Space Section **RESPONSIVE**

1. Parks, common area, roadways and pedestrian pathways will be required to be maintained by the Homeowners Association; review of CC&Rs and HOA Articles for inclusion of these items will be a condition of Final Plat approval.
2. City will require minimum of 25% open space.

Impact Statement Section **RESPONSIVE**

1. Per CCC 3-2-6-E-1(a-d): Please provide a report identifying all public services that will be provided to the development, estimates of the cost of the public services to provide adequate service to the development, and suggested means of financing the services if the estimated cost for services is not offset by the tax revenue received from the development.
2. See Item #40c: Consider adding a stub road at end of D Street for future connectivity to Thunder City Road.

Vision Statement **RESPONSIVE**

1. City will require regular upkeep and maintenance of landscaping for units that become second homes; stipulations need to be included in CC&Rs for upkeep of the home while owners are not in town.
2. Stakeholders would like to be involved in monument sign; please provide samples for comment. All signage must align with City Code and must be approved by ITD.

Comments Specific to Individual Applications & Plat **RESPONSIVE**

Rezone Application

1. Provide separate meets and bounds descriptions for the (two) 2 separate zones (C and R3). Descriptions must be certified.

Land Use Application

1. Is unsigned; please submit fully signed application.

Preliminary Plat & Application

1. Submit an estimated phasing and construction timeline(s).
2. Submit an 8 ½" x 11" - 300-scale drawing of the proposed subdivision showing only the street names and lots.
3. Proposed street names must be provided for Preliminary Plat approval. Street names must be shown on both item #2 above as well as full-sized Plat.
4. Provide list of names and addresses of all property owners with 300-feet of the property lines.
5. Item 10b: Clearly indicate if the Application is requesting roads to be public or private. Please make note of Item #3 of "Access to State Hwy 55 Section" (above, page 1) regarding roadways.
6. If roadways are determined to be private show and label with unique line type cross access easements for the City to access utilities and water meters, etc.
7. Item 11b: City shall require minimum of 15' wide PU easements
8. Revisit hydrant locations in cottage lot area to ensure distances, locations and quantities are per Code.
9. Correct Lot Sizes: (those standards which are not based on existing Code shall be acknowledged and entered into within the Development Agreement. Allowances are subject to change pending City's receipt of architectural plans and review of footprint/dimensions)
 - a. 18-Plex lot required to be minimum of 30,000 s.f. per Code;
 - b. 24-Plex lot required to be a minimum of 39,000 s.f. per Code;
 - c. Fourplex lot required to be a minimum of 9,000 s.f. per Code;
 - d. Single family lot required to be a minimum of 5,000 s.f. per Code;

- e. Minimum Lot Width - front and rear - for lots shall be no less than 35' wide (some alley load lots shown are as narrow as 13' which renders the lots unbuildable, even given the depth of the lots). The Fire Marshall has additional comments forthcoming which may modify the minimum lot width - as soon as the City is in receipt of this letter City will notify developer.
- f. Corner alley-load lots shall be a minimum of 40' wide to allow for unobstructed vision triangle.
- g. All alley-load and cottage lots shall be of a depth to allow for a minimum 20' deep driveway for each unit to comfortably park a vehicle on the lot, outside of the garage, and not encroach into the right-of-way/drive aisle.
- h. Snow removal lots (Lot 23 Block 2, Lots 18 & 40 Block 7) shall be landscaped for usable recreation area during the non-snow months.
- 10. Label the Park with Pond on Block 3 with a Lot #. Indicate in NOTES that the HOA will maintain the park.
- 11. Item 16: Setbacks shall be a minimum as shown on redlines of plat.
- 12. Riverfront Setbacks: 75' from the high-water mark
- 13. Note #2: Show all easement lines on all lots with dimensions; include line type in Legend.
- 14. Note #3: Setbacks will not be in accordance with the standards of the City; the Application is requesting variances from standard setbacks. Setbacks shall be listed as per redlines on the plat and as dictated in the Development Agreement.
- 15. Note #4: Add "...which will be served by private wells contained within the subdivision and maintained by the HOA."
- 16. Note #5: Please identify/label on the plat specific locations of the stormwater retention.
- 17. Identify what "GLO" lines are in Legend; use a unique line type for the GLO.
- 18. Identify pedestrian pathways in Legend.
- 19. Identify phase lines in Legend.
- 20. Remove all items from Legend that are not represented in plat.
- 21. Identify large black circular items at park at river's edge in Phase 3 (gazebo?).

22. Show high water mark line with a unique line type. Ensure it shows in relation to lot lines at Lots 7-15, Block 3, Phase 3.
23. Ensure hydrants and lamp posts are appropriately located (reference Phase 3 cul-de-sac).
24. Darken font showing Block numbers.
25. End B Street with a stub on the northern side of D Street; there seems no reason to extend B Street to a cul-de-sac with no adjacent improvements.
26. Label amenities on plat as listed at SITE DETAILS.
27. Show both sides of Fourplex building footprint on Lot 18, Block 6.
28. What roadway does the 100' ROW Street Section reflect? Label street sections.
29. Roadway sections need to show infiltration.
30. Show roadway dimensions on plat including dimensions of cul-de-sac to meet Code.
31. Separate roadway sections for each road type should be represented on plat.
32. Show bicycle/pedestrian path on roadways as detailed in Narrative; roadway section should illustrate dimension for the path(s).
33. How will Lots 7 and 8, Block 1 be accessed?
34. How will Lots 7 and 8 access utilities?
35. How will J Place be accessed by roadway?
36. How will Lot 4 Block 6 get access?
37. How will Lot 4 Block 6 access utilities?
38. Add roadway access to B Place.
39. Add roadway access to E Place.
40. Per State Fire Marshall:
 - a. Add secondary access to multi-family - Apartments - Block 1
 - b. Add secondary access to multi-family - 4-Plexes - Block 5
 - c. Add secondary emergency access for entirety of development. Recommendation at east end of A Drive and/or extension of cul-de-sac L Place through abutting property.
41. Though not required per Code, City requests submittal of the following:

- a. Recorded Warranty Deed for the subject property.
 - b. All record survey data utilized for the design of the plat, including accretion survey.
 - c. Due to the scale and scope of development, developer and City may need to hold an Open House as a condition of approval of preliminary plat, dependent upon outcome of May 20, 2019 Public Hearing.
42. Due to the many concerns about the river bank, as provided in written comments by relative agencies including the USACE, DEQ and Fish & Game, as well as the City of Cascade, Developer will be required to plant vegetation (approved by DEQ and Fish & Game) along the equivalent of 40% of the total river lot frontage during construction of Phase 1 of development; this will be listed as an item in the Development Agreement.
43. City will require a Pre-Construction meeting BEFORE construction begins.
44. Entire submittal package (inclusive of all four (4) applications) are subject to comments and requirements from all applicable agency jurisdictions as well as the City Engineer comments in letter dated March 7, 2019. All preliminary comments are attached hereto as Exhibit A.
45. Rezone, Preliminary Plat and Planned Unit Development approval is subject to comments and requirements contained in this document.
46. Preliminary Plat and Planned Unit Development approval is subject to successful execution of a Development Agreement.

SIGNIFICANT IMPACTS

The scale and scope of this development is anticipated to have significant impacts to the residents of Cascade, and to the City. With the real potential that once fully built out the development could double the population of Cascade, or more, in as little as five years' time. Of course there will be impact to the City in tax revenue, but impacts that must also be considered will be the impacts realized at the schools and healthcare facilities, at the public utilities, at local community organizations and businesses, as well as at all local recreational areas. Impact in traffic volumes and roadways will also be apparent. This is not to say that the impacts are positive or negative in nature, but simply that the impacts will be far reaching and should be contemplated when making any determinations regarding approving or denying the applications.

RECOMMENDATIONS

Staff recommends to continue the public hearing to the June regular meeting (or consideration of special meeting) for the following reasons:

1. Requirements by the City as addressed in the City Comments letter dated May 3, 2019 have not been met by developer and must be met prior to Planning & Zoning review.
 - a. 44% of the City Comments were not addressed per requirements of City.
 - b. Deemed nonresponsive, the unresolved issues from City Comments must be addressed - see the items above not marked as responsive.
2. All requirements by Agencies must be met as they pertain to Preliminary Plat.
 - a. Most specifically, comments by the Fire Marshal have not been addressed by developer.
3. Technical review of the applicant's package has not been finalized due in part to a still substantially incomplete submittal by applicant.
4. Merits of the application can not be presented in its current form.