

Heather Soelberg

From: Peggy Breski <peggyb@horrocks.com>
Sent: Friday, June 07, 2019 12:36 PM
To: Steve Arnold
Cc: Josh Davis; 'Stephen Bradbury'; Judith R. Nissula; Matthew A. Johnson; Heather Soelberg
Subject: Initial Review of 2nd Submittal
Attachments: RE: CRR (The River District)

Hi, Steve,

I wanted to reach out to you as quickly as I could after our initial review of the 2nd Submittal of The River District (formerly Cascade River Ranch); sorry I wasn't able to yesterday.

We see that the roadways weren't updated to the required width per our conversations, and per Code; I anticipated that you wouldn't based on the email we shared last (attached) but we wanted to give you one more chance before the Hearing to make those changes. If the changes aren't addressed in time for the June 17th Hearing date, along with some of the other items that weren't addressed in the Comments, Staff will have to recommend tabling again, and we don't want to go that route. To speak to your attached email, the roadways are not an item that will be carried as a "Condition of Approval"; they are too impactful to the rest of the design.

In moving forward, we've already provided responses to the Exceptions Request (yesterday); and we're working on a Supplementary Comments to the 2nd Submittal now.

We want to urge you to consider making those revisions over the weekend so that the Applications can be heard and continue to move along. Once we send the Supplementary Comments (should be today) please feel free to call me with any questions you have – we are here and available to assist you with the City's requirements and finding solutions.

Thanks so much,

Peggy Breski
Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520
Email peggyb@horrocks.com
Web www.horrocks.com

Heather Soelberg

From: Peggy Breski <peggyb@horrocks.com>
Sent: Monday, June 03, 2019 2:25 PM
To: Steve Arnold
Subject: RE: CRR (The River District)

Okee dokee.

Thanks so much,

Peggy Breski
Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520
Email peggyb@horrocks.com
Web www.horrocks.com

From: Steve Arnold <steve@ateamboise.com>
Sent: Monday, June 3, 2019 2:22 PM
To: Peggy Breski <peggyb@horrocks.com>
Subject: RE: CRR (The River District)

I appreciate the heads up but the maps have been mailed, it will just have to be a condition of approval.

Thanks,



Steve Arnold, Project Manager
(208) 871-7020
1785 S Whisper Cove, Boise, Idaho 83709
steve@ateamboise.com



From: Peggy Breski <peggyb@horrocks.com>
Sent: Monday, June 3, 2019 2:19 PM
To: Steve Arnold <steve@ateamboise.com>
Subject: RE: CRR (The River District)

I do want to give you a heads-up that the City won't approve the 22' pavement width so perhaps you want to adjust that before calling this the final submittal?

Thanks so much,

Peggy Breski

Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520

Email peggyb@horrocks.com

Web www.horrocks.com

From: Steve Arnold <steve@ateamboise.com>

Sent: Friday, May 31, 2019 2:46 PM

To: Peggy Breski <peggyb@horrocks.com>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>

Cc: Josh Davis <Josh@Graniteexcavation.com>; Yvette Davis <yvetteidavis@gmail.com>; Dusty Hibbard <Dusty@graniteexcavation.com>; Sterling, Dave <dsterling@to-engineers.com>; Trevor Howard <TrevorH@horrocks.com>

Subject: CRR (The River District)

Peggy/Matt,

Attached are the requested changes to the map, we put all the redlines that were requested and we are putting together a list of exceptions as discussed in our meeting. I am sending this out early for a tertiary review to see if there are any additional changes that you would like to see on the maps. If there are any we will get those to you by Tuesday of next week. If it generally looks good, I will get hard copies by Monday. We understand this is just a tertiary review and by all means not a final one, this is a work in progress, we just wanted to get you the opportunity for additional comments.

I will be sending each map separately for a total of three e-mails, please confirm receipt of each.

Attached is our cover sheet.

Thanks,



Steve Arnold, Project Manager

(208) 871-7020

1785 S Whisper Cove, Boise, Idaho 33709

steve@ateamboise.com



Heather Soelberg

From: Peggy Breski <peggyb@horrocks.com>
Sent: Thursday, September 12, 2019 12:43 PM
To: Heather Soelberg
Subject: FW: CRR (The River District)
Attachments: CRR_PRELIM PLAT_COVER_05-31-2019 (002).pdf

Thanks so much,

Peggy Breski
Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Phone 208-895 2520, ext. 435
Email peggy@horrocks.com
Web www.horrocks.com

From: Steve Arnold <steve@ateamboise.com>
Sent: Friday, May 31, 2019 2:46 PM
To: Peggy Breski <peggyb@horrocks.com>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>
Cc: Josh Davis <Josh@Graniteexcavation.com>; Yvette Davis <yvetteidavis@gmail.com>; Dusty Hibbard <Dusty@graniteexcavation.com>; Sterling, Dave <dsterling@to-engineers.com>; Trevor Howard <TrevorH@horrocks.com>
Subject: CRR (The River District)

Peggy/Matt,

Attached are the requested changes to the map, we put all the redlines that were requested and we are putting together a list of exceptions as discussed in our meeting. I am sending this out early for a tertiary review to see if there are any additional changes that you would like to see on the maps. If there are any we will get those to you by Tuesday of next week. If it generally looks good, I will get hard copies by Monday. We understand this is just a tertiary review and by all means not a final one, this is a work in progress, we just wanted to get you the opportunity for additional comments.

I will be sending each map separately for a total of three e-mails, please confirm receipt of each.

Attached is our cover sheet.

Thanks,



Steve Arnold, Project Manager
(208) 871-7020
1785 S Whisper Cove, Boise, Idaho 83709
steve@ateamboise.com





Applicant Proposed

P O Box 649
Cascade ID, 83611
Phone (208) 382-4279

P& Z Staff Report

To: Cascade Planning and Zoning Commission

Case Number(s): ANNEX-19-01 (Annexation), ZON-19-01 (Rezone) PUD-19-01 (Planned Unit Development)
SUB-19-01 (Subdivision)



steve@ateamboise.com

The River District Subdivision

Location: North East of HWY 55 and Payette River.

Planner: Peggy Breski, Senior Planner
Horrocks Engineers
2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642
peggyb@horrocks.com

Hearing Date: June 17, 2019

Owner/Applicant: Cascade River LLC
19 Warm Lake HWY
Cascade, Idaho 83611

Representative:
A Team Land Consultants,
Steve Arnold
1785 Whisper Cove Ave.
Boise, Idaho 83709

Table of Contents:

- A. Course Proceedings
- B. Applicants Request
- C. Site History
- D. General Project Facts
- E. Staff Analysis
- F. Applicable Standards
- G. Comprehensive Plan Analysis
- H. Procedural Background
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. City Code Analysis
- L. Recommendation By the Planning and Zoning Commission

A. Course of Proceedings

1. Cascade City Code (CCC), Title 3, Chapter 1, Section 14, states subdivisions, rezones and PUD permits require public hearings, with the Planning and Zoning Commission as the decision-making body for the preliminary plat and PUD, and City Council as the decision-making body for Annexation, zone designation and Final Plat approval. This land use action was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act (LLUPA).

a. **Notifications**

i. Neighborhood Mailing by Developer	January 29, 2019
ii. Agencies	???
iii. 300' Property Owners	???
iv. Cascade, Star Newspaper	???
v. Site Posted	Not required

B. Applicants Request:

1. Request:

Cascade River Ranch Subdivision is a request for an annexation and zone designation, preliminary plat, and planned unit development application. The subject property is located generally on the north side of Highway 55, adjacent to the Payette River. This phase of the development contains 121.17 acres and is identified as Valley County Assessor's Tax Parcel Number RP14N04E310605. This is a proposed mixed-use development is proposed with 7.47 acres of commercial use, 13.7 acres of Multifamily uses, and 36.2 acres of single family use, and 34.4 acres of open space. The residential portion of the property contains 158 single family lots, 10 cottage lots, 47 townhouse lots and 52 multifamily lots (288 Units). The requested zoning of R-3 and C-1 application will allow for this mixed use and is consistent with the Comprehensive Plan. The gross density of the areas ranges from 1.9 units per acre for the single family up to 22 units per acre for the multifamily.

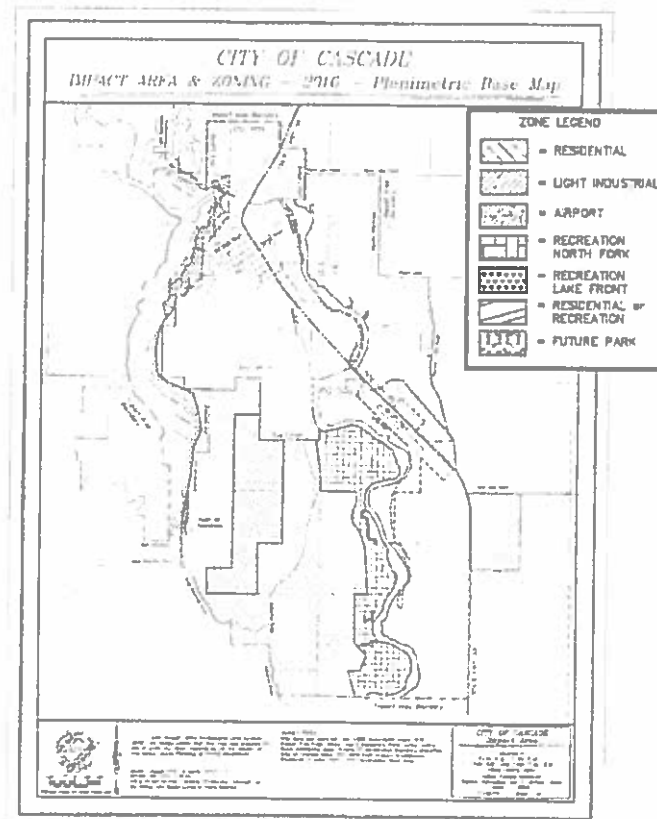


C. History: The 121.17-acre subject parcel is situated adjacent to Cascade City limits with an MU residential zoning designation. This property has historically been used for cattle grazing. There has not been any previous development activity submitted to the City for this site.

D. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map (FLUM) identifies the subject site as Residential or Recreational Use. Staff generally views this land use request to be consistent with the approved Future Land Use Map within the Comprehensive Plan.

Map 1: Cascade, ID – Area of Impact



2. **Surrounding Land Uses:**

North	MU/Residential	Cattle Grazing – Valley County
South	Commercial	Light Manufacturing/Airport – City of Cascade
East	MU/Residential	Low Density Residential – Valley County
West	Commercial/Recreation Payette River	Light Commercial/Recreational – City of Cascade

3. **Parcel Sizes, Current Zoning, Proposed Zoning, Parcel Numbers:**

- Approx. 121.17 total acres proposed to be developed
- Existing Zone MU
- Proposed Zone C-1 (Commercial/Multifamily)
- Proposed Zone R-3 (Low Density Residential)
- Parcel # - RP14ND04E310605

Commented [SB2]: Is this the current zoning?

4. **Services:**

- Sanitary Sewer – City of Cascade
- Potable Water – City of Cascade
- Irrigation – Surface and Subsurface Wells
- Pressurized Irrigation – Developer Proposed
- Fire Protection – Cascade Rural Fire District
- Police Protection – Valley County Police
- Sanitation Services – Lake Shore Disposal
- School District – Cascade

5. **Existing Structures, Vegetation and Natural Features:** There are no existing structures on the site, and it is utilized for cattle grazing. There are few if little trees on the site, and the slopes are generally less than 5-percent from west to east across the site, and generally rolling terrain the closer that you get to the Payette River. There are floodways and floodplains that encumber the site. The applicant has worked with USACE to identify wetlands and will be required to obtain a 404 permit from USACE for any wetland disturbance. The site is located within a FEMA flood Zone AE and Floodway. The Applicant is proposing to excavate pond on site as amenities and to generate fill to raise the building pads above the FEMA Base Flood Elevations.
6. **Transportation/Connectivity:** The development proposes to utilize the existing access off HWY 55 as the main roadway into the development. Secondary access is proposed from the extension of the main collector road through the Little Property south out to HWY 55. There is a proposed stub street to the east to the larger lots, so that when they redevelop, utilities could be extended to those lots. All of the roads are proposed as public except for the drive isles into the commercial and multifamily portions. The multifamily portion has a concept drawing showing the number of units proposed. Each multifamily unit will have a minimum of two parking stalls with 10-percent additional parking as guest parking. The Commercial lots will share drive isles for both access and utility extensions. The north/south B Street is being proposed as a collector roadway that could be expanded as major north/south corridor as growth occurs around the City. The Fire Department may also require widening of the main access in addition to secondary fire access to the development. Staff is recommending that the applicant obtain Fire District approval prior to roadway construction. The new internal public roads will be fully improved as a public streets with pavement, borrow ditches and pedestrian pathways on one side of the road. The developer will be required to obtain City approval of the roads prior to construction. There are multiple trails and pathways throughout the subdivision to encourage a pedestrian friendly environment and neighborhood connectivity. The HOA shall be required to maintain these pathways, the CC&R's shall provide language of this maintenance requirement.

7. **Environmental Issues:** Portions of the subject site lie within FEMA's 'Flood Way and Zone AE' flood hazard area as it borders Payette River to the west. There are also portion that have been identified on the map as wetland areas as determined by the USACE. The proposed site design was prepared to minimize impact to those wetlands. Other than FEMA's 1% annual chance flood hazard area and the wetlands, staff is not aware of any environmental issues, health or safety concerns or conflicts.
8. **Agency Responses:** The following agencies returned comments: City Engineer (Trevor Howard P.E.), City Planner (Peggy Breski) Idaho Department of Fish and Game, the United States Army Corps of Engineers, Idaho Transportation Department, Cascade Public Works, Cascade Rural Fire District, Central District Health Department (CDHD), Idaho Department of Environmental Quality (DEQ), Cascade School District, and Cascade Medical Center. The responding agency comments are included as exhibits with this case file.

E. Staff Analysis:

Cascade River Ranch Subdivision is a request for an annexation and zone designation, preliminary plat, and planned unit development application. This is a proposed mixed-use development with 7.47 acres of commercial use, 13.7-acres of Multifamily uses, and 36.2 acres of single-family use, and 34.4-acres of open space. The developer will be extending all City services to the proposed building lots, including City Sewer and Water, dry utilities are adjacent to the site and are proposed to be extended to all building lots. The developer is building all public streets and the private drive isles will be maintained by an association, as will all the common lots. Adequate public facilities exist to serve this subdivision. There are no detrimental effects to neighboring properties. The development complies with all City and State Codes and is not creating a public safety concern. The submitted plan conforms with the City's Comprehensive plan and general engineering and planning design standards.

Staff has determined this application complies with Title 3 of the Cascade City Code with the exceptions provided in the PUD process; Idaho Statute §67-6511, §67-6512, §67-6513 and the Cascade Comprehensive Plan, and forwards Case No.'s ANNEX-19-01, ZON-19-01, PUD-19-01, and SUB-19-01, to the Commission with recommended conditions of approval.

F. Applicable Standards:

1. City of Cascade Zoning Ordinance Title 3, Ch. 1, 1-18,
2. City of Cascade Subdivision Ordinance Title 3, Ch. 2, 1-11
3. City of Cascade Comprehensive Plan and Future Land Use Map (adopted March 12, 2018)
4. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

G. Proposed Comprehensive Plan Analysis:

The Cascade Planning and Zoning Commission accepts/rejects the Comprehensive Plan components as described below:

The proposed subdivision, rezone and Planned Unit Development for the site is consistent with the following Comprehensive Plan components:

Economic Statement:

The loss of the longtime sawmill and most mining activities in the area as well as the decline of the availability of timber from local forests and the abandonment of the railroad have had a negative impact on the area's economy. Should mining become viable again, all efforts should be made to accommodate this industry. Midas believes it can build a mining project that restores the environment, creates economic opportunity and benefits the surrounding community. Along with this development, a demand for higher-density, community amenity-oriented housing should emerge. Multi-family housing, lofts, and townhomes would all be appropriate and complementary product types.

Staff Comments: The proposal generally will provide the needed housing type for economic growth to occur, and in no way hinders that economic growth. The proposed development complies with the elements of the comprehensive plan by providing a mix of housing types which aligns with this goal.

Transportation Statement:

The Transportation Element represents Cascade's overall transportation plan and plays an important role in shaping the overall structure and form of the city, and in the movement of people, goods, and freight within and through Cascade. Highway 55 (Main Street) traverses the city in a north-south direction and is the predominant transportation corridor in Cascade. Perhaps the most overlooked factor in transportation planning is the fact that streets are an integral part of the built environment. As factors that determine the character and qualities of a community, they are just as important as parks, schools, and neighborhoods. Livable communities are walkable and bike able communities. Pursuant to the adopted pathways plan, any new subdivision should have development agreements that allow for a trail system connecting all lands within the Cascade Impact Area to the present City limits.

Staff Comment: The proposed site will be conditioned to comply with all City Codes as it relates to public roadway construction. The design of the roadway will be reviewed and approved prior to construction. The developer will be required to comply with best management practices as it relates to storm drain. The site has numerous pathways provided throughout the development. As a condition of approval, the applicant will be required to provide a statement within the CC&R's concerning the maintenance of the pathways and common areas, along with the maintenance of the drive isles for the commercial and multifamily units.

Natural Resource Statement:

This element provides an analysis of the uses of rivers and other waters, forests, rangeland, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines. The abundant natural resources found throughout the Cascade impact zone are vitally important to the long-term growth and development of the Cascade area. Cascade continues to develop as an all-season recreational paradise due in large to the trees, the mountain topography that encompasses the area, and the abundant supply of water resources, including Lake Cascade and the North Fork of the Payette River. **Objective:** Ensure that all new developments are planned and designed to recognize and minimize impacts to the Cascade area's environmental and scenic resources.

The Federal Emergency Management Agency, with the assistance of the Army Corps of Engineers, has designated certain areas along Lake Cascade and the North Fork of the Payette River as being within the 100-year floodplain. The city has adopted a Flood Hazard Areas Ordinance to control development in these areas. Enforcement of this ordinance should be continued so that potential hazards due to flooding are reduced and in order for property owners of structures within these floodplains to continue to be eligible for federal flood insurance.

Creek bed alterations can create higher velocities, which in turn are leading to the erosion of creek banks, sediment transport into fish habitat, loss of important riparian vegetation, and log dams, flooding, and other impacts to downstream properties. Preservation of functioning sections and restoration of non-functioning sections of the Payette River should be encouraged and supported. Control of livestock access to the river should see regulations from the County to enforce no contact with water or banks of the Payette River. Sediment and nitrate controls should be put in place on all tributaries or creeks going through grazing land to lessen the pollution to the river.

Staff Comment: The site has been designed to minimize impact to natural resources. The developer will be required to submit permits to the USACE for approvals prior to construction of any area that impacts jurisdictional wetlands. The applicant is not proposing to alter the channel of the Payette River, and no alteration is approved with this application. By reducing the cattle grazing in this area, it is anticipated there will be an improvement to the riparian area. The site has minimal impact on natural resources.

Special Area Statement:

This element provides an analysis of areas, sites, or structures of historical, archeological, architectural, ecological, wildlife, or scenic significance. Before any development takes place, consideration of wildlife habitats, corridors, breeding grounds, wetlands, and fisheries should first take place to ensure the preservation of wildlife and critical wildlife habitat.

Staff Comment: Portions of this development have jurisdictional wetlands. The applicant has submitted a wetland study to the USACE, and the preliminary findings of that study has been reviewed, and preliminarily approved. The site has been designed to minimize any impact to those wetlands. Staff find that there will be minimal impact to the wetlands and wildlife habitats.

Community Design & Vision Statement:

This element provides analysis for regulating landscaping and trees, building design, and signage. The suggested patterns and standards for community design, development, beautification should foster preservation of significant sites. Broad statutory authority for local governments to plan for and regulate community design elements is set forth in the Idaho Code:

67-6518 STANDARDS "Each governing board may adopt standards for such things as: building design, blocks, lots, and tracts of land, yards, courts, greenbelts, planting strips, parks, and other open spaces, trees; signs; parking spaces, roadways, streets, lanes, bicycle ways, pedestrian walkways, rights-of-way, grades, alignments, and intersections; lighting, easements for public utilities; access to streams, lakes, and viewpoints; water systems, sewer systems, storm drainage systems; street numbers and names, house numbers; schools, hospitals, and other public and private development.

Standards may be provided as part of zoning, subdivision, planned unit development, or separate ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided in section 67-6509, Idaho Code.

Expanding and planning for connecting walking/bike paths to the downtown from all points of the city impact area, including the Strand, Fischer Pond, Cascade Sports Park, Kelly Whitewater Park, Cascade Golf Course, and Lake Cascade State Park, is a priority objective. The City wishes to improve the continuity of trails system by connecting walking/bike paths in new and existing subdivisions. The community's vision is to enhance Cascade as a destination area with inviting walkable, drivable, safety conscious neighborhoods that are family friendly, and through providing a supportive environment for year around residents and an economy to support them. Cascade must also take advantage of the natural recreational opportunities that can be expanded upon without adversely affecting the quality of the environment upon which they are based.

Objective: Incorporate Smart Growth Principle into Community Design decisions and programs
Smart Growth Principles

Mixed Land Uses

- I Mixed Land Uses.
- II Take Advantage of Compact Building Design.
- III Create a Range of Housing Opportunities and Choices
- IV Create a Walkable Community with connections between developed areas that will create a connected trail system to any part of the impact area (See Map 4, Chapter 11.1)
- V Foster a Distinctive, Attractive Community with a Strong Sense of Place.
- VI Preserve Open Space, Farmland, Natural Beauty, and Critical Environmental/Wildlife Areas.
- VIII Provide a Variety of Transportation Choices.
- IX Make Development Decisions Predictable, Fair, and Cost-Effective.
- X Encourage Community and Stakeholder Collaboration in Development Decisions.

VII Strengthen and Direct Development towards the City Limits within the impact area until build out and the City can support more expansion.

Cascade's desire to preserve and enhance its unique, scale, character, and qualities is a reflection of its community values. The City wishes to improve the continuity of trails system by connecting walking/bike paths in new and existing subdivisions. The community's vision is to enhance Cascade as a destination area with inviting walkable, drivable, safety conscious neighborhoods that are family friendly, and through providing a supportive environment for year around residents and an economy to support them. Cascade must also take advantage of the natural recreational opportunities that can be expanded upon without adversely affecting the quality of the environment upon which they are based.

Every effort should be made to co-exist with the area's native wildlife. Wildlife is an attraction to the city, but it must be protected, and the public educated to the advantages of these creatures as well as the dangers they may pose.

Staff Comment: The proposed development has a mix use of housing type and conforms to the principals of smart growth. There are numerous pathways provided throughout the site and will be an asset to the City. The proposed pathways will be maintained by the HOA, so they will not impose additional costs to the City. The proposed development preserves a significant amount of open space and wetland areas, along with a public access to the Payette River. This development will provide for the housing types that are in need within the City and County, and complies with this section of the Comprehensive Plan.

Housing Statement.

This element provides an analysis of housing conditions and needs, plans for improvement of housing standards; and plans for the provision of safe, sanitary, and adequate housing. It also includes strategies and recommendation for the provision for low cost conventional housing, the siting of manufactured housing and mobile homes in subdivisions and parks and on individual lots where zoning regulations allow.

Staff Comment: The proposed development supplies the City with the needed work force housing and a mix of housing types. There will be a range of housing from the work force housing, to townhomes, cottage lots, and estate lots along the Payette River.

Public Services and Facilities Statement.

This element provides descriptions and analyses of the general plans for sewage, drainage, water supply, fire stations and firefighting equipment, health and welfare facilities, libraries, cemeteries, solid waste disposal, schools, public safety facilities and related services.

Cascade's public water supply is pumped from groundwater wells into above-grade storage tanks. The wells are located outside the city limits, but within the city impact area. The three wells pump directly into a pair of water tanks located above Duffers Lane. The two tanks are located at higher elevations than most residents so pumping for residential use is not necessary. Fresh water daily usage varies from 60,000 gallons in the winter to over 1,000,000 gallons in the summer. At the present there are no plans to expand or create more wells. The water supply is stable and should be able to serve the entire City and Impact Area well into the future for any growth that should occur.

The City of Cascade's wastewater treatment plant is a three-cell facultative treatment pond system along with four rapid infiltration basins. Wastewater flows from the City of Cascade are received at the City Shop lift station located immediately west of City Shop near Cell 1. This lift station is used to transport the wastewater vertically 15 feet to a structure that diverts flows to the different cells.

A preliminary engineering report was prepared pursuant to meeting the preliminary engineering report requirements given in Section 411 of IDAPA 58.01.16, better known as the Idaho Wastewater Rules (hereinafter called Wastewater Rules) The technical portion of the City of Cascade's Sewer Facility Planning Study (Project

Engineering Consultants, Schiess & Associates) was completed and approved by DEQ on March 29, 2011. Since that time, the City replaced thousands of feet of old sewer mainline in an effort to eliminate infiltration and reduce the hydraulic loading on the treatment plant. The collection system project included replacement of the final lift station located near the lagoon treatment plant. This is the sum of all of the wastewater improvements that the City has done since the completion of the Sewer Facility Planning Study.

The City of Cascade now desires to turn their focus to incrementally improving the efficiency and the reliability of treatment at the wastewater treatment plant by adding a minimum amount of aeration and a vertical fine screen. Much of the collection system improvements identified in the facility plan have been made. The treatment aspects of the facility plan are not outdated, remain in force and still provide a capital plan for treatment plant improvements. A preliminary engineering report for treatment plant improvements was prepared to initiate improvements.

The 20-year design condition is assumed to be the addition of 200 homes from the present condition and the buildout condition is too far into the future to be relevant at this time. The addition of 200 homes yields a non-transient population of 1,500 and a summer population of 2,000 or more. Aeration and mixing added to each of the three lagoon cells will provide immediate treatment improvement. The operators should see a noticeable effect of reduced BOD effluent results and odor at seasonal turnover (when the ice on the surface of the lagoons melt off and the warmer water near the bottom of the lagoons during the winter changes places with the warming water on the top of the lagoons as winter gives way to spring) in the late winter and in the later fall when cooler lagoon surface temperatures tend to change places with the warmer water at the bottom of the lagoons. The vertical fine screen is a one-time installation item that will function for current flows all the way to buildout of the capacity of the entire WWTP.

The City of Cascade is one of 114 municipal wastewater treatment plants with NPDES permits. From the period of January 2014 to December 2016 was one of 22 municipal wastewater treatment plants (19%) which had no violations.

The city has an underground storm water collection system. The storm water is discharged into three collection basins near the river. The collection basins act as settling ponds for sediments before the water flows to the river. System upgrades include improving storm drains. The system is designed to meet Idaho Department of Environmental Quality (DEQ) best management practices (BMPs) for storm water.

The best practices manual from DEQ contains recommendations to address water quality concerns with storm water run-off. These include the following:

1. Education – Increase awareness among homeowners and businesses regarding practices for proper disposal of waste, lawn care, and auto maintenance to minimize non-point pollutants.
2. Incorporate low-impact development techniques for new construction and subdivisions to reduce erosion and construct proper storm water collection systems.
3. Road and highway departments should maintain storm drains, drainage systems and other infrastructure related to storm water control.

Police protection is provided by Valley County Sheriff's Office (VCSO) on a contractual basis. Increased police protection may be achieved by contracting with VCSO for additional services. Assistance is also provided by the Idaho State Patrol, who has responsibility for traffic enforcement on state highways. The Sheriff's Office also operates the County Correctional Facility in Cascade and the Valley County Emergency Services. The County is served by 911 emergency response through the Sheriff's Office and Valley County Emergency Services.

Cascade is now served by the Cascade Rural Fire Protection District. The District has a significant number of volunteers and professionals that serve the area from the Southern end of Round Valley County line north to Arling Hot Springs on the North end. The Fire District provides both suppression and prevention services within its service area. There

are mutual aid agreements in place with all fire departments in the valley floor along Highway 55. SIPTA provides Wildland fire protection in the area.

The "Valley County, Idaho Wildland-Urban Interface Wildfire Mitigation Plan" was adopted in 2004. The plan encompasses the entire county and was developed under the direction of a committee with representatives from federal and state land agencies and local city and county governments. Each county in the state has adopted a plan under the National Fire Plan guidelines. The plans include a risk assessment, mitigation strategies and processes to monitor and update the plan.

The WUI plan recommends the following mitigation strategies.

1. Public awareness campaign regarding defensible space techniques.
2. Community evacuation plan
3. Vegetative treatments to reduce fuels and the potential for crown fires.
4. Provide for proper ingress and egress in new developments

Electric service is provided to Cascade by Idaho Power, an investor owned utility based in Boise that provides service in southern Idaho and eastern Oregon. The utility is engaged in generation, transmission, distribution, sale, and the purchase of electrical power. Generation capacity comes primarily from hydroelectric facilities and coal fired power plants. This includes a hydroelectric facility located on the Cascade Reservoir. The plant was originally built in 1926 on a Payette River diversion by the U.S. Bureau of Reclamation. The generation plant was rebuilt in 1984 to add capacity and now has two generators with a total capacity of 12, 420 kilowatts. Generation is tied to seasonal reservoir releases for irrigation.

Action Items applicable to this development:

1. Adopt and implement guidelines and standards for energy conservation practices.
2. Incorporate energy conservation requirements as approval criteria for planned unit developments

Idaho is the State of Idaho broadband planning initiative to plan advanced broadband services and to promote adoption of broadband technologies. The initiative is funded through a federal grant from the National Telecommunications and Information Administration (NTIA). As part of the grant, a statewide broadband coverage map was developed and is available on-line. The grant also funded regional planning efforts to work with local teams to develop deployment and adoption strategies. communities and planned unit developments.

Cascade is under contract for waste disposal with Lake Shore Disposal. Cascade has a Valley County recycle collection point within the City. Lakeshore Disposal is responsible for the collection and hauling of refuse to their collection sites in McCall, Cascade, and Donnelly. Lakeshore also operates recycling bins at the same locations. After the waste is hauled to the collection sites it is then transported to Idaho Waste Systems' landfill in Elmore County. Each community has a collection fee for refuse collection and hauling.

Cascade Medical Center serves Cascade and the surrounding areas, from Donnelly south to Smith's Ferry. Cascade Medical Center provides a wide variety of medical services to meet the needs of the surrounding community. Cascade Medical Center provides twenty-four-hour emergency care, inpatient hospital care, and a rural health clinic. A local EMS team is available for medical emergencies in and around this area, including the large backcountry. The Cascade Medical Center partners with Saint Alphonsus Regional Medical Center, which supplies both tertiary care and life flight transfer service.

The Cascade Public Library provides service to residents within city limits, as well as the outlying areas. As a full-service library, it provides free access on six public computers, along with free Wi-Fi. The library offers a variety of services such as, 3-D printer, faxing, copying, audio books, videos, interlibrary loan, a large selection of educational databases, and children and adult programming throughout the year, to name a few.

The City of Cascade has one cemetery within city limits. Margaret Cemetery, often called the Cascade Cemetery is located at 118 Gardner Place, Cascade. Other cemeteries in the local area include Crown Point Cemetery located at 1263 Shore Drive, Cascade and Alpha Cemetery located on Alpha Lane, Cascade.

Staff Comment: The existing water system should be adequate to serve the majority of this proposed development. An additional well may be required to supply adequate fire suppression for later phases. The applicant will be required to provide evidence to adequate water and fire suppression prior to construction and final plat approval. There is between 200-400 EDU capacity within the existing sewer treatment plant, upgrades to that system will be required to service this entire site at full build out. Development of this site will cease prior to the entire capacity of the treatment plant being used up. The developer will be required to enter into an agreement with the City to improve the treatment plant once existing capacity is used up. The development will be required to maintain Best Management Practices concerning storm drain disposal, so there should be minimal impact to ground or surface water. Currently the School District is seeing a decline in students, so the District should be able to handle the addition of students from this development. The existing City services will adequately supply the proposed development, and existing facilities will not be negatively affected.

Hazardous Areas and Sites Statement:

An understanding and identification of potentially hazardous areas is important to land use planning. Identifying areas at high risk of hazards will definitely impact where future developments are planned and developed, and what mitigation strategies can reduce risk to property owners and avoid the loss of life and property in the event of natural disasters. Fire may be more of a factor than anything previously mentioned here for Cascade. A large fuel load exists to the west, south and north. These areas need to be managed for fire prevention and yet preserved for wildlife habitat.

The flood hazard areas of the City of Cascade are subject to periodic inundation that can result in, loss of life and property, health and safety hazards, disruption of commerce and government services, extraordinary public expenditures and impairment to tax base, all of which adversely affect the public health, safety and general welfare. The City of Cascade has adopted a flood damage prevention regulation to regulate development within flood hazard areas to promote public health, safety and minimize public and private losses due to flood conditions. The City has adopted the Flood Insurance Study (FIS) for Valley County and incorporated Areas" dated February 1, 2019 and accompanying Flood Insurance Rate Maps (FIRM). The FIS and FIRM show both a Floodway (including the Payet River and a portion of the land adjacent to the River) and Special Flood Hazard Area "AE" also referred to as the 100-year floodplain on portions of the development. The City code requires a floodplain development permit and elevating new structures above the Flood Protection Elevation defined as BFE plus 2 feet along with other regulations.

Staff Comment: Due to the limited amount of timber on this site there will be minimal fire hazards. However, a significant portion of this development is impacted by a floodplain. The applicant is proposing to dig a pond and raise those areas out of the floodplain. As a condition of approval, the applicant will be required to submit the necessary permits to raise the building lots out of the floodplain and that the proposed building meet the regulations of the City Flood damage prevention regulation. Construction within the Floodway is prohibited.

School Facilities Statement:

The Cascade School District #422 is located at 209 N. School St. in Cascade. The 96,000 square foot facility educates students P-12. The building includes two gymnasiums, a small cafeteria, eleven elementary classrooms, sixteen secondary classrooms, three administrative offices, a counselor's office and storage closets. The building has the capacity to house approximately 500 students. An elementary playground exists on site. Athletic fields are provided by a partnership with the City and the Southern Valley County Recreation District. Enrollment has been in a state of decline. Projected enrollment is expected to remain the same or decline until the local and state economic conditions improve.

Staff Comment: Due to the nature of enrollment being in a decline, there exists a surplus in available student capacity. The proposed development will not negatively impact the School District, and it will supply the housing that will be required to house future educators.

Recreation and Open Space Statement:

This element provides an analysis of the existing system of recreation areas, including parks, parkways, trails, river walks, athletic facilities, playgrounds, and other recreation areas and programs. It also sets forth the community's goals and objectives for expanded and enhanced recreational opportunities. Parks, trails and open spaces provide vital green space in the fast-changing landscape. They provide buffers, transitional areas, and visual relief that can reduce the impacts of development. These areas are also instrumental in providing access to rivers, lakes and adjoining public lands. Just as importantly parks, trails and open space maintain open view sheds, and provide groundwater recharge areas, floodplain protection, natural sound barriers, habitat for urban wildlife, and filter pollutants from the air. Parks and open spaces contribute to both community sustainability and public health.

Staff Comment: The proposed development provides the City over 34 acres of open space and several miles of walking pathways. The proposed development complies with the intents of the comprehensive plan for open space and recreational walking paths.

Commented [SB3]: This comment does not appear to address the above element

Commented [SA4R3]: Oops, cut and paste error

Private Property Rights Statement:

This element outlines the analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions, and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in Chapter 80, Title 67, Idaho Code

The Fifth Amendment of the United States Constitution, as well as Article 1§14 of the Idaho Constitution ensure that private property, whether it be land or intangible property rights, not be taken by the government absent just compensation. The Idaho State Legislature has, in Chapter 80, Title 67, Idaho Code, also enacted statutory provisions requiring state and local governments to ensure land use policies do not result in a taking of private property without just compensation by utilizing, among other things, a taking checklist generated and amended from time to time by the Idaho Attorney General in reviewing the potential impact or regulatory or administrative actions on private property.

Land use policies, restrictions, conditions, and fees of the City of Cascade should not violate private property rights or create unnecessary technical limitations on the use of property as prescribed under the declarations of the purpose in Chapter 80, Title 67, Idaho Code and its subsequent amendments

Staff Comment: Utilizing the Idaho Attorney Generals criteria, and a review by the City Attorney, the proposed project does not constitute a "taking" and the economic value of the parcel(s) remains intact.

Land Use Statement:

This section contains an analysis of natural land types, existing land covers and uses, and the intrinsic suitability of lands for uses such as agriculture, forestry, mineral exploration and extraction, preservation, recreation, housing, commerce, industry, and public facilities.

Smart Growth Principals

1. Mixed Land Uses
2. Take Advantage of Compact Building Design.
3. Create a Range of Housing Opportunities and Choices.
4. Create a Walkable Community with connections between developed areas that will create a connected trail system to any part of the impact area. (See Map 4, Chapter 11.1)
5. Foster a Distinctive, Attractive Community with a Strong Sense of Place.

6. Preserve Open Space, Farmland, Natural Beauty, and Critical Environmental/Wildlife Areas
7. Strengthen and Direct Development towards the City Limits within the impact area until build out and the City can support more expansion.
8. Provide a Variety of Transportation Choices
9. Make Development Decisions Predictable, Fair, and Cost-Effective.
10. Encourage Community and Stakeholder Collaboration in Development Decisions.

Land Use Decisions will be guided by Smart Growth Principles. The need for new townhomes, condominiums, apartments and other higher density, smaller lot residences will increase as the local business climate enhances. Ideally, a significant share of higher density development would be within walking or biking distance of the central business district and have close access to recreation areas and major roads.

A continuing demand for additional "high-end" or higher priced estate lot developments for second homeowners is anticipated. These neighborhoods should encompass the outlying areas of the city, and take advantage of open space and view sheds.

Staff Comment: The proposal complies with the Comprehensive Land Use Plan as adopted by Cascade, by incorporating the following, a mix of different housing options in or near the neighborhood core while promoting in-fill methodologies and a quality housing project.

B. Procedural Background:

The Commission conducted its first Public Hearing on February 19, 2019, where it considered Cases No. ANNEX-19-01, ZON-19-01, PUD-19-01, and SUB-19-01, including the application, agency comments, staff's report, application exhibits, and public testimony presented or given. This item was scheduled for the March 5, 2019 Planning and Zoning Commission meeting but was tabled at that meeting for the purpose of hiring a contract city planner to review the site.

C. Proposed Findings of Fact for Commission Consideration:

Based on the record contained in Case No's ANNEX-19-01, ZON-19-01, PUD-19-01, and SUB-19-01, including the exhibits, staff report and public testimony at the public hearing, the Cascade Planning and Zoning Commission hereby *approves/denies PUD-19-01, and SUB-19-01*, for the proposed Cascade River Subdivision, and recommends *approval/denial* of ANNEX-19-01, and ZON-19-01 for the Cascade River Ranch Subdivision with the conditions of approval/denial for those Case No's as stated in the staff report.

Comment: The Commission's findings do / do not agree with staff's analysis that the proposal complies with Idaho Code § 67-6511(2) C, 67-6512 and 67-6513, the Cascade Comprehensive Plan (as outlined in this report) and accompanying Comprehensive Plan Map.

1. The Cascade Planning and Zoning Commission accepts/rejects the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

Comment: The Cascade Commission held a public hearing on the subject applications on June 17, 2019 to hear from City staff and the applicant to accept public testimony. The decision by the Commission is based on the application, staff report and any public testimony, both oral and written.

2. Based on the evidence contained in Case No's ANNEX-19-01, ZON-19-01, PUD-19-01, and SUB-19-01, this proposal appears to *generally* comply with the all applicable City Codes and the Comprehensive Plan and accompanying Comprehensive Plan Map.

Comment: The Comprehensive Plan has listed numerous goals for providing multi-family housing in Cascade. The Comp Plan Map designates this property as Mixed Use Residential. As this is a proposed mixed residential and commercial use, the project generally follows the goals of the Comp Plan and the Comp Plan Map. In making a decision regarding a zone designation upon annexation, the Commission is to consider Idaho Code §67-6511 (2) C, which requires that it analyze a proposed change to the city's zoning ordinance to ensure that the requested change is not in conflict with the policies of the adapted comprehensive plan. If the request is found by the governing board to be in conflict with the adapted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction then the request for re-zone may properly be denied.

In addition, and in regard to the request for the subdivision of the property, Idaho Code §67-6513 states that the city may provide for mitigation of the effects of subdivision development on the ability of the city to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.

3. The Cascade Planning and Zoning Commission has the authority to approve or deny the Preliminary Plat and the Planned Unit Development application and recommend approval or denial for the Annexation and zone designation applications to the City Council.

Comment: On June 17, 2019, Cascade Planning and Zoning Commission will vote to approve or deny case No. PUD-19-01, and SUB-19-01 and recommend approval or denial of Case No. ANNEX 19 01 and ZON 19 01. Prior to granting a rezone, preliminary plat and planned unit development permit, the Commission may require studies of the social, economic, fiscal, and environmental effects and any aviation hazards as defined in section 21-501(2), Idaho Code, of the proposed use. A PUD shall not be considered as establishing a binding precedent to grant other PUD's or permits. As well, a PUD permit approval is not transferable from one (1) parcel of land to another.

4. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Comment: As noted in the process and noticing section, notice requirements were met to hold a public hearing on June 17, 2019.

D. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No's ANNEX-19-01, ZON-19-01, PUD-19-01, and SUB-19-01 the Cascade Planning and Zoning Commission finds those cases to comply with Cascade City Code.
2. Based on the evidence contained in Case No's ANNEX-19-01, ZON-19-01, PUD-19-01, and SUB-19-01, the Cascade Planning and Zoning Commission finds those Case No's, are consistent with Cascade's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood mailer was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Cascade City Code Analysis:

1. This request appears to be consistent and in compliance with all Cascade City Codes and applicable State Codes (CCC).
Comment: The proposed project meets the land use and area standards in Chapter 3, of the (CCC).
2. The site is physically suitable for a subdivision.

Comment: The 121.17-acre (approximate) project includes a request for a zone designation of C-1 and R-3. The site appears to be compatible with the proposal.

3. The subdivision and planned use development uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: The land to be developed has taken into account the wildlife habitat and has minimized impacts to the wetlands. Roads, driveways, family units and open spaces are planned for construction according to the City requirements and best practices and will therefore not cause environmental damage or significant loss of habitat.

4. The annexation, zoning, preliminary plat and PUD applications are not likely to cause adverse public health problems.

Comment: The annexation, preliminary plat and PUD requires a zoning designation per Cascade Code City Code. The Commercial, residential high density, and low density land use designation requires connection to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.

5. The application appears to avoid detriment to the present and potential surrounding uses, to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

Comment: Staff did consider the annexation, preliminary plat and PUD and the location of the property with adjacent uses. The subject property is surrounded by existing City to the west and south with County subdivisions to the east. This development will be required to be connected to the Cascade City central sewer and potable water systems and will be providing a pressure irrigation water system to all lots and common areas. There is adequate City services available to this site and the development will not impact the adjacent uses. The current adjacent uses are residential and commercial; therefore the proposed uses will complement the existing uses.

6. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.

Comment: With the recommendation from ITD, the City will require the review and approval of a traffic impact study for this development. The developer will be required to comply with all the ITD findings of that traffic study, the City will not approve a final plat until written approval is provided by ITD. Cascade Public Works confirms that the proposed streets and utility services are suitable and adequate for the commercial and residential project. There are adequate public facilities to service this site.

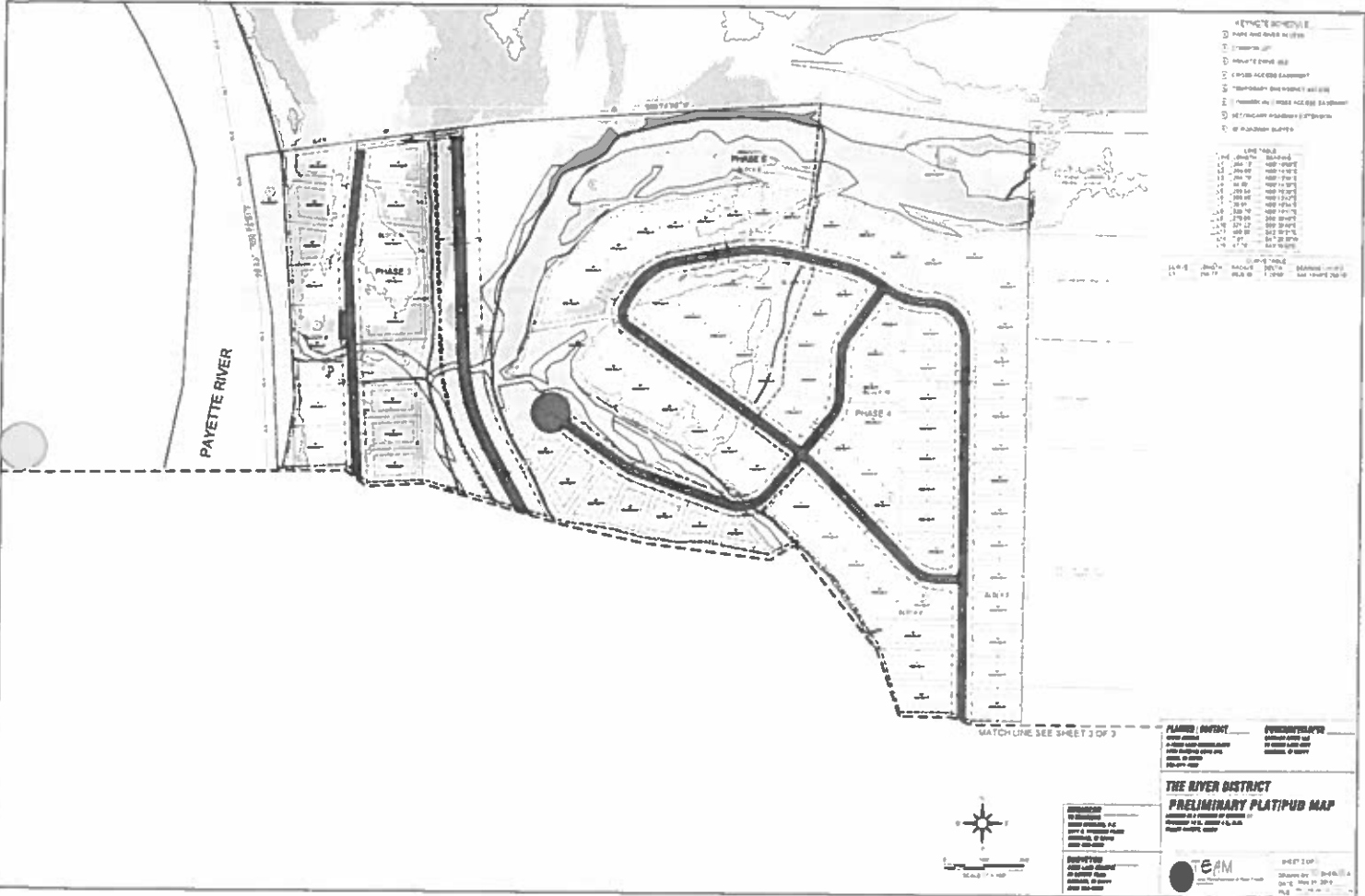
E. Proposed Decision by the Commission:

Note: This proposed motion is to recommend approval, conditional approval, or denial for this request to City Council. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.

Based on the facts outlined in staff's report and any public testimony given at the public hearing, the Planning and Zoning Commission of Cascade, Idaho, hereby recommends (approval/conditional approval/denial) of Case No's ANNEX-19-01, ZON-19-01, PUD-19-01, and SUB-19-01, annexation, rezone, PUD, and preliminary plat the following conditions of approval:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies.
 - a. The City Engineer shall approve the sewer hook-ups and treatment plant capacity prior to approval of the final plat.
 - b. The applicant shall prepare a Storm Water Pollution Prevention Plan and file a Notice of Intent with the EPA per the NPDES permit requirements. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received a general construction NPDES permit and installed all Erosion Control BMP's.
 - c. The City shall review and approve the floodplain development permit prior to any grading or filling within the floodplain. No fill shall be placed in the floodway.
 - d. The Cascade Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Cascade Fire District is required.
 - e. The developer will be required to provide written approval from the Fire District for secondary access into the site.
 - f. The *United States Army Corps of Engineers* shall approve the 404 permit and any alteration to the wetlands prior to construction affecting those Wetlands.
 - g. Prior to any issuance of a building permit for any lot located within the floodplain, the developer will receive approval of a LOMR-F, removing said lot out of the Floodplain. No development will be allowed in the Floodway.
 - h. Prior to City signature on the Final Plat, the developer shall obtain Approval from Idaho Transportation District for site access.
2. All public rights-of-way shall be dedicated and constructed to standards of the City of Cascade. No public street construction may be commenced without the approval and permit from the City and/or Idaho Transportation Department for ties into their right-of-way.
 - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow Cascade City standards and widths.
 - 2.2- All Roads will be review and approved by the City engineer prior to construction.
3. Installation of service facilities shall comply with the requirements of the public utility or Irrigation district providing the services. All utilities shall be installed underground, per City Code.
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site.
5. Street lighting shall use LED lights, with spacing and wattages meeting the approval of the City, Applicant shall coordinate a street light plan for P&Z approval in concert with the prepared construction drawings for the project. The street lights shall comply with the applicable City Code.
6. Parking within the site shall comply with Cascade City Code, unless specifically approved otherwise.
7. Fencing within and around the site shall comply with Cascade City Code unless specifically approved otherwise).
8. Signage within the site shall comply with Cascade City Code (A sign permit is required prior to sign construction).
9. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within a reasonable time considering seasonal conditions. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
10. Submit DEQ approval for the proposed lift stations.
11. The land owner/applicant/developer and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the Commission and/or Council, or seek amending them through public hearing processes.

12. The applicant's proposed preliminary plat, landscaping and PUP map (dated 5/30/19) shall be considered binding site plans, or as modified and approved through the public hearing process. The final plat shall generally conform with the approved preliminary plat.
13. Developer shall comply with all local, state and federal laws.



KEY TO SYMBOLS

- 1. MAIN ROAD RIGHT-OF-WAY
- 2. SIDEWALK
- 3. DRIVE DRIVE (DD)
- 4. DRIVE ACCESS EASEMENT
- 5. DRIVEWAY DRIVE (DD) RIGHT-OF-WAY
- 6. DRIVEWAY DRIVE ACCESS EASEMENT
- 7. DRIVEWAY DRIVE (DD) DRIVEWAY
- 8. DRIVEWAY DRIVE (DD) DRIVEWAY
- 9. DRIVEWAY DRIVE (DD) DRIVEWAY
- 10. DRIVEWAY DRIVE (DD) DRIVEWAY

LOT SCHEDULE

LOT	AREA (SQ. FT.)	AREA (SQ. YD.)
1	1,200.00	0.03
2	1,200.00	0.03
3	1,200.00	0.03
4	1,200.00	0.03
5	1,200.00	0.03
6	1,200.00	0.03
7	1,200.00	0.03
8	1,200.00	0.03
9	1,200.00	0.03
10	1,200.00	0.03
11	1,200.00	0.03
12	1,200.00	0.03
13	1,200.00	0.03
14	1,200.00	0.03
15	1,200.00	0.03
16	1,200.00	0.03
17	1,200.00	0.03
18	1,200.00	0.03
19	1,200.00	0.03
20	1,200.00	0.03
21	1,200.00	0.03
22	1,200.00	0.03
23	1,200.00	0.03
24	1,200.00	0.03
25	1,200.00	0.03
26	1,200.00	0.03
27	1,200.00	0.03
28	1,200.00	0.03
29	1,200.00	0.03
30	1,200.00	0.03
31	1,200.00	0.03
32	1,200.00	0.03
33	1,200.00	0.03
34	1,200.00	0.03
35	1,200.00	0.03
36	1,200.00	0.03
37	1,200.00	0.03
38	1,200.00	0.03
39	1,200.00	0.03
40	1,200.00	0.03
41	1,200.00	0.03
42	1,200.00	0.03
43	1,200.00	0.03
44	1,200.00	0.03
45	1,200.00	0.03
46	1,200.00	0.03
47	1,200.00	0.03
48	1,200.00	0.03
49	1,200.00	0.03
50	1,200.00	0.03
51	1,200.00	0.03
52	1,200.00	0.03
53	1,200.00	0.03
54	1,200.00	0.03
55	1,200.00	0.03
56	1,200.00	0.03
57	1,200.00	0.03
58	1,200.00	0.03
59	1,200.00	0.03
60	1,200.00	0.03
61	1,200.00	0.03
62	1,200.00	0.03
63	1,200.00	0.03
64	1,200.00	0.03
65	1,200.00	0.03
66	1,200.00	0.03
67	1,200.00	0.03
68	1,200.00	0.03
69	1,200.00	0.03
70	1,200.00	0.03
71	1,200.00	0.03
72	1,200.00	0.03
73	1,200.00	0.03
74	1,200.00	0.03
75	1,200.00	0.03
76	1,200.00	0.03
77	1,200.00	0.03
78	1,200.00	0.03
79	1,200.00	0.03
80	1,200.00	0.03
81	1,200.00	0.03
82	1,200.00	0.03
83	1,200.00	0.03
84	1,200.00	0.03
85	1,200.00	0.03
86	1,200.00	0.03
87	1,200.00	0.03
88	1,200.00	0.03
89	1,200.00	0.03
90	1,200.00	0.03
91	1,200.00	0.03
92	1,200.00	0.03
93	1,200.00	0.03
94	1,200.00	0.03
95	1,200.00	0.03
96	1,200.00	0.03
97	1,200.00	0.03
98	1,200.00	0.03
99	1,200.00	0.03
100	1,200.00	0.03

WATCH LINE SEE SHEET 2 OF 3



PLANNED DISTRICT
 THE RIVER DISTRICT
 PRELIMINARY PLAT/PUD MAP

PREPARED BY:
 TEAM ENGINEERING & ARCHITECTURE, P.C.
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202

DATE:
 08/11/2011

SCALE:
 1" = 10'

PROJECT NO.:
 11-001

TEAM ENGINEERING & ARCHITECTURE, P.C.

Heather Soelberg

From: steve@ateamboise.com
Sent: Friday, June 07, 2019 3:25 PM
To: 'Peggy Breski'
Cc: 'Josh Davis'; 'Stephen Bradbury'; Judith R. Nissula; 'Matthew A. Johnson'; Heather Soelberg
Subject: RE: Initial Review of 2nd Submittal

Peggy,

Are intentions were to request the reduced street section from the planning and zoning commission and also ask for an exception for the storage facility. In regards to the road, if the planning and zoning commission does not grant the reduced street section, we can place the 26' roadway section within the proposed 50-foot right-of-way, so the submitted map would not change. Our plan for the RV Storage was similar, in that we were going to ask for an exception for this staff recommendation, and if the planning and zoning commission did not grant the exception we would designate the four commercial lots (Lot 1-4, Block 7) to storage lots and those uses could be a condition on the DA. In either scenario the map would not change.

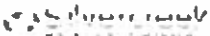
I will call you with any questions once we see the comments.

Thank you,

Steve Arnold, Project Manager

88-871-7020

steve@ateamboise.com



From: Peggy Breski <peggyb@horrocks.com>
Sent: Friday, June 7, 2019 12:36 PM
To: Steve Arnold <steve@ateamboise.com>
Cc: Josh Davis <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; Judith R. Nissula <mayor@cascadeid.us>; Matthew A. Johnson <mjohnson@WHITEPETERSON.com>; Heather Soelberg <clerk@cascadeid.us>
Subject: Initial Review of 2nd Submittal

Hi, Steve,

I wanted to reach out to you as quickly as I could after our initial review of the 2nd Submittal of The River District (formerly Cascade River Ranch); sorry I wasn't able to yesterday.

We see that the roadways weren't updated to the required width per our conversations, and per Code; I anticipated that you wouldn't based on the email we shared last (attached) but we wanted to give you one more chance before the Hearing to make those changes. If the changes aren't addressed in time for the June 17th Hearing date, along with some of the other items that weren't addressed in the Comments, Staff will have to recommend tabling again, and we don't

want to go that route. To speak to your attached email, the roadways are not an item that will be carried as a "Condition of Approval"; they are too impactful to the rest of the design.

In moving forward, we've already provided responses to the Exceptions Request (yesterday); and we're working on a Supplementary Comments to the 2nd Submittal now.

We want to urge you to consider making those revisions over the weekend so that the Applications can be heard and continue to move along. Once we send the Supplementary Comments (should be today) please feel free to call me with any questions you have – we are here and available to assist you with the City's requirements and finding solutions.

Thanks so much,

Peggy Breski

Senior Planner | Project Manager

HORROCKS
E N G I N E E R S

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520

Email peggy.breski@horrocks.com

Web www.horrocksc.com

Heather Soelberg

From: Peggy Breski <peggyb@horrocks.com>
Sent: Friday, June 07, 2019 5:07 PM
To: steve@ateamboise.com
Cc: 'Josh Davis'; 'Stephen Bradbury'; Judith R. Nissula; 'Matthew A. Johnson'; Heather Soelberg
Subject: RE: Initial Review of 2nd Submittal

Thank you for this insight, Steve. Any other insights that you have to share with regard to rationale for not addressing City Comments would be beneficial to have now, rather than waiting for P&Z Hearing.

It sounds like your focus is to get in front of the Commissioners, *then share your plans*; but based on the fact that they have no peripheral or background data until the Hearing, it would be nearly impossible for them to make a decision without Staff's recommendations. And while Staff would like to make the recommendation for approval – it's difficult to do without knowing these "plans"; therefore our only option is to recommend tabling until all comments are addressed.

Said another way: When you hold off on telling us of your plans because you want to wait and tell the Commissioners, and at the same time you're non-responsive to City Comments, that's when we find ourselves in the "push/pull" scenario we're in now. The City is trying to be as transparent as possible; by withholding insights that pertain to City Comments the process is stagnated.

We've sent comments to you in response to your most recent submission; as they are now we'd be recommending tabling. Here's that "push/pull" scenario now. The City and Staff would be thrilled to discuss options for roadways, options for storage and options for setbacks that wouldn't involve you losing entire commercial lots. I'll give you a call on Monday to see if you'd like to set up a working meeting.

Thanks so much,

Peggy Breski
Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520

Email peggyb@horrocks.com

Web www.horrocks.com

From: steve@ateamboise.com <steve@ateamboise.com>
Sent: Friday, June 7, 2019 3:25 PM
To: Peggy Breski <peggyb@horrocks.com>
Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>
Subject: RE: Initial Review of 2nd Submittal

Peggy,

Are intentions were to request the reduced street section from the planning and zoning commission and also ask for an exception for the storage facility. In regards to the road, if the planning and zoning commission does not grant the reduced street section, we can place the 26' roadway section within the proposed 50-foot right-of-way, so the submitted map would not change. Our plan for the RV Storage was similar, in that we were going to ask for an exception for this staff recommendation, and if the planning and zoning commission did not grant the exception we would designate the four commercial lots (Lot 1-4, Block 7) to storage lots and those uses could be a condition on the DA. In either scenario the map would not change.

I will call you with any questions once we see the comments.

Thank you,

Steve Arnold, Project Manager
208-871-7020

Steve@ateamboise.com



From: Peggy Breski <peggyb@horrocks.com>

Sent: Friday, June 7, 2019 12:36 PM

To: Steve Arnold <steve@ateamboise.com>

Cc: Josh Davis <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; Judith R. Nissula <mayor@cascadeid.us>; Matthew A. Johnson <mjohnson@WHITEPETERSON.com>; Heather Soelberg <clerk@cascadeid.us>

Subject: Initial Review of 2nd Submittal

Hi, Steve,

I wanted to reach out to you as quickly as I could after our initial review of the 2nd Submittal of The River District (formerly Cascade River Ranch); sorry I wasn't able to yesterday.

We see that the roadways weren't updated to the required width per our conversations, and per Code; I anticipated that you wouldn't based on the email we shared last (attached) but we wanted to give you one more chance before the Hearing to make those changes. If the changes aren't addressed in time for the June 17th Hearing date, along with some of the other items that weren't addressed in the Comments, Staff will have to recommend tabling again, and we don't want to go that route. To speak to your attached email, the roadways are not an item that will be carried as a "Condition of Approval"; they are too impactful to the rest of the design.

In moving forward, we've already provided responses to the Exceptions Request (yesterday); and we're working on a Supplementary Comments to the 2nd Submittal now.

We want to urge you to consider making those revisions over the weekend so that the Applications can be heard and continue to move along. Once we send the Supplementary Comments (should be today) please feel free to call me with any questions you have – we are here and available to assist you with the City's requirements and finding solutions.

Thanks so much,

Peggy Breski

Senior Planner | Project Manager

HORROCKS
E N G I N E E R S

775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520

Email info@horrocks.com

Web www.horrocks.com

Heather Soelberg

From: steve@ateamboise.com
Sent: Friday, June 07, 2019 6:49 PM
To: 'Peggy Breski'
Cc: 'Josh Davis'; 'Stephen Bradbury'; Judith R. Nissula; 'Matthew A. Johnson'; Heather Soelberg; yvettedavis@gmail.com
Subject: RE: Initial Review of 2nd Submittal

Peggy,

We have addressed all your comments through either changing the plat or asked for the exception. I'm sorry you do not feel that they have been adequately addressed. We would really like to get the City's official staff report and that will help with a platform to better respond. What we have to date are questions and denials which is very hard from an applicant's perspective to respond to. Our client would really like see a report from the City with conditions, findings of fact, and conclusions of law so we can properly provide feedback.

I'm also sorry for you feeling that we have been withholding information, but the intention with informing you was to share our back up plan with you prior to any meeting with the Commission. On the items that we may not agree on we will give you a heads up so you can prepare your discussion accordingly. That was the point of giving you a heads up, we did not want to blind side you at the Commission meeting.

Concerning the Commission meeting we will plan to attend to discuss the matter and will expect to have a report from the City sent to us prior to the meeting. I would be happy to discuss this on Monday, what is a good time for you.

Thank you,
Steve Arnold, Project Manager
208-871-7020
Steve@ateamboise.com



From: Peggy Breski <peggyb@horrocks.com>
Sent: Friday, June 7, 2019 5:07 PM
To: steve@ateamboise.com
Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>
Subject: RE: Initial Review of 2nd Submittal

Thank you for this insight, Steve. Any other insights that you have to share with regard to rationale for not addressing City Comments would be beneficial to have now, rather than waiting for P&Z Hearing.

sounds like your focus is to get in front of the Commissioners, *then share your plans*; but based on the fact that they have no peripheral or background data until the Hearing, it would be nearly impossible for them to make a decision

without Staff's recommendations. And while Staff would like to make the recommendation for approval – it's difficult to do without knowing these "plans"; therefore our only option is to recommend tabling until all comments are addressed.

Said another way: When you hold off on telling us of your plans because you want to wait and tell the Commissioners, and at the same time you're non-responsive to City Comments, that's when we find ourselves in the "push/pull" scenario we're in now. The City is trying to be as transparent as possible; by withholding insights that pertain to City Comments the process is stagnated.

We've sent comments to you in response to your most recent submission; as they are now we'd be recommending tabling. Here's that "push/pull" scenario now. The City and Staff would be thrilled to discuss options for roadways, options for storage and options for setbacks that wouldn't involve you losing entire commercial lots. I'll give you a call on Monday to see if you'd like to set up a working meeting.

Thanks so much,

Peggy Breski

Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208 895-2520

Email peggyb@horrocks.com

Web www.horrocks.com

From: steve@ateamboise.com <steve@ateamboise.com>

Sent: Friday, June 7, 2019 3:25 PM

To: Peggy Breski <peggyb@horrocks.com>

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>

Subject: RE: Initial Review of 2nd Submittal

Peggy,

Are intentions were to request the reduced street section from the planning and zoning commission and also ask for an exception for the storage facility. In regards to the road, if the planning and zoning commission does not grant the reduced street section, we can place the 26' roadway section within the proposed 50-foot right-of-way, so the submitted map would not change. Our plan for the RV Storage was similar, in that we were going to ask for an exception for this staff recommendation, and if the planning and zoning commission did not grant the exception we would designate the four commercial lots (Lot 1-4, Block 7) to storage lots and those uses could be a condition on the DA. In either scenario the map would not change.

I will call you with any questions once we see the comments.

Thank you,

Steve Arnold, Project Manager

208-871-7020

Steve@ateamboise.com



From: Peggy Breski <peggyb@horrocks.com>

Sent: Friday, June 7, 2019 12:36 PM

To: Steve Arnold <steve@ateamboise.com>

Cc: Josh Davis <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; Judith R. Nissula <mayor@cascadeid.us>; Matthew A. Johnson <mjohnson@WHITEPETERSON.com>; Heather Soelberg <clerk@cascadeid.us>

Subject: Initial Review of 2nd Submittal

Hi, Steve,

I wanted to reach out to you as quickly as I could after our initial review of the 2nd Submittal of The River District (formerly Cascade River Ranch); sorry I wasn't able to yesterday.

We see that the roadways weren't updated to the required width per our conversations, and per Code; I anticipated that you wouldn't based on the email we shared last (attached) but we wanted to give you one more chance before the Hearing to make those changes. If the changes aren't addressed in time for the June 17th Hearing date, along with some of the other items that weren't addressed in the Comments, Staff will have to recommend tabling again, and we don't want to go that route. To speak to your attached email, the roadways are not an item that will be carried as a "Condition of Approval"; they are too impactful to the rest of the design.

In moving forward, we've already provided responses to the Exceptions Request (yesterday); and we're working on a Supplementary Comments to the 2nd Submittal now.

We want to urge you to consider making those revisions over the weekend so that the Applications can be heard and continue to move along. Once we send the Supplementary Comments (should be today) please feel free to call me with any questions you have – we are here and available to assist you with the City's requirements and finding solutions.

Thanks so much,

Peggy Breski

Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520

Email peggyb@horrocks.com

Web www.horrocks.com

Heather Soelberg

From: Peggy Breski <peggyb@horrocks.com>
Sent: Wednesday, June 12, 2019 10:31 AM
To: steve
Cc: 'Josh Davis'; 'Stephen Bradbury'; Judith R. Nissula; Heather Soelberg; yvettedavis@gmail.com; Matthew A. Johnson
Subject: RE: Initial Review of 2nd Submittal

Good afternoon,

Per our discussion yesterday we had committed to answering the question relative to whether the Annexation/Rezone Applications require a legal description of the area to be rezoned.

1. Code says "at least the following information" must be provided; which can be interpreted to mean that the City is at liberty to request additional information.

(C) Procedures

1 Applications for reclassification of zoning districts shall contain at least the following information

- (a) Name, address and phone number of applicant.
- (b) Proposed ordinance amending zoning district area.
- (c) Present land use.
- (d) Present zoning district
- (e) Proposed land use

2. The Annexation Application requires the following, please note the last item showing as required: "Other Information as Requested".

_____ Plot Plan showing Existing Uses, drawn to scale showing the following and all Setbacks:

1. Topography, streams, large rocks, tress, etc.
2. Structures
3. Easements
4. Utilities: Sewer, Water, Power
5. The relationship of the property to the surrounding area.
6. The location of adjoining property, with owners' names listed on their respective parcels.

_____ Photographs of Site

_____ Other Information as Requested

3. And the Rezone Application requires a "composite legal description of the actual property which you wish to have rezoned".

NOTE: WHEN AN APPLICATION HAS BEEN SUBMITTED, IT WILL BE REVIEWED IN ORDER TO DETERMINE COMPLIANCE WITH APPLICATION REQUIREMENTS. A HEARING DATE WILL BE SCHEDULED ONLY AFTER AN APPLICATION HAS BEEN ACCEPTED AS COMPLETE.

ADDITIONAL SUBMITTAL REQUIREMENTS: The Cascade City Council requires the following information for every application for annexation/rezone.

1. A recent vicinity map (8 1/2 x 11") at 1"=300' scale, showing the actual property and all adjacent properties.
2. Attach a composite legal description of the actual property which you wish to have rezoned on a separate page. All legal descriptions must be certified by a professional engineer or land surveyor registered by the State of Idaho.
 - a. Description submitted shall not have an area of closure greater than 1.5000.
3. Affidavit of Legal Interest (use attached form).

Aside from the documentation in current Code and Applications, research of 5 local cities revealed that every one of their annexation/rezone applications require legal descriptions. It is simply a best practice and a protection mechanism for both the land owner and the City. We'll be making the recommendation to the City to update their Code to reflect this requirement.

In the meantime, given the above data, it appears that there is enough information to support the City's request for the legal description(s). Please advise if you still contest this request and it will be addressed in our Staff Report.

Thanks so much,

Peggy Breski

Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520

Email peggyb@horrocks.com

Web www.horrocks.com

From: Matthew A. Johnson <mjohnson@WHITEPETERSON.com>

Sent: Monday, June 10, 2019 11:21 AM

To: Peggy Breski <peggyb@horrocks.com>; steve <steve@ateamboise.com>

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

I am available and have blocked out the time if it is felt I can be helpful.

Matthew A. Johnson
WHITE PETERSON GIGRAY & NICHOLS, P.A.
Canyon Park at the Idaho Center
5700 E. Franklin Rd., Ste. #200
Nampa, ID 83687-7901
208.466.9272 (tel)
208.466.4405 (fax)
mjohnson@whitepeterson.com

-- This communication and any files transmitted with it contain information which is confidential and may be privileged and exempt from disclosure under applicable law. It is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient, you are hereby notified that any use, dissemination, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender. Thank you for your cooperation. --

From: Peggy Breski <peggyb@horrocks.com>

Sent: Monday, June 10, 2019 10:43 AM

To: steve <steve@ateamboise.com>

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; Matthew A. Johnson <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg'

<clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

That sounds great – Matt and Steve B – do you gentlemen want to be a part of this conversation?

Thanks so much,

Peggy Breski

Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520

Email

Web

From: steve <steve@ateamboise.com>

Sent: Monday, June 10, 2019 9:46 AM

To: Peggy Breski <peggyb@horrocks.com>

Cc: 'Josh Davis' <josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayer@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

How about tomorrow at 2

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Peggy Breski <peggyb@horrocks.com>

Date: 6/10/19 8:30 AM (GMT-08:00)

To: steve <steve@ateamboise.com>


Cc: 'Josh Davis' <josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; "'Judith R. Nissula'" <mayer@cascadeid.us>; "'Matthew A. Johnson'" <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

I'm sorry I just got out of an accounting briefing.

It looks like we'll need to talk tomorrow; I'd just hoped to do it before tomorrow in case you wanted to revise and address some of the Comments after receiving the Supplemental on Friday.

I could visit tomorrow from 2:00 – 4:00 – let me know what time works best for you.

hanks so much,

Peggy Breski

Senior Planner | Project Manager



2775 W. Navigator Dr., Suite 210

Meridian, Idaho 83642

Direct 208-895-2520

Email   

eb  

From: steve <steve@ateamboise.com>

Sent: Monday, June 10, 2019 8:39 AM

To: Peggy Breski <peggyb@horrocks.com>

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

Can we chat before 10 AM, after that I'm not available today, or we can talk tomorrow?



Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

 From: **Peggy Breski** <peggyb@horrocks.com>

Date: 6/10/19 7:20 AM (GMT-08:00)

To: steve@ateamboise.com

Cc: 'Josh Davis' <Josh@Grantexcavation.com>, 'Stephen Bradbury' <steve@williamsbradbury.com>, "Judith R. Nissula" <mavor@cascadeid.us>, "Matthew A. Johnson" <mjohnson@WHITEPETERSON.com>, 'Heather Soelberg' <clerk@cascadeid.us>, yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

Could we chat on the phone around 1:00, Steve?

Thanks so much.

 **Peggy Breski**

Senior Planner | Project Manager



2775 W. Navigator Dr., Suite 210

Meridian, Idaho 83642

Direct 208-895-2520

Email peggyb@horrocks.com

Web www.horrocks.com



From: steve@ateamboise.com <steve@ateamboise.com>

Sent: Friday, June 7, 2019 6:49 PM

To: Peggy Breski <peggyb@horrocks.com>

Cc: 'Josh Davis' <josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mavor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

Peggy,

We have addressed all your comments through either changing the plat or asked for the exception. I'm sorry you do not feel that they have been adequately addressed. We would really like to get the City's official staff report and that will help with a platform to better respond. What we have to date are questions and denials which is very hard from an applicant's perspective to respond to. Our client would really like see a report from the City with conditions, findings of fact, and conclusions of law so we can properly provide feedback.

I'm also sorry for you feeling that we have been withholding information, but the intention with informing you was to share our back up plan with you prior to any meeting with the Commission. On the items that we may not agree on we will give you a heads up so you can prepare your discussion accordingly. That was the point of giving you a heads up, we did not want to blind side you at the Commission meeting.

Concerning the Commission meeting we will plan to attend to discuss the matter and will expect to have a report from the City sent to us prior to the meeting. I would be happy to discuss this on Monday, what is a good time for you.

Thank you,

Steve Arnold, Project Manager

208-871-7020

Steve@ateamboise.com



From: Peggy Breski <peggyb@horrocks.com>

Sent: Friday, June 7, 2019 5:07 PM

To: steve@ateamboise.com

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mavor@caseadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@caseadeid.us>

Subject: RE: Initial Review of 2nd Submittal

Thank you for this insight, Steve. Any other insights that you have to share with regard to rationale for not addressing City Comments would be beneficial to have now, rather than waiting for P&Z Hearing.

It sounds like your focus is to get in front of the Commissioners, *then share your plans*; but based on the fact that they have no peripheral or background data until the Hearing, it would be nearly impossible for them to make a decision without Staff's recommendations. And while Staff would like to make the recommendation for approval – it's difficult to do without knowing these "plans"; therefore our only option is to recommend tabling until all comments are addressed.

Try another way: When you hold off on telling us of your plans because you want to wait and tell the Commissioners, and at the same time you're non-responsive to City Comments, that's when we find ourselves in the "push/pull" scenario we're in now. The City is trying to be as transparent as possible; by withholding insights that pertain to City Comments the process is stagnated.

We've sent comments to you in response to your most recent submission; as they are now we'd be recommending tabling. Here's that "push/pull" scenario now. The City and Staff would be thrilled to discuss options for roadways, options for storage and options for setbacks that wouldn't involve you losing entire commercial lots. I'll give you a call on Monday to see if you'd like to set up a working meeting.

Thanks so much.

Peggy Breski

Senior Planner | Project Manager



2775 W. Navigator Dr., Suite 210

Meridian, Idaho 83642

Direct 208-895-2520

Email steve@ateamboise.com

Web www.ateamboise.com

From: steve@ateamboise.com <steve@ateamboise.com>

Sent: Friday, June 7, 2019 3:25 PM

To: Peggy Breski <peggyb@horrocks.com>

Cc: 'Josh Davis' <josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mavor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>

Subject: RE: Initial Review of 2nd Submittal

Peggy,

Are intentions were to request the reduced street section from the planning and zoning commission and also ask for an exception for the storage facility. In regards to the road, if the planning and zoning commission does not grant the reduced street section, we can place the 26' roadway section within the proposed 50-foot right-of-way, so the submitted map would not change. Our plan for the RV Storage was similar, in that we were going to ask for an exception for this staff recommendation, and if the planning and zoning commission did not grant the exception we would designate the four commercial lots (Lot 1-4, Block 7) to storage lots and those uses could be a condition on the DA. In either scenario the map would not change.

I will call you with any questions once we see the comments.

Thank you,

Steve Arnold, Project Manager

208-871-7020

Steve@ateamboise.com



From: Peggy Breski <peggyb@horrocks.com>
Sent: Friday, June 7, 2019 12:36 PM
To: Steve Arnold <steve@ateamboise.com>
Cc: Josh Davis <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; Judith R. Nissula <mayor@cascadeid.us>; Matthew A. Johnson <mjohnson@WHITEPETERSON.com>; Heather Soelberg <clerk@cascadeid.us>
Subject: Initial Review of 2nd Submittal

Hi, Steve,

I wanted to reach out to you as quickly as I could after our initial review of the 2nd Submittal of The River District (formerly Cascade River Ranch); sorry I wasn't able to yesterday.

We see that the roadways weren't updated to the required width per our conversations, and per Code; I anticipated that you wouldn't based on the email we shared last (attached) but we wanted to give you one more chance before the Hearing to make those changes. If the changes aren't addressed in time for the June 17th Hearing date, along with some of the other items that weren't addressed in the Comments, Staff will have to recommend tabling again, and we don't want to go that route. To speak to your attached email, the roadways are not an item that will be carried as a "Condition of Approval"; they are too impactful to the rest of the design.

In moving forward, we've already provided responses to the Exceptions Request (yesterday); and we're working on a Supplementary Comments to the 2nd Submittal now.

We want to urge you to consider making those revisions over the weekend so that the Applications can be heard and continue to move along. Once we send the Supplementary Comments (should be today) please feel free to call me with any questions you have – we are here and available to assist you with the City's requirements and finding solutions.

Thanks so much,



Peggy Breski

Senior Planner | Project Manager



2775 W. Navigator Dr., Suite 210

Meridian, Idaho 83642

Direct 208-895-2520

Email [\[redacted\]](#) [\[redacted\]](#) [\[redacted\]](#)

Web [\[redacted\]](#)



Heather Soelberg

From: Matthew A. Johnson <mjohnson@WHITEPETERSON.com>
Sent: Wednesday, June 12, 2019 10:49 AM
To: Peggy Breski; steve
Cc: 'Josh Davis'; 'Stephen Bradbury'; Judith R. Nissula; Heather Soelberg; yvettedavis@gmail.com
Subject: RE: Initial Review of 2nd Submittal

All -

Just as a practical addition: the legal description is also necessary administratively to verify the property boundaries for finalizing the annexation by both the county and city in updating their records (including for tax purposes), and for verifying the property boundaries in updating the City's land use map. So regardless of any question of whether it is or is not required at the application stage (though I think Peggy's #3 below makes clear that it is), administratively this process cannot be finalized until the legal description is submitted and verified.

Matt

Matthew A. Johnson
WHITE PETERSON GIGRAY & NICHOLS, P.A.
Canyon Park at the Idaho Center
5700 E. Franklin Rd., Ste. #200
Nampa, ID 83687-7901
208.466.9272 (tel)
208.466.4405 (fax)
mjohnson@whitepeterson.com

-- This communication and any files transmitted with it contain information which is confidential and may be privileged and exempt from disclosure under applicable law. It is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient, you are hereby notified that any use, dissemination, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender. Thank you for your cooperation. --

From: Peggy Breski <peggyb@horrocks.com>
Sent: Wednesday, June 12, 2019 10:31 AM
To: steve <steve@ateamboise.com>
Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com; Matthew A. Johnson <mjohnson@WHITEPETERSON.com>
Subject: RE: Initial Review of 2nd Submittal

Good afternoon,

Per our discussion yesterday we had committed to answering the question relative to whether the Annexation/Rezone Applications require a legal description of the area to be rezoned.

1. Code says "at least the following information" must be provided; which can be interpreted to mean that the City is at liberty to request additional information.

(C) Procedures

1 Applications for reclassification of zoning districts shall contain at least the following information

- (a) Name, address and phone number of applicant.
- (b) Proposed ordinance amending zoning district area
- (c) Present land use.
- (d) Present zoning district
- (e) Proposed land use.

2. The Annexation Application requires the following, please note the last item showing as required: "Other Information as Requested".

_____ Plot Plan showing Existing Uses, drawn to scale showing the following and all Setbacks.

- 1. Topography, streams, large rocks, trees, etc.
- 2. Structures
- 3. Easements
- 4. Utilities: Sewer, Water, Power
- 5. The relationship of the property to the surrounding area.
- 6. The location of adjoining property, with owners' names listed on their respective parcels

_____ Photographs of Site

_____ Other Information as Requested

3. And the Rezone Application requires a "composite legal description of the actual property which you wish to have rezoned".

NOTE: WHEN AN APPLICATION HAS BEEN SUBMITTED, IT WILL BE REVIEWED IN ORDER TO DETERMINE COMPLIANCE WITH APPLICATION REQUIREMENTS. A HEARING DATE WILL BE SCHEDULED ONLY AFTER AN APPLICATION HAS BEEN ACCEPTED AS COMPLETE.

ADDITIONAL SUBMITTAL REQUIREMENTS: The Cascade City Council requires the following information for every application for annexation/rezone.

- 1. A recent vicinity map (8 1/2 x 11") at 1"=300' scale, showing the actual property and all adjacent properties.
- 2. Attach a composite legal description of the actual property which you wish to have rezoned on a separate page. All legal descriptions must be certified by a professional engineer or land surveyor registered by the State of Idaho.
 - a. Description submitted shall not have an area of closure greater than 1:5000.
- 3. Affidavit of Legal Interest (use attached form).

Aside from the documentation in current Code and Applications, research of 5 local cities revealed that every one of their annexation/rezone applications require legal descriptions. It is simply a best practice and a protection mechanism for both the land owner and the City. We'll be making the recommendation to the City to update their Code to reflect this requirement.

In the meantime, given the above data, it appears that there is enough information to support the City's request for the legal description(s). Please advise if you still contest this request and it will be addressed in our Staff Report.

Thanks so much,

Peggy Breski
Senior Planner | Project Manager



2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208-895-2520

Email mjohnson@whitepetererson.com

Web www.whitepetererson.com

From: Matthew A. Johnson <mjohnson@WHITEPETERSON.com>

Sent: Monday, June 10, 2019 11:21 AM

To: Peggy Breski <peggyb@horrocks.com>; steve <steve@ateamboise.com>

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

I am available and have blocked out the time if it is felt I can be helpful.

Matthew A. Johnson
WHITE PETERSON GIGRAY & NICHOLS, P.A.
Canyon Park at the Idaho Center
5700 E. Franklin Rd., Ste. #200
Nampa, ID 83687-7901
208.466.9272 (tel)
208.466.4405 (fax)
mjohnson@whitepetererson.com

-- This communication and any files transmitted with it contain information which is confidential and may be privileged and exempt from disclosure under applicable law. It is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient, you are hereby notified that any use, dissemination, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender. Thank you for your cooperation. --

From: Peggy Breski <peggyb@horrocks.com>

Sent: Monday, June 10, 2019 10:43 AM

To: steve <steve@ateamboise.com>

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; Matthew A. Johnson <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

That sounds great – Matt and Steve B – do you gentlemen want to be a part of this conversation?

Thanks so much,

Peggy Breski

Senior Planner | Project Manager

HORROCKS
ENGINEERS

2775 W. Navigator Dr., Suite 210
Meridian, Idaho 83642

Direct 208 895-2520

Email mjohnson@whitepetererson.com

Web www.whitepetererson.com

From: [steve <steve@ateamboise.com>](mailto:steve@ateamboise.com)

Sent: Monday, June 10, 2019 9:46 AM

To: [Peggy Breski <peggyb@horrocks.com>](mailto:peggyb@horrocks.com)

Cc: ['Josh Davis' <Josh@Graniteexcavation.com>](mailto:Josh@Graniteexcavation.com); ['Stephen Bradbury' <steve@williamsbradbury.com>](mailto:steve@williamsbradbury.com); ['Judith R. Nissula' <mayor@cascadeid.us>](mailto:mayor@cascadeid.us); ['Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>](mailto:mjohnson@WHITEPETERSON.com); ['Heather Soelberg' <clerk@cascadeid.us>](mailto:clerk@cascadeid.us); yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

How about tomorrow at 2

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: [Peggy Breski <peggyb@horrocks.com>](mailto:peggyb@horrocks.com)

Date: 6/10/19 8:30 AM (GMT-08:00)

To: [steve <steve@ateamboise.com>](mailto:steve@ateamboise.com)

Cc: ['Josh Davis' <Josh@Graniteexcavation.com>](mailto:Josh@Graniteexcavation.com), ['Stephen Bradbury' <steve@williamsbradbury.com>](mailto:steve@williamsbradbury.com), ["Judith R. Nissula" <mayor@cascadeid.us>](mailto:mayor@cascadeid.us), ["Matthew A. Johnson" <mjohnson@WHITEPETERSON.com>](mailto:mjohnson@WHITEPETERSON.com), ['Heather Soelberg' <clerk@cascadeid.us>](mailto:clerk@cascadeid.us), yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

I'm sorry I just got out of an accounting briefing.

It looks like we'll need to talk tomorrow; I'd just hoped to do it before tomorrow in case you wanted to revise and address some of the Comments after receiving the Supplemental on Friday.

I could visit tomorrow from 2:00 – 4:00 – let me know what time works best for you.

Thanks so much,

Peggy Breski

Senior Planner | Project Manager

2775 W. Navigator Dr., Suite 210

Meridian, Idaho 83642



Direct 208-895-2520

Email steve@ateamboise.com

Web www.ateamboise.com

From: [steve <steve@ateamboise.com>](mailto:steve@ateamboise.com)

Sent: Monday, June 10, 2019 8:39 AM

To: [Peggy Breski <peggyb@horrocks.com>](mailto:peggyb@horrocks.com)

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mavor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

Can we chat before 10 AM, after that I'm not available today, or we can talk tomorrow?



Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: [Peggy Breski <peggyb@horrocks.com>](mailto:peggyb@horrocks.com)

Date: 6/10/19 7:20 AM (GMT-08:00)

To: steve@ateamboise.com

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>, 'Stephen Bradbury' <steve@williamsbradbury.com>, "'Judith R. Nissula'" <mavor@cascadeid.us>, "'Matthew A. Johnson'" <mjohnson@WHITEPETERSON.com>, 'Heather Soelberg' <clerk@cascadeid.us>, yvettedavis@gmail.com



Subject: RE: Initial Review of 2nd Submittal

Could we chat on the phone around 1:00, Steve?

 Thanks so much.

Peggy Breski

Senior Planner | Project Manager



2775 W. Navigator Dr., Suite 210

Meridian, Idaho 83642

Direct 208-895-2520

Email   

 ab

From: steve@ateamboise.com <steve@ateamboise.com>

Sent: Friday, June 7, 2019 6:49 PM

To: Peggy Breski <peggyb@horrocks.com>

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>; yvettedavis@gmail.com

Subject: RE: Initial Review of 2nd Submittal

Peggy,

We have addressed all your comments through either changing the plat or asked for the exception. I'm sorry you do not feel that they have been adequately addressed. We would really like to get the City's official staff support and that will help with a platform to better respond. What we have to date are questions and denials which is very hard from an applicant's perspective to respond to. Our client would really like see a report from the City with conditions, findings of fact, and conclusions of law so we can properly provide feedback.

I'm also sorry for you feeling that we have been withholding information, but the intention with informing you was to share our back up plan with you prior to any meeting with the Commission. On the items that we may not agree on we will give you a heads up so you can prepare your discussion accordingly. That was the point of giving you a heads up, we did not want to blind side you at the Commission meeting.

Concerning the Commission meeting we will plan to attend to discuss the matter and will expect to have a report from the City sent to us prior to the meeting. I would be happy to discuss this on Monday, what is a good time for you.

Thank you,

Steve Arnold, Project Manager

208-871-7020

Steve@ateamboise.com



From: Peggy Breski <peggyb@horrocks.com>

Sent: Friday, June 7, 2019 5:07 PM

To: steve@ateamboise.com

Cc: 'Josh Davis' <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith R. Nissula' <mayor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>

Subject: RE: Initial Review of 2nd Submittal

Thank you for this insight, Steve. Any other insights that you have to share with regard to rationale for not addressing City Comments would be beneficial to have now, rather than waiting for P&Z Hearing.

sounds like your focus is to get in front of the Commissioners, *then share your plans*; but based on the fact that they have no peripheral or background data until the Hearing, it would be nearly impossible for them to make a decision without Staff's recommendations. And while Staff would like to make the recommendation for

approval – it's difficult to do without knowing these "plans": therefore our only option is to recommend tabling until all comments are addressed.

Said another way: When you hold off on telling us of your plans because you want to wait and tell the Commissioners, and at the same time you're non-responsive to City Comments, that's when we find ourselves in the "push/pull" scenario we're in now. The City is trying to be as transparent as possible; by withholding insights that pertain to City Comments the process is stagnated.

We've sent comments to you in response to your most recent submission; as they are now we'd be recommending tabling. Here's that "push/pull" scenario now. The City and Staff would be thrilled to discuss options for roadways, options for storage and options for setbacks that wouldn't involve you losing entire commercial lots. I'll give you a call on Monday to see if you'd like to set up a working meeting.

Thanks so much.

Peggy Breski

Senior Planner | Project Manager



2775 W. Navigator Dr., Suite 210

Meridian, Idaho 83642

Direct 208-895-2520

Email peggyb@horrocks.com

Web www.horrocks.com

From: steve@ateamboise.com <steve@ateamboise.com>

Sent: Friday, June 7, 2019 3:25 PM

To: Peggy Breski <peggyb@horrocks.com>

Cc: 'Josh Davis' <josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; 'Judith

R. Nissula' <mavor@cascadeid.us>; 'Matthew A. Johnson' <mjohnson@WHITEPETERSON.com>; 'Heather Soelberg' <clerk@cascadeid.us>

Subject: RE: Initial Review of 2nd Submittal

Peggy,

Are intentions were to request the reduced street section from the planning and zoning commission and also ask for an exception for the storage facility. In regards to the road, if the planning and zoning commission does not grant the reduced street section, we can place the 26' roadway section within the proposed 50-foot right-of-way, so the submitted map would not change. Our plan for the RV Storage was similar, in that we were going to ask for an exception for this staff recommendation, and if the planning and zoning commission did not grant the exception we would designate the four commercial lots (Lot 1-4, Block 7) to storage lots and those uses could be a condition on the DA. In either scenario the map would not change.

I will call you with any questions once we see the comments.

Thank you,

Steve Arnold, Project Manager

208-871-7020

Steve@ateamboise.com



From: Peggy Breski <peggyb@horrocks.com>

Sent: Friday, June 7, 2019 12:36 PM

To: Steve Arnold <steve@ateamboise.com>

Cc: Josh Davis <Josh@Graniteexcavation.com>; 'Stephen Bradbury' <steve@williamsbradbury.com>; Judith

R. Nissula <mavor@cascadeid.us>; Matthew A. Johnson <mjohnson@WHITEPETERSON.com>; Heather Soelberg <clerk@cascadeid.us>

Subject: Initial Review of 2nd Submittal

Hi, Steve,

I wanted to reach out to you as quickly as I could after our initial review of the 2nd Submittal of The River District (formerly Cascade River Ranch); sorry I wasn't able to yesterday.

We see that the roadways weren't updated to the required width per our conversations, and per Code; I anticipated that you wouldn't based on the email we shared last (attached) but we wanted to give you one more chance before the Hearing to make those changes. If the changes aren't addressed in time for the June 17th Hearing date, along with some of the other items that weren't addressed in the Comments, Staff will have to recommend tabling again, and we don't want to go that route. To speak to your attached email, the roadways are not an item that will be carried as a "Condition of Approval"; they are too impactful to the rest of the design.

In moving forward, we've already provided responses to the Exceptions Request (yesterday); and we're working on a Supplementary Comments to the 2nd Submittal now.

We want to urge you to consider making those revisions over the weekend so that the Applications can be heard and continue to move along. Once we send the Supplementary Comments (should be today) please feel free to call me with any questions you have – we are here and available to assist you with the City's requirements and finding solutions.

Thanks so much,

Peggy Breski

Senior Planner | Project Manager



2775 W. Navigator Dr., Suite 210

Meridian, Idaho 83642

Direct 208-895-2520

Email info@...

 **Jeb** jeb@...

