

City of Cascade
City Council Public Hearing
Staff Report
The River District
Annex 19-01, Zone 19-01, PUD 19-01, SUB 19-01

Staff: Heather M. Soelberg, Matt Johnson, Trevor Howard, Peggy Breski
Public Hearing: May 11, 2020
Applicant: Steve Arnold, A-Team Land Development & Real Estate
Owner: Cascade River LLC
Location: North-east of Highway 55, adjacent to the Payette River
Size of Site: 122.41 acres (updated)
Existing Zone: Mixed Use (MU)
Proposed Use: Mixed Use Subdivision

REQUEST

Steve Arnold, A-Team Land Development & Real Estate (hereby “Applicant” or “Developer”) made a request for approval of a mixed-use development for The River District fka River Ranch Subdivision (“Project” or “Site”). The application packet consisted of an Annexation Application, Rezone Application, Planned Unit Development Application and a Preliminary Plat Application (hereto referred as “Submittal”).

STANDARDS REVIEWED AND APPLIED FOR APPLICATIONS

1. Idaho Statute Sections: 67-6512, 6509, 6535, 50-222(3), 50-223, 63-2215, 67-6525, 67-6511
2. Idaho Code Section 5-1301 through 50-1329
3. Cascade City Codes: CCC 3-2-6-C-6, CCC 3-1-12-A-7(j), CCC 3-2-6-C-7, CCC 3-2-4-A, CCC 3-2-4-C/D, CCC 3-2-6-E-1(a-d), CCC 3-2-3-C-4, CCC 3-1-8-D-2(f-g), CCC 3-1-8-D-2(d), CCC 3-1-8-D-2(a), CCC 3-2-4-D-1, CCC 3-1-8-F, CCC 3-2-3-B-5-c-1, CCC 3-5-4-E-3-h, CCC 3-1-14-A-2-b-2, CCC 8-5-4, and Section 3.2.2 Functional Classification of the Comprehensive Plan

Final Plat for the subdivision will be considered after approval of Construction Drawings.

BACKGROUND

As Council will recall, the last substantive public hearing for the Applications was **January 27, 2020**, at which time the Annexation and Zoning Applications were preliminarily approved conditioned upon a satisfactory Development Agreement and the approval of both the Planned Unit Development and the Preliminary Plat Applications.

The Development Agreement (“DA”) was discussed in brief but was determined to not be in a form complete enough for Council action. Determinations were yet to be made with regard to pricing and connections for both sewer and water, and Applicant had not yet received comments back from Idaho Transportation Department (“ITD”) on the Traffic Impact Study (“TIS”). Additionally, several elements of the DA remained in dispute between Applicant and City. Council directed a face-to-face working meeting with Applicant and Staff to be held two weeks after receipt of ITD’s comments on the TIS, in order to attempt to work through and come to terms on remaining, outstanding items so that the applications may move forward with terms in place, to present to Council. ITD comments were received on **February 7, 2020**.

On **March 9, 2020** City Council and Staff held a working meeting with City Engineer Trevor Howard presenting updates on infrastructure planning for the City, including drinking water, wastewater and transportation.

A face-to-face meeting with Applicant and Staff occurred on **March 12, 2020**. Several determinations were made, with a few larger elements remaining outstanding, including Developer contribution to wastewater and culinary water infrastructure improvements, as well as Staff questions on Applicant's Fiscal Impact submittal, and Staff desire for a **local** traffic model.

On March 23, 2020 the State of Idaho declared a state of emergency due to the Coronavirus pandemic therefore the originally scheduled April 13, 2020 public hearing for the applications was continued to a date uncertain. No public comment on the applications was taken at the April 13, April 22 or April 27, 2020 Council Meetings.

UPDATES

- A. **Development Agreement:** A large majority of work spent on the applications since the January 27, 2020 public hearing has been spent in collaboration on the Development Agreement. Extensive due diligence has taken place and as a result new elements have been uncovered that need to be addressed on the part of the City; such elements include updated and/or new fees that will be required to be in place once the Development is underway (if approved). Determination and adoptions of said fees are already underway with the City.
- B. **Fees:** Proposed culinary water and wastewater service availability fees, as well as new fees for floodplain development and for elevation certificates are currently under action by the City with anticipated approval and adoption before The River District construction (if approved) gets underway.
- C. **Sewer/Wastewater Infrastructure:** Continued due diligence and discussion is now reflected in the updated DA which will be discussed by Council.
- D. **Culinary Water Infrastructure:** Has been determined to a degree that there may be a mutually achievable decision, with partnership between the Developer and City, and which is also reflected in the updated DA.
- E. **Traffic Impacts:** Staff has accepted the approval letter from ITD. Key points of ITD's approval letter include:
 - 1. A single lane roundabout will be required at the intersection entrance into The River District.
 - 2. The roundabout must be installed prior to 120 site trips.
 - 3. Developer shall annually provide ITD traffic volumes on Ponderosa Street between June to August to assess installation timeline of the roundabout.
 - 4. Developer is responsible for the full costs associated with design and construction of the roundabout.
 - 5. ITD will require a performance bond or other funding mechanism from the developer to secure funds for future construction of the roundabout.
 - 6. Developer is responsible for dedicating to ITD any additional right-of-way needed for construction of the roundabout (east or west side of SH-55).

Subsequent to receipt of ITD's approval Staff recommended a local traffic model to be conducted to look at the impacts the development will have on the local / City transportation network. Whereas the TIS completed for ITD was purely to uncover and develop mitigation strategies for ITD's roadway,

Highway 55, this additional model will uncover potential impacts to the local road network that the City may be forced to address as the River District continues to develop and grow.

On **April 29, 2020** Applicant's traffic engineer requested a meeting with Staff engineers to ascertain desired scope of the local traffic model, but this meeting has not yet occurred. Staff recommends that Applicant's traffic engineer re-review City's Comments of the ITD TIS since the desired scope is detailed therein. Should further questions remain, Staff engineers can clarify by phone meeting at direction of Council.

- F. **Fiscal Impacts to the City:** The completed Fiscal Analysis Report was submitted to the City **March 4, 2020** at which time Staff submitted follow-up questions for clarification. A response from Applicant's consultant was received by Staff on **March 24, 2020**. Staff has concerns with the analysis; and the subsequent submittal did not sufficiently answer all Staff questions. Council has received this report for review, discussion and determination.

COMMENTS

PUBLIC COMMENTS

1. No public comments have been received by the City since the January 27, 2020 public hearing.

AGENCY, CITY & APPLICANT/DEVELOPER COMMENTS

All comments listed below can be found for review on the City's website, at the TRD project page, found at the Planning & Zoning page.

1. Letter received from **Idaho Transportation Department** ("ITD"), PO Box 8028, Boise, Idaho, on February 7, 2020: included ITD Staff comments of Applicant's Traffic Impact Study.
2. Letter received from **Idaho Rural Fire Protection District**, P.O. Box 825 Cascade, ID 83611-0825, on February 11, 2020: states District's requirement of Plat to have two fire apparatus access roads in order to be in compliance with the International Fire Code.
3. Letter received from Idaho Transportation Department ("ITD"), PO Box 8028, Boise, Idaho, on February 25, 2020: approval letter of Applicant's Traffic Impact Study with modifications addressed.
4. Letter received from **Galena Consulting**, 1214 Johnson St. Boise, Idaho 83705, on March 4, 2020: letter includes Fiscal Impact Analysis of the PUD on City.
5. **City Comments** to Traffic Impact Study dated March 6, 2020: includes items to be addressed by Applicant for approval.
6. Letter received from **Developer** addressed to City Council on March 9, 2020: included details requested to be discussed at March 9, 2020 City Council Workshop.
7. Updated Preliminary Plat received from **Applicant** on March 11, 2020: reflects roundabout added to design as required by ITD (see **Exhibit A**).
8. Letter received from **Developer** addressed to City Council and Mayor on March 20, 2020: includes expressed frustration from Developer of application process along with apparent supporting email from Developer's fiscal impact consultant, also expressing frustration at being asked clarifying questions by Staff of her report.
9. Letter received from **Galena Consulting**, 1214 Johnson St. Boise, Idaho 83705, on March 24, 2020: includes some answers to Staff's questions of original Fiscal Impact Analysis submitted March 4, 2020.
10. **Draft Development Agreement** from City Attorney posted April 30, 2020 for public review.

STAFF FINDINGS AND RECOMMENDATIONS

- A. **Staff finds** that the Applicant's intent to Annex and Zone the property is for development of the PUD. Approval of annexation and zoning has been previously determined by Council discussion to be dependent upon approval of such PUD and related Development Agreement.
 - 1. **Staff recommends** that Council approve/deny Annexation and Zone requests subject to approval of Development Agreement, and approval of the PUD and Preliminary Plat.

- B. **Staff finds** that P&Z Commission made determinations on a list of six (6) Exceptions requested by Applicant that would allow the project to develop certain components not in compliance with City Code (**Exhibit B**).
 - 1. **Staff recommends**
 - a. Council approve exceptions 1, 3, 4 and 5.
 - b. Council remove exception 2 as Applicant has conceded that such exception is no longer needed.
 - c. Council deny and remove exception 6, as a resolution on this exception between Staff and Applicant has not been able to be reached.

ATTACHMENTS:

- I. Exhibit A - Preliminary Plat Cover Page Showing ITD Required Roundabout
- II. Exhibit B - Exceptions Request

EXHIBIT A

Updated Preliminary Plat dated 3/20/2020

