



City of Rathdrum Planning and Zoning Commission

Staff Report – Final Plat

To: Rathdrum Planning and Zoning Commission
From: City of Rathdrum Planning and Zoning Administrator
Date of Report: April 7, 2020
Subject: Thayer Farms 1st Addition Final Plat (Major Subdivision / Planned Unit Development)

PROJECT INFORMATION

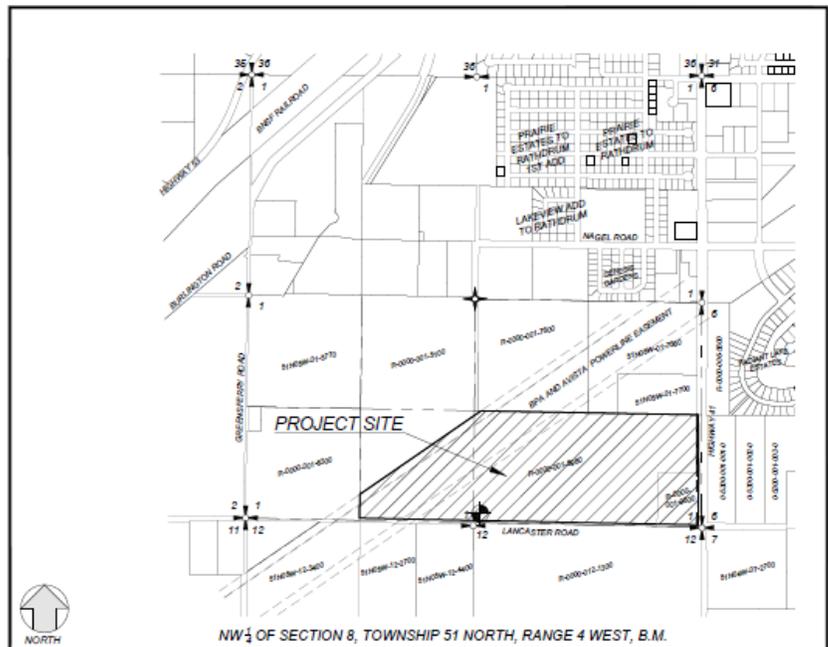
Applicant / Owner: Cliff E. Mort, Member, for Big Creek Land Company, LLC, 1950 W Bellerive Lane #107, Coeur d'Alene, Idaho, 83814.

Applicant's Representative: Representing the Applicant is Drew Dittman of Lake City Engineering, Inc., 126 E. Poplar Avenue, Coeur d'Alene, Idaho 83814.

Site Information / Location of Project:

The Subdivision / PUD is generally located at the northwest corner of N Highway 41 and W Lancaster Avenue. The Kootenai County Assessors Tax Parcel Number is R-0000-001-9800. The legal description is described by meets and bounds within the Southeast Quarter of the Southwest Quarter and the South Half of the Southeast Quarter of Section 1, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, as found within the Title Report submitted with the application.

Request: The original proposal included division of approximately 94 acres into 180 single-family lots as part of a planned unit development (PUD) with one (1) remainder lot consisting of approximately 7 acres encompassing the existing Thayer home site – totaling 101 acres. The approved preliminary development is to include right-of-way dedication for provision of future access and improvements, public internal streets which may deviate from City Standard Details as shown on the preliminary plat map, open areas / space, a dog park, pickle ball courts, pathways and a parking lot included within Tracts which are to be dedicated for public use.



PROJECT LOCATION

Within the PUD overlay, the applicant proposed to have a range of lot sizes to offer a variety of lot / housing options as follows:

50 “Cottage Lots” – Average lot size 5,200 SF	Minimum lot size 4,123 SF	Proposed houses 800 to 1,200 SF in area
61 “Traditional Lots” – Average lot size 7,000 SF		Proposed houses 1,000 to 2,500 SF in area
69 “Estate Lots” – Average lot size ~ 36,600 SF	Maximum lot size 53,179 SF	Proposed houses 1,500 to 3,500 SF with area for shops

The preliminary plat was approved by the Rathdrum City Council on June 26, 2019.

The subdivision / PUD is being developed in phases, subject to market conditions. The phasing as approved consisted of:

1. Phase 1 (recorded) – Thayer Farms Addition to Rathdrum – 20 “Estate” lots and 27 “Traditional” lots. Dedication of 40-feet of right of way adjacent to the plat and improvements within such right of way were included. Portions of Harvester Loop, Harvester Avenue, Bushel Street, Farmstead Street, and Splitrail Avenue, along with the necessary utilities therewith, were included in this phase to be dedicated to the public. Thayer Farms Addition to Rathdrum final plat was approved by the City Council on December 11, 2019.

2. Phase 2 (current) – Thayer Farms 1st Addition - 15 “Estate” lots are to be platted as shown on the approved preliminary plat. Seed loop, along with the necessary utilities, is to be completed and dedicated to the public.

Future Phases:

3. Phase 3 – Thayer Farms 2nd Addition – 19 “Estate” lots and 6 “Traditional” lots are to be platted. The remainder of Farmstead Street, and extension of Splitrail Avenue and portions of Ferguson Avenue are to be improved, along with the necessary utilities therewith, and are to be dedicated to the public.
4. Phase 4 – Thayer Farms 3rd Addition – 18 “Estate” lots are to be platted. A portion of Ferguson Avenue, and further extension of Splitrail Avenue are to be improved, along with the necessary utilities therewith, and are to be dedicated to the public.
5. Phase 5 – Thayer Farms 4th Addition – 28 “Traditional” lots are to be platted. Dedication of 40-feet of right of way adjacent to the plat and improvements within such right of way are included. A portion of Rio Grande and Harvester Avenues, and the remainders of Ferguson Avenue, Splitrail Avenue and Bushel Street are to be improved, along with the necessary utilities therewith, and are to be dedicated to the public.
6. Phase 6 – Thayer Farms 5th Addition – the 49 “Cottage” lots are to be platted. The rest of the street and utility infrastructure, including the extension of Rio Grande Avenue to the northern property boundary and Range Avenue are to be improved, along with the necessary utilities therewith, and are to be dedicated to the public. Dedication of 40-feet of right of way adjacent to the plat and improvements within such right of way are included. The public walking paths, pickle ball court, parking lot, dog park and other facilities within the Tracts are to be built and the land and improvements dedicated to the public.

The proposed Phase 2 final plat (Thayer Farms 1st Addition) reflects the approved preliminary plat.

An agreement setting forth parameters of development reflecting City code requirements and terms and conditions tied to the preliminary plat was approved by the City Council on June 26, 2019. The terms of the Agreement also address required improvements for phases to ensure integrity as stand-alone projects.

Project Phasing



PROJECT REVIEW

Staff Review and Recommendation:

City planning and public works staff have reviewed the proposed subdivision and determined that it is substantially consistent with the Preliminary Plat approval and phasing, subject to minor phasing, and the Development Agreement executed October 18, 2019 under instrument number 2718102000, Records of Kootenai County, Idaho, subject to minor technical changes as discussed above. The proposed subdivision is also compliant with RCC Title 12, including but not limited to Final Plat Standards of RCC 12-3-3.

The developer has made improvements to the property and has indicated that an acceptable surety as provided by City Code for the remaining incomplete infrastructure will be posted. The City has not yet received the surety for the incomplete work. When the performance surety is received, such will be reviewed for acceptance by the City Attorney.

Staff recommends the Planning and Zoning Commission provide a recommendation to approve the Phase I final plat to the City Council, subject to the Findings and Conclusions as discussed herein.

Commission Review:

Rathdrum City Code (RCC) 12-3-3 establishes the process and standards for final plat approval.

Pursuant to RCC 12-3-3-2, within 45 days following submission of a complete application and checklist the Commission shall review the final plat to determine if it meets established standards, conforms with the preliminary plat, contains the required certificates and statements of approval, is vested in the name of the owners, has the required improvements or facilities and has warranty for street, water and sewer improvements. The Applicant submitted an application for final plat approval on September 11, 2019. Review by the Planning and Zoning Commission is scheduled for October 16, 2019 in compliance with this section.

The Planning and Zoning Commission's recommendation to the City Council shall address City Code Sections 12-3-3-2 (A) through (F). The following findings and conclusions are recommended:

Section 12-3-3-2

Findings:

1. Pursuant to RCC 12-3-3-2-A the final plat is required to meet established standards.
2. The final plat shall conform to the preliminary plat per RCC 12-3-3-2-B.
3. The plat shall include the necessary Certificates and Statements of Approval per RCC 12-3-3-2-C.
4. A title report confirming that title to the land in the proposed subdivision is vested in the name of the owner whose signature appears on the plat is required per RCC 12-3-3-2-C.
5. Improvements and facilities required by the City for the subdivision shall be completed or a suitable guarantee shall be provided. Costs incurred by the City for plan, specification or drawing review and approval or construction inspection shall be paid by the subdivider.
6. The subdivider shall provide warranty that the required water, sewer and street improvements (including appurtenant features) and facilities will be free from defects in material and workmanship.
7. Any Finding of Fact which is more correctly a Conclusion of Law is incorporated herein by this reference.

Conclusions

1. The final plat meets all standards established by Idaho Code and RCC Title 12 relating to final plats, including the checklist, which can be modified by the council.
2. The final plat is essentially the same as the preliminary plat and the conditions imposed when the preliminary plat was approved have been met. The City Engineer, Public Works Director or City Council may recommend modifications of the preliminary plat up to the time of Council approval of the final plat.
3. The final plat bears the certificates and statements of approval required by RCC Title 12.
4. The Applicant has submitted a title report, from a title insurance company authorized to do business in the state, confirming that title of the land in the proposed subdivision is vested in the name of the owner whose signature appears on the plat.
5. The facilities and improvements required to be provided by the subdivider have been completed, and the costs incurred by the City for plan, specification or drawing review and approval or construction inspection have been paid by the subdivider, *OR* the subdivider has or will provide an irrevocable letter of credit or other suitable guarantee acceptable to the City in an amount of one hundred fifty percent (150%) of the estimated cost as approved by the City Engineer and with responsible sureties commensurate with improvements remaining to be done and costs to be paid, securing to the City the construction and installation of the improvements and payment of the costs which will be or have been incurred by the City within the fixed time period established by the Council.
6. Water and Sewer: The subdivider has provided, or will provide, a standard written warranty that the required water and sewer improvements and facilities will be free from defects in material and workmanship for a period of one year from the date of acceptance of the improvements by the city, secured by a performance bond in the amount of twenty five percent (25%) of the actual construction cost of the warranted improvements and facilities.
7. Street Improvements: The subdivider has provided, or will provide, a warranty that the required street improvements will be free from defects in material and workmanship for a period of two (2) years from the date of acceptance of the improvements by the city, secured by a performance bond in the amount of twenty five percent (25%) of the actual construction cost of the warranted improvements.
8. Any Conclusion of Law which is more correctly a Finding of Fact is incorporated herein by this reference.

Commission Action:

Following its review, the Commission shall determine whether to return the final plat to the subdivider for

modification or recommend approval or disapproval to the City Council. As soon as possible after its review, the Commission shall forward its written findings and recommendations to the Council.

Potential Motions: The language set forth below is provided for guidance with no intent to suggest any specific action.

APPROVAL: I move to recommend to the City Council that the proposal be approved, finding that it is in accord with the applicable City Code as identified within the Findings and Conclusions of the Staff Report. I further move that the Planning and Zoning Administrator provide a written report to the Council as soon as possible and include the recommendation of this Commission and the facts that provide a basis for the decision.

ADDITIONAL CONDITIONS OF APPROVAL (Optional): I further move that the following additional conditions be met in accordance with Rathdrum City Code: _____

DENIAL: I move to recommend to the City Council that the proposal as presented be denied, finding that it is not in accord with Rathdrum City Code for the following reasons: _____

STAFF CONTACT

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Attached Exhibits:

Exhibit A – Preliminary Subdivision

Exhibit B – 1st Addition Final Subdivision