



Memo

To: Mayor Davis and Members of the Council

From: Donna Phillips, GISP, Community Development Director

Date: December 1, 2025

Agenda Item: Subdivision requests for Extension of Preliminary Plat Approval

Agenda Item Location

New Business

Recommended Action or Motion

Possible Motions of City Council:

- **Motion to Approve** – I move to approve the _____ Subdivision Extension of Preliminary Plat approval request for one year to December 31, 2026, based upon testimony received at the City Council meeting and the record of the request.
- **Motion to Continue** – I move to continue this hearing to {date specific} to address concerns related to _____.
- **Motion to Deny** – I move to deny the _____ Subdivision Extension of Preliminary Plat approval request, based upon testimony received at the City Council Public meeting and the record of the request for the following reasons: _____.

Summary

Hayden City Code Title 12 Subdivisions and more specifically Chapter 3 Section 4 outlines the procedures to complete a subdivision. Upon approval of the subdivision preliminary plat, construction plans are reviewed and upon approval by the City and other agencies, construction may begin. Near completion of construction the final plat may be requested and/or approved and recorded.

Hayden City Code 12-3-4 (G) identifies the following for a single phased subdivision: Approval Duration: Failure to file the final plat application within 2 years after the date of City Council approval of the master development agreement which approved the preliminary plat shall cause all approvals of a subdivision plan to be null and void, unless an extension of one year has been **applied for by the developer and approved by the City Council**, except as provided for in subsection I (3) of this section. After the 2 years have elapsed, the developer may apply for and receive additional extensions for good cause of time if actual work has been commenced and is continuing on the installation of the improvements up to a maximum of 5 years, after which the preliminary plat approval shall be null and void and reapplication for a new preliminary plat application shall be required.

In the fall of the year, staff reviews the subdivision deadlines and where projects are anticipated to be completed and then reminds the Engineer of Record and/or the owner of the status with respect to the above code section and their agreements. Due in large part to the timing of this review of subdivision deadlines, staff is requesting that should the City Council approve these extensions that they be extended to December 31, 2026.

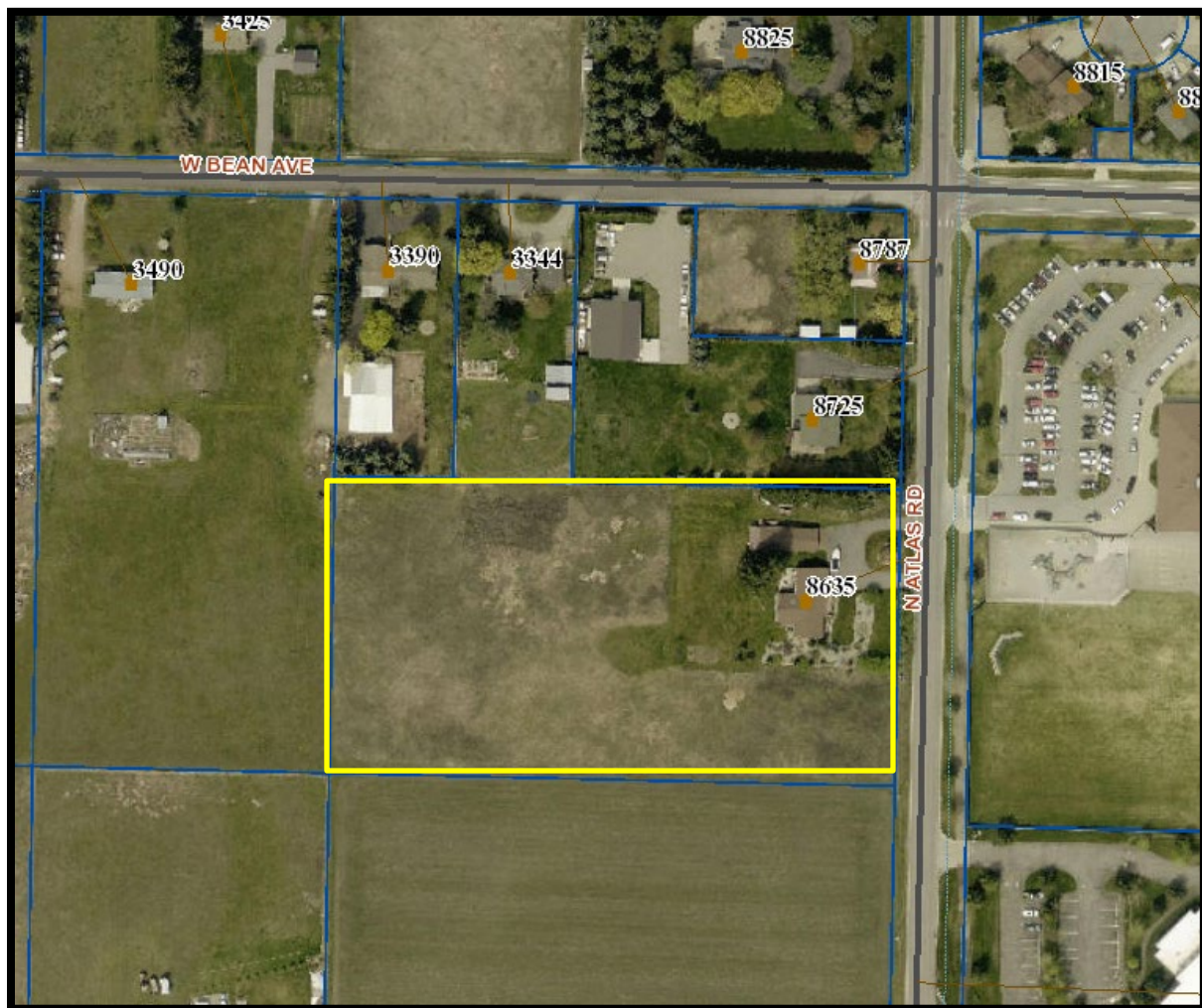
Staff received requests for an extension from each of the following:

Continue to next page.

Mabrey Estates (J2022 - 0612 Minor Subdivision) – Memorandum of Understanding was recorded July 11, 2023. The request was received on November 13, 2025, for a one-year extension.

Timeline of Project:

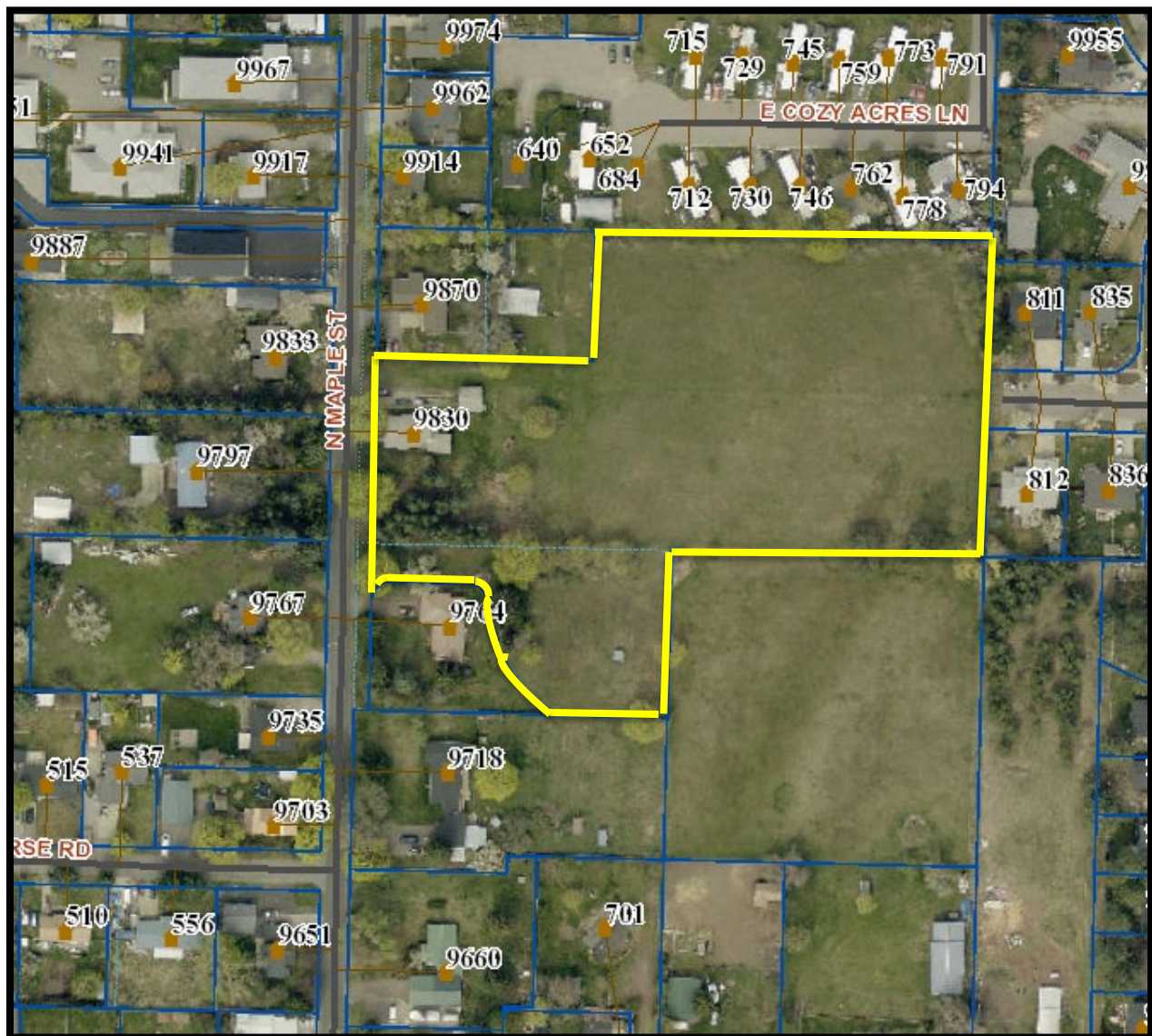
MOU Executed	2023	
Construction Plans	2023-2024	Discovery of existing water infrastructure
Utility Infrastructure Move	2024-2025	Worked with HLID to move existing water services to neighboring properties
Submitted Civil Construction Plans for Review for Subdivision	Fall 2025	Review by City, HLID, IDEQ, etc.
Anticipate project financing and construction	2026	Request Extension to December 31, 2026



Sacred Meadows (J2022-0591 – Minor Subdivision) – Memorandum of Understanding was recorded on March 27, 2023. The request was received on ??, for a one-year extension.

Timeline of Project:

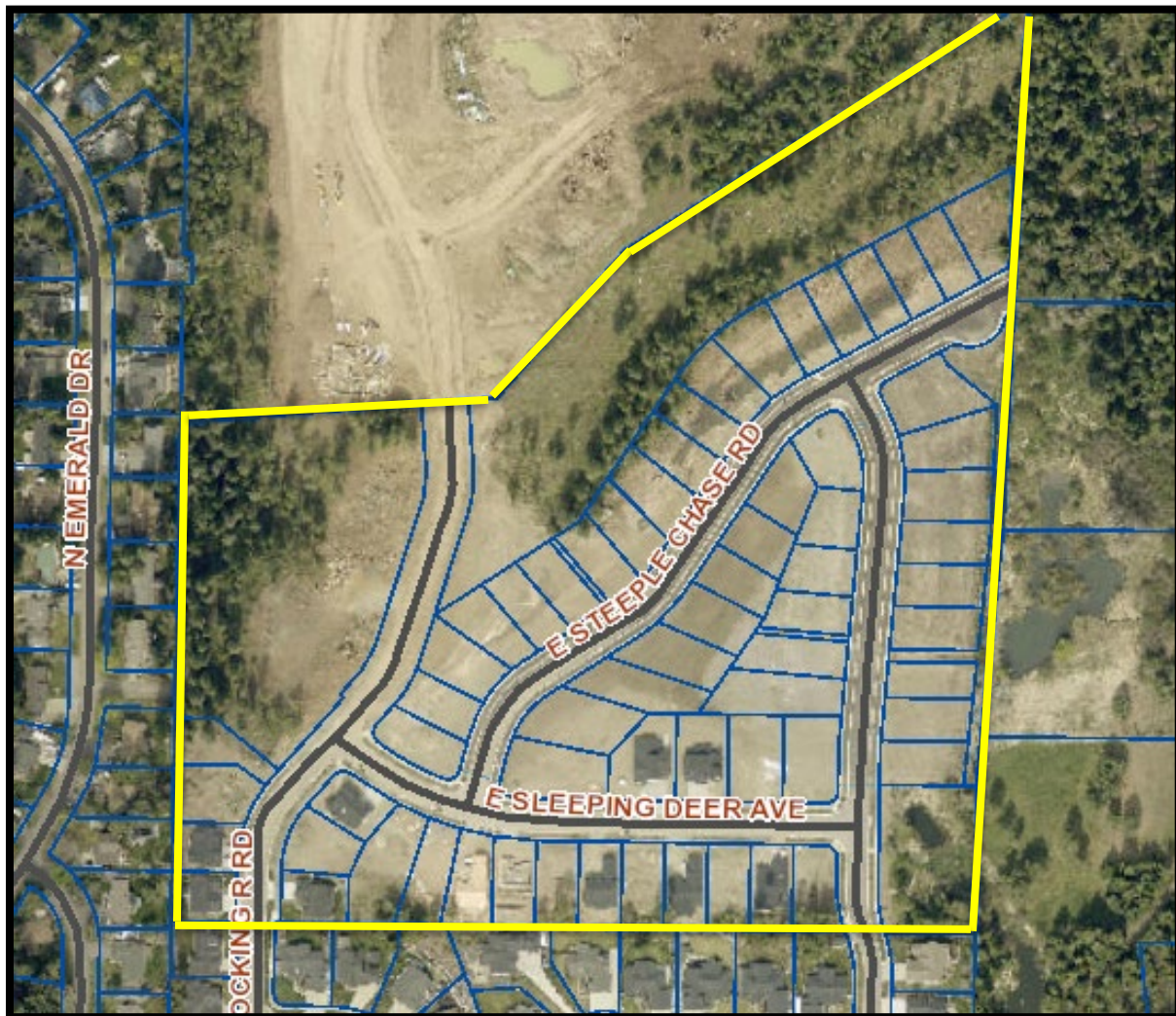
MOU Executed	2023	
Construction Plans Approved	Nov. 2023	
Additional Right of Way Obtained	March 2024	
Bids came in higher than expected	2025	See Narrative
Bidding and Construction Expected	2026	See Narrative



Trail Ridge Estates (J2020-0369 - Phased subdivision) – Master Development Agreement recorded November 30, 2020, which identified the project would expire “unless extensions of one year have been applied for by the developer and approved by the City Council”. The request was received on November 21, 2025, for a one-year extension.

Timeline of Project:

MDA Executed	2020	
Construction Improvement Agreement Recorded	2023	Required prior to commencement of construction
Trail Ridge Final Plat Recorded	2024	
Trail Ridge 1 st Addition Recorded	2025	
Trail Ridge 2 nd Addition Recorded	2025	



Fiscal Impact

NA

Budget Funding Source / Transfer Request

NA

Attachment

Narratives from applicants of their request for extension

Jackie Mabrey
8635 N Atlas Rd
Hayden, ID 83835

November 13, 2025

City of Hayden
Community Development
8930 N Government Way
Hayden, ID 83835

Re: Request for Extension to the Mabrey Estates Preliminary Plat

Dear Donna:

Please consider this letter as a formal request to extend the approval of the Mabrey Estates Preliminary Plat to December 31, 2026.

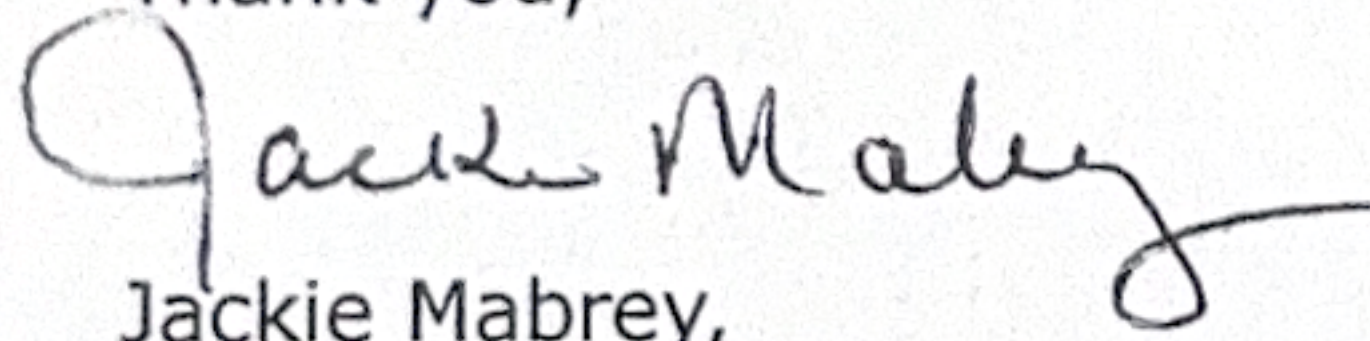
After the approval of the preliminary plat, the following work has been accomplished:

- 2023-2024: Developed and revised civil engineering plans
- 2024-2025: Worked with Hayden Lake Irrigation District on movement of utility infrastructure
- 2025: Drafted final civil engineering plans; submitted to the City of Hayden and various agencies for review
- 2025-2026: Anticipate receiving final approval of civil engineering plans; work on project financing

We anticipate receiving final approval of our engineering plans in Winter/Spring of 2026 and are also working on project financing. We are requesting the extension through December to allow adequate time to construct infrastructure in the 2026 construction season.

We respectfully request this extension. Please contact me at 208-755-5164 with any questions.

Thank you,



Jackie Mabrey,

Representing Jackie's Family Trust

From: [Yale Fowler](#)
To: [Planning](#)
Cc: [Donna Phillips](#)
Subject: Sacred Meadows Subdivision Extension
Date: Monday, December 1, 2025 2:16:58 PM

Some people who received this message don't often get email from yale33@proton.me. [Learn why this is important](#)

Hi City of Hayden Development Team-

Re: Sacred Meadows Subdivision J2022-0591

I was recently informed by the City of Hayden, that my permits had expired, unknowingly, for my Sacred Meadows subdivision project. I had the understanding that my permits were valid for three years, but was mistaken.

I'm hereby requesting an extension of my permits for Sacred Meadows.

This is my first subdivision, and as such, I've gone through a learning curve as to all it entails to complete this project. After learning of the costs of the infrastructure upon our first bid, I felt it necessary to sell two of my other investment properties - which the sales were completed in 2025. This has allowed me to be in a stronger position with regards to liquid assets and reserves needed in order to advance through the infrastructure process. Therefore, my primary 2025 financial goals for positioning for the Sacred Meadows project have been completed.

We're also in process of attaining infrastructure bids. Last year was extremely difficult to even receive a response from some of the most preferred and well known infrastructure companies in the local CDA/Hayden market. Further, they were already booked for the 2025 year. However, as we've started inquiries for infrastructure bids once again, the feedback is much different as there appears to be much more flexibility in their schedules, due to the slowing volume of work in the local market, I would assume. As the bids come in for the infrastructure and a company is selected, we're much more confident in being able to fit into the 2026 schedule availability with these infrastructure providers. This also helps to eliminate a critical challenge we had last year.

Should you have any additional questions with regards to my request for extension of the Sacred Meadows permits, please don't hesitate in contacting me.

We would greatly appreciate an extension of the Sacred Meadows permits.

Thank you.

Yale Fowler
858.395.2094
Yale33@proton.me

RAMSDEN, MARFICE, EALY & DE SMET, LLP

ATTORNEYS AT LAW

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MICHAEL K. BRANSTETTER, RET.
TERRANCE R. HARRIS (1963-2021)

November 21, 2025

SENT VIA: Email to planning@haydenid.gov, dphillips@haydenid.gov, and fjovick@lclattorneys.com

City of Hayden
Attn: Donna Phillips, Community Development Director
8930 N. Government Way
Hayden, Idaho 83835.

Lake City Law Group, PLLC
Attn: Fonda Jovick
435 W. Hanley Avenue, Ste. 101
Coeur d'Alene, ID 83815

Re: J2020-0369 – Trail Ridge – Request for Extension

Dear Ms. Phillips,

I write in response to your letter dated November 10, 2025, to 7 Lakes, LLC, whereby the City of Hayden kindly reminds 7 Lakes, LLC (“7 Lakes”) that the five (5) year window to record the final phase of the Trail Ridge subdivision is quickly approaching and is set to expire on November 20, 2025, unless an extension is sought. **The purpose of this letter is to request a one (1) year extension pursuant to the Master Development Agreement and Hayden City Code § 12-3-4(l)(3).**

As you note, the City and 7 Lakes executed a Master Development Agreement, recorded November 30, 2020 (the “MDA”), which provides in relevant part:

Application for final plat approval for the last phase of a phased subdivisions shall be filed within five (5) years after the date of city council approval of the master development agreement which approved the entire subdivision in concept unless extensions of one year have been applied for by the developer and approved by the

City of Hayden
Attn: Donna Phillips
November 21, 2025
Page 2

city council or if some other time frame has been agreed to in this master development agreement.

See, Master Development Agreement, § 2.2. This provision in the Master Development Agreement essentially mirrors City Code setting forth the timelines to record final plat for a phased subdivision, and the process for seeking one (1) year extensions if those timelines cannot be met. Here, good cause exists for this extension.


It is true that the MDA was executed and recorded in November 2020. However, as City staff will certainly recall, following the execution of the MDA there were several rounds of public hearings, requests for reconsideration, appeals, town hall meetings, and IDWR inspection(s) (despite 7 Lakes' objection) – all of which prevented 7 Lakes from starting construction of the project until permitted by the City.

Of note, the Construction Improvement Agreement for Phase I was not recorded until April 12, 2023 – nearly 2.5 years after the MDA was recorded. And, since the MDA states that 'Developer shall, at an appropriate time **prior to commencement of construction** of improvements on the Property, enter into a Construction Improvement Agreement...', 7 Lakes was unable to begin (let alone complete) any of the necessary improvements to record final plat until after April 12, 2023. In short, 2.5 years passed between recording the MDA, and recording the CIA allowing construction to begin.

Frankly, it is somewhat remarkable that 7 Lakes was able to record final plat for Phases I-III in the 2.5 years since the CIA was signed and construction allowed to begin. However, as I am sure the City can understand, there were several delays in the planning process that held up construction of the improvements and additional time is necessary to complete the improvements and record final plat for Phase IV (the final phase). As good cause exists for this extension, 7 Lakes hereby requests the City grant a one (1) year extension to submit its final plat application for the final phase.

Should City Staff and/or City Council have any questions, I am happy to discuss.

Yours very truly,



Marcus E. Johnson

MEJ/ac