



# North Ada County Foothills Association

One voice. One goal. One plan.

## **NACFA Update—Eagle, County, ACHD, Developers, Groundwater...**

January 15, 2007

Hi all,

Following is the listing of topics/headings addressed in this update, so you can seek out the items of most interest to you.

1. **Meeting Alert(s)/Priorities**
2. **Eagle Comprehensive Plan for the Foothills**
  - General schedule; Community involvement—the committees and beyond
  - What if what the community wants differs from what the developers want?
3. **County North Foothills Sub-Area Plan**
4. **City v. County: Who's really in the drivers seat?**—The game is afoot
5. **ACHD Master Roadways Plan for the North Foothills & ITD Attention to the regional, State highway system** (i.e. 55, 16, 44, etc.)
6. **The Developers**
  - **New: Ridgeway Estates—North Holl Drive**
  - M3
  - Kastera
  - Suncor
  - Connolly
7. **Our Groundwater**

I am not even going to try to make this one brief, for two reasons: [1] there is simply too much going on—many “threads” to follow (obvious from the above list), and [2] many new people are joining our network, as word spreads about M3 and other developers, the City's planning process, etc.—so, I want to be as complete as possible to help bring new people up to speed. In the latter regard, one Update can only do so much; so, new members, please visit the website ([www.nacfa.net](http://www.nacfa.net)) and review the history.

Before I begin in earnest, I will say once again, more loudly than ever:

- **WE ARE HAVING A MAJOR IMPACT** on planning for the foothills north of Eagle.
- **WE ARE POISED TO STRONGLY INFLUENCE WHAT HAPPENS** with water supply, roads, habitat/open space, recreation, and impacts on the existing community.
- **WE ARE FORCING THE ISSUE OF DEVELOPERS PAYING THEIR WAY**...not leaving us holding the bag on paying for needed roads/road improvements, new schools, etc.
- **WE NEED TO KEEP THE PRESSURE TURNED UP TO MAXIMUM!**

...citizens helping to create a sustainable vision for the future of Ada County's Northern Foothills...

## 1. Meeting Alert(s)/Priorities:

**Priority 1: Eagle Landowners' Committee Meetings** (Wednesdays, 6 PM at City Hall—now through at least the end of January): The way that the City has set up this committee is **very important right now**. It is open to any Eagle or Foothills landowner, no matter how large or small their ownership (that means US). It is also the ONE committee to which all the other, topic-specific committees must report. Some NACFA members who have attended these meeting thusfar have expressed concern that there was no substance; that is because the other committees where just getting started and had nothing to offer. In the coming weeks, however, all this will change. The other committees (e.g. Open Space and Habitat, Transportation, Activity Centers...see below) will all be presenting their concepts...objectives, principles, and most importantly, maps...to the Landowners Committee for comment and discussion. So, it is the Landowners Committee that represents **the primary forum for broad community scrutiny of and impact on the Eagle Plan as it evolves**. See CJ's overview of the whole City process (included as Item 2, below) for more information on how all this is supposed to work over time.

**Priority 2: Eagle Topic/Issue-Specific Committee Meetings** (listed below--all weekly, at City Hall, now through at least the end of January): All of these committee meetings are open to anyone and everyone interested. **You need not be a member appointed by Eagle** to attend and listen to and/or present information on the subject(s) in which you're interested. these committees are really the roots from which the plan will grow—they will be drawing the maps. So, if you are passionate about any of these topics and have the time, show up...even if only to observe and keep things honest. We are all aware that the developers will make every attempt to ensure that their interests are represented on these committees; it behooves us to do the same (see Item 2, below, for more on committee composition and NACFA representation). **Participation in these committee processes is an opportunity to have the plan evolve in a manner we can support (or at least live with) from the start, rather than having to fight tooth and nail later).**

- **Habitat & Open Space** (Wednesdays, 10 AM...with one key emphasis being on lands set aside outside of developed areas, and including compatible recreation—such as equestrian, mountain biking, hiking, dog training, etc.)
- **Activity Centers** (Thursdays, 3 PM...essentially the counterpoint to Habitat & Open Space, dealing with where high/higher intensity land uses could occur...e.g. higher density residential, commercial, industrial, office, educational, etc.)
- **Transportation** (Wednesdays, 7 AM...dealing with the hard questions on where roads should/will go and how big they will be)
- **Water** (meeting times and days vary; contact David Head if interested)
- **Facilities** (Thursdays, 10 AM...dealing with the need for/location of schools, fire, police, water storage, sewer plants, etc.)
- **Design review and landscape standards** (Tuesdays, 3 PM)

### **Priority 3: County Sub-Area Plan--Planning & Zoning Commission**

**Meetings/Hearings:** This is a place-holder for now in terms of any needed NACFA call to arms. See Item 3, below, for status of the County's planning effort, including current meeting schedule. See also Item 4 regarding the City v. County dynamic. The bottom line, as I have said before, is that we cannot take our eye off the ball with County. The County process is still quite important because either [1] it can serve as a moderating influence on Eagle (don't forget that the County's first draft would give M3 about a third of the density they propose—and we now have a

very different dynamic on the County Commission with Paul Woods being elected to replace Judy never-saw-a-planned-community-she-didn't-like Peavey Derr), or [2] there may be forces brought to bear to prevent or delay Eagle's annexation of these lands—thus leaving the County in control. Once we have seen the revised Sub-Area plan, we can better gauge the relative need for, and timing of, broad NACFA attendance at these meetings/hearings.

## 2. Eagle Comprehensive Plan for the Foothills

### General Schedule; Community Involvement—The Committees and Beyond

Eagle planning for the foothills, intended to result in their own version of the North Foothills comprehensive (comp) plan by spring 2007, has begun in earnest. Having completed their “visioning” sessions with the public last fall, they've now begun the second phase of comp plan development—translating the visioning results into concrete plans.

To accomplish the “up and down lifting” in this phase, Eagle has established the committees listed above. Eagle's position on committee composition has changed considerably from the way they presented it in mid-December. As those of you who attended the landowner meeting on January 3, 2007, are aware *all work group meetings are now open* to anyone and everyone interested. You need not be a member appointed by Eagle to attend and listen to and/or present information on the subject(s) in which you're interested.

NACFA reps on the committees are David Head (Water), John Petrovsky (Activity Centers), Alasya West and CJ Thompson (Habitat and Open Space). Though not a member, John will be attending every transportation work group meeting as well. Just as importantly, it does seem that the overall membership of the key committees (especially Habitat & Open Space, Transportation, and Water) is reasonably well balanced (i.e. not dominated by development interests). Good examples of this include [1] ACHD, ITD, and COMPASS are actively working on the Transportation committee (thus the big questions about regional road systems cannot be swept under the rug), and [2] the Habitat and Open Space committee includes IDFG, a federal lands expert, a rare plants expert, and strong community advocates for preserving large undeveloped areas, with attendant “back country” recreation

Additionally, every Wednesday evening, 6 p.m., through the end of January Eagle is holding “landowner meetings”, which are intended as the forum for owners of property (no matter what size) in the North Foothills. As noted above, **these meetings are critical**, both to *receive information from the committees* as they develop details in their respective areas of responsibility and to *feed back to the committees* your response to the plans they're making.

Refer on a continuing basis to [www.cityofeagle.org](http://www.cityofeagle.org) (the “Foothills” button) for agendas and minutes of the committee meetings as well as schedules and other important developments.

Once the committees have completed their efforts, the City will aggregate and integrate those recommendations into a conceptual plan, which will be presented to both landowners and the general public, as well as discussed in workshops with P & Z and the City Council. This discussion/workshop phase is currently planned to be complete by the end of February 2007.

Following that, the City will hold an open house (meeting the public notice requirement) on the final conceptual plan and launch into preparation of the land use map and final comp plan amendment, targeted for completion by the end of March 2007. The normal comp plan amendment public hearing process before P & Z and the Council will thus likely begin sometime in April.

The earliest date possible for adoption by Eagle of a North Foothills Comp Plan amendment is May 7, 2007. (By law, cities may open comp plans for amendment no more than twice in a twelve month period. Eagle last opened their comp plan for amendment on November 7, 2006.)

Refer to “Comp Plan Timeline” at the City website (under “Foothills”) for modifications to the schedule.

### **What if what the community wants differs from what the developers want?**

This question is paramount in many people’s minds. It gets at the integrity and honesty of the City process--how well City decision-makers will listen to the community. It deals directly with the fact that what M3 and Kastera are proposing (see references in Item 7) is far from what many in the Community want to see in these foothills. For now, the best answer I can give goes as follows...

- First, the City has listened and responded admirably in terms of how the planning process is structured. Don’t forget that it was NACFA who first proposed the kind of committee structure the City is following—the City listened. Early on, many in the community believed that membership in the committees was “rigged”, too restrictive, or at least did not have sufficient participation by existing residents—the City responded by both adding new members and opening the committee process to broader participation.
- I believe that the City’s effort to form and populate the committees is in good faith. Overall, the City knows “we are watching” and appears to welcome that fact. Now, it is up to us, the Community, to participate and to make our wishes and positions known. Yes, the developers will act strongly to see their interests reflected in what comes out of this process. It is up to us to act equally strongly. This means continuing to show up...with constructive ideas as much as possible, and downright, vocal opposition when necessary. I believe that we have major momentum, and stand to significantly influence this plan.
- Perhaps most telling in this regard is Mayor Merrill’s and staff lead Baird-Spencer’s response to my question along these lines during one of the early landowner committee meetings. They indicated that the plan emerging from the committee/community process may differ significantly from what any particular developer has proposed. If this occurs, the developer(s) have the option of [1] altering their proposal to be consistent with the plan, or [2] proceeding with their applications, inconsistent with the community’s plan, and simply fighting it out in front of the City Planning and Zoning Commission and City Council. Whoa!!! That sounds to me like they see the possibility of this process having quite a lot to say about what M3, Kastera or anyone else actually builds. However, **it is not the Mayor or the Council or the Staff that will draw such an alternative future; it is us, the community. If we don’t do it, no one else will, and it will be hard for decision makers to ignore a plan crafted and supported by the community v. the community showing up after the fact and complaining that we don’t like what the developers are proposing.**

### **3. County North Foothills Sub-Area Plan**

The North Foothills sub-area plan is currently being revised. Although we have no inside word on what changes are being considered, several key issues are in play:

- The revision is likely to include increases to densities in at least the SunCor and Connolly tracts. (NACFA recommended increases here; see “updates and alerts” at [www.nacfa.net](http://www.nacfa.net) for the 9/18/06 letter with formal NACFA comments.)
- A second critical item in the sub-area plan is how the revision addresses planned communities in the context of density targets. The draft currently states that planned community units are ***included*** within the density targets. We hear reliably that County planning director Armstrong has announced that the revision would ***exclude*** planned communities from density targets, which

would leave us in essentially the same situation in the future as we're in today...with planned communities the wild card and the County approving virtually anything submitted.

- Finally, the current draft does away with the “non-farm subdivision”, which has resulted in density doubled from existing zoning when units are built in clusters on parcels less than 640 acres (and thus not eligible for planned community development). We'll be watching to make sure that the non-farm subdivision doesn't sneak back in to the revision.
- In testimony as well as the formal comment letter, we've urged the County to go further with detailed planning for the North Foothills, particularly focusing on transportation routes and the central core of open space/habitat. Although the revision may provide some additional details in these and perhaps other areas, it's likely that to arrive at a truly useful planning document the County will have to contract with its consultant for additional investigation and analysis. Absence of that detail in the revision thus would not necessarily mean that the plea for more detail has fallen on deaf ears.

The County sub-area **plan revision** is currently scheduled to be **available online on January 18, 2007** (previously 1/11/07); **first P & Z hearing** on the draft is currently scheduled for **February 8, 2007** (previously 1/25/07).

Our informal contacts with County personnel indicate that the County intends to proceed with the sub-area plan for the North Foothills, despite applications by M3 and SunCor and announced plans by Kastera to request annexation to Eagle. Presuming the County continues to develop this sub-area plan, we anticipate several hearings before both P & Z and the County Commissioners lasting into the spring.

Refer to

<http://www.adaweb.net/departments/developmentservices/AdaCountyComprehensivePlan.asp>

#### **4. City v. County: Who's really in the drivers seat?**

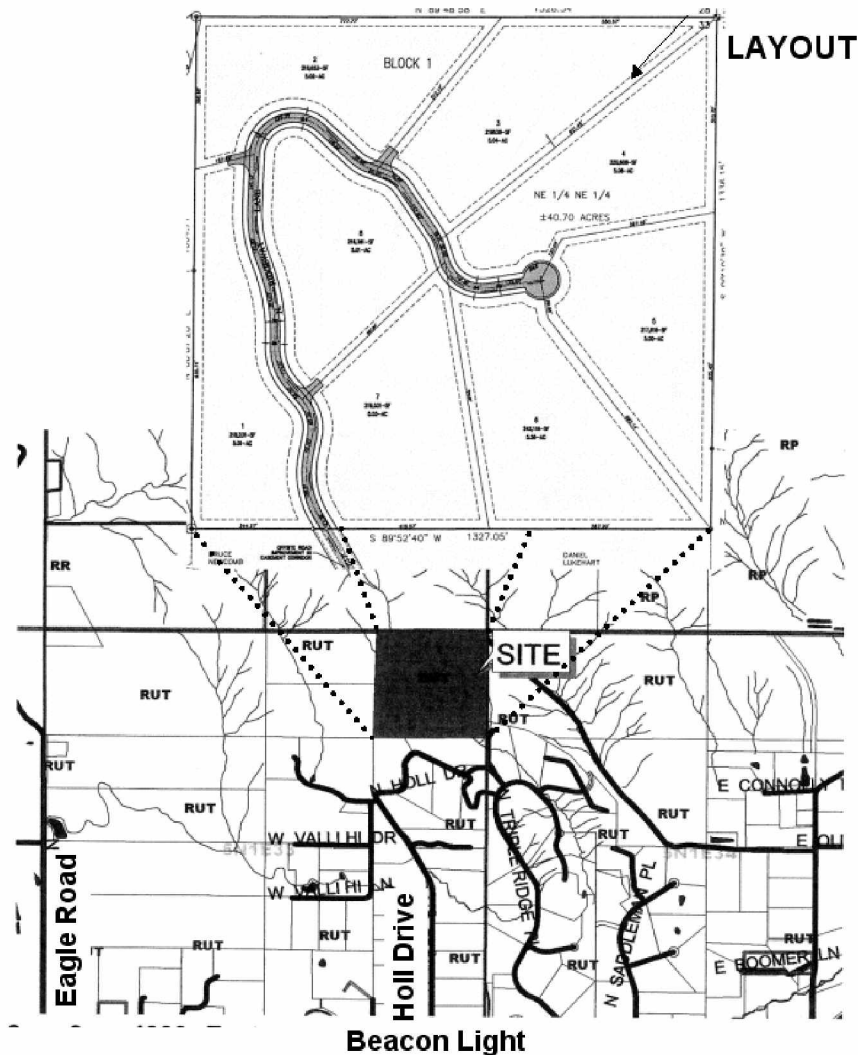
I reiterate this question now because we are hearing about an effort to place restrictions (via the State legislature) on a city's ability to annex land outside its Area of Impact. This move is being led by folks in the southern part of the County (also facing massive growth pressures), but it could impact what happens in the North Foothills. I will be finding out more about this in the coming week and will report back. My initial reaction to the idea is that if such restrictions are placed on cities to help reign in uncontrolled, steamroller growth, then some restrictions also need to be placed on the Counties...otherwise (given Ada County's recent history) the uncontrolled, steamroller growth will simply happen under County instead of City jurisdiction.

#### **5. ACHD Master Roadways Plan for the North Foothills & ITD Attention to the regional, State highway system**

Not much has changed in these regards since my last update (December 10...on the website). Since the last update, we have continued to press our points through [1] testimony (i.e. at the December 14<sup>th</sup> P&Z hearing on the Sub-Area Plan, we presented our “white paper” regarding the impending Hwy 55 nightmare and lobbied for the County to provide the kind of land use intensity and location information necessary for ACHD to work through the roadway implications), and [2] participation in the City's Transportation Committee meetings. At the bottom line, roadway needs & impacts (both new roads and expansions of existing roads/highways--and how all these would be paid for) are perhaps the single most important factors (along with water supply) in determining how much development can/should occur in these foothills.

## 6. The Developers

- **Ridgeway Estates--New Item of Local/Neighborhood Interest—North Holl Drive:** This is an FYI for folks in and around the Holl Drive neighborhood. The proposal is eight 5-acre lots on 40 acres north of the existing Holl Drive and Triple Ridge neighborhoods (see map below). I am referring this item to David Head in case there is anything we want to say regarding the domestic wells that would be drilled by the future lot owners. Otherwise, pending any detailed input from the immediate neighbors, this is a proposal consistent with the existing local environment (in stark contrast to what Kastera is scheming immediately north of this land) and does not mean a major new source of traffic on neighborhood roads. For those interested, the County Planning and Zoning Commission will have a hearing on this proposal on March 1, 2007.



- **M3:** CJ has prepared a detailed and very informative summary of M3's presentation at the December 11 Eagle Planning & Zoning Commission hearing. That summary, including selected maps showing an overview of the M3 proposal, is provided as a separate file (with this Update in original email distribution and on the website). As noted previously, M3 has begun to show some willingness to work with the community to modify their plan in ways responsive to community concerns. However, there are several significant concerns and issues remaining to be worked through. It remains to be seen whether acceptable outcomes can be crafted with M3 directly v. the community's vision (to the extent that it differs from what M3 is willing to do)

being reflected through Eagles Comp. Plan process (as discussed in item 2, above). In short, important points of “discussion” remain:

- **Roadway needs**—alignments and sizes—especially where M3 or other north foothills traffic must be routed through the existing community.
- **Contribution to the central habitat/open space/recreation reserve** we are seeking (as noted previously, M3 has taken a significant first step in this regard).
- **Intensity of land use in the central part of the foothills/eastern portion of M3 property**—M3 has also made adjustments in response to this concern; whether these adjustments are the final word remains to be seen.
- **Overall intensity/density of development**—M3 is still proposing 12,000 dwelling units; the dwelling units originally proposed for lands that they have now proposed adding to the central open space reserve (i.e. the 500 acres they have added to their original 320 acres) has simply been transferred to other parts of their property.
- **Water supply** for all this new development (see item 7, below)
- **Who pays for roads, schools and other facilities—them or us?** (we are hearing from School District representatives that M3’s fiscal analysis is flawed when it comes to schools; we are also not letting up on our demands that the full, real cost of necessary road/highway improvements (from foothills development as a whole) be recognized and dealt with—not swept under the rug because the issue is too large...)
- **Kastera—Trailhead project:** No word yet on Kastera’s second neighborhood meeting (they indicated in December that they would have a second meeting in February). The more I hear about the “reception” folks gave them at their first meeting, the more I congratulate those who attended that meeting. I think this is a perfect example of where we, the community, will need to show, via the City’s Comp Plan process, what we consider acceptable on this land (for good reasons—not arbitrary whims). I seriously doubt that trying to work with Kastera, like we have worked with other developers, will do any good...these guys just don’t see the world like we do...and they really don’t see us at all...
- **Suncor & Connolly:** Nothing new; both are foregoing processing of development applications until the City Comp Plan process is finished.

## 7. Our Groundwater

I will still leave a full update on this critical topic to David when he has the time. For now, important threads being followed include: [1] status of M3’s application for major water rights (42 cfs of groundwater v Suncor’s 5 cfs) to support their development, and the studies being conducted to support that application (including pending testing of a high-yield/high-capacity well on their property, and [2] checking what impact the change in governor and/or IDWR Director will have on our request for a state-led groundwater study of our area (as you recall, former Director Dreher agreed to this study and was going to pursue funding in the legislature). In the first of these regards, M3’s consultant will be presenting the status and findings to date of these activities to the NACFA Steering Committee in the new future. In the second regard, David will be sending a inquiry shortly to interim Director Tuthill.

Ok, I know you must be saying “enough already!!!”. Thanks for your attention and continuing support and participation. Yes, this is a long, arduous, and often complex process. However, we have a very good shot at achieving a plan for these foothills that we can be proud of...not just grudgingly accept... Best Regards to all....JP