



North Ada County Foothills Association

One voice. One goal. One plan.

NACFA Update: April 22, 2007

Hi all,

OK, the end game is upon us. The City of Eagle has published a preliminary draft of their North Foothills Comprehensive Plan Amendment and M3 is pushing harder than ever to hurry things through. At the outset, I will say that I am not at all comfortable with the way things are laying out in the immediate future, neither with what we are seeing in Eagle's draft plan nor with the schedule being pressed to get that Plan adopted. Things are very complex right now, so don't expect this to be short, but I will try to explain what is going on. We all owe a lot to CJ right now for spending countless hours (while I and others on the Steering Committee have been otherwise occupied) reviewing volumes of information to understand what is happening. The bottom line is:

**Over the next few weeks, we must show up at Eagle meetings and hearings—
show up in force and make our feelings and positions known! Read on...**
(Reference attached schedule for key dates and times)

This update is organized under three headings:

- **County North Foothills Sub-Area Plan**
- **City of Eagle North Foothills Comprehensive Plan Amendment**
- **The Developers (especially, as usual, M3)**

County North Foothills Sub-Area Plan:

In late February and early March, the County P&Z Commission held two public hearings on two rounds of revisions to the draft sub-area plan. (NACFA's two formal comment letters, sent as part of this process, are posted on our website (www.nacfa.net) under "Updates and Alerts"). At the second of these hearings, after having heard all those who wanted to speak, the Commission closed the hearing process to further public comment.

Since those hearings, the County has been considering public comments and preparing what may be the final draft for P&Z Commission action (i.e. recommendation to the County Commission). During this time, the P&Z Commission held a work session with staff. We have been informed by County staff that, overall, the P&Z Commission appears headed for reaffirming and approving the level of development contained in the latest draft of the plan (i.e. approximately 10,000 dwelling units in the North Foothills between State Highways 16 and 55). We are further informed that the most compelling reason for the Commission to hold the line at this level of development intensity (in the face of major developer pressure) is the traffic impacts of anything higher. (The County has reviewed the traffic studies done during Eagle's process, showing the roadway impacts of 10,000,

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20,000 and 30,000 units in these foothills, and, like us, appears to believe that the impacts are too severe with anything higher than 10,000 units.)

Yes, we are still very concerned about [1] the lack of detail in the County Plan (i.e. regarding road locations, developed v. open space areas, etc.), [2] the status of Intensity Area D, and [3] deferral of ANY significant development in these foothills until and unless groundwater and regional traffic issues are resolved. Nevertheless, we will applaud the County (staff and P&Z Commission) if they do in fact hold their ground on the 10,000 unit intensity recommendation. This is especially true given what we are seeing in Eagle's draft plan for the same are (see below).

The County P&Z Commission will consider this matter on **Thursday, April 26 at 6 PM (at the County building)**. We do not know whether the Commission will re-open the process for additional public testimony, but we will definitely be present to observe the outcome. All NACFA members who are able should also attend this hearing.

City of Eagle North Foothills Comprehensive Plan Amendment

The City has now published a draft of its North Foothills Plan. **All those in the NACFA network should review this draft:** you can find it at the City's website by hitting the "foothills" item on the main page.

I must say at the outset here that we are still reviewing this draft and intend to meet with City staff next week to discuss it and make sure that we are reading it accurately and fully understanding it. However, it looks a lot like we are seeing a role reversal between the City and the County. As many will recall, part of our reason for encouraging the City to embark on this planning effort was fear that the County would allow high levels of development with no regard for the existing residents of Eagle. Now we find that the County may actually be sticking with a modest level of development, while the City produces a plan that includes:

- A "base density" of **24,200 dwelling units** (with provisions for **density bonuses that could take this number well over 30,000**—if the revised M3 situation is an accurate indication—discussed later).
- A roadway system serving this "base density" of 24,000 units via:
 - A four lane connection from Willow Creek Road to Eagle Road, widening to **5 lanes through downtown Eagle;**
 - A requirement for **Beacon Light Road** to be **5 lanes** (v. 3 lanes without foothills development traffic)
 - A four lane connection from Willow Creek Road to Brookside/Highway 55;
 - A four lane **Linder Road** coming out of the foothills, widening to 5 lanes at Beacon Light
 - A connection up **Park Lane**, through the middle of the large BLM lands (this may be an artifact of prior studies and not really intended; however, the M3 map that showed this connection is included in the draft plan, renamed "Roadway System at Build-Out") ; and
 - Over **150,000 additional vehicle trips on the roadway network outside of the foothills** (i.e. Highways 16, 55 and 44, Eagle Road to I-84, etc.)
- Very little more than the County regarding where open space and habitat WILL be retained or where developed areas WILL occur (i.e. these questions are still in the realm of vague objectives and conceptual recommendations).

Maybe there are details of this plan that are not readily obvious, details that would mitigate what appears to be the City doing precisely what we all feared the County would do (i.e. capitulating to developers at the expense of existing residents).

Am I being alarmist and unfair?? Maybe; pending further study and discussion; I am willing to listen and will welcome your opinions. Nevertheless, **the level of development that this plan would allow rings all manner of major alarm bells and calls for the entire community—foothills and city residents, anyone who drives a car--to pay attention and show up for the upcoming meetings and hearings. In addition, the City is on a course to approve a foothills plan (in whatever form) without benefit of the area-wide traffic analysis and master roadways plan that ACHD has committed to doing.**

The attached schedule lays out the meetings and hearings coming up in the near future dealing with this plan (see also the parallel steamroller effort by M3, described below). I request that all interested parties **review the draft plan, spread the word far and wide (the entire Treasure Valley will be affected) and prepare to testify at the P&Z hearings** (both overall foothills plan and M3). If you see fit, send me your comments and concerns so that I can better prepare the overall NACFA response; if you wish to be part of the organized NACFA testimony at upcoming hearings, let me know that as well (and I encourage you to do so).

We will learn a lot more at the subcommittee meetings this coming week and the open houses the following week. We will also be holding a **NACFA meeting on May 9** to discuss strategy and response.

The Developers (and the City)

M3: There has been a lot happening with M3 over the past few weeks. On the quasi-plus side (from one way of looking at things), it appears that M3 is ready to agree to a development density consistent with the City's draft plan (translating to a "base density" of 5,700 units, and up to 8,100 with density bonuses—these numbers are not speculative, they are specified in M3's proposed development agreement—which CJ, bless her, has been studying in excruciating detail).

Yes, this is certainly an improvement from the 10,000 to 12,000 units they originally proposed. However, there are many aspects of the M3 situation that are very disturbing:

- It seems pretty likely (obvious?) that the level of development with which M3 is "willing" to settle is what has set the stage for the City's plan to include 24,000 to 30,000++ dwelling units. I can see no other reason for the City's draft plan to propose such a high level of development foothills-wide, especially when the County "threat" seems to be gone (and no other developer we know is demanding the kind of density that M3 wants). To be blunt, I suspect that the density formula contained in the draft foothills plan was settled upon in large part because M3 could live with it; then, that density formula was applied foothills-wide to yield the overall totals we see in the draft foothills plan.
- M3 has managed to get the City to schedule P&Z Commission hearings on their project (now with an 8100 dwelling unit maximum) at the exact same time the Commission is holding its first hearing on the draft foothills comp plan. At present, **M3's comp plan amendment (one of four parts to their application package) is scheduled for hearing on the same night (May 14) as the first foothills plan hearing, with the rest of the package, including critical development entitlements being considered by the commission in a "special" session three nights later (May 17).** This might be simply annoying if it weren't for the fact that the P&Z Commission has already closed the hearing and recommended approval for one part of M3's application (their Comp Plan amendment text). We are still assured by the City Council that no action will be taken on development specifics (final number of units authorized, location, process to be followed (e.g., must they have ACHD road approval for the entire site before they begin?)) outside of the full foothills comp plan amendment. That being said, I'm from Missouri and the omens look pretty ominous to me.

- M3 has touted their “contribution” of 800 acres (14% of their site) to regional open space/habitat/recreation. However, in the details of their applications we find that they have separately applied to BLM to trade these 800 acres for the 815 acre BLM parcel along Highway 16, with the stipulation that if the transfer does not occur, they’ll hold to their original commitment to donate the 800. In other words, at the same time they are sitting at a table discussing overall strategy for truly beneficial rearrangement of public ownership in the foothills area (a separate process involving BLM, State Lands, the Land Trust of Treasure Valley and landowners), they are busy trying to be compensated for open space “contributions” they announced with great fanfare last year. This kind of shell game is an indicator of why we all need to pay close attention to details, watch carefully as the development specifics evolve and, as we have for the past year, do all we can to make sure we’re not collateral damage and that, most especially, promises made are promises kept.
- The bottom line with M3 is that they continue to pursue an “end-run” around the overall foothills planning process at every juncture, and the City refuses to tell them NO. They are trying force consideration of their density entitlements before Community discussion of the overall foothills plan has occurred and before traffic studies and road plans are finalized. They are trying to cut separate deals for BLM lands to circumvent actually having to dedicate regional open space.

If M3 really wanted to “work with the community” and “be good neighbors”, they would withdraw the pressure for rapid-turn-around review, Commission hearings on their development agreement (which is where all the details reside--very important details such as densities, phasing, open space, etc.--many of which are problematic), and they would re-write/re-submit this package when the foothills plan is completed and adopted.

Also part of this bottom line is that City seems to be going along with the situation. Whether the City is being forced by threat of law suit or simply acquiescent is unknown. Nevertheless, the extreme pressure being placed on staff and the P&Z Commission by this full-court-press from one developer is unacceptable and should be stopped. At this early stage in the City’s foothills plan review process, I strongly suspect that many of the rough edges we see in the draft plan are due to staff resources being diverted off to deal with M3 demands. I also strongly suspect that it is due to M3’s pressure (e.g. attend no meeting without attorney in tow) that we see a draft plan that says nice things about open space, avoiding impacts on the existing community, etc., and then proposes development intensity which makes these nice thing just words...

Suncor: Suncor has now decided to move forward with a comp. plan, pre-annexation and development agreement process similar to that of M3. We are not aware of the schedule for this process, although it is unlikely that it will interfere with the overall City foothills planning process. We are unsure what, if any, role Suncor has played in influencing the level of development we see in the City’s draft plan. However, Suncor’s previously announced overall development density proposals are undoubtedly fully accommodated within the draft plan.

Connolly: There has been no word regarding the status of Connolly’s plans.

Others: Stay tuned for further word on the other development proposals in North Eagle and/or the foothills. In particular, an outrageously dense development is being proposed in the “transitional residential” area north of Beacon Light and West of Linder, in Eagle’s Western Area. Ken Tanner will be providing more information on this as it evolves.

Ok, I need to end this. There is a lot more that could be reported. However, we all need to pitch in and help NOW. Please get/stay involved by reviewing the City’s draft foothills plan, drawing your own conclusions, submitting comments to the City in writing or via email, and attending upcoming meetings and hearings, as shown on the schedule diagram below.

If you haven't been to a meeting, have started to get burned out or just flat been too freaked out to deal with all this, I urge you to get involved NOW. We need every voice telling Eagle, loud and clear, that those of us who live here count at least as much as (dare I say more than?) developers. The future of our quality of life is at stake; only you, through your participation, can preserve what we all treasure about living here. It's time to send a message to the decision-makers:

We live here because Eagle is special. KEEP IT THAT WAY.

As always, thanks for your continuing interest and help....JP

NACFA: April/May North Foothills Plan Meeting & Hearing Schedule (as of 4/22/07)

Priority for attendance:

 = High (Folks, its time!!)
 = Moderate
 = Low

	Monday	Tuesday	Wednesday	Thursday	Friday
April	23	April 24 <u>Eagle</u> Subcommittee Meetings: Habitat/OS: 10 AM Landscape: 3 PM	April 25 <u>Eagle</u> Subcommittee Meetings: Transportation: 6:30 AM <i>(yes, 6:30 AM?!!)</i>	April 26 <u>Eagle</u> Subcommittee Meetings: Facilities: 10 AM Activity Ctrs: 3 PM <u>County</u> P & Z Hearing: 6 PM (See Update narrative)	27
	April 30 <u>Eagle</u> Joint City Council /P&Z Commission Workshop Time: ??? (Public can observe but not testify)	May 1 <u>Eagle</u> Public Open House 6 PM (same content as May 3)	2	May 3 <u>Eagle</u> Public Open House 6 PM (same content as May 1)	4
May	7	8	May 9 NACFA Steering Committee Meeting (General NACFA Membership Welcome) 6:30 PM Venue TBD	10	11
	May 14 <u>Eagle</u> P&Z Commission Hearing: Foothills Comp. Plan & M3 Comp. Plan Map Time: ??? (Hearing open on overall Plan, closed on M3 map)	15	16	May 17 <u>Eagle</u> P&Z Commission Special Hearing: - M3 Preannexation, Rezoning & Development Agreement Time: ??? (Hearing open)	18
	21	22	23	24	25