



# North Ada County Foothills Association

One voice. One goal. One plan.

June 10, 2007

Eagle City Council  
Eagle Planning & Zoning Commission  
Eagle City Staff  
660 E. Civic Lane  
Eagle, Idaho 83616

Re: Draft Foothills Comprehensive Plan Amendment (Foothills Plan)

Eagle Officials and Staff:

Following is NACFA's commentary on the current draft of the City's Foothills Plan. Our intent is to focus on the most important issues (as we see them), and to suggest solutions to these issues to the best of our ability.

By now, you are no doubt aware that community interest in and scrutiny of the City's proposed foothills plan continues to increase in intensity. The community is increasingly waking up and realizing that there is a huge amount at stake in this planning process. The potential short and long term consequences of this (or any) North Foothills Plan range from disastrous to desirable in terms of quality of life and fiscal well-being in the existing community.

For nearly 5 years, in our efforts to serve as a rallying point for the Community in meeting the challenge of development pressure on these foothills, NACFA's message has been clear and unchanged (and will remain):

The existing community of Eagle and the broader communities of North Ada County, Ada County as a whole and the Treasure Valley:

1. WILL NOT sit idly by, and see our quality of life and our fiscal well-being become merely collateral damage in a rush for the holy grail of growth, development and profit, and
2. WILL make every effort to see that unique opportunities in these foothills—for resource protection/conservation, open space and recreation—are made real, hand-in-hand with development, and not lost to “hey, the people in Arizona would eat this up” development patterns or to a “squeeze out every dollar we can, and fast” profit motive.

All of our commentary and recommendations related to the City's draft Foothills Plan stem from this message. The specific issue areas most important in addressing the concerns and meeting the objectives embodied in our message are:

- **Intensity of Development (i.e. How Many Rooftops?)**
- **Roadways, Traffic, Transportation**
- **Open Space, Habitat, Recreation**
- **Water Supply, particularly groundwater**
- **Fiscal/Tax Consequences; Development Paying Its Way**
- **Consistency of Proposed Development Plans/Agreements with the CPA**

It is on the first two of these issue areas that most of this letter is focused. Brief perspectives on the others are provided; additional commentary will follow if there is ample opportunity. In addition, more detail on those issue areas only touched on herein will be provided by others in the NACFA network, through oral testimony and associated written submissions

## **Intensity of Development (i.e. How Many Rooftops?)**

### **General Perspective**

This is perhaps the most fundamental question facing the City (and the County, and the community) in planning for the future of these foothills. Of particular note is the fact that, through all the public involvement the City has conducted for this Plan, the question of “How many?” was never part of the discussion.

We have been asked many times: “How many units will you accept?” (with a development-interest subtext of: “What is the magic number that will get you off our backs?”)

We have no magic number. The answer to “How many?” cannot be answered without also asking:

- Where will it be located?
  - Where will the traffic from the development go?
  - How will the construction traffic necessary to build it get there?
  - Will it make the roadways through the existing community/neighborhoods merely high-volume, congested commute routes for those building and those living in this new development?
  - How much worse will traffic from this development make the congestion we are already enduring on the regional road/highway system beyond Eagle?
  - As asked by one of our members in previous commentary: Will we be condemned to traffic hell on the altar of growth?
- How will water be supplied?
  - Will the water supply for new development be obtained in a manner placing existing well-owners or other water users at risk?
- What does the existing community get out of this deal?
  - Will we see continued opportunities for public recreation? available to the region, not just residents of new development?
  - Will our public lands be protected and enhanced for the public?
  - Will we see true, viable, visionary responses in protecting wildlife?
  - Will we still retain the tremendous open space values found in these foothills?
  - At the bottom line, why would it be in the interest of the existing community to accept development at 10 times (or more) the intensity allowed by existing zoning in these foothills? (City leaders, please don't escape this question via the tired threat of County

Planned Communities...the question is valid and speaks directly to the “property rights” claimed by developers)

- Will this development truly pay for itself?
  - How can we believe developers’ rosy assertions, studies, and predictions when our tax bills continue to rise...when we see a seemingly endless parade of schools bonds...when we hear of the truly frightening absence of funds to build and fix highways just to accommodate already planned growth, without anything of consequence in these foothills...?
  - Does the City (or the County for that matter) have the financial health and resources to shepherd, monitor, control, and serve this development?

Not one of these questions is trivial; all are very important; all must be answered before we can settle on “How Many?”.

The fact of the matter is that the current City draft Foothills Plan does not yet answer most of the above questions (the ideal) or (at minimum) provide firm assurances that they will be resolved before any commitments are made to developers--resolved in ways truly protective of and beneficial to the existing community (and not glibly shunted off with vague “trust us; it’ll all work out” language).

### **Where We Are Today**

The current draft Plan presents a moving target in terms of specifying how many dwelling units (thus people and cars and car trips) are allowed. If the potential margin for variation from what is contained in the draft Plan were narrowly defined and a confident estimate of maximum build-out were included, the numbers in the Plan might be worth discussing (pending answering the questions noted above). However, this is not the case. Consider:

- The **Plan identifies a base density** (we prefer the term “intensity”) **of 20,500 dwelling units** total (12,500 in the area between Highways 16 and 55, north of Homer Road to the Ada County line, and an additional 8,000 on Suncor lands north/northeast of this “core” foothills planning area).
- Language subsequent to the “base density” discussion in the Plan talks about density bonuses/incentives, including
  - 2,600+ units “in addition to the base density” for Community and Neighborhood Centers, and
  - Other bonuses/incentives, with no estimate of potential unit yield.
- Equally, if not far more important, is City Staff’s recent testimony that these numbers are **theoretical and subject to change based on site-specific conditions**. Members of our network who have long histories of working for, with and/or as developers know that this language is code, **an escape clause for developers** to (later, after the dust settles) “do the studies” and “demonstrate” that their land or their project warrants higher yield.
- No more support for this last assertion is needed beyond a simple look at [1] the Suncor and M3 applications before the P&Z Commission in parallel with the draft Foothills Plan, and [2] M3’s June 7, 2007 letter of comment on the draft Foothills Plan.
  - In the first regard, these developers’ intent is clear: the Suncor application calls for 14,600 dwelling units, the M3 package currently comes in at 8,100 units. That means that **Suncor and M3 alone are actively applying for at least 22,700 dwelling units**, never mind what the other major landowners might be thinking (e.g. Connolly, Bettis, Lynn, Harmon, etc.) or what the draft Foothills Plan says about density.
  - In the second regard, M3’s words speak for themselves:

**“... in M3 Eagle, whose sub-area plan text THE COMMISSION [Eagle P&Z Commission] APPROVED IN APRIL, the average density for unconstrained land is 2 UNITS/ACRE (emphasis added). The average density on the unconstrained lands in Avimor, which development seems to be supported by the community [not a valid assertion], is also 2 units/acre. Applying this figure...would result in 32,000 potential units.[in the overall Foothills planning area]...”**

Clearly, the City’s proposed density calculation/formula is not being taken too seriously by at least these developers (and we thank M3 for pointing out this fact about the Avimor application). Any avenues made available for ratcheting up the density/intensity, beyond the base density numbers shown in the City’s draft Plan, will be aggressively pursued.

### **Where We Need To Be/Recommendations:**

**A firm, unequivocal (worst case) build-out ceiling must be identified for this planning area** and specified in the City’s Plan. Only with such a ceiling can the community truly be confident that analysis of impact, cost and benefit is reliable and trustworthy. Only then can the community “buy in.”

Defining this ceiling is an interactive process of studying and answering the critical questions we noted above (among others). At this point in time, we have neither a solid starting point for doing necessary analysis (i.e., a true worst case estimate) nor complete and credible analysis of the base density numbers the City has shown thusfar.

We (neither NACFA nor the City) do not know what the “magic” number of dwelling units is for these foothills (i.e., economically viable AND acceptable to the community). We do not have the information necessary to decide. Our case for this conclusion is presented in part in the remaining paragraphs of this letter; as noted earlier, more perspective and detail on several issue areas will be provided in oral testimony or written submissions by other NACFA members.

The bottom line is that, in the absence of this information—just as was the case with the County draft North Foothills Subarea Plan--we (the community) have no choice but to argue for, lobby for, even demand a ceiling lower, possibly far lower, than what is vaguely outlined in the current draft Plan. That position is our only defense against major adverse impacts to the existing community. This is especially true given the clear desire by at least some development interests to pursue whatever avenues are open to get a higher...far higher...ceiling than what is generally outlined in the City’s draft plan.

## **Roadways, Traffic, Transportation**

### **General Perspective**

Traffic impacts are arguably the signature concern of the existing Community when considering the prospect of development in the North Foothills. The question of traffic impacts, most especially in this case, must be considered at two distinct scales:

1. The existing local, Eagle community, especially north of Hwy 44 and between Hwys 16 and 55, and
2. The broader, North Treasure Valley, north of I-84 and beyond.

This distinction is very important because answers to questions and solutions to problems can be very different depending on what scale is being considered.

**At the local scale**, the City faces a major dilemma: Up to this point in time (and now), City leaders tout the rural feel and rural character of the City--and it is undeniable that this is one of the most prized characteristics of Eagle, responsible for most people choosing to live here and responsible for the City's high growth rate.

It is precisely this rural character and feel (in the many rural neighborhoods of the existing City) that are at stake in decisions about North Foothills development. If the City makes the wrong choices, the existing Eagle community faces major increases in traffic, major road widenings, and a consequent erosion in quality of life as the builders (starting immediately) and residents (long term) of new foothills development hit the roads. The existing City truly stands to become simply collateral damage.

From the outset of planning for the future of these foothills, we have maintained (and are still convinced) that solving this dilemma rests as much, if not more, in *where* foothills development occurs as in how much is built. Simply stated, and illustrated in our now aged concept diagram, development in the central third of these Foothills (i.e., a central north/south band, equidistant from the two State highways) irrevocably sets up demand for travel on existing roadways in Eagle to reach Meridian, I-84, Boise, and the rest of the Valley. On the other hand, if development is limited to Foothills lands near the State highways, traffic can be channeled to those highways and not through the existing community.

**At the regional scale**, the ability of our highway/arterial systems to accommodate traffic from foothills development without major congestion impacts in other areas or in other communities becomes the important concern. Whether Foothills traffic passes through the neighborhoods of Eagle or not, it will end up hitting the regional system—sooner or later. Simply avoiding impact to Eagle by shunting traffic to the highways on the east and west is not the end of the concern.

Current regional highway plans do not anticipate any significant development in the North Foothills; congestion is already a major concern on many roads “downstream” from Eagle; and funding is not available (and not foreseen) to accomplish most major roadway improvements/construction necessary to serve the growth that IS included in existing regional plans. Thus, if new foothills development is to be acceptable, solutions must be found to mitigating the added impact it will have on the highway system and the communities beyond Eagle.

Only through credible traffic analysis, based on reliable estimates of development intensity, can we:

- understand the potential impacts we face at both of these scales,
- decide if those impacts are acceptable or can be mitigated satisfactorily, and
- determine if we can pay for necessary road construction, improvements and long-term maintenance. This concern gets directly at the issue of tax burden v. development paying for itself.

### **Where We Are Today:**

Up until one week ago (from the date of this writing), the only analysis of traffic impacts from potential foothills development was provided by M3. It illustrated traffic volumes and road size requirements for generalized scenarios of 10,000, 20,000 and 30,000 dwelling units in the Foothills. This analysis showed what we believe to be completely unacceptable impacts, both locally and regionally, at anything beyond a 10,000 dwelling unit threshold. The City knows this analysis well; details beyond the “poster headline” impact of 5 lanes on North Eagle Road from Beacon Light, through downtown, to Hwy 44 are not necessary here.

As of just last week, the results of direct analysis/modeling of the City's draft Plan, conducted by COMPASS, began to emerge. Based on interaction with City staff, we understand that this analysis assumes [1] 25,000 dwelling units in the overall City Foothills planning area, and [2] the effect of the

City Plan's concept of concentrating some development near highways 16 and 55 (i.e., the Community Centers transect concept, representing roughly half of overall base-density development).

First, a map showing Average Daily Traffic (ADT) projections was produced by Compass. Then a map showing number of lanes necessary on the roadway system (presumably based on the ADT projections) was produced (We understand that this map was primarily the work of the City). It is the latter map that was put on the City's website, and thus portrayed as the findings of the COMPASS study regarding road size requirements and impacts from the draft Plan.

Our analysis of the new maps suggests that what we have today is at best a work in progress. Based on what we can see (recognizing that there is no narrative report detailing model assumptions and there has been no time to discuss the many assumptions that are necessarily a part of such modeling) our primary concern is that the City's "number of lanes" map does not credibly reflect the results of COMPASS ADT projections. In many cases and in very sensitive areas, it appears to underestimate or downplay the actual impact of the ADT numbers. The table on the following page is illustrative.

Of particular note on the above table are the fact that the City map portrays North Eagle Road as remaining a two-lane road (a result we specifically and wholeheartedly support); however, according to Compass standards, it would still need to be a 3-4 lane road. Other important examples of this apparent "ADT v. # of lanes" discrepancy can be seen for Linder Road, Highway 55 and Highway 44.

If our observations are correct, there is more work to be done on the Plan:

- At the local scale, the potential traffic impacts to the existing community are simply too high.
- At the regional scale, we must defer to others who are more knowledgeable to comment on impact and acceptability; but we are fundamentally concerned about [1] the absence of a true regional picture in the maps we are seeing, and [2] approving any level of Foothills development based on a very questionable assumption that regional road system improvements made necessary by this development will be feasible in any foreseeable timeframe.

If our observations are incorrect or questionable, we reiterate that the COMPASS modeling and the associated "# of lanes" map, while necessary and welcome, are "in process." Without narrative support, peer review, and the types of iteration typical of work this important, no decisions can credibly be made based on the analysis to date.

### **Where We Need To Be/Recommendations:**

First and foremost, adequate understanding of potential impacts, both locally and regionally, is needed before any level of development is approved for the Foothills. To gain this understanding, the primary requirements are:

- The kind of firm "worst case" projection of total development discussed earlier, and
- Full, detailed analysis and modeling of traffic and road needs. We see the emerging COMPASS work as coming from the right source and as a good start. We also note that ACHD is presently beginning its roadway master plan process for the North Foothills. Given the significance of the decisions facing the City, both the COMPASS studies and the ACHD Plan should be completed prior to adopting a North Foothills Comprehensive Plan.

Regarding the draft Plan itself, if our above observations are correct, plan adjustments are needed to further reduce impact at the local level (to the existing City). Solutions could take the form of:

- Reducing the development density/intensity allowable in the North Foothills planning area (effective at both regional and local scales),

**NACFA Review of COMPASS/Eagle Traffic Analysis Maps**  
 (as issued the week of June 4, 2007)

Roadway		ADT per Compass Model	Number of Lanes		
			City Map	Compass LOS D*	Compass LOS C*
<b>Eagle Road</b>	North of Beacon Light	17,300	2	3	3-4
	North of Floating Feather	11,600	2	2	2
	North of State St.	17,200	2	3	3-4
<b>Beacon Light</b>	East of Eagle Rd.	18,600	3	3-4	3-4
	West of Eagle Rd.	20,600	3	3-4	3-4
	West of Ballantyne	17,500	3	3	3-4
	West of Linder	27,500	5	4	4-5
<b>Linder Road</b>	North of Beacon Light	6,400	5	2	2
	North of Floating Feather	26,900	5	4	4-5
	North of Hwy 44	46,800	5	7	7
<b>Hwy 55</b>	North of Brookside	40,700	4	6	7
	North of Beacon Light	82,800	4	4 (Fwy)	6 (Fwy)
	North of Floating Feather	74,200	6	4 (Fwy)	6 (Fwy)
<b>Hwy 44</b>	East of Eagle Road	47,300	5	7	4 (Fwy)
	West of Eagle Road	47,200	4	7	4 (Fwy)
	West of Linder	46,200	5	7	4 (Fwy)

**Notes:** LOS = Level of Service

Per City Staff, minimum standard used for determining # of lanes = LOS D

Descriptions of LOS D (derived from a variety of municipal & engineering sources)

- Approaches unstable flow
  - Unstable with small increases in volume--increasing delays
  - Intersection delays create problems
- Tolerable operating speeds... Average speed: >14 mph
- Fluctuations in volume or temporary restrictions may cause substantial drops in operating speeds.
- Drivers have little freedom to maneuver.
- Comfort and convenience are low.
- Conditions tolerable for short periods of time
- Acceptable during rush hour on roads not fronting on housing

**\*Source:** Compass--Transportation Demand Forecast Model Calibration Report (2002), & Destination 2030 Ada County Long-Range Trans. Plan (Update 2004)

- Requiring substantially more concentration of development near Highways 16 and 55 than is provided for in the draft Plan, and/or
- Severing or significantly restricting the connection of Eagle Road (or any other “central Eagle” roadway) to the Foothills, except for emergency access. We recognize that this option will be viewed by some as provincial, focusing on only one road or one part of Eagle. Nevertheless, we believe it is worth considering seriously because:
  - It is the Eagle Road connection to the foothills that truly and uniquely “opens the door” for traffic impacts on the existing community as a whole (not just the Eagle Road corridor). This is true not only for development in the North Foothills Plan area, but also eventual development in Gem County further north. To the extent that this “door” is closed (or restricted from opening wide), local sensitivity related to traffic impacts from development in the Foothills could be substantially reduced.
  - The concern that this connection is needed to avoid “starving” downtown Eagle of commerce, is not likely to be valid. The scale of development being proposed in the Foothills will provide its own day-to-day commercial and professional services. It is much more likely that traffic using an Eagle Road connection will simply be “passing through” downtown. If stated objectives are to be achieved for retaining and enhancing a unique character for downtown Eagle and for making it pedestrian friendly, then opening up its central north/south roadway to multi-lane arterial status is not heading in the right direction.

Certainly, such an action raises the level of concern for Highways 16 and 55, where traffic that would have used the Eagle Community network would be routed. We recognize this, and it is a consequence that must be understood and balanced with any consideration of this option.

Finally, a critical line of defense against unacceptable traffic impacts at both the local and regional scales must be an adequate public facilities ordinance. The City should adopt such an ordinance before any commitments for development in the Foothills are made. This ordinance should make any development contingent on the availability of acceptable roadway access (for construction as well as long term), and foreclose any loopholes for allowing significant traffic impacts to occur while that access is being provided. This inherently means that necessary funding for improvements or new roads must be clearly available and committed prior to development. **We would also hope that a starting point for defining “adequate public facilities” related to roadways would not be Level of Service D.**

## **Open Space, Habitat, Recreation**

Regarding this issue, our overall observation and recommendation is that the City Plan needs to make its open space requirement actually embody a true potential for achieving the well-stated objectives for preserving large, continuous blocks of open space, truly viable habitat, and recreation resources truly available to the region. The current 40% overall open space requirement will not accomplish these objectives. The M3 proposal is instructive: 25% open space within the development (composed of golf courses, steep slopes, school sites, developed parks, etc.), and 15% open space outside of the development (i.e., the only part truly available for regional recreation uses, contiguous tracts of habitat, etc.). Yes, that comes to 40%, but does not come close to achieving the vision of the Community for these foothills. At minimum, **the City Plan should require 40% natural open space outside of the developed area of a project.** This level of requirement is not unreasonable in an environment such as the North Foothills. Also, given the natural character and emphasis on preserved or restored habitat which the community desires for this open space, we firmly believe that protests of “it will be too costly, if not impossible to maintain” are unimaginative scare tactics. There is already a coalition of agencies and non-governmental organizations working on means of managing and maintaining such a regional resource.

## **Water Supply, particularly groundwater**

Our concerns regarding groundwater, especially potential impacts to domestic wells in the North Eagle area, are well known. We simply request that the City join us in our quest for an IDWR-sponsored and monitored study of local groundwater carrying capacity and sustainable yield. We recognize the work being conducted by the M3 consultant team. Nevertheless, IDWR has informed us that the challenges facing groundwater in the North Treasure Valley are second only to those being faced in the Snake River Plain Aquifer. We cannot afford to make mistakes; we cannot afford to unquestioningly accept the assertions of a developer's paid consultant team.

## **Fiscal/Tax Consequences; Development Paying Its Way**

Credible commentary and results of critical analysis regarding this very important (and increasingly vocal) community concern will be provided to the City in both oral testimony and subsequent written submissions. The bottom line is that there are very serious concerns about development in these foothills, as is being proposed, actually paying its way. There is every likelihood that the existing community will bear significant tax burdens for schools and other public services, not to mention the cost of needed road system improvements. We simply must have credible analysis of the fiscal and tax implications of proposed development, implications both short and long term. We do not have such analysis now.

## **Consistency of Proposed Development Plans/Agreements with the CPA**

Discussion earlier herein demonstrates quite clearly and simply that the developer applications (M3 and Avimor) that have been accepted and are being processed by the City in parallel with the draft Foothills Plan (for reasons we still do not understand or accept), are not consistent with and not really paying much attention to the City's overall planning process. The Avimor and M3 applications, taken together, request that the City approve comprehensive plan designations for their lands allowing these two developers essentially the entire base density shown in the draft Foothills Plan. We also note that M3 is now asserting that the City P&Z Commission has already approved a 2 units/acre overall density for their lands; so never mind that the draft Foothills plan says 1 unit/acre. (We note on this specific issue that we were assured the M3 map/text amendments were innocuous, non-committal approvals—that the City would keep its word and not make any commitments to developers or landowners until the full Foothills Plan was done and adopted.)

**So, we say once again: We insist the City keep its commitment—no development proposals will be approved ahead of a fully adopted North Foothills Plan. We further stress what should be obvious--a “no-brainer”: Development proposals by Foothills landowners must be consistent with the North Foothills Comprehensive Plan--they should not BE the North Foothills plan. (Note that M3 is specifically requesting that their desired development be inserted into the City's Foothills Plan—never mind what the Community's Plan says--just insert our plan in its place...)**

## **Conclusion**

This discussion outlines broadly our major concerns. As noted above, the City will be receiving considerably more in the form of oral testimony and additional written submissions.

At the bottom line, we do not believe that the City has even close to sufficient information to make an informed decision on the Foothills Plan in its current form. Further, we believe that the draft Plan, in several regards, is too vague, too open-ended and opens the door for unacceptable impacts on the existing Community.

If the P&Z Commission decides (or for some reason we do not see is forced) to close public testimony on the draft Plan at the June 11<sup>th</sup> hearing, we will make the rest of our case at the City Council level.

Thank you for your attention and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Petrovsky', with a stylized, sweeping flourish at the end.

John Petrovsky, Chairman  
NACFA