



# North Ada County Foothills Association

One voice. One goal. One plan.

September 6, 2007

Eagle Mayor and City Council  
660 E. Civic Lane  
Eagle, Idaho 83616

Re: Eagle North Foothills Plan and parallel plan/development applications from M3  
and Suncor: State of the Plan

Dear Mayor Merrill and Councilmen Bandy, Bastion, Guerber, & Nordstrom:

This letter is a companion piece to our "State of the Planning Process" letter sent to your under separate cover. In it we attempt to concisely summarize why we strongly request and recommend that the Council reject the most current version of the Foothills Plan, as posted under "Foothills Plan—P&Z Recommendations."

This version of the plan (Post-P&Z) voids all promising, community-involvement-based concepts and directions contained in the City's "Pre-P&Z" draft (i.e. the May, 2007 draft). It does this by one main action: Severing off the M3-Eagle land area from the overall foothills planning area and inserting the M3-Eagle proposal as a new M3-Eagle Planning Area. By this action, basic precedents for development intensity and patterns are set for all foothills development. The concepts for open space, minimizing impact and moderating level of development in the foothills, embodied in the Pre-P&Z draft, are therefore superseded and made meaningless. Further, the P&Z Commission's stated concerns about development density, intensity and patterns overall are made moot...development in the foothills can follow the mould set by M3-Eagle...what is given to M3 must be given equally to all other foothills landowners/developers.

Our assessment of the "State of the Plan" is presented in the attached table, in the form of a comparison between the Pre- and Post-P&Z drafts. We trust that staff will be able to print this table in a manner readable by Council. We will let this table stand on its merits...it shows what we see as the transition from a predominantly "green light, with cautions" draft plan, to a "P&Z Recommendations" version in which "red alarm lights are going off everywhere."

Please understand:

1. We attribute very little, if any, responsibility for the internal conflicts and serious problems in the "Post-P&Z" plan to the dedicated and hard-working members of the P&Z Commission. From our point of view, having been present throughout the process, these Commissioners were placed in an impossible position, presented with mutually-exclusive demands, and provided with virtually no insight, explanations, or guidance

from City legal staff. To this date, we still see no reasoned analysis of the conflicting recommendations contained in "Post-P&Z" draft.

2. Yes, we had comments and concerns about the "Pre-P&Z" draft, but we are on record as supporting it's main directions and asking that it be given the additional time and foundational analysis it needed. We understand that our response to that May, 2007 draft may have been too focused on the shortcomings of the work, as opposed to its merits. We can only offer, in response to this valid criticism, that we believed the plan needed more definition (more "teeth") and more documentation to solidify its main directions. Our focus on this was in direct response to clear evidence (now more convincing than ever) that at least one major developer had no intention of working within the limits or following the concepts contained in the plan and/or would use any recourse to achieve the development magnitudes and patterns that they wanted.

We thank you in advance for your attention to what we present herein. At the bottom line, we ask the Council to... please...

*Return us to the collaborative process and pick up the threads of the City's promising "Pre-P&Z" draft...we were well on our way...*

Thank you for your attention and consideration.

Sincerely,



John Petrovsky, Chairman  
NACFA

Cc: Eagle Planning and Zoning Commission  
Eagle City Staff: Nichoel Baird Spencer  
Eagle City Attorney  
Ada County Board of Commissioners  
Ada County Planning and Zoning Commission  
Ada County Development Services Staff: Jay Gibbons  
Ada County Highway District Commissioners

**City of Eagle Foothills Planning: State of the Plan Review**

NACFA, September 6, 2007

Guide to color coding:   Consistent with community input  
  On the right track, but questions remain or better response needed  
  Inconsistent with community input; unresponsive to foothills resources or high potential for impact to existing Eagle

Plan Version:  Concept/Objective/Guideline:	May, 2007 (Emerging from City public involvement process)		July, 2007 (current version as of this review) (Emerging from the P&Z Commission hearings)
	Summary	NACFA Observations	Current Status
1. Development Patterns (i.e. commercial & residential)	A. Concentrate most development near the highways (SR 16 and 55).	A. Excellent, very responsive to community values, both for the foothills themselves and to minimize impact on the existing community.	A-D: Essence and intent of all development pattern concepts voided/superseded by precedents set in new M3 Eagle Planning Area:  - Most intense development--foothills wide--would be allowable in the center of the foothills if developer chose to do so;  - Community Centers as the most intense development anticipated in the foothills is superseded by the M3 Village Center (far larger and more intense than the Community Center concept--including residential up to 20 units/acre);  - Transect pattern not followed in M3-Eagle: ~84% of M3-Eagle land area within development;  Overall, while all four Development Patterns concepts/objectives/guidelines are still included in the "Foothills Planning Area", allowing the M3-Eagle Planning Area to deviate as summarized above, sets precedent for all foothills landowners/developers.
	B. Community Centers = The most intense form/concentration, with all located along Hwys 16 & 55.	B. & D.	
	C. Neighborhood Centers = Less intense than Community Centers, allowable in central foothills, locations undetermined.	C. Plan calculations suggest that nearly half of development would be in Neighborhood centers; thus concept of concentrating most development near/along the highways may not actually be achieved; questions remain on intensity and location of development in the center of the foothills.	
	D. Transect Patterns: Reducing density of residential development as distance from Community and Neighborhood centers increased; one result is "hamlets" of development separated by natural open space.		
2. Open Space/Habitat	A. 40% of land to be in open space	A. 40% open space sounds good, and the derivation of the Open Space Overlay area is consistent with community input. However, Plan appears to allow 25% to be developed (within the developed area) and only 15% natural open space outside the developed area. This will not achieve the intent of B.	A. M3-Eagle sets new precedent/standard for foothill development: Allows/specifies 25% of land to be in open space, all of which can be within developed area (i.e. golf course, schools, medians, fragmented undeveloped open space within residential neighborhoods). Developer must receive compensation for any land placed in open space outside the developed area (i.e. through trade for public land or via tax credits = to "fair market value").  B. M3 Eagle sets precedent for "Potential Regional Open Space Overlay" area: Even the most intense development can occur in this area.
	B. High priority on retention of a significant, contiguous, sustainable natural open space/habitat complex; candidate area for this complex shown as "Potential Regional Open Space Overlay"	B.	
3. Public (Regional) Recreation	A. Provide for/create/retain major regional recreation area, with used centered on and compatible with natural open space--per 2B, above.	A. & B. Both concepts accurately reflect community values, desires and goals. However, with only 15% of land to be left in natural open space outside of development, ability to achieve these concepts is questionable.	A & B: M3-Eagle precedent forecloses or severely constrains ability to achieve either intent. As noted, unless compensated, developers have no requirement to contribute to regional open space/recreation area. Trail system shown for M3-Eagle (thus the same rules for other developers) is focused within the developed area, with main routes often shown along roadways, inconsistent with community intent/values, and likely severely limiting true public/regional use/access.
	B. Provide for/create/retain major regional recreation trail system, within and compatible with natural open space--per 2B, above.		
4 Development Intensity/Density  (review focuses on foothills area defined as between Hwys 16 and 55, Homer Road and the North Ada County Line)	Plan estimates approximately 12,500 dwelling units total within the 30,000+ acre area, but leaves uncertain the actual maximum build-out number (due to unquantified density bonuses and ability of landowners to demonstrate that higher intensities/densities are allowable due to "site-specific" conditions.	Workability and acceptability of 12,500 unit estimate unknown. Traffic studies, public service studies, confirmation of economic/fiscal feasibility are either incomplete or not yet done.  City should set a maximum build-out ceiling, after all bonuses, etc., a ceiling on which all infrastructure planning and community impact analysis is based.	All reference to development intensity/density removed from "Foothills Planning Area" narrative (due to P&Z Commission recognition that insufficient information and plan/impact analysis has been done on which to base a sound decision).  Addition of M3-Eagle Planning Area conflicts with the above P&Z Commission recommendation. Regardless of semantics, M3-Eagle is a part of the foothills. Allowance of up to 8,100 units on 6,000 acres in M3 de facto sets new benchmarks for development allowable foothills-wide. NACFA analysis of the implications of this M3 entitlement precedent (proposed to be solidified/codified via the parallel development agreement) suggests that the ceiling for foothills development would be at least 22,000 units and perhaps beyond 25,000 units.*

\* NACFA would be pleased to discuss with interested parties the assumptions and method used to reach this conclusion.