



# North Ada County Foothills Association

One voice. One goal. One plan.

September 16, 2007

Hi All,

## **Mark Your Calendars!!**

### **Tuesday, October 9 at 6:00 P.M**

### **Eagle City Hall**

#### **What's Happening?**

Eagle has announced that this will be the evening when the **City Council will hear public testimony on the Foothills Plan**. I do not need to tell you how important this is... Nor will I try to repeat all the background and analysis we and others have written on what is going on and what is at stake... If you need a refresher or want to read up on this, go to the NACFA website, Updates and Alerts page, and review the latest.

The bottom line is that **EVERYONE** needs to **show up at THIS HEARING**. As usual, NACFA will be doing organized testimony, but that is not where the real power is...

**the power is in YOU**, your kids, your neighbors, your relatives, your dog, your horse, your cat (well, maybe that is stretching it a bit) **showing up and making yourself heard!!** (see Our Messages, below)

#### **What to Expect**

The actual hearing process will begin on September 25. That evening, the City Council will hear from staff and applicants. If the past is any indication, this means comparatively little from staff (Eagle's attorney elected to give the P&Z Commission NO meaningful insight, interpretation, or professional opinion on the complex decisions they were being asked to make)--and hours of droning on by "applicants" (read: M3).

On October 9<sup>th</sup>, we do not know when public testimony will begin...the first part of the hearing that evening will be "continuation of applicant and staff presentations (if needed)". The Council has not responded to our letter of September 4 requesting details on the hearings, so we must conclude that **Council has refused our request to arrange** things so that **public testimony** can begin **at the outset of the session** on one defined hearing date (i.e., for the many people among us who have little time to attend such things, and/or must make special arrangements to do so). **The City is thus telling us that staff and applicants are free to take as long as they want, with no limits or**

**management, and the general public gets whatever time is left, however late in the evening that might be—and we need to keep at 3 minutes per person.**

## **In Case You Would Rather Write It Down**

**If you would rather write a letter** (we encourage you to do so IN ADDITION to showing up on October 9), the City Council has set **a hard deadline of September 20** for receipt of letters/written submissions. Yes, that is a generous 6 days from the date of their announcement of that deadline—published on September 14th—sorry for wasting 2 days letting you know... We intend to express our displeasure with this limit (in writing mind you, by the 20<sup>th</sup>), citing the City's demonstrated willingness to allow M3 to submit reams of material on the day of the hearings themselves (i.e., Phasing Plan submitted August 27 for a P&Z Hearing on August 27).

Also, **if you intended to submit written testimony as a supplement to speaking at the hearing on October 9, you are out of luck. The Council will NOT ACCEPT WRITTEN TESTIMONY AT THE HEARING** (anything in writing must be in by September 20. So, **whatever it is you want to communicate at the hearing, you need to do it in three minutes flat...period!!** Yes, I am pretty outraged by this...rather than trying to be accommodating in the face of major public concern about complex decisions profoundly affecting the lives of each of us, the Council appears to be choosing to restrict as much as possible the public's ability to weigh in. Given that things lately have been run by the City attorney, strongly influenced by M3's attorney, I suppose this could have been predicted; I had sincerely hoped that, once Council got involved, the public voice would have been respected and some balance brought to the process.

## **Our Messages**

In any case, over a year working through this with Eagle boils down to the following messages and positions, from NACFA's point of view. They are offered for your consideration in forming your opinions and preparing to make yourself heard.

1. **We support the directions in which the early (May) draft of the City Foothills Plan was headed** (see NACFA's "State of the Plan Review" on our website):

- Concentrate development near the highways
- Create a pattern of "hamlets", separated by natural open space
- Create a major, regional natural open space reserve in the center of the foothills
- Provide for continuing public access (especially trails) compatible with habitat protection and "back-country" recreation (equestrian, hiking, mountain biking, wildlife viewing, dog training...)

The early draft plan was a good start, but was not strong enough to actually achieve these things.

2. **We need more and better information before we can decide how many dwelling units are acceptable.** Perhaps the 12,500 shown in the early draft would work, perhaps not. We simply do not have enough credible, independent analysis of:

- Traffic impacts in the community of Eagle, especially Eagle and Beacon Light Roads
- Traffic impacts and road costs in the region beyond Eagle...Eagle does not live in a vacuum, foothills development WILL have regional impacts and, as a region, as a State, we are millions of dollars in the hole just trying to make improvements need now
- Schools: actually making developers pay their way immediately v. unending crowding of our children and an eternal string of bond issues/higher taxes

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

- Other service and infrastructure cost: Along with schools, we need credible, independent analysis of the economics...cost v. benefit...developers assert that their projects pay their way, but **have you ever seen your taxes even stay the same, let alone go down, with growth??**
3. **We oppose the M3-Eagle plan in the strongest possible terms.** The M3 plan violates every positive direction shown in the early City draft plan. It:
- Places the most intense development in the center of foothills (500 hotel rooms, 20 units per acre housing (highrises?), a virtual new town—not just a community center)
  - It contributes virtually NO public open space unless M3 is compensated for such “contribution”; all open space is for the benefit of future M3 residents. The M3 definition of open space is (two) golf courses and manicured parks and, for the public, an 80-acre view corridor (out of 6000 acres) 100-900 feet deep from Willow Creek Rd.
  - It sets a development intensity benchmark that would yield up to (perhaps beyond) 25,000 dwelling units in the foothills
4. **We even more strongly oppose the addition of the M3 plan into the City’s draft foothills plan as a separate “Planning Unit”** (even if that is truly what the P&Z Commission intended—which we doubt). This “P&Z Recommendation”:
- Treats M3 as though they/their lands are somehow special...warranting different rules and far less stringent requirements than other foothills landowners/developers
  - Voids every positive concept in the original draft plan...setting a precedent that would allow every other foothills landowner to violate these concepts/directions just like M3 wants to do
  - Goes over the line in terms of public trust...the City Council promised that NO decision would be made on a foothills development proposal until the full community-driven foothills plan was worked through and adopted. Now we see the most aggressive and significant developer proposal included in the plan itself!!!
  - Council needs to direct the M3 plan be removed from the overall plan as a special treatment for one developer and to direct M3 to revise their plan to more closely resemble the guiding principles of the community-developed plan.

## **Other Threads...**

Part of the reason the City is acting as described above, we believe, is because the Council is aware that public scrutiny of this process and major concern about what has emerged from the P&Z Commission process is growing...and growing fast. Along these lines:

- We will be preparing and widely distributing a flyer to alert people and increase attendance at the hearings
- Idaho Smart Growth, Idaho Conservation Voters, and Idaho Conservation League are involved, doing phone calling and neighborhood canvassing, all aimed as well at getting people to understand what’s being proposed and, most importantly, to stand up and be heard
- NACFA has engaged an attorney to look into the seeming stranglehold that M3 has exerted on the process, driving the schedule, de facto muzzling City staff, attempting to control the flow of information in other ways (e.g., trying to suppress the facilitator’s report), and culminating by getting their plan inserted (square peg in round hole) into the City’s draft plan—wholesale, without modification, without analysis—pretty much “trust us on this.”

**Many of you have been asked to help in the first two of these...please do help...**

...I will follow later with [1] the latest from our buddies at Kastera, who never cease to have something up their sleeve..., and [2] the work of our election task force, including the questionnaire we have prepared for the Mayoral and Council candidates.

- AGAIN:**
- **WRITE A LETTER TO BE AT CITY HALL (660 E. CIVIC LANE) BY 9/20.**
  - **TELL ALL YOUR NEIGHBORS AND FRIENDS WHAT'S AT STAKE**
  - **COME AND BE HEARD ON OCTOBER 9, 6 P.M. CITY HALL**

JP