



Mayor Phil Bandy

CITY OF EAGLE

P.O. Box 1520
Eagle, Idaho 83616
939-6813

Council: Steve Guerber
Michael Huffaker
Norm Semanko
Al Shoushtarian

May 27, 2009

Ada County Development Services
Attn: Diana Sanders, Planner II
200 West Front Street
Boise, ID 83702-7300

SUBJECT: 200800014 S-ZC-DA-PUD-HD – Hartley Lane Planned Unit Development

Dear Ms. Sanders,

On May 26, 2009, the Eagle City Council voted 4 to 0 to recommend denial of this application. The proposed Hartley Lane Planned Unit Development is located within the Village Planning Area, as shown on the Planning Areas map (Map 6.2) found within the Soaring 2025 Western Area Sub-area Plan. The Village Planning Area contains areas which the City of Eagle Land Use Map (adopted September 14, 2004,) designates as Village Center, Residential Two (up to two units per acre), Residential Four (up to four units per acre) and Transitional Residential. The Council recognizes that while the project is located in areas which are designated on the City of Eagle Land Use Map (adopted September 14, 2004) as Residential Four (up to four unit per acre) and Transitional Residential, the project is located outside of the Village Center. The Soaring 2025 Western Sub-area Plan text within Chapter 6 - Land Use, Village Planning Area, 6.4D.1, states that densities shall decrease radiating away from the Village Center. The overall residential densities in the Village Planning Area and outside of the Village Center north of Beacon Light Road should be 1-2 units per acre transitioning to the north and east to ensure compatibility with existing residential and foothills development. Therefore, the proposed residential densities are not in accordance with the Village Planning Area residential areas policy found within the Soaring 2025 Western Sub-area Plan. The Council is very aware that change is going to come; however they have an obligation to the citizens of Eagle to interpret the Comprehensive Plan in its entirety.

Further, to ensure compliance with the adopted policies of the Soaring 2025 Western Sub-area Plan (which is the guiding document for all densities in this area) and Eagle City Code, all development located between Linder Road and State Highway 16 shall be required to provide a municipal (city owned) water system.

The Meridian School Facilities Map (Map 4.1) found within the Soaring 2025 Western Sub-area Plan shows a proposed middle school site to be located within the boundaries of the proposed development. Although the preliminary plat date stamped by the City on April 16, 2009, shows a school site approximately ten-acres in size outlined on the plat it also shows residential lots to be located in the same area. The number of lots indicated within the Preliminary Development Features information area on the plat takes these residential lots into account. The Council indicated that the applicant should donate a school site to Joint School District No.2.

Aside from the fact that the proposed project is not in accordance with the Comprehensive Plan, the Council expressed the following additional concerns:

- 1) Lack of transition of lot sizes to the perimeter boundaries
- 2) Lack of protection of irrigation facilities
- 3) Lack of provisions for providing irrigation
- 4) Fire safety not addressed
- 5) Development within a special flood hazard area – safety concerns are not addressed

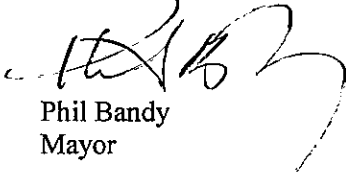
In the event the application moves forward, the following concerns should be addressed:

1. Meet all the requirements of the City of Eagle's Subdivision Code, Title 9, Chapter 3, and Title 9 Sections 9-4-1-1 through 9-4-1-12, as adopted within the Area of Impact Agreement between the City of Eagle and Ada County.
2. Provide a revised preliminary plat showing no more than 702 residential lots (maximum density of two (2) dwelling units per acre).
3. The applicant shall be required to connect and become a part of the City's municipal water system as required by the Comprehensive Plan and Eagle City Code, Section 9-3-9, as required within the adopted City of Eagle and Ada County Area of Impact Agreement.
4. Provide a revised preliminary plat showing more appropriate transitioning of lot sizes whereby the lots north of West Marley Drive are no smaller than 17,000 square feet and transitioning to the north with lots two (2) acres in size adjacent to the northern boundary and the Farmers Union Canal. The lots adjacent to the Langdon property and the western boundary should be a minimum of one (1) acre in size.
5. The area north of West Marley Drive should be zoned R2 to correspond to the overall permitted density in the area.
6. The applicant should provide satisfactory assurance that the remaining portion of the proposed public half street section adjacent to Lanewood Lane (private) be dedicated as a public road in the future.
7. The applicant should work with the adjacent property owner to the west to establish an intersection with the main entrance into Hartley Subdivision, N. Hartley Road, and the Palmer Road re-alignment. The intersection point shall be established in an area on Hartley Road approximately 1,340-feet to 1,600-feet south of Farmers Union Canal.
8. Provide a revised preliminary plat noting the easement width to be not less than twelve feet (12') in width on all lots 8,000-square feet and greater, and interior lot line easement width on lots less than 8,000-square feet to be ten feet (10') wide in total width.
9. The applicant should provide a pressurized irrigation plan to ensure that sufficient water rights exist to support a system large enough to serve the proposed development. The applicant should place provisions in the CC&R's for the maintenance and operation of the pressurized irrigation system in perpetuity.
10. The applicant should submit a Floodplain Development Permit application for review and approval by Ada County Development Services prior to preliminary plat approval.
11. The applicant should comply with all requirements of the Ada County Highway District, including but not limited to approval of the drainage system, curbs, gutters, streets and sidewalks.
12. The applicant should comply with all requirements of the Star Fire District.

13. The applicant should donate a school site to Joint School District No. 2.
14. Encroachments including, but not limited to, landscaping, fencing, lighting, and/or pathways shall not be located within any easement or right-of-way for any ditch, pipe or other structure, or canal used for irrigation water or irrigation waste water without the express written approval of the organized irrigation district, canal company, ditch association, or other irrigation entity associated with such ditch, pipe or other structure, or canal. The applicant shall submit a copy of the written approval from the irrigation entity prior to the County signing the final plat.
15. To ensure that flooding of the proposed development does not occur, and that water delivery losses do not result, the applicant shall obtain a written agreement with Farmers Union Canal Company regarding any necessary modifications to the canal or other required improvements, such written agreement to be obtained prior to approval of any plat or issuance of any building permit.

Thank you for the opportunity to provide comment in this matter.

Sincerely,



Phil Bandy
Mayor

cc: Eagle City Council
William E. Vaughan, AICP
Michael Williams, PCED
Michael Wilson, AICP, Stanley Consultants, Inc.