

[Opening scenic]

INTRO

Good evening Mr/Madam Chairman and Commissioners.
My name is _____ and I reside at _____ in Boise.

First, thank you for your service to our community. It is appreciated.

I am here tonight to present on behalf of the Central Foothills Neighborhood Association.

We will present to you a summary of our written testimony which requests that the two proposals before you tonight **be denied** on wide ranging and very valid grounds

Our colleagues from Collister NA, Sunset NA, Veterans NA and North End NA's all have considered the proposal and they are aligned in our request for a denial.

Our testimony will be in two parts.

Part 1 will focus on the Open Space Lot #19 of Eyrie Canyon, established as a Condition of Approval of Eyrie Canyon.

Part 2 will focus on the larger parcel that contains the 30 proposed lots

[H2H MASTER PLAN]

LAY OF THE LAND

First lets get another perspective on the land you are being asked to weigh in on.

- Important to note there are two parcels involved, each with different ownership and different circumstances.
- The Open Space Lot #19 is part of Eyrie Canyon Conditional Use Permit (CUP) while the other parcel is 63 total acres.
- Let's begin first with Eyrie Canyon's Open Space Lot #19, which was designated non-buildable in 2009 as a Condition of Approval for Eyrie Canyon.

[zoning map]

Lot 19 used for density

- Eyrie Canyon Open Space Lot #19, 13 acres in size in the sw corner, was zoned A1 or 1 lot per acre and was included in the proposed Eyrie Canyon project. This Planned Unit Development (PUD) used the 13 lots per acre of the Open Space lot to arrive at its maximum number of units allowed.
- Those lots were then placed across the project but were permitted to be reduced in size from the 1 acre.
- The idea, as you know, is to cluster the homes on more easily developed areas and have open spaces set aside. It is at the heart of creative development design.
- In exchange for this advantageous zoning, a project is required to set aside amenities that benefit the community, like open spaces, trails and pools.

[open space photo from Kris]

Useful Open Space

- There was a great deal of discussion about creating meaningful open space during the PZ meeting in 2008. In part since the open space proposed did not really have much conservation or recreation value.
- In the end, much of the open space designated was steep unusable graded leftover land with little conservation or recreation value. Lot 19 had the most open space utility and is even more valuable today with H2H and the Golf Course now publicly owned.
- The P&Z Commission recognized this and focused a lot of attention on Lot 2 Block 4 (now Lot #19)

[quote from minutes]

P&Z intent

It became apparent to the PZ in 2008 that Lot 19 (Block 2 lot 4) had important values and it should be set aside as open space forever.

- The minutes from the public hearing bears this intent out, as each Commissioner made comments to that affect.
- But one quote stands out.
- It is clear Commissioner Barker understood that P&Z had the authority, and responsibility, to request conditions of approval and asked that Lot 19 be set aside as Open Space.
- Both Staff and P&Z believed that designating the lot as non-buildable would accomplish that.

[quote from minutes about open space and non-buildable elsewhere in project]

- This interpretation of 'non-buildable' becomes evident in another part of the P&Z hearing.
- It is easy to see how the Commission equated the term non-buildable with open space as it was mentioned elsewhere in the hearing.

[Excerpt from Conditions of Approval of Eyrie Canyon:
ITEM #2E; RESTRICT ANY FUTURE DEVELOPMENT OF LOT 2, BLOCK 4,
AND SHOW THAT AREA OF THIS DEVELOPMENT AS UNBUILDABLE.]

Decision deferred, then condition placed making lot unbuildable

- A decision was deferred in order to allow the applicant to seek a non-profit or government entity to transfer the lot to and provide open space stewardship.
- This deferral did not result in a transfer as the applicant appeared to have no intent to do so.
- The ultimate decision was that the P&Z took action to have the lot be open space forever and designated it Non Buildable.

["If Mr. Connell or any successor in ownership of this property were to apply for either a subdivision or even a single building permit on this area, it would be denied on the basis of the CUP alone."]

Neighbors concerned about threat to non buildable lot

- Neighbors were still concerned that Open Space Lot 19 might be developed before it was platted as open space and wrote to city.
- Planning director provided clarification of the condition and stated any development proposal would be denied on the basis of the CUP alone.
- The CUP he is talking about is the very CUP that is in place today on a Project that is still in the process of being developed.

[plat showing the UBL and trail common area]

- Eyrie Canyon plat also illustrates a required trail access between lots 16 and 18 . It was platted as a common lot #17 as shown in this recorded plat.
- The trail was eventually placed further south through the Open Space Lot, and the common lot has not been used.
- The new location proved to be much more sustainable and less intrusive than placing it through the common Lot #17 between homes. It is a popular trail and is used daily.
- The proposed development would obliterate this trail and there is no proposed replacement.

[excerpt from assessor appeal or quote from neighbor]

When conducting their research before investing in a home, neighbors were lead to believe that Lot 19 would remain as open space. The plat notes, the Assessors office and personal communication with the developer all pointed to the same thing.

[nice photo of open space lot]

Why dredge up the past?

Because the Conditions of Approval of an existing CUP still stand and are valid today.

And we are here today, just as was predicted by planning staff in 2008, having to again make the case that this lot should be left as Open Space.

No homes. No streets. No driveways.

Just left as is with trail access.

Just as the Condition of Approval States

Just as the Planning Commissioners in 2008 intended.

Just as the Planning Commission in 2013 reaffirmed.

Just as homeowners and the public were lead to believe it would remain.

We urge you to deny the applications based on the research and rationale as presented.

Part 2. Eyrie Terraces Subdivision and Hillside Permit

[photo and grading plan combo]

- As noted, the access to the site is via the Open Space Lot #19.
- It is difficult to really understand the steepness of the terrain.
- Heres a slope map that can help....

[Slope map]

- As you can see the terrain is very steep.
- The area in pink on this map indicates slope in excess of 25%.
- Over 81% of the parcel is steeper than this 25% threshold mentioned in various places in Blueprint Boise - our Comprehensive plan, and the Hillside and Foothills Development Standards.
- The small slivers of less steep terrain are isolated along ridge tops and inaccessible from public streets.

Grading/ Cut / Fill

[Cut / Fill map]

- This sketch begins to illustrate the extensive nature of the cut and fill.
- The top of the prominent ridge would be lopped off by 70', more than a 6 story building and is illustrated in blue.
- The gullies would be filled, the deepest at roughly 100', more than a 9 story building and is illustrated in black.
- AT 517,000 cubic yards of dirt moved, that is equivalent to 3900 dump truck loads of dirt PER LOT!
- As our Public Works Dept staff have pointed out, it is far more than even the most aggressive grading that has been permitted in the past.
- To allow such aggressive reconfiguring of the topography runs counter to elements in our comp plan and ordinances:

[Comp plan / ordinance quotes]

- Compare the massive amount of dirt proposed to be moved with Blueprint Boise and our Hillside development standards.
- It is impossible to reconcile the difference between the realities of the proposal and what we as a community have embraced as sustainable foothills development.

[comp plan/ ordinance on prominent ridges]

The Foothills are our scenic backdrop that is part of our 'brand'. It is what the tv cameras pan to when they want to show that Boise is more than the blue turf. It is part of our community DNA.

Removing the tops of ridges was once ok, but no more. We long ago stated that this was a very important community value.

To be clear we are not against every foothills development but we must be and can be very diligent in what is permitted.

[photo of hackberry]

- This is an example of a project that minimized cut / Fill and avoided prominent ridge lines.
- The applicant wanted to place homes on the ridge, and it would have been much easier to do than Eyrie Terraces. But he was not allowed to and pulled those lots off the ridge.
- The project is tucked into the folds of the terrain.
- It would be unfair to hold one developer to following the rules and then let another disregard them.
- To be fair, the terrain of this parcel is simply too steep to develop. We do not hold a grudge against the engineers, they are only doing what the terrain will allow. But the rules do not.

Process

[Blueprint Boise on PUD]

- If the terrain were to make it possible to develop this project, we would contend that it should be done as a Planned Unit Development (PUD) as directed by Blueprint. This allows for more creative design, with clustering of homes and setting aside of open space and trails that helps it blend with and add value to our community.
- Eyrie Terraces is being proposed as a Subdivision.
- We are shown only a part of the entire parcel. With a stub street to the rest of the property. This is difficult to see the entire hope and dreams of the applicant. We think decision makers and the community needs to see the entire picture.

Fire

[photo of eyrie fire]

This is the most emotional topic for residents.

[video of air drop]

Fortunately the aerial retardant drops helped knock the fire down.

[another fire photo]

Many experienced first hand the fear and anxiety of a fire close to home.

There was confusion of what emergency access points were unlocked to allow residents to leave.

The long dead end streets with few access points is a disaster waiting to happen

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Imagine a likely scenario: Thunderstorm rolls through. Lightning caused grass fires erupt, 20 across the Boise Front. Fire fighting resources are spread thin. Then traffic blocks 36th Street keeping fire trucks from getting to the fire and residents from fleeing. This would be horrific. And its very possible.

Close

[another nice visual]

I'd like to share a quote that I am unsure who to attribute it to, but its always resonated with me.

"The eyes of the future are upon us tonight."

- But tonight its different. Tonight you and all in this room are the eyes of the future. We get the enviable opportunity to now look back at the past.
- To understand what the PZ was attempting to do. And did, by creating the Open Space Lot #19 to protect it from development forever.
- Did they do the right thing?
- We think they did.
- And you get to be the eyes of the future to determine if all the hard work of the many citizens who helped craft Blueprint Boise and the Hillside / Foothills Development Standards did the right thing to establish guidelines that allows only those developments that can blend with our values and vision of what sustainable foothills development looks like.
- Did they get it right?
- We think they did.

We respectfully urge you to deny these applications and honor the decisions and hard work of the past.

Thank you so much for your service.

I'd be happy to stand for any questions.