THE CITY OF EAGLE
CITY COUNCIL
AGENDA
Eagle City Hall, 660 E. Civic Lane, Idaho
April 9, 2024 5:30 PM

INVOCATION

1. **CALL TO ORDER**
2. **ROLL CALL: GINDLESPERGER, KVAMME, MAY, RUSSELL.**
3. **PLEDGE OF ALLEGIANCE**
4. **ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA**
5. **RECOGNITION:**
   A. **Recognition of Nancy Merrill for her years of service on the Design Review Board.**
6. **PRESENTATION:**
   A. **Introduction of the New Parks, Pathways and Recreation Commission Member:** Mayor Pike would like to formally introduce Douglas Domene to the Eagle City Council. Mr. Domene is a newly appointed member of the Eagle Parks, Pathways and Recreation Commission. (BKP)
   B. **Introduction of the New Eagle Design Review Board Member:** Mayor Pike would like to formally introduce Kelly Murphy to the Eagle City Council. Ms. Murphy is a newly appointed member of the Eagle Design Review Board. (BKP)
7. **REPORTS:**
   A. Mayor and Council
   B. Department Supervisor
   C. Eagle Police Department
   D. City Attorney

8. **CONSENT AGENDA:** *ALL CONSENT AGENDA ITEMS ARE CONSIDERED ACTION ITEMS* . Consent Agenda items are considered to be routine and are acted on with one motion. There will be no separate discussion on these items unless the Mayor, a Councilmember, member of City Staff, or a citizen requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda in a sequence determined by the City Council. Any item on the Consent Agenda which contains written Conditions of Approval from the City of Eagle City Staff, Planning & Zoning Commission, or Design Review Board shall be adopted as part of the City Council's Consent Agenda approval motion unless specifically stated otherwise.
   A. **Claims Against the City.**
   B. **Minutes of March 26, 2024** . (TEO)
   C. **Minutes of March 29, 2023.** (TEO)
   D. **Minutes of August 3, 2023.** (TEO)
   E. **Reappointment to the Eagle Planning and Zoning Commission:** In accordance with Resolution 23-17, Mayor Pike is requesting Council Confirmation of the reappointment of Trent Wright to the Planning and Zoning Commission. Mr. Wright will be serving a three (3) year term that will expire in April 2027. (BKP)
   F. **DR-2023-39 – Common Area Landscaping within Bronco Acres Subdivision – Mustang Crossing Eagle, LLC:** Mustang Crossing Eagle, LLC, represented by Stephanie Hopkins with KM Engineering, LLP, is requesting design review approval for the common area landscaping within Bronco Acres

Subdivision. The 9.84-acre site is located at the northeast corner of North Park Lane and State Highway 44. (ERF)
Bronco Acres Subdivision Landscaping Action Design Review

G. **DR-2024-04 – Multi-tenant Office/Personal Improvement/Retail/Restaurant Building within Stillwater Subdivision – Stillwater Development Partners, LLC:** Stillwater Development Partners, LLC, represented by Corey Elitharp, is requesting design review approval of a 12,405-square foot, two-story multi-tenant office/personal improvement/retail/restaurant building. The 1.24-acre site is located on the north side of West Copper Silo Street approximately 400-feet west of the intersection of State Highway 44 and South Urban Gate Avenue at 2505 West State Street on an unplatted parcel associated with Stillwater Subdivision. (ERF)
Stillwater C2 Multi-tenant Building Action Design Review

H. **DR-2024-05 – Master Sign Plan for Multi-tenant Office/Personal Improvement/Retail/Restaurant Building within Stillwater Subdivision – Stillwater Development Partners, LLC:** Stillwater Development Partners, LLC, represented by Corey Elitharp, is requesting design review approval for a master sign plan for a multi-tenant office/personal improvement/retail/restaurant building within Stillwater Subdivision. The 1.24-acre site is located on the north side of West Copper Silo Street approximately 400-feet west of the intersection of State Highway 44 and South Urban Gate Avenue at 2505 West State Street on an unplatted parcel associated with Stillwater Subdivision. (ERF)
Stillwater C2 Building Master Sign Plan Action Design Review

I. **Findings of Fact and Conclusions of Law for the Approval of FPUD-2024-01 & FP-2024-02 – Fina Development Plan and Final Plat for Kingswood Subdivision No. 1 – LGPD Utah, LLC:** LGPD Utah, LLC, represented by Katie Miller with Bailey Engineering, Inc., is requesting final development plan and final plat approvals for Kingswood Subdivision, an 86-lot (74-buildable, 12-common) residential subdivision. The 38.41-acre site is located on the west side of North Linder Road approximately 1,430-feet north of the intersection of North Linder Road and West Floating Feather Road. (KDO)
Findings of Fact for Kingswood Sub No. 1

J. **FP-2023-05-EXT1 – Final Development Plan/Final Plat Extension of Time for Beaconwood No. 1 Subdivision – Trilogy Development:** Trilogy Development, represented by Matt Price with J-U-B Engineers, is requesting a one (1) year extension of time for the final development plan and final plat for Beaconwood Subdivision No. 1, a 77-lot (72-buildable, 5-common), residential subdivision. The 37.34-acre site is located on the southeast corner of West Beacon Light Road and North Lanewood Road. (HSD)
Beaconwood Subdivision No 1 Extension of Time Staff Packet

K. **Development Agreement for RZ-02-22 – Alscott Rocking A Ranch Subdivision – Alscott Real Estate, LLC:** Council authorization for Mayor to execute the development agreement associated with the rezone from RUT (Rural-Urban Transition – Ada County designation) to A-R-DA-P (Agricultural-Residential with a Development Agreement - PUD). The 171.9-acre site is located on the east side of North Eagle Road, approximately 1,300 feet north of East Beacon Light Road. (MJW)
Development Agreement for Alscott Rocking A Ranch Subdivision

L. **Development Agreement for RZ-03-22 – Alscott Rocking A Ranch Equestrian Facility – Alscott Real Estate, LLC:** Council authorization for Mayor to execute the development agreement associated with the rezone from RUT (Rural-Urban Transition – Ada County designation) to A-R-DA (Agricultural-Residential with a Development Agreement).The 20-acre site is located on the corner of North Eagle Road and East Beacon Light Road, at 3000 North Eagle Road. (MJW)
Development Agreement for Rocking A Ranch Equestrian

M. **Development Agreement for RZ-13-22 – Brookstone Subdivision – Bonnie Pontier:** Council authorization for Mayor to execute the development agreement associated with the rezone from RUT (Rural-Urban Transition – Ada County designation) to R-6-DA (Residential with a Development Agreement). The 23.28-acre site is located on the north side of State Highway 44 approximately 1,850-feet west of the intersection of State Highway 44 and North Linder Road. (MJW)
Development Agreement for Brookstone Subdivision

N. **FP-17-23 – Final Plat for Auberge Subdivision – RB-AMS Eagle, LLC:** RB-AMS Eagle, LLC,

represented by Antonio Conti with Ackerman-Estvold, is requesting a final plat approval for Auberge Subdivision (Molinari), a 2-lot commercial subdivision. The 4.36-acre site is located on the northwest corner of North Palmetto Avenue and State Highway 44. (KDO)
Final Plat for Auberge Subdivision

O. **Findings of Fact and Conclusions of Law for the Approval of RZ-95 MOD4 – Development Agreement Modification for Eagle Marketplace (formerly known as Eagle Country Plaza Shopping Center and Eagle City Market) – Jeff Likes:** Jeff Likes with ALC Architecture, is requesting a development agreement modification to modify the concept plan associated within Eagle Marketplace. The 7.5-acre site is located on the northeast corner of Chinden Boulevard and Eagle Road. (MJW)
Findings for RZ-95 MOD4 Eagle Marketplace
RZ-95 MOD4 Eagle Marketplace Development Agreement

P. **Permanent Pathway Easement Agreement Between the City of Eagle and Landmark Pacific Development, Inc., for a Public Pathway within Kingfisher Cove Townhomes Subdivision:** Landmark Pacific Development, Inc. is requesting approval of a permanent pathway easement agreement for the public pathway located within Kingfisher Cove Townhomes Subdivision. The 7.38-acre site is located on the northeast corner of West State Street and State Highway 44. (HSD)
Permanent Pathway Easement Agreement for Kingfisher Cove Townhomes

Q. **Live Performance Agreement Between the City of Eagle and Tyler Daniel: A** Live Performance Agreement between the City of Eagle and Tyler Daniel to perform at the Eagle Spring Arts and Craft Fair at the Bridges at Lakemoor. Compensation shall be at a rate of $300.00 for specified event. (JDH)

R. **Live Performance Agreement Between the City of Eagle and Helen Morris:** A Live Performance Agreement between the City of Eagle and Helen Morris to perform at the Eagle Spring Arts and Craft Fair at the Bridges of Lakemoor. Compensation shall be at a rate of $300.00 for the specified event. (JDH)

S. **Live Performance Agreement Between the City of Eagle and Jeff Engelbert:** A Live Performance Agreement between the City of Eagle and Jeff Engelbert to perform during the Toast to Eagle in front of the Eagle Library. Compensation shall be at a rate of $700.00 for specified event. (JDH)

T. **Live Performance Agreement Between the City of Eagle and Fahd & Marcus** : A Live Performance Agreement between the City of Eagle and Fahd & Marcus to perform at Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for specified event. (JDH)

U. **Live Performance Agreement Between the City of Eagle and Tim Foster:** A Live Performance Agreement between the City of Eagle and Tim Foster to perform at Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for specified event. (JDH)

V. **Live Performance Agreement Between the City of Eagle and Emma Beck:** A Live Performance Agreement between the City of Eagle and Emma Beck to perform at Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for specified event. (JDH)

W. **Live Performance Agreement Between the City of Eagle and Jeff Engelbert:** A Live Performance Agreement between the City of Eagle and Jeff Engelbert to perform at Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for the specified event. (JDH)

X. **Live Performance Agreement Between the City of Eagle and Lisa Bittick Lowe:** A Live Performance Agreement between the City of Eagle and Lisa Bittick Lowe to perform at Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for the performance. (JDH)

Y. **Live Performance Agreement Between the City of Eagle and Cliff Miller:** A Live Performance Agreement between the City of Eagle and Cliff Miller to perform at Eagle Saturday Market at Eagle City Hall. Compensation shall be at a rate of $250.00 for the performance. (JDH)

Z. **Live Performance Agreement Between the City of Eagle and SpeakWrite LLC:** A Live Performance Agreement between the City of Eagle and SpeakWrite LLC to perform at Eagle Fun Days in front of the Eagle Library. Compensation shall be at a rate of $700.00 for specified event. (JDH)

AA. **Live Performance Agreement Between the City of Eagle and Brandon Tillman:** A Live Performance Agreement between the City of Eagle and Brandon Tillman to perform at Eagle Fun Days in front of the Eagle Library. Compensation shall be at a rate of $500.00 for specified event. (JDH)

AB. **Live Performance Agreement Between the City of Eagle and Koki Gonzalez:** A Live Performance Agreement between the City of Eagle and Koki Gonzalez to perform at Eagle Fun Days in front of the Eagle Library. Compensation shall be at a rate of $1,200.00 for specified event. (JDH)

AC. **Live Performance Agreement Between the City of Eagle and Luke Rutledge:** A Live Performance Agreement between the City of Eagle and Luke Rutledge to perform at Eagle Fun Days in front of the Eagle Library. Compensation shall be at a rate of $400.00 for specified event. (JDH)

AD. **Live Performance Agreement Between the City of Eagle and Dave Nudo Band** : A Live Performanc Agreement between the City of Eagle and Dave Nudo Band to perform at Eagle Fun Days in front of the Eagle Library. Compensation shall be at a rate of $1,200.00 for specified event. (JDH)

9. UNFINISHED BUSINESS:

A. *ACTION ITEM:* **Eagle Rodeo Lease Agreement:** Approval of an amended and reinstated Lease Agreement with the Eagle Rodeo, Inc for the 10-acre located at 8660 West Equest Lane. (NBS)

B. *ACTION ITEM:* **Eagle Rodeo Lease Parking Agreement:** Approval of a Parking Agreement for the Eagle Rodeo Inc. for the 2024 Eagle Rodeo. (NBS)

10. PUBLIC HEARINGS: *ALL PUBLIC HEARING ITEMS ARE CONSIDERED ACTION ITEMS* . Public hearings will not begin prior to 6:00 p.m.

- Public Hearings are legally noticed hearings required by state law. The public may provide formal testimony regarding the application or issue before the City Council. This testimony will become part of the hearing record for that application or matter.
- Public hearing testimony time limits: Individuals testifying are allotted three (3) minutes for non-repetitive testimony
- Disclosure of ex parte and/or conflict of interest.

A. **RZ-11-15 MOD – Development Agreement Modification for East End Marketplace – TPC Commercial, LLC:** TPC Commercial, LLC, represented by Zach Turner with Rennison Design, is requesting a development agreement modification (development agreement in lieu of a conditional use permit) to modify the conditions of development and concept plan contained within the executed development agreement. The 15.55-acre site is generally located on the east side of South Edgewood Lane between East State Street and State Highway 44. *This item was continued from the February 27, 2024 meeting.* The public hearing remains open. (MJW)
RZ-11-15 MOD East End Marketplace
RZ-11-15 MOD East End Marketplace Memo

B. **PP/FP-01-23 – Combined Preliminary and Final Plat for Retail One Subdivision – TPC Commercial, LLC:** TPC Commercial, LLC, represented by Zach Turner with Rennison Design, is requesting combined preliminary plat and final plat approvals for Retail One Subdivision, a 6-lot (6-buildable) commercial subdivision. The 6.19-acre site is located at the northeast corner of State Highway 44 and South Edgewood Lane at 650 South Edgewood Lane. (MJW)
Retail One Subdivision

11. NEW BUSINESS:

A. *ACTION ITEM:* **Selection of the Conservation Advisory Committee Council Liaison.** (TEO)

B. *ACTION ITEM:* **State and Eagle Intersection:** Approval to purchase historic streetlight poles for inclusion in the State and Eagle project and the Aikens Street Extension project in an amount not to exceed $160,500. (NBS)
Change order 2- Street Light Purchase

C. *ACTION ITEM:* **State and Eagle Intersection:** Approval to increase the Cost share agreement with ACHD in an amount not to exceed $322,000 for the installation of historic streetlights in Phase 1. (NBS)

D. *ACTION ITEM:* **Fiscal Year 2024-2048 Capital Plan Modification No. 5:** Staff is requesting a modification to the Fiscal Year 2024-2028 Capital Plan to increase funding for project PW CM-15: Orville Krasen Park Playground Replacement in the amount of $1,925.00 reducing PW CM-15: Trail Maintenance by $1,925.00, and increase funding for to TP CM-3: Eagle Road Ped/Bike Bridge in the amount of $300,000 by reducing TRL CM-4: North Channels Trail Repair by $97,760.00 and

$202,204.00 from Trail Impact fees. (NBS)
FY 24 Modification No 5 me1.pdf

12. **PUBLIC COMMENT:** This time is reserved for the public to address their elected officials regarding concerns or comments they would like to provide to the City Council regarding any matter, up to and including any subject on the agenda with the exception of Public Hearing and land use items. Comments regarding Public Hearing and land use items need to be made during the open public hearing for said item(s) in accordance with Idaho Code. At times, the City Council may seek comments/opinions regarding specific City matters (excluding Public Hearing and land use items) during this allotted time. Out of courtesy for all who wish to speak, the City Council requests each speaker limit their comments to three (3) minutes.

13. **EXECUTIVE SESSION:** 74-206 (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

    (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;

    A. *ACTION ITEM:* **Action Regarding Pending/Threatened Litigation.**

14. **ADJOURNMENT:**

The City will make reasonable accommodations for anyone attending this meeting who require special assistance for hearing, physical or other impairments. Please contact the City Clerk's Office at (208) 939-6813 at least 24 hours in advance of the meeting date and time.