# THE CITY OF EAGLE
# CITY COUNCIL
# AMENDED
# AGENDA
# Eagle City Hall, 660 E. Civic Lane, Idaho
# February 27, 2024 5:30 PM

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*Indicates Added Item

**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. **REPORTS:**
   - A. Mayor and Council
   - B. Department Supervisors:
     1. Recreation Director, Brian Allen
     2. Building Official, Steve Nash
   - C. Eagle Police Department
   - D. City Attorney
6. **PUBLIC COMMENT 1:** 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 subjects not on the agenda. At times, the City Council may seek comments/opinions regarding specific City matters during this allotted time. This is not the time slot to give formal testimony on a public hearing matter, land use application, or comment on a pending application or proposal. Out of courtesy for all who wish to speak, the City Council requests each speaker limit their comments to three (3) minutes.
7. **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. **Reappointment to the Design Review Board:** In accordance with Resolution 23-17, Mayor Pike is requesting Council Confirmation of the reappointment of Jim Mihan to the City of Eagle Design Review Board. Mr. Mihan will be serving a three (3) year term that will expire in March 2027. (BKP)
   - C. **Appointment to the Conservation Advisory Committee:** In accordance with Resolution 23-17, Mayor Pike is requesting Council Confirmation of the appointment of Mike Pellant to the City of Eagle Conservation Advisory Committee. Mr. Pellant will be serving an initial term of two (2) years that will expire in February of 2026. (BKP)
   - D. **Appointment to the Conservation Advisory Committee:** In accordance with Resolution 23-17, Mayor Pike is requesting Council Confirmation of the appointment of Karl Kosciuch to the City of Eagle Conservation Advisory Committee. Mr. Kosciuch will be serving an initial term of two (2) years that will expire in February of 2026. (BKP)

E. **Appointment to the Conservation Advisory Committee:** In accordance with Resolution 23-17, Mayor Pike is requesting Council Confirmation of the appointment of Morgan Bessaw to the City of Eagle Conservation Advisory Committee. Ms. Bessaw will be serving an initial term of four (4) years that will expire in February of 2028. (BKP)

F. **Appointment to the Conservation Advisory Committee:** In accordance with Resolution 23-17, Mayor Pike is requesting Council Confirmation of the appointment of Charles Baun to the City of Eagle Conservation Advisory Committee. Mr. Baun will be serving an initial term of four (4) years that will expire in February of 2028. (BKP)

G. **Appointment to the Conservation Advisory Committee:** In accordance with Resolution 23-17, Mayor Pike is requesting Council Confirmation of the appointment of Tim Johnson to the City of Eagle Conservation Advisory Committee. Mr. Johnson will be serving an initial term of two (2) years that will expire in February of 2026. (BKP)

H. **Public Art Program "Wish You Were Here" Eagle Postcard Project:** The Eagle Arts Advisory Committee is seeking Council approval to proceed with a call for artists for "Wish You Were Here", a postcard design competition for artists to showcase what they love about Eagle, Idaho, and to authorize funding for prize money and postcard printing costs in an amount not to exceed $800.00. (BLA)
Memo for Postcard Design Project

I. **Public Art Program Arbor Day Youth Art Show and Contest:** The Eagle Arts Advisory Committee is seeking Council approval to proceed with a call for artists for the Arbor Day Youth Art Show and Contest, a "Trees and Spring" themed art exhibit to be on display in the City Hall gallery for the month of April, and to authorize funding for prize baskets in an amount not to exceed $150.00. (BLA)
Memo for Arbor Day Youth Art Show

J. **DR-38-23 - Common Area Landscaping and Building Architecture within Dovetail Condos - Eagle Tail Development:** Eagle Tail Development, represented by Chad Palmer, is requesting design review approval of the common area landscaping and building architecture (4-two-family dwellings) within Dovetail Condos. The 1.58-acre site, consisting of two lots (Lots 6 & &, Block 2, Randall Acres Subdivision No. 15), is located on the north side of East Dunyon Street approximately 300-feet east of the intersection of East Dunyon Street and South Conover Street at 2056 and 2078 East Dunyon Street. (BAW)
Dovetail Landscaping and Buildings Action Design Review

K. **DR-03-03 MOD2 - Change of Use, including Modification to The Home Depot Site Located within Eagle Promenade Shopping Center - The Home Depot:** The Home Depot, represented by Cassandra Permenter with Scott A. Mommer Consulting, is requesting design review approval to change the use of the site to include “equipment rental and sales yard” to accommodate the rental of moving trucks, including a modification to the parking area to designate areas for product storage, outdoor sales, and equipment rentals. The 12.5-acre site is located on the northeast corner of State Highway 55 and State Highway 44 at 2808 East State Street within the Eagle Promenade Shopping Center. (ERF)
Home Depot Site Modification Action Design Review

L. **DR-61-23 - Common Area Landscaping within Shetland Point Subdivision - A Team Land Consultants:** Steve Arnold with A Team Land Consultants is requesting design review approval for the common area landscaping within Shetland Point Subdivision. The 5.10-acre site is located on the west side of North Park Lane approximately 400-feet south of the intersection of West Floating Feather Road and North Park Lane at 1025 North Park Lane. (ERF)
Shetland Point Subdivision Landscaping Action Design Review

M. **DR-43-21 MOD3 - Modification to the Common Area Landscaping, Amenities, and Pool House within Arvory Crest Subdivision - Lennar Homes of Idaho:** Lennar Homes of Idaho, represented by Makayla Murphy with EV Studios, is requesting design review approval to modify the common area landscaping, amenities, and pool house within Arvory Crest Subdivision. The 80.2-acre site is located on the southeast corner of West Floating Feather Road and State Highway 16 at 1252 North Highway 16. (ERF)
Arvory Crest Subdivision Landscaping and Clubhouse Action Design Review

N. **PP/FP-2020-01-EXT1 – Combined Preliminary Plat and Final Plat Extension of Time associated with Spartan Estates Subdivision:** Clark Mahy is requesting a one (1) year extension of time for the

combined preliminary and final plat of Spartan Estates Subdivision, a 2-lot subdivision. The 4.69-acre site is located at 2635 North Meridian Road. (DLM)

Extension of Time for Spartan Estates

O. **FP-2022-04-EXT1– Extension of Time for the Final Plat for Snoqualmie Basin- Red Butte, LLC:** Red Butte, LLC, represented by Becky Yzaguirre, with Ardurra is requesting an extension of time for the final plat for Snoqualmie Basin. (KDO)
Extension of Time for Snoqualmie Basin

P. **FP-08-23 – Final Plat for Valnova Subdivision No. 3 – GWC Capital, LLC:** GWC Capital, LLC, represented by Landon Northey, is requesting final plat approval for Valnova Subdivision No. 3 (a re-subdivision of Lot 22, Block 1, Spring Valley Subdivision No. 1), a 49-lot (41-buildable, 8-common [6-community open space, 2-private alleys]) subdivision. The 9.8-acre site is generally located approximately ¾-mile northeast of the intersection of State Highway 16 and Equest Lane (approximately 1 mile north of the intersection of Beacon Light Road and Linder Road). (HSD)
Valnova Subdivision No. 3 Final Plat

Q. **FPUD-10-23/FP-18-23 – Final Development Plan and Final Plat for Beaconwood Subdivision No. 2 – Endurance Holdings, LLC:** Endurance Holdings, LLC, represented by Matt Price, P.E. with JUB Engineers, Inc., is requesting final development plan and final plat approvals for Beaconwood Subdivision No. 2, a 38-lot (34-buildable, 4-common), residential subdivision. The 15.89-acre site is located on the southeast corner of West Beacon Light Road and North Lanewood Road. (HSD)
Final Development Plan and Final Plat for Beaconwood Subdivision No. 2

R. **Findings of Fact and Conclusions of Law for the Approval of CU-07-23 – Conditional Use Permit for a Restaurant (with drive-through) – Landmark Pacific Investors, LLC:** Landmark Pacific Investors, LLC, represented by Andrew Newell with BAWCE, is requesting conditional use permit approval for a restaurant (with drive-through) within a MU-DA (Mixed Use with development agreement) zoning district. The 2.84-acre site is located at the northeast corner of State Highway 44 and West State Street. (MJW)
Findings of Fact for Eagle Point Commercial

S. **Pathway Agreement Between Drainage District No. 2 and the City of Eagle and for a Pathway within Kingswood Subdivision No. 1:** Drainage District No. 2 is requesting approval of a pathway agreement associated with the Master Pathway Agreement for a public pathway located within Kingswood Subdivision No. 1. 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. (MJW)
Drainage District Agreement for Kingswood

T. **Development Agreement for RZ-04-22 – Carp Ranch Subdivision – Gemshore Eagle RE, LLC:** Council authorization for Mayor to execute the development agreement associated with the rezone from RUT (Rural-Urban Transition – Ada County designation) to R-1-DA-P and R-3-DA-P (Residential with a Development Agreement - PUD). The 12.14-acre site is located on the south side of East Floating Feather Road approximately 355-feet west of the intersection of North Falling Water Avenue and East Floating Feather Road at 2385 East Floating Feather Road. The 36.18-acre site is located on the south side of West Floating Feather Road approximately 500-feet west of the intersection of North Cove Colony Way and West Floating Feather Road. (MJW)
Development Agreement for Carp Ranch

U. **Live Performance Agreement Between the City of Eagle and Rob Morrow, dba: Rock House Entertainment:** A Live Performance Agreement between the City of Eagle and Rob Morrow dba: Rock House Entertainment to perform at Gazebo Concert Series. Compensation shall be at a rate of $2,200.00 for the performance. (JDH)

V. **Live Performance Agreement Between the City of Eagle and James Tyler dba: Smooth Avenue Band:** A Live Performance Agreement between the City of Eagle and James Tyler dba: Smooth Avenue Band to perform at Gazebo Concert Series. Compensation shall be at a rate of $1,250.00 for the performance. (JDH)

W. **Live Performance Agreement Between the City of Eagle and Jeffery T. Poole dba: Retro**

**Entertainment:** Live Performance Agreement between the City of Eagle and Jeffery T. Poole dba: Retro Entertainment to perform at Gazebo Concert Series. Compensation shall be at a rate of $2,300.00 for the performance. (JDH)

X. **Live Performance Agreement Between the City of Eagle and Ed Coughenour:** A Live Performance Agreement between the City of Eagle and Ed Coughenour to perform at Gazebo Concert Series. Compensation shall be at a rate of $1,400.00 for the performance. (JDH)

Y. **Sexual Assault Awareness Month - Denim Day Proclamation:** Declaring April 24, 2024 as Denim Day in the City of Eagle, in conjunction with declaring April as Sexual Assault Awareness Month in an effort to call attention to misconceptions and misinformation about rape and sexual assault. (BKP)
2024 Sexual Assault Awareness Month and Denim Day Proclamation

**8. UNFINISHED BUSINESS: NONE**

**9. 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. **VAC-01-23 – Vacation to the Final Plat of Eagle Ranch Subdivision No. 2 – Robert DeShazo:** Robert DeShazo, represented by KM Engineering LLP, is requesting a vacation of a plat note applicable to Lot 2, Block 3 of the Eagle Ranch Subdivision No. 2 final plat. The applicant requests the word "playground" be vacated to permit future residential development of the existing, vacant parcel. The 0.98-acre lot is located on the south side of E. Ranch Drive, approximately 1,000 feet east of Eagle Road. (MJW)
Staff Packet for Eagle Ranch Sub No. 2

B. **PU-03-23 – Valnova Planning Unit Master Plan (PUMP) No. 4 – GWC Capital, LLC:** GWC Capital, LLC, represented by Langvardt Design Group, is requesting approval of Planning Unit Master Plan (PUMP) No. 4 for the Valnova Planned Development (formerly known as Spring Valley). Planning Unit Master Plan No. 4 consists of 26.32-acres of land within the Southwestern Planning Area and includes one (1) 9.92-acre Estate Residential parcel and one (1) 14.28-acre Regional Open Space (ROS) lot, pursuant to Eagle City Code Title 11A and in accordance with the amended and restated development agreement associated with the Valnova Development, designating the land for the future development of the City of Eagle regional sports park. The 26.32-acre site is generally located 2,800-feet northeast of State Highway 16 at Equest Lane. (DLM)
Staff Packet for Valnova - Planning Unit Master Plan (PUMP) No 4

C. **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. (MJW)
Staff Packet for East End Marketplace

**10. NEW BUSINESS:**

A. *ACTION ITEM:* **Greenbelt Memorandum of Understanding Between Ada County Sheriff's Office, Boise Police Department and Garden City Police Department:** Authorizing the Eagle Police Chief to execute a Memorandum of Understanding (MOA) between Ada County Sheriff's Office, Boise Police Department and Garden City Police to enforce the laws of the State of Idaho and municipal code within the territorial limits of those cities, regardless of County boundaries. (BP)
RES1165-24 - 01-08-2024 - Greenbelt MOU

B. *ACTION ITEM:* **Eagle Chamber of Commerce is Requesting the use of City Hall Grounds for their Fun Night Event on July 12, 2024, Between 4:00 p.m. to 11:00 p.m.** (BLA)

C. *ACTION ITEM:* **Discussion and Possible Action Regarding Property Acquisition in Bogus Ridge Subdivision.** (WEV)
Staff Memo
Vicinity Map
Property Acquisition Exhibit

D. *ACTION ITEM:* **Discussion and Possible Action Regarding a Response to the Board of Ada County Commissioner's February 7, 2024, Area of Impact Renegotiation Request Letter.** (WEV)
Staff Memo
Renegotiation Letter

E. *ACTION ITEM*: **Ordinance 915 – Annexation and Rezone Ordinance – Spartan Estates:** An ordinance annexing certain real property situated in the unincorporated area of Ada County, Idaho, and contiguous to the corporate limits of the City of Eagle, to the City of Eagle, Idaho; changing the zoning classification of said real property described herein from RUT (Rural-Urban Transition – Ada County designation) to RE-DA (Residential Estates with a Development Agreement); amending the zoning map of the City of Eagle to reflect said change; directing that copies of this ordinance be filed as provided by law; providing a severability clause; and providing an effective date. The 4.69-acre site is located at 2635 North Meridian Road. (DLM)
Ordinance 915 Spartan Estates

F. *ACTION ITEM:* **2024-2028 Integrated Five-Year Work Plan (IFYWP) Request:** Review of the Ada County Highway District's Draft IFYWP priorities and discussion of additional comments to the ACHD Commission prior to ACHD's adoption. (NBS)

G. **ACTION ITEM:* **Discussion of Council-Initiated Correspondence Regarding Legislation.** (HMR)

**11.** **PUBLIC COMMENT 2:** 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.

**12.** **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.**

**13.** **ADJOURNMENT:**

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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.