

County nudges Eagle, Star to solve overlap

Cities' mayors would rather leave shared impact area alone, while Ada officials press for vote by landowners

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The Winery at Eagle Knoll sits on the western side of Highway 16, a well-traveled corridor in West Ada that holds great commercial promise.

Mike Kauffman, owner of the 3-year-old winery, plans to open a restaurant on the property and may add other businesses around a lake there.

He's just waiting to get annexed to the city — any city. He doesn't care if it's Star or Eagle, he just needs water and sewer.

"I'm ready to annex. I need services," Kauffman said. "Whichever (city) can provide them first, I'm going to go with them."

He believes he will achieve that sooner if Eagle and Star can resolve an area-of-impact boundary dispute that has left dozens of properties along the eastern side of Idaho 16 in limbo.

The mayors of Eagle and Star said last week that they would prefer to leave the overlap rather than try to negotiate a boundary or send it to an election of affected property owners.

They have yet to confer with their respective city councils and attorneys — it's not a done deal — but that's the direction they say they're headed.

"I think we just want to put everything to bed and not continue to bicker between the cities," Star Mayor Nathan Mitchell said.

But a county official says that if the cities do not agree to a new, non-overlapping boundary soon, an election will be the next step — whether the cities want it or not.

"If there's an overlap, we've got to fix it," said Ax Yewer, Ada County assistant prosecutor. "The law to me is clear, you can't have an overlap, even if the cities agree to have an overlap."

Both mayors said they did not want to go to an election.

"I think both Nate and I believe that these people have been through enough. It's been really unsettling for many, many people," Eagle Mayor Nancy Merrill said. "When people are anticipating the sale of their property and there's a lot of rumors floating around, they want to know what the land designation is going to be on that property."

Both mayors pointed out that the area of impact is simply a tool used by cities to plan future growth. A property that's in one city's area of impact can be annexed into another city, if the property is contiguous with the city limits and the property owner requests it.

A letter from Ada County commissioners dated July 14 informed Eagle and Star city officials that if a common boundary is not agreed upon within 90 days, preparations for an election will begin.

"Having to try and evaluate development applications for property within the overlap area using two separate comprehensive plans creates problems for orderly land development," the letter said. The letter says the county, if asked, would recommend that all of the overlap be within Star's area of impact.

Eagle and Star have been at odds over this issue for more than two years.

The city of Eagle appealed a decision by the county commissioners in 2004 to grant more of the coveted, potentially tax-rich Idaho 16 area to Star's impact area.

In August of 2005, the Committee of Nine, which included the three Ada County commissioners, three elected Eagle officials and three citizens, ruled 6-to-3 in Eagle's favor. Since then, the Ada County Commissioners approved both Star's and Eagle's impact area expansion requests — despite the overlap.