

## OFFICIALS

Joe Stear, Mayor  
Richard Cardoza, Council President  
Briana Buban-Vonder Haar, Council Member  
Pat Jones, Council Member  
Greg McPherson, Council Member



## CITY OF KUNA

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

### City Council Meeting AGENDA Tuesday, October 3, 2017

#### 6:00 P.M. REGULAR CITY COUNCIL

1. *Call to Order and Roll Call*
2. *Invocation:* Chris Bent, Calvary Chapel
3. *Pledge of Allegiance:* Mayor Stear
4. *Consent Agenda:*

*All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff 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 under Business or as instructed by the City Council.*

#### A. City Council Meeting Minutes:

1. Regular City Council Minutes, September 19, 2017

#### B. Accounts Payable Dated September 28, 2017 in the Amount of \$264,088.39

#### C. Resolutions

1. Consideration to approve Resolution No. R74-2017

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO ACCEPTING THE IRRIGATION EASEMENT FROM KEITH CLOW AND/OR LOCK-N-ROLL SELF STORAGE, LLC.

2. Consideration to approve Resolution No. R75-2017

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE AND THE CLERK TO ATTEST TO THE REIMBURSEMENT AGREEMENT WITH KEITH CLOW

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

AND/OR LOCK-N-ROLL SELF STORAGE, LLC. IN THE AMOUNT OF NINETY TWO THOUSAND FOUR HUNDRED SIXTY NINE AND 43/100 (\$92,469.43).

3. Consideration to approve Resolution No. R76-2017

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY PROSECUTING ATTORNEY TO PROVIDE PROSECUTORIAL SERVICES FOR CITY MISDEMEANORS FOR THE FISCAL YEAR 2017-2018.

4. Consideration to approve Resolution No. R77-2017

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY SHERIFF FOR LAW ENFORCEMENT SERVICES FOR THE FISCAL YEAR 2017-2018 FOR THE CITY OF KUNA, IDAHO.

5. Consideration to approve Resolution No. R78-2017

PRESSURE IRRIGATION FACILITIES REIMBURSEMENT POLICY - 2017

6. Consideration to approve Resolution No. R79-2017

CITY SEWER FACILITIES REIMBURSEMENT POLICY - 2017

7. Consideration to approve Resolution No. R80-2017

CITY POTABLE WATER FACILITIES REIMBURSEMENT POLICY – 2017

8. Consideration to approve Resolution No. R81-2017

A RESOLUTION OF THE CITY OF KUNA, IDAHO DISSOLVING THE WELL MITIGATION FUND AND DIRECTING THE CITY TREASURER TO TRANSFER THE ACCUMULATED FUNDS FROM THE WELL MITIGATION FUND TO THE WATER FUND.

**D. Final Plat**

1. Consideration to approve 17-04-FP (Final Plat) for Sunbeam Townhouses Subdivision
2. Consideration to approve 17-05-FP (Final Plat) for Greyhawk Subdivision No. 7
3. Consideration to approve 17-06-FP (Final Plat) for Ridley's Family Center No. 2.

**E. Findings of Fact and Conclusions of Law**

- 1. Consideration to approve Findings of Fact and Conclusions of Law for 15-03-AN (Annexation) for Liberty Investments, Inc.**

**6. Community Reports or Requests:**

**7. Public Hearings:** (6:00 p.m. or as soon thereafter as matters may be heard.)

- A. *Staff requests this item be tabled to the public hearing scheduled for October 17, 2017 instead of to the October 3, 2017 public hearing as requested at the September 19, 2017 public hearing.***

Public Hearing and consideration to approve 17-05-S (Preliminary Plat) for Springhill Residential Subdivision – Troy Behunin Planner III

On behalf of NE Kuna Farms (Owner), AJ Lopez with Bailey Engineering, Inc., is requesting approval for a preliminary plat modification for approximately 180 acres (of the previously approved 208.58 ac. approx.), currently zoned R-6 (Medium Density Residential). The applicant proposes to subdivide two properties into 677 buildable lots and 39 common lots with a proposed density of 3.31 Units/acre. The subject site is located on the south-east corner (SEC) of Linder and Lake Hazel Roads. The property address is 1585 W. Lake Hazel Road – Parcel No's S1301212425 and S1301325480.

**8. Business Items:**

- A. Proclamation of Domestic Violence Awareness Month – Mayor Stear**
- B. Consideration to approve 17-01-Vac (Vacation) for File Ridge Subdivision Easements – Troy Behunin, Planner III**

Request approval for Easement Vacation for a portion of the File Ridge Subdivision Final Plat (Bk. 106, pg. 14640 – Ada County Records). The applicant proposes releasing the easements on the east, west, and south sides of Lot 1, block 1, File Ridge final plat, the north easement will remain fully intact (Ada County Assessor Parcel No. R2823300010).

- C. Update on City website and new upgrades from Civic Plus – Chris Engels, City Clerk**

**9. Ordinances: None**

**10. Mayor/Council Announcements:**

**11. Executive Session:**

**12. Adjournment:**

**OFFICIALS**

Joe Stear, Mayor  
Richard Cardoza, Council President  
Briana Buban-Vonder Haar, Council Member  
Pat Jones, Council Member  
Greg McPherson, Council Member



**CITY OF KUNA**

**Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634**

**City Council Meeting  
MINUTES  
Tuesday, September 19, 2017**

**6:00 P.M. REGULAR CITY COUNCIL**

**1. Call to Order and Roll Call**

**COUNCIL MEMBERS PRESENT:**

Mayor Joe Stear  
Council President Richard Cardoza  
Council Member Pat Jones  
Council Member Briana Buban-Vonder Haar  
Council Member Greg McPherson

**CITY STAFF PRESENT:**

Chris Engels, City Clerk  
Bob Bachman, Public Works Director  
Bobby Withrow, Parks Director  
John Marsh, City Treasurer  
Wendy Howell, Planning & Zoning Director  
Richard Roats, City Attorney

**2. Invocation:** Stan Johnson, Kuna Life Church

**3. Pledge of Allegiance:** Mayor Stear

**4. Consent Agenda:**  
(Timestamp 00:01:10)

*All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff 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 under Business or as instructed by the City Council.*

**A. City Council Meeting Minutes:**

**I. Regular City Council Minutes, September 5, 2017**

**B. Accounts Payable Dated September 14, 2017 in the Amount of \$707,955.23**

**C. Resolutions**

**1. Consideration to approve Resolution No. R67-2017A**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING RESOLUTION NO. R67-2017 TO ADD MORE SPECIFIC LANGUAGE REGARDING USE OF THE FOREGONE PROPERTY TAX LEVY; AND CERTIFYING THE INTENT OF THE KUNA CITY COUNCIL TO LEVY, AS PART OF THE GENERAL TAX LEVY ADOPTED PURSUANT TO ORDINANCE NO. 2017-14, FOREGONE PROPERTY TAXES.

**2. Consideration to approve Resolution No. R69-2017**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO ACCEPTING THE CITY OF KUNA PUBLIC UTILITIES EASEMENT BY AND BETWEEN DAVID L. AND TAWNI M. LIMESAND (GRANTOR) AND THE CITY OF KUNA, IDAHO (GRANTEE) FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE, OPERATION AND REPLACEMENT OF A CITY OF KUNA, IDAHO PUBLIC UTILITIES.

**3. Consideration to approve Resolution No. R70-2017**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO ACCEPTING THE CITY OF KUNA PRESSURIZED IRRIGATION EASEMENT BY AND BETWEEN DAVID L. AND TAWNI M. LIMESAND (GRANTOR) AND THE CITY OF KUNA, IDAHO (GRANTEE) FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE, OPERATION AND REPLACEMENT OF A CITY OF KUNA, IDAHO PRESSURIZED IRRIGATION SYSTEM.

**4. Consideration to approve Resolution No. R72-2017**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO ACCEPTING THE CITY OF KUNA SEWER EASEMENT BY AND BETWEEN DON YOUNG LAND COMPANY INC. (GRANTOR) AND THE CITY OF KUNA, IDAHO (GRANTEE) FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE, OPERATION AND REPLACEMENT OF A CITY OF KUNA, IDAHO MUNICIPAL UTILITIES, INCLUDING SEWER AND WATER LINES, A LIFT STATION AND DRIVEWAY.

**5. Consideration to approve Resolution No. R73-2017**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO ACCEPTING THE CITY OF KUNA SEWER EASEMENT BY AND BETWEEN MACKEY REAL ESTATE HOLDING, LLC (GRANTOR) AND

THE CITY OF KUNA, IDAHO (GRANTEE) FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE, OPERATION AND REPLACEMENT OF A CITY OF KUNA, IDAHO MUNICIPAL UTILITIES, INCLUDING SEWER AND WATER LINES, A LIFT STATION AND DRIVEWAY.

**D. Findings of Fact and Conclusions of Law**

1. Consideration to approve Findings of Fact and Conclusions of Law for 17-05-ZC (Rezone) for JSV Development
2. Consideration to approve Findings of Fact and Conclusions of Law for 17-03-S (Subdivision) and 17-03-ZC (Rezone) for Endurance Holdings, LLC
3. Consideration to approve Findings of Fact and Conclusions of Law for 17-04-ZC (Rezone) and 17-04-S (Subdivision) for Ashton Estates
4. Consideration to approve Findings of Fact and Conclusions of Law for 16-11-AN (Annexation) for Kolo, LLC

~~**E. Informational Only Notification of Kuna School District request to include a flyer in with the City's mailed September utility bills**~~

**Council Member Buban-Vonder Haar moved to amend the consent agenda to remove item 4.E. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the consent agenda as amended. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**6. Community Reports or Requests:**

- A. Ada County Sheriff's Office presenting a Chevy Tahoe to the City of Kuna – Justin Dusseau, Ada County Sheriff's Office and Jon McDaniel, Kuna Police Chief  
(Timestamp 00:02:14)**

Captain Justin Dusseau greeted Council. He explained to Mayor Stear and Council that when he was the previous Police Chief of Kuna he wanted to give back and had worked with Chief McDaniel to present a 2012 Chevy Tahoe. The Tahoe's miles had all been accumulated in Kuna and was a Kuna Sergeants vehicle.

Mayor Stear and Council thanked Captain Dusseau.

7. **Public Hearings:** (6:00 p.m. or as soon thereafter as matters may be heard.)

- A. *Staff requests this item be tabled to the public hearing scheduled for Oct. 3, 2017.*  
(Timestamp 00:05:15)

Public Hearing and consideration to approve 17-05-S (Preliminary Plat) for Springhill Residential Subdivision – Troy Behunin Planner III

On behalf of NE Kuna Farms (Owner), AJ Lopez with Bailey Engineering, Inc., is requesting approval for a preliminary plat modification for approximately 180 acres (of the previously approved 208.58 ac. approx.), currently zoned R-6 (Medium Density Residential). The applicant proposes to subdivide two properties into 677 buildable lots and 39 common lots with a proposed density of 3.31 Units/acre. The subject site is located on the south-east corner (SEC) of Linder and Lake Hazel Roads. The property address is 1585 W. Lake Hazel Road – Parcel No's S1301212425 and S1301325480.

Council Member Jones asked why the public hearing was being tabled.

Mayor Stear explained a publishing deadline was missed.

**Council Member Buban-Vonder Haar moved to table the Public Hearing and consideration to approve 17-05-S (Preliminary Plat) until the October 3, 2017 Council Meeting because of a missed publication deadline. Seconded by Council Member McPherson. Motion carried 4-0.**

8. **Business Items:**

- A. Consideration to approve Resolution No. R71-2017 – Richard Roats, City Attorney  
(Timestamp 00:06:17)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO ACCEPTING AND AGREEING TO BE BOUND BY THE TERMS OF THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF KUNA, IDAHO AND DANIEL AND GINA SAFFORD (SAFFORD) FOR THE DEVELOPMENT OF SAFFORD PROPERTY WHEREIN SAFFORD WILL NOT BE REQUIRED TO INSTALL DRY LINE SEWER LINES OR PAY THE SEWER CONNECTION AT THIS TIME; AND APPROVING THE MAYOR'S SIGNATURE AND CLERK'S ATTESTATION ON THE MEMORANDUM OF UNDERSTANDING.

City Attorney Richard Roats explained to Council that during the process of the Safford development it was determined that it was cost prohibitive to install dry lines. The memorandum of understanding amended the Findings and provided guidelines including putting in a septic system. If the lines did become available they would meet with the City Engineer to determine the financial feasibility of putting those in. The city standards would be met with the septic system and they were expending a good amount of money.

Mr. Roats reminded Council that previously the sewer ordinance was amended to avoid having dead spots where someone did not hook up. Due to the location of this property it was likely a developer would extend beyond the property and the City would not be facing the situation they were trying to avoid. He stood for questions.

Council Member Jones asked if it was 300 feet from any part of the parcel line.

Mr. Roats responded it was the closest point of the line.

Council Member Jones clarified that he understood there was a northern piece of property and a southern piece of property and this was only referring to the southern piece.

Mr. Roats agreed.

**Council Member Jones moved to approve Resolution No. R71-2017. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.**

## 9. Ordinances:

- A. Third Reading and Consideration to approve Ordinance No. 2017-13  
(Timestamp 00:10:46)

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING TITLE 7, CHAPTER 3, SECTION 4 TITLED "HOURS" TO ALLOW FOR PERSONS TO BE ON THE GREENBELT PATHWAY DURING CERTAIN HOURS WHERE THE CITY HAS INSTALLED LIGHTING, AND PROVIDING AN EFFECTIVE DATE.

Mayor Stear reviewed this was previously discussed. They were on the third reading and all the requested amendments had been made.

*Consideration to approve ordinance*

*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-13. Seconded by Council Member Jones. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-13. Seconded by Council Member McPherson. Motion carried 4-0.**

**B. Consideration to approve Ordinance No. 2017-09A**  
(Timestamp 00:12:05)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING ORDINANCE NO. 2017-09 TO ADD PARCEL NO. S1234244310 OWNED BY RENASCENCE FARMS, LLC, WHICH WAS INADVERTENTLY OMITTED FROM THE ORDINANCE THAT ANNEXED CERTAIN REAL PROPERTIES INTO THE CITY OF KUNA, IDAHO, TO WIT:

PARCEL NO. S1235336450 OWNED BY GAVIN & JESSICA KEMPE,  
SUCCESSORS IN INTEREST TO OWNERS DOUG ROBERTS & SUSAN  
HICKMAN,  
PARCEL NO. S1234417520 OWNED BY WATERS EDGE FARM LLC,  
SUCCESSOR IN INTEREST TO ALAN & KATHRYN COLSON,  
PARCEL NO. R0967660156 OWNED BY RENASCENCE FARMS, LLC,  
PARCEL NO. R0967660155 OWNED BY RENASCENCE FARMS, LLC,  
PARCEL NO. S1234142351 OWNED BY RENASCENCE FARMS, LLC,  
PARCEL NO. S1234212935 OWNED BY RENASCENCE FARMS, LLC,  
PARCEL NO. S1234212405 OWNED BY RENASCENCE FARMS, LLC,  
PARCEL NO. S1234121105 OWNED BY RENASCENCE FARMS, LLC,  
PARCEL NO. S1234244310 OWNED BY RENASCENCE FARMS, LLC,  
PARCEL NO. R0967660151 OWNED BY RENASCENCE FARMS, LLC,  
PARCEL NO. S1234244200 OWNED BY BRENT F & LESLIE L ANDERSON,  
PARCEL NO. S1234131300 OWNED BY MELVIN A & JEANNE A  
SPAULDING,  
PARCEL NO. S1235347051 OWNED BY MASON CREEK FARMS, LLC.

ALL PROPERTIES SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTIES; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-09A. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-09A. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**  
**Absent: None**  
**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-09A. Seconded by Council Member McPherson. Motion carried 4-0.**

- C. Consideration to approve Ordinance No. 2017-15  
(Timestamp 00:14:01)

AN ORDINANCE REZONING PARCEL R5070001940; A PORTION OF THE SW ¼ OF THE SW ¼ OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, IDAHO, FROM R-6 TO C-1; SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*  
*Consideration to approve ordinance*  
*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-15. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-15. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Buban-Vonder Haar, and McPherson.**  
**Voting No: Jones**  
**Absent: None**  
**Motion carried 3-1.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-15. Seconded by Council Member McPherson. Motion carried 4-0.**

- D. Consideration to approve Ordinance No. 2017-16  
(Timestamp 00:15:53)

AN ORDINANCE REZONING PARCEL R5070501800; LOT 13 OF THE KUNA ORCHARD TRACTS AS SHOWN IN BOOK 6 OF PLATS AT PAGE 291 RECORDS, ADA COUNTY, IDAHO AND ADJOINING RIGHT-OF-WAY, SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER SECTION 26, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, KUNA CITY, IDAHO, FROM A TO R-6; SITUATED WITHIN THE

CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-16. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-16. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-16. Seconded by Council Member McPherson. Motion carried 4-0.**

- E.** Consideration to approve Ordinance No. 2017-17  
(Timestamp 00:17:55)

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF THE NE ¼ OF THE NE ¼ OF SECTION 24, TOWNSHIP 2 NORTH RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND COMMONLY REFERRED TO AS RIDLEY'S FAMILY CENTER SUBDIVISION NO. 2 WHICH IS OWNED BY CJM LIMITED LIABILITY LIMITED PARTNERSHIP, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-17. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-17. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-17. Seconded by Council Member McPherson. Motion carried 4-0.**

**F. Consideration to approve Ordinance No. 2017-18**  
*(Timestamp 00:19:58)*

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING PARCEL S1314417300, AND REFERRED TO AS ARDELL ESTATES SUBDIVISION NO. 2 WHICH IS OWNED BY DB DEVELOPMENT LLC, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-18. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-18. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-18. Seconded by Council Member McPherson. Motion carried 4-0.**

- G.** Consideration to approve Ordinance No. 2017-19  
(Timestamp 00:21:39)

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING PARCEL S1311336210, AND REFERRED TO AS SILVER TRAIL SUBDIVISION NO. 3 WHICH IS OWNED BY DB DEVELOPMENT LLC., INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-19. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-19. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-19. Seconded by Council Member McPherson. Motion carried 4-0.**

- H.** Consideration to approve Ordinance No. 2017-20  
(Timestamp 00:23:11)

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF THE NW ¼ OF THE NE ¼ OF SECTION 25, TOWNSHIP 2 NORTH RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND COMMONLY REFERRED TO AS THE JOURNEYS END SUBDIVISION NO. 2 WHICH IS OWNED BY BLACK CREEK LTD PARTNERSHIP2 INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA

IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council Member Jones asked if the rest of that development was already in the irrigation district.

City Attorney Richard Roats replied. *(Unintelligible – off mic)*

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-20. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-20. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-20. Seconded by Council Member McPherson. Motion carried 4-0.**

**I. Consideration to approve Ordinance No. 2017-21**  
*(Timestamp 00:25:50)*

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING PARCEL S1314131615, AND REFERRED TO AS ARBOR RIDGE SUBDIVISION NO. 4 WHICH IS OWNED BY CHALLENGER DEVELOPMENT INC., INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-21. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-21. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-21. Seconded by Council Member McPherson. Motion carried 4-0.**

- J. Consideration to approve Ordinance No. 2017-22**  
*(Timestamp 00:27:20)*

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF THE SW ¼ OF THE NE ¼ OF SECTION 13, TOWNSHIP 2 NORTH RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND COMMONLY REFERRED TO AS THE GREYHAWK SUBDIVISION NO. 7 WHICH IS OWNED BY GREYHAWK LAND COMPANY LLC., INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE NEW YORK IRRIGATION DISTRICT AND CHANGING THE BOUNDARIES THEREOF; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication of ordinance*

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-22. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-22. Seconded by Council Member McPherson. Approved by the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.**

**Voting No: None**  
**Absent: None**  
**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-22. Seconded by Council Member McPherson. Motion carried 4-0.**

**10. Mayor/Council Announcements:**  
(Timestamp 00:29:01)

Mayor Stear asked Public Works Director Bob Bachman for an update on downtown.

Mr. Bob Bachman provided an update of the concrete and that the traffic plans for the south side of the street were in to ACHD.

Council Member Jones asked if Swan Falls Road would be open the next night, September 20, 2017.

Mr. Bachman replied yes, if everything went well. There were some setbacks that day though.

Council Member Buban-Vonder Haar asked Parks Director Bobby Withrow for an update on the splash pad.

Mr. Withrow responded that a piece was on back order until October 12, 2017. They would ship all the components when that arrived. They would start on that in October.

Council President Cardoza asked about the concrete benches from downtown being moved to the dog park.

Mr. Bachman responded the concrete bench from the front of the bank was donated to the bank but they did store that for them until they could decide what to do with it. He would find out if they bank would like to put it in the dog park. The bench from the front of the Red Eye was also stored but they did not know who owned it.

Mr. Withrow added he had ordered 4 for the dog park as well and they would be in that week.

Mayor Stear reminded Council that the Envision Kuna Comp Plan workshop was the next evening, September 20, 2017.

Mayor Stear stated the idea was for the Comp Plan to be publicly driven and clarified it was not a matter of comments *possibly* being used. They would be used. It was very important the people knew their input was important to the process.

Council Member Buban-Vonder Haar added the workshop was from 4:00 pm to 7:00 pm at the High School Commons and people could drop in at any time. They did not have to be there the whole time.

Mayor Stear said he would be at the kids' activities.

Planning & Zoning Director Wendy Howell added if people could not attend the workshop they would also be at the high school football game the following day doing a lot of the same things on a smaller scale.

**11. *Executive Session:***

**12. *Adjournment: 6:35 pm***

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Joe L. Stear, Mayor

ATTEST:

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Chris Engels, City Clerk

*Minutes prepared by Ariana Welker, Deputy City Clerk*  
*Date Approved: CCM 10.03.2017*

Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Paid and unpaid invoices included.

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
<b>A COMPANY, INC.</b>												
1463	A COMPANY, INC.	B-284089		HITECH RENTAL, SN#GT168, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, WINCHESTER PARK, EOW, SEPT 17	09/17/2017	90.50	.00	01-6212 RENT-EQUIPMENT	1004	9/17		
Total B-284089:						90.50	.00					
1463	A COMPANY, INC.	B-284109		HITECH RENTAL, SN#GT651, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, SEGO PRAIRIE POND, EOW, PARKS, SEPT 17	09/17/2017	90.50	.00	01-6212 RENT-EQUIPMENT	1004	9/17		
Total B-284109:						90.50	.00					
1463	A COMPANY, INC.	B-284150		HITECH RESTROOM, SN#BB7416, RENTAL 10.00, SERVICE 88.00, DAMAGE WAIVER 7.50, SADIE CREEK PARK, EOW, SEPT 17	09/17/2017	105.50	.00	01-6212 RENT-EQUIPMENT	1004	9/17		
Total B-284150:						105.50	.00					
1463	A COMPANY, INC.	B-284158		HITECH RENTAL, SN#T273, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, CITY FARM, EOW, SEPT 17	09/17/2017	90.50	.00	21-6212 RENT-EQUIPMENT	0	9/17		
Total B-284158:						90.50	.00					
1463	A COMPANY, INC.	B-284273		HITECH RENTAL, SN#KG717, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, ARBOR RIDGE PARK, EOW, SEPT 17	09/17/2017	90.50	.00	01-6212 RENT-EQUIPMENT	1004	9/17		

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total B-284273:						90.50	.00					
1463	A COMPANY, INC.	B-284274		<u>HITECH RENTAL, SN#GT765, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER, THE FARM PARK, EOW, SEPT 17</u>	09/17/2017	90.50	.00	01-6212 RENT-EQUIPMENT	1004	9/17		
Total B-284274:						90.50	.00					
1463	A COMPANY, INC.	B-284730		<u>HITECH RENTAL, SN#ADA508, AMERICAN DISABILITIES ACT UNIT, RENTAL 10.00, SERVICE 170.00, DAMAGE WAIVER 7.50, CITY HALL, WKLY, SEPT 17</u>	09/17/2017	187.50	.00	01-6212 RENT-EQUIPMENT	1004	9/17		
Total B-284730:						187.50	.00					
Total A COMPANY, INC.:						745.50	.00					
<b>ADA COUNTY HIGHWAY DISTRICT (RENT)</b>												
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	14436		<u>SHOP RENT FOR OCTOBER, PARKS, SEPT 17</u>	09/14/2017	148.50	.00	01-6211 RENT-BUILDINGS & LAND	1004	9/17		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	14436		<u>SHOP RENT FOR OCTOBER, SEPT 17, WATER</u>	09/14/2017	126.00	.00	20-6211 RENT-BUILDINGS & LAND	0	9/17		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	14436		<u>SHOP RENT FOR OCTOBER, SEPT 17, SEWER</u>	09/14/2017	121.50	.00	21-6211 RENT - BUILDINGS & LAND	0	9/17		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	14436		<u>SHOP RENT FOR OCTOBER, SEPT 17, PI</u>	09/14/2017	54.00	.00	25-6211 RENT - BUILDINGS & LAND	0	9/17		
Total 14436:						450.00	.00					
Total ADA COUNTY HIGHWAY DISTRICT (RENT):						450.00	.00					
<b>AGNEW BECK CONSULTING, INC.</b>												
1883	AGNEW BECK CONSULTING, INC.	6752		<u>COMPREHENSIVE PLAN REWRITE CONTRACT FOR WORK COMPETED 8-1-17 TO 8-31-17, AUG 17</u>	09/12/2017	19,317.13	.00	01-6202 PROFESSIONAL SERVICES	1003	9/17		

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Total 6752:						19,317.13	.00					
Total AGNEW BECK CONSULTING, INC.:						19,317.13	.00					
<b>AIR FILTER SUPERSTORE WHOLESALE LLC</b>												
1876	AIR FILTER SUPERSTORE WHOLESALE LLC	130220		REPLACEMENT AIR FILTER, SR CTR, SEPT 17	09/15/2017	6.10	.00	01-6140 MAINT. & REPAIR BUILDING	1001	9/17		
1876	AIR FILTER SUPERSTORE WHOLESALE LLC	130220		REPLACEMENT AIR FILTER, SADIE WHEELHOUSE, SEPT 17, PI	09/15/2017	12.20	.00	25-6140 MAINT & REPAIR BUILDING	0	9/17		
1876	AIR FILTER SUPERSTORE WHOLESALE LLC	130220		REPLACEMENT AIR FILTER, BUTLER WELL, SEPT 17, WATER	09/15/2017	12.20	.00	20-6140 MAINT. & REPAIR BUILDING	0	9/17		
1876	AIR FILTER SUPERSTORE WHOLESALE LLC	130220		REPLACEMENT AIR FILTERS, CITY HALL, SEPT 17	09/15/2017	13.40	.00	01-6140 MAINT. & REPAIR BUILDING	0	9/17		
1876	AIR FILTER SUPERSTORE WHOLESALE LLC	130220		REPLACEMENT AIR FILTERS, CITY HALL, SEPT 17, P&Z	09/15/2017	4.78	.00	01-6140 MAINT. & REPAIR BUILDING	1003	9/17		
1876	AIR FILTER SUPERSTORE WHOLESALE LLC	130220		REPLACEMENT AIR FILTERS, CITY HALL, SEPT 17, WATER	09/15/2017	12.44	.00	20-6140 MAINT. & REPAIR BUILDING	0	9/17		
1876	AIR FILTER SUPERSTORE WHOLESALE LLC	130220		REPLACEMENT AIR FILTERS, CITY HALL, SEPT 17, SEWER	09/15/2017	12.44	.00	21-6140 MAINT & REPAIR BUILDING	0	9/17		
1876	AIR FILTER SUPERSTORE WHOLESALE LLC	130220		REPLACEMENT AIR FILTERS, CITY HALL, SEPT 17, PI	09/15/2017	4.78	.00	25-6140 MAINT & REPAIR BUILDING	0	9/17		
Total 130220:						78.34	.00					
Total AIR FILTER SUPERSTORE WHOLESALE LLC:						78.34	.00					
<b>ALBERTSON'S LLC</b>												
1840	ALBERTSON'S LLC	722680		3 BOTTLES OF ALCOHOL FOR WATER SAMPLES, JUN 17	06/22/2017	9.48	9.48	20-6152 M & R - LABORATORY COSTS	0	6/17	09/22/2017	
Total 722680:						9.48	9.48					

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Total ALBERTSON'S LLC:						9.48	9.48					
<b>ALLOWAY ELECTRIC CO</b>												
1087	ALLOWAY ELECTRIC CO	43506	6017	<u>REPAIR ON A LIGHT POST AT 1590 BUCKLER WAY, D.CROSSLEY</u>	09/20/2017	270.93	.00	<u>01-6142 MAINT. &amp; REPAIR- EQUIPMENT</u>	1002	9/17		
Total 43506:						270.93	.00					
Total ALLOWAY ELECTRIC CO:						270.93	.00					
<b>BOISE METRO CHAMBER OF COMMERCE</b>												
71	BOISE METRO CHAMBER OF COMMERCE	5776769		<u>BVEP DUES, 10-01-17 TO 09-30- 18, AUG 17</u>	08/23/2017	2,500.00	.00	<u>01-1500 PREPAID INSURANCE</u>	0	8/17		
Total 5776769:						2,500.00	.00					
Total BOISE METRO CHAMBER OF COMMERCE:						2,500.00	.00					
<b>BUYWYZ LLC</b>												
1795	BUYWYZ LLC	108342	6086	<u>AT A GLANCE CALENDAR, T FLEMING, SEPT 17, SEWER</u>	09/13/2017	11.29	.00	<u>21-6165 OFFICE SUPPLIES</u>	0	9/17		
1795	BUYWYZ LLC	108342	6086	<u>KLEENEX, ASTROBRIGHT PARCHMENT PAPER, ELMERS GLUE, SEPT 17</u>	09/13/2017	29.77	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	9/17		
1795	BUYWYZ LLC	108342	6086	<u>KLEENEX, ASTROBRIGHT PARCHMENT PAPER, ELMERS GLUE, SEPT 17</u>	09/13/2017	10.64	.00	<u>01-6165 OFFICE SUPPLIES</u>	1003	9/17		
1795	BUYWYZ LLC	108342	6086	<u>KLEENEX, ASTROBRIGHT PARCHMENT PAPER, ELMERS GLUE, SEPT 17, WATER</u>	09/13/2017	27.66	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	9/17		
1795	BUYWYZ LLC	108342	6086	<u>KLEENEX, ASTROBRIGHT PARCHMENT PAPER, ELMERS GLUE, SEPT 17, SEWER</u>	09/13/2017	27.66	.00	<u>21-6165 OFFICE SUPPLIES</u>	0	9/17		
1795	BUYWYZ LLC	108342	6086	<u>KLEENEX, ASTROBRIGHT PARCHMENT PAPER, ELMERS GLUE, SEPT 17, PI</u>	09/13/2017	10.64	.00	<u>25-6165 OFFICE SUPPLIES</u>	0	9/17		

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Total 108342:						117.66	.00					
1795	BUYWYZ LLC	108705	6113	<u>1 BOTTLE RED INK FOR J COULTER, SEPT 17</u>	09/20/2017	4.66	.00	<u>01-6165 OFFICE SUPPLIES</u>	1005	9/17		
1795	BUYWYZ LLC	108705	6113	<u>3 BX MANILLA FOLDERS, 1 PK ROUND COLOR CODING LABELS FOR P&amp;Z, SEPT 17</u>	09/20/2017	41.70	.00	<u>01-6165 OFFICE SUPPLIES</u>	1003	9/17		
Total 108705:						46.36	.00					
Total BUYWYZ LLC:						164.02	.00					
<b>CAMPBELL TRACTOR &amp; IMPLEMENT COMPANY</b>												
135	CAMPBELL TRACTOR & IMPLEMENT COMPANY	N78461	6122	<u>SWITCH FOR GATOR, B.GILLOGLY, SEPT.'17</u>	09/22/2017	8.38	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	9/17		
Total N78461:						8.38	.00					
135	CAMPBELL TRACTOR & IMPLEMENT COMPANY	N78589		<u>WINDSHIELD FOR JOHN DEERE GATOR, B.GILLOGLY, PARKS, SEPT 17</u>	09/25/2017	717.36	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	9/17		
Total N78589:						717.36	.00					
Total CAMPBELL TRACTOR & IMPLEMENT COMPANY:						725.74	.00					
<b>CAPITAL PAVING CO</b>												
20	CAPITAL PAVING CO	7302		<u>PATCHED 1252 OWYHEE ST FOR GRAVITY IRRIGATION REPAIR, PI, SEPT 17</u>	09/14/2017	435.00	.00	<u>25-6115 MAINT &amp; REPAIR-SYSTEM- GRAVITY</u>	0	9/17		
Total 7302:						435.00	.00					
Total CAPITAL PAVING CO:						435.00	.00					

**CHALLENGER COMPANIES**

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823	CHALLENGER COMPANIES	112619		<u>INDIAN CREEK LIFT STATION REHAB ON SWAN FALLS, T FLEMING, SEPT 17</u>	09/27/2017	5,072.31	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	1120	9/17		
Total 112619:						5,072.31	.00					
Total CHALLENGER COMPANIES:						5,072.31	.00					
<b>CHARLES E. DAVIDSON</b>												
1718	CHARLES E. DAVIDSON	861567	6134	<u>1 LG COAT AND 36X34 BIBS FOR B BURR, WATER, SEPT 17</u>	09/26/2017	174.40	.00	<u>20-6285 UNIFORMS EXPENSE</u>	0	9/17		
1718	CHARLES E. DAVIDSON	861567	6134	<u>1 LG COAT AND 36X34 BIBS FOR B BURR, PI, SEPT 17</u>	09/26/2017	43.60	.00	<u>25-6285 UNIFORMS EXPENSE</u>	0	9/17		
Total 861567:						218.00	.00					
Total CHARLES E. DAVIDSON:						218.00	.00					
<b>CONCRETE CONSTRUCTION SUPPLY, INC.</b>												
1531	CONCRETE CONSTRUCTION SUPPLY, INC.	462923	6119	<u>SEALER FOR BLOCK PARK BUILDINGS, J ADAMS, SEPT 17</u>	09/18/2017	61.67	.00	<u>01-6140 MAINT. &amp; REPAIR BUILDING</u>	1004	9/17		
1531	CONCRETE CONSTRUCTION SUPPLY, INC.	462923	6119	<u>SEALER FOR WELL HOUSES, J ADAMS, SEPT 17, WATER</u>	09/18/2017	308.33	.00	<u>20-6140 MAINT. &amp; REPAIR BUILDING</u>	0	9/17		
Total 462923:						370.00	.00					
1531	CONCRETE CONSTRUCTION SUPPLY, INC.	463159	6119	<u>SEALER FOR BLOCK PARK BUILDINGS, J ADAMS, SEPT 17</u>	09/21/2017	185.00	.00	<u>01-6140 MAINT. &amp; REPAIR BUILDING</u>	1004	9/17		
Total 463159:						185.00	.00					
Total CONCRETE CONSTRUCTION SUPPLY, INC.:						555.00	.00					
<b>CORE &amp; MAIN LP</b>												
63	CORE & MAIN LP	H310512	6080	<u>8 IN METER REPAIR FOR EFFLUENT #1, SEWER, SEPT 17</u>	09/13/2017	1,097.00	.00	<u>21-6090 FARM EXPENDITURES</u>	0	9/17		

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Total H310512:						1,097.00	.00					
63	CORE & MAIN LP	H638486	6081	<u>40 5/8 REGISTERS, 60 RADIOS, 1 3/4 REGISTER WITH ANTENNAE, 10 3/4 METER EXTENSIONS, WATER, J COX, SEPT 17</u>	09/17/2017	10,303.90	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	1089	9/17		
Total H638486:						10,303.90	.00					
63	CORE & MAIN LP	H701902	6004	<u>20 3/4 IN METERS WITH RADIOS, 4 METER LIDS, POWER CORD FOR METER READER, 6 METER PIT BOXES 6 METER PIT BOX EXTENSIONS, J COX, WATER, AUG 17</u>	08/24/2017	5,810.57	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	1089	8/17		
Total H701902:						5,810.57	.00					
63	CORE & MAIN LP	H722944	6025	<u>16 METERS AND ANTENNAS, WATER, SEPT 17</u>	09/11/2017	3,985.30	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	1089	9/17		
Total H722944:						3,985.30	.00					
Total CORE & MAIN LP:						21,196.77	.00					
<b>EDNETICS INC</b>												
1831	EDNETICS INC	81392		<u>MONTHLY INTERNET SERVICES CHARGES, SEPT 17</u>	09/10/2017	95.00	.00	<u>01-6052 CONTRACT SERVICES</u>	0	9/17		
1831	EDNETICS INC	81392		<u>MONTHLY INTERNET SERVICES CHARGES, SEPT 17, WATER</u>	09/10/2017	65.00	.00	<u>20-6052 CONTRACT SERVICES</u>	0	9/17		
1831	EDNETICS INC	81392		<u>MONTHLY INTERNET SERVICES CHARGES, SEPT 17, SEWER</u>	09/10/2017	65.00	.00	<u>21-6052 CONTRACT SERVICES</u>	0	9/17		
1831	EDNETICS INC	81392		<u>MONTHLY INTERNET SERVICES CHARGES, SEPT 17, PI</u>	09/10/2017	25.00	.00	<u>25-6052 CONTRACT SERVICES</u>	0	9/17		

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total 81392:						250.00	.00					
Total EDNETICS INC:						250.00	.00					
<b>EVER-FRESH CARPET CLEANING</b>												
1730	EVER-FRESH CARPET CLEANING	1751		<u>CARPETS CLEANED AT NWWTP, SEPT 17, WATER</u>	09/21/2017	83.16	.00	<u>20-6025 JANITORIAL</u>	0	9/17		
1730	EVER-FRESH CARPET CLEANING	1751		<u>CARPETS CLEANED AT NWWTP, SEPT 17, SEWER</u>	09/21/2017	83.16	.00	<u>21-6025 JANITORIAL</u>	0	9/17		
1730	EVER-FRESH CARPET CLEANING	1751		<u>CARPETS CLEANED AT NWWTP, SEPT 17, PI</u>	09/21/2017	31.68	.00	<u>25-6025 JANITORIAL</u>	0	9/17		
Total 1751:						198.00	.00					
Total EVER-FRESH CARPET CLEANING:						198.00	.00					
<b>FERGUSON ENTERPRISES INC</b>												
219	FERGUSON ENTERPRISES INC	0667157	6067	<u>SLEEVES, PIPE, AND FULL PACK, REPAIRS FOR WATER MAIN REPAIR ON ACE C, M.DAVILA, SEPT.'17</u>	09/08/2017	260.91	.00	<u>20-6150 M &amp; R - SYSTEM</u>	0	9/17		
Total 0667157:						260.91	.00					
219	FERGUSON ENTERPRISES INC	0667368	6077	<u>TEST BALLS, J.WEBB, SEPT.'17, WATER</u>	09/12/2017	433.58	.00	<u>20-6150 M &amp; R - SYSTEM</u>	0	9/17		
219	FERGUSON ENTERPRISES INC	0667368	6077	<u>TEST BALLS, J.WEBB, SEPT.'17, SEWER</u>	09/12/2017	433.58	.00	<u>21-6150 M &amp; R - SYSTEM</u>	0	9/17		
219	FERGUSON ENTERPRISES INC	0667368	6077	<u>TEST BALLS, J.WEBB, SEPT.'17, PI</u>	09/12/2017	165.17	.00	<u>25-6150 MAINT. &amp; REPAIRS - SYSTEM (PI)</u>	0	9/17		
Total 0667368:						1,032.33	.00					





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				APPROPRIATION ORDINANCE 2017-14 - P.I	09/13/2017	15.07	.00	25-6125 LEGAL PUBLICATIONS	0	9/17		
Total 1070233-A:						150.76	.00					
1802	IDAHO PRESS TRIBUNE, LLC	1070233-B	6063	AD #1668814, LEGAL NOTICE, FILE 17-07-AN, SARANDA SUBDIVISION, T.KESNER, SEPT.'17	09/13/2017	61.98	.00	01-6125 LEGAL PUBLICATIONS	1003	9/17		
Total 1070233-B:						61.98	.00					
1802	IDAHO PRESS TRIBUNE, LLC	1070233-C	6062	AD# 1668819, ORDINANCE SUMMARY 2017-14, A, WELKER, SEPT.'17	09/13/2017	20.18	.00	01-6125 LEGAL PUBLICATIONS	0	9/17		
1802	IDAHO PRESS TRIBUNE, LLC	1070233-C	6062	AD# 1668819, ORDINANCE SUMMARY 2017-14, A, WELKER, SEPT.'17 - WATER	09/13/2017	13.81	.00	20-6125 LEGAL PUBLICATIONS	0	9/17		
1802	IDAHO PRESS TRIBUNE, LLC	1070233-C	6062	AD# 1668819, ORDINANCE SUMMARY 2017-14, A, WELKER, SEPT.'17 - SEWER	09/13/2017	13.81	.00	21-6125 LEGAL PUBLICATIONS EXPENSE	0	9/17		
1802	IDAHO PRESS TRIBUNE, LLC	1070233-C	6062	AD# 1668819, ORDINANCE SUMMARY 2017-14, A, WELKER, SEPT.'17 - P.I	09/13/2017	5.30	.00	25-6125 LEGAL PUBLICATIONS	0	9/17		
Total 1070233-C:						53.10	.00					
1802	IDAHO PRESS TRIBUNE, LLC	1071186-A	6104	AD#1671635, LEGAL NOTICE, 17-05-AN & 17-01-CPF, SEPT.'17	09/20/2017	61.24	.00	01-6125 LEGAL PUBLICATIONS	1003	9/17		
Total 1071186-A:						61.24	.00					
1802	IDAHO PRESS TRIBUNE, LLC	1071186-B	6095	AD# 1671637, LEGAL NOTICE, 17-02-AN & 17-06-S, T.BEHUNIN, SEPT.'17	09/20/2017	58.28	.00	01-6125 LEGAL PUBLICATIONS	1003	9/17		
Total 1071186-B:						58.28	.00					



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				SEPT 17, P&Z	09/12/2017	1.66	1.66	01-6290 UTILITIES	1003	9/17	09/22/2017	
37	INTERMOUNTAIN GAS CO	482634665812		NATURAL GAS CONSUMPTION, 8-12-17 TO 9-11-17, CITY HALL, SEPT 17, WATER	09/12/2017	4.30	4.30	20-6290 UTILITIES EXPENSE	0	9/17	09/22/2017	
37	INTERMOUNTAIN GAS CO	482634665812		NATURAL GAS CONSUMPTION, 8-12-17 TO 9-11-17, CITY HALL, SEPT 17, SEWER	09/12/2017	4.30	4.30	21-6290 UTILITIES EXPENSE	0	9/17	09/22/2017	
37	INTERMOUNTAIN GAS CO	482634665812		NATURAL GAS CONSUMPTION, 8-12-17 TO 9-11-17, CITY HALL, SEPT 17, PI	09/12/2017	1.66	1.66	25-6290 UTILITIES EXPENSE	0	9/17	09/22/2017	
Total 4826346658121791117:						16.51	16.51					
Total INTERMOUNTAIN GAS CO:						59.24	59.24					
<b>J &amp; M SANITATION, INC.</b>												
230	J & M SANITATION, INC.	09082017-091		SANITATION TRANSFER, 09-08- 17 TO 09-14-17, SEPT 17	09/15/2017	53,083.05	53,083.05	26-7000 SOLID WASTE SERVICE FEES	0	9/17	09/15/2017	
230	J & M SANITATION, INC.	09082017-091		SANITATION TRANSFER, LESS FEE, 09-08-17 TO 09-14-17, SEPT 17	09/15/2017	-5,244.60	-5,244.60	01-4170 FRANCHISE FEES	0	9/17	09/15/2017	
Total 09082017-09142017:						47,838.45	47,838.45					
230	J & M SANITATION, INC.	09152017-092		SANITATION TRANSFER, 09-15- 17 TO 09-21-17, SEPT 17	09/22/2017	46,182.35	46,182.35	26-7000 SOLID WASTE SERVICE FEES	0	9/17	09/22/2017	
230	J & M SANITATION, INC.	09152017-092		SANITATION TRANSFER, LESS FRANCHISE FEE, 09-15-17 TO 09-21-17, SEPT 17	09/22/2017	-4,562.81	-4,562.81	01-4170 FRANCHISE FEES	0	9/17	09/22/2017	
Total 09152017-09212017:						41,619.54	41,619.54					
Total J & M SANITATION, INC.:						89,457.99	89,457.99					

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<b>JACK HENRY &amp; ASSOCIATES, INC.</b>												
1328	JACK HENRY & ASSOCIATES, INC.	2665402		<u>BANK FEES, AUG 17</u>	08/31/2017	32.61	.00	01-6505 BANK FEES	0	8/17		
1328	JACK HENRY & ASSOCIATES, INC.	2665402		<u>BANK FEES, AUG 17, P&amp;Z</u>	08/31/2017	11.66	.00	01-6505 BANK FEES	1003	8/17		
1328	JACK HENRY & ASSOCIATES, INC.	2665402		<u>BANK FEES, AUG 17, WATER</u>	08/31/2017	30.31	.00	20-6505 BANK FEES	0	8/17		
1328	JACK HENRY & ASSOCIATES, INC.	2665402		<u>BANK FEES, AUG 17, SEWER</u>	08/31/2017	30.31	.00	21-6505 BANK FEES	0	8/17		
1328	JACK HENRY & ASSOCIATES, INC.	2665402		<u>BANK FEES, AUG 17, PI</u>	08/31/2017	11.66	.00	25-6505 BANK FEES	0	8/17		
Total 2665402:						116.55	.00					
Total JACK HENRY & ASSOCIATES, INC.:						116.55	.00					
<b>JOHN RIPARETTI</b>												
1892	JOHN RIPARETTI	09262017JR	6132	<u>2 TRACTOR SEATS, FOR ART INSTALLATION, A.WELKER, SEPT.'17</u>	09/26/2017	50.00	.00	03-6381 EXP - DNTWN REVIT ART - TTV	0	9/17		
Total 09262017JR:						50.00	.00					
Total JOHN RIPARETTI:						50.00	.00					
<b>J-U-B ENGINEERS, INC.</b>												
1236	J-U-B ENGINEERS, INC.	0111281		<u>PROFESSIONAL SERVICES FROM JULY 30 TO 09-2-17 KUNA DOWNTOWN REVITALIZATION GRANT ADMIN, SEPT 17</u>	09/18/2017	1,000.00	.00	03-6378 EXPENDITURE-CDBG DWNTWN REVIT.	0	9/17		
Total 0111281:						1,000.00	.00					
Total J-U-B ENGINEERS, INC.:						1,000.00	.00					

**KC TOOL SUPPLY**

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240	KC TOOL SUPPLY	583404	6124	REPAIR PLASTIC CASING ON DRILL, M NADEAU, SEWER, SEPT 17	09/22/2017	34.61	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	9/17		
Total 583404:						34.61	.00					
Total KC TOOL SUPPLY:						34.61	.00					
<b>KELLER ASSOCIATES, INC.</b>												
429	KELLER ASSOCIATES, INC.	0000003-5		PROFESSIONAL SERVICES FROM 8-1 TO 8-31-17, ORCHARD REGIONAL L S PROJECT, SEPT 17	09/15/2017	14,085.00	.00	21-6020 CAPITAL IMPROVEMENTS	1104	9/17		
Total 0000003-5:						14,085.00	.00					
Total KELLER ASSOCIATES, INC.:						14,085.00	.00					
<b>KENNETH WILSON</b>												
1890	KENNETH WILSON	109882	6089	5 EA. HISTORICAL PHOTOS OF DOWNTOWN, A.WELKER, SEPT.'17	09/13/2017	45.00	.00	01-6155 MEETINGS/COMMI TEES	1032	9/17		
1890	KENNETH WILSON	109882	6089	5 EA. HISTORICAL PHOTOS OF DOWNTOWN, A.WELKER, SEPT.'17, WATER	09/13/2017	2.00	.00	20-6155 MEETINGS/COMMI TEES	1032	9/17		
1890	KENNETH WILSON	109882	6089	5 EA. HISTORICAL PHOTOS OF DOWNTOWN, A.WELKER, SEPT.'17, SEWER	09/13/2017	2.00	.00	21-6155 MEETINGS/COMMI TEES	1032	9/17		
1890	KENNETH WILSON	109882	6089	5 EA. HISTORICAL PHOTOS OF DOWNTOWN, A.WELKER, SEPT.'17, PI	09/13/2017	1.00	.00	25-6155 MEETING/COMMIT TEES	1032	9/17		
Total 109882:						50.00	.00					
Total KENNETH WILSON:						50.00	.00					
<b>KUNA CHAMBER OF COMMERCE</b>												
314	KUNA CHAMBER OF COMMERCE	KCC-2017-007		SUSTAINING MEMBERSHIP DUES, SEPT 2017 TO AUG 2018, SEPT 17	09/08/2017	1,000.00	.00	01-6155 MEETINGS/COMMI TEES	0	9/17		

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Total KCC-2017-007:						1,000.00	.00					
Total KUNA CHAMBER OF COMMERCE:						1,000.00	.00					
<b>KUNA JT. SCHOOL DISTRICT NO. 3</b>												
199	KUNA JT. SCHOOL DISTRICT NO. 3	634		<u>FIBER OPTIC LINE LEASE FOR SEPT, SEPT 17 P&amp;Z</u>	09/27/2017	30.00	.00	01-6255 <u>TELEPHONE</u>	1003	9/17		
199	KUNA JT. SCHOOL DISTRICT NO. 3	634		<u>FIBER OPTIC LINE LEASE FOR SEPT, SEPT 17</u>	09/27/2017	84.00	.00	01-6255 <u>TELEPHONE</u>	0	9/17		
199	KUNA JT. SCHOOL DISTRICT NO. 3	634		<u>FIBER OPTIC LINE LEASE FOR SEPT, SEPT 17, WATER</u>	09/27/2017	78.00	.00	20-6255 <u>TELEPHONE EXPENSE</u>	0	9/17		
199	KUNA JT. SCHOOL DISTRICT NO. 3	634		<u>FIBER OPTIC LINE LEASE FOR SEPT, SEPT 17, SEWER</u>	09/27/2017	78.00	.00	21-6255 <u>TELEPHONE EXPENSE</u>	0	9/17		
199	KUNA JT. SCHOOL DISTRICT NO. 3	634		<u>FIBER OPTIC LINE LEASE FOR SEPT, SEPT 17, PI</u>	09/27/2017	30.00	.00	25-6255 <u>TELEPHONE EXPENSE</u>	0	9/17		
Total 634:						300.00	.00					
Total KUNA JT. SCHOOL DISTRICT NO. 3:						300.00	.00					
<b>KUNA LUMBER</b>												
499	KUNA LUMBER	A89930		<u>WING NUTS FOR REPAIR OF SYSTEM, SEWER, M FISETTE, MAY 17</u>	05/02/2017	11.39	.00	21-6150 <u>M &amp; R - SYSTEM</u>	0	9/17		
Total A89930:						11.39	.00					
499	KUNA LUMBER	A90399	5622	<u>9 VOLT BATTERIES FOR SPRINKLER TIMECLOCKS, J MORFIN, PARKS, MAY 17</u>	05/17/2017	7.19	.00	01-6150 <u>MAINTENANCE &amp; REPAIRS - SYSTEM</u>	1004	9/17		

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Total A90399:						7.19	.00					
499	KUNA LUMBER	A93431	6108	<u>INDIAN CREEK PROJECT, FOAM, GRINDING DISCS, CONCRETE BRUSH, 2 BAGS GROUT, CONSTRUCTION BROOM, T.SHAFFER, SEPT 17</u>	09/20/2017	77.22	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	1120	9/17		
Total A93431:						77.22	.00					
499	KUNA LUMBER	B102473	5829	<u>4" IRR CAP FOR BALL FIELDS, J.MORFIN, JUL.'17 -- PARKS</u>	07/10/2017	6.29	.00	<u>01-6150 MAINTENANCE &amp; REPAIRS - SYSTEM</u>	1004	7/17		
Total B102473:						6.29	.00					
499	KUNA LUMBER	B103678	5949	<u>BOLTS AND LOCK WASHERS TO REPAIR SPRAYER, C.MCDANIEL, AUG.'17 - FARM</u>	08/07/2017	9.50	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	8/17		
Total B103678:						9.50	.00					
499	KUNA LUMBER	B104478	6031	<u>PLASTIC SPRAY BOTTLES FOR LAB USE, T.SHAFFER, AUG.'17</u>	08/29/2017	4.12	.00	<u>21-6152 M &amp; R - LABORATORY COSTS</u>	0	8/17		
Total B104478:						4.12	.00					
499	KUNA LUMBER	B104940	6085	<u>20 FT THERMOSTAT 2 WIRE REPLACING POWER TO HOTDAWG HEATER, M NADEAU, SEWER, SEPT 17</u>	09/13/2017	2.28	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	9/17		
Total B104940:						2.28	.00					
499	KUNA LUMBER	B105160	6103	<u>LAG SCREWS FOR INDIAN CREEK L.S. REHAB, M.NADEAU, SEPT.'17</u>	09/19/2017	44.57	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	1120	9/17		

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Total B105160:						44.57	.00					
499	KUNA LUMBER	B105167	6105	<u>SILICONE AND PLYWOOD FOR INDIAN CREEK LIFT STATION, R.DAVILA, SEPT.'17 - SEWER</u>	09/19/2017	70.94	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	1120	9/17		
Total B105167:						70.94	.00					
499	KUNA LUMBER	B105181	6109	<u>PLASTIC CONDUIT GLUE, INDIAN CREEK PROJECT, LIFT STATION, T SHAFFER, SEWER, SEPT 17</u>	09/20/2017	9.89	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	1120	9/17		
Total B105181:						9.89	.00					
499	KUNA LUMBER	B105184	6110	<u>FLASHLIGHT, J COULTER, SEPT 17</u>	09/20/2017	6.29	.00	<u>01-6165 OFFICE SUPPLIES</u>	1005	9/17		
Total B105184:						6.29	.00					
Total KUNA LUMBER:						249.68	.00					
<b>L2 EXCAVATION LLC</b>												
1868	L2 EXCAVATION LLC	11128		<u>REMOVAL &amp; REPLACMENT OF EXISTING HATCHES FOR INDIAN CREEK L.S. LID REHAB, SEWER, SEPT 17</u>	09/22/2017	2,450.00	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	1120	9/17		
Total 11128:						2,450.00	.00					
Total L2 EXCAVATION LLC:						2,450.00	.00					
<b>LES SCHWAB TIRES</b>												
221	LES SCHWAB TIRES	12800268897	6096	<u>NEW TIRE FOR JACOBSON LAWNMOWER, B.GILLOGLY, SEPT.'17</u>	09/18/2017	104.26	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	9/17		

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Total 12800268897:						104.26	.00					
221	LES SCHWAB TIRES	12800270073	6126	<u>TIRE FOR AERATOR, ATV TUBE FOR KUBOTA, B.GILLOGLY, SEPT.'17</u>	09/25/2017	100.37	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	9/17		
Total 12800270073:						100.37	.00					
Total LES SCHWAB TIRES:						204.63	.00					
<b>McGUIRE BEARING COMPANY</b>												
729	McGUIRE BEARING COMPANY	3102619-00	6078	<u>BEARINGS FOR SWEEPER, PARKS, B GILLOGLY, SEPT 17</u>	09/12/2017	36.90	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	9/17		
Total 3102619-00:						36.90	.00					
Total McGUIRE BEARING COMPANY:						36.90	.00					
<b>PARTS, INC.</b>												
470	PARTS, INC.	148323	6087	<u>ANTIFREEZE FOR THE DUMP TRUCK, B.GILLOGLY, SEPT.'17</u>	09/13/2017	24.96	.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	1004	9/17		
Total 148323:						24.96	.00					
470	PARTS, INC.	148385	6091	<u>SOCKET SET TO WORK ON DUMP TRUCK, FLEET, S.HOWELL, SEPT.'17 - ADMIN</u>	09/14/2017	26.99	.00	<u>01-6175 SMALL TOOLS</u>	0	9/17		
470	PARTS, INC.	148385	6091	<u>SOCKET SET TO WORK ON DUMP TRUCK, FLEET, S.HOWELL, SEPT.'17 - WATER</u>	09/14/2017	10.80	.00	<u>20-6175 SMALL TOOLS</u>	0	9/17		
470	PARTS, INC.	148385	6091	<u>SOCKET SET TO WORK ON DUMP TRUCK, FLEET, S.HOWELL, SEPT.'17 - SEWER</u>	09/14/2017	10.80	.00	<u>21-6175 SMALL TOOLS</u>	0	9/17		
470	PARTS, INC.	148385	6091	<u>SOCKET SET TO WORK ON DUMP TRUCK, FLEET, S.HOWELL, SEPT.'17 - P.I</u>	09/14/2017	5.40	.00	<u>25-6175 SMALL TOOLS</u>	0	9/17		

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Total 148385:						53.99	.00					
470	PARTS, INC.	148474	6094	FUSES FOR JOHN DEERE GATOR AND FLASHLIGHT, B GILLOGLY, SEPT.'17 - ADMIN	09/15/2017	8.99	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	9/17		
470	PARTS, INC.	148474	6094	FUSES FOR JOHN DEERE GATOR AND FLASHLIGHT, B GILLOGLY, SEPT.'17 - WATER	09/15/2017	3.59	.00	20-6142 MAINT. & REPAIRS - EQUIPMENT	0	9/17		
470	PARTS, INC.	148474	6094	FUSES FOR JOHN DEERE GATOR AND FLASHLIGHT, B GILLOGLY, SEPT.'17 - SEWER	09/15/2017	3.59	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	9/17		
470	PARTS, INC.	148474	6094	FUSES FOR JOHN DEERE GATOR AND FLASHLIGHT, B GILLOGLY, SEPT.'17 - P.I	09/15/2017	1.80	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	9/17		
Total 148474:						17.97	.00					
470	PARTS, INC.	149010	6123	GAS CAP FOR TRUCK #27, B.GILLOGLY, SEPT.'17 - ADMIN	09/22/2017	7.24	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	0	9/17		
470	PARTS, INC.	149010	6123	GAS CAP FOR TRUCK #27, B.GILLOGLY, SEPT.'17 - WATER	09/22/2017	2.90	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	9/17		
470	PARTS, INC.	149010	6123	GAS CAP FOR TRUCK #27, B.GILLOGLY, SEPT.'17 - SEWER	09/22/2017	2.90	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	9/17		
470	PARTS, INC.	149010	6123	GAS CAP FOR TRUCK #27, B.GILLOGLY, SEPT.'17 - P.I	09/22/2017	1.45	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	9/17		
Total 149010:						14.49	.00					
Total PARTS, INC.:						111.41	.00					

**PEAK ALARM COMPANY, INC**

1021	PEAK ALARM COMPANY, INC	832644		ALARM MONITORING FOR WELLS (SEGO PRAIRIE, SNOWHAWK, DANSKIN,
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				BUTLER, BEST BATH, EL CAJON, & CEDAR), 10/1/17-10/31/17 -WATER	10/01/2017	210.88	.00	20-6140 MAINT. & REPAIR BUILDING	0	10/17		
1021	PEAK ALARM COMPANY, INC	832644		ALARM MONITORING FOR WELLS (SEGO PRAIRIE, SNOWHAWK, DANSKIN, BUTLER, BEST BATH, EL CAJON, & CEDAR), 10/1/17-10/31/17 -P.]	10/01/2017	52.72	.00	25-6140 MAINT & REPAIR BUILDING	0	10/17		
Total 832644:						263.60	.00					
Total PEAK ALARM COMPANY, INC:						263.60	.00					
<b>PIPECO, INC</b>												
55	PIPECO, INC	S2838677.001	6075	8 EA. 4" PVC CAPS TO CHANGE OUT MEMBRANE TANK, M.NADEAU, SEPT.'17 - SEWER	09/11/2017	372.99	.00	21-6150 M & R - SYSTEM	0	9/17		
Total S2838677.001:						372.99	.00					
Total PIPECO, INC:						372.99	.00					
<b>ROCKY MOUNTAIN TURF &amp; INDUSTRI</b>												
478	ROCKY MOUNTAIN TURF & INDUSTRI	T67212	6072	PARTS FOR THE JACOBSON MOWER, B.GILLOGLY, SEPT.'17	09/11/2017	57.73	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	9/17		
Total T67212:						57.73	.00					
Total ROCKY MOUNTAIN TURF & INDUSTRI:						57.73	.00					
<b>SELECT CUT STAKES AND WOOD PRODUCTS</b>												
1725	SELECT CUT STAKES AND WOOD PRODUCTS	387	6093	MARKING PAINT AND STICKS, T.FLEMING, SEPT.'17 - WATER	09/18/2017	359.15	.00	20-6065 DIG LINE EXPENSE	0	9/17		
1725	SELECT CUT STAKES AND WOOD PRODUCTS	387	6093	MARKING PAINT AND STICKS, T.FLEMING, SEPT.'17 - SEWER	09/18/2017	359.15	.00	21-6065 DIG LINE EXPENSE	0	9/17		
1725	SELECT CUT STAKES AND WOOD PRODUCTS	387	6093	MARKING PAINT AND STICKS, T.FLEMING, SEPT.'17 - P.I	09/18/2017	136.82	.00	25-6065 DIG LINE EXPENSE	0	9/17		

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1725	SELECT CUT STAKES AND WOOD PRODUCTS	387	6093	<u>PIN LOCATORS, T.FLEMING, SEPT.'17 - WATER</u>	09/18/2017	1,400.00	.00	20-6175 SMALL TOOLS	0	9/17		
1725	SELECT CUT STAKES AND WOOD PRODUCTS	387	6093	<u>PIN LOCATORS, T.FLEMING, SEPT.'17 - P.I</u>	09/18/2017	350.00	.00	25-6175 SMALL TOOLS	0	9/17		
Total 387:						2,605.12	.00					
Total SELECT CUT STAKES AND WOOD PRODUCTS:						2,605.12	.00					
<b>SHARP ELECTRONICS CORP-METERED</b>												
1806	SHARP ELECTRONICS CORP-METERED	11289615		<u>EXCESS METER READING FOR COPIER MODEL #MX2615N, 7/1/17-7/31/17 - PARKS</u>	08/31/2017	7.63	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	7/17		
1806	SHARP ELECTRONICS CORP-METERED	11289615		<u>EXCESS METER READING FOR COPIER MODEL #MX2615N, 7/1/17-7/31/17 - WATER</u>	08/31/2017	12.29	.00	20-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/17		
1806	SHARP ELECTRONICS CORP-METERED	11289615		<u>EXCESS METER READING FOR COPIER MODEL #MX2615N, 7/1/17-7/31/17 - SEWER</u>	08/31/2017	15.26	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/17		
1806	SHARP ELECTRONICS CORP-METERED	11289615		<u>EXCESS METER READING FOR COPIER MODEL #MX2615N, 7/1/17-7/31/17 - P.I</u>	08/31/2017	7.21	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/17		
Total 11289615:						42.39	.00					
Total SHARP ELECTRONICS CORP-METERED:						42.39	.00					
<b>SHERI KAY CREEL</b>												
1894	SHERI KAY CREEL	092117	6136	<u>KUNA ARTS COMMISSION, CREATE N SIP KNITTING CLASS, SEPT 17</u>	09/21/2017	78.00	.00	03-6379 EXPENDITURES - ART SHOWS	0	9/17		
Total 092117:						78.00	.00					
Total SHERI KAY CREEL:						78.00	.00					

**SIMPLOT PARTNERS**

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491	SIMPLOT PARTNERS	216032685		<u>18 BAGS OF FERTILIZER FOR THE PARKS. B.WITHROW. SEPT.'17 - PARKS</u>	09/15/2017	360.00	.00	<u>01-6150 MAINTENANCE &amp; REPAIRS - SYSTEM</u>	1004	9/17		
Total 216032685:						360.00	.00					
Total SIMPLOT PARTNERS:						360.00	.00					
<b>SPECIALTY CONSTRUCTION SUPPLY</b>												
780	SPECIALTY CONSTRUCTION SUPPLY	0166629-IN		<u>4 EA. FLASHING BARRICADE LIGHTS. 12 EA. 42" STRIPED CANDLES WITH RUBBER BASES. ITEMS FOR THE SWAN FALLS BRIDGE PROJECT/INDIAN CREEK LIFT STATION, T.FLEMING. SEPT.'17 - SEWER</u>	09/19/2017	422.08	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	1120	9/17		
Total 0166629-IN:						422.08	.00					
Total SPECIALTY CONSTRUCTION SUPPLY:						422.08	.00					
<b>STATE OF IDAHO</b>												
180	STATE OF IDAHO	09212017S		<u>REGISTRATION FOR DONATED 2012 CHEV TAHOE. SEPT.'17</u>	09/21/2017	23.00	23.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	0	9/17	09/22/2017	
Total 09212017S:						23.00	23.00					
Total STATE OF IDAHO:						23.00	23.00					
<b>STATE OF IDAHO - DIVISION OF BLDG SAFETY</b>												
1882	STATE OF IDAHO - DIVISION OF BLDG SAFETY	H001463-REIN		<u>REINSPECTION FEE FOR ELEVATOR AT CITY HALL. SEPT.'17 - ADMIN</u>	09/14/2017	28.00	.00	<u>01-6140 MAINT. &amp; REPAIR BUILDING</u>	0	9/17		
1882	STATE OF IDAHO - DIVISION OF BLDG SAFETY	H001463-REIN		<u>REINSPECTION FEE FOR ELEVATOR AT CITY HALL. SEPT.'17 - P &amp; Z</u>	09/14/2017	10.00	.00	<u>01-6140 MAINT. &amp; REPAIR BUILDING</u>	1003	9/17		

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1882	STATE OF IDAHO - DIVISION OF BLDG SAFETY	H001463-REIN		<u>REINSPECTION FEE FOR ELEVATOR AT CITY HALL, SEPT.'17 - WATER</u>	09/14/2017	26.00	.00	<u>20-6140_MAINT. &amp; REPAIR BUILDING</u>	0	9/17		
1882	STATE OF IDAHO - DIVISION OF BLDG SAFETY	H001463-REIN		<u>REINSPECTION FEE FOR ELEVATOR AT CITY HALL, SEPT.'17 - SEWER</u>	09/14/2017	26.00	.00	<u>21-6140_MAINT. &amp; REPAIR BUILDING</u>	0	9/17		
1882	STATE OF IDAHO - DIVISION OF BLDG SAFETY	H001463-REIN		<u>REINSPECTION FEE FOR ELEVATOR AT CITY HALL, SEPT.'17 - P.I</u>	09/14/2017	10.00	.00	<u>25-6140_MAINT. &amp; REPAIR BUILDING</u>	0	9/17		
Total H001463-REINSP:						100.00	.00					
Total STATE OF IDAHO - DIVISION OF BLDG SAFETY:						100.00	.00					
<b>T-O ENGINEERS INC</b>												
1836	T-O ENGINEERS INC	160146-11		<u>PROFESSIONAL SERVICES FOR SEWER MASTER PLAN, 8/1/17-8/31/17</u>	09/11/2017	13,569.00	.00	<u>21-6020_CAPITAL IMPROVEMENTS</u>	1059	8/17		
Total 160146-11:						13,569.00	.00					
Total T-O ENGINEERS INC:						13,569.00	.00					
<b>TREASURE VALLEY COFFEE</b>												
992	TREASURE VALLEY COFFEE	2160:05177795	6099	<u>1 CONTAINER COFFEE FOR CITY HALL, SEPT.'17</u>	09/19/2017	55.60	.00	<u>01-6165_OFFICE SUPPLIES</u>	0	9/17		
Total 2160:05177795:						55.60	.00					
992	TREASURE VALLEY COFFEE	2160:05221459	6128	<u>1 CONTAINER COFFEE AND 3 CANISTERS CREAMER, CITY HALL, SEPT 17</u>	09/26/2017	61.15	.00	<u>01-6165_OFFICE SUPPLIES</u>	0	9/17		
Total 2160:05221459:						61.15	.00					
Total TREASURE VALLEY COFFEE:						116.75	.00					

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UNIVAR USA, INC.												
1410	UNIVAR USA, INC.	NA368578		<u>CREDIT, 2 RETURNABLE POLY CONTAINERS, T.SHAFFER, SEPT.'17 - SEWER</u>	09/18/2017	-1,400.00	.00	<u>21-6097 DEPOSITS ON ACCOUNT</u>	0	9/17		
Total NA368578:						-1,400.00	.00					
1410	UNIVAR USA, INC.	NA588699	6038	<u>47800 LBS ALUMINUM SULFATE, T.SHAFFER, SEPT.'17 - SEWER</u>	09/19/2017	5,444.42	.00	<u>21-6151 M &amp; R - PROCESS CHEMICALS</u>	0	9/17		
Total NA588699:						5,444.42	.00					
Total UNIVAR USA, INC.:						4,044.42	.00					
<b>UTILITY REFUNDS #4</b>												
1887	UTILITY REFUNDS #4	100785.03		<u>TIMOTHY FOX, 681 W BURY ST, UTILITY REFUND</u>	09/15/2017	65.08	.00	<u>99-1075 Utility Cash Clearing</u>	0	9/17		
Total 100785.03:						65.08	.00					
1887	UTILITY REFUNDS #4	110130.02		<u>WILLIAM L LEATON, 573 N ORCHARD AVE, UTILITY REFUND</u>	09/15/2017	75.95	.00	<u>99-1075 Utility Cash Clearing</u>	0	9/17		
Total 110130.02:						75.95	.00					
1887	UTILITY REFUNDS #4	110990.03		<u>JASON R CUNNINGHAM, 735 E MOONHILL ST, UTILITY REFUND</u>	09/15/2017	139.51	.00	<u>99-1075 Utility Cash Clearing</u>	0	9/17		
Total 110990.03:						139.51	.00					
1887	UTILITY REFUNDS #4	11620.03		<u>CHRISTOPHER HART, 702 E ANDREA ST, UTILITY REFUND</u>	09/15/2017	68.49	.00	<u>99-1075 Utility Cash Clearing</u>	0	9/17		
Total 11620.03:						68.49	.00					

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1887	UTILITY REFUNDS #4	121380.01		<u>CAROLE J RAVINE, 1942 W ESCONDIDO ST, UTILITY REFUND</u>	09/15/2017	56.54	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 121380.01:						56.54	.00					
1887	UTILITY REFUNDS #4	121980.02		<u>DOUG FAVOR, 1692 W BOISE ST, UTILITY REFUND</u>	09/22/2017	151.13	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 121980.02:						151.13	.00					
1887	UTILITY REFUNDS #4	151270.03		<u>DOREEN STAUFFER, 481 W CHIPMUNK CT, UTILITY REFUND</u>	09/22/2017	62.42	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 151270.03:						62.42	.00					
1887	UTILITY REFUNDS #4	160200.02		<u>JARED STRINGHAM, 357 W HESSTON ST, UTILITY REFUND</u>	09/15/2017	25.23	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 160200.02:						25.23	.00					
1887	UTILITY REFUNDS #4	173605.02		<u>SCOTTY RAPACON, 1937 W SAHARA DR, UTILITY REFUND</u>	09/22/2017	7.45	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 173605.02:						7.45	.00					
1887	UTILITY REFUNDS #4	183670.00		<u>MICHAEL GHIRINGHELLI, 1365 W CASTRO DR, UTILITY REFUND</u>	09/22/2017	132.30	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 183670.00:						132.30	.00					
1887	UTILITY REFUNDS #4	202090.01		<u>GRANT SETTLE, 451 E WHITBECK ST, UTILITY REFUND</u>	09/15/2017	18.50	.00	99-1075 Utility Cash Clearing	0	9/17		

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Total 202090.01:						18.50	.00					
1887	UTILITY REFUNDS #4	221450.01		<u>CBH, 1072 S RUMNEY AVE, UTILITY REFUND</u>	09/15/2017	8.75	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 221450.01:						8.75	.00					
1887	UTILITY REFUNDS #4	230325.02		<u>PASTCO LLC, 728 W WILLOWDALE WAY, UTILITY REFUND</u>	09/15/2017	5.23	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 230325.02:						5.23	.00					
1887	UTILITY REFUNDS #4	260515.01		<u>RICHARD E GRUBBS, 1571 N FIREBRICK DR, UTILITY REFUND</u>	09/19/2017	45.30	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 260515.01:						45.30	.00					
1887	UTILITY REFUNDS #4	263015.02		<u>CLARK FAMILY TRUST, 2500 W BURLEYWOOD PATH, UTILITY REFUND</u>	09/21/2017	69.62	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 263015.02:						69.62	.00					
1887	UTILITY REFUNDS #4	264510.01		<u>CBH HOMES, 1895 W CRENSHAW ST, UTILITY REFUND</u>	09/21/2017	38.84	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 264510.01:						38.84	.00					
1887	UTILITY REFUNDS #4	278102.01		<u>CBH, 3077 W FUJI CT, UTILITY REFUND</u>	09/15/2017	7.27	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 278102.01:						7.27	.00					

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1887	UTILITY REFUNDS #4	303015.01		HUBBLE HOMES, 1090 E SHADY RIDGE DR, UTILITY REFUND	09/15/2017	2.75	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 303015.01:						2.75	.00					
1887	UTILITY REFUNDS #4	310014.01		TOLL BROS, 9563 S MACADAN WAY, UTILITY REFUND	09/22/2017	44.25	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 310014.01:						44.25	.00					
1887	UTILITY REFUNDS #4	310118.01		COLEMAN HOMES, 9328 S COPELAND WAY, UTILITY REFUND	09/14/2017	58.33	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 310118.01:						58.33	.00					
1887	UTILITY REFUNDS #4	310239.01		TOLL BROS, 9570 S ROCK CLIFFS PL, UTILITY REFUND	09/22/2017	42.37	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 310239.01:						42.37	.00					
1887	UTILITY REFUNDS #4	310317.01		TOLL BROS, 846 W SELDOVIA DR, UTILITY REFUND	09/15/2017	1.23	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 310317.01:						1.23	.00					
1887	UTILITY REFUNDS #4	310318.01		TOLL BROS, 870 W SELDOVIA DR, UTILITY REFUND	09/15/2017	22.42	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 310318.01:						22.42	.00					
1887	UTILITY REFUNDS #4	80830.03		JAMES HESSING, 122 E KESWICK CT, UTILITY REFUND	09/21/2017	68.98	.00	99-1075 Utility Cash Clearing	0	9/17		
Total 80830.03:						68.98	.00					



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				SEWER	09/22/2017	78.87	.00	21-6025 <u>JANITORIAL</u>	0	9/17		
1499	WESTERN BUILDING MAINTENANCE, INC.	0102672-IN		MONTHLY JANITORIAL SERVICES FOR KUNA CITY HALL FOR SEPTEMBER - P.I	09/22/2017	30.33	.00	25-6025 <u>JANITORIAL</u>	0	9/17		
Total 0102672-IN:						303.33	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0102673-IN		MONTHLY JANITORIAL SERVICES FOR THE TREATMENT PLANT FOR SEPTEMBER - WATER	09/22/2017	31.50	.00	20-6025 <u>JANITORIAL</u>	0	9/17		
1499	WESTERN BUILDING MAINTENANCE, INC.	0102673-IN		MONTHLY JANITORIAL SERVICES FOR THE TREATMENT PLANT FOR SEPTEMBER - SEWER	09/22/2017	31.50	.00	21-6025 <u>JANITORIAL</u>	0	9/17		
1499	WESTERN BUILDING MAINTENANCE, INC.	0102673-IN		MONTHLY JANITORIAL SERVICES FOR THE TREATMENT PLANT FOR SEPTEMBER - P.I	09/22/2017	12.00	.00	25-6025 <u>JANITORIAL</u>	0	9/17		
Total 0102673-IN:						75.00	.00					
Total WESTERN BUILDING MAINTENANCE, INC.:						708.66	.00					
<b>WESTERN STATES EQUIPMENT CO.</b>												
98	WESTERN STATES EQUIPMENT CO.	CM00036322		CREDIT - RETURN 4 SEALS AND 1 SEAL O-RING FROM INV#IN000449914, B.GILLOGLY, SEPT.'17 - PARKS	09/14/2017	-6.52	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1004	9/17		
Total CM00036322:						-6.52	.00					
98	WESTERN STATES EQUIPMENT CO.	CM00036468		CREDIT - RETURN WATER PUMP CORE, B.GILLOGLY, SEPT.'17 - PARKS	09/18/2017	-167.39	.00	01-6097 DEPOSITS ON ACCOUNT	1004	9/17		
Total CM00036468:						-167.39	.00					

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98	WESTERN STATES EQUIPMENT CO.	IN000447441	6084	<u>HOSE FOR WATER PUMP FOR DUMP TRUCK, B.GILLOGLY, SEPT.'17 - PARKS</u>	09/11/2017	4.54	.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	1004	9/17		
Total IN000447441:						4.54	.00					
98	WESTERN STATES EQUIPMENT CO.	IN000449914	6084	<u>O-RINGS, SEALS, AND GASKET FOR WATER PUMP FOR DUMP TRUCK, B. GILLOGLY, SEPT.'17 - PARKS</u>	09/13/2017	12.01	.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	1004	9/17		
Total IN000449914:						12.01	.00					
98	WESTERN STATES EQUIPMENT CO.	IN000449922	6084	<u>WATER PUMP FOR DUMP TRUCK, B.GILLOGLY, SEPT.'17 - PARKS</u>	09/13/2017	204.60	.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	1004	9/17		
98	WESTERN STATES EQUIPMENT CO.	IN000449922	6084	<u>WATER PUMP CORE CHARGE, B.GILLOGLY, SEPT.'17 - PARKS</u>	09/13/2017	167.39	.00	<u>01-6097 DEPOSITS ON ACCOUNT</u>	1004	9/17		
Total IN000449922:						371.99	.00					
98	WESTERN STATES EQUIPMENT CO.	IN000451072	6084	<u>SEAL O-RING FOR THE WATER PUMP FOR THE DUMP TRUCK, B.GILLOGLY, SEPT.'17 - PARKS</u>	09/14/2017	2.94	.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	1004	9/17		
Total IN000451072:						2.94	.00					
98	WESTERN STATES EQUIPMENT CO.	IN000451079	6084	<u>O-RINGS FOR WATER PUMP FOR DUMP TRUCK, B.GILLOGLY, SEPT.'17 - PARKS</u>	09/14/2017	4.02	.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	1004	9/17		
Total IN000451079:						4.02	.00					
Total WESTERN STATES EQUIPMENT CO.:						221.59	.00					
Grand Totals:						264,088.39	89,549.71					

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Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

City Treasurer: \_\_\_\_\_

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

**RESOLUTION NO. R74-2017  
CITY OF KUNA, IDAHO**

**A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO ACCEPTING THE IRRIGATION EASEMENT FROM KEITH CLOW AND/OR LOCK-N-ROLL SELF STORAGE, LLC.**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho that the IRRIGATION EASEMENT from Keith Clow and/or Lock-N-Roll Self Storage, LLC, attached hereto as EXHIBIT A is hereby accepted by the City of Kuna, Idaho as the beneficiary of said easement.

**PASSED BY THE COUNCIL** of Kuna, Idaho this 3<sup>rd</sup> day of October 2017.

**APPROVED BY THE MAYOR** of Kuna, Idaho this 3<sup>rd</sup> day of October 2017.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

(SPACE ABOVE RESERVED FOR RECORDING)

### IRRIGATION EASEMENT

**THIS PERPETUAL CITY OF KUNA IRRIGATION EASEMENT** is granted this 28<sup>th</sup> day of September, 2017, by and between **KEITH CLOW** and/or **LOCK-N-ROLL SELF STORAGE, LLC**, (individually and in his capacity as manager of said LLC) (“Grantor”) and the **CITY OF KUNA, IDAHO**, an Idaho municipal corporation (“Grantee”):

(Wherever used herein the term “Grantor” and “Grantee” include all the parties to this instrument and their respective heirs, legal representatives, successors and assigns.)

#### **WITNESSETH:**

That Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants to the Grantee, its successors, contractors, agents, and assigns an easement for the construction, maintenance, operation and replacement of the city of Kuna, Idaho irrigation system, more particularly described in Exhibit “A” (“Easement Premises”), attached hereto and incorporated herein by reference.

This easement is made subject to the following conditions:

1. The easement described above is hereby reserved for the utility purposes herein set forth and no structures other than those for such utility purposes are to be erected within the limits of said easement.
2. The CITY OF KUNA, or their assigns, shall have the right at any time to cut, trim, and clear all trees, brush, and other obstructions that may injure, endanger, or interfere with the construction, operation, or maintenance of said utilities.
3. In exercising the rights granted herein, the CITY OF KUNA, or their assigns, will not unreasonably interfere with the normal use of the premises and will, at its sole cost and expense and with due diligence, restore the premises to its original or better condition following any use of the easement either for construction, repair, maintenance, and/or replacement of said facilities and appurtenances thereto.

TOGETHER With the right of ingress and egress on said real property for the purpose of constructing, operating, and maintaining said facilities and the necessary appurtenances thereto.

The undersigned hereby covenants and warrants that Grantor owns the said land described herein and the undersigned, as or on behalf of Grantor, has the right to grant this perpetual easement.

IN WITNESS WHEREOF, the Grantor has duly authorized and caused this City of Kuna, Idaho *Irrigation Easement* to be executed in its name as of the day and year first herein written.

GRANTOR:

Keith CLOW

Print Name KEITH CLOW

STATE OF IDAHO )

) ss.

County of ADA )

On this 28 day of September, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared, KEITH CLOW known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Dawn Stephens

Notary Public  
Residing at Kuna, ID  
My Commission Expires 1-17-18



IN WITNESS WHEREOF, the Grantor has duly authorized and caused this City of Kuna, Idaho Irrigation Easement to be executed in its name as of the day and year first herein written.

GRANTOR:

Keith CLOW

Print Name KEITH CLOW

STATE OF IDAHO )

) ss.

County of ADA )

On this 28 day of September, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared, KEITH CLOW known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity of manager of Lock-n-Roll Self Storage, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Dawn Stephens

Notary Public  
Residing at Kuna, ID  
My Commission Expires 1-17-18





## Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105  
2030 S. Washington Ave., Emmett, ID 83617

August 30, 2017  
Irrigation Easement

**BASIS OF BEARINGS** for this description is North 0°30'47" West, between the aluminum cap marking the southwest corner of Section 19 and the aluminum cap marking the W1/4 corner of Section 19, both in T. 2 N., R. 1 E., B.M., Ada County, Idaho.

A parcel of land located in the SW1/4 of the SW1/4 of Section 19, T. 2 N., R. 1 E., B.M., City of Kuna, Ada County, Idaho, more particularly described as follows;

**COMMENCING** at an aluminum cap marking the southwest corner of said Section 19;

Thence North 0°30'47" West, coincident with the west line of said SW1/4 of the SW1/4 of Section 19, a distance of 1320.17 feet to the northwest corner of said SW1/4 of the SW1/4 of Section 19;

Thence North 89°48'36" East, coincident with the north line of said SW1/4 of the SW1/4 of Section 19, a distance of 1062.66 feet to the **POINT OF BEGINNING**;

Thence continuing North 89°48'36" East, coincident with said north line of the SW1/4 of the SW1/4 of Section 19, a distance of 163.68 feet to a 5/8" rebar PLS 3242;

Thence South 0°09'22" East, 322.20 feet to a 5/8" rebar no cap;

Thence South 65°06'02" West, 11.01 feet;

Thence North 0°09'22" West, parallel with said north line of the SW1/4 of the SW1/4 of Section 19, a distance of 316.80 feet;

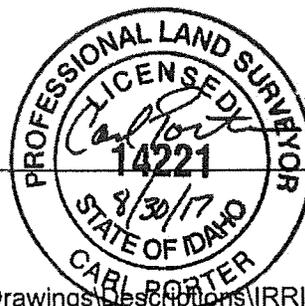
Thence South 89°48'36" West, 153.67 feet;

Thence North 0°11'24" West, 10.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains 0.110 acres more or less.

Carl Porter, PLS  
End Description

Date



**RESOLUTION NO. R75-2017  
CITY OF KUNA, IDAHO**

**A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE AND THE CLERK TO ATTEST TO THE REIMBURSEMENT AGREEMENT WITH KEITH CLOW AND/OR LOCK-N-ROLL SELF STORAGE, LLC. IN THE AMOUNT OF NINETY TWO THOUSAND FOUR HUNDRED SIXTY NINE AND 43/100 (\$92,469.43).**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho that the Mayor of the City is hereby authorized to execute and the Clerk is authorized to attest to that certain Agreement titled “Reimbursement Agreement – Lock-N-Roll Self Storage Water Trunk Project regarding cost recovery for construction of water facilities related to said project and in the amount of ninety two thousand four hundred sixty nine and 43/100 (\$92,469.43); by and between said city and; which Agreement is attached hereto, and made a part hereof, as if set forth in full.

**PASSED BY THE COUNCIL** of Kuna, Idaho this 3<sup>rd</sup> day of October 2017.

**APPROVED BY THE MAYOR** of Kuna, Idaho this 3<sup>rd</sup> day of October 2017.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

## **REIMBURSEMENT AGREEMENT**

### **Lock-N-Roll Self Storage Water Trunk Project**

**THIS AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_ 2017, by and between the CITY OF KUNA, a municipal corporation, hereinafter called CITY, and KEITH CLOW and/or LOCK-N-ROLL SELF STORAGE, LLC, (individually and in his capacity as manager of said LLC) hereinafter called DEVELOPER:

#### **WITNESSETH:**

**WHEREAS**, CITY has prepared, adopted and updated a Kuna Water System Master Plan to guide the sizing, elevation and location of water system facility extensions; and

**WHEREAS**, on January 21, 2014 CITY adopted Resolution Number R08-2014 outlining the Water Facilities Reimbursement Policy for Water facilities construction conforming to the Kuna Water System Master Plan; and

**WHEREAS**, in implementing the updated Kuna Water System Master Plan, it is the further declared policy of CITY to extend the Kuna City Water System to areas inside the corporate limits of CITY not now served by a water system, subject to the owner of property in such areas being bound by and complying with all ordinances of CITY and all rules and regulations promulgated by CITY now in effect or hereinafter to be enacted; and

**WHEREAS**, DEVELOPER did construct a water system to the property known as, Lock-N-Roll Self Storage Project, as shown on **EXHIBIT A**, and has requested reimbursement for certain portions of the water system; and

**WHEREAS**, the constructed facilities are now included as a component of the CITY system and are now utilized by said CITY for their intended purpose; and

**WHEREAS**, CITY upon recommendation of the City Engineer, accepts and approves the proposal of DEVELOPER for reimbursement, subject to all the conditions hereinafter provided by this Agreement.

**NOW THEREFORE**, in consideration of the foregoing premises, it is agreed:

A. Preparation of Plans. DEVELOPER did cause to be prepared plans and specifications, drawings, instructions, bid proposal and all other contract documents for the construction and installation of the water system, shown on **EXHIBIT A**, including rights-of-way, grades and elevation, and materials to be used in the construction and installation of said water system.

B. Construction of Sewer System.

(1) DEVELOPER did install, construct and erect the water system and appurtenances as shown on **EXHIBIT A**, subject to the conditions hereinafter provided.

(2) DEVELOPER did provide all engineering and surveying and contract administration for the construction of the water system described on **EXHIBIT A**.

(3) DEVELOPER did satisfactorily complete the project in conformance with approved plans and did provide evidence bills of the general contractor and engineer have been paid.

C. Reimbursement to DEVELOPER. In recognition of the fact that DEVELOPER did install, construct and erect a water system as shown on **EXHIBIT A** for the amounts shown in **EXHIBIT B**, CITY shall reimburse to DEVELOPER, as directed in Paragraph N herein, up for the amount of ninety-two thousand, four hundred and sixty-nine dollars and forty-three cents (\$92,469.43). Reimbursement shall be provided from the funds and in the manner described in the currently adopted City of Kuna Water Facilities Reimbursement Policy.

D. Audit Period. CITY will make an audit of this agreement on an annual basis in conformance with the Reimbursement Policy of said CITY, and refund applicable fees collected during the audit period.

E. Term of Agreement. The audit and payment of reimbursement shall be for a period not to exceed ten (10) annual payments in conformance with the Reimbursement Policy of said CITY or until such time as reimbursement has been fully paid, whichever comes first.

F. Cost of Water Lines on DEVELOPER'S Property. All costs and expenses, including the construction, engineering, advertising, clerical, legal and licenses and permits which were required for the construction and installation of the water system upon and within DEVELOPER'S property not eligible for reimbursement as defined in the Reimbursement Policy, shall be at DEVELOPER'S sole expense.

G. Compliance with Laws. Upon connection to water, DEVELOPER agrees to abide by all applicable Kuna City laws, rules and regulations pertaining to water systems.

H. Indemnification and Insurance. DEVELOPER shall indemnify and save and hold harmless CITY from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property and losses and expenses caused or incurred by DEVELOPER related to the design, construction and otherwise providing of the facilities described in paragraphs B.1, B.2 and B.3, its servants, agents, employees, guests, and business invitees, and not caused by or arising out of the tortious conduct of CITY or its employees.

I. No Assignment. DEVELOPER shall not assign any portion of this Agreement or any privilege hereunder, either voluntarily or involuntarily, without the prior written consent of CITY, which consent shall not be unreasonably withheld.

J. Definition of DEVELOPER'S Property. The term "DEVELOPER'S PROPERTY" in this Agreement shall mean the parcels described on Exhibit "A" attached hereto.

K. Representations.

(1) DEVELOPER, as defined above, represents that it is the only bona fide claimant to the reimbursements referenced in this agreement. Further, DEVELOPER represents it will indemnify CITY from all other claims as outlined in Paragraph H above.

(2) DEVELOPER, as defined above, represents that the General Contractor(s) for the construction of facilities described in EXHIBIT A have been fully paid. Further, DEVELOPER represents it will indemnify CITY from all claims of General Contractor(s) as outlined in Paragraph H above.

(3) DEVELOPER, as defined above, represents that in constructing and installing the water system referenced in this Agreement, it has complied with all laws, orders and regulations of Federal, State and Municipal authorities and has all licenses or permits which are required for the construction and installation of said system.

L. Accord and Full Satisfaction. DEVELOPER agrees that the amount of reimbursement as calculated in **EXHIBIT B**, is the full amount due and owing to DEVELOPER and DEVELOPER agrees to this amount as any compromise to any claim DEVELOPER may assert for any additional sums, known or unknown, and forever waives (gives up) the right to assert that the CITY owes DEVELOPER any additional sums above the amount of reimbursement.

M. Binding Effect. The terms and conditions of this Agreement shall be binding upon all of DEVELOPER'S assigns, or successors in interest to this Agreement.

N. Payments under terms of this agreement are to be made and addressed to: Lock-N-Roll Self Storage, LLC; c/o Keith Clow; 1085 Glenway Ave, Fruitland, ID 83619.

**IN WITNESS WHEREOF**, the parties shall cause this Agreement to be executed by their duly authorized officers, members and/or partners the day and year first above written.

CITY OF KUNA

ATTEST:

\_\_\_\_\_  
Joe L. Stear, Mayor

\_\_\_\_\_  
Chris Engels, City Clerk

Keith Clow  
\_\_\_\_\_  
Keith Clow

STATE OF IDAHO     )  
  ) ss.  
COUNTY OF ADA    )

On this 28<sup>th</sup> day of September, 2017, before me, a notary public in and for said state, personally appeared KEITH CLOW known to me to be the person who subscribed said name to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Ariana Welker  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at Ada County, Idaho  
My commission expires: July 7, 2022



LOCK-N-ROLL SELF STORAGE, LLC

Keith Clow

Keith Clow, Manager

STATE OF IDAHO )  
 ) ss.  
COUNTY OF ADA )

On this 28<sup>th</sup> day of September, 2017, before me, a notary public in and for said state, personally appeared KEITH CLOW known to me to be the person who subscribed said name to the foregoing instrument, and acknowledged to me that they executed the same in his capacity of manager of Lock-N-Roll Self Storage, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Ariana Welker  
Notary Public for Idaho  
Residing at Ada County, Idaho  
My commission expires: July 7, 2022

STATE OF IDAHO )  
 ) ss.  
COUNTY OF ADA )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, before me, the undersigned, personally appeared JOE L. STEAR as Mayor of the City of Kuna, Idaho a municipal corporation, known to be to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

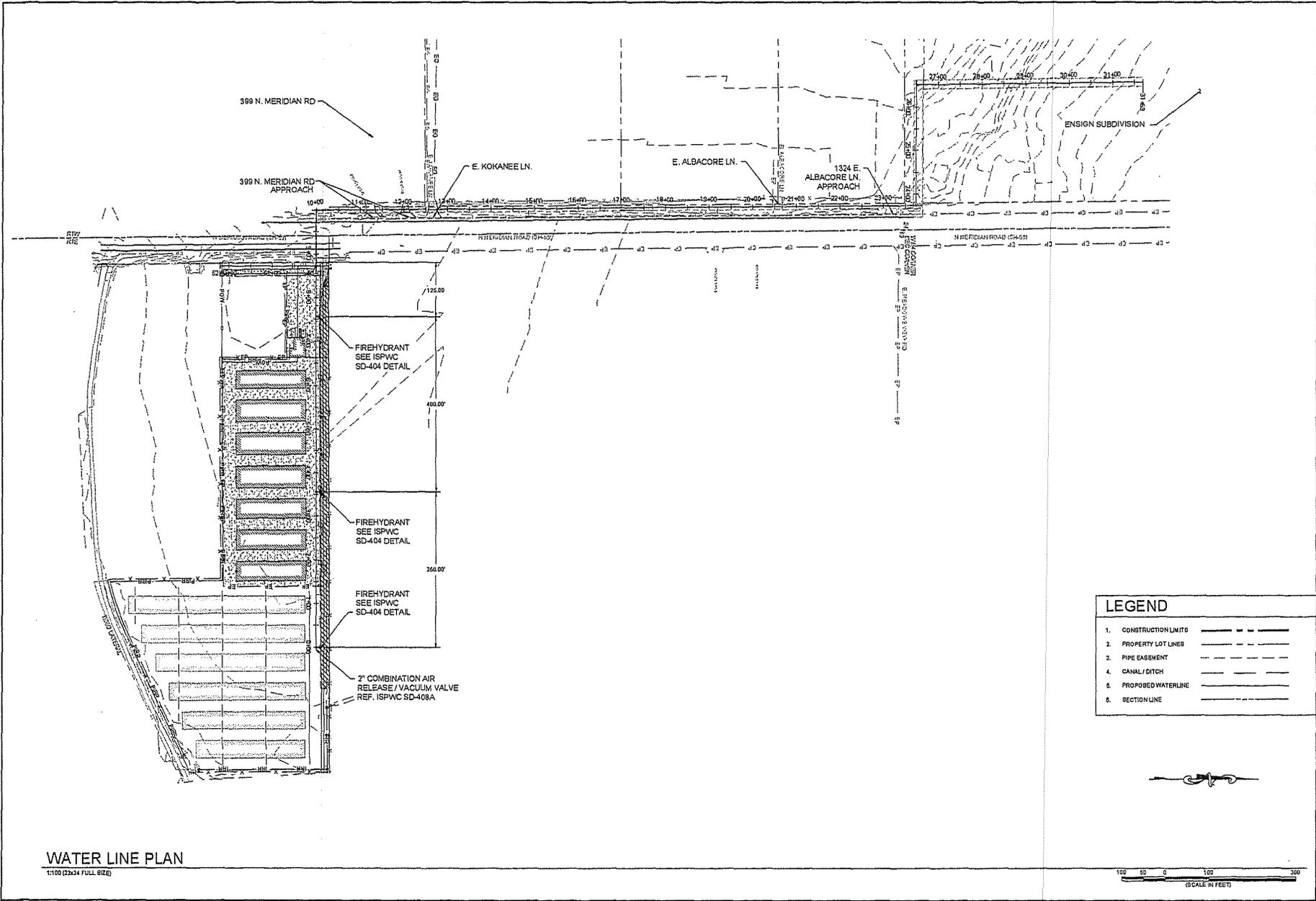
\_\_\_\_\_  
Notary Public for Idaho  
Residing at \_\_\_\_\_, Idaho  
My commission expires: \_\_\_\_\_

STATE OF IDAHO        )  
  ) ss.  
COUNTY OF ADA        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, before me, the undersigned, personally appeared and CHRIS ENGELS as City Clerk of the City of Kuna, Idaho a municipal corporation, known to be to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

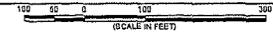
\_\_\_\_\_  
Notary Public for Idaho  
Residing at \_\_\_\_\_, Idaho  
My commission expires: \_\_\_\_\_



**WATER LINE PLAN**  
1:100 (22x34 FULL SIZE)

**LEGEND**

- 1. CONSTRUCTION LIMITS ————
- 2. PROPERTY LOT LINES ————
- 3. PIPE EASEMENT ————
- 4. CANAL / DITCH ————
- 5. PROPOSED WATERLINE ————
- 6. SECTION LINE ————



**ABCO**  
ENGINEERING

2101 Date Drive  
Nampa, Idaho 83857  
Phone (208) 856-8120

CIVILITY WATERLINE  
LOCK N ROLL STORAGE  
STATE HIGHWAY 69  
ADA COUNTY  
KUNA, IDAHO  
KEITH CLOW

REVISIONS	DATE	BY	DESCRIPTION
1	8/16/17	AL	RECORD DRAWINGS
2	9/01/17	AL	RECORD DRAWINGS

**13050**

FILE NUMBER:  
17-44592

DESIGNED BY:  
A. Lyman

DRAWN BY:  
J. Mathews

DATE:  
September 2017

SHEET NUMBER:  
CU-101

5 OF 8

PLOTTED BY: JR. MATTHEWS DATE PLOTTED: 9/10/2017 10:31:12 AM PATH: C:\USERS\JANICE\KOPRIT\4182017\44592-01-CU-101.DWG



EXHIBIT B

Cost Recovery for Lock-N-Roll Self Storage

Water- Offsite Oversized		
Total Recoverable Project Cost	\$	75,000.99
Interest (4%)	\$	17,468.44
TOTAL COST	\$	92,469.43

<b>Amount</b>	\$	75,000.99
<b>Interest</b>	\$	17,468.44
<b>Total Payment</b>	\$	92,469.43
<b>Years</b>		10
<b>Annual Interest</b>		4%
<b>Payment</b>		\$9,246.94

<b>Payment</b>	<b>Payment Date</b>	<b>Balance</b>	<b>Payment</b>	<b>Interest</b>	<b>Principal</b>	<b>Remaining</b>
1	August-17	\$ 75,000.99	\$9,246.94	\$ 3,000.04	\$6,246.90	\$ 68,754.09
2	August-18	\$ 68,754.09	\$9,246.94	\$ 2,750.16	\$6,496.78	\$ 62,257.31
3	August-19	\$ 62,257.31	\$9,246.94	\$ 2,490.29	\$6,756.65	\$ 55,500.66
4	August-20	\$ 55,500.66	\$9,246.94	\$ 2,220.03	\$7,026.92	\$ 48,473.74
5	August-21	\$ 48,473.74	\$9,246.94	\$ 1,938.95	\$7,307.99	\$ 41,165.75
6	August-22	\$ 41,165.75	\$9,246.94	\$ 1,646.63	\$7,600.31	\$ 33,565.43
7	August-23	\$ 33,565.43	\$9,246.94	\$ 1,342.62	\$7,904.33	\$ 25,661.11
8	August-24	\$ 25,661.11	\$9,246.94	\$ 1,026.44	\$8,220.50	\$ 17,440.61
9	August-25	\$ 17,440.61	\$9,246.94	\$ 697.62	\$8,549.32	\$ 8,891.29
10	August-26	\$ 8,891.29	\$9,246.94	\$ 355.65	\$8,891.29	\$ (0.00)



REASONABLE DUTY- RECOVERY PERCENTAGE**ONSITE RECOVERY\***

Acreage	8.774 acres
Interceptor Line Needed per Acre	33 LF
Reasonable Duty	290 LF
Interceptor Line Constructed	1995 LF
Net Length Reimbursible	1705 LF

**OFFSITE RECOVERY PERCENTAGE**

Line Size Required	8 inch
Line Size Provided	12 inch
Recovery Percentage per Policy	<b>40.74 %</b>

$$p = (1 - (D1/D2)^{2/.75}) * 100$$

\*project did not have onsite improvements eligible for reimbursement

**RESOLUTION NO. R76-201 7  
CITY OF KUNA, IDAHO**

**A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY PROSECUTING ATTORNEY TO PROVIDE PROSECUTORIAL SERVICES FOR CITY MISDEMEANORS FOR THE FISCAL YEAR 2017-2018.**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho that the Mayor of the City is hereby authorized to execute the contract with the Ada County Prosecuting Attorney to provide prosecutorial services in the city of Kuna for the fiscal year commencing October 1, 2017 and ending September 30, 2018 pursuant to the terms of said contract.

**PASSED BY THE COUNCIL** of Kuna, Idaho this 3<sup>rd</sup> day of October 2017.

**APPROVED BY THE MAYOR** of Kuna, Idaho this 3<sup>rd</sup> day of October 2017.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

AGREEMENT NO. \_\_\_\_\_

**JOINT POWERS AGREEMENT BETWEEN ADA COUNTY,  
THE ADA COUNTY PROSECUTING ATTORNEY'S OFFICE,  
AND THE CITY OF KUNA  
RELATING TO PROSECUTION SERVICES FY 2018**

**THIS JOINT POWERS AGREEMENT** ("Agreement") made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between Ada County, a duly formed and existing county pursuant to the laws and Constitution of the State of Idaho, the Ada County Prosecuting Attorney, ("PA") and the City of Kuna, Idaho, Idaho, a municipal corporation of the State of Idaho ("City").

**WITNESSETH**

**WHEREAS**, the City desires to contract with the PA for the performance of the hereinafter described prosecutorial services within its boundaries by the PA; and

**WHEREAS**, the PA desires to provide prosecutorial services to the City.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants herein contained, it is mutually agreed as follows:

1. Prosecution Services.

1.1 The PA agrees to prosecute such City code or state code violations as may be investigated and/or charged by Ada County Sheriff's Office ("ACSO") subject to the PA's absolute discretion in such matters as set forth in Section 1.2.

1.2 Services provided pursuant to this Agreement shall encompass duties and functions of the type directly related or incidental to the jurisdiction of, and customarily rendered by, the PA under the statutes of the State of Idaho or the code of the City. The PA shall have and retain absolute discretion on all matters included in this Agreement, such as, but not limited to,

decisions on charging, case strategy, and dismissal. In cases where the City is the victim, the PA shall afford the City all of the rights outlined in Idaho Code § 19-5306. Services rendered in accordance with this subsection are understood to include defending the constitutionality of City's ordinances in a criminal case when the PA has determined to charge pursuant to City code.

1.3 The PA agrees to provide to the City written monthly reports detailing the number of citations and formal complaints filed for misdemeanor cases, a summary of all charges filed, the number of court appearances for each case, if there is a victim or victims in each case, the final disposition of the case, including if the charges were amended or reduced, and the term of any jail sentence imposed.

1.4 In consideration for duties, services, and functions heretofore described in Section 1, the City shall pay to the PA the sum of Fifty-Two Thousand Five Hundred Fifty-Two and 00/100 Dollars (**\$52,552.00**) for the term of this Agreement. Said sum shall be paid in twelve (12) equal monthly installments. Payments shall be due on the tenth of the month, commencing on October Tenth.

1.5. Personnel and Equipment. The PA is acting hereunder as independent contractor so that:

a. Control of Personnel. Control of personnel, standards of performance, discipline and all other aspects of performance shall be governed entirely by the PA.

b. Status of Employees. All persons rendering service hereunder shall be for all purposes employees of the PA.

c. Liabilities. All liabilities for salaries, wages, any other compensation, injury, or sickness arising from performance of the law enforcement services by the PA hereunder shall be that of the PA.

d. Provision of Personnel. The PA shall furnish all personnel and such resources and material deemed by the PA, in its sole discretion, as necessary to provide the level of prosecution service herein described. Ownership of equipment purchased by the PA to perform its duties under this agreement is retained by the PA.

1.6. Duration. This Agreement is effective upon authorization and signature by all parties, except that services and charges shall commence on October 1, 2017, and unless otherwise terminated, shall continue in effect until September 30, 2018. This Agreement may be renewed upon the mutual written consent of the parties.

1.7. Termination Process. Each party may initiate a process to terminate this Agreement as follows:

a. Notice of Termination. In the event either party hereto desires to terminate the Agreement prior to the expiration date, such party may do so by giving (60) days written notice to other parties.

b. Transition. Within 30 days of the receipt of such written termination notice, the parties shall work together to provide for an orderly transition of responsibilities from the PA to the City. The overarching goal of the transition will be to ensure there is no disruption in service to the City. Each party shall bear its respective costs, if any, in the transition process.

c. Termination. In the event the City fails to make a monthly payment within 60 days of billing, the PA may terminate this Agreement without further notice.

1.8. Indemnification and Insurance.

a. City To Hold County Harmless. The County, its officers, agents, and employees, shall not be deemed to have assumed any liability for the acts of said City or any officers, agents or employees thereof, and the City hereby covenants and agrees to hold and save the County and all of its officers, agents, and employees harmless from all claims whatsoever that might arise against the County, its officers, agents, or employees, by reasons of any acts or failures to act on the part of the City, its officers, agents or employees.

b. County to Hold City Harmless. The County hereby covenants to hold and save the City and all its officers, agents, and employees, harmless from all claims whatsoever that might arise against the City, its officers, agents, or employees by reason of any acts or failures to act on the part of the County, its officers, agents, or employees in the performance of the duties required by the terms of this Agreement.

c. Liability Related to City Ordinances, Policies, Rules and Regulations. In executing this Agreement, the PA does not assume liability or responsibility for or in any way release the City from any liability or responsibility which arises in whole or in part from the existence or effect of City ordinances, policies, rules or regulations. If any cause, claim, suit, action or administrative proceeding is commenced in which the enforceability and/or validity of any such City ordinance, policy, rule or regulation is at issue, the City shall defend the same at its sole expense and, if judgment is entered or damages are awarded against the City, the PA, or both, the City shall satisfy the same, including all chargeable costs and reasonable attorney's fees.

d. Insurance. Each party shall procure and maintain insurance as required by applicable federal and state law and as may be appropriate and reasonable to cover its staff, equipment, vehicles, and property, including but not limited to liability insurance, workers' compensation, automobile liability, and property damage. Each party has the right to self-insure all or part of the insurance requirements set forth in this paragraph.

1.9. Amendments. This Agreement may be amended at any time by mutual written agreement of the City and the PA.

1.10. Agreement Administration.

a. Agreement Administrators. The City Mayor or his/her designee and the elected Ada County Prosecuting Attorney or his/her designee shall serve as agreement administrators to review performance and resolve operational problems.

1.11 Entire Agreement/Waiver of Default. The parties agree that this Agreement is the complete expression of the terms hereto and any oral or written representations or understandings not incorporated herein are excluded. Both parties recognize that time is of the essence in the performance of the provisions of this Agreement. Waiver of any default shall not be deemed to be a waiver of any subsequent default. Waiver or breach of any provision of the Agreement shall not be deemed to be waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such through written approval by the County, which shall be attached to the original Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement.

**CITY OF KUNA**

By: \_\_\_\_\_  
Joe Stear, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, Kuna City Clerk

**Board of Ada County Commissioners**

By: \_\_\_\_\_  
David L. Case, Commissioner

By: \_\_\_\_\_  
Jim Tibbs, Commissioner

By: \_\_\_\_\_  
Rick Visser, Commissioner

ATTEST:

\_\_\_\_\_  
Christopher D. Rich, Ada County Clerk

**RESOLUTION NO. R77-2017  
CITY OF KUNA, IDAHO**

**A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY SHERIFF FOR LAW ENFORCEMENT SERVICES FOR THE FISCAL YEAR 2017-2018 FOR THE CITY OF KUNA, IDAHO.**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho that the Mayor of the City is hereby authorized to execute the contract with the Ada County Sheriff to provide law enforcement services in the city of Kuna for the fiscal year commencing October 1, 2017 and ending September 30, 2018 pursuant to the terms of said contract.

**PASSED BY THE COUNCIL** of Kuna, Idaho this 3<sup>rd</sup> day of October 2017.

**APPROVED BY THE MAYOR** of Kuna, Idaho this 3<sup>rd</sup> day of October 2017.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

AGREEMENT NO. \_\_\_\_\_

**JOINT POWERS AGREEMENT BETWEEN  
THE ADA COUNTY SHERIFF'S OFFICE AND THE CITY OF KUNA  
RELATING TO LAW ENFORCEMENT SERVICES**

This Joint Powers Agreement ("Agreement") made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between Ada County, a duly formed and existing county pursuant to the laws and Constitution of the State of Idaho, the **Ada County Sheriff's Office** ("ACSO") and the **City of Kuna**, Idaho, a municipal corporation of the State of Idaho ("City").

**WITNESSETH**

**WHEREAS**, the ACSO desires to contract with the City to provide high quality, well trained, law enforcement personnel, services, and functions in the County and within the City, and

**WHEREAS**, the City desires to contract with the ACSO for high quality, well-trained law enforcement personnel, services, and functions within the boundaries of the City, as provided by the ACSO;

**NOW, THEREFORE**, in consideration of the mutual promises and covenants herein contained, it is mutually agreed as follows:

1. Law Enforcement Services. The ACSO will provide to the City, the law enforcement personnel, services, and functions described in this Section 1, at the rates listed in Exhibit A, attached hereto and incorporated herein by reference.

1.1. City Services. The services provided to the City shall consist of law enforcement and other related services provided by personnel assigned primarily for the benefit of the

geographic areas within the boundaries of the City, except as may be modified by Section 1.4, below. City services include:

- a. Reactive patrol to enforce state law and City-adopted municipal, criminal, and traffic codes and to respond to residents' and business' calls for service;
- b. Proactive patrol to prevent and deter criminal activity;
- c. Traffic patrol to enforce applicable traffic codes;
- d. Detectives to investigate local felony crimes and other incidents including misdemeanor crimes, as directed by the Chief of Police;
- e. Community crime prevention; and
- f. Communications services, including call receiving, and dispatch.

1.2. Discretionary Services. Specialized support services for major crimes, major incidents, and other isolated events outside the capabilities of assigned personnel shall be provided only at the discretion of the ACSO.

1.3. Administrative Services. Administrative services include planning and statistics, subpoena control, training, accounting, payroll, personnel, media relations, fleet control, radio maintenance, purchasing, records, and inspections/internal investigations. ACSO shall provide administrative services in line with law enforcement authority and, in general, will not provide investigative services for the City for civil matters; for example, personnel issues. These services may be performed at the request of the City in extraordinary circumstances at the discretion of the ACSO.

1.4. Method of Service. The level, degree and type of services and the number of positions assigned to those services shall be determined by the City in consultation with the Ada County Sheriff or his/her designee. It is the intent of the parties that this consultation will occur

at the beginning of the City's budget cycle and that both parties will work to complete this process in an expeditious manner.

a. Such positions shall be assigned to the City and shall be dedicated to work within the City limits, subject to responses to assist another jurisdiction or ACSO unit.

b. The number of such positions assigned to the City will remain constant. The City recognizes that the deputies assigned to the City may be unavailable at times due to training, vacation, sick leave, or other leave. Notwithstanding a deputy's absence, calls for service in the City will be responded to by appropriate personnel at the discretion of the Police Services Supervisor. The transfer of personnel will be coordinated by the ACSO, in consultation with the City Chief Executive Officer or designee, to minimize the impact of potential vacancies.

c. Support and administrative services shall be provided to the City at the level, degree and type as provided by the ACSO in unincorporated Ada County.

d. Additional support services may be purchased by the City and assigned for the sole benefit of the City.

1.5. Compensation.

a. Total Cost. Total cost is reflected on Exhibit A.

b. Development of Service Costs. Service costs shall include, but not be limited to, salary, benefits and special pays, if any, for personnel providing the service, along with any associated clothing allowance, quartermaster, supplies, services, telephone, motor pool, systems services, insurance, equipment and associated administrative costs.

c. Billing. In consideration for duties, services, and functions heretofore described in Section 1, the City shall pay to the ACSO the sum of **\$1,914,283.90** for the term of this Agreement. Said sum shall be paid in twelve (12) equal monthly installments of **\$159,523.66**, due no later than the tenth day of each month. Payments shall commence October 10<sup>th</sup>.

d. Application. The City may request special services for citywide events and agrees to pay for actual overtime, salary, special pay, and benefit costs for these special events. ACSO agrees to work with the City to minimize the costs applicable to such requests.

e. Discretionary Overtime. When agreed to in advance by the parties, the ACSO shall provide operational overtime when requested by the City for special city events or dignitary protection. Overtime, when requested in these categories, will be billable at the actual overtime rate of the deputy(s) working. Where the ACSO has sufficient advance notice, the ACSO agrees to work with the City prior to the event to minimize the costs applicable to such requests.

#### 1.6. Special Provisions.

a. Stabilization of Personnel. The ACSO will coordinate transfers of personnel to minimize the time positions are vacant, as well as the impact of vacancies to the City. Any reduction in level of service will be reported to the City.

b. Computers. The ACSO Information Technology Unit will be responsible for the repair and maintenance of all equipment, software, and accessories that are used in conjunction with the mobile computing program.

c. City Police Facility. The City may purchase or lease its own facility and provide for the operation and maintenance of said facility. The facility must meet or exceed all applicable City, state and federal codes and requirements. The facility must also adequately meet the space and security needs of permanently assigned ACSO personnel. The City will be responsible for all charges associated with the planning, design, construction, and/or renovation of the facility and property.

1.7. Reporting.

a. Reporting Districts. Reporting districts coterminous with the City boundaries will be maintained to enable accurate data collection on law enforcement services provided and criminal activity.

b. Notification of Criminal Activity. The ACSO will notify the City in the event of a significant occurrence within the City.

c. Monthly Reports. The ACSO will provide monthly reports on traffic incidents and criminal activity to the City, which can be provided electronically. On a quarterly basis, the ACSO will appear before the City Council and provide further information as requested.

1.8. Personnel and Equipment. The ACSO is acting hereunder as an independent contractor so that:

a. Control of Personnel. Control of personnel, standards of performance, discipline and all other aspects of performance shall be governed entirely by the ACSO. Allegations of misconduct shall be investigated in accordance with ACSO protocol.

b. Status of Employees. All persons rendering service hereunder shall be for all purposes employees of the ACSO.

c. Liabilities. All liabilities for salaries, wages, any other compensation, injury, or sickness arising from performance of the law enforcement services by the ACSO hereunder shall be that of the ACSO.

d. Provision of Personnel. The ACSO shall furnish all personnel and such resources and material deemed by the ACSO as necessary to provide the level of law enforcement service herein described. Ownership of equipment purchased by the ACSO is retained by the ACSO.

e. Municipal Violations. ACSO commissioned personnel may cite violations of City ordinances.

1.9. City Responsibilities. In support of the ACSO providing the services described herein, the City promises the following.

a. Municipal Police Authority. The City promises to confer municipal police authority on such ACSO deputies as might be engaged hereunder in enforcing City ordinances within City boundaries, for the purposes of carrying out this Agreement.

b. Special Supplies. The City promises to supply, at its own cost and expense, any special supplies, stationery, notices, forms, and the like where such must be issued in the name of the City.

1.10. Duration. This Agreement is effective upon authorization and signature by all parties, except that services and charges shall commence on October 1, 2017, and unless otherwise terminated, shall continue in effect until September 30, 2018. This Agreement may be renewed upon the mutual written consent of the parties.

1.11. Termination Process. Each party may initiate a process to terminate this Agreement as follows:

a. Notice of Termination. In the event either party hereto desires to terminate the Agreement prior to the expiration date, such party may do so by giving (60) days written notice to other parties.

b. Transition Plan. Within 30 days of the receipt of such written termination notice, the parties shall commence work on and complete a mutually agreed-upon transition plan providing for an orderly transition of responsibilities from the ACSO to the City. The planning method should proceed along the lines of a project management approach to facilitate the joint planning process by the City and the ACSO. The overarching goal of the transition plan will be to ensure there is no disruption in service to the community. Each party shall bear its respective costs in developing the transition plan.

c. Termination and/or Interest Charge. In the event the City fails to make a monthly payment within 60 days of billing, the ACSO may charge an interest rate within two percentage points of the interest rate on the monthly ACSO investment earnings. In addition, in the event the City fails to make a monthly payment within 120 days of billing, the ACSO may terminate this Agreement.

1.12. Indemnification.

a. City To Hold County Harmless. The County, its officers, agents, and employees, shall not be deemed to have assumed any liability for the acts of said City or any officers, agents or employees thereof, and the City hereby covenants and agrees to hold and save the County and all of its officers, agents, and employees harmless from all claims whatsoever that might arise against the County, its officers, agents, or employees,

by reasons of any acts or failures to act on the part of the City, its officers, agents or employees.

b. County to Hold City Harmless. The County hereby covenants to hold and save the City and all its officers, agents, and employees, harmless from all claims whatsoever that might arise against the City, its officers, agents, or employees by reason of any acts or failures to act on the part of the County, its officers, agents, or employees in the performance of the duties required by the terms of this Agreement.

c. Liability Related to City Ordinances, Policies, Rules and Regulations. In executing this Agreement, the ACSO does not assume liability or responsibility for or in any way release the City from any liability or responsibility which arises in whole or in part from the existence or effect of City ordinances, policies, rules or regulations. If any cause, claim, suit, action or administrative proceeding is commenced in which the enforceability and/or validity of any such City ordinance, policy, rule or regulation is at issue, the City shall defend the same at its sole expense and, if judgment is entered or damages are awarded against the City, the ACSO, or both, the City shall satisfy the same, including all chargeable costs and reasonable attorney's fees.

1.13. Audits and Inspections. The records and documents with respect to all matters covered by this Agreement shall be subject to inspection, review or audit by the ACSO or City during the term of this Agreement and three (3) years after termination unless such records are exempt from disclosure under Idaho Code §§ 74-101 *et seq.*

1.14. Amendments. This Agreement may be amended at any time by mutual written agreement of the City and the ACSO.

1.15. Agreement Administration.

a. Agreement Administrators. The City Mayor or his/her designee and the ACSO Law Enforcement Chief for the City shall serve as agreement administrators to review performance and resolve operational problems.

b. Referral of Unresolved Problems. The City Mayor shall refer any police service operational problem, which cannot be resolved with the Chief of Law Enforcement Services, to the Ada County Sheriff. The Sheriff, Prosecuting Attorney, and Mayor shall meet as necessary to resolve such issues.

1.16. Entire Agreement/Waiver of Default. The parties agree that this Agreement is the complete expression of the terms hereto and any oral or written representations or understandings not incorporated herein are excluded. Both parties recognize that time is of the essence in the performance of the provisions of this Agreement. Waiver of any default shall not be deemed to be a waiver of any subsequent default. Waiver or breach of any provision of the agreement shall not be deemed to be waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such through written approval by the County, which shall be attached to the original Agreement.

/// INTENTIONALLY LEFT BLANK ///

IN WITNESS WHEREOF, the parties have executed this Agreement.

**CITY OF KUNA**

By: \_\_\_\_\_  
Joe Stear, Mayor

ATTEST:

\_\_\_\_\_  
Kuna City Clerk

**ADA COUNTY SHERIFF'S OFFICE**

By: \_\_\_\_\_  
Stephen Bartlett, Sheriff

**Board of Ada County Commissioners**

By: \_\_\_\_\_  
David L. Case, Commissioner

By: \_\_\_\_\_  
Jim Tibbs, Commissioner

By: \_\_\_\_\_  
Rick Visser, Commissioner

ATTEST:

\_\_\_\_\_  
Christopher D. Rich, Ada County Clerk

**EXHIBIT A**

**BUDGET**

(1 page – attached)

Exhibit "A"

FY18 Kuna City Contract Cost				<b>POLICE</b> CITY OF KUNA
Consolidated Contract City Budget Summary				Option 2 2 Dep + Car +.25 SRO
Personnel				\$ 1,818,060.98
Equipment/Uniforms				\$ 49,614.12
Operational				38,754.00
Vehicles				\$ 132,095.69
Support	567	567	567	\$ 19,845.00
<b>Total Expenses</b>				<b>\$ 2,058,369.79</b>
Less Shared Services Credit				\$ 144,085.88
<b>New FY18 Contract Amount</b>				<b>\$ 1,914,283.90</b>
FY17 Contract				\$1,594,843.25
<b>Net change to contracts</b>				<b>\$ 319,440.65</b>
<b>Personnel Costs</b>				
<b>Position</b>	<b>Staff</b>	<b>Cost/position</b>		<b>Staff Cost</b>
Chief II	1	\$ 151,549.09		\$ 151,549.09
Chief I	0	\$ 140,021.97		-
Sergeant	2	\$ 137,668.07		\$ 275,336.14
Detective	2	\$ 116,070.99		\$ 261,159.73
Deputy	10	\$ 111,309.23		\$ 1,113,092.30
Code Enforcement	0	\$ 59,214.00		-
Clerk (FT)	0	\$ 50,505.63		-
Clerk (PT)	0.5	\$ 16,923.72		\$ 16,923.72
<b>Personnel Subtotal</b>	<b>15.5</b>			<b>\$ 1,818,060.98</b>

Month	Billing Amount
October	\$ 159,523.66
November	\$ 159,523.66
December	\$ 159,523.66
January	\$ 159,523.66
February	\$ 159,523.66
March	\$ 159,523.66
April	\$ 159,523.66
May	\$ 159,523.66
June	\$ 159,523.66
July	\$ 159,523.66
August	\$ 159,523.66
September	\$ 159,523.66
<b>Total</b>	<b>\$ 1,914,283.90</b>

**RESOLUTION NO. R78-2017  
CITY OF KUNA, IDAHO**

**PRESSURE IRRIGATION FACILITIES REIMBURSEMENT POLICY – 2017**

**PURPOSE**

A resolution of the City of Kuna setting forth a reimbursement policy that provides real property owners, developers, and/or the City of Kuna, hereinafter referred to as Sponsoring Developers, a mechanism to seek reimbursement for eligible pressure irrigation facilities that exceed the Sponsoring Developer's pressure irrigation facilities requirements as provided below. When a Sponsoring Developer, at its own expense and in conformance with the City Pressure Irrigation System Master Plan or at the direction of the City, constructs an extension of the existing Pressure Irrigation system or constructs oversized pressure irrigation facilities determined by the City to be larger than needed to serve Sponsoring Developer's project, the Sponsoring Developer may be reimbursed to the extent allowed in this policy by entering into a reimbursement agreement with the City. Reimbursement will be for eligible costs of the pressure irrigation facilities as described below.

City Pressure Irrigation Pipelines are classified as follows:

1. Master Plan Trunk Line (Street Frontage) – A pressure irrigation main, 8 inches or larger, identified in the Master Plan to be part of the major distribution grid and located in or adjacent to the street right-of-way fronting Sponsoring Developer's property. In this policy, frontage lines are treated as on-site lines.
2. Master Plan Trunk Line (On-site) – A pressure irrigation main, 8 inches or larger, identified in the Master Plan to be part of the major distribution grid and located within the Sponsoring Developer's property including lines in or adjacent to the street right-of-way fronting Sponsoring Developer's property.
3. Master Plan Trunk Line (Off-site) – A pressure irrigation main, 8 inches or larger, identified in the Master Plan to be part of the major distribution grid and not located on-site or in the street frontage or adjacent to the street right-of-way fronting Sponsoring Developer's property.
4. Looping Line (On-site) – A pressure irrigation main line required in City Standards, and with the diameter specified in said standards, whose purpose is to preserve circulation capability to serve Sponsoring Developer's property and adjacent properties, and located on-site but not in or adjacent to the street right-of-way fronting Sponsoring Developer's property.
5. Non-Master Plan Line (Off-site) – A pressure irrigation main line not identified in the Master Plan to be part of the major distribution grid and not located on-site or in the street frontage or adjacent to the street right-of-way fronting Sponsoring Developer's property.

6. Distribution Line (On-site) - A pressure irrigation main line not identified in the Master Plan to be part of the major distribution grid and not a looping line, located on-site of the Sponsoring Developer's property, and whose principal purpose is to deliver water to the various points of service within the Sponsoring Developer's property.
7. Stub Line (On-site) - A pressure irrigation main line located on-site of the Sponsoring Developer's property, connected to any of the main lines on-site and extending to the property boundary, beyond the last point of delivery for the Sponsoring Developer's property, and whose principal purpose is to deliver water to neighboring properties. A stub line is generally constructed at the direction of the City, is generally 8 inches in diameter or smaller and is not a frontage line, looping line or Master Plan line.

A Sponsoring Developer's project may be eligible or ineligible for reimbursement according to criteria outlined herein. For instance, a line constructed larger than needed at Sponsoring Developer's discretion and not at the direction of the City is not eligible for reimbursement.

Each project or development is presumed to benefit from the work of earlier Sponsoring Developers and to have, as a condition for receiving benefit from the existing city sewer system, a "reasonable duty" to add to, enhance, oversize or extend the existing system within certain limits. This "reasonable duty" is not reimbursable. The construction of on-site or off-site facilities beyond this "reasonable duty" is presumed to be eligible for reimbursement to the extent allowed in this policy and as approved by the City.

"Reasonable duty" includes expenses incurred by the Sponsoring Developer from examples that follow:

1. Payment of Connection Fees: Connection fees are remitted at the time of building permit issuance, or in other circumstances, at the time of connection to the system as defined in city resolutions.
2. Master Plan Trunk Line (On-Site): Construct the diameter specified in the Master Plan, or the nominal diameter needed in reference to Sponsoring Developer's peak demand, whichever is larger. The Sponsoring Developer's "reasonable duty" for trunk line construction is the length of trunk line needed per development acre, as defined herein.
3. Master Plan Trunk Line (Off-site): Construct the diameter specified in the Master Plan, or the nominal diameter needed in reference to Sponsoring Developer's peak demand, whichever is larger. The Sponsoring Developer's "reasonable duty" for off-site trunk line construction is the trunk line needed per development acre less the length of trunk line on-site but not less than zero.
4. Looping Line (On-site): Construct the diameter specified in the City Standards, or the nominal diameter needed in reference to twice the Sponsoring Developer's peak demand, whichever is larger, and which is Sponsoring Developer's "reasonable duty". If the City

directs that a looping line be replaced with a trunk line, it will be treated as an on-site Master Plan Trunk Line for reimbursement purposes.

5. Non-Master Plan Line (Off-site): Construct the line with a diameter of 4 inches, or the nominal diameter needed in reference to Sponsoring Developer's peak demand, whichever is larger, and which is Sponsoring Developer's "reasonable duty". If the City directs that an off-site non-master plan main line be replaced with a trunk line, it will be treated as an off-site Master Plan Trunk Line for reimbursement purposes.
6. Distribution Line (On-site): Construct the line with a diameter of 3 inches, or the nominal diameter needed in reference to Sponsoring Developer's peak demand, whichever is larger, and which is Sponsoring Developer's "reasonable duty".
7. Stub Line (On-site): Construct the line with a diameter up to 8 inches as directed by the City, and which is Sponsoring Developer's "reasonable duty".

## DEFINITIONS

1. Line Capacity: The water carrying capacity of a pipeline based on pressure drop of 0.0037 psi per foot of line length.
2. Nominal Diameter Needed: In terms relevant to this policy, the minimum standard pipe diameter (3", 4", 6", 8", 10" and 12") with sufficient transmission capacity to carry the Sponsoring Developer's designated peak demand.
3. Peak Demand: In terms relevant to this policy, the Peak Demand is assumed to be the Peak Hour Demand referred to in City Standards. The Peak Hour Demand per typical lot is 15 gpm for a 3-inch main but decreases to 7.5 gpm/typical lot for a 12-inch main. In no case may a main line diameter be less than 3 inches, regardless of computed demand. A typical residential lot is 10,000 SF of total area or less. A typical commercial lot is 7,000 SF of landscaped area or less.
4. Property: For purposes of determining whether over-sized lines are on-site, off-site or lie in the frontage and for computing the nominal diameter needed, "Property" of Sponsoring Developer shall include the present project, future phases of the project, and other properties in the vicinity of the over-sized line in which the Sponsoring Developer or his partners has a property interest. However, once the "trunk line needed" component of the "reasonable duty" has been satisfied for a parcel, it is not imposed again for subsequent cost recovery agreements.
5. Property in the Vicinity: Property adjacent or in the same quarter section as the over-sized pipe line, or in the case of over-sized pipe lines fronting section or quarter-section lines, property in the quarter sections on each side, is considered "in the vicinity". In most instances the City will require that trunk lines are located along section and quarter-section lines as contemplated in the City Master Plan.

6. Trunk Line Needed: Based on characteristics of development in Kuna; relying on the ½ mile trunk line grid in the Master Plan; adding for undeveloped land, waste land and other unconnected properties; adding for parks, common areas and other public properties; and deducting for connection fees paid in equivalent feet; it requires an average of 33 lineal feet of trunk line to serve the gross acreage of Sponsoring Developer's project.
7. Trunk Line Needed-Amended: For projects also connecting to potable water and/or sewer, but which do not construct sufficient trunk line in the other facilities to satisfy the "trunk line needed" obligation in those other facilities, shall have the un-satisfied obligation in the other facilities, factored for relative cost, added to the "trunk line needed" obligation for the pressure irrigation system.

### **CONSTRUCTED PRESSURE IRRIGATION FACILITIES ELIGIBLE FOR REIMBURSEMENT**

For pressure irrigation facilities to be considered eligible for any reimbursement from the City, the pressure irrigation facilities must meet at least one of the following conditions:

1. Off-Site Lines: A pressure irrigation main extension that lies off-site the Sponsoring Developer's property and is beyond the "reasonable duty" of Sponsoring Developer's project; or
2. On-Site Lines: A pressure irrigation main extension that lies within the Sponsoring Developer's property and is beyond the "reasonable duty" of Sponsoring Developer's project; or
3. Off-Site Easements: Off-site easements required for construction of the above described eligible off-site pressure irrigation facilities may also be eligible for reimbursement; or
4. Off-Site Engineering: Engineering services for off-site eligible pressure irrigation facilities up to a maximum of 7 percent (7%) of the construction cost of said pressure irrigation facilities; or
5. Supply Facilities: Any new irrigation supply facilities, as distinguished from transmission facilities, whether completely new facilities or facility upgrades. The facility's costs may include wells, pumps and controls, standby power, storage ponds, booster station, SCADA controls and any other irrigation supply facilities approved by the City. Irrigation supply facilities will be reimbursed from the Irrigation Supply portion of Connection Fees using similar distribution methodology described herein; or
6. City Construction: When the City constructs extensions or replacements of pressure irrigation lines of any diameter using City funds, the City constructed pressure irrigation facilities will be eligible for reimbursement to the City as a Sponsoring Developer and in the manner noted herein.

## REIMBURSEMENT CONDITIONS

To be eligible for reimbursement, the Sponsoring Developer must, unless otherwise approved by the City, do the following:

1. Sponsoring Developer's project must be annexed into the City; and
2. Design the pressure irrigation facilities in accordance with the City's pressure irrigation master plan; and
3. Receive at least three bids for the pressure irrigation system construction and select the lowest responsive bid, unless otherwise approved by the City; and
4. Receive preliminary plat, special use permit or building permit approval from or complete a municipal service agreement with the City for the development being served by the pressure irrigation facilities; and
5. Construct the pressure irrigation facilities in accordance with the City approved plans and specifications including all lines and diameters directed by the City; and
6. Lawfully dedicate the pressure irrigation system facilities and any necessary easements to the City.

## AMOUNT OF REIMBURSEMENT

1. *Off-Site Pressure Irrigation Facilities:* The amount of Eligible Reimbursement available to the Sponsoring Developer for eligible off-site pressure irrigation extensions beyond the "reasonable duty" shall be based upon a proportional amount of the costs to design and construct the facility computed from the ratio of the capacity of the nominal diameter needed by the Sponsoring Developer's project to 75% of the capacity of the diameter provided.
2. *On-Site Pressure Irrigation Facilities:* The amount of Eligible Reimbursement available to the Sponsoring Developer for eligible on-site pressure irrigation pipelines beyond the size of the "reasonable duty", shall be based upon an amount computed as the difference between the cost to design and construct the pipe size of the "reasonable duty" and the cost to design and construct the pipe size provided.
3. *Interest:* Interest shall accrue on the Sponsoring Developer's remaining Eligible Reimbursement principal amount, as determined by items 1 through 2 above, at the simple rate of four percent (4%) per annum for a period of up to ten (10) years. The agreement shall have the amortization chart attached as an exhibit.

## **FINANCING PRESSURE IRRIGATION FACILITIES**

The City will generate revenue for financing Pressure Irrigation main pipeline facilities reimbursement agreements by assessing each equivalent dwelling unit (EDU) a Pressure Irrigation Main Line Fee (PIMLF), also known as Trunk Line Connection Fee, at time of connection or upon issuance of a building permit. The amount of this PIMLF will be established by City Council resolution. The City will review the PIMLF amount each year and may make adjustments annually as deemed necessary to cover pressure irrigation main line reimbursement costs.

## **REIMBURSEMENT AGREEMENTS AND METHODS OF REIMBURSEMENT**

1. A Reimbursement Agreement entered into between the City and the Sponsoring Developer is a requirement for receiving reimbursement and shall provide the Sponsoring Developers the opportunity to receive a maximum of ten (10) consecutive annual reimbursement payments. The Reimbursement Agreement shall be entered into within one hundred eighty (180) days after completion of the project.
2. City sponsored extensions and expansions are presumed to exclusively benefit existing and future users and the public in general. As a Sponsoring Developer, the City is not required to enter into an agreement with itself, is not limited in number of annual payments and the costs of its projects are fully reimbursable and not subject to reductions in reimbursement by proportional usage or the “reasonable duty” defined herein. The City is subject, in its annual reimbursements, to the annual distribution percentages defined herein.
3. No reimbursement agreement shall reimburse Sponsoring Developers for construction costs that exceed the eligible reimbursement amount.
4. The City will retain 10% of the collected PIMLF for administration and developer support. This 10% fee will not reduce the Sponsoring Developers Eligible Reimbursement amount - only the amount of funds each year available for reimbursement to the Sponsoring Developer(s).
5. The Reimbursement Agreement will terminate when the sooner of either occurs: the Sponsoring Developer has been fully reimbursed the agreed upon reimbursement amount at or prior to the end of the term of the agreement, or the City has tendered the tenth (10<sup>th</sup>) annual payment whether or not the eligible reimbursement amount is paid in full. In no event shall the Reimbursement Agreement be extended beyond the initial term.
6. The City will collect the PIMLF from all entities that connect to and utilize the City’s Pressure Irrigation facilities in conformance with adopted City policies. The portion of the PIMLF dedicated for reimbursement to Sponsoring Developers shall be reimbursed annually less the retained ten percent (10%) administration cost. Reimbursement payments, therefore, will be made on an annual basis but limited to the amount of the

PIMLF collected for pressure irrigation reimbursement and, in the proportions as defined below to each Sponsoring Developer.

7. The portion of the PIMLF dedicated for reimbursement that is collected annually from Pressure Irrigation connections will be reimbursed and distributed to Sponsoring Developers annually, based on the percent each Sponsoring Developer's initial Eligible Reimbursement amount is to the summed Total Eligible Reimbursement amount of all eligible Sponsoring Developers for that reimbursement year. The Sponsoring Developer's initial Total Eligible Reimbursement will not vary from year-to-year until retired but the Sponsoring Developer's percentage will vary as the combined initial Total Eligible Reimbursement amounts change from year-to-year.

Reimbursements will only be distributed for ten (10) annual payments after final acceptance of the Eligible Facility. Depending on the PIMLF collected within the ten-year Agreement period, and the number of claimants to those Fees, the Eligible Reimbursement amount may or may not be fully reimbursed. Also reimbursement to each Sponsoring Developer will not exceed his/her Total Eligible Reimbursement amount. Reimbursement Agreements or City sponsored projects completed on or before August 31<sup>st</sup> of one year will become eligible for the first payment of reimbursement funds on September 1<sup>st</sup> the following year.

8. If in any year a Sponsoring Developer's claim is satisfied with a partial payment, the dedicated portion of the PIMLF for that year shall be reduced by the partial payment and the remainder shall be distributed to the remaining Sponsoring Developers without further consideration of the satisfied claim.

Adopted by the City of Kuna this 3<sup>rd</sup> day of October 2017.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

**RESOLUTION NO. R79-2017  
CITY OF KUNA, IDAHO**

**CITY SEWER FACILITIES REIMBURSEMENT POLICY – 2017**

**PURPOSE**

A resolution of the City of Kuna setting forth a reimbursement policy that provides real property owners, developers, and/or the City of Kuna, hereinafter referred to as Sponsoring Developers, a mechanism to seek reimbursement for eligible sewer facilities that exceed the Sponsoring Developer's sewer facilities requirements as provided below. When a Sponsoring Developer, at its own expense and in conformance with the City Sewer System Master Plan or at the direction of the City, constructs an extension of the existing sewer system or constructs oversized sewer facilities determined by the City to be larger than needed to serve the Sponsoring Developer's project, the Sponsoring Developer may be reimbursed to the extent allowed in this policy by entering into a reimbursement agreement with the City. Reimbursement will be for eligible costs of the sewer facilities as described below.

City Sewer Collection Pipelines are classified as follows:

1. Master Plan Interceptor Line (Street Frontage) – A sewer collection main larger than 8 inches, identified in the Master Plan to be part of the major sewer collection network and located in or adjacent to the street right-of-way fronting Sponsoring Developer's property. In this policy, frontage lines are treated as on-site lines.
2. Master Plan Interceptor Line (On-site) – A sewer collection main larger than 8 inches, identified in the Master Plan to be part of the major sewer collection network and located within the Sponsoring Developer's property including lines in or adjacent to the street right-of-way fronting Sponsoring Developer's property.
3. Master Plan Interceptor Line (Off-site) – A sewer collection main larger than 8 inches, identified in the Master Plan to be part of the major sewer collection network and not located on-site or in the street frontage or adjacent to the street right-of-way fronting Sponsoring Developer's property.
4. Non-Master Plan Collection Line (On-site) - A sewer collection main not identified in the Master Plan to be part of the major sewer collection network, located on-site of the Sponsoring Developer's property, and whose principal purpose is to collect waste water from the various points of service within the Sponsoring Developer's property.
5. Non-Master Plan Collection Line (Off-site) – A sewer collection main not identified in the Master Plan to be part of the major sewer collection network and not located on-site or in the street frontage or adjacent to the street right-of-way fronting Sponsoring Developer's property.

6. Stub Line (On-site) - A sewer collection main located on-site of the Sponsoring Developer's property, connected to any of the sewer collection mains on-site and extending to the property boundary, beyond the last point of collection for the Sponsoring Developer's property, and whose principal purpose is to collect waste water from neighboring properties. A stub line is generally constructed at the direction of the City, is generally 8 or 10 inches in diameter and is not a frontage line or Master Plan Interceptor line.

A Sponsoring Developer's project may be eligible or ineligible for reimbursement according to criteria outlined herein. For instance, a line constructed larger than needed at Sponsoring Developer's discretion and not at the direction of the City is not eligible for reimbursement.

Each project or development is presumed to benefit from the work of earlier Sponsoring Developers and to have, as a condition for receiving benefit from the existing city sewer system, a "reasonable duty" to add to, enhance, oversize or extend the existing system within certain limits. This "reasonable duty" is not reimbursable. The construction of on-site or off-site facilities beyond this "reasonable duty" is presumed to be eligible for reimbursement to the extent allowed in this policy and as approved by the City.

"Reasonable duty" includes expenses incurred by the Sponsoring Developer from examples that follow:

1. Payment of Connection Fees: Connection fees are remitted at the time of building permit issuance, or in other circumstances, at the time of connection to the system as defined in city resolutions.
2. Master Plan Interceptor Line (On-Site): Construct the diameter specified in the Master Plan, or the nominal diameter needed in reference to Sponsoring Developer's peak discharge, whichever is larger, at the depth and slope implied in the Master Plan. The Sponsoring Developer's "reasonable duty" for interceptor line construction is the length of interceptor line needed per development acre, as defined herein.
3. Master Plan Interceptor Line (Off-site): Construct the diameter specified in the Master Plan, or the nominal diameter needed in reference to Sponsoring Developer's peak discharge, whichever is larger, at the depth and slope implied in the Master Plan. The Sponsoring Developer's "reasonable duty" for off-site interceptor line construction is the interceptor line needed per development acre less the length of interceptor line on-site, but not less than zero.
4. Non-Master Plan Collection Line (On-site): Construct the line with a diameter of 8 inches as directed by the City, or the nominal diameter needed in reference to Sponsoring Developer's peak discharge, whichever is larger, and which is Sponsoring Developer's "reasonable duty". If the City directs that an on-site non-master plan main line be replaced with a line larger than the "reasonable duty", it will be treated as an On-Site Gravity Sewer Facility for reimbursement purposes.

5. Non-Master Plan Collection Line (Off-site): Construct the line with a diameter of 8 inches, or the nominal diameter needed in reference to Sponsoring Developer's peak discharge, whichever is larger, and which is Sponsoring Developer's "reasonable duty". If the City directs that an off-site non-master plan main line be replaced with a line larger than the "reasonable duty", it will be treated as an Off-Site Gravity Sewer Facility for reimbursement purposes.
6. Stub Line (On-site): Construct the line with a diameter of 8 or 10 inches and at the depth and slope as directed by the City, and which is Sponsoring Developer's "reasonable duty".

## DEFINITIONS

1. Interceptor Line Needed: Based on characteristics of development in Kuna; relying on the major sewer collection network defined in the Master Plan; adding for undeveloped land, waste land and other unconnected properties; adding for parks, common areas, right-of-way and other public properties and deducting for connection fees paid in equivalent feet; it requires a net 20 lineal feet of interceptor line per acre to serve the gross acreage of Sponsoring Developer's project.
2. Interceptor Line Needed-Amended: For projects also connecting to pressure irrigation and/or potable water, but which do not construct sufficient trunk line in the other facilities to satisfy the "trunk line needed" obligation in those other facilities, shall have the un-satisfied obligation in the other facilities, factored for relative cost, added to the "interceptor line needed" obligation for the sewer collection system.
3. Line Capacity: The water carrying capacity of a pipeline for purposes of this policy is assumed to be 75% of the discharge computed by Manning's Equation at the minimum slope allowed per the "Ten States Standards". The City Engineer shall maintain a standard chart of pipe capacities.
4. Nominal Diameter Needed: In terms relevant to this policy, the minimum standard pipe diameter (8", 10", 12", 15" and larger) with sufficient transmission capacity to carry the Sponsoring Developer's designated peak discharge.
5. Peak Discharge: In terms relevant to this policy, the Peak Discharge is assumed to be the Average Discharge multiplied by the peaking factor of the City Engineer's standard chart.
6. Property: For purposes of determining whether over-sized lines are on-site, off-site or lie in the frontage and for computing the nominal diameter needed, "Property" of Sponsoring Developer shall include the present project, future phases of the project, and other properties in the vicinity of the over-sized line in which the Sponsoring Developer or his partners, has a property interest. However, once the "interceptor line needed" component of the "reasonable duty" has been satisfied for a parcel, it is not imposed again for subsequent cost recovery agreements.

7. Property in the Vicinity: Property in the same quarter section as the over-sized pipe line, or in the case of over-sized pipe lines fronting section or quarter-section lines, property in the quarter sections on each side, is considered “in the vicinity”. In most instances the City will require that interceptor lines are located as contemplated in the City Master Plan.
8. Very Large Interceptor Lines: Interceptor lines larger than a diameter of 15-inches and larger than the nominal diameter needed. In calculating relative cost factor, the ratio of cost per foot for water or pressure irrigation trunk lines to the cost per foot for the minimum diameter of very large interceptor lines shall be used.

### **CONSTRUCTED SEWER FACILITIES ELIGIBLE FOR REIMBURSEMENT**

For sewer facilities to be considered eligible for any reimbursement from the City, the sewer facilities must meet at least one of the following conditions:

1. Off-Site Lines: A sewer collection main extension that lies off-site of the Sponsoring Developer’s property and is beyond the “reasonable duty” of Sponsoring Developer’s project; or
2. On-Site Lines: A sewer collection main extension that lies within the Sponsoring Developer’s property and is beyond the “reasonable duty” of Sponsoring Developer’s project; or
3. Deep On-Site Lines: A sewer collection main extension located within the Sponsoring Developer’s property, not larger than the minimum nominal diameter needed to serve Sponsoring Developer’s project, but required by the City to be deeper than 10-feet and deeper than the depth required to serve Sponsoring Developer’s property. The eligible cost for this item may include trench excavation, backfill and rock excavation for the portion of excavation deeper than 10-feet and deeper than the depth required to serve the Sponsoring Developer’s property. Depth of the sewer pipe will be determined from pre-developed ground elevation to the invert elevation of the sewer pipe; or
4. Large On-Site Lines: A sewer main 18 inches in diameter or larger, and larger than needed to serve the Sponsoring Developer’s property, may be considered for additional eligible excavation and backfill costs (primarily based on added width of excavation and backfill) not covered under items 2 and 3 above; or
5. Lift Stations: Permanent sewage lift stations required by the City, together with required force mains, and sized to serve areas in addition to Sponsoring Developer’s property. Temporary lift stations and/or force mains are not eligible for reimbursement from the City; or
6. Off-Site Easements: Off-site easements required for construction of the above described sewer facilities may also be eligible for reimbursement; or

7. **Off-Site Engineering:** Engineering services for off-site eligible sewer facilities up to a maximum of 7 percent (7%) of the construction cost of said sewer facilities; or
8. **City Construction:** When the City constructs sewer collection mains, sewer lift stations and/or force mains using City funds, the City constructed sewer facilities will be eligible for reimbursement to the City as a Sponsoring Developer and in the manner noted herein.

## **REIMBURSEMENT CONDITIONS**

To be eligible for reimbursement, the Sponsoring Developer must, unless otherwise approved by the City, do the following:

1. Sponsoring Developer's project must be annexed into the City; and
2. Design the sewer facilities in accordance with the City's sewer master plan; and
3. Receive at least three bids for the sewer construction and select the lowest responsive bid, unless otherwise approved by the City; and
4. Receive preliminary plat, special use permit or building permit approval from or complete a municipal service agreement with the City for the development being served by the sewer facilities; and
5. Construct the sewer facilities in accordance with the City approved plans and specifications including all lines, diameters and depths directed by the City; and
6. Lawfully dedicate the sewer system facilities and any necessary easements to the City.

## **AMOUNT OF REIMBURSEMENT**

1. *Off-Site Gravity Sewer Facilities:* The amount of Eligible Reimbursement available to the Sponsoring Developer for eligible off-site sewer collection main extensions beyond the "reasonable duty" shall be based upon a proportional amount of the costs to design and construct the facility computed from the ratio of the capacity of the nominal diameter needed by the Sponsoring Developer's project to 75% of the capacity of the diameter provided.
2. *On-Site Gravity Sewer Facilities:* The amount of Eligible Reimbursement available to the Sponsoring Developer for eligible on-site sewer collection main extensions beyond the size and/or depth of the "reasonable duty", shall be based upon an amount computed as the difference between the cost to design and construct the pipe size of the "reasonable duty" and the cost to design and construct the pipe size provided.
3. *Permanent Lift Stations and Force Mains:* The amount of Eligible Reimbursement available to the Sponsoring Developer for eligible lift stations and force mains beyond

the “reasonable duty” shall be based upon a proportional amount of the costs to design and construct the facility computed from the ratio of the capacity of the “reasonable duty” of the Sponsoring Developer’s project to 75% of the capacity of the facility provided.

4. Interest: Interest shall accrue on the Sponsoring Developer’s remaining Eligible Reimbursement principal amount, as determined by items 1 through 2 above, at the simple rate of four percent (4%) per annum for a period of up to ten (10) years. The agreement shall have the amortization chart attached as an exhibit.

## FINANCING SEWER FACILITIES

The City will generate revenue for financing sewer facilities reimbursement agreements by assessing each equivalent dwelling unit (EDU) a Sewer Interceptor Fee (SIF) at or before issuance of a building permit. The amount of this SIF per EDU will be established by City Council resolution. The City will review the SIF amount each year and may make adjustments annually as deemed necessary to cover sewer facility reimbursement costs.

## REIMBURSEMENT AGREEMENTS AND METHODS OF REIMBURSEMENT

1. A Reimbursement Agreement entered into between the City and the Sponsoring Developer is a requirement for receiving reimbursement and shall provide Sponsoring Developers the opportunity to receive up to a maximum of ten (10) consecutive annual reimbursement payments. The Reimbursement Agreement shall be entered into within one hundred eighty (180) days after completion of the project.
2. City sponsored extensions and expansions are presumed to exclusively benefit existing and future users and the public in general. As a Sponsoring Developer, the City is not required to enter into an agreement with itself, is not limited in number of annual payments and the costs of its projects are fully reimbursable and not subject to reductions in reimbursement by proportional usage or the “reasonable duty” defined herein. The City is subject, in its annual reimbursements, to the annual distribution percentages defined herein.
3. No Reimbursement Agreement shall reimburse Sponsoring Developers for construction costs that exceed the eligible reimbursement amount.
4. The City will retain 10% of the collected SIF for administration and developer support. This 10% fee will not reduce the Sponsoring Developers eligible reimbursement dollar amount - only the amount of funds each year available for reimbursement to the Sponsoring Developer(s).
5. The Reimbursement Agreement will terminate when the sooner of either occurs: the Sponsoring Developer has been fully reimbursed the agreed upon reimbursement amount at or prior to the end of the term of the agreement, or the City has tendered the tenth

(10<sup>th</sup>) annual payment whether or not the eligible reimbursement amount is paid in full. In no event shall the Reimbursement Agreement be extended beyond the initial term.

6. The City will collect SIF from all entities that connect to and utilize the City's sewer facilities in conformance with adopted City policies. The portion of the SIF dedicated for reimbursement to Sponsoring Developers shall be reimbursed annually less the retained ten percent (10%) administration cost. Reimbursement payments, therefore, will be made on an annual basis only up to the amount of the SIF collected for sewer reimbursement and, in the proportions as defined below to each Sponsoring Developer.
7. The portion of the SIF dedicated for reimbursement that is collected annually will be reimbursed and distributed to Sponsoring Developers annually, based on the percent of each Sponsoring Developer's initial Total Eligible Reimbursement amount is to the combined initial Total Eligible Reimbursement amount of all Developer Sponsored Eligible Facilities for that reimbursement year. The Sponsoring Developer's initial Total Eligible Reimbursement will not vary from year-to-year until retired but the Sponsoring Developer's percentage will vary as the combined initial Total Eligible Reimbursement amounts change from year-to-year.

Reimbursements will only be distributed for ten (10) annual payments after final acceptance of the Eligible Facility. Depending on the SIF collected within the ten-year period, the Total Eligible Cost may or may not be reimbursed. Also reimbursement to each Sponsoring Developer will not exceed his/her Total Eligible Reimbursement amount. Eligible Facilities completed on or before August 31<sup>st</sup> will first become eligible for reimbursement funds on or after September 1<sup>st</sup> the following year.

8. If in any year a Sponsoring Developer's claim is satisfied with a partial payment, the dedicated portion of the SIF for that year shall be reduced by the partial payment and the remainder shall be distributed to the remaining Sponsoring Developers without further consideration of the satisfied claim.

Adopted by the City of Kuna this 3<sup>rd</sup> day of October 2017.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

**RESOLUTION NO. R80-2017  
CITY OF KUNA, IDAHO**

**CITY POTABLE WATER FACILITIES REIMBURSEMENT POLICY - 2017**

**PURPOSE**

A resolution of the City of Kuna setting forth a reimbursement policy that provides real property owners, developers, and/or the City of Kuna, hereinafter referred to as Sponsoring Developers, a mechanism to seek reimbursement for eligible potable water facilities that exceed the Sponsoring Developer's sewer facilities requirements as provided below. When a Sponsoring Developer, at its own expense and in conformance with the City Water System Master Plan or at the direction of the City, constructs an extension or expansion of the existing potable water system determined by the City to be larger than needed to serve Sponsoring Developer's project, the Sponsoring Developer may be reimbursed to the extent allowed in this policy by entering into a reimbursement agreement with the City. Reimbursement will be for eligible costs of the potable water facilities as described below.

City Water Pipelines are classified as follows:

1. Master Plan Trunk Line (Street Frontage) – A 12-inch diameter, or larger, main line identified in the Master Plan to be part of the major distribution grid and located in or adjacent to the street right-of-way fronting Sponsoring Developer's property. In this policy, frontage lines are treated as on-site lines.
2. Master Plan Trunk Line (On-site) – A 12-inch diameter, or larger, main line identified in the Master Plan to be part of the major distribution grid and located within the Sponsoring Developer's property but not in or adjacent to the street right-of-way fronting Sponsoring Developer's property.
3. Master Plan Trunk Line (Off-site) – An 12-inch diameter, or larger, main line identified in the Master Plan to be part of the major distribution grid and not located on-site or in the street frontage or adjacent to the street right-of-way fronting Sponsoring Developer's property.
4. Non-Master Plan Line (Off-site) – A main line not identified in the Master Plan to be part of the major distribution grid and not located on-site or in the street frontage or adjacent to the street right-of-way fronting Sponsoring Developer's property.
5. Distribution Line (On-site) - A main line not identified in the Master Plan to be part of the major distribution grid, located on-site of the Sponsoring Developer's property, and whose principal purpose is to deliver water to the various points of service within the Sponsoring Developer's property.
6. Stub Line (On-site) - A main line located on-site of the Sponsoring Developer's property, connected to any of the main lines on-site and extending to the property boundary,

beyond the last point of delivery for the Sponsoring Developer's property, and whose principal purpose is to deliver water to neighboring properties. A stub line is generally constructed at the direction of the City, is generally 8 inches in diameter or smaller and is not a frontage line or Master Plan line.

A Sponsoring Developer's project may be eligible or ineligible for reimbursement according to criteria outlined herein. For instance, a line constructed larger than needed at Sponsoring Developer's discretion and not at the direction of the City is not eligible for reimbursement.

Each project or development is presumed to benefit from the work of earlier Sponsoring Developers and to have, as a condition for receiving benefit from the existing city potable water system, a "reasonable duty" to add to, enhance, oversize or extend the existing system within certain limits. This "reasonable duty" is not reimbursable. The construction of on-site or off-site facilities beyond this "reasonable duty" is presumed to be eligible for reimbursement to the extent allowed in this policy and as approved by the City.

"Reasonable duty" includes expenses incurred by the Sponsoring Developer from examples that follow:

1. **Payment of Connection Fees:** Connection fees are remitted at the time of building permit issuance, or in other circumstances, at the time of connection to the system as defined in city resolutions.
2. **Master Plan Trunk Line (On-Site):** Construct the diameter specified in the Master Plan, or the nominal diameter needed in reference to Sponsoring Developer's peak demand, whichever is larger. The Sponsoring Developer's "reasonable duty" for trunk line construction is the length of trunk line needed per development acre, as defined herein.
3. **Master Plan Trunk Line (Off-site):** Construct the diameter specified in the Master Plan, or the nominal diameter needed in reference to Sponsoring Developer's peak demand, whichever is larger. The Sponsoring Developer's "reasonable duty" for off-site trunk line construction is the trunk line needed per development acre less the length of trunk line on-site, but not less than zero.
4. **Non-Master Plan Line (Off-site):** Construct the line with a diameter of 8 inches, or the nominal diameter needed in reference to Sponsoring Developer's peak demand, whichever is larger, and which is Sponsoring Developer's "reasonable duty". If the City directs that an off-site non-master plan main line be replaced with a trunk line, it will be treated as an off-site Master Plan Trunk Line for reimbursement purposes.
5. **Distribution Line (On-site):** Construct the line with a diameter of 6 or 8 inches as directed by the City, or the nominal diameter needed in reference to Sponsoring Developer's peak demand, whichever is larger, and which is Sponsoring Developer's "reasonable duty".

6. Stub Line (On-site): Construct the line with a diameter up to 8 inches as directed by the City, and which is Sponsoring Developer's "reasonable duty".

## DEFINITIONS

1. Line Capacity: The water carrying capacity of a pipeline for purposes of this policy is based on pressure drop of 0.0037 psi per foot of line.
2. Nominal Diameter Needed: In terms relevant to this policy, the standard pipe diameter (6", 8", 10", 12" and larger) with sufficient transmission capacity to carry the designated peak demand.
3. Peak Demand: In terms relevant to this policy, the Peak Demand is assumed to be the Peak Hour Demand, inclusive of fire flow demands.
4. Property: For purposes of determining whether over-sized lines are on-site, off-site or lie in the frontage and for computing the nominal diameter needed, "Property" of Sponsoring Developer shall include the present project, future phases of the project, and other properties in the vicinity of the over-sized line in which the Sponsoring Developer or his partners, has a property interest. However, once the "trunk line needed" component of the "reasonable duty" has been satisfied for a parcel, it is not imposed again for subsequent cost recovery agreements.
5. Property in the Vicinity: Property adjacent or in the same quarter section as the over-sized pipe line, or in the case of over-sized pipe lines fronting section or quarter-section lines, property in the quarter sections on each side, is considered "in the vicinity". In most instances the City will require that trunk lines are located along section and quarter-section lines as contemplated in the City Master Plan.
6. Trunk Line Needed: Based on characteristics of development in Kuna; relying on the ½ mile trunk line grid in the Master Plan; adding for undeveloped land, waste land and other unconnected properties; adding for parks, common areas and other public properties and deducting for connection fees paid in equivalent feet; it requires an average of 33 lineal feet of trunk line to serve each acre of the remaining connected property.
7. Trunk Line Needed-Amended: For projects also connecting to pressure irrigation and/or sewer, but which do not construct sufficient trunk line in the other facilities to satisfy the "trunk line needed" obligation in those other facilities, shall have the un-satisfied obligation in the other facilities, factored for relative cost, added to the "trunk line needed" obligation for the potable water system.

## CONSTRUCTED POTABLE WATER FACILITIES ELIGIBLE FOR REIMBURSEMENT

For potable water facilities to be considered eligible for any reimbursement from the City, the potable water facilities must meet at least one of the following conditions:

1. Off-Site Lines: A potable water main extension that lies off-site the Sponsoring Developer's property and is beyond the "reasonable duty" of Sponsoring Developer's project; or
2. On-Site Lines: A potable water main extension that lies within the Sponsoring Developer's property (on-site), is beyond the "reasonable duty" of Sponsoring Developer's project; or
3. Off-Site Easements: Off-site easements required for construction of the above described eligible off-site potable water facilities; or
4. Off-Site Engineering: Engineering services for off-site eligible potable water facilities up to a maximum of 7 percent (7%) of the construction cost of said potable water facilities; or
5. Supply Facilities: Any new potable water supply facilities, as distinguished from transmission facilities, whether completely new facilities or facility upgrades. The facility's costs may include wells, pumps and controls, standby power, storage tanks, booster station, SCADA controls and any other potable water supply facilities approved by the City. Potable water supply facilities will be reimbursed from the potable water Supply portion of Connection Fees using similar distribution methodology described herein; or
6. City Construction: When the City constructs extensions or replacements of potable water lines of any diameter using City funds, the City constructed potable water facilities will be eligible for reimbursement to the City as a Sponsoring Developer and in the manner noted herein.

## **REIMBURSEMENT CONDITIONS**

To be eligible for reimbursement, the Sponsoring Developer must, unless otherwise approved by the City, do the following:

1. Sponsoring Developer's project must be annexed into the City; and
2. Design the potable water facilities in accordance with the City's potable water master plan; and
3. Receive at least three bids for the potable water construction and select the lowest responsive bid, unless otherwise approved by the City; and
4. Receive preliminary plat, special use permit or building permit approval from or complete a municipal service agreement with the City for the development being served by the potable water facilities; and

5. Construct the potable water facilities in accordance with the City approved plans and specifications including all lines and diameters directed by the City; and
6. Lawfully dedicate the potable water system facilities and any necessary easements to the City.

### **AMOUNT OF REIMBURSEMENT**

1. *Off-Site Potable Water Facilities:* The amount of Eligible Reimbursement available to the Sponsoring Developer for eligible off-site potable water extensions beyond the “reasonable duty” shall be based upon a proportional amount of the costs to design and construct the facility computed from the ratio of the capacity of the nominal diameter needed by the Sponsoring Developer’s project to 75% of the capacity of the diameter provided.
2. *On-Site Potable Water Facilities:* The amount of Eligible Reimbursement available to the Sponsoring Developer for eligible on-site potable water pipelines beyond the size of the “reasonable duty”, shall be based upon an amount computed as the difference between the cost to design and construct the pipe size of the “reasonable duty” and the cost to design and construct the pipe size provided.
3. *Interest:* Interest shall accrue on the Sponsoring Developer’s remaining Eligible Reimbursement principal amount, as determined by items 1 through 2 above, at the simple rate of four percent (4%) per annum for a period of up to ten (10) years. The agreement shall have the amortization chart attached as an exhibit.

### **FINANCING POTABLE WATER FACILITIES**

The City will generate revenue for financing water facilities reimbursement agreements by assessing each equivalent dwelling unit (EDU) a Water Main Line Fee (WMLF) at or before issuance of a building permit. The amount of this WMLF will be established by City Council resolution. The City will review the WMLF amount each year and may make adjustments annually as deemed necessary to cover water main line reimbursement costs

### **REIMBURSEMENT AGREEMENTS AND METHODS OF REIMBURSEMENT**

1. A reimbursement agreement entered into between the City and the sponsoring Developer is a requirement for receiving reimbursement and shall provide the Sponsoring Developers the opportunity to receive a maximum of ten (10) consecutive annual reimbursement payments. The Reimbursement Agreement shall be entered into within one hundred eighty (180) days after completion of the project.
2. City sponsored extensions and expansions are presumed to exclusively benefit existing and future users and the public in general. As a Sponsoring Developer, the City is not required to enter into an agreement with itself, is not limited in number of annual

payments and the costs of its projects are fully reimbursable and not subject to reductions in reimbursement by proportional usage or the “reasonable duty” defined herein. The City is subject, in its annual reimbursements, to the annual distribution percentages defined herein.

3. No reimbursement agreement shall reimburse Sponsoring Developers for construction costs that exceed the eligible reimbursement amount.
4. The City will retain 10% of the collected WMLF for administration and developer support. This 10% fee will not reduce the Sponsoring Developer’s eligible reimbursement dollar amount, only the amount of funds available each year for reimbursement to the Sponsoring Developer(s).
5. The Reimbursement Agreement will terminate when the sooner of either occurs: the Sponsoring Developer has been fully reimbursed the agreed upon reimbursement amount at or prior to the end of the term of the agreement or the City has tendered the tenth (10th) annual payment whether or not the eligible reimbursement amount is paid in full. In no event shall the Reimbursement Agreement be extended beyond the initial term.
6. The City will collect WMLF from all entities that connect to and utilize the City’s water facilities in conformance with adopted city policies. The portion of the WMLF dedicated for reimbursement to Sponsoring Developers shall be reimbursed annually less the retained ten percent (10%) administration cost. Reimbursement payments, therefore, will be made on an annual basis only up to the amount of the WMLF collected for water reimbursement and, in the proportions as defined below, to each Sponsoring Developer.
7. The portion of the WMLF dedicated for reimbursement that is collected annually will be reimbursed and distributed to Sponsoring Developers annually, based on the percent of each Sponsoring Developer’s initial Total Eligible Reimbursement amount compared to the combined initial Total Eligible Reimbursement amounts of all Developer Sponsored Eligible Facilities for that reimbursement year. The Sponsoring Developer’s initial Total Eligible Reimbursement will not vary from year-to-year until retired but the Sponsoring Developer’s percentage will vary as the combined initial Total Eligible Reimbursement amounts change from year-to-year.

Reimbursements will only be distributed for ten (10) annual payments after final acceptance of the Eligible Facility. Depending on the WMLF collected within the ten-year period, the Total Eligible Cost may or may not be reimbursed. Also, reimbursement to each Sponsoring Developer will not exceed his/her Total Eligible Reimbursement amount. Eligible Facilities completed on or before August 31<sup>st</sup> will first become eligible for the first payment of reimbursement funds on September 1<sup>st</sup> the following year.

8. If in any year a Sponsoring Developer’s claim is satisfied with a partial payment, the dedicated portion of the WMLF for that year shall be reduced by the partial payment and the remainder shall be distributed to the remaining Sponsoring Developers without further consideration of the satisfied claim.

Adopted by the City of Kuna this 3<sup>rd</sup> day of October 2017.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

**RESOLUTION NO. R81-2017  
CITY OF KUNA, IDAHO  
WELL MITIGATION FUND DISSOLUTION AND FUNDS TRANSFER**

**A RESOLUTION OF THE CITY OF KUNA, IDAHO DISSOLVING THE WELL MITIGATION FUND AND DIRECTING THE CITY TREASURER TO TRANSFER THE ACCUMULATED FUNDS FROM THE WELL MITIGATION FUND TO THE WATER FUND.**

**WHEREAS**, The Kuna City Council, by Resolution R12-2007, did authorize the Mayor and City Clerk to execute the certain agreement entitled *Protest of Application for Water Right No. 63-31741 Settlement Agreement*, dated March 2, 2005; and

**WHEREAS**, The Mayor and City Clerk did execute the certain agreement entitled *Protest of Application for Water Right No. 63-31741 Settlement Agreement*, dated March 2, 2005, duly executed March 7, 2005; and

**WHEREAS**, The Kuna City Council, by Resolution R11-2008, did authorize the City Treasurer and City Engineer to establish a Well Mitigation Fund and to comply with the terms of the *Protest of Application for Water Right No. 63-31741 Settlement Agreement*, resolution dated May 20, 2008; and

**WHEREAS**, Kuna City did substantially comply with the terms of the agreement entitled *Protest of Application for Water Right No. 63-31741 Settlement Agreement*, dated March 2, 2005; and

**WHEREAS**, The agreement entitled *Protest of Application for Water Right No. 63-31741 Settlement Agreement*, dated March 2, 2005 did expire September 2, 2017 and does direct that remaining unobligated funds reserved per the *Protest of Application for Water Right No. 63-31741 Settlement Agreement*, dated March 2, 2005 at its expiry be deposited to the Water Fund

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Ada County, Idaho as follows:

**SECTION 1:** The Kuna City Treasurer is hereby directed to transfer remaining unobligated funds reserved per the *Protest of Application for Water Right No. 63-31741 Settlement Agreement*, dated March 2, 2005 from the Well Mitigation Fund to the Water Fund, retroactively effective September 2, 2017.

**SECTION 2:** The Kuna City Treasurer is hereby directed to dissolve the Well Mitigation Fund.

**PASSED BY THE COUNCIL** of Kuna, Idaho this 3<sup>rd</sup> day of October, 2017.

**APPROVED BY THE MAYOR** of Kuna, Idaho this 3<sup>rd</sup> day of October, 2017.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk



# City of Kuna

## Staff Memo

P.O. Box 13  
Kuna, ID 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
www.kunaid.gov

**To:** City Council

**Case Number:** 17-04-FP – Final Plat;  
Sunbeam Townhouses

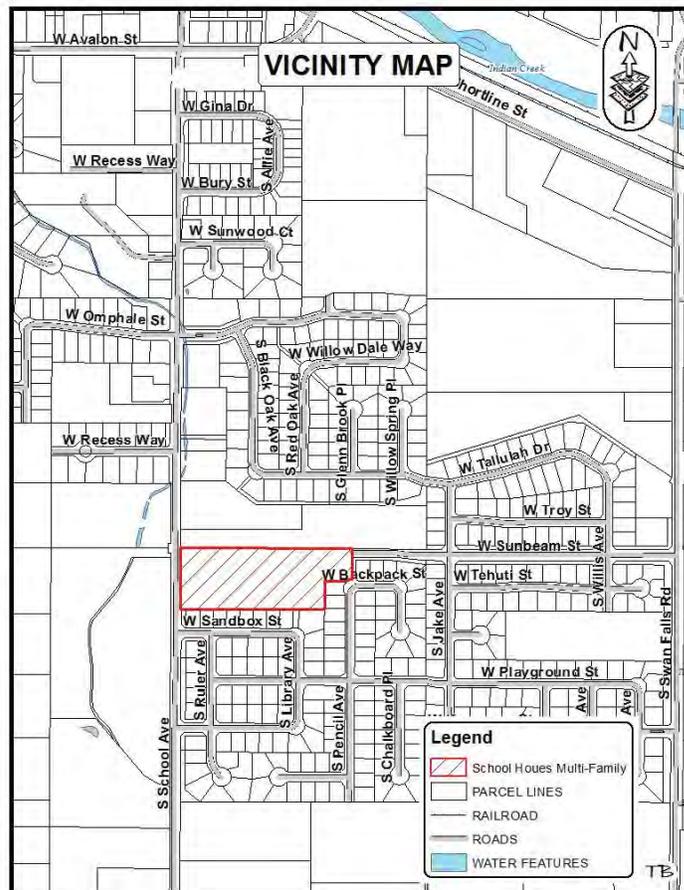
**Location:** South East Corner (SEC) of  
School Ave. & Sunbeam Rd.  
Kuna, Idaho 83634

**Planner:** Troy Behunin, Planner III

**Meeting Date:** October 3, 2017

**Applicant:** **A-team Land Consultants**  
Steve Arnold  
1785 S. Whisper Cove Ave.,  
Boise, ID 83709  
208.321.0525  
[steve@ateamboise.com](mailto:steve@ateamboise.com)

**Owner:** **Oasis Properties, LLC**  
Marty Pieroni  
475 S. Thornwood Way,  
Meridian, ID, 83642  
208.401.0977  
[martypieroni@gmail.com](mailto:martypieroni@gmail.com)



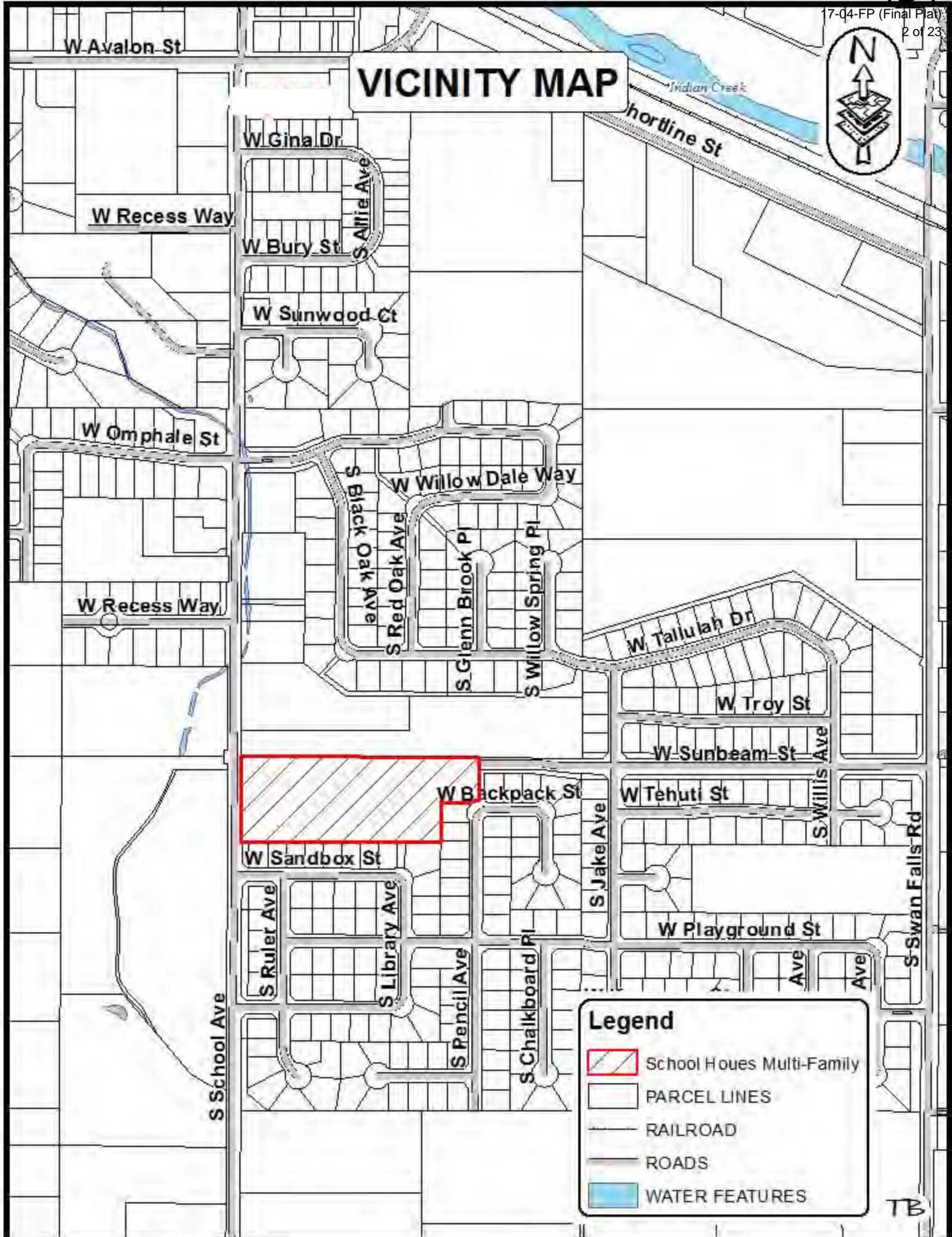
### A. General Project Facts, Staff Analysis:

1. Applicant is requesting Final Plat approval for *Sunbeam Townhouses Subdivision*. The Final Plat for the *Sunbeam Townhouses Subdivision* proposes 18 buildable lots and six (6) common lots over approximately 6.37 acres, in an R-8 (Medium Density Residential) Zone (APN # S1326428020).
2. In accordance with KCC Title 6; Subdivision Regulations, this application seeks final plat approval for the *Sunbeam Townhouses Subdivision*.

### B. Staff Analysis:

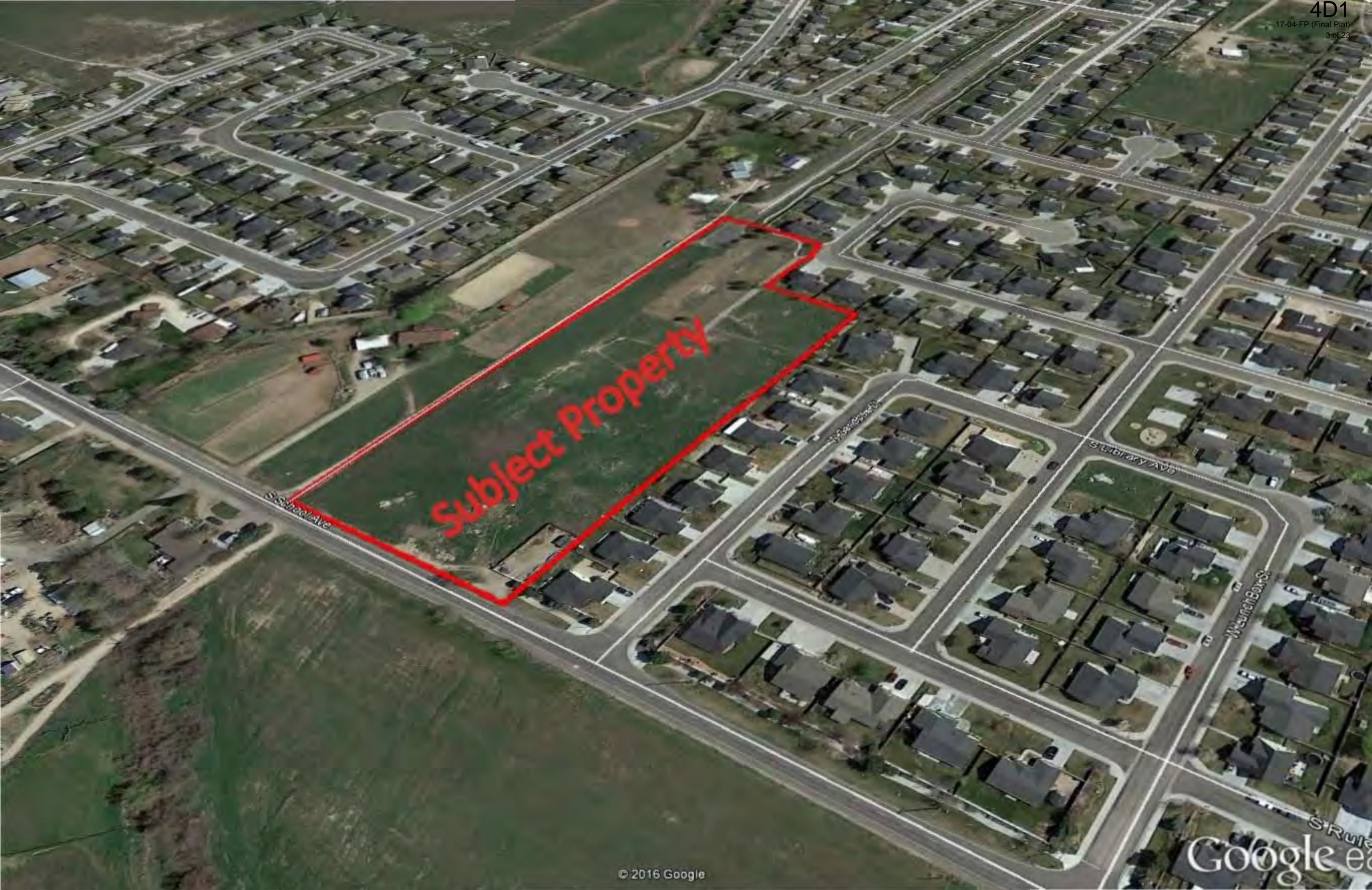
1. After reviewing the application, staff has determined the proposed final plat appears to be in substantial conformance with the approved preliminary plat for the *Sunbeam Townhouses Subdivision* development. Applicant shall secure all signatures on the final plat check-off list prior to requesting City engineer signature on the final plat mylar sheets, subject to the City Engineers' forthcoming recommended changes to the final plat and any redlines shown on the final plat Mark-up sheet provided to the applicant.

# VICINITY MAP



**Legend**

-  School Hous Multi-Family
-  PARCEL LINES
-  RAILROAD
-  ROADS
-  WATER FEATURES



S School Ave

S Wood St

S Library Ave

W Sunnyside St

S Rule St

Subject Property

Google Earth



City of Kuna  
 Planning & Zoning  
 Department  
 P.O. Box 13  
 Kuna, Idaho 83634  
 208.922.5274  
 Fax: 208.922.5989  
 Website: www.kunacity.id.gov

### Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.

\*Please submit the appropriate checklist (s) with application

**Type of Review (check all that apply):**

- Annexation
- Appeal
- Comprehensive Plan Amendment
- Design Review
- Development Agreement
- Final Planned Unit Development
- Final Plat
- Lot Line Adjustment
- Lot Split
- Planned Unit Development
- Preliminary Plat
- Rezone
- Special Use
- Temporary Business
- Vacation
- Variance

For Office Use Only	
File Number (s)	
Project name	SUNBEAM Townhomes
Date Received	
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

#### Contact/Applicant Information

Owners of Record: <u>Oasis Properties LLC</u>	Phone Number: <u>994-9691</u>
Address: <u>475 S Thornwood Way</u>	E-Mail: <u>martypicroni@gmail.com</u>
City, State, Zip: <u>Meridian ID 83642</u>	Fax #: <u>401-0977</u>
Applicant (Developer): <u>A Team Land Consultants</u>	Phone Number: <u>321-0525</u>
Address: <u>1785 Whisper Cove Ave.</u>	E-Mail: <u>steve@atcamboise.com</u>
City, State, Zip: <u>Boise ID 83709</u>	Fax #: <u>401-0977</u>
Engineer/Representative: <u>A Team Land Consultants</u>	Phone Number: <u>321-0525</u>
Address: <u>1785 Whisper Cove Avenue</u>	E-Mail: <u>steve@atcamboise.com</u>
City, State, Zip: <u>Boise ID 83709</u>	Fax #: <u>401-0977</u>

#### Subject Property Information

Site Address: <u>S. School Avenue, Kuna Idaho</u>	
Site Location (Cross Streets): <u>School Avenue and Sunbeam Road</u>	
Parcel Number (s): <u>S1326428020</u>	
Section, Township, Range: <u>2N, 1W, SEC 26</u>	
Property size : <u>6.37-acres</u>	
Current land use: <u>Vacant</u>	Proposed land use: <u>Multifamily</u>
Current zoning district: <u>R-8</u>	Proposed zoning district: _____

RECEIVED  
8.2.17

**Project Description**

Project / subdivision name: Sunbeam Townhouse Subdivision

General description of proposed project / request: The applicant is proposing 12 four plex buildings with a gazebo/pic nic area and basket ball court.

Type of use proposed (check all that apply):

Residential \_\_\_\_\_

Commercial \_\_\_\_\_

Office \_\_\_\_\_

Industrial \_\_\_\_\_

Other \_\_\_\_\_

Amenities provided with this development (if applicable): Half Basketball Court and Gazebo/Pic Nic area.

**Residential Project Summary (if applicable)**

Are there existing buildings?  Yes  No

Please describe the existing buildings: \_\_\_\_\_

Any existing buildings to remain?  Yes  No

Number of residential units: 48 Number of building lots: 18

Number of common and/or other lots: 6

Type of dwellings proposed:

Single-Family \_\_\_\_\_

Townhouses \_\_\_\_\_

Duplexes \_\_\_\_\_

Multi-Family \_\_\_\_\_

Other \_\_\_\_\_

Minimum Square footage of structure (s): 4,200 s.f

Gross density (DU/acre-total property): 7.53 Net density (DU/acre-excluding roads): 7.53

Percentage of open space provided: 72-percent Acreage of open space: 4.61-acres

Type of open space provided (i.e. landscaping, public, common, etc.): Basket ball and gazebo

**Non-Residential Project Summary (if applicable)**

Number of building lots: \_\_\_\_\_ Other lots: \_\_\_\_\_

Gross floor area square footage: \_\_\_\_\_ Existing (if applicable): \_\_\_\_\_

Hours of operation (days & hours): \_\_\_\_\_ Building height: \_\_\_\_\_

Total number of employees: \_\_\_\_\_ Max. number of employees at one time: \_\_\_\_\_

Number and ages of students/children: \_\_\_\_\_ Seating capacity: \_\_\_\_\_

Fencing type, size & location (proposed or existing to remain): \_\_\_\_\_

Proposed Parking:

a. Handicapped spaces: 6 Dimensions: 9x19

b. Total Parking spaces: 114 Dimensions: \_\_\_\_\_

c. Width of driveway aisle: 25-feet

Proposed Lighting: \_\_\_\_\_

Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): There will be landscape buffers/berms adjacent to School and Sunbeam roads, common pathway lots and gazebo and pic nic areas.

Applicant's Signature: \_\_\_\_\_ Date: 8/2/16



August 2, 2017

Mr. Trevor Kesner, Planner II  
City of Kuna  
751 W. 4<sup>th</sup> Street  
Kuna, Idaho 83634

Dear Trevor:

Subject: Sunbeam Townhouse Subdivision

On behalf of Oasis Properties LLC, A Team Land Consultants presents to the City of Kuna a Final Plat application for Sunbeam Townhouse Subdivision (previously known as School House Subdivision). The subject property is located at the southeast corner of School Avenue and Sunbeam Street. The property contains approximately 6.37 total acres, with 12 new 4-plex lots and six common lots.

The City Council approved the preliminary plat on October 18, 2016, with 12 multifamily lots. The submitted final plat substantially complies with the preliminary plat, is in conformance with all provisions of the UDC, and complies with all architectural, engineering, and surveying standards.

Please notify us as early as possible if you should need additional information regarding this application.

Sincerely,  
A Team Land Consultants

A handwritten signature in blue ink that reads 'Steve Arnold'.

Steve Arnold  
Project & Real Estate Manager

Cc: Marty Pieroni

RECEIVED  
8.2.17

# PLAT OF SUNBEAM TOWNHOUSES SUBDIVISION

A Portion of the Northwest Quarter of the Southeast Quarter  
of Section 26, Township 2 North, Range 1 West of the  
Boise Meridian, City of Kuna, Ada County, Idaho  
2017

### NOTES:

1. ERECTION MAPS WILL BE PROVIDED BY THE CITY OF KUNA IN COMPLIANCE WITH IDAHO CODE SECTION 31-3405(1)(b). ALL LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO ERECTION RIGHTS THROUGH BOISE KUNA IRRIGATION DISTRICT, AND WILL BE EXEMPTED FROM ASSESSMENTS FROM THE CITY OF KUNA.
2. ANY RECONSTRUCTION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RECONSTRUCTION AND MAY REQUIRE AMENDMENT OF THE DEVELOPMENT AGREEMENT.
3. ALL REFERENCES TO HOMEOWNERS' ASSOCIATION HEREON ARE TO THE SCHOOL HOUSE HOMEOWNERS ASSOCIATION AND THE CHARTERS OF THE LOTS, WITHIN THE SUBDIVISION CONTINGENT UPON THE SCHOOL HOUSE SUBDIVISION HOMEOWNERS' ASSOCIATION COA'S AS RECORDED 2017-XXXXXXX AS AMENDED FROM THE 12 TIME.
4. THIS SHALL NOT BE ENLARGED IN SIZE WITHOUT PRIOR APPROVAL FROM THE CITY OF KUNA.
5. BUILDING SETBACKS AND DIMENSIONAL STANDINGS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA AND CONDITIONS OF THE MAP REPORT FOR SCHOOL HOUSE SUBDIVISION.
6. FURTHER THAN THE LOT'S SHOWN ON THIS PLAT, OTHER ACCESS TO THE SCHOOL HOUSE IS PROHIBITED. LOT 1, BLOCK 1, IS DESIGNATED AS THE ENTRANCE AND PARKING AREA HAVING TWO ENTRANCES TO W. SUNBEAM ST.
7. THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4204, WHICH IS 15' FROM AGL, WHICH STATES: "NO ADDITIONAL OPERATIONAL, AGRICULTURAL OR EXPANSION THEREOF SHALL BE OF BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON-AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSIDERED. NO PROVISIONS OF THIS SECTION SHALL NOT APPLY TO A NUISANCE 125' FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
8. LOTS 8, 10, 16 AND 18 ARE COMMON LOTS USED FOR PUBLIC UTILITIES, LANDSCAPING, STORM WATER RETENTION AND ACCESS BY EITHER FOOT OR BICYCLE.
9. A FIVE (5) FOOT WIRE DRAINAGE, IRRIGATION & PUBLIC UTILITIES EASEMENT IS 5' WIDE BY DISCONTINUED AROUND THE PER LOT LINES AND THE EXTERIOR BOUNDARY OF THIS SUBDIVISION UNLESS DIMENSIONED OTHERWISE.
10. A FIVE (5) FOOT WIRE DRAINAGE, IRRIGATION & PUBLIC UTILITIES EASEMENT IS HEREBY DESIGNATED ON EACH SIDE OF OF PARCELS 1011 AND 1012 UNLESS DIMENSIONED OTHERWISE.
11. NO EASEMENT SHOWN OR DESIGNATED HEREON SHALL PRECLUDE THE CONSTRUCTION AND MAINTENANCE OF HARD SURFACED DRIVEWAYS, LANDSCAPING OR OTHER SUCH HOMEOWNER IMPROVEMENTS.
12. NO ADDITIONAL DOMESTIC WATER SUPPLY SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN SANITARY RESTRICTION RELEASE.

3. A FIVE (5) FOOT WIRE DRAINAGE, IRRIGATION & PUBLIC UTILITIES EASEMENT IS 5' WIDE BY DISCONTINUED AROUND THE PER LOT LINES AND THE EXTERIOR BOUNDARY OF THIS SUBDIVISION UNLESS DIMENSIONED OTHERWISE.

10. A FIVE (5) FOOT WIRE DRAINAGE, IRRIGATION & PUBLIC UTILITIES EASEMENT IS HEREBY DESIGNATED ON EACH SIDE OF OF PARCELS 1011 AND 1012 UNLESS DIMENSIONED OTHERWISE.

11. NO EASEMENT SHOWN OR DESIGNATED HEREON SHALL PRECLUDE THE CONSTRUCTION AND MAINTENANCE OF HARD SURFACED DRIVEWAYS, LANDSCAPING OR OTHER SUCH HOMEOWNER IMPROVEMENTS.

12. NO ADDITIONAL DOMESTIC WATER SUPPLY SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN SANITARY RESTRICTION RELEASE.

### REFERENCES:

- (1) Plat of Schoolhouse Park Subdivision No. 1
- (2) Plat of Schoolhouse Park Subdivision No. 2



SHEET 1 OF 3  
0166-03 SUNBEAM TOWNHOUSES SUB.



Land Surveying & Planning  
4 N Viking Ave  
Middleton, Idaho  
208-565-5858

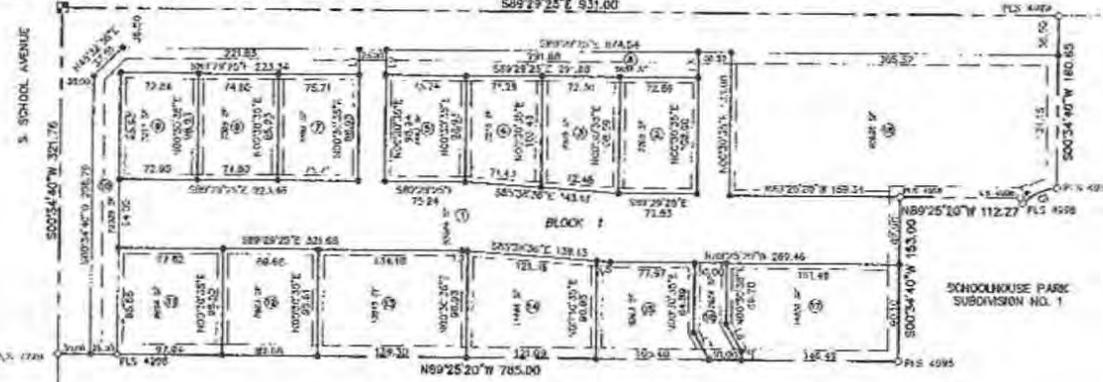
8.2.17

OWNER: 174 SCHOOL  
PLS 7015  
CPR# 853, INC  
2014-099206

UNPLATTED

W. SUNBEAM STREET

S89°29'25"E 931.00



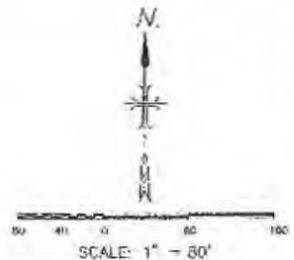
CURVE	RADIUS	DELTA ANGLE	LENGTH	TANGENT	CHORD	CHORD BEARING
91	50.00'	40°48'00"	35.56'	15.55'	31.63'	S89°25'20"W

LINE	BEARING	DISTANCE
L1	N90°30'35"E	23.51'
L2	N90°30'35"E	23.50'
L3	S89°25'20"W	23.50'
L4	N89°25'20"W	5.04'
L5	N90°30'35"E	5.04'
L6	S89°25'20"W	20.25'
L7	S89°25'20"W	20.25'
L8	S89°25'20"W	12.65'
L9	S89°25'20"W	5.12'

### LEGEND

- Boundary Line
- Section Line
- Lot/Parcel Line
- Easement Line
- Found Aluminum Cap (As Noted)
- Found 5/8" Iron Pin (As Noted)
- Found 1/2" Iron Pin (As Noted)
- Set 1/2"x24" Iron Pin, PLS 13448
- Date of Record

BASIS OF BEARING(1)(2)  
S00°34'40"W 1542.76+/-122



(S00°34'40"W 1542.76')

PLAT OF  
SUNBEAM TOWNHOUSES SUBDIVISION

A Portion of the Northwest Quarter of the Southeast Quarter  
of Section 26, Township 2 North, Range 1 West of the  
Boise Meridian, City of Kuna, Ada County, Idaho  
2017

CERTIFICATE OF OWNERS:

KNOW ALL PERSONS BY THESE PRESENTS, THAT OASIS PROPERTIES, LLC, IS THE OWNER OF THE REAL PROPERTY HEREINAFTER DESCRIBED AND IT IS THEIR INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS PLAT.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS ARE HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USE AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE WITHIN THE LINES OF SAID EASEMENTS. ALL LOTS WITHIN THIS PLAT WILL BE REGULATED BY CITY WATER AND CITY SEWER SERVICES.

MARTY PIERONI, MANAGING MEMBER

A PORTION OF REAL PROPERTY LYING WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 SE1/4) OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 1 WEST, CITY OF KUNA, ADA COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NW1/4 SE1/4; THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID NW1/4 SE1/4, SOUTH 89°29'25" EAST, 931.00 FEET;

THENCE, DEPARTING SAID NORTH BOUNDARY LINE, SOUTH 00°34'40" WEST, 180.65 FEET;

THENCE, 33.58 FEET ALONG A NON-CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 40°46'01" AND A LONG CHORD WHICH BEARS SOUTH 06°00'51" WEST, 31.83 FEET;

THENCE, NORTH 70°47'21" WEST, 5.64 FEET;

THENCE, NORTH 89°25'20" WEST, 112.27 FEET;

THENCE, SOUTH 00°34'40" WEST, 153.00 FEET;

THENCE, NORTH 89°25'20" WEST, 785.00 FEET TO THE WEST BOUNDARY LINE OF SAID NW1/4 SE1/4;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID NW1/4 SE1/4, NORTH 00°34'40" EAST, 321.76 FEET TO THE POINT OF BEGINNING, CONTAINING 6.373 ACRES MORE OR LESS.

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_, PERSONALLY APPEARED, MARTY PIERONI, TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE OWNERS CERTIFICATE AND ACKNOWLEDGE TO ME THAT HE EXECUTED THE SAME IN WITNESS WHEREOF, I HEREBY SET MY HAND AND AFFIX MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC \_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_  
RESIDING IN \_\_\_\_\_

CERTIFICATE OF SURVEYOR

I, SEAN P. SULLIVAN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO. THAT THIS PLAT OF SUNBEAM TOWNHOUSES SUBDIVISION, AS DESCRIBED IN THE OWNERS CERTIFICATE WAS PREPARED FROM AN ACTUAL SURVEY ON THE GROUND UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT ACCURATELY REPRESENTS THE POINTS PLOTTED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS & SURVEYS AND THE CORNER PERPETUATION AND PLATS ACT, IDAHO CODES 55-1501 THROUGH 55-1613.

SEAN P. SULLIVAN



LICENSE No. 14498

REVISED 8-2-17



Land Surveying & Planning  
4 N Viking Ave  
Middletown, Idaho  
208-585-5858

PLAT OF  
SUNBEAM TOWNHOUSES SUBDIVISION

A Portion of the Northwest Quarter of the Southeast Quarter  
of Section 26, Township 2 North, Range 1 West of the  
Boise Meridian, City of Kuna, Ada County, Idaho  
2017

CERTIFICATE OF ADA COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR  
ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE  
CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE  
OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

\_\_\_\_\_  
ADA COUNTY SURVEYOR                      DATE

APPROVAL OF THE CITY ENGINEER

I, THE UNDERSIGNED, CITY OF KUNA ENGINEER, HEREBY STATE THAT  
THE RECOMMENDED CONDITIONS OF BOISE CITY HAVE BEEN SATISFIED  
FOR THIS SUBDIVISION.

\_\_\_\_\_  
CITY OF KUNA, LYNDLER                      DATE

CERTIFICATE OF ADA COUNTY RECORDER

INSTRUMENT No. \_\_\_\_\_

STATE OF IDAHO, SS  
COUNTY OF ADA, SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE RECORDS OF  
ASSOCIATED LAND SURVEYORS AT \_\_\_\_\_ MINUTES PAST \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, AND WAS DULY RECORDED IN BOOK  
OF PLATS AT PAGE \_\_\_\_\_ AND \_\_\_\_\_.

BY DEPUTY \_\_\_\_\_ EX OFFICIO RECORDER  
TLCJ

CERTIFICATE OF ADA COUNTY HIGHWAY DISTRICT

THIS PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF  
ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
ADA COUNTY HIGHWAY DISTRICT, CHAIRPERSON      DATE

CERTIFICATE OF CENTRAL DISTRICT HEALTH DEPARTMENT

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50,  
CHAPTER 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE  
READ ON FILE WITH THE ADA COUNTY RECORDER ON HIS/HER ADULT  
USING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MAY  
BE RE-IMPOSED IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE,  
BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

\_\_\_\_\_  
CENTRAL DISTRICT HEALTH DEPARTMENT                      DATE

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED CITY CLERK, IN AND FOR THE CITY OF KUNA, ADA  
COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF  
THE CITY COUNCIL HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017,  
THIS PLAT WAS DULY ACCEPTED AND APPROVED.

\_\_\_\_\_  
CITY CLERK, KUNA, IDAHO                      DATE

CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF  
ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CONF  
55-1309, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR  
DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED  
IN THIS PLAT HAVE BEEN PAID IN FULL. THIS CERTIFICATE IS VALID  
FOR THE NEXT THIRTY (30) DAYS ONLY.

\_\_\_\_\_  
ADA COUNTY TREASURER                      DATE

8.2.17



SHEET 3 OF 3  
OF 17 17-04-FP SUNBEAM TOWNHOUSES SUB.dwg  
Land Surveying &  
Planning  
4 N Viking Ave  
Middleton, Idaho  
208-585-5858

**Steve Arnold**

---

**From:** Sub Name Mail <subnamemail@adaweb.net>  
**Sent:** Thursday, June 29, 2017 10:47 AM  
**To:** Steve Arnold  
**Cc:** Sean Sullivan; Sean Sullivan PLS 13446  
**Subject:** Sunbeam Townhouses Subdivision Name Reservation

June 29, 2017

Sean Sullivan, ALS & DEA  
Steve Arnold, A Team Land Development

RE: Subdivision Name Reservation: **SUNBEAM TOWNHOUSES SUBDIVISION**

The name Sunbeam subdivision was most recently reserved in May 2005 for a development at the NE corner of Kay & Kuna Road in Kuna. In April 2011 the project had not been advanced, and the survey firm of record had closed its doors, so the name reservation was cancelled and was no longer considered active by our office.

At your request, I will reserve the name **Sunbeam Townhouses Subdivision** for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

This reservation is available for the project as long as it is in the approval process unless the project is terminated by the client, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

Sincerely,



**Jerry L. Hastings, PLS 5359**  
*County Surveyor*  
**Deputy Clerk Recorder**  
**Ada County Development Services**  
200 W. Front St., Boise, ID 83702  
(208) 287-7912 office  
(208) 287-7909 fax

**From:** Steve Arnold [<mailto:steve@ateamboise.com>]  
**Sent:** Friday, June 23, 2017 7:56 AM  
**To:** Sub Name Mail  
**Cc:** Jerry Hastings; 'Sean Sullivan'  
**Subject:** Subdivision Name

Glen/Jerry,

I would like to reserve the following subdivision name:

Sunbeam Townhouses Subdivision

Our surveyor is Sean Sullivan, it was previously called School House but we want to separate it from the single family, see attached preliminary plat. Mike Marks was our original surveyor but he has since retired.



**CITY OF KUNA**  
**P.O. BOX 13**  
**KUNA, ID 83634**  
[www.KunaID.gov](http://www.KunaID.gov)

**MICHAEL L. BORZICK**  
**GIS MAPPING**

**Telephone (208) 287-1726; Fax (208) 287-1731**  
**Email: [mborzick@kunaID.gov](mailto:mborzick@kunaID.gov)**

---

## **MEMORANDUM**

**TO:** Director of Kuna Planning and Zoning

**FROM:** In Place of the Kuna Public Works Director  
Michael L. Borzick  
GIS Manager

**RE:** Sunbeam Townhomes Project  
South of Sunbeam Street and East of School Street  
Final Plat

**DATE:** September 7, 2017

---

The GIS Manager has reviewed the request of the above applicant dated August 2, 2017. It is noted that specific development plans are not provided except those implied as allowed or permitted in a "R-8" zone. The recommendation of the GIS Manager is to proceed with this Project and address any issues and conditions raised below in connection with this application during plan review. Accordingly, the GIS Manager provides the following comments:

### **1. Sanitary Sewer Needs**

- a) The City recommends ultimate connection to City facilities.
- b) Wastewater from the applicant's property has the option of being treated at the South Treatment Plant which has sufficient capacity to serve this site. The nearest point of connection for the Sunbeam Multi-family property is located near the Eastern portion of said property within an 8" sewer main that discharges into the Ten Mile Lift Station. When connecting to the sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees. One (1) unit is responsible for one (1) sewer connection fee. 48 units – 48 connection fees.
- c) Applicant must conform to City of Kuna Sewer Master Plan.
- d) For assistance in locating existing facilities and understanding issues associated with connection, please contact the GIS Manager at 287-1726.

## 2. Potable Water Needs

- a) The applicant's property is currently vacant and it is recommended that the applicant connect to City facilities at the commencement of development because facilities are now within 300' of the dwelling.
- b) The nearest point(s) of connection for this property are a 10-inch water main on the West side of School Street and near the Northeast corner of the property with a 12-inch water main. When connecting to the water system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees. One (1) unit is responsible for one (1) water connection fee. 48 units – 48 connection fees.
- c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- d) Applicant must conform to City of Kuna Water Master Plan and extend the 12" water main along the mid-mile in Sunbeam St to School St.
- e) For assistance in locating existing facilities, please contact the GIS Manager at 287-1726.

## 3. Pressure Irrigation

- a) The GIS Manager recommends ultimate connection to City facilities.
- b) The nearest point of connection for this property is directly adjacent and to the West, East and South sides of said property with a series of both 3, 4 and 12-inch pressure irrigation mains. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant pressure irrigation reimbursement policies and agreements and any relevant connection fees. One (1) lot is responsible for one (1) PI connection fee. 12 lots – 12 connection fees.
- c) Applicant must conform to City of Kuna Irrigation Master Plan and extend the 12" PI main along the mid-mile of Sunbeam St to School St.
- d) This property has already been annexed into the KMID with Ordinance #658 on 10/27/2003.
- e) For assistance in locating existing facilities, please contact the GIS Manager at 287-1726.

## 4. Grading and Storm Drainage

The following is not required for a Final Plat but will be required when alteration of surface features is proposed (such as grading or paving) in connection with future land use applications:

- a) Please provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) If impervious area is increased, please provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Please provide detail drawings of drainage facilities for review. The city relies on the ACHD Storm water policy as guidance for design.
- c) Any increase in quantity or rate of runoff or decrease in quality of runoff from the site compared to historical conditions must be detained, treated and released at rates no greater than historical amounts.
- d) If offsite disposal of storm water in excess of historical rates or conditions is proposed, or disposed at locations different than provided historically, the approval of the affected entities is required.

## 5. General

- a) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
- b) State the vertical datum used for elevations on all drawings.
- c) Provide engineering certification on all final engineering drawings.

## 6. Inspection Fees

An inspection fee will be required for City inspection of the construction of any **public** water, sewer and irrigation facility associated with this development. The developer will still require a qualified responsible engineer to do sufficient inspection to justly certify to DEQ the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City. The developer's engineer and the City's inspector are permitted to coordinate inspections as much as possible. The current inspection fee is \$1.00 per lineal foot of sewer, water and pressure irrigation pipe and payment is due and payable prior to City's approval of final construction plans.

## 7. Right-of-Way

The subject property fronts on existing section line arterial streets (Hubbard and Linder Roads). The following conditions are related to these classified streets and future quarter line classified streets and apply at the time of additional development:

- a) It is recommended new and existing approaches onto the classified streets comply with ACHD approach policies.
- b) It is recommended sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided at the time of land-use change or re-development.
- c) It is recommended that ACHD comment on the existing building's encroachment into the Public right-of-way.

## 8. As-Built Drawings

As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes, but will not be responsible for the finished product. As-built drawings will be required before occupancy or final plat approval is granted.

## 9. Property Description

- a) The applicant provided a metes and bounds property description of the subject parcel.

We look forward to working with you on this project. If we may be of further assistance, feel free to contact me at 287-1726.

Sincerely,

*Michael L Borzick*

Michael L Borzick  
GIS Manager



**a. Notifications**

- |                                  |   |
|----------------------------------|---|
| i. Neighborhood Meeting          | November 9, 2015 (seven persons attended) and<br>March 7, 2016 (twenty five households signed in)                                       |
| ii. Agency Comment Request       | May 2, 2016   |
| iii. 400' Property Owners Notice | May 26, 2016 (P&Z Commission)<br>June 23, 2016 (P&Z Commission)<br><b>August 18, 2016</b> (Council)<br><b>October 6, 2016</b> (Council) |
| iv. Kuna, Melba Newspaper        | May 25, 2016 (P & Z Commission)<br><b>August 17, 2016</b> (Council)<br><b>September 28, 2016</b> (Council)                              |
| v. Site Posted                   | June 1, 2016 (P&Z Commission)<br><b>August 22, 2016</b> (Council)<br><b>October 7, 2016</b> (Council)                                   |

**B. Applicant's Request:**

Steve Arnold, with A-Team Consultants requested a rezone of approximately 6.18 acres from R-6 (Medium Density) to R-8 (Medium Density). The applicant also proposed to subdivide the same parcel into 20 lots, in preparation to develop the site as a multi-family project. The site is located near the southeast corner (SEC) of School Avenue and the alignment for Sunbeam Street.

**C. Aerial Map:**

©Copyrighted

**D. Site History:**

This site is in the City, and has been undeveloped for many years. It is adjacent to the School House Park Subdivision.

**E. General Projects Facts:**

1. **Comprehensive Plan Map:** The Future Land Use Map (Comp Plan Map) is intended to serve as a *guide* for the decision making body for the City. This map indicates a land use designation, it is not the actual zone. The Comp Plan Map identifies this site as Medium Density Residential.

**2. Surrounding Land Uses:**

<b>North</b>	R1	Low Residential – Ada County
<b>South</b>	R-6	Medium Density Residential – Kuna City
<b>East</b>	R-6	Medium Density Residential – Kuna City
<b>West</b>	R-6 & RUT	Medium Density Residential – Kuna City Rural Urban Transition – Ada County

**3. Parcel Sizes, Current Zoning, Parcel Number(s):**

- Parcel Size: 6.18 acres (approximately)
- Zoning: R-6; Medium Density Residential - Kuna
- Parcel #: S1326428020

**4. Services:**

Sanitary Sewer– City of Kuna  
 Potable Water – City of Kuna  
 Irrigation District – Boise-Kuna Irrigation District  
 Pressurized Irrigation – City of Kuna (KMID)  
 Fire Protection – Kuna Rural Fire District  
 Police Protection – Kuna Police (Ada County Sheriff's office)  
 Sanitation Services – J&M Sanitation

**5. Existing Structures, Vegetation and Natural Features:**

There is a shed on site. The remaining site is vegetated with plant life generally associated with an open field.

**6. Transportation / Connectivity:**

The site is near the SEC of School Avenue and Sunbeam Street (alignment). Ingress / Egress is proposed to and from a future extension of Sunbeam Street.

**7. Environmental Issues:**

Staff is not aware of any environmental, health or safety conflicts. The site's topography has a gentle slope downward to the north.

**8. Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) page 31, Ada County Highway District (Mindy Wallace) Page 35, Boise Project Board of Control (Bob Carter) page 45, Idaho Transportation Department (ITD) page 46. The responding agency comments are included with this case file and are included with this report.

**F. Staff Analysis:**

The rezone and subdivision applications involve a parcel that is essentially surrounded by Kuna City limits and is neighboring several platted subdivisions. The parcel is adjacent to a major collector (School Avenue)

and all public utilities are near this site. These applications have been submitted to prepare the site for a multi-family housing development.



The applicant has submitted a written commitment to mitigate any perceived adjacent property impacts associated with this request. Applicant will install extensive landscaping adjacent to both collector streets and a year-round screening buffer on the south between this site and the adjacent single family residences. The applicant will enhance landscaping, and place dwelling units at a maximum distance from neighboring subdivisions, following the setback and other site design requirements.

In accordance with the requirements of the Fair Housing Act, staff has reviewed Kuna's Comp Plan, which encourages a variety of housing types and income levels numerous times throughout the Plan. The sections of the Comp Plan that address multi-family housing are included below, in Section K (Comp Plan analysis) of this report. The City attempts to balance all housing types within the City. The Comp Plan invites higher density development in order to bring life and strength to specific areas which benefit the community as a whole as vacant areas of the City begin to fill in with development (Neighborhood development plans – pg. 79, Land Use 6.2 objectives Pg. 63 goal 1, Obj. 1.1, policy 1).

The dominant housing type for Kuna and the Treasure Valley is single-family housing. In Kuna, single-family homes comprise more than 97% of all housing types. From 2008 until April 15, 2016, there has been zero new multi-family building permits issued, while the city has grown from roughly 13,748 residents to a recent estimate at 18,430 (from COMPASS). This demonstrates that while single-family home sales have increased dramatically, the multi-family market has fallen considerably behind and the goals of the Comp Plan have not been met or realized.

Typical multi-family projects are more dense than single-family projects and do not require the same acreage in terms of overall lands used. Often times, multi-family units are placed in remnant land, or left-over lands, which is typical for in-fill style development. This helps explain why there are typically pockets of multi-family units scattered throughout a City rather than placing all of them in one or two locations with a land mass equal to most single-family projects. Given the fact this site is nearly surrounded by City limits and several subdivisions or otherwise developed land, this application should be considered similar to infill development.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's 16-01-ZC, 16-02-CPM and 16-01-S subject to any conditions of approval outlined by Council.

#### G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13

2. City of Kuna Comprehensive Plan, adopted September 1, 2009
3. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

**H. Procedural Background:**

The Council conducted a Public Hearing on September 6, 2016, where it considered Cases No. 16-01-ZC and 16-01-S, including the applications, agency comments, staffs report, application exhibits and public testimony presented. It should be noted that during the applicant's presentation at the public hearing before Council, the applicant withdrew the request for a comp plan map change. On September 6, 2016, Kuna's Council voted for denial of Case No.s 16-01-ZC and 16-01-S. On October 18, 2016, the Council will reopen the decision portion of the hearing conducted on September 6, 2016, to pronounce its decision to remedy procedural due process concerns that occurred related to Case No.s 16-01-ZC and 16-01-S, as submitted by Steve Arnold and Oasis Properties, LLC.

**I. Factual Summary:**

This site is located near the SEC of School Avenue and Sunbeam Street (Alignment). Applicant proposes a rezone for approximately 6.18 acres in the City from R-6 to R-8. Applicant has submitted a preliminary plat to subdivide the parcel into 20 lots (fourteen buildable, six common). If approved, the site will take access from the future Sunbeam Street in one location and is 0.70 of a mile from Downtown Kuna, Idaho, and 0.96 of a mile from a Neighborhood Center.

**J. City Council's Findings of Fact:**

Based upon the record in **16-01-ZC and 16-01-S**, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony elicited during the public hearing, the Kuna Council hereby *approves/denies* Case No's 16-01-ZC and 16-01-S, a request for a rezone and subdivision request by the applicant as follows:

*The Council concludes that the Application does/does not comply with the City of Kuna's Zoning regulations (Title 5) of KCC and/or the Subdivision regulations outlined in title 6 of KCC.*

1. In making a decision regarding the Rezone, and the Subdivision application, the Council is to consider Idaho Code §67-6535 (2), which states the following:

*The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.*

In addition, Idaho Code §67-6535(2)(a), provides that:

*Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same, on appeal.*

2. The Kuna City Council has the authority to approve or deny these applications. On October 18, 2016, Kuna's Council voted to approve of Case No.s 16-01-ZC and 16-01-S.
3. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances to hold a public hearing on September 6, 2016 with Council, and to reopen the decision portion of the public hearing on October 18, 2016.

**K. City Council's Comprehensive Plan Analysis:**

Council determines the proposed rezone and subdivision for the *site is/is not* consistent with the following Comp Plan components:

Community Vision Statement:

Residents hoped for the creation of business and light commercial use centers within neighborhoods. These centers would include restaurants, gas stations, churches, *multi-family* use facilities, and other mixed-use developments. Citizens anticipated the manufacturing area moving south and eastward between the Union Pacific Railroad Line and Kuna Mora Road (Page 21 of the Kuna Comp Plan [CP]).

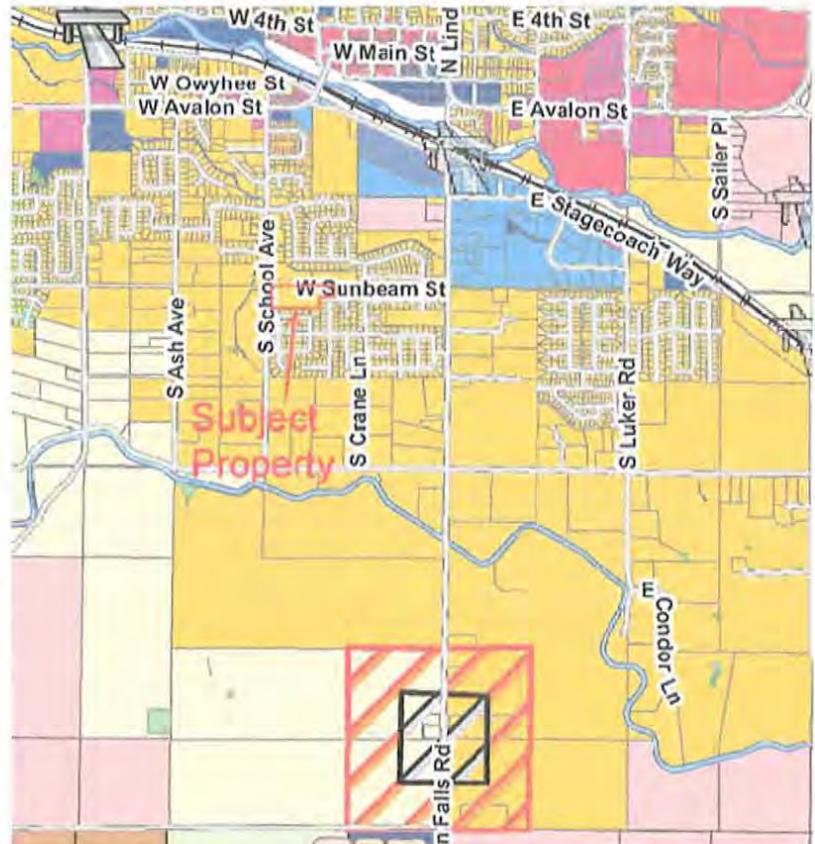
Housing:

Residents envisioned higher densities in the City's core to include opportunities for mixed residential and light commercial activity. They expressed interest in a mix of residential type dwellings applications; including single-family, *multi-family*, apartments and condominiums. They were receptive to a greater mix of lot sizes and house price to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21 [CP]).

**Comment:** *The Comp Plan and the corresponding Future Land Use Map (with land use designations) provides for medium density (R-8). This project has proposed a density of less than eight units per acre, therefore it conforms to the Comp Plan and the Future Land Use Map.*

Private Property Rights Goals and Objectives - Section 2 - Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criterion established to determine the potential for property taking.



AGRICULTURAL	PROFESSIONAL OFFICE
RURAL CLUSTER	FEDERAL LAND
LOW DENSITY	NEIGHBORHOOD CENTER
MEDIUM DENSITY	NEIGHBORHOOD DISTRICT
HIGH DENSITY	WWTF
MIXED USE GENERAL ***	CITY INTEREST
MIXED USE CITY CENTER	MIXED USE GENERAL WITH A MINIMUM EQUIVALENCE OF 3 UNITS PER ACRE
LIGHT INDUSTRIAL	GREENWAY WATERWAYS
HEAVY INDUSTRIAL	GREENBELT OVERLAY
PUBLIC	
COMMERCIAL	

\*\*\* MIXED USE GENERAL EXPECTED RESIDENTIAL DENSITIES CAN RANGE FROM 2 TO 20 UNITS PER ACRE

**Legend**

**Comment:** Utilizing the Idaho Attorney General's criteria, and a review by the City Attorney, the proposed project does not constitute a "takings" and the Economic value is intact.

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5 and Pg. 43 – 3.1 [CP]).

**Comment:** The Comp Plan encourages adequate housing for all income levels and calls for increasing pedestrian connections. This project supplies a number of additional housing types to Kuna's inventory and provides opportunities for high-quality, rental housing. This development enhances the City's pedestrian network for non-motorized transportation, by proposing a pathway connection to other subdivisions.

Land Use Goals and Objectives - Section 6 - Summary:

Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 64 – 3.1 & Goal 3 and Pg. 65 – 4.3 [CP]).

**Comment:** This project adds a number of high-quality housing varieties to the City's inventory for all types of lifestyles, ages and economic groups. This project also proposes more than 70% open space which adds to the greenspaces in Kuna, keeping it a desirable City while enhancing the City's overall pathway network.

Neighborhood Core Concept:

The character of residential housing surrounding and within the core of a Neighbor Center is that of a close-knit, mixed-density community. The Neighborhood District provides close access to community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include multi-family dwellings, duplexes, town houses, row homes, and single-family residences (Page 81 [CP]).

**Comment:** This project is located .70 of a mile from downtown and is under a mile from a Neighborhood District. Applicant proposes proper densities for the land use designation with more than 70% open space and other site amenities along with useable greenspaces and pedestrian connections to foster a close-knit environment with adjacent neighbors.

Neighborhood District:

The Neighborhood District can be characterized as residential housing within the core of a close-knit, mixed-density community. The Neighborhood District provides close access to the community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include *multi-family* dwellings, duplexes, town houses, row homes, and single-family residences (Page 93 [CP]).

**Comment:** The Comp Plan encourages mixed-densities and housing types within and near Neighborhood Districts. This application incorporates mixed-densities and housing types near downtown (within .70 of a mile) and a neighborhood district (.96 of a mile), while promoting in-fill development methodologies, therefore, adding strength to the close-knit, mixed-density residential uses in Kuna, and is located near community services.

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land

divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1 [CP]).

Encourage mixed-use development that includes town centers, single-family, *multi-family*, accessory units, and other types of residential development. – Policy 1.1.2, Section 12, Housing (Page 155 [CP]).

**Comment:** *Applicant proposes a high-quality development with a variety of dwelling types, densities, and price points for all income levels in this part of Kuna as encouraged by the Comp Plan. This project adds to the overall network of utilities, sidewalks and roadways, therefore it complies with logical, orderly development and discourages land divisions and development greater than one half acre, and avoids increased municipal services costs and sprawl.*

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place (Pg.167 – Goal 1 and Pg. 168 – 1.2[CP]).

**Comment:** *Applicant proposes good community and urban design principles through creation of greenspaces, extension of the pedestrian pathway network and adding to the City's sidewalk network. Applicant also proposes extending Sunbeam Street, which adds to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). This development also incorporates landscape buffers, and creates a sense of place for citizens. Therefore, this project fosters sound community design concepts and complies with the Comp Plan goals and strengthens Kuna's image. Applicant has proposed a positive affect for adjoining property owners by placing as few units as possible along the southern boundary and has proposed to install a significant year round landscaping buffer.*

Existing Residential Subdivisions:

Residential placement is intended to increase social interactions at various times of the day. *Multi-family* residential uses should be located closer to the neighborhood cores and be interspersed with mixed-uses (Page 178 [CP]).

**Comment:** *Applicant's proposal has incorporated sound community and urban design principles to create an environment fostering increased social interactions throughout the day, while connecting neighborhoods with more than sufficient open space.*

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge. The Neighborhood Center will be the core of the neighborhoods churches, schools, and public facilities. The neighborhood centers will feature denser developments and multi-family residential development (Page 179 [CP]).

**Comment:** *Applicant proposes an extension of the sidewalk and roadway system which complies with the Master Street Plan adopted by Kuna. Applicant also proposes connections to adjacent neighborhoods by adding pathways and sidewalks for pedestrian and non-motorized transportation. Applicant proposes R-8 housing densities thereby complying with Medium Density land use designation outlined within the Comp Plan and Comp Plan Map.*

**L. City Council's Idaho State Code Analysis:**

1. **IC §67-6511 (2) C** requires that the Council analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, *or* would result in demonstrable adverse impacts

upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.

2. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.
3. Although City Council was presented testimony and opinions from the public that this project will have a negative impact on the public services for the area, through discussions and comments submitted by public service providers, the project would not create demonstrable adverse impact to quality of emergency service and/or delivery of said services, or impose substantial additional costs to current residents.

**M. City Council's Conclusions of Law:**

The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

1. The Council feels the site *is* physically suitable for subdivision and development into a multi-family project, as proposed.

**Comment:** *The 6.18 acre (approximate) project does/does not appear to be suitable for subdivision and development as multi-family project, as proposed.*

2. The rezone and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

**Comment:** *The land to be rezoned is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

3. The rezone and subdivision applications are not likely to cause adverse public health problems.

**Comment:** *The rezone for the property would comply with the Comp Plan. The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

4. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

**Comment:** *Through correspondence with public service providers and application evaluation, this project appears to avoid detriment to surrounding uses. Council did consider the rezone, and subdivision and the location of the property with adjacent uses.*

5. The existing and proposed street and utility services in proximity to the site are suitable or adequate for Residential purposes.

**Comment:** *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate for the residential project.*

6. Based on the evidence contained in Case Nos. 16-01-ZC, and 16-01-S, Council finds Case No's 16-01-ZC and 16-01-S generally complies with Kuna City Code.

7. Based on the evidence contained in Case Nos. 16-01-ZC, and 16-01-S, Council finds Case No's 16-01-ZC and 16-01-S generally do comply with Kuna's Subdivision Code.

**N. Council's Order of Decision:**

Based upon the Comp Plan, Kuna City Code, the record before Council, the applicant's presentation and testimony at the September 6, 2016, and the Council's discussion at the October 18, 2016 public hearings, the Kuna Council votes to approve Case Nos. 16-01-ZC, and 16-01-S, including the request for a rezone, and subdivision, with the following conditions of approval:

- The project shall to insure there is a common Home Owners Association for the project, to insure a level of maintenance regardless of ownership.
- Applicant shall follow all staff and applicable agency comments and recommendations.
- Applicant shall follow all Local, State and Federal laws and regulations.

DATED this 15th, day of November, 2016.

Joe Stear, Mayor  
Kuna City

ATTEST:

Chris Engels  
Kuna City Clerk





# City of Kuna

## City Council Memo

P.O. Box 13  
Kuna, ID 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Kunacity.id.gov

To: **Kuna City Council**

Case Number: 17-05-FP (Final Plat) - Greyhawk Subdivision No. 7

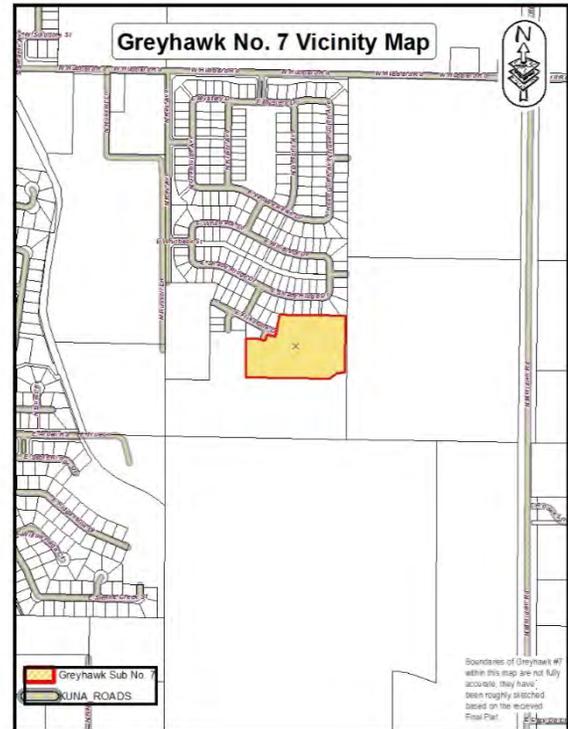
Location: 1550 feet South of Hubbard Road/East of Kay Avenue, Kuna, Idaho 83634

Planner: Jace Hellman, Planner I

Meeting Date: October 3, 2017

Applicant/  
Owner: Greyhawk Land Company  
701 S Allen St., Ste. 104  
Meridian, ID 83642

Representative: Kent Brown  
3161 E Springwood Dr  
Meridian, ID 83642  
208-871-6842  
[kentlkb@gmail.com](mailto:kentlkb@gmail.com)



### A. General Project Facts, Staff Analysis:

1. The applicant is requesting Final Plat approval for Greyhawk Subdivision No. 7 which has forty-five (45) residential building lots and three (3) common lots on a total of approximately 8.62 acres (Ada County Assessor Parcel No. S1313131675).
2. In accordance with Kuna City Code (KCC) Title 6 Subdivision Regulations, this application seeks final plat approval for the Greyhawk Subdivision No. 7. The proposed final plat is in substantial conformance with the approved preliminary plat.

### B. Applicable Standards:

1. Kuna City Code Title 6 Subdivision Regulations.
2. City of Kuna Comprehensive Plan and Future Land Use Map.
3. Idaho Code, Title 50, Chapter 13, Plats and Vacations.

### C. Staff Analysis:

1. Staff has determined that the proposed final plat for the Greyhawk Subdivision No. 7 is in substantial conformance with the approved preliminary plat.
2. Applicant shall correct any technical items and make any requested changes on the final plat as recommended by Kuna Public Works Staff.
3. Applicant shall secure all signatures on the final plat check-off list prior to requesting Kuna City Engineer's signature on the final plat mylar.

RECEIVED  
8.25.17



City of Kuna  
Planning & Zoning  
Department  
P.O. Box 13  
Kuna, Idaho 83634  
208.922.5274  
Fax: 208.922.5989  
Website: www.kunacity.id.gov

### Final Plat Checklist

A final plat application does not require a public hearing. It will be placed on the City Council agenda as a regular agenda item.

<b>Project name:</b> GREYHAWK NO 7	<b>Applicant:</b> KENT BROWN
------------------------------------	------------------------------

All applications are required to contain one copy of the following:

Applicant (✓)	Description	Staff (✓)
✓	Completed and signed Commission & Council Review Application.	X
✓	All pages of the proposed Final Plat.	X
✓	Approved final engineering construction drawings for streets, water, sewer, sidewalks, pressure irrigation and other public improvements.	X
✓	Approved Findings of Fact, Conclusions of Law for Preliminary Plat	X
✓	Proof of current ownership of the real property included in the proposed final plat and written consent of the record owners of the final plat (Affidavit of Legal Interest) for all interested parties involved.	X
✓	Such other information as deemed necessary to establish whether or not all proper parties have signed and/or approved said final plat.	X
✓	A statement of conformance with the following information: ◊ The approved preliminary plat and meeting all requirements or conditions. ◊ The acceptable engineering practices and local standards.	X
✓	Any proposed restrictive covenants and/or deed restrictions, and homeowners' association documents.	X
✓	The final plat shall include and be in compliance with all items required under title 50, chapter 13 of the Idaho Code.	X

*Note: Only one copy of the above items need to be submitted when applying for multiple applications.*

*This application shall not be considered complete (nor will a meeting date be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.*



# KENT BROWN PLANNING SERVICES

RECEIVED  
8.23.17

August 24, 2017

Kuna City Planning & Development Services  
763 W. Avalon  
Kuna, ID 83634

**RE: Greyhawk Subdivision No 7 Final Plat Application**

Dear Commissioners:

On behalf of Hubble Homes and Greyhawk Land Company LLC, we are requesting approval of the Final Plat application for the Greyhawk No.7 Subdivision. The site is located at south and west of Greyhawk No 6 Subdivision on the eastside of Kay Street. The site is 8.62 acres in size, and is currently vacant.

Greyhawk No. 7 is proposed with 48 total lots, consisting of 45 buildable and 3 common. All 45 buildable lots will have single-family homes. The common space will consist of a micro pathways and strip park. The final plat complies too all the preliminary plat requirements. The proposed construction design has been done to local agency and general engineering practices.

If you have any questions regarding this or any other of our application for Greyhawk No 7 feel free to contact me.

Sincerely,



Kent Brown  
Planner

4-25-17



8151 W. Rifleman Street  
Boise, ID 83704

ADA COUNTY RECORDER Christopher D. Rich      2017-032386  
BOISE IDAHO Pgs=4 CHE FOWLER      04/14/2017 10:11 AM  
PIONEER TITLE COMPANY OF ADA COUNTY      \$19.00

ELECTRONICALLY RECORDED-DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT

File No. 618155 SRM/MA

**WARRANTY DEED**

For Value Received    The Jerry Hess and JoAn Hess Living Trust Dated February 3, 2000, as Amended and Restated May 8, 2013, as amended

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Greyhawk Land Company, LLC, an Idaho limited liability company

hereinafter referred to as Grantee, whose current address is 701 S. Allen Street Meridian, ID 83642

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 10, 2017

Jerry and JoAn Hess Living Trust

By: *Jerry M. Hess*  
Jerry M. Hess, Trustee

Exhibit  
A2C

State of Idaho, County of Canyon

On this 13 day of April in the year of 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry M. Hess as Trustee(s) of Jerry and JoAn Hess Living Trust known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument as said Trustee(s), and acknowledged to me that he/she/they executed the same as Trustee(s) of said trust and as his/her/their free and voluntary act and deed of said trust, for the uses and purposes therein mentioned.

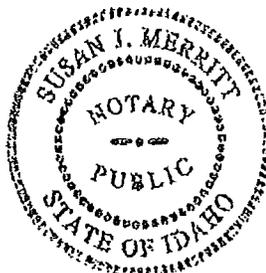
*Susan J. Merritt*

Notary Public

Residing at: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

Residing at Caldwell, ID  
My Commission Expires: 05-05-2017



## EXHIBIT A

A portion of the SW 1/4 of the NE 1/4 of Section 13, T.2N., R.1W., B.M., Kuna, Ada County, Idaho, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 13, from which the Northwest corner of said Section 13 bears North 88°53'13" West, 2642.77 feet;

thence along the North-South centerline of said Section 13 South 00°11'49" West, 1536.39 to the SW corner of Greyhawk Subdivision No. 4, as same is recorded in Book 109 of Plats at Pages 15482-15484, records of Ada County, Idaho, said point being the REAL POINT OF BEGINNING;

thence along the Southerly boundary line of said Greyhawk Subdivision No. 4 the following 2 courses and distances:

thence South 89°48'11" East, 359.45 feet;

thence South 63°06'16" East, 23.36 feet to the NW corner of Greyhawk Subdivision No. 5 as same is recorded in Book 110 of Plats at Pages 15,909 through 15,912, records of Ada County, Idaho;

thence along the exterior boundary line of said Greyhawk Subdivision No. 5 the following 18 courses and distances:

thence South 17°19'32" West, 109.80 feet;

thence South 29°35'22" West, 52.94 feet;

thence South 00°11'49" West, 193.45 feet;

thence South 89°48'11" East, 105.00 feet;

thence North 78°53'13" East, 50.99 feet;

thence South 89°48'11" East, 105.00 feet;

thence South 00°11'49" West, 60.00 feet;

thence South 89°48'11" East, 105.75 feet;

thence South 74°17'03" East, 51.11 feet;

thence 29.08 feet along the arc of a non-tangent curve to the right, said curve having a radius of 75.00 feet, a central angle of 22°13'02" and a long chord of 28.90 feet which bears North 11°18'20" East;

thence North 22°24'51" East, 15.21 feet;

thence North 89°27'42" East, 13.77 feet;

thence North 22°21'46" East, 6.09 feet;

thence 36.23 feet along the arc of a non-tangent curve to the left, said curve having a radius of 365.00 feet, a central angle of 05°41'13" and a long chord of 36.21 feet which bears South 76°21'15" East;

thence North 12°21'29" East, 50.02 feet;

thence North 10°33'20" East, 105.03 feet;

thence South 72°52'42" East, 10.39 feet;

thence South 88°52'06" East, 478.97 feet to a point on the East boundary line of the SW 1/4 of the NE 1/4 of Section 13;

thence along said East boundary line South  $00^{\circ}20'19''$  West, 894.99 feet to the C-E  $1/16$  corner of said Section 13;

thence along the East-West centerline of said Section 13 North  $88^{\circ}52'04''$  West, 1,315.84 feet to the C $1/4$  of said Section 13;

thence along the North-South centerline of said Section 13 North  $00^{\circ}11'49''$  East, 1,110.99 feet to the REAL POINT OF BEGINNING.

8-25-17



# City of Kuna AFFIDAVIT OF LEGAL INTEREST

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.cityofkuna.com

State of Idaho )  
                          )  
County of Ada )

I, E Don Hubble /Greyhawk Land Company LLC, 701 ALLEN ST STE 104  
Name Address  
MERIDIAN, IDAHO 83642  
City State Zip Code

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my  
permission to KENT BROWN 3161 E SPRINGWOOD DR MERIDIAN ID 83642  
Name Address

to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any  
claim or liability resulting from any dispute as to the statements contained herein or as to  
the ownership of the property which is the subject of the application.

C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose  
of site inspections related to processing said application(s).

Dated this 12<sup>th</sup> day of April, 2017

[Signature]  
Signature

Subscribed and sworn to before me the day and year first above written.

[Signature]  
Notary Public for Idaho

Residing at: Meridian

My commission expires: 2-16-2019



Exhibit  
A22

# Greyhawk No. 7 Vicinity Map



8.23-17

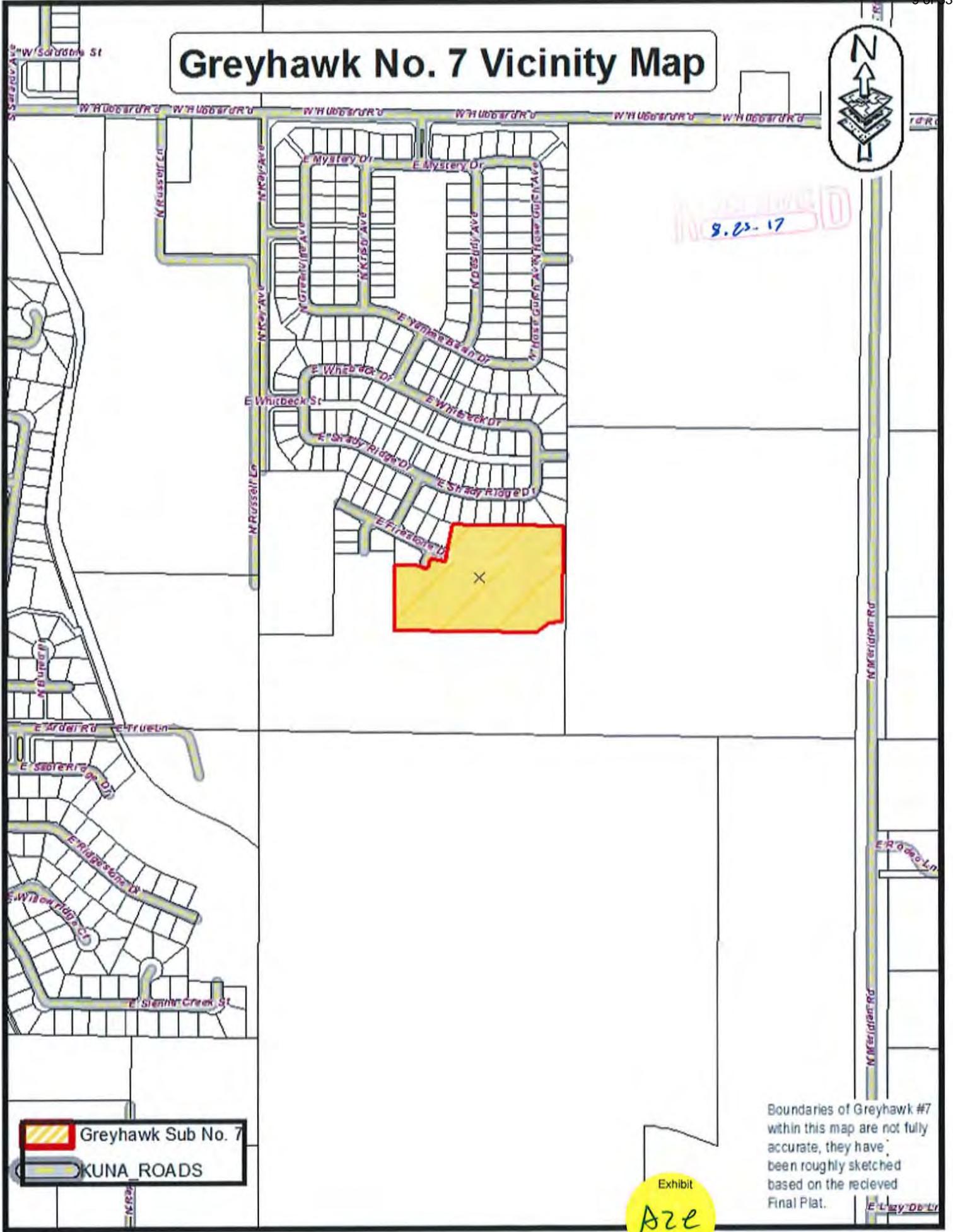


 Greyhawk Sub No. 7

 KUNA ROADS

Boundaries of Greyhawk #7 within this map are not fully accurate, they have been roughly sketched based on the received Final Plat.

Exhibit  
**Aze**



# Greyhawk No. 7 Aerial Map



8.25.17

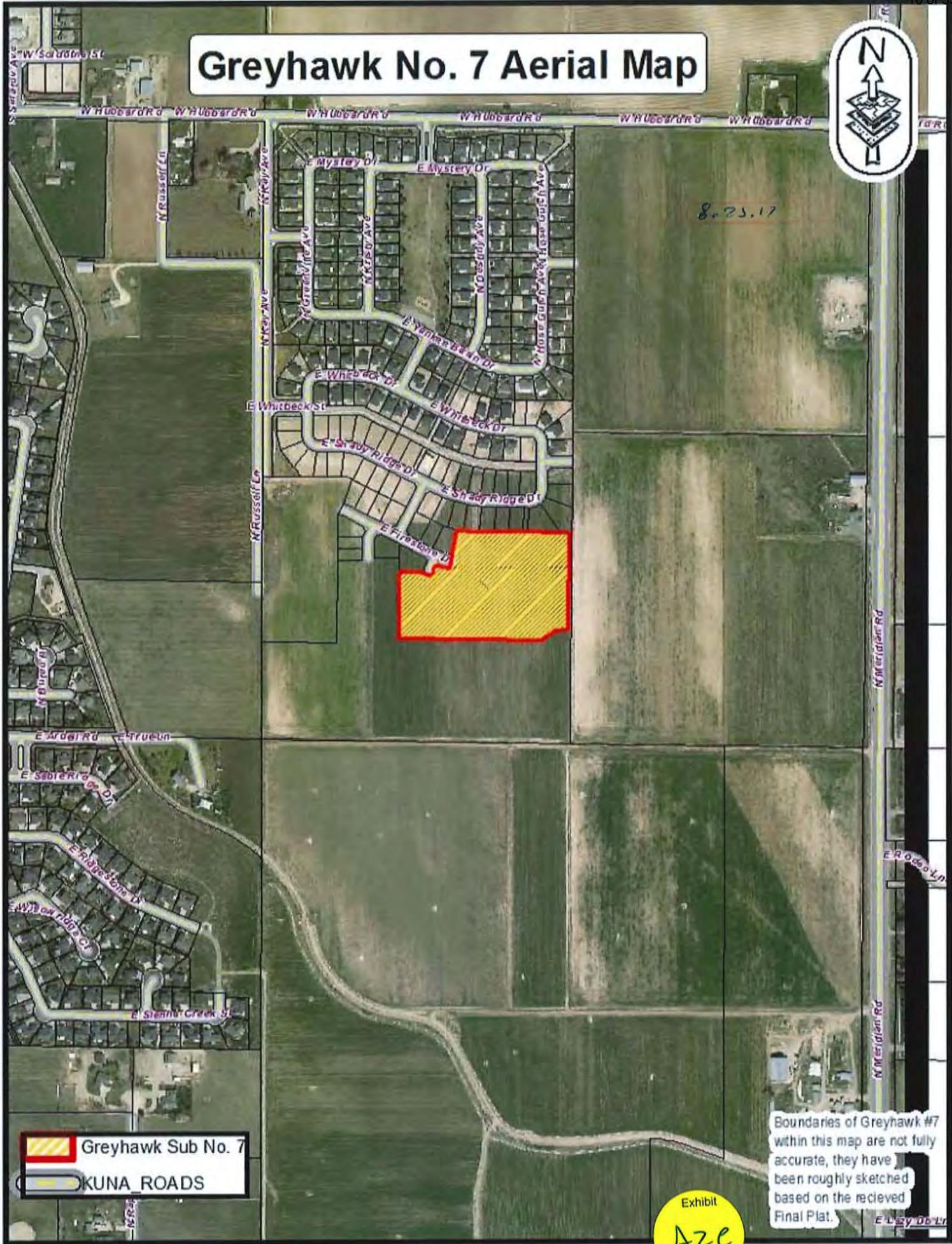


 Greyhawk Sub No. 7

 KUNA ROADS

Boundaries of Greyhawk #7 within this map are not fully accurate, they have been roughly sketched based on the received Final Plat.

Exhibit  
Aze



RECEIVED  
8.25.17

**DESCRIPTION FOR  
GREYHAWK SUBDIVISION NO. 7**

A parcel of land located in the SW 1/4 of the NE 1/4 of Section 13, T.2N., R.1W., B.M., Kuna, Ada County, Idaho, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 13, from which the Northwest corner of said Section 13 bears North 88°53'13" West, 2642.77 feet;

thence along the North boundary line of said Section 13 South 88°54'57" East, 1322.37 feet to the E1/16 corner of said Section 13;

thence along the East boundary line of Greyhawk Subdivision No. 1, as filed in Book 99 of Plats at Pages 12854-12858, the East boundary line of Greyhawk Subdivision No. 3, as filed in Book 108 of Plats at Pages 15090-15098 and the East boundary line of Greyhawk Subdivision No. 5, as filed Book 110 of Plats at Pages 15,909 through 15,912, records of Ada County, Idaho South 00°20'19" West, 1753.39 feet to the Southeast corner of said Greyhawk Subdivision No. 5, said point being the **REAL POINT OF BEGINNING**;

thence along the East boundary line of the SW1/4 of the NE 1/4 of said Section 13 South 00°20'19" West, 537.88 feet;

thence leaving said East boundary line North 89°39'43" West, 105.00 feet;

thence South 59°20'59" West, 58.32 feet;

thence North 88°52'06" West, 579.54 feet;

thence North 00°11'49" East, 390.54 feet to a point on the southerly boundary line of said Greyhawk Subdivision No. 5;

thence along the exterior boundary line of said Greyhawk Subdivision No. 5 the following 11 courses and distances:

thence South 89°48'11" East, 105.75 feet;

thence South 74°17'03" East, 51.11 feet;

thence 29.08 feet along the arc of a non-tangent curve to the right, said curve having a radius of 75.00 feet, a central angle of 22°13'02" and a long chord of 28.90 feet which bears North 11°18'20" East;

thence North 22°24'51" East, 15.21 feet;

thence North 89°27'42" East, 13.77 feet;

thence North 22°21'46" East, 6.09 feet;

thence 36.23 feet along the arc of a non-tangent curve to the left, said curve having a radius of 365.00 feet, a central angle of  $05^{\circ}41'13''$  and a long chord of 36.21 feet which bears South  $76^{\circ}21'15''$  East;

thence North  $12^{\circ}21'29''$  East, 50.02 feet;

thence North  $10^{\circ}33'20''$  East, 105.03 feet;

thence South  $72^{\circ}52'42''$  East, 10.39 feet;

thence South  $88^{\circ}52'06''$  East, 478.97 feet to the **REAL POINT OF BEGINNING**. Containing 8.62 acres, more or less.





# GREYHAWK SUBDIVISION NO. 7

NOTES:

1. LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY LINE AND ALL REAR LOT LINES HAVE A TEN (10) FOOT WIDE PERMANENT PUBLIC UTILITIES, PROPERTY DRAINAGE AND PRESSURE IRRIGATION EASEMENT AS SHOWN ON THIS PLAT. EACH SIDE OF INTERIOR LOT LINES HAVE A FIVE (5) FOOT WIDE PUBLIC UTILITIES, PROPERTY DRAINAGE AND IRRIGATION EASEMENT AS SHOWN ON THIS PLAT.
2. A PORTION OF LOTS 8, 7 AND 8, BLOCK 13 AND A PORTION OF LOTS 9, 10, 11 AND 12, BLOCK 15 ARE SERVICED TO AND CONTAIN THE ACHD STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THAT CERTAIN FIRST AMENDED MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2015, AS INSTRUMENT NO. 2015-103256, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ACHD PURSUANT TO SECTION 40-2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION AND MAY REQUIRE AMENDMENT OF THE DEVELOPMENT AGREEMENT.
3. LOT 21, BLOCK 11, LOT 5, BLOCK 13 AND LOT 9, BLOCK 15 ARE DESIGNATED AS COMMON AREA LOTS AND SHALL BE SUBJECT TO A BLANKET PUBLIC UTILITIES, PROPERTY DRAINAGE AND PRESSURE IRRIGATION EASEMENT. SAID LOTS SHALL BE OWNED AND MAINTAINED BY THE GREYHAWK HOMEOWNER'S ASSOCIATION INC. THIS OWNERSHIP AND MAINTENANCE COMMITMENT MAY NOT BE DISSOLVED WITHOUT THE EXPRESS CONSENT OF KUNA CITY. THE GREYHAWK HOMEOWNER'S ASSOCIATION, INC. IS RESPONSIBLE FOR PAYMENT OF IRRIGATION ASSESSMENTS FOR THE COMMON LOTS. IN THE EVENT THE GREYHAWK HOMEOWNER'S ASSOCIATION, INC. FAILS TO PAY THE ASSESSMENTS, EACH RESIDENTIAL LOT WILL BE RESPONSIBLE FOR A FRACTIONAL SHARE OF THE ASSESSMENT.
4. MAINTENANCE OF ANY IRRIGATION, DRAINAGE PIPE OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE DISTRICT.
5. IRRIGATION WATER WILL BE PROVIDED BY CITY OF KUNA IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(X)(B). ALL LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION RIGHTS THROUGH THE NEW YORK IRRIGATION DISTRICT AND WILL BE OBLIGATED FOR ASSESSMENTS FROM CITY OF KUNA SUBJECT TO ORDINANCE 2016-19, ANNEXING THE GREYHAWK SUBDIVISION NO. 7 INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT AND POOLING THE APPURTENANT WATER RIGHTS THEREOF, RECORDED AS INSTRUMENT NO. RECORDS OF ADA COUNTY, IDAHO.
6. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF KUNA APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
7. THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL FACILITY OR AN EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
8. GREYHAWK SUBDIVISION IS SUBJECT TO A CITY OF KUNA DEVELOPMENT AGREEMENT RECORDED AS INSTRUMENT NO. 107102976 AT THE ADA COUNTY RECORDERS OFFICE.
9. ALL LOTS WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR GREYHAWK SUBDIVISION INSTRUMENT NO. 108001929 AND AMENDED BY INSTRUMENT NO.

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	75.00	29.08	28.90	N11°18'20"E	221°3'02"
C2	365.00	36.23	36.21	S76°21'15"E	5°41'13"
C3	340.00	56.71	56.64	S84°05'24"E	9°33'23"
C4	50.00	77.85	70.22	N44°15'54"W	89°12'23"
C5	50.00	77.72	70.13	S44°20'08"E	89°03'55"
C6	100.00	6.88	6.88	S21°0'06"W	3°56'34"
C7	315.00	51.81	51.75	S84°09'23"E	9°25'26"
C8	75.00	116.77	105.33	N44°15'54"W	89°12'23"
C9	75.00	30.76	30.55	N77°07'06"W	23°29'59"
C10	75.00	39.94	39.47	N50°06'40"W	30°30'54"
C11	75.00	36.39	36.04	N20°57'08"W	27°48'09"
C12	75.00	9.67	9.67	N3°21'23"W	7°23'21"
C13	75.00	116.59	105.20	S44°20'08"E	89°03'55"
C14	75.00	30.36	30.16	S77°16'11"E	23°11'50"
C15	75.00	33.30	33.02	S52°57'12"E	25°26'08"
C16	75.00	39.94	39.47	S24°58'41"E	30°30'54"
C17	75.00	12.98	12.97	S4°45'42"E	9°55'03"
C18	125.00	13.70	13.70	S3°20'15"W	6°16'52"
C19	365.00	51.61	51.53	S84°01'58"E	9°40'15"
C20	365.00	50.29	50.25	S83°08'41"E	7°53'39"
C21	365.00	11.32	11.32	S87°58'48"E	1°46'35"
C22	25.00	38.92	35.11	N44°15'54"W	89°12'23"
C23	25.00	38.86	35.07	S44°20'08"E	89°03'55"



**ISG** IDAHO SURVEY GROUP, P.C.  
1450 E. WATERTOWER ST.  
SUITE 130  
MERIDIAN, IDAHO 83642  
PH. (208) 848-8570  
FAX (208) 884-5399

# GREYHAWK SUBDIVISION NO. 7

### CERTIFICATE OF OWNERS

Know all men by these presents: That Greyhawk Land Company, LLC, an Idaho Limited Liability Company, is the owner of the property described as follows:

A parcel of land located in the SW 1/4 of the NE 1/4 of Section 13, T.2N., R.1W., B.M., Kuna, Ada County, Idaho, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 13, from which the Northwest corner of said Section 13 bears North 88°53'13" West, 2642.77 feet; thence along the North boundary line of said Section 13 South 88°54'57" East, 1322.37 feet to the E1/16 corner of said Section 13; thence along the East boundary line of Greyhawk Subdivision No. 1, as filed in Book 99 of Plats at Pages 12854-12858, the East boundary line of Greyhawk Subdivision No. 3, as filed in Book 108 of Plats at Pages 15090-15098 and the East boundary line of Greyhawk Subdivision No. 5, as filed Book 110 of Plats at Pages 15,909 through 15,912, records of Ada County, Idaho South 00°20'19" West, 1753.39 feet to the Southeast corner of said Greyhawk Subdivision No. 5, said point being the REAL POINT OF BEGINNING;

thence along the East boundary line of the SW1/4 of the NE 1/4 of said Section 13 South 00°20'19" West, 537.88 feet; thence leaving said East boundary line North 89°39'43" West, 105.00 feet; thence South 59°20'58" West, 58.32 feet; thence North 88°52'06" West, 579.54 feet; thence North 00°11'49" East, 390.54 feet to a point on the southerly boundary line of said Greyhawk Subdivision No. 5; thence along the exterior boundary line of said Greyhawk Subdivision No. 5 the following 11 courses and distances: thence South 89°48'11" East, 105.75 feet; thence South 74°17'03" East, 51.11 feet; thence 29.08 feet along the arc of a non-tangent curve to the right, said curve having a radius of 75.00 feet, a central angle of 22°13'02" and a long chord of 28.90 feet which bears North 11°18'20" East; thence North 22°24'51" East, 15.21 feet; thence North 89°27'42" East, 13.77 feet; thence North 22°21'46" East, 6.09 feet; thence 36.23 feet along the arc of a non-tangent curve to the left, said curve having a radius of 365.00 feet, a central angle of 05°41'13" and a long chord of 36.21 feet which bears South 76°21'15" East; thence North 12°21'29" East, 50.02 feet; thence North 10°33'20" East, 105.03 feet; thence South 72°52'42" East, 10.39 feet; thence South 88°52'06" East, 478.97 feet to the REAL POINT OF BEGINNING. Containing 8.62 acres, more or less.

It is the intention of the undersigned to hereby include the above described property in this plat and to dedicate to the public, the public streets as shown on this plat. The easements as shown on this plat are not dedicated to the public. However, the right to use said easements is hereby perpetually reserved for public utilities and such other uses as designated within this plat, and no permanent structures are to be erected within the lines of said easements. All lots in this plat will be eligible to receive water service from an existing City of Kuna main line located adjacent to the subject subdivision, and the City of Kuna has agreed in writing to serve all the lots in this subdivision.

Greyhawk Land Company, LLC

Providence Properties, LLC - Member  
E. Don Hubble, Member

### CERTIFICATE OF SURVEYOR

I, Gregory G. Carter, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat as described in the "Certificate of Owners" was drawn from an actual survey made on the ground under my direct supervision and accurately represents the points platted thereon, and is in conformity with the State of Idaho Code relating to plats and surveys.



### ACKNOWLEDGMENT

State of Idaho )  
                          ) s.s.  
County of Ada )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared E. Don Hubble, known or identified to me to be a member of Providence Properties, LLC, a member of Greyhawk Land Company, LLC., the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that said limited liability company executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires \_\_\_\_\_

Notary Public for Idaho  
Residing in \_\_\_\_\_, Idaho

**ISG** IDAHO SURVEY GROUP, P.C.  
1450 E. WATERTOWER ST.  
SUITE 130  
MERIDIAN, IDAHO 83642  
PH. (208) 846-8570  
FAX (208) 864-5399

# GREYHAWK SUBDIVISION NO. 7

### HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied according to the letter to be read on file with the County Recorder or his agent listing the conditions of approval. Sanitary restrictions may be re-imposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

\_\_\_\_\_  
District Health Department, EHS      Date

### CERTIFICATE OF COUNTY SURVEYOR

I, the undersigned, County Surveyor in and for Ada County, Idaho, do hereby certify that I have checked this plat and that it complies with the State of Idaho Code relating to plats and surveys.

\_\_\_\_\_  
County Surveyor

### APPROVAL OF ADA COUNTY HIGHWAY DISTRICT

The foregoing plat was accepted and approved by the Board of Ada County Highway District Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
President ACHD

### CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer in and for the County of Ada, State of Idaho, per the requirements of I.C.50-1308 do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

\_\_\_\_\_  
Date  
\_\_\_\_\_  
County Treasurer

### APPROVAL OF CITY ENGINEER

I, the City Engineer in and for the City of Kuna, Ada County, Idaho, hereby approve this plat.

\_\_\_\_\_  
City Engineer

### APPROVAL OF CITY COUNCIL

I, the undersigned, City Clerk in and for the City of Kuna, Ada County, Idaho, hereby certify that at a regular meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, this plat was duly accepted and approved.

\_\_\_\_\_  
City Clerk, Kuna, Idaho

### COUNTY RECORDER'S CERTIFICATE

State of Idaho )  
                  ) s.s.  
County of Ada )

I hereby certify that this instrument was filed for record at the request of \_\_\_\_\_ at \_\_\_\_\_ Minutes past \_\_\_\_\_ O'clock \_\_\_\_\_ M. on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in Book \_\_\_\_\_ of plats at Pages \_\_\_\_\_.

Instrument No. \_\_\_\_\_  
\_\_\_\_\_  
Deputy  
\_\_\_\_\_  
Ex-Officio Recorder



	<b>IDAHO SURVEY GROUP, P.C.</b>	1450 E. WATERTOWER ST. SUITE 130 MERIDIAN, IDAHO 83642
		PH. (208) 846-8570 FAX (208) 884-8399

**ARTICLE III  
CONDITIONS ON DEVELOPMENT**

- 6.25.17
- 3.1 The sole uses(s) allowed and restrictions pursuant to this conditional rezone as reflected in this Agreement are as follows:
- 3.1.1 Developer shall develop the property subject to the conditions and limitations set forth in the Agreement. **DONE**
- 3.1.2 Developer agrees to plat no more than 317 buildable lots on the 80.20 acres of the property located east of Kay Avenue and is required to maintain R-6 lot area percentages on the property in accordance with the Kuna City Code. **UNDERSTOOD WILL COMPLY**
- 3.1.3 Developer agrees to construct homes on the property ranging in size from 1,400 square feet to 3,555 square feet or larger. **UNDERSTOOD WILL COMPLY**
- 3.1.4 Developer agrees to the following specific common areas, parks and buffers consisting of a total 9.96 acres:
- 3.1.4.1: 3.62 acre park **DONE**
- 3.1.4.2: 4.24 acres for landscaped buffers and landscaped island **PART DONE**
- 3.1.4.3: .91 acre for the "Strip Park 1" **NONE IS IN THIS PHASE**
- 3.1.4.4: .49 acre for the "Strip Park 2" **DONE THIS PHASE**
- 3.1.4.5: .70 acre for pedestrian pathways **PORTION IN THIS PHASE**
- 3.1.5 Perimeter landscape lots shall be maintained by the homeowners' association and shall be the following dimensions:
- 3.1.5.1: 30-foot wide adjacent to Hubbard Road with an 8-foot wide meandering sidewalk. **DONE PHASE 1**
- 3.1.5.2: 20-foot wide adjacent to Kay Avenue with a 5-foot wide meandering sidewalk. **NONE IN THIS PHASE**
- 3.1.5.3: 20-foot wide adjacent to Ardell Road with a 5-foot wide meandering sidewalk. **FUTURE PHASE**
- 3.1.6 Perimeter fencing on Hubbard Road, Kay Avenue, and Ardell Road shall consist of a six-foot tall vinyl fence constructed behind a three-foot high earthen berm. **NONE IN THIS PHASE**
- 3.1.7 Pathway lots shall be 20-foot-wide consisting of a 6-foot-wide asphalt path with the remaining 14 feet landscaped and maintained by the homeowners association. Construct a 4' solid 2' lattice vinyl fence along the pathways. **ONE PATH IN THIS PHASE**
- 3.1.8 Construct a minimum of 16" roof overhang on all structures. **UNDERSTOOD AND WILL COMPLY**
- 3.1.9 Construct a monument sign on the Hubbard entrance with a rock and water feature as noted on the plan. Construct a monument sign on the Ardell entrance. **PORTION DONE IN PHASE 1**
- 3.1.10 Developer to provide the City with a written agreement for the neighbor on the west side of Kay and Hubbard Road to provide a driveway access to Kay Street and relocate the fence on Kay if needed. **DONE IN PHASE ONE**
- 3.1.11 Developer to construct the homes with the proposed elevations as indicated in Exhibit C of this Agreement. **UNDERSTOOD AND WILL COMPLY**
- 3.1.12 Relocate the park amenities to the south side of Lot 5, Block 5. Provide a 10-foot turn out for parallel parking on E. Yankee Basin Drive to allow for a minimum of 10 parking stalls. **DONE IN PHASE 1**
- 3.1.13 Developer to construct a 4-foot solid, 2-foot lattice vinyl fence along all common lots. **DONE**
- 3.1.14 Meet all staff and agency requirements with the exception of the Transportation Task Force recommendation on Kay Street. **DONE**



CENTRAL  
DISTRICT  
HEALTH  
DEPARTMENT

MAIN OFFICE • 707 N. ARMSTRONG PL. • BOISE, ID 83704-0825 • (208) 375-5211 • FAX 327-8500

*"To improve the health of our communities by identifying sustainable solutions to community health issues, developing partnerships for implementation of strategies, and demonstrating our success through measurement of outcomes."*

RECEIVED  
SEP 05 2017  
CITY OF KUNA

17-0616

August 30, 2017

Christopher D. Rich  
Ada County Recorder  
200 West Front Street  
Boise, ID 83702

RE: Greyhawk Subdivision No. 7

Dear Mr. Rich:

Central District Health Department has reviewed and does approve the final plat for this subdivision for central water and central sewer facilities. Final approval was given August 30, 2017.

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied based on a review by a Qualified Licensed Professional Engineer (QLPE) representing the City of Kuna and the QLPE approval of the design plans and specifications and the conditions imposed on the developer for continued satisfaction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water extensions or sewer extensions were constructed. Building construction can be allowed with appropriate building permits if drinking water extensions or sewer extensions have since been constructed or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities then sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

*Serving Valley, Elmore, Boise, and Ada Counties*

Ada / Boise County Office  
707 N. Armstrong Pl.  
Boise, ID 83704  
Enviro. Health: 327-7499  
Reproductive Health: 327-7400  
Immunizations: 327-7450  
Senior Nutrition: 327-7460  
WIC: 327-7488  
FAX: 327-8500

Elmore County Office  
520 E. 8th St. North  
Mountain Home, ID 83647  
Enviro. Health: 587-9225  
Family Health: 587-4407  
WIC: 587-4409  
FAX: 587-3521

Valley County Office  
703 N. 1st St.  
McCall, ID 83638  
Ph. 634-7194  
FAX: 634-2174

Exhibit

B3



## City of Kuna

P.O. Box 13  
Kuna, ID 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.cityofkuna.com

**To:** Kuna City Council

**File Numbers:** Grayhawk Subdivision / 06-06-S (Preliminary Plat) / 06-02-DA (Development Agreement) / 06-04-ZC (Rezone)

**Site location:** 447 W. Hubbard Road / Hubbard, Kay & Ardell Roads

**Planner:** Lisa Bachman

**Hearing date:** Wednesday, November 8, 2006

**Applicant:** Providence Development Group, LLC  
701 S. Allen St., Suite 104  
Meridian, Idaho 83642

**Owner:** Jerry Hess IRA  
P.O. Box 328  
Meridian, Idaho 83642

**Engineer:** Bailey Engineering, Inc.  
1500 E. Iron Eagle Dr.  
Eagle, Idaho 83616

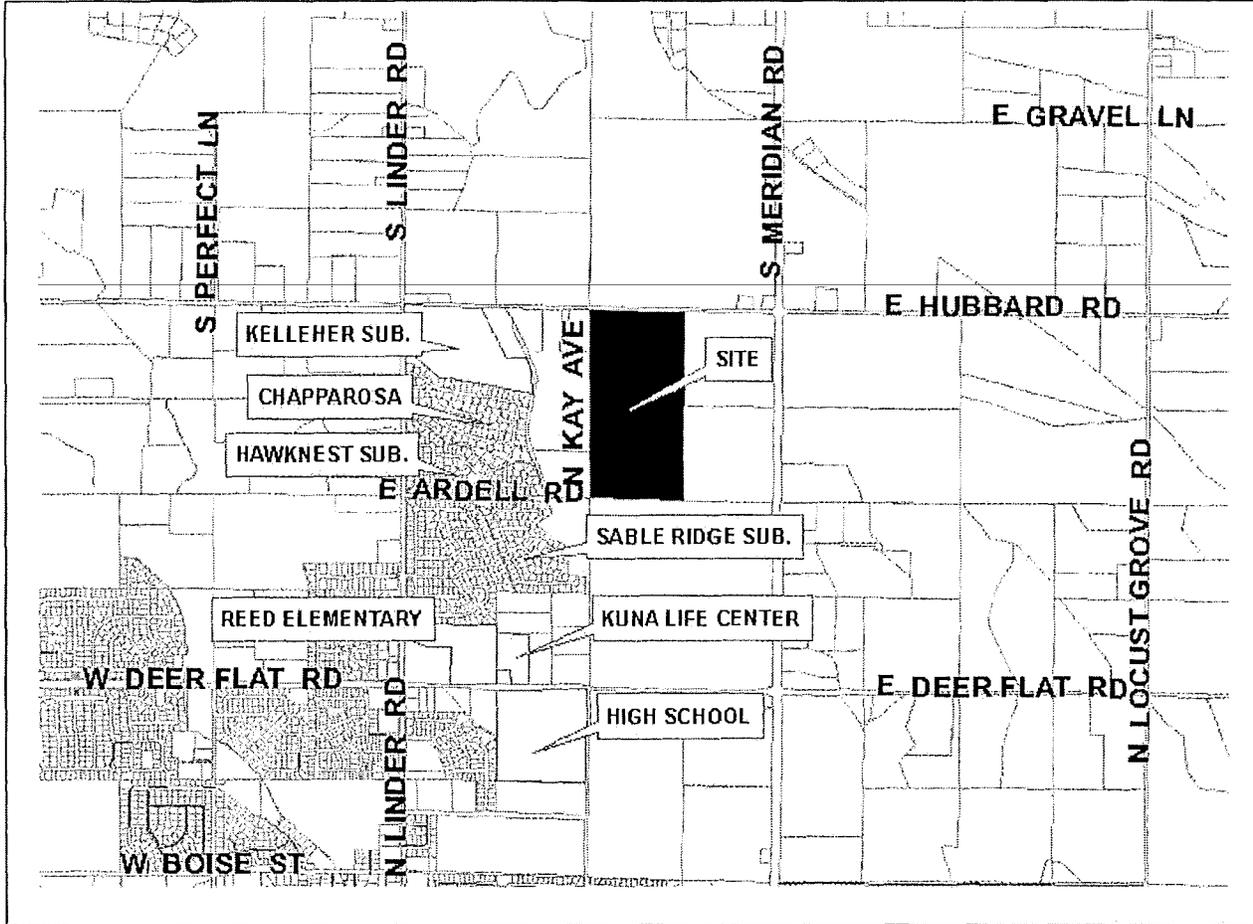
### Application Information:

Current Zone: A (Agricultural in Kuna City limits)  
Proposed Zone: R-6 (Medium Development Density 4-6 units/acre)  
Proposed Density: 3.95 DU per acre  
Common Area %: 12.67%  
Park Area: 3.6 acres  
Total Acres: approx. 80.18-acres  
Single-family lots: 317 lots  
Common lots: 18 lots  
**Total lots: 335 total lots**

### Project Summary:

The applicant is requesting preliminary plat and rezone approval with a Development Agreement for 317 single-family lots on approximately 80.18-acres. The site is located on the south side of Hubbard, east side of Kay and on the north side of Ardell. The site was recently annexed into the City of Kuna with an Agricultural zone and will be participating in the Local Improvement District for the new wastewater treatment plant. Subdivision access will be via Hubbard, Kay and Ardell. Proposed amenities include a common 3.6-acre park area and pedestrian areas with paved pathways throughout the site.

**VICINITY MAP**



**A. Existing Site Conditions**

**1. Surrounding land use and zoning:**

<b>North</b>	RR (Ada County)	Agricultural
<b>South</b>	RUT (Ada County)	Agricultural
<b>East</b>	RR (Ada County)	Agricultural
<b>West</b>	RR (Ada County), A, R-4, R-5 (Kuna City)	Agricultural and single-family residential

**2. Parcel numbers:**

S1313120700  
S1313120602

**3. Comprehensive Future Land Use Map:**

The site is identified as Medium and High Development Density (4-6 and 7+ units/acre) on the Comprehensive Future Land Use Map.

**4. Property size:**

Approx. 80.18 acres

**5. Existing structures:**

Single-family dwelling and some outbuildings (single-family dwelling has been removed)

**6. Existing Vegetation:**

The site contains natural soils and grasses.

**B. Procedural Items:**

Received Application	Accepted Application	Gov't Agency Notification	Property owners 300-ft. notification		Legal Hearing publication		Posted public hearing sign	
05-19-06	05-24-06	06-09-06	P&Z	09-07-06	P&Z	09-11-06	P&Z	09-19-06
			CC	10-18-06	CC	10-23-06	CC	10-18-06

**C. Staff Analysis/Findings for Consideration:**

Development Agreement

**1. Proposed Development Agreement:**

The proposed Development Agreement includes the following details:

3.1: The sole use (s) allowed and restrictions required pursuant to the conditional rezone as reflected in this Agreement are as follows:

3.1.1 Developer shall develop the property subject to the conditions and limitations set forth in the Agreement.

3.1.2 Developer agrees to plat no more than 313 buildable lots on the 80.20 acres of the property located east of Kay Avenue and is required to maintain R-6 lot area percentages on the property in accordance with the Kuna City Code.

3.1.3 Developer agrees to construct homes on the property ranging in size from 1,400 square feet to 3,555 square feet or larger. The range of home sizes shall be as follows:

3.1.4 Developer agrees to the following common area and parks consisting of a total 10.18 acres.

3.1.4.1 3.83 acre park

3.1.4.2 0.91 acre strip

3.1.4.3 0.48 acre strip park

3.1.5 Perimeter landscape lots shall be maintained by the homeowners' association and shall be the following dimensions:

3.1.5.1 30 feet wide adjacent to Hubbard Road with a five-foot meandering sidewalk.

3.1.5.2 20 feet wide adjacent to Kay Avenue with a five-foot meandering sidewalk.

3.1.5.3 20 feet wide adjacent to Ardell Road with a five-foot meandering sidewalk.

3.1.6 Perimeter fencing on Hubbard Road, Kay Avenue, and Ardell Road shall consist of a five-foot vinyl fence constructed atop a three-foot high earthen berm for a total minimum screening height measured from the back of the adjacent sidewalk of eight feet.

- 3.1.7 Pathway lots shall be 20-foot wide consisting of a six-foot wide asphalt path with the remaining 14 feet landscaped and maintained by the homeowners' association.
- 3.1.8 The interior street section shall include a four-foot wide detached sidewalk located within an easement to the Ada County Highway District, offset from the back of curb by five feet. The five foot landscape area shall include grass and trees installed and maintained by the adjacent homeowner.

### Subdivision

## 2. **Commission's Findings (KCC 6-2-3-H-2)**

In determining the acceptance of a proposed subdivision, the commission shall consider the objectives of this title and at least the following:

- a. The conformance of the subdivision with the comprehensive development plan;
  - b. The availability of public services to accommodate the proposed development;
  - c. The continuity of the proposed development with the capital improvement program;
  - d. The public financial capability of supporting services for the proposed development; and
  - e. The other health, safety or environmental problems that may be brought to the commission's attention.
- The proposed preliminary plat complies with the Comprehensive Development Plan.
  - Public services will be available to the site with the new wastewater treatment plant.
  - The proposed development could be integrated with a new capital improvement plan.
  - The property is included in the Local Improvement District, which ensures financial capability.
  - There is no health, safety or environmental concerns relating to the proposed preliminary plat.

### Road Improvements & Sidewalks – Kuna City Code

## 3. **Street Right of Way Width Specifications (KCC 6-3-4-A)**

Street and road right of way widths shall conform to the adopted major street plan or comprehensive development plan and the rules of the state department of highways and the highway district or department having jurisdiction. Minimum right of way standards are as follows:

Expressway or freeway	160-260 feet
Major arterial	80 feet
Minor arterial	80 feet
Collector street	60 feet
Minor street (local)	50 feet

### **Street and Road location (KCC 6-3-3-H)**

Half Streets: Half streets shall be prohibited except where unusual circumstances make such necessary to the reasonable development of a tract in conformance with this Title and where satisfactory assurance for dedication of the remaining part of the street is provided. Whenever a tract to be subdivided borders on an existing half or partial street, the other part of the street shall be dedicated within such tract.

**Required Public Improvements (KCC 6-4-2 B-D)**

Every subdivider shall be required to install the following public and other improvements in accordance with the conditions and specifications as follows:

- B. Streets and Alleys: All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the Council. (Ord. 231, 12-7-1977)
- C. Curbs and Gutters: Vertical curbs and gutters shall be constructed on collector and arterial streets. Rolled curbs and gutters or other landscaping and drainage as may be established by the Council and consistent with subsection G of this Section shall be required on minor streets. All construction shall be in accordance with the standards and specifications adopted by the Council. (Ord. 403, 10-5-1993)
- D. Bicycle Pathways: A bicycle pathway shall be provided within all subdivisions, as part of the public right of way or separate easement, as may be specified in an overall bicycle plan as adopted by the Council. (Ord. 231, 12-7-1977)

**Landscape Buffer and Sidewalk (KCC 6-3-11-A & 6-4-2-L)**

KCC 6-3-11-A: Kuna City code requires a minimum 20-foot wide planting reserve strip next to collector and arterial roads.

KCC 6-4-2 L: Kuna City code requires a minimum 5-foot wide to 8-foot wide detached concrete sidewalk to be constructed along all arterial and collector roadways with a minimum 10-foot wide landscaped buffer.

**Kuna Comprehensive Street Plan Map**

Master Plan: The Kuna Comprehensive Street Plan Map identifies a future north-south mid-mile collector (Kay Avenue) and an east-west mid-mile collector (Ardell). Hubbard Road is identified as a minor arterial.

**Kuna Comprehensive Bicycle Plan (Bicycle/Pedestrian Path Master Plan Map)**

The Kuna Comprehensive Plan Bicycle/Pedestrian Path Master Plan map identifies a bike/pedestrian path abutting the site along the south side of Hubbard Road. The Bicycle/Pedestrian Master Plan requires 8-foot wide sidewalks.

**Road Improvements & Sidewalks – Proposed & Required****Internal / Local Roads:**

The applicant is proposing the internal local roads with 50-feet of right-of-way, 36-foot street sections and rolled curb, gutter and 5-foot wide sidewalks.

- The local roads right-of-way, street sections, curb and gutter meet City Code.

**Collector Streets for the mid-miles:**

Kay Ave (north-south) and Ardell Road (east-west):

Proposed- The applicant is proposing to construct one half of both mid-mile collector streets with 42-feet of right-of-way, 24-feet of pavement, vertical curb, gutter and 5-foot wide meandering sidewalks and pedestrian ramps with a 20-foot wide landscaped buffer.

- The proposed road improvements for the proposed collector streets meet City code. The street sections will be completed for Kay and Ardell when the

adjacent properties develop. Until the surrounding properties develop, Kay and Ardell will serve as access for this subdivision only.

### Arterial Road

Hubbard Road:

Proposed- The applicant is proposing to construct Hubbard Road with 35-feet of right-of-way from centerline with a 5-foot wide meandering sidewalk with a 20-50-foot landscaped buffer (meandering buffer – widths vary).

#### Right-of-Way

- The proposed right of way width for Hubbard Road does not meet City code. City code requires a minimum of 40-feet of right-of-way from centerline on arterial roads. ACHD has required the applicant to dedicate a total of 35-feet of right-of-way from centerline. Staff recommends the applicant dedicate a 10-foot wide reserve strip in addition to the landscape buffer and 35-feet of right-of-way. This should accommodate any future widening for Hubbard Road.

#### Sidewalk, Buffer, Curb and Gutter

- Due to the fact that the south side of Hubbard Road is identified as a future Bicycle/Pedestrian Pathway on the Comprehensive Plan, the applicant shall construct an **8-foot wide sidewalk** along Hubbard Road with a 20-50-foot wide landscaped buffer (meandering buffer –varying width) in accordance with the Kuna Comprehensive Pedestrian/Bicycle Plan and City code. City code requires curb and gutter to be constructed on all collector and arterial roads, and ACHD has not required curb and gutter. Due to the fact that Hubbard Road will be widened in the future, the applicant will not be required to construct curb and gutter.

## 4. Street Names (KCC 6-3-5 A & B)

A. Street names shall not duplicate any existing street name within the county except where a new street is an uninterrupted extension and continuation of an existing street. Street names that may be spelled differently but sound the same as existing streets shall not be used.

B. All new streets shall be named as follows: Streets having a predominately north-south direction shall be named "Avenue" or "Road"; streets having a predominately east-west direction shall be named "Street" or "Way"; meandering streets shall be named "Drive", "Lane", "Path" or "Trail"; and cul-de-sacs shall be named "Circle", "Court" and "Place".

- The following proposed street names are approved as proposed:
  - W. Hubbard Rd.
  - E. Mystery Dr.
  - N. Greenville Ave.
  - E. Makay St.
  - N. Hose Gulch Ave.
  - E. Yankee Basin Dr.
  - N. Lanford Ave.
  - E. Red Vale Dr.
  - E. Shady Ridge Dr.
  - N. Walton Ave.
  - N. Golden Hills Ave.
  - N. Merlin Ave.
  - E. Firestone Dr.
  - N. Elk Creek Ave.
  - N. Everglade Ave.

- E. Red Creek St.
- N. Fox Creek Ave.
- E. Brush Creek St.
  
- Due to the fact that the roads are not an uninterrupted extension, the following street names shall be given a new name.
  - Either the easterly or westerly portion of E. Makay St.
  - Either the easterly or westerly portion of E. Polk St.
  - Either the easterly or westerly portion of E. Celtic St.
  - Either the northern or southern portion of N. Williamson St. Ave.
  
- The following proposed street names shall be modified as follows:

Change from	Change to
N. Williamson St.	N. Williamson Ave.
N. Kristy Way	N. Kristy Ave.
N. Destiny Way	N. Destiny Dr.
Ardell Street	E. Ardell Rd.
Kay Ave.	N. Kay Ave.

*Note: Ada County Development Services street naming committee may have additional modifications and/or requirements regarding street names.*

**5. Street Lights (KCC 6-4-2-N)**

Kuna City Code requires that street lights are installed at all intersections, near the fire hydrants, and have a maximum spacing of two hundred fifty feet (250') throughout the interior and exterior of the subdivision. A sub divider shall conform to the requirements of the city and the public utility providing such lighting.

- The proposed lighting plan does not meet KCC 6-4-2-N. The applicant shall install street lights at all intersections, near the fire hydrants, and have a maximum spacing of 250' throughout the interior and exterior of the subdivision. The applicant shall submit a lighting plan in accordance with KCC 6-4-2-N.

**6. Landscaping & Amenities (KCC 6-4-2-P & 6-4-2-S)**

**KCC 6-4-2-P: Landscaped entrances**

All entrances to and exits from subdivisions shall be landscaped in a manner approved by the planning and zoning commission and/or department of urban forestry.

**KCC 6-4-2-S: One Tree per lot required**

Kuna City Code requires that a minimum of one tree per lot shall be provided by the developer.

**Landscaping**

- The applicant is proposing an 8-foot wide landscaped island within the entrance on Hubbard Road.
  
- The applicant is proposing 20-50 foot wide landscaped buffers along Hubbard, Kay and Ardell abutting the site. The buffers meander along Hubbard and Kay and the width varies. Proposed landscaping within the buffers includes a variety of trees, shrubs and grasses.
  
- The applicant is proposing pedestrian pathways throughout the subdivision with paved walkways, grasses, trees and shrubs.

- The applicant is proposing a variety of trees, shrubs and grasses within the 3.6 acre common area park.
- The applicant shall provide one tree per buildable lot.

#### **Amenities**

- Hubbard Road entrance: The applicant is proposing a monument sign and water feature in the Hubbard Road entrance.
- 3.6-acre Park area: The applicant is proposing a gazebo, play equipment, a half (1/2) basketball court and an open play area with grass.

### **7. Right-of-Way Fencing & Perimeter Fencing (KCC 6-4-2-Q)**

A fence that abuts an arterial or collector road should be uniform from intersection to intersection and must include a landscaped berm and fence, six feet (6') in height (measured from the crest of the road) that is permanent and maintenance free. Acceptable fencing would include metal, rock, vinyl and the posts must be installed in concrete. No wood fencing would be allowed. The only exception is around parks (for safety reasons), an open fence may be required. A fence plan must be submitted with the preliminary plat application for approval.

#### **Right-of-way Fencing**

- Hubbard, Kay and Ardell fences: The applicant is proposing a 6-foot solid fence along Hubbard Road. The fence shall be of a permanent and maintenance free material, in accordance with Kuna City code.

#### **Perimeter Fencing**

- Pedestrian pathway and park fences: The applicant is proposing 4-foot vinyl with 2-foot lattice along both sides of all pedestrian pathways. The applicant shall submit a final fence plan and obtain a fence permit prior to installation.

### **8. Lateral/Ditch (KCC 6-4-2-R)**

Piping of Ditches: All irrigation ditches, and laterals, excluding major canals and natural waterways located within the development boundaries shall be tiled. Major canals and natural waterways located within or adjacent to the development boundaries shall be fenced or tiled. Any improvements involving the distribution system of any irrigation district shall have the prior written approval of that affected district.

- There are no ditch facilities located on the site. If there are local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, they must remain unobstructed and should be protected by an appropriate easement.

### **9. Services**

Fire protection – Kuna Rural Fire District  
 Sewage disposal – City of Kuna Municipal  
 Water service – City of Kuna Municipal  
 Irrigation district – New York Irrigation District  
 School district – Kuna Joint School District

### **10. Official Height and Area Regulations (KCC 5-3-3)**

**Kuna City Code has the following building requirements for an R-6 zone:**

Maximum Height – 35-feet  
 Minimum Lot Width – 45-feet  
 Front living space setback – 15-feet

Front setback -	20-feet
Rear setback -	15-feet
Interior side -	5-feet
Street side -	20-feet
Maximum lot coverage -	40%
Minimum lot area per D.U. -	4,500 square-feet

- The proposed lot sizes and dimensions comply with City code.

**11. Kuna Comprehensive Plan Map (Section 4-3, Figure 4.3-1)**

The site is identified as Medium and High Development Density (4-6 and 7+ units/acre) on the Comprehensive Future Land Use Map.

- The applicant is proposing an R-6 zone, with an overall density of 3.95 dwelling units per acre. The proposed density complies with the Comprehensive Future Land Use Map.

**12. Transportation Task Force Recommendations**

- Developer should install a minimum of 4-5 playground signs throughout the subdivision near the large common area.
- Install bollards in the pedestrian pathways.
- Install a left-right arrow sign at E. Mystery & Yankee Basin.
- Construct ½ of Kay Street with 3 lanes, curb, gutter, sidewalks and bike lanes.

**13. Staff Recommendation**

Based on Staff’s review of the application, staff concludes the applications complies with Kuna City Code and the Kuna Comprehensive Plan, and forwards a recommendation of approval with standard and specific conditions to the Council, as set out in the proposed Findings of Fact and Conclusions of Law attached hereto.

**D. Findings of Facts:**

**1. As to existing site conditions, the Council finds the following:**

**Surrounding Land Use and Zoning:**

<b>North</b>	RR (Ada County)	Agricultural
<b>South</b>	RUT (Ada County)	Agricultural
<b>East</b>	RR (Ada County)	Agricultural
<b>West</b>	RR (Ada County), A, R-4, R-5 (Kuna City)	Agricultural and single-family residential

**Parcel Numbers:**

S1313120700  
S1313120602

**Comprehensive Plan Future Land Use Map:**

The site is identified as Medium and High Development Density (4-6 and 7+ units/acre) on the Comprehensive Future Land Use Map.

**Property size:**

Approx. 80.18 acres

**Existing Structures:**

Single-family dwelling and some outbuildings (single-family dwelling has been removed)

**Existing Vegetation:**

The site contains natural soils and grasses.

- 2. As to procedural items, the Council finds the following:**  
All required procedural items have been completed in accordance with Kuna City Code.
- 3. As to the project description, the Council finds the following:**  
The applicant is requesting preliminary plat and rezone approval with a Development Agreement for 317 single-family lots on approximately 80.18-acres. The site is located on the south side of Hubbard, east side of Kay and on the north side of Ardell. The site was recently annexed into the City of Kuna with an Agricultural zone and will be participating in the Local Improvement District for the new wastewater treatment plant. Subdivision access will be via Hubbard, Kay and Ardell. Proposed amenities include a common 3.6-acre park area and pedestrian areas with paved pathways throughout the site.
- 4. As to Kuna City Code, the Council finds the following:**  
The proposed Subdivision complies with Kuna City Code.
- 5. As to the Kuna Comprehensive Plan, the Council finds the following:**  
The proposed Subdivision complies with the Kuna Comprehensive Plan.

**E. Conclusions of Law:**

If any of the following Conclusions of Law are determined to be Findings of Fact, they shall be included in that section.

1. Based on the evidence contained in File #'s 06-06-S, 06-02-DA and 06-04-ZC, The Kuna City Council finds that File #'s 06-06-S, 06-02-DA and 06-04-ZC complies with Kuna City Code.
2. Based on the evidence contained in File #'s 06-06-S, 06-02-DA and 06-04-ZC, The Kuna City Council finds that File #'s 06-06-S, 06-02-DA and 06-04-ZC complies with the Kuna Comprehensive Plan.

**F. Planning & Zoning Commission Recommendation to City Council:**

On September 26, 2006, the Kuna Planning & Zoning Commission recommended approval to City Council for Rezone from A to R-4 due to the density location from the City amenities and the Preliminary Plat with Development Agreement with the following conditions:

- All staff and agency recommendations.
- 3.1.2 Developer agrees to plat no more than 317 buildable lots on the 80.20 acres of the property located east of Kay Avenue and is required to maintain R-6 lot area percentages on the property in accordance with the Kuna City Code.
- 3.1.3 Developer agrees to construct homes on the property ranging in size from 1,400 square feet to 3,555 square feet or larger.
- 3.1.4.2 0.91 acre strip
- 3.1.5.1 30 feet wide adjacent to Hubbard Road with an 8 foot meandering sidewalk.
- 3.1.6 Perimeter fencing on Hubbard Road, Kay Avenue, and Ardell Road shall consist of a six-foot vinyl fence constructed behind a three-foot high earthen berm for a total minimum screening height measured from the back of the adjacent sidewalk of eight feet.

- 3.1.7 Pathway lots shall be 20-foot-wide consisting of a 6-foot-wide asphalt path with the remaining 14 feet landscaped and maintained by the homeowners association. Construct a 4' solid 2' lattice vinyl fence along the pathways.
- 3.1.8 The interior street section shall include a five-foot-wide detached sidewalk located within an easement to the Ada County Highway District, offset from the back of curb by five feet. The five foot landscape area shall include grass and trees installed and maintained by the adjacent homeowner.
- 3.1.9 Construct a minimum of 16" roof overhang on all structures.
- 3.1.10 Construct a monument sign on the Hubbard entrance with a rock and water feature as noted on the plan. Construct a monument sign on the Ardell entrance.
- 3.1.11 Developer to provide the City with a written agreement for the neighbor on the west side of Kay and Hubbard Road to provide a driveway access to Kay Street and relocate the fence on Kay if needed.
- 3.1.12 Developer to construct the homes with the proposed elevations.
- 3.1.13 Relocate the park amenities to the south side of Lot 5 Block 5. Provide a 10' turn out for parallel parking on E. Yankee Basin Dr. to allow for 10 parking stalls.
- 3.1.14 Developer to construct a 4' solid / 2' lattice vinyl fence along all common lots.
- 3.1.15 Meet all staff & agency requirements with the exception of the Transportation Task Force recommendation on Kay Street.

## G. Kuna City Council Decision:

The Kuna City Council approved the Annexation, Preliminary Plat and Development Agreement with an R-6 zone for Greyhawk Subdivision with the following conditions:

- Meet all Staff requirements.
- Meet all P&Z Commission requirements with the exception of the R-4 zone.

## H. Site Specific Conditions of Approval:

### Road Improvements & Sidewalks

#### 1. Internal / Local Roads:

Construct the internal local roads with 50-feet of right-of-way, 36-foot street sections and rolled curb, gutter and 5-foot wide sidewalks, as proposed.

#### Collector Roads – Kay and Ardell:

Construct Kay and Ardell with 42-feet of right-of-way, vertical curb, gutter and 5-foot wide meandering sidewalks with a 20-50 foot wide meandering landscaped buffer, as proposed.

#### Arterial Road – Hubbard:

Dedicate 35-feet of right-of-way from the centerline of Hubbard Road, as required by ACHD. Along Hubbard Road, construct an 8-foot wide sidewalk, a 20-50 foot wide meandering landscaped buffer and a 10-foot wide reserve strip (to accommodate future widening).

### Landscaping & Amenities

#### 2. – Construct an 8-foot wide landscaped island within the Hubbard Road subdivision entrance, as proposed.

- Landscape the buffers along Hubbard, Kay and Ardell, as proposed. Install a monument sign and water feature in the Hubbard Road entrance, as proposed.

- Provide pedestrian pathways throughout the subdivision, with landscaping as proposed.

- Construct 5-foot paved walkways within the pedestrian pathways, as proposed.

- Landscape the 3.6 acre park, as proposed.
- Install a gazebo, play equipment, a half (1/2) basketball court and an open play area with grass, as proposed.
- Provide one tree per buildable lot.

### **Fencing**

3. Hubbard, Kay and Ardell fences: The applicant is proposing a 6-foot solid fence along Hubbard Road. The fence shall be of a permanent and maintenance free material, in accordance with Kuna City code.

Pedestrian pathway and park fences: The applicant is proposing 4-foot vinyl with 2-foot lattice along both sides of all pedestrian pathways. The applicant shall submit a final fence plan and obtain a fence permit prior to installation.

### **Street Lights**

4. Install street lights at all intersections, near the fire hydrants, and have a maximum spacing of 250' throughout the interior and exterior of the subdivision. The applicant shall be required to submit a lighting plan in accordance with KCC 6-4-2-N.

### **Street Names**

5. Submit a street name plan to the Planning and Zoning Department and the Ada County Street Name Committee to receive written approval.

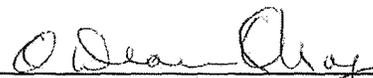
## **I. Standard Conditions of Approval:**

The following list details the tasks (in order) that the applicant and/or owner must complete before the approval of Grayhawk Subdivision will be considered final. Please note that you have one year from the date of the written decision of the council to complete these tasks and submit a final plat unless a time extension is granted.

1. The applicant and/or owner shall obtain written approval of the plat from the agencies noted below. The approval may be either on agency letterhead referring to the approved use or may be written/stamped upon a copy of the approved plat. All site improvements are prohibited prior to approval of these agencies.
  - a) The City Engineer must approve the sewer hook-up.
  - b) The Kuna Fire District must approve all fire flow requirements and/or building plans.
  - c) The Boise-Kuna Irrigation District must approve all proposed modifications to the existing irrigation system.
  - d) The City Engineer must approve a surface drainage run-off plan. As recommended by Central District Health Department, the plan should be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties".
2. The final plat shall be meet the final plat specifications listed in Section 6-2-4 of the Kuna City Code.
3. The final plat shall be in substantial conformance with the approved preliminary plat.

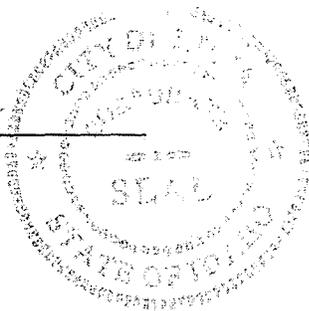
4. Prior to approval by the Kuna City Council, the plat shall contain the following certificates and/or endorsements:
  - a) signature of the owner(s),
  - b) certificate of the plat surveyor,
  - c) certificate of the County Surveyor,
  - d) endorsement of the Central District Health Department,
  - e) endorsement of the Ada County Highway District
5. The following statements shall appear on the face of the final plat:
  - a) This development recognizes Idaho Code §22-4503, Right to Farm Act, which states: "No agricultural operation or an appurtenance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided, that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or appurtenance to it."
  - b) Any resubdivision of this plat shall comply with the applicable regulations in effect at the time of the resubdivision.
  - c) Building setbacks and dimensional standards in this subdivision shall be in compliance with the applicable zoning regulations of the City of Kuna and this approval.
6. No building permits will be issued until the final plat is recorded through the County Recorder's Office and parcel numbers have been issued by the County Assessor's Office.
7. All public rights of way shall be dedicated and constructed to standards of the Ada County Highway District. No public street construction may be commenced without the approval of the Ada County Highway District. Any work within the Ada County Highway District rights of way requires a permit. For information regarding the requirements to obtain a permit, contact Ada County Highway District Development Services at 387-6100.
8. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground.
9. Compliance with Section 31-3805 of the Idaho Code pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the specific requirements of the Boise Project Board of Control is required.
10. Installation of fire protection facilities as specifically required by the Kuna Fire District is required.
11. There shall be easements provided for utilities, drainage, and irrigation abutting to all public street right-of-way and subdivision boundaries, and where considered necessary, centered on the interior property lines. Said easements shall have a minimum width of ten feet (10').

- 12. All submittals of required compliance letters and plans (lighting, landscaping, drainage, and development) must be accompanied by your application file numbers.
- 13. No construction, grading, filling, clearing, or excavation of any kind shall be initiated until the applicant has received approval of a drainage design plan from the Kuna City Engineer. The drainage design plan shall include all proposed site grading.
- 14. Individual lot pressurized irrigation shall be provided. The Kuna City Engineer must approve an irrigation plan prior to submitting the final plat for approval.
- 15. Lighting within the development shall comply with the Kuna City Code.
- 16. One tree per lot shall be provided by the developer.
- 17. All surety and surety agreements shall comply with the Kuna City Code.

  
 \_\_\_\_\_  
 O. Dean Obrey  
 Kuna City Mayor

Attest:

  
 \_\_\_\_\_  
 Lynda Burgess  
 Kuna City Clerk







# City of Kuna

## Staff Memo

P.O. Box 13  
Kuna, ID 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
www.kunaid.gov

**To:** City Council

**Case Number:** 17-06-FP – Final Plat;  
Ridley's Family Center No. 2

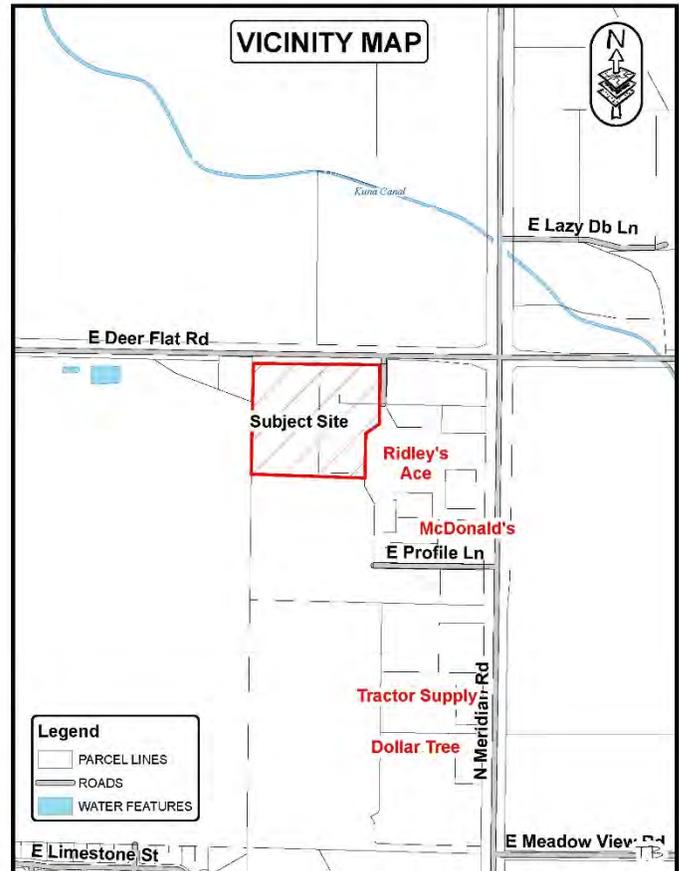
**Location:** South East Corner (SEC) of  
Sailor Place & Deer Flat Rd.  
Kuna, Idaho 83634

**Planner:** Troy Behunin, Planner III

**Meeting Date:** October 3, 2017

**Applicant:** **Fox Land Surveys**  
Aaron Rush, PLS  
1515 S. Shoshone St.  
Boise, ID 83702  
208.342.7957  
[Arush@foxland surveys.com](mailto:Arush@foxland surveys.com)

**Owner:** **CJM, LLLP**  
Mark Ridley  
621 Washington St. South  
Twin Falls, ID, 83301  
208.324.4633 Ext. 10120  
[markridley@mac.com](mailto:markridley@mac.com)



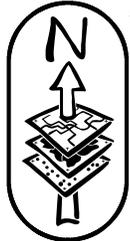
### A. General Project Facts, Staff Analysis:

1. Applicant is requesting Final Plat approval for *Ridley's Family Center No. 2*. The Final Plat for the *Ridley's Family Center No. 2* proposes six (6) buildable lots and one (1) common lot over approximately 8.54 acres, in a C-1 (Neighborhood Commercial) Zone (APN #'s S1324110091, S1324110161 & R2823300010).
2. In accordance with KCC Title 6; Subdivision Regulations, this application seeks final plat approval for the *Ridley's Family Center No. 2*, final plat.

### B. Staff Analysis:

1. After reviewing the application, staff has determined the proposed final plat appears to be in substantial conformance with the approved preliminary plat for the *Profile Ridge* development. This plat incorporates lot 1, block 1 of File Ridge Subdivision, and a portion of this plat is a re-plat of the File Ridge subdivision; specifically, the north east corner of this subdivision if the location of the recorded File Ridge Sub.. Applicant shall secure all signatures on the final plat check-off list prior to requesting City engineer signature on the final plat mylar sheets, subject to the City Engineers' forthcoming recommended changes to the final plat and any redlines shown on the final plat Mark-up sheet provided to the applicant.

# VICINITY MAP



*Kuna Canal*

**E Lazy Db Ln**

**E Deer Flat Rd**

**Subject Site**

**Ridley's  
Ace**

**McDonald's**

**E Profile Ln**

**Tractor Supply**

**Dollar Tree**

**N Meridian Rd**

**Legend**

-  PARCEL LINES
-  ROADS
-  WATER FEATURES

**E Limestone St**

**E Meadow View Rd**

T.B.



9.1.17

1515 S. SHOSHONE ST.  
BOISE, ID 83705  
208.342.7957

[www.foxlandsurveys.com](http://www.foxlandsurveys.com)

August 31, 2017

Kuna City Planning & Development Services  
751 W 4<sup>th</sup> Street  
Kuna, ID 83634

**Re: Ridley's Family Center Subdivision No. 2 Final Plat Application**

On behalf of Fox Land Surveys, Inc and CJM LLLP, we are requesting approval of the Final Plat application for the Ridley's Family Center Subdivision No. 2.

This site is located southwest of the intersection of Deer Flat Road and Highway 69 (Meridian-Kuna Highway), west and adjacent to Ridley's Family Center Subdivision No. 1. The size of the property being platted at this time 8.547 acres, with the remaining unplatted land to the south being platted at a future date. The platted area also includes File Ridge Subdivision, which is being re-platted as part of this development. The necessary easement vacations for File Ridge Subdivision are being handled by a separate application.

The plat is proposed to be 7 total lots, consisting of 6 buildable lots and 1 common lot.

All buildable lots will be for commercial development as currently zoned.

The common area lot is a 14-foot wide landscape buffer to be owned and maintained by CJM, LLLP. (see plat note 6).

The Final Plat complies with the Preliminary Plat requirements and approved construction plans meet the City of Kuna standards and local engineering standards.

Please feel free to contact me anytime in regards to this application.

Sincerely,

Aaron Rush, PLS  
Survey Project Manager

RECEIVED  
9.1.17



City of Kuna  
Planning & Zoning  
Department  
P.O. Box 13  
Kuna, Idaho 83634  
208.922.5274  
Fax: 208.922.5989  
Website: www.cityofkuna.com

### Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.

\*Please submit the appropriate checklist (s) with application

**Type of Review (check all that apply):**

- Annexation
- Appeal
- Comprehensive Plan Amendment
- Design Review
- Development Agreement
- Final Planned Unit Development
- Final Plat
- Lot Line Adjustment
- Lot Split
- Planned Unit Development
- Preliminary Plat
- Rezone
- Special Use
- Temporary Business
- Vacation
- Variance

For Office Use Only	
File Number (s)	
Project name	
Date Received	9-1-2017
Date Accepted/Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

#### Contact/Applicant Information

Owners of Record: <u>CSM LLLP</u>	Phone Number: <u>208.324.4633 Ext. 10120</u>
Address: <u>621 Washington St. South</u>	E-Mail: _____
City, State, Zip: <u>Twin Falls, ID 83301</u>	Fax #: _____
Applicant (Developer): <u>Aaron Rush / Fox Land Survey</u>	Phone Number: <u>208.342.7957</u>
Address: <u>1515 S. Shoshone St</u>	E-Mail: <u>arush@foxlandsurvey.com</u>
City, State, Zip: <u>Boise, ID 83702</u>	Fax #: _____
Engineer/Representative: <u>Same as Applicant</u>	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____

#### Subject Property Information

Site Address: <u>1277 and 1385 E. Deer Flat Rd.</u>	
Site Location (Cross Streets): <u>E. Deer Flat and Highway 69</u>	
Parcel Number (s): <u>S1324110091, S1324110161, R2823300010</u>	
Section, Township, Range: <u>S. 24, T. 2 North, R. 1 west</u>	
Property size: <u>8.547 Acres</u>	
Current land use: <u>Vacant</u>	Proposed land use: <u>Commercial</u>
Current zoning district: <u>C-1</u>	Proposed zoning district: <u>C-1</u>

**Project Description**

Project / subdivision name: Ridley's Family Center Subdivision No. 2

General description of proposed project / request: Subdivide a portion of the remaining CSM property as a continuation of easterly adjoining development.

Type of use proposed (check all that apply):

Residential \_\_\_\_\_

Commercial retail

Office \_\_\_\_\_

Industrial \_\_\_\_\_

Other \_\_\_\_\_

Amenities provided with this development (if applicable): \_\_\_\_\_

**Residential Project Summary (if applicable)**

Are there existing buildings?  Yes  No

Please describe the existing buildings: \_\_\_\_\_

Any existing buildings to remain?  Yes  No

Number of residential units: \_\_\_\_\_ Number of building lots: \_\_\_\_\_

Number of common and/or other lots: \_\_\_\_\_

Type of dwellings proposed:

Single-Family \_\_\_\_\_

Townhouses \_\_\_\_\_

Duplexes \_\_\_\_\_

Multi-Family \_\_\_\_\_

Other \_\_\_\_\_

Minimum Square footage of structure (s): \_\_\_\_\_

Gross density (DU/acre-total property): \_\_\_\_\_ Net density (DU/acre-excluding roads): \_\_\_\_\_

Percentage of open space provided: \_\_\_\_\_ Acreage of open space: \_\_\_\_\_

Type of open space provided (i.e. landscaping, public, common, etc.): \_\_\_\_\_

**Non-Residential Project Summary (if applicable)**

Number of building lots: 6 Other lots: 1

Gross floor area square footage: \_\_\_\_\_ Existing (if applicable): None

Hours of operation (days & hours): N/A Building height: \_\_\_\_\_

Total number of employees: N/A Max. number of employees at one time: N/A

Number and ages of students/children: N/A Seating capacity: N/A

Fencing type, size & location (proposed or existing to remain): \_\_\_\_\_

Proposed Parking:

a. Handicapped spaces: \_\_\_\_\_ Dimensions: \_\_\_\_\_

b. Total Parking spaces: \_\_\_\_\_ Dimensions: \_\_\_\_\_

c. Width of driveway aisle: \_\_\_\_\_

Proposed Lighting: \_\_\_\_\_

Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): \_\_\_\_\_

Applicant's Signature: [Signature] Date: 8-16-17

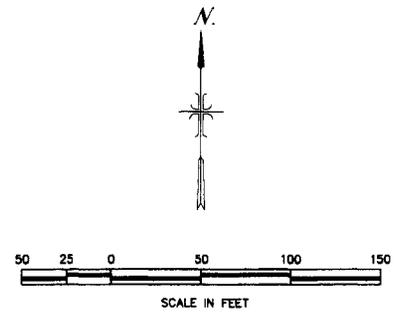
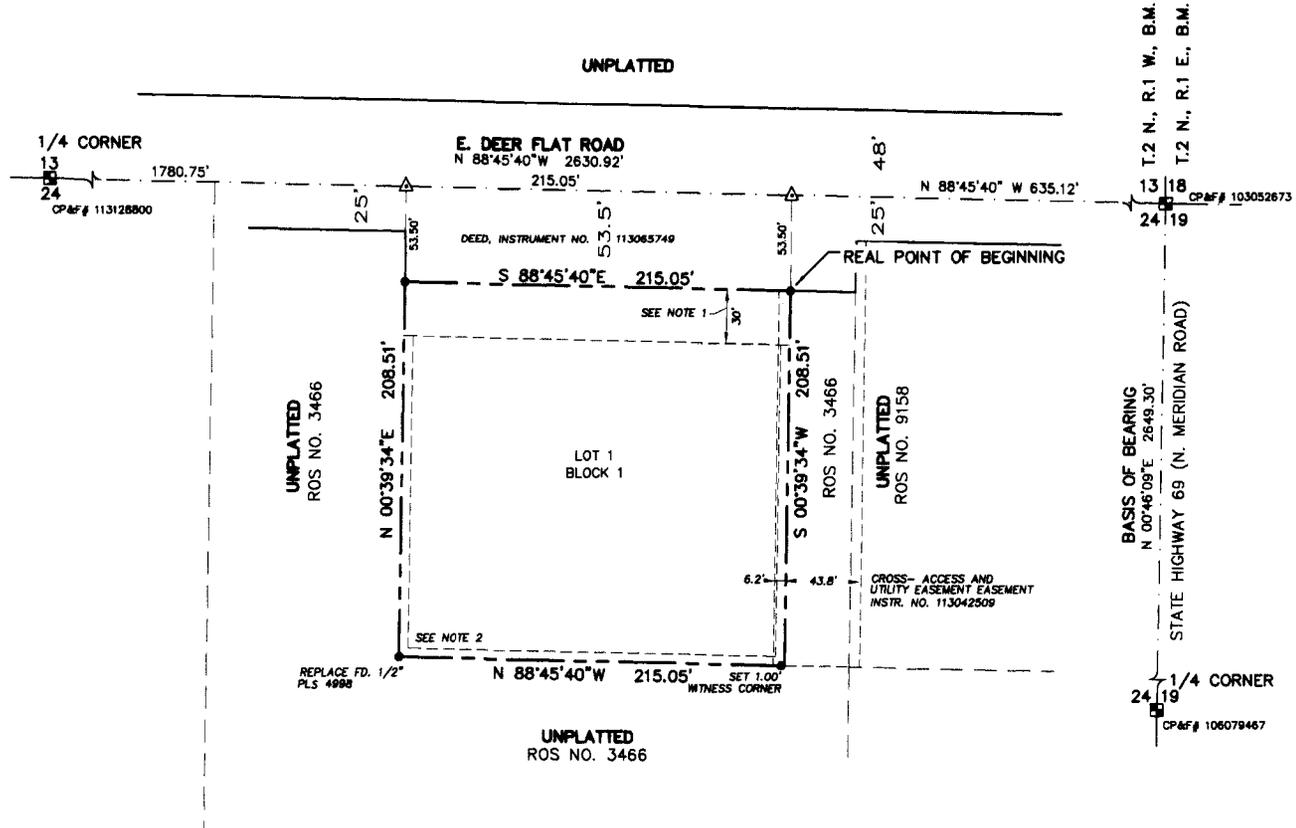
PLAT SHOWING

BOOK 106

PAGE 14640 of 35

# FILE RIDGE SUBDIVISION

A PORTION OF PARCEL B OF RECORD OF SURVEY NO. 8346, ADA COUNTY RECORDS  
 LOCATED IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 24, T.2N., R.1W., B.M.,  
 KUNA, ADA COUNTY, IDAHO  
 2014



- LEGEND**
- FOUND ALUMINUM CAP MONUMENT
  - SET 5/8" X 24" REBAR WITH PLASTIC CAP, PLS 4998
  - CALCULATED POINT
  - SUBDIVISION BOUNDARY
  - RIGHT-OF-WAY LINE
  - SECTION LINE
  - PARCEL LINE
  - EASEMENT LINE

**NOTES**

- 1.) THERE SHALL BE A PERMANENT EASEMENT FOR LANDSCAPING, PUBLIC UTILITIES, LOT DRAINAGE, SEWER, IRRIGATION AND KUNA CITY STREET LIGHTS OVER THE THIRTY (30) FEET ADJACENT TO E. DEER FLAT ROAD. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO THE LOT.
- 2.) THERE SHALL BE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, LOT DRAINAGE, SEWER, WATER AND IRRIGATION OVER THE FIVE (5) FEET ADJACENT ALL LOT LINES WHICH DO NOT FRONT E. DEER FLAT ROAD.
- 3.) ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- 4.) THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503 AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION FACILITY OR EXPANSION THEREOF NOT A NUISANCE-EXCEPTION WHICH STATES: NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITION IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT WAS BEGUN OR CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
- 5.) IRRIGATION WATER HAS BEEN PROVIDED FROM THE BOISE-KUNA IRRIGATION DISTRICT, IN COMPLIANCE WITH IDAHO CODE 31-3805(b). THIS LOT WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE BOISE-KUNA IRRIGATION DISTRICT OR ITS SUCCESSOR. THE OWNER HAS AGREED IN WRITING TO TRANSFER THE SURFACE IRRIGATION WATER TO THE KUNA MUNICIPAL IRRIGATION SYSTEM AND SAID SYSTEM WILL ASSESS THIS LOT AS PROVIDED IN IDAHO CODE 50-1801 THROUGH 50-1835, SEE INSTRUMENT NO. 113112422.
- 6.) MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA.
- 7.) SEE RECORD OF SURVEY NOS. 3328, 3466, 572, 83461 AND 9158, ADA COUNTY RECORDER'S OFFICE, FOR ADDITIONAL DATA OF RECORD.
- 8.) ACCESS TO THIS LOT FROM E. DEER FLAT ROAD IS LIMITED TO THE CROSS ACCESS EASEMENT AS SHOWN HEREON.
- 9.) THIS DEVELOPMENT IS SUBJECT TO THE CONDITIONS OF A DEVELOPMENT AGREEMENT WITH THE CITY OF KUNA, INSTRUMENT NO. 108073048 AND ANY OTHER CONDITIONS OF DEVELOPMENT.
- 10.) THIS DEVELOPMENT IS SUBJECT TO RESTRICTIVE COVENANTS RECORDED AS INSTRUMENT NO. 108071863.



DEVELOPER:  
**IDAHO CENTRAL CREDIT UNION**  
 POCATELLO, IDAHO



# FILE RIDGE SUBDIVISION

## CERTIFICATE OF OWNER

KNOWN ALL MEN BY THESE PRESENTS:

THAT IDAHO CENTRAL CREDIT UNION, AN IDAHO CORPORATION, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS ITS INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS SUBDIVISION PLAT. THE OWNER ALSO HEREBY CERTIFIES THAT THIS PLAT COMPLIES WITH IDAHO CODE 50-1334 (2): ALL LOTS IN THIS SUBDIVISION WILL RECEIVE DOMESTIC WATER FROM AN EXISTING WATER SYSTEM AND THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE ALL LOTS IN THIS SUBDIVISION.

A PORTION OF PARCEL B OF RECORD OF SURVEY NO. 8346, ADA COUNTY RECORDS, A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 24, T.2N., R.1W., B.M., THENCE N 88°45'40" W, 635.12 FEET ALONG THE NORTH LINE OF SAID SECTION 24 TO A POINT;  
THENCE S 00°39'34" W, 53.50 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF E. DEER FLAT ROAD THE REAL POINT OF BEGINNING OF THIS SUBDIVISION;  
THENCE S 00°39'34" W, 208.51 FEET TO A POINT;  
THENCE N 88°45'40" W, 215.05 FEET TO A POINT;  
THENCE N 00°39'34" E, 208.51 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF E. DEER FLAT ROAD;  
THENCE S 88°45'40" E, 215.05 FEET TO THE REAL POINT OF BEGINNING OF THIS SUBDIVISION.  
THIS SUBDIVISION CONTAINS 1.03 ACRES MORE OR LESS.

THE EASEMENTS INDICATED ON SAID PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 17<sup>th</sup> DAY OF December, 2013

KENT ORAM, CHIEF EXECUTIVE OFFICER  
IDAHO CENTRAL CREDIT UNION  
Kent Oram  
KENT ORAM

## ACKNOWLEDGMENT

STATE OF IDAHO) SS  
COUNTY OF ADA) SS  
ON THIS 17<sup>th</sup> DAY OF December, 2013, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED KENT ORAM, KNOWN OR IDENTIFIED TO ME TO BE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



Rebecca Harwood  
NOTARY PUBLIC FOR Ada County  
MY COMMISSION EXPIRES: 6-13-2016

## CERTIFICATE OF SURVEYOR

I, MICHAEL E. MARKS, P.L.S., DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT, AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE 55-1601 THROUGH 55-1612.

ME  
MICHAEL E. MARKS, P.L.S. NO. 4998

## APPROVAL OF CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY KUNA, ADA COUNTY, IDAHO, ON THIS 14<sup>th</sup> DAY OF December, 2013, HEREBY APPROVE THIS PLAT.

Sharon D. Law  
CITY ENGINEER

## CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR ADA COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

Jerry D. Blasing  
COUNTY SURVEYOR  
PLS 5359 1-31-2014



## ACCEPTANCE OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE 5<sup>th</sup> DAY OF June, 2015.



John J. Franke  
CHAIRMAN  
ADA COUNTY HIGHWAY DISTRICT

## APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 7<sup>th</sup> DAY OF August, 2013, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

Brenda A. Ringland  
CITY CLERK, KUNA, IDAHO



## CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

Vicky McIntire by Mercedes Ward 2/3/2014  
COUNTY TREASURER Deputy DATE



## COUNTY RECORDERS CERTIFICATE

INSTRUMENT NO. 114009150

STATE OF IDAHO )  
COUNTY OF ADA ) SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Idaho Central Credit Union AT 42 MINUTES PAST 9 O'CLOCK A.M., THIS 5 DAY OF February, 2014, IN MY OFFICE AND WAS DULY RECORDED IN BOOK 106 OF PLATS AT PAGES 14640 THROUGH 14641.

J. Best Christopher D. Rich  
DEPUTY EX-OFFICIO RECORDER

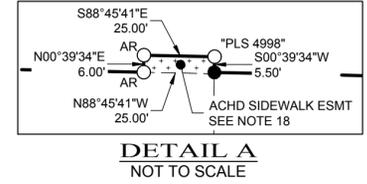
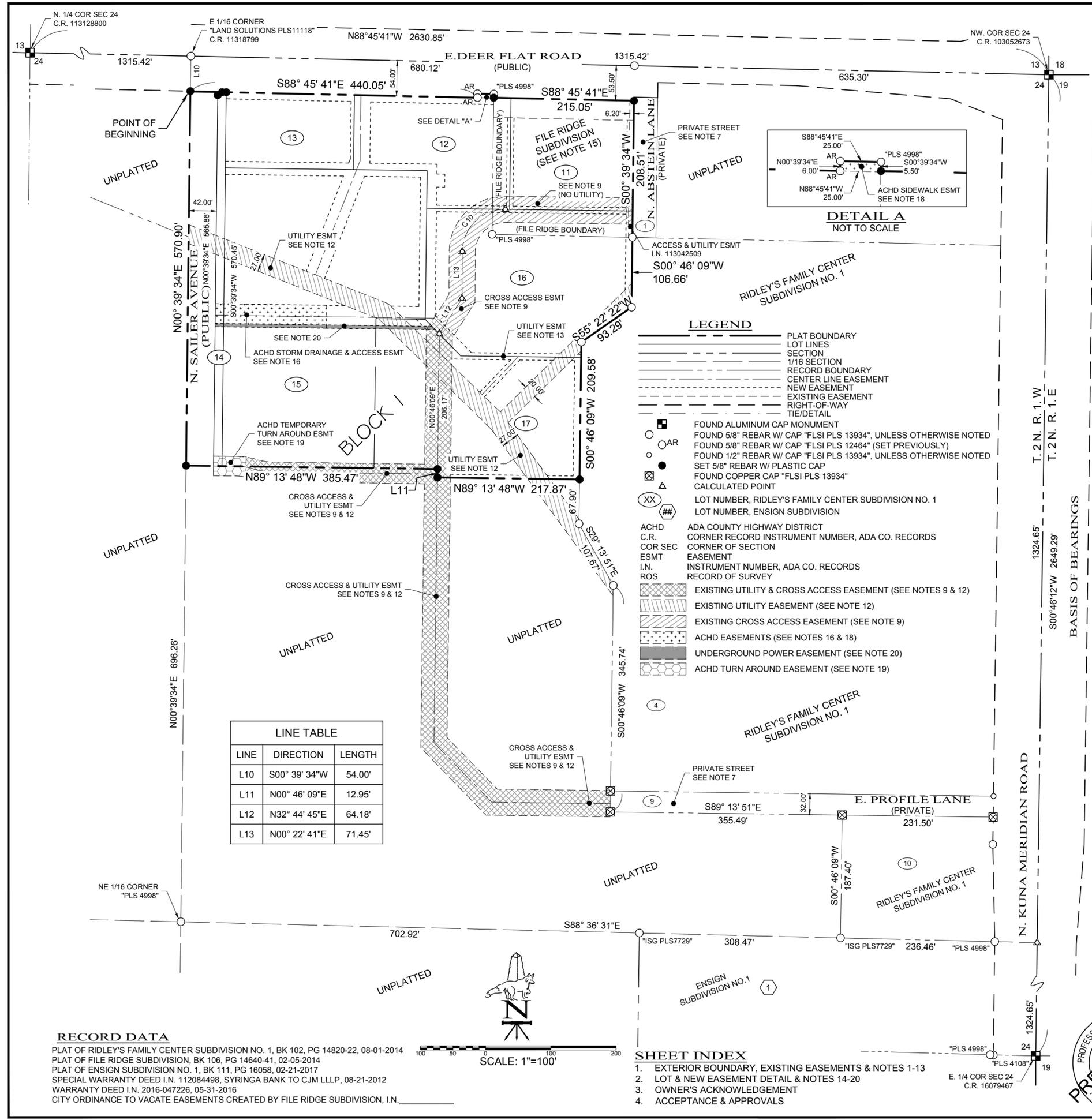
Fee 1100

# PLAT SHOWING RIDLEY'S FAMILY CENTER SUBDIVISION NO. 2

A REPLAT OF FILE RIDGE SUBDIVISION,  
AND A PORTION OF THE NORTHEAST 1/4 OF  
THE NORTHEAST 1/4 OF SECTION 24,  
TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN  
CITY OF KUNA, ADA COUNTY, IDAHO  
FOX LAND SURVEYS, INC., 2017

- NOTES**
- DEVELOPMENT IN THIS SUBDIVISION SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA IN EFFECT AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
  - DIRECT LOT ACCESS TO DEER FLAT ROAD IS PROHIBITED FROM ANY LOT.
  - ANY RE-SUBDIVISION OF THIS PLAT OR PORTIONS THEREOF SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
  - THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 IDAHO CODE (THE RIGHT TO FARM ACT) WHICH STATES IN PART "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
  - REFER TO THE FINAL PLAT OF "RIDLEY'S FAMILY CENTER SUBDIVISION NO.1 (BK. 107, PG'S 14820-14822) FOR ADDITIONAL BOUNDARY INFORMATION.
  - LOT 14, BLOCK 1, IS A COMMON AREA LOT TO BE OWNED AND MAINTAINED BY CJM, LLLP. THIS OWNERSHIP AND MAINTENANCE COMMITMENT MAY NOT BE DISSOLVED WITHOUT THE EXPRESS CONSENT OF THE CITY OF KUNA. CJM, LLLP IS RESPONSIBLE FOR PAYMENT OF IRRIGATION ASSESSMENTS. IN THE EVENT CJM, LLLP FAILS TO PAY ASSESSMENTS, EACH BUILDABLE LOT IS RESPONSIBLE FOR A FRACTIONAL SHARE OF THE ASSESSMENT. SUBJECT TO THE EASEMENTS REFERENCED IN NOTES 8, 9, 12, 13, 16, 19 & 20.
  - LOTS 1 & 9, BLOCK 1, "RIDLEY'S FAMILY CENTER SUBDIVISION NO.1" ARE PRIVATE STREETS. THE OWNERSHIP AND MAINTENANCE OF SAID LOTS AND STREETS IS GOVERNED BY THE DOCUMENTS REFERENCED IN NOTES 8 AND 9 BELOW.
  - ALL LOTS IN THIS SUBDIVISION ARE SUBJECT TO RESTRICTIVE COVENANTS, ORIGINALLY RECORDED AS I.N. 113134126, RE-RECORDED AS I.N. 2014-063649, FIRST AMENDED AS I.N. 2014-068514, SECOND AMENDED AS I.N. 2014-085865, 3rd AMENDED AS I.N. 2017-078808 TOGETHER WITH ANY FURTHER RECORDED AMENDMENTS THERETO. ADDITIONALLY, LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO THE TERMS OF A "COVENANT NOT TO COMPETE", RECORDED AS I.N. 2014-068518. PLEASE REFER TO THE RECORDED DOCUMENTS FOR FULL EXTENTS AND DETAILS.
  - ALL LOTS IN THIS SUBDIVISION ARE SUBJECT TO AND BENEFIT FROM AN "INGRESS-EGRESS/CROSS ACCESS EASEMENT", ORIGINALLY RECORDED AS I.N. 113134127, RE-RECORDED AS I.N. 2014-063650, FIRST AMENDED AS I.N. 2014-068516 AND 2nd AMENDED AS I.N. 2017-078810, TOGETHER WITH ANY FURTHER RECORDED AMENDMENTS THERETO. PLEASE REFER TO THE RECORDED DOCUMENTS FOR FULL EXTENTS AND DETAILS.
  - CROSS-ACCESS AGREEMENTS; COVENANTS, CONDITIONS AND RESTRICTIONS; OR PUBLIC UTILITY EASEMENTS MAY NOT BE RESCINDED, VACATED OR AMENDED WITHOUT THE CONSENT OF THE CITY OF KUNA.
  - NOT USED
  - THIS PUBLIC UTILITY EASEMENT ORIGINALLY RECORDED AS I.N. 113134128, FIRST AMENDED AS I.N. 2014-068515, AND SECOND AMENDED AS I.N. 2017-078809, TOGETHER WITH ANY FURTHER RECORDED AMENDMENTS THERETO. ONLY THOSE PORTIONS AFFECTING THIS PHASE OF DEVELOPMENT ARE DEPICTED HERE. PLEASE REFER TO THE RECORDED DOCUMENTS FOR FULL EXTENTS AND DETAILS.
  - ALL LOTS ARE SUBJECT TO A PUBLIC UTILITY, WATER, SEWER, DRAINAGE AND IRRIGATION EASEMENT, BEING 10 FEET WIDE ALONG THE SUBDIVISION BOUNDARY AND/OR AS SHOWN HEREON.

SEE SHEET 2 FOR NOTES 14-20



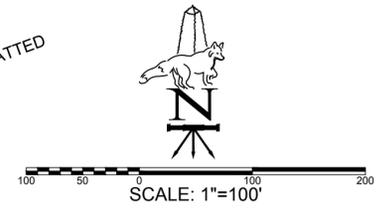
**LINE TABLE**

LINE	DIRECTION	LENGTH
L10	S00° 39' 34\"W	54.00'
L11	N00° 46' 09\"E	12.95'
L12	N32° 44' 45\"E	64.18'
L13	N00° 22' 41\"E	71.45'

**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CH. BEARING	CH. LENGTH
C10	102.55'	65.00'	090°23'30\"	65.45'	N45°34'27\"E	92.24'

**RECORD DATA**  
 PLAT OF RIDLEY'S FAMILY CENTER SUBDIVISION NO. 1, BK 102, PG 14820-22, 08-01-2014  
 PLAT OF FILE RIDGE SUBDIVISION, BK 106, PG 14640-41, 02-05-2014  
 PLAT OF ENSIGN SUBDIVISION NO. 1, BK 111, PG 16058, 02-21-2017  
 SPECIAL WARRANTY DEED I.N. 112084498, SYRINGA BANK TO CJM LLLP, 08-21-2012  
 WARRANTY DEED I.N. 2016-047226, 05-31-2016  
 CITY ORDINANCE TO VACATE EASEMENTS CREATED BY FILE RIDGE SUBDIVISION, I.N. \_\_\_\_\_

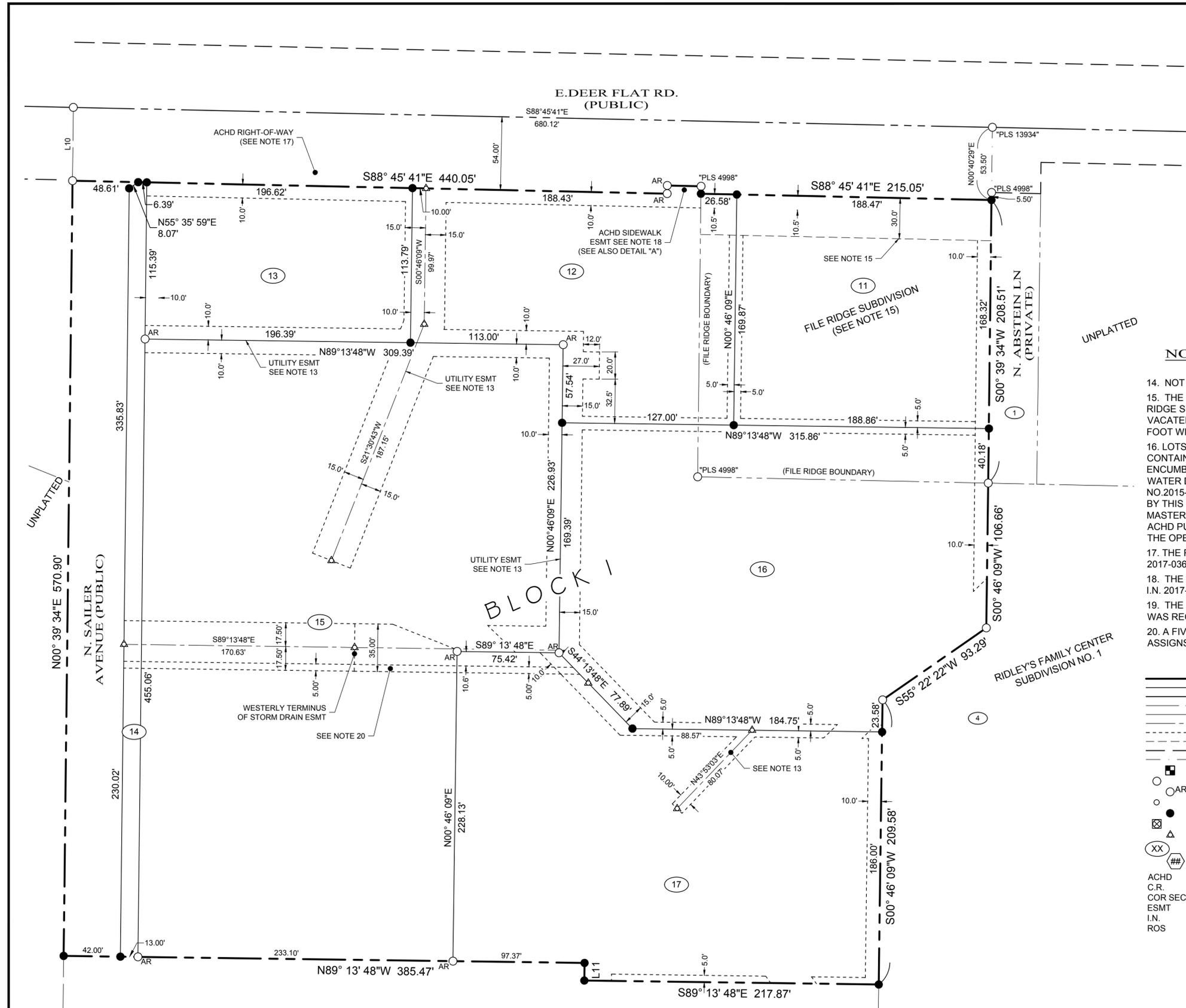


- SHEET INDEX**
- EXTERIOR BOUNDARY, EXISTING EASEMENTS & NOTES 1-13
  - LOT & NEW EASEMENT DETAIL & NOTES 14-20
  - OWNER'S ACKNOWLEDGEMENT
  - ACCEPTANCE & APPROVALS



PREPARED BY  
**FOX LAND SURVEYS, INC.**  
 1515 SOUTH SHOSHONE STREET BOISE ID 83705  
 208-342-7957 - www.foxlandsurveys.com  
 INDEX# 214-24-1-1-0-00-00  
 ACAD DWG. FILE 1550-FP.dwg SHEET 1 OF 4

**PLAT SHOWING  
RIDLEY'S FAMILY CENTER  
SUBDIVISION NO. 2**  
A REPLAT OF FILE RIDGE SUBDIVISION,  
AND A PORTION OF THE NORTHEAST 1/4 OF  
THE NORTHEAST 1/4 OF SECTION 24,  
TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN  
CITY OF KUNA, ADA COUNTY, IDAHO  
FOX LAND SURVEYS, INC., 2017



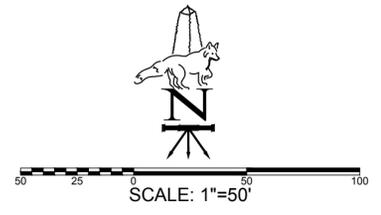
LINE TABLE		
LINE	DIRECTION	LENGTH
L10	S00° 39' 34"W	54.00'
L11	N00° 46' 09"E	12.95'
L12	N32° 44' 45"E	64.18'
L13	N00° 22' 41"E	71.45'

**NOTES CONTINUED**

- 14. NOT USED.
- 15. THE FIVE (5) FOOT WIDE PERIMETER EASEMENT RESERVED BY THE PLAT OF "FILE RIDGE SUBDIVISION" FOR PUBLIC UTILITIES, SEWER, WATER, AND IRRIGATION WAS VACATED BY THE CITY OF KUNA AND RECORDED AS I.N. \_\_\_\_\_ THE THIRTY (30) FOOT WIDE EASEMENT ADJACENT TO DEER FLAT ROAD WAS RETAINED.
- 16. LOTS 14 & 15 OR A PORTION OF SAID LOTS OF BLOCK 1 IS SERVIENT TO AND CONTAIN THE ACHD STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THAT CERTAIN FIRST AMENDED MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2015 AS INSTRUMENT NO.2015-103256, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ACHD PURSUANT TO SECTION 40-2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.
- 17. THE RIGHT-OF-WAY OF DEER FLAT ROAD WAS GRANTED BY WARRANTY DEED I.N. 2017-03638.
- 18. THE ADA COUNTY HIGHWAY DISTRICT SIDEWALK EASEMENT WAS RECORDED AS I.N. 2017-034637.
- 19. THE ADA COUNTY HIGHWAY DISTRICT TEMPORARY TURNAROUND EASEMENT WAS RECORDED AS I.N. 2017-034636.
- 20. A FIVE (5) FOOT WIDE EASEMENT IS RESERVED FOR IDAHO POWER AND IT'S ASSIGNS FOR UNDERGROUND POWER AS SHOWN HEREON.

**LEGEND**

- PLAT BOUNDARY
- LOT LINES
- SECTION
- 1/16 SECTION
- RECORD BOUNDARY
- CENTER LINE EASEMENT
- NEW EASEMENT
- EXISTING EASEMENT
- RIGHT-OF-WAY
- TIE/DETAIL
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" REBAR W/ CAP "FLSI PLS 13934", UNLESS OTHERWISE NOTED
- FOUND 5/8" REBAR W/ CAP "FLSI PLS 12464" (SET PREVIOUSLY)
- FOUND 1/2" REBAR W/ CAP "FLSI PLS 13934", UNLESS OTHERWISE NOTED
- SET 5/8" REBAR W/ PLASTIC CAP
- FOUND COPPER CAP "FLSI PLS 13934"
- CALCULATED POINT
- LOT NUMBER, RIDLEY'S FAMILY CENTER SUBDIVISION NO. 1
- LOT NUMBER, ENSIGN SUBDIVISION
- ACHD ADA COUNTY HIGHWAY DISTRICT
- C.R. CORNER RECORD INSTRUMENT NUMBER, ADA CO. RECORDS
- COR SEC CORNER OF SECTION
- ESMT EASEMENT
- I.N. INSTRUMENT NUMBER, ADA CO. RECORDS
- ROS RECORD OF SURVEY



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**PLAT SHOWING  
RIDLEY'S FAMILY CENTER SUBDIVISION NO. 2**  
A REPLAT OF FILE RIDGE SUBDIVISION,  
AND A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24,  
TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN  
CITY OF KUNA, ADA COUNTY, IDAHO  
FOX LAND SURVEYS, INC., 2017

**CERTIFICATE OF OWNERS**

KNOW ALL MEN BY THESE PRESENTS:  
THAT CJM LIMITED LIABILITY LIMITED PARTNERSHIP IS THE OWNER OF THE PROPERTY DESCRIBED AS FOLLOWS:  
A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN,  
CITY OF KUNA, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- A. COMMENCING AT THE FOUND ALUMINUM CAP MONUMENT MARKING THE NORTHEAST CORNER OF SECTION 24, FROM WHICH THE FOUND ALUMINUM CAP MONUMENT MARKING THE EAST 1/4 CORNER THEREOF BEARS SOUTH 00°46'12" WEST, A DISTANCE OF 2,649.29 FEET;
- B. THENCE ALONG THE NORTHERLY BOUNDARY OF SECTION 24, NORTH 88°45'41" WEST, A DISTANCE OF 1315.42 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, MARKED BY A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "LAND SOLUTIONS PLS 11118";
- C. THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SOUTH 00°39'34" WEST, A DISTANCE OF 54.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF DEER FLAT ROAD, MARKED BY A SET 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464" AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;
- D. THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 88°45'41" EAST, A DISTANCE OF 440.05 FEET TO A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464";
- E. THENCE NORTH 00°39'34" EAST, A DISTANCE OF 6.00 FEET TO A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464";
- F. THENCE SOUTH 88°45'41" EAST, A DISTANCE OF 25.00 FEET TO A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "PLS 4998", ON THE NORTHERLY PROJECTION OF THE WESTERLY BOUNDARY OF "FILE RIDGE SUBDIVISION" (BOOK 106, PAGE 14640, ADA COUNTY RECORDS);
- G. THENCE ALONG SAID NORTHERLY PROJECTION, SOUTH 00°39'34" WEST, A DISTANCE OF 5.50 FEET TO A SET 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464" AT THE NORTHWESTERLY CORNER OF SAID "FILE RIDGE SUBDIVISION";
- H. THENCE SOUTH 88°45'41" EAST, A DISTANCE OF 215.05 FEET TO A SET 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464" AT THE NORTHEASTERLY CORNER OF SAID "FILE RIDGE SUBDIVISION", BEING ALSO THE WESTERLY BOUNDARY OF "RIDLEY'S FAMILY CENTER SUBDIVISION NO. 1" (BOOK 107, PAGE 14820, ADA COUNTY RECORDS);
- I. THENCE LEAVING SAID RIGHT-OF-WAY, SOUTH 00°39'34" WEST, A DISTANCE OF 208.51 FEET TO A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 13934" AT THE SOUTHEASTERLY CORNER OF SAID "FILE RIDGE SUBDIVISION";
- J. THENCE CONTINUING ALONG THE WESTERLY BOUNDARY OF AFOREMENTIONED "RIDLEY'S FAMILY CENTER SUBDIVISION NO. 1 THE FOLLOWING (3) THREE COURSES AND DISTANCES:
  - (1) SOUTH 00°46'09" WEST, A DISTANCE OF 106.66 FEET TO A FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 13934";
  - (2) SOUTH 55°22'22" WEST, A DISTANCE OF 93.29 FEET TO A FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 13934"
  - (3) SOUTH 00°46'09" WEST, A DISTANCE OF 209.58 FEET TO A SET 5/8" REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464";
- K. THENCE LEAVING SAID "RIDLEY'S FAMILY CENTER SUBDIVISION NO. 1" BOUNDARY, NORTH 89°13'48" WEST, A DISTANCE OF 217.87 FEET TO A SET REBAR WITH PLASTIC CAP STAMPED "FLSI PLS12464";
- L. THENCE NORTH 00°46'09" EAST, A DISTANCE OF 12.95 FEET TO A SET REBAR WITH PLASTIC CAP STAMPED "FLSI PLS12464";
- M. THENCE NORTH 89°13'48" WEST, A DISTANCE OF 385.47 FEET TO A SET REBAR WITH PLASTIC CAP STAMPED "FLSI PLS12464" ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24;
- N. THENCE ALONG SAID WEST LINE, NORTH 00°39'34" EAST, A DISTANCE OF 570.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 372.312 SQUARE FEET (8.547 ACRES) MORE OR LESS.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT. THE PUBLIC STREET SHOWN ON THIS PLAT IS HEREBY DEDICATED TO THE PUBLIC. THE EASEMENTS AS SHOWN ON THIS PLAT AND DESCRIBED IN THE NOTES ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND FOR SUCH OTHER USES AS DESIGNATED HEREON. NO PERMANENT STRUCTURES OTHER THAN FOR SUCH PURPOSES ARE TO BE ERECTED WITHIN THE LIMITS OF THE EASEMENTS SHOWN HEREON EXCEPT AS NOTED. ALL OF THE LOTS IN THIS PLAT WILL BE ELIGIBLE TO RECEIVE WATER SERVICE FROM THE CITY OF KUNA, AND THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE ALL OF THE LOTS IN THIS SUBDIVISION.

By: Donald Mark Ridley  
DONALD MARK RIDLEY  
ATTORNEY IN FACT FOR CJM LIMITED LIABILITY LIMITED PARTNERSHIP

**ACKNOWLEDGMENT**

STATE OF IDAHO )  
COUNTY OF ADA Twin Falls ) ss

ON THIS 16 DAY OF June, IN THE YEAR 2017, BEFORE ME Jayna L. Thomson, PERSONALLY APPEARED DONALD MARK RIDLEY, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AS THE ATTORNEY IN FACT OF CJM LIMITED LIABILITY LIMITED PARTNERSHIP, AS EVIDENCED BY INSTRUMENT NUMBER 114053757, AND ACKNOWLEDGED TO ME THAT HE SUBSCRIBED THE NAME OF SAID PARTNERSHIP THERETO, AND HIS OWN NAME AS ATTORNEY IN FACT.

Jayna L. Thomson  
NOTARY PUBLIC OF IDAHO  
RESIDING AT: Twin Falls, Id  
MY COMMISSION EXPIRES: 11/02/21



**IRRIGATION CERTIFICATE**

CJM LIMITED LIABILITY LIMITED PARTNERSHIP, THE OWNERS OF THE PROPERTY PLATTED HEREON, DO HEREBY STATE THAT THE IRRIGATION WATER RIGHTS APPURTENANT TO AND THE ASSESSMENT OBLIGATION OF THE LANDS IN THIS PLAT HAVE NOT BEEN TRANSFERRED FROM SAID LANDS. LOTS WITHIN THE SUBDIVISION ARE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE BOISE KUNA IRRIGATION DISTRICT (ADMINISTERED BY THE KUNA MUNICIPAL IRRIGATION DISTRICT). IRRIGATION WATER HAS BEEN PROVIDED IN ACCORDANCE WITH IDAHO CODE 31-3805(1)(b), AND IS PROVIDED BY THE KUNA MUNICIPAL IRRIGATION DISTRICT.

CJM LIMITED LIABILITY LIMITED PARTNERSHIP  
Donald Mark Ridley  
BY: DONALD MARK RIDLEY  
DATE: 6-26-17



PREPARED BY  
**FOX LAND SURVEYS, INC.**

1515 SOUTH SHOSHONE STREET BOISE ID 83705  
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**PLAT SHOWING  
RIDLEY'S FAMILY CENTER SUBDIVISION NO. 2**

A REPLAT OF FILE RIDGE SUBDIVISION,  
AND A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24,  
TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN  
CITY OF KUNA, ADA COUNTY, IDAHO  
FOX LAND SURVEYS, INC., 2017

**ADA COUNTY HIGHWAY DISTRICT COMMISSIONER'S ACCEPTANCE**

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
PRESIDENT - ADA COUNTY HIGHWAY DISTRICT

**CERTIFICATE OF COUNTY SURVEYOR**

I, THE UNDERSIGNED, COUNTY SURVEYOR IN AND FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

\_\_\_\_\_  
COUNTY SURVEYOR

\_\_\_\_\_  
DATE

**APPROVAL OF CITY ENGINEER**

I, \_\_\_\_\_, CITY ENGINEER IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, ON THIS DAY \_\_\_\_\_, HEREBY APPROVE THIS PLAT.

\_\_\_\_\_  
CITY ENGINEER

**APPROVAL OF CITY COUNCIL**

I, \_\_\_\_\_, CITY CLERK IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE

**HEALTH CERTIFICATE**

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

\_\_\_\_\_  
DISTRICT HEALTH DEPARTMENT, REHS

\_\_\_\_\_  
DATE

**CERTIFICATE OF COUNTY TREASURER**

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR ADA COUNTY, IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

\_\_\_\_\_  
COUNTY TREASURER

\_\_\_\_\_  
DEPUTY

DATE: \_\_\_\_\_

**COUNTY RECORDER'S CERTIFICATE**

STATE OF IDAHO )

COUNTY OF ADA ) SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF \_\_\_\_\_ AT \_\_\_\_\_ MINUTES PAST \_\_\_\_\_ O'CLOCK \_\_M., ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, IN BOOK \_\_\_\_\_ OF PLATS AT PAGES \_\_\_\_\_ THRU \_\_\_\_\_, AS

INSTRUMENT NO. \_\_\_\_\_.

\_\_\_\_\_  
DEPUTY

\_\_\_\_\_  
FEE

\_\_\_\_\_  
EX-OFFICIO RECORDER

**CERTIFICATE OF SURVEYOR**

THIS IS TO CERTIFY THAT I, AARON P. RUSH, A PROFESSIONAL LAND SURVEYOR, SUPERVISED THE SURVEY OF LAND AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY, DESIGNATED HEREIN AS "RIDLEY'S FAMILY CENTER SUBDIVISION NO. 2", AND THAT IT WAS COMPLETED IN ACCORDANCE WITH THE CURRENT LAWS OF THE STATE OF IDAHO RELATING TO PLATS AND SURVEYS AND WITH THE CORNER PERPETUATION AND FILING LAW.

**CERTIFICATE NOTE**

CERTIFICATION AND CERTIFY AS USED HEREIN MEAN TO STATE OR DECLARE A PROFESSIONAL OPINION OF CONDITIONS REGARDING THOSE FACTS OR FINDINGS, WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED.



PREPARED BY  
**FOX LAND SURVEYS, INC.**

1515 SOUTH SHOSHONE STREET BOISE ID 83705  
208-342-7957 - www.foxlandsurveys.com

INDEX# 214-24-1-1-0-00-00



1515 S. Shoshone St., Boise, ID 83705  
Office (208)342-7957 Fax (208)342-7437

## RIDLEY'S FAMILY CENTER SUBDIVISION NO. 2

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING** AT THE FOUND ALUMINUM CAP MONUMENT MARKING THE NORTHEAST CORNER OF SECTION 24, FROM WHICH THE FOUND ALUMINUM CAP MONUMENT MARKING THE EAST 1/4 CORNER THEREOF BEARS SOUTH 00°46'12" WEST, A DISTANCE OF 2,649.29 FEET;

THENCE ALONG THE NORTHERLY BOUNDARY OF SECTION 24, NORTH 88°45'41" WEST, A DISTANCE OF 1315.42 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, MARKED BY A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "LAND SOLUTIONS PLS 11118";

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SOUTH 00°39'34" WEST, A DISTANCE OF 54.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF DEER FLAT ROAD, MARKED BY A SET 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464" AND THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED;

THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 88°45'41" EAST, A DISTANCE OF 440.05 FEET TO A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464";

THENCE NORTH 00°39'34" EAST, A DISTANCE OF 6.00 FEET TO A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464";

THENCE SOUTH 88°45'41" EAST, A DISTANCE OF 25.00 FEET TO A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "PLS 4998", ON THE NORTHERLY PROJECTION OF THE WESTERLY BOUNDARY OF "FILE RIDGE SUBDIVISION" (BOOK 106, PAGE 14640, ADA COUNTY RECORDS);

THENCE ALONG SAID NORTHERLY PROJECTION, SOUTH 00°39'34" WEST, A DISTANCE OF 5.50 FEET TO A SET 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464" AT THE NORTHWESTERLY CORNER OF SAID "FILE RIDGE SUBDIVISION";

THENCE SOUTH 88°45'41" EAST, A DISTANCE OF 215.05 FEET TO A SET 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 12464" AT THE NORTHEASTERLY CORNER OF SAID "FILE RIDGE SUBDIVISION", BEING ALSO THE WESTERLY BOUNDARY OF "RIDLEY'S FAMILY CENTER SUBDIVISION NO. 1" (BOOK 107, PAGE 14820, ADA COUNTY RECORDS);



1515 S. Shoshone St., Boise, ID 83705  
Office (208)342-7957 Fax (208)342-7437

THENCE LEAVING SAID RIGHT-OF-WAY, SOUTH 00°39'34" WEST, A DISTANCE OF 208.51 FEET TO A FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 13934" AT THE SOUTHEASTERLY CORNER OF SAID "FILE RIDGE SUBDIVISION";

THENCE CONTINUING ALONG THE WESTERLY BOUNDARY OF AFOREMENTIONED "RIDLEY'S FAMILY CENTER SUBDIVISION NO. 1 THE FOLLOWING (3) THREE COURSES AND DISTANCES:

- SOUTH 00°46'09" WEST, A DISTANCE OF 106.66 FEET TO A FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 13934";
- SOUTH 55°22'22" WEST, A DISTANCE OF 93.29 FEET TO A FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "FLSI PLS 13934"
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THENCE ALONG SAID WEST LINE, NORTH 00°39'34" EAST, A DISTANCE OF 570.90 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 372,312 SQUARE FEET (8.547 ACRES) MORE OR LESS.

Any modification of this description shall render it void.

End of description



RECEIVED  
9.1.17

4D



## City of Kuna

P.O. Box 13  
Kuna, ID 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.cityofkuna.com

**To:** Kuna City Council

**File Numbers:** Profile Ridge Master Plan / Profile Ridge Subdivision No. 1, No. 2, No. 3, & No. 4: 07-01-AN/ 07-03-ZC/ 07-04-S/ 07-03-DA

**Site location:** West side of Highway 69, South side of Deer Flat Road

**Planner:** Stacey Yarrington, Planner II

**Hearing date:** February 19, 2008, March 18, 2008 - (FOF & COL)

**Applicant:** Red Cliff Development  
2060 S Eagle Road  
Meridian, ID 83642

**Engineer:** Stanley Consultants, Inc.  
1940 S Bonito Way, Ste. 140  
Meridian, ID 83642

### Staff Summary:

On December 11, 2007, the Planning & Zoning Commission made recommendation to deny this application based on the following: 1) Retail building layout on the corner of Highway 69 and Deer Flat does not meet the entrance standards of Kuna that the Commission wishes to have representing the City. 2) The parking layout along Deer Flat road does not meet the entrance standards for the City of Kuna. 3) Traffic corridor improvements from ACHD along Deer Flat road needs to be improved prior to development. 4) Sidewalk accessibility along Deer Flat Road from Highway 69 to Kay Street needs to be addressed prior to development. 5) Project does not meet the expected standards for the City of Kuna for a major corner development as an entrance to the City.

Staff is recommending approval and feels that the Commissioners should have reviewed this application based on adherence to subdivision and zoning standards rather than such emphasis on design standards that would be reviewed at a later time. The Commission requested the applicant and staff meet with the Idaho Transportation Department (ITD). The ITD representative requested that the applicant conduct a new traffic study evaluating the project with and without the E Profile Street Right-in/ Right-out (RIRO) access on Kuna/Meridian Rd (Hwy69). That study was conducted on November 29, 2007 and is included with this report. ITD was in favor of having a right-in only on HWY 69 with strong support from ACHD. The traffic study concluded that Deer Flat Road currently operates at a "LOS B" and with the traffic impacts generated from this development at build-out the project is expected to operate at a "LOS C", which is a satisfactory level of service on this roadway. ACHD considers roads operating at a "LOS D" to be an acceptable level of service (LOS). As to sidewalk accessibility, improvements generally cannot be required on property not owned by the applicant.

### EXHIBIT 1

**Application Information:**Proposed Master Plan:

Current Zone: A (Agricultural – Kuna City) and RUT (Residential Urban Transition – Ada County)

Rezone: C-1 (Neighborhood Business District) and R-6 (Medium-Low Residential)

Total Acres: approx. 75.08-acres

C-1 Commercial area: approx. 39.04-acres

R-6 Medium Density area: approx. 36.04-acres

C-1 Commercial area: 9 lots

R-6 Medium Density area: 143 lots

**Total Residential lots: 143 lots**

## Non-Residential:

Common Lots 17

Open Space/ Pedestrian Pathways 7.69-acres (10.2%) approximately

**Project History:**History / Master Plan Proposal

The site was recently annexed into the City of Kuna with an Agricultural designation. The applicants are now proposing a Master Site/Preliminary Plat plan for a mixed use development. This application consists of a Rezone from A (Agricultural – Kuna City) to C-1 (Light Commercial) and R-6 (Residential – medium density), this portion of the project is a participant in the Local Improvement District (LID) for the new wastewater treatment plant and is eligible for late-comer fee/reimbursement; an Annexation, as parcel #S1324142204 was not included in previous annexation and is not part of the LID, with a zoning designation from RUT (Rural Urban Transition – Ada County) to C-1 (Light Commercial); a preliminary plat to be completed in four (4) phases; and a Development Agreement. The total area subject to the approved and proposed annexation and development agreement includes approximately 75.08 acres.

The application has been reviewed as a master plan and each phase of the development will be subject to preliminary plat fees and review, which includes detailed landscape and improvement plans, and in the case of the commercial uses and/or multi-family use, design review. There are four (4) phases proposed as shown on Exhibit 2.

The proposed preliminary plat submitted with this application and dated: Version No. V1-01-04-2008, drawn by AV, and date stamped January 4, 2008, depicts an overall gross density of approximately 1.90 residential dwelling units per acre and a net density (excluding roads) of 3.96 residential dwelling units per acre. The lots range in size from 4985 square feet to approximately 8619 square feet, which allows for diversity in housing. The residential portion of the project also contains lots with secondary access from alleys. Alley-loaded access will allow for garages to be placed in back of the homes and improve the aesthetics of the street by reducing the number of garages oriented to the street. This also allows for several different styles of homes providing additional diversity throughout the development. The residential lots meet and/or exceed the minimum requirements for the R-6 zoning and street frontage requirements.

**EXHIBIT 1**

There are 9 commercial lots proposed to be located along Highway 69, Deer Flat Road and E Meadowview Road. The lots range in size from 45,302.4 square feet or 1.04-acres to 852,469.2 square feet or 19.57-acres. The primary access will be from Deer Flat Road into N Chappelle Avenue. N Chappelle Avenue connects to Deer Flat Road at approximately 1250 feet west of center line Kuna/Meridian Road. A second access to the commercial areas will be from E Meadowview Road via N Riesling Avenue and E Goldengate Street. A common access easement across Lots 5 and 6, Block 12 will provide an additional access to the commercial area fronting Deer Flat Road. As will the driveway with a common access easement at E Profile Street from Kuna/ Meridian Road with a right-in only.

The applicant is proposing that the lot shown as Lot 1, Block 15, adjacent to Kuna/ Meridian Road and south of E Profile Street be developed as commercial or multi-family housing through a special use permit. The applicants are required to submit a special use permit and go through Design Review for any multi-family housing development. Applicant has not submitted a special use permit at this time as multi-family is an alternative to the commercial use.

The applicant has removed all footprints shown on the previous plats. As the phases are developed, the applicant will be required to meet all City standards associated with the development, such as parking, lighting, signage regulations and design review.

This project is subject to the Highway 69 Overlay requirements as found at KCC 5-4. The overlay requires a 30-foot landscape buffer when the property has a commercial use and a 50-foot buffer when the property has a residential use associated to it. The applicant is showing a 50-foot buffer with both proposed uses, which exceeds the minimum requirement for a commercial use.

The common/ open space area will consist of approximately 7.69-acres (10.2%) and is subject to Design Review. The applicant is proposing to provide a picnic area, tot lot, volleyball and basketball court, barbeque area and pedestrian pathways in the proposed Park/ Common Lot area shown as lot 1 block 8. The site will also include pathways that will provide connectivity between the residential area, the common/ open space areas and the commercial development.

The applicant has also made revisions to the preliminary plat to better meet other concerns expressed in the public hearing and by the Commission, as shown on the plat stamp date January 4, 2008, and drawn by AV. The applicant has reduced the number of residential lots from 156 residential lots to 143 residential lots with larger lots along the south end of the project. The applicant has also addressed issues for traffic calming by placing a round-about located at the intersection of N Abstein Street and E Profile Street. The applicant has also shown two knuckle areas, one at the south end of N Abstein Street and the other on N Chappelle Street between the commercial and residential area.

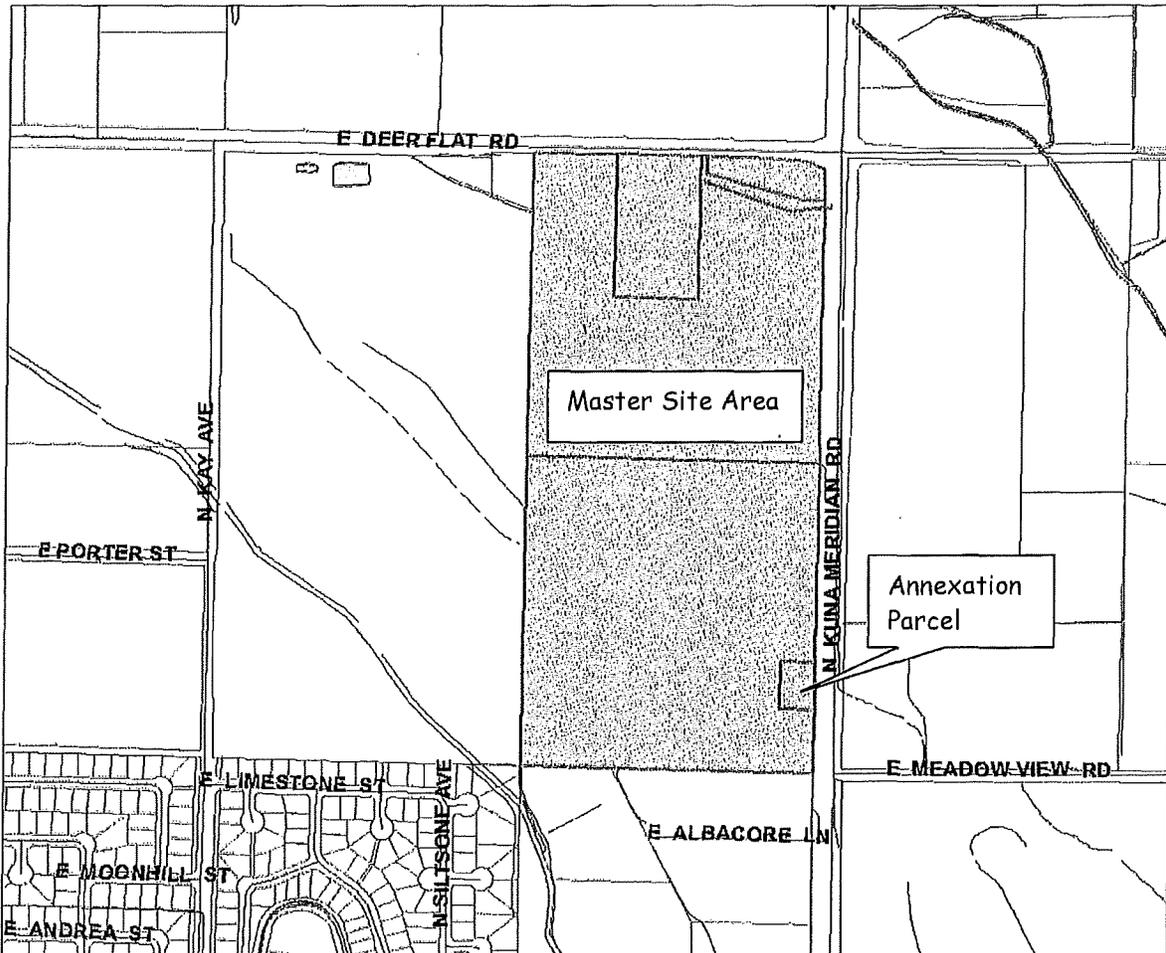
The applicant has also added an additional common lot on the southwest corner of the round-about as well as removing the 19 residential lots along the north side of E Profile Street and increasing that common lot area. The common/park area has been relocated to a more centralized location in the residential development portion. The alley-loaded lots have been realigned so as not to create off-set intersections. However, the applicant will need to show how homes can be located on the corner alley lots that meet the setback requirements. The western and southern residential lots have been adjusted to meet the 20-foot buffer requirement.

#### EXHIBIT 1

The issue of having a bike path was also brought up in the meeting and while the applicant is providing an 8-foot and 10-foot sidewalk along Deer Flat Road and Kuna/Meridian Road respectively, as well as 10-foot pathways throughout the residential development, the applicant is still working on how to address this issue.

The notes on the plat, specifically No. 14, still reflects that a six-foot (6') cedar fence will be installed on the perimeter between the commercial and residential lots, the note needs to be amended to a type of fence allowed by Kuna City Code, such as a vinyl fence.

**VICINITY MAP**



**A. Existing Site Conditions – Profile Ridge Subdivision**

**1. Surrounding land use and zoning for Annexation Parcel #S1324142204:**

<b>North</b>	A (City of Kuna)	Agricultural
<b>South</b>	A (City of Kuna)	Agricultural
<b>East</b>	RUT & A (Ada County/ Kuna City)	Rural Urban Transition & Agricultural
<b>West</b>	A (City of Kuna)	Agricultural

**EXHIBIT 1**

**2. Surrounding land use and zoning for Remainder Parcels in City Limits:**

<b>North</b>	RUT (Ada County)	Rural Urban Transition
<b>South</b>	RUT (Ada County)	Rural Urban Transition
<b>East</b>	RUT & A (Ada County/ Kuna City)	Rural Urban Transition & Agricultural
<b>West</b>	RUT (Ada County)	Rural Urban Transition

**3. Parcel numbers:**

S1324110079      S1324110210      S1324141801  
 S1324110201      S1324110377      S1324142204 (Annexation Parcel)

**4. Comprehensive Future Land Use Map:**

The Comprehensive Plan Land Use Map shows the northern half of the site to be Commercial and southern half as Residential – Medium Density. The site is also located within the Gateway Corridor area. The proposed development is showing Light Commercial in the medium residential area, with the revision to the Comprehensive Plan, the potential disparity should be corrected with the Comprehensive Plan update.

**5. Property size:**

Approximately 75.08-acres

**6. Existing structures:**

Three (3) – Single-family dwellings with outbuildings (all to be removed), driveway accesses onto Deer Flat Rd and Kuna/ Meridian Rd (Hwy 69) will be removed.

**7. Existing Vegetation:**

The site contains natural soils and grasses.

**B. Procedural Items:**

Received Application	Accepted Application	Gov't Agency Notification	Property owners 300-ft. notification	Legal Hearing publication	Posted public hearing sign
05/18/07	09/14/07	09/19/07	10/24/07	10/24/07	November 2, 2007
			12/28/07	12/28/07	January 18, 2008

**C. Staff Analysis/Findings for Consideration:**

Annexation

**1. Zoning Upon Annexation (KCC 5-13-9):**

Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the planning and zoning commission, on the proposed zoning designation for the property being annexed. The commission and the city council shall follow the notice and hearing procedures provided in section 5-6-6 of this title. Immediately following the adoption of an ordinance of annexation, the council shall amend the city map to reflect the annexed property

- This application is being considered by the City Council for a zoning classification of Light Commercial (C-1) for the annexation parcel and a rezone from Agricultural (A) to Light Commercial (C-1) and Medium Density Residential (R-6) as shown in Exhibit 6.
- Proper notice and hearing procedures have been followed as shown in B above.

### Development Agreement

2. Development agreements are a discretionary tool to be used by the council as a condition of rezoning.

#### **Conditions of Development:**

The approved development agreement includes an overall density of a maximum of six (6) dwelling units per gross acre. The approved Development Agreement includes some specific requirements:

- The overall density of the property shall be a maximum of 3 EDU's per gross acre not to exceed 143 Single-family residential lots, 22 Multi-family residential lots, and approximately 1,487,328 square feet or 39.04-acres of commercial/retail/office lots.

*Compliance: The preliminary plat date stamped 01/04/08, proposes 143 single-family dwelling units, an alternative plan for either 22 multi-family dwelling units or commercial lots on Lot 1, Block 15, and 8-18 commercial lots. The applicant shall comply with the requirement of the Development Agreement to not exceed 3 EDU's per gross acre and not exceeding 143 single-family and 22 multi-family residential dwelling units. Each commercial lot will be assessed at the time the building permit is issued. Nor will the plat be deviated by more than ten-percent (10%) unless it is modified through the public review process.*

### SUBDIVISION APPROVAL PROCEDURE

#### **3. Commission's Findings (KCC 6-2-3-F)**

In determining the acceptance of a proposed subdivision, the commission shall consider the objectives of this title and at least the following (*City Council's findings are italicized*):

- a. The conformance of the subdivision with the comprehensive development plan;
  - b. The availability of public services to accommodate the proposed development;
  - c. The continuity of the proposed development with the capital improvement program;
  - d. The public financial capability of supporting services for the proposed development; and
  - e. The other health, safety or environmental problems that may be brought to the Council's attention.
- *The proposed preliminary plat complies with the comprehensive development plan. The approved Development Agreement limits the development to a maximum of six (6) dwelling units per acre and the Comprehensive Plan identifies the area with a commercial use (C-1) and medium residential density of six (6) dwelling units per acre. The applicant is proposing a net density of 3.96 units per acre.*

#### **EXHIBIT 1**

- *Public services are available on a first-come, first-serve basis for approximately 1500 EDU connections to the existing system. The development is a participant in the Local Improvement District (LID) for the new wastewater treatment plant, which is scheduled to be operational within one to one and one-half (1 – 1½) years.*
- *The proposed development could be integrated with a new capital improvement plan and is within the utility master plan area.*
- *The property is included in the Local Improvement District, which ensures financial capability.*
- *The City is not aware of any health, safety or environmental concerns relating to the proposed preliminary plat.*

## **DESIGN STANDARDS**

### **4. Street and Road location (KCC 6-3-3)**

Stub Streets: Where adjoining areas are not subdivided, the arrangement of street(s) in a new subdivision shall be such that the street(s) extend to the boundary line of the tract to make provisions for the future extension of said street(s) into adjacent areas. A reserve strip may be required and held in public ownership.

- *Applicant has provided stubbed streets and or potential access to adjoining undeveloped properties. N Chappelle Avenue and E Meadowview Road are both being built at half-street standards. E Hennessey Street, E Rainbow Street, and E Landmark Street are all stub streets. All are required to install signage stating that, "This road will be extended in the future".*

Alleys: Alleys shall be provided in multiple dwelling or commercial subdivisions unless other provisions are made for service access and off street loading and parking. Dead end alleys shall be prohibited in all cases.

- *Applicant is providing an alley loaded product. There are no dead end alleys shown.*

Frontage Roads: Where a subdivision abuts or contains an arterial street, it shall be required that there be frontage roads approximately parallel to and on each side of such arterial street; or, such other treatment as is necessary for the adequate protection of residential properties and to separate through traffic from local traffic.

- *Applicant is providing a frontage road to run north to south between the commercial development abutting Hwy 69 shown as N Abstein Avenue as well as a through road along the west side of the property shown as N Chappelle Avenue.*

### **Street Right-of-Way Width Specifications (KCC 6-3-4-A)**

Street and road right-of-way widths shall conform to the adopted major street plan or comprehensive development plan and the rules of the state department of

highways (ITD) and the highway district (ACHD) or department having jurisdiction. Minimum right-of-way standards are as follows:

Expressway or freeway	160-260 feet
Principal/ Major arterial	96-120 feet
Minor arterial	74 feet
Major Collector	70 feet
Minor Collector	62 feet
Residential Collector	50 feet
Minor street (local)	50 feet

- *As conditioned, applicant must meet Ada County Highway District (ACHD) requirements on right-of-way and street widths in accordance with Kuna City Code.*

### **Pedestrian Walkways (KCC 6-3-7)**

Right-of-way for pedestrian walkways in the middle of long blocks may be required where necessary to obtain convenient pedestrian circulation to schools, parks or shopping areas; the pedestrian easement shall be at least ten feet (10') wide.

- *Applicant is showing 10-foot wide pathways with five-foot (5') wide asphalt sidewalks between the residential blocks.*

## **IMPROVEMENT STANDARDS**

### **5. Required Public Improvements (KCC 6-4-2 A-S)**

Every subdivider shall be required to install the following public and other improvements in accordance with the conditions and specifications of KCC 6-4-2 A-S as follows: *Unless noted below the specification, the application has met the requirement.*

- Monuments:** Monuments shall be set in accordance with section 50-1303, Idaho Code.
- Streets And Alleys:** All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the council.
- Curbs And Gutters:** Vertical curbs and gutters shall be constructed on collector streets. Vertical curbs and gutters may be required to be constructed on arterial streets according to council discretion. Rolled curbs and gutters or other landscaping and drainage as may be established by the council and consistent with subsection G of this section shall be required on minor streets. All construction shall be in accordance with the standards and specifications adopted by the council.
- Bicycle/ Walking Pathways:** A bicycle/ walking pathway shall be provided within all subdivisions, as part of the public right-of-way or separate easement, as may be specified in an overall bicycle plan as adopted by the council.
- Installation of Public Utilities:** Underground utilities are required unless determined not to be feasible by the owner of the utility and the city council.

## **EXHIBIT 1**

- F. Driveways: All driveway openings in curb cuts shall be as specified by the public works department, highway district or state highway department.
- G. Storm Drainage: An adequate storm drainage system shall be required in all subdivisions. The requirements for each particular subdivision shall be established by the council. Construction shall follow the specifications and procedures established by the council.
- *The City Engineer has listed additional requirements in Exhibit 7 as follows:*
    - a. Runoff from public right-of-way is regulated by ACHD.
    - b. Any private storm drainage facility proposed as a part of this development must be reviewed and approved by the City Engineer
    - c. If offsite storm water disposal is proposed in this development, plan approvals and license agreements from the affected irrigation ditch companies will be required.
  - *Boise Project Board of Control has listed additional requirements in Exhibit 10 as follows:*
    - a. Storm Drainage and/ or Street Runoff must be retained on site.
  - *Central District Health has listed additional requirements as follows:*
    - a. Run-off is not to create a mosquito breeding problem.
- H. Public Water Supply and Sewer Systems: All public water supply or sewer systems (serving 2 or more separate premises or households) shall be constructed in accordance with any adopted local plans and specifications. All new public water supply or sewer systems shall be an extension of an existing public system. In the event that the proposed public water supply or sewer system is not an extension of an existing public system, city council may grant approval to an applicant only upon a showing of undue hardship because of characteristics of the site and that the request is not in conflict with the public interest.
- *This project is eligible for late-comer fees/reimbursement.*
- I. Section 50-1326, Idaho Code, requires that all water and sewer plans be submitted to the state department of environmental and community services or its authorized agent for approval.
- *The City Engineer has listed additional requirements in Exhibit 7 as follows:*
    - a. *If the applicant is a participant in the Local Improvement District (LID) funding the new WWTP, the applicant will be eligible to compete on a first come first serve basis for approximately 1500 EDU connections in the existing lagoon WWTP that have been set aside for LID participants.*

**EXHIBIT 1**

- *Central District Health has listed additional requirements in Exhibit 9 as follows:*
  - a. *Central sewage plans must be submitted to and approved by the Idaho Department of Environmental Quality.*
- J. Maintenance and Operation of Public Water Supply and Sewer Systems: The subdivider shall provide for a perpetual method of maintenance and operation of the public water supply or sewer system (serving 2 or more separate premises or households) to ensure the continued usefulness of the system.
- K. Fire Hydrants and Water Mains: Adequate fire protection shall be required in accordance with the appropriate fire district standards.
  - *Applicant shall meet any requirements of the Kuna Rural Fire District.*
- L. Street Name Signs: Street name signs shall be installed in the appropriate locations at each street intersection in accordance with the local standards. A fee as set by ACHD per street sign shall be paid by the subdivider.
- M. Sidewalks and Pedestrian Walkways: Sidewalks shall be required on both sides of the street, except that where the average width of lots, as measured at the street frontage line or at the building setback line, is over one hundred feet (100'), sidewalks on only one side of the street may be allowed. Minimum width of any sidewalk shall be five feet (5'). Pedestrian walkways which are not adjacent to a public street, when required, shall have easements at least ten feet (10') in width and include a paved walk at least five feet (5') in width. Sidewalks and crosswalks shall be constructed in accordance with the standards and specifications as adopted by the council. Both sides of an arterial and collector street shall be constructed with a five foot (5') to eight foot (8') detached sidewalk.
- N. Greenbelt: Greenbelts or landscaping screening may be required for the protection of residential properties from adjacent major arterial streets, waterways, railroad rights of way or other features. Subdivision plats shall show the location of any greenbelt areas.
- O. Street Lighting: Streetlights shall be required to be installed at intersections, near all fire hydrants, and have a maximum spacing of two hundred fifty feet (250') throughout the interior and exterior of the subdivision. A subdivider shall conform to the requirements of the city and the public utility providing such lighting.
  - *As conditioned, the applicant is required to meet these standards. The plat stamp date January 4, 2008 is showing street lights meeting the 250-foot maximum requirement.*
- P. Pressurized Irrigation System: In each subdivision the subdivider shall provide an underground conduit to provide pressurized irrigation water to each and every lot within the subdivision. The city engineer is hereby authorized and directed to establish rules, regulations and standards for pressurized irrigation systems and that all pressurized irrigation systems shall comply with those standards, rules and regulations.

**EXHIBIT 1**

- *The City Engineer has listed additional requirements in Exhibit 7 as follows:*
  - a. *The City is now requiring, with every new subdivision, a documentation map that illustrates the surface water irrigation supply as well as drainage ditches that exist in and around the proposed development.*
  - b. *The City requires a layout of the existing irrigation ditches within a half-mile around the development, both within and outside the subdivision showing historic flow routes and existing features. Piped and open canals should be noted.*
- Q. Landscaping: All entrances to and exits from subdivisions shall be landscaped in a manner approved by the planning and zoning commission and/or urban forestry committee.
  - *As conditioned, the commercial areas and entrances to the subdivision are subject to the Design Review Standards.*
- R. Right-of-Way Fencing: A fence that abuts an arterial or collector road should be uniform from intersection to intersection and must include a landscaped berm and fence, six feet (6') in height (measured from the crest of the road) that is permanent and maintenance free. Acceptable fencing would include metal, rock, vinyl and the posts must be installed in concrete. No wood fencing would be allowed. The only exception is around parks (for safety reasons), an open fence may be required. A fence plan must be submitted with the preliminary plat application for approval.
  - *As conditioned, the fence shown on the preliminary plat will be required to be one of the acceptable materials as listed above. Cedar fencing is not allowed.*
  - *As required the berm and fence along Hwy 69 must meet the standards of the Overlay District for Highway 69 (KCC 5-2A) subject to the use of the property.*
- S. Piping of Ditches: All irrigation ditches and laterals, excluding major canals and natural waterways located within the development boundaries, shall be tiled. Major canals and natural waterways located within or adjacent to the development boundaries shall be fenced or tiled. Any improvements involving the distribution system of any irrigation district shall have the prior written approval of that affected district.
  - *As conditioned, Boise Project Board of Control has listed additional requirements in Exhibit 10 as follows:*
    - a. *Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.*
    - b. *If the irrigation system will be incorporated into the City of Kuna's pressure irrigation system, we will require confirmation from both the*

## EXHIBIT 1

*City of Kuna and the Boise-Kuna Irrigation District prior to review and approval of an irrigation plan by Boise Project Board of Control.*

- c. *This development is subject to Idaho Code 31-3805, in accordance; Boise Project Board of Control is requesting a copy of the irrigation and drainage plans.*

T. One Tree Per Lot Required: A minimum of one live tree per lot shall be planted by the developer. Each tree shall be a minimum of two inch (2") caliper.

- *As conditioned, the applicant must meet this requirement.*

## **6. SPECIAL DEVELOPMENT SUBDIVISIONS**

### **Large Scale Development Subdivision (KCC 6-5-4)**

- As required, this application meets the requirements for a large scale development.

## **7. OVERLAY DISTRICT FOR HIGHWAY 69**

The purpose and goals behind this chapter are to improve safety conditions along State Highway 69, reduce congestion and delays, provide property owners with safe access to the highway, and promote desirable land use development patterns. Provisions of this chapter shall be used to manage and control access to Highway 69, and require that properties adjacent to the highway utilize or obtain access on other public roads. This chapter is enacted pursuant to the following: Idaho Code Title 67, Chapter 6501, "Local Land Use Planning Act"; City of Kuna Comprehensive Plan; and City Of Kuna Zoning Ordinance.

### **Design and Construction Standards for Highway 69 (KCC 5-2A-7-C)**

Commercial Strip Requirements: Along State Highway 69, the applicant shall provide a minimum thirty foot (30') buffer and be responsible for constructing a ten foot (10') wide sidewalk within a public use easement and install streetlights and landscaping consistent with the City of Kuna landscaping code. The sidewalk shall be separated a minimum of fifteen feet (15') from the Highway right-of-way.

- *The preliminary plat shows an eight foot (8') sidewalk along Highway 69, as conditioned, the sidewalk must be ten feet (10').*

## **8. KUNA COMPREHENSIVE PLAN**

### **Kuna Comprehensive Street Plan Map**

Master Plan: The Kuna Comprehensive Street Plan Map strongly supports the Grid Transportation System where the main collector and arterial roads are prominently north-south and east-west located on the section lines and ½ miles.

### **Kuna Comprehensive Bicycle Plan (Bicycle/Pedestrian Path Master Plan Map)**

The Kuna Comprehensive Plan Bicycle/Pedestrian Path Master Plan map identifies a bike/pedestrian path abutting the site along the south side of Deer Flat Road and the west side of Kuna/ Meridian Road (Hwy 69). The Bicycle/Pedestrian Master

## **EXHIBIT 1**

Plan requires 8-foot wide sidewalks on Deer Flat Rd and 10-foot wide sidewalks on Kuna/ Meridian Rd.

### **Road Improvements & Sidewalks – Proposed & Required**

#### **Internal / Local Roads:**

The applicant is proposing the internal local roads with 50-feet of right-of-way, 36-foot street sections and rolled curb, gutter and 5-foot wide sidewalks.

- The local roads right-of-way, street sections, curb and gutter meet City Code. The applicant is proposing 20-foot alleys to provide rear-load access to Blocks 4, 5, 9, 10, 13 and 14.
- N Abstein Avenue will be constructed with a 50-foot right-of-way but due to the proposed commercial use on the east side and proposed residential use on the west side, as conditioned, on-street parking shall be prohibited on the east side.

#### **Collector Street for the mid-miles:**

Master Plan – Meadowview Road:

The applicant is proposing an east-west mid-mile collector (Meadowview Road), from Kuna/ Meridian Rd to N Chappelle Ave, in accordance with the Comprehensive Plan Goals, Policies and Map.

- The proposed east-west mid-mile collector (Meadowview Rd) meets City code and the Comprehensive Plan. Meadowview Rd will be built as a half-street with a 40-foot right-of-way with the road shifting completely into the site within a 50-foot right-of-way. As conditioned, a 20-foot buffer is required along the length of collector streets (Meadowview Rd) according to KCC 5-17-3.

The applicant is proposing a north-south residential collector/local street with 50-foot of right-of-way, vertical curb, and gutter and 5-foot wide sidewalks.

- The proposed road improvements for the east-west collector street (N Chappelle Ave) meet City code. N Chappelle Ave will be built with a 40-foot right-of-way along the commercial portion of the site and with a 40-foot right-of-way along the residential portion of the site. As conditioned, a 20-foot buffer is required along the length of collector streets (N Chappelle Ave) according to KKC 5-17-3.

#### **Arterial Roads:**

Master Plan – Deer Flat Road:

The applicant is proposing 48-feet of right-of-way from the centerline of Deer Flat Road. Deer Flat Rd is being proposed with an 8-foot wide sidewalk and a 20-foot wide landscaped buffer.

- The proposed right-of-way widths for the arterial road meets City code (48-feet from the centerline accommodates a total right-of-way width of 96-feet, which exceeds City code). As conditioned, the applicant shall

construct an 8-foot wide sidewalk along Deer Flat Rd with curb and gutter with a 30-foot wide landscaped buffer the length of the development frontage in accordance with the Kuna Comprehensive Pedestrian/Bicycle Plan and City code.

**State Highway 69:**

The applicant shall provide a minimum thirty foot (30') buffer and be responsible for constructing a ten foot (10') wide sidewalk within a public use easement and install streetlights and landscaping consistent with the City of Kuna landscaping code the length of the development frontage. The sidewalk shall be separated a minimum of fifteen feet (15') from the Highway right-of-way.

- As conditioned, the applicant shall meet any other requirements as required by Idaho State Transportation Dept. (ITD).

**Stub Streets:**

Where stub streets are provided to adjoining properties, as conditioned, a sign shall be installed at the terminus of the stub street stating that, "This road will be extended in the future".

**9. Services**

Fire protection – Kuna Rural Fire District  
 Sewage disposal – City of Kuna Municipal  
 Water service – City of Kuna Municipal  
 Irrigation district – Boise-Kuna Irrigation District  
 School – Kuna School District

**10. Official Height and Area Regulations (KCC 5-3-3)**

**Kuna City Code has the following building requirements for an R-6 zone:**

Maximum Height –	35-feet
Minimum Lot Width –	45-feet
Front living space setback –	15-feet
Front setback (local street) –	20-feet
Rear setback –	15-feet
Interior side –	5-feet
Street side –	20-feet
Maximum lot coverage –	40%
Minimum lot area per D.U. –	4,500 square-feet

**Kuna City Code has the following building requirements for a C-1 zone:**

Maximum Height –	35-feet
Minimum Lot Width –	0-feet
Front setback (Arterial or Collector) –	0-feet
Front setback (local street) –	20-feet
Rear setback –	5-feet
Interior side setback –	0-feet
Street side setback –	10-feet
Maximum lot coverage –	100% DR
Minimum lot area per D.U. –	2,000 sq. feet

- a. The proposed lot sizes and dimensions comply with City code.

**EXHIBIT 1**

- b. As the adjacent properties are large undeveloped properties, no transition lots are required.
  - *As conditioned, residential dwellings are not to take access off of any collector street. Access to be taken only off of local streets and alleys.*
  - *The lots along the southern property are larger in size along with E Meadow View Road providing separation/transition to the adjoining property to the south, while N Chappelle Way provides separation/transition to the west.*

#### **11. Kuna Comprehensive Plan Map (updated 07/13/07) (Section 4-3, Figure 4.3-1)**

The site is identified as Commercial on the northern half and Medium Development Density on the southern half as shown on the Comprehensive Future Land Use Map updated on July 13, 2007. The medium residential density allows 4-6 units/acre.

*The majority of this site was recently annexed into the City of Kuna with an Agricultural (A) zoning designation. An additional parcel is being annexed with this application. This application is proposing to have Light Commercial (C-1) extend from approximately the northern third (1/3) of the property and 200-feet along the eastern boundary adjacent to Kuna/Meridian Rd (Hwy 69). The remainder of the parcel is proposed for Medium Density – Residential (R-6). The comprehensive plan is in the process of being reviewed and amended, which should support this proposal for commercial along Kuna/Meridian Rd (Hwy 69). The proposed Development Agreement restricts the site to a maximum of six (6) dwelling units per acre. The proposed density and land use complies with the Comprehensive Plan.*

#### **12. Design Review (KCC 5-4)**

This chapter applies to all proposed development located within the design review overlay district which shall include the entire city limits and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, institutional, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites, and requires the submittal of a design review application pursuant to this chapter and fee as prescribed from time to time by the city council.

- As conditioned, this development will be subject to design review for the commercial aspects associated with it. As will the alternate development proposal for the multi-family aspect as each phase is submitted. The subdivision entry/exit locations, common areas and signage are also subject to design review.

#### **13. Transportation Task Force Recommendations**

- E Profile St entrance should not be considered as a private drive according to ACHD requirements as traffic is required to stop when a private street adjoins a public street. Concern is for higher speed traffic coming off of Hwy 69 with the possible queuing of cars that may stack up on E Profile Street.
- Provide an access and turning radius to the loading area behind the designated big box store area off of N Chappelle Avenue sufficient for large trucks.

- Concern that E Profile Street may become a cut-through street from N Chappelle Avenue to Hwy 69, Developer should place in an escrow sufficient funds for future potential traffic calming measures such as speed bumps.
- Recommend consideration of a turning lane pocket on Deer Flat until improvements are completed.
- Consider one-way traffic flow on alley-ways.

#### 14. Staff Recommendation

Based on Staff's review of the application, staff concludes the applications complies with Kuna City Code and the Kuna Comprehensive Plan, and forwards a recommendation of approval with standard and specific conditions to the Commission, as set out in the proposed Findings of Fact and Conclusions of Law attached hereto.

*The Commission should consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application.*

#### Exhibits:

<b>Exhibit 1</b>	City staff report
<b>Exhibit 2</b>	Preliminary Plat application dated August 21, 2007
<b>Exhibit 3</b>	Applicant's (revised) submittal letter dated November 1, 2007
<b>Exhibit 4b</b>	Preliminary Plat 8½" X 11" dated January 4, 2008 (V1-01-04-2008) Larger version (24" X 36") included in packet.
<b>Exhibit 5</b>	Annexation Description and Map
<b>Exhibit 6</b>	Rezone Description and Map of Property
<b>Exhibit 7</b>	City Engineer letter dated October 3, 2007
<b>Exhibit 8</b>	Kuna Fire District letter dated October 4, 2007
<b>Exhibit 9</b>	Central District Health Department letter dated September 25, 2007
<b>Exhibit 10</b>	Boise Project Board of Control letter dated September 25, 2007
<b>Exhibit 11</b>	Idaho Transportation Department letter dated September 25, 2007
<b>Exhibit 12</b>	Department of Environmental Quality letter dated September 25, 2007
<b>Exhibit 13</b>	ACHD approval letter and staff report dated November 7, 2007
<b>Exhibit 14</b>	Transportation Task Force Minutes dated October 30, 2007
<b>Exhibit 15</b>	Revised Traffic Impact Study Update date stamped December 3, 2007
<b>Exhibit 16b</b>	Revised Master Plan Map 11" X 17" date stamped January 4, 2008
<b>Exhibit 17</b>	Letter from Larry Hansen dated November 28, 2007
<b>Exhibit 18</b>	Photos submitted at Public Hearing on 11/13/07 by John Bruce
<b>Exhibit 19</b>	Letter submitted on December 10, 2007 by John & Carla Bruce
<b>Exhibit 20</b>	Vicinity Map date stamped January 4, 2008

#### D. Findings of Facts:

1. As to existing site conditions, the Council finds the following:  
Surrounding Land Use and Zoning:

<b>North</b>	RUT (Ada County)	Rural Urban Transition
<b>South</b>	RUT (Ada County)	Rural Urban Transition

#### EXHIBIT 1

<b>East</b>	RUT & A (Ada County/ Kuna City)	Rural Urban Transition & Agricultural
<b>West</b>	RUT (Ada County)	Rural Urban Transition

**Parcel numbers:**

S1324110079      S1324110210      S1324141801  
S1324110201      S1324110377      S1324142204 (Annexation Parcel)

**Comprehensive Plan Future Land Use Map:**

The Comprehensive Plan Land Use Map shows the northern half of the site to be Commercial and southern half as Medium Density. The site is also located within the Gateway Corridor area. The potential deviation in allowing light commercial in the medium residential area should be offset through the Comprehensive Plan update in process.

**Property size:**

Approximately 75.08-acres

**Existing Structures:**

Three (3) – Single-family dwellings with outbuildings (all to be removed), driveway accesses onto Deer Flat Rd and Kuna/ Meridian Rd (Hwy 69) will be removed.

**Existing Vegetation:**

The site contains natural soils and grasses.

**2. As to procedural items, the Council finds the following:**

- All required procedural items have been completed in accordance with Kuna City Code.

**3. As to the project description, the Council finds the following:****History / Master Plan**

The site was recently annexed into the City of Kuna with an Agricultural designation. The applicants are now proposing a Master Site/Preliminary Plat plan for a mixed use development. This application consists of a Rezone from A (Agricultural – Kuna City) to C-1 (Light Commercial) and R-6 (Residential – medium density); an Annexation, as parcel #S1324142204 was not included in previous annexation, with a zoning designation from RUT (Rural Urban Transition – Ada County) to C-1 (Light Commercial); a preliminary plat to be completed in four (4) phases; and a Development Agreement. This project is a participant in the Local Improvement District for the new wastewater treatment plant; and is eligible for late-comer fees/ reimbursement. The total area subject to the proposed and approved annexation and development agreement includes approximately 75.08 acres.

**4. As to Kuna City Code, the Council finds the following:**

- The proposed Subdivision complies with Kuna City Code as outlined above.

**5. As to the Kuna Comprehensive Plan, the Council finds the following:**

- The proposed Subdivision complies with the Kuna Comprehensive Plan.

**EXHIBIT 1**

## E. Planning & Zoning Recommendation to City Council

On December 11, 2007, the Kuna Planning & Zoning Commission recommended denial of the Profile Ridge Development for an annexation, rezone, subdivision and development agreement to the City Council based on the following:

- 1) Retail building layout on the corner of Highway 69 and Deer Flat does not meet the entrance standards of Kuna that the Commission wishes to have representing the City.
- 2) The parking layout along Deer Flat road does not meet the entrance standards for the City of Kuna.
- 3) Traffic corridor improvements from ACHD along Deer Flat road needs to be improved prior to development.
- 4) Sidewalk accessibility along Deer Flat Road from Highway 69 to Kay Street needs to be addressed prior to development.
- 5) Project does not meet the expected standards for the City of Kuna for a major corner development as an entrance to the City.

## F. Conclusions of Law:

If any of the following Conclusions of Law are determined to be Findings of Fact, they shall be included in that section.

1. Based on the evidence contained in File #07-01-AN/ 07-03-ZC/ 07-04-S/ 07-03-DA, The Kuna City Council finds that File #07-01-AN/ 07-03-ZC/ 07-04-S/ 07-03-DA complies with Kuna City Codes.
2. Based on the evidence contained in File #07-01-AN/ 07-03-ZC/ 07-04-S/ 07-03-DA, The Kuna City Council finds that File #07-01-AN/ 07-03-ZC/ 07-04-S/ 07-03-DA complies with the Kuna Comprehensive Plan.

## G. City Council Decision

On February 19, 2008, the Kuna City Council voted 3 – 1 in favor, with Council Member Cardoza being the dissenting vote, to approve the Profile Ridge Development for annexation, rezone, subdivision and development agreement with the condition that the developer follow all staff recommendations; require a design review discussion and workshop prior to submittal of any design review application; that the development agreement contain notations that the developer will pay its fair share of the signal light at Hwy. 69 & Meadowview Street; that a right-in only be allowed on Hwy 69; and a six (6) foot paved pathway from Kay Street to Chappelle Avenue along the south side of Deer Flat Road be provided by the developer at the time the water and sewer lines are constructed.

## H. Site Specific Conditions of Approval:

### Road Improvements & Sidewalks

1. The applicant/ owner must meet requirements of Kuna City Code 6-3-4 for street right-of-way width specifications.
2. The applicant/ owner must meet the requirements of Kuna City Code 5-2A-7-C, which requires 10-foot sidewalks in the buffer area along Kuna/Meridian Road (Hwy 69).

### EXHIBIT 1

3. The east side of N Abstein Avenue is restricted from on-street parking and is required to be striped and posted as "No Parking".
4. The applicant/ owner must meet requirements of Kuna City Code 5-17-3 requiring 20-foot landscaped buffers along collector roads (Meadowview Rd and N Chappelle Avenue) with curb, gutter and 5-foot wide sidewalks. Meadowview Rd is constructed as a half street with curb, gutter and sidewalk only required along the north side.
5. The applicant/ owner must meet requirements of Kuna City Code 5-17-3 requiring a 30-foot landscaped buffer along an arterial road (Deer Flat Rd) with curb, gutter and eight (8') foot wide sidewalks.
6. Construct a landscaped round-about on E Profile Street and N Abstein Street access off of Kuna/ Meridian Road (Hwy 69) according to Exhibit 16.
7. Where stub streets are provided to adjoining properties, a sign shall be installed at the terminus of the stub street stating that "This road will be extended in the future" according to ACHD requirement.
8. The applicant must maintain the integrity of the strip of property between the right-of-way and the property line through an agreement with ACHD and/or ITD.
9. The applicant/ owner must meet requirements as specified by the Idaho Transportation Department (ITD).
10. Provide 10-foot wide pathways throughout the subdivision with five-foot (5') wide asphalt sidewalk as proposed.
11. Construct a 4-foot (4') vinyl fence along the pedestrian pathways as proposed.
12. Construct a six-foot (6') vinyl fence along residential perimeters as proposed.
13. Construct a 6-foot high fence or berm with fence consisting of vinyl, metal or rock between the residential and commercial areas along the east-west common lot of Lot 20, Block 12. Berm with fence not to exceed ten-feet (10') in height.
14. Additional landscaping is required for noise reduction on Lots 1 & 2, Block 12 and are subject to design review.
15. Work with adjacent property owner to the west if additional fencing or repair because of site construction is needed.
16. Commercial lots are subject to design review and must meet City standards for parking, landscaping, lighting, and signage as each use is determined.
17. Subdivision exit/entry locations, common area, and signage are subject to design review.
18. Multi-family dwellings require a special use permit in the Light Commercial (C-1) zoning district.
19. Permits are required for all buildings and signs.
20. Spacing and installation of all fire hydrant locations must meet requirements by the Kuna Rural Fire District.
21. Install street lights at all intersections, near the fire hydrants, and have a maximum spacing of 250' throughout the interior and exterior of the subdivision. The applicant shall be required to submit a detailed lighting plan in accordance with KCC 6-4-2-N.
22. Submit a street name plan to the Planning and Zoning Department and the Ada County Street Name Committee to receive written approval.
23. All utility and/or other easements shall be shown on the final plat(s).
24. Building footprint and setbacks shall be shown on the final plat(s).
25. All commercial and/or multi-family aspects of this development are subject to Design Review and must meet requirements according to KCC 5-4.
26. Subdivision entry/exit and signage are subject to Design Review and must meet requirements according to KCC 5-4.
27. Elevations of proposed buildings are to be provided with each phase submittal.

**EXHIBIT 1**

- ✓ 28. The applicant/owner is responsible for the control and removal of noxious weeds if present on the property until development is complete.
- 29. Applicant to provide bicycle rack/ parking for at least 20 bicycles at the park area shown as Lot 1, Block 8.
- 30. Applicant to participate in the cost to install a four-way traffic light (full intersection) at Meadowview Road and Kuna/Meridian Road (Hwy 69) when traffic warrants prompt that consideration.
- 31. Applicant to construct a six (6) foot wide asphalt pedestrian/ bicycle pathway along the south side of Deer Flat Road from Kay Street to N Chappelle Avenue at time of sewer and water line improvement installation.
- ✓ 32. Applicant agrees to meet in a work session with the City Council regarding Design Review of the corner entrance/entry at Deer Flat Road and Kuna/Meridian Road (Hwy 69).
- ✓ 33. Council grants approval of a right-in only for the entry from Kuna/Meridian Road (Hwy 69) into the project at E Profile Street located at the quarter mile.

### I. Standard Conditions of Approval:

The following list details the tasks (in order) that the applicant and/or owner must complete before the approval of Profile Ridge Subdivision will be considered final. Please note that you have one year from the date of the written decision of the council to complete these tasks and submit a final plat for the first phase of the development unless a time extension is granted.

1. The applicant and/or owner shall obtain written approval of the plat from the agencies noted below. The approval may be either on agency letterhead referring to the approved use or may be written/ stamped upon a copy of the approved plat. All site improvements are prohibited prior to approval of these agencies.
  - a) The City Engineer must approve the sewer hook-up.
  - b) The Kuna Rural Fire District must approve all fire flow requirements and/or building plans.
  - c) The Boise-Kuna Irrigation District must approve all proposed modifications to the existing irrigation system.
  - d) The City Engineer must approve a surface drainage run-off plan. As recommended by Central District Health Department, the plan should be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties".
2. The final plat(s) shall meet the final plat specifications listed in Section 6-2-4 of the Kuna City Code.
3. The final plat(s) shall be in substantial conformance with the approved preliminary plat.
4. Prior to approval by the Kuna City Council, the plat(s) shall contain the following certificates and/or endorsements:
  - a) signature of the owner(s),
  - b) certificate of the plat surveyor,

### EXHIBIT 1

- c) certificate of the County Surveyor,
  - d) endorsement of the Central District Health Department,
  - e) endorsement of the Ada County Highway District (ACHD),
5. The following statements shall appear on the face of the final plat(s):
- a) This development recognizes Idaho Code §22-4503, Right to Farm Act, which states: "No agricultural operation or an appurtenance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided, that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or appurtenance to it."
  - b) Any re-subdivision of this plat shall comply with the applicable regulations in effect at the time of the re-subdivision.
  - c) Building setbacks and dimensional standards in this subdivision shall be in compliance with the applicable zoning regulations of the City of Kuna and this approval.
  - d) Direct lot access to Deer Flat Road, Kuna/ Meridian Road (Hwy 69), E Meadowview Street, and N Chappelle Avenue is prohibited.
  - e) Direct lot access from residential lots on N Abstien Avenue is prohibited.
6. No building permits will be issued until a final plat(s) is recorded through the County Recorder's Office and parcel numbers have been issued by the County Assessor's Office.
7. All public rights of way shall be dedicated and constructed to standards of the Ada County Highway District. No public street construction may be commenced without the approval of the Ada County Highway District. Any work within the Ada County Highway District rights of way requires a permit. For information regarding the requirements to obtain a permit, contact Ada County Highway District Development Services at 387-6100.
8. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground.
9. Compliance with Section 31-3805 of the Idaho Code pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the specific requirements of the Boise Project Board of Control is required.
10. Installation of fire protection facilities as specifically required by the Kuna Fire District is required.
11. There shall be easements provided for utilities, drainage, and irrigation abutting to all public street right-of-way and subdivision boundaries, and where considered necessary, centered on the interior property lines. Said easements shall have a minimum width of ten feet (10').

**EXHIBIT 1**

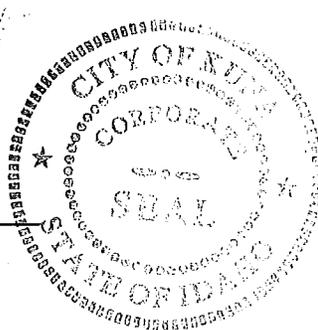
- 12. All submittals of required compliance letters and plans (lighting, landscaping, drainage, and development) must be accompanied by your application file numbers.
- 13. No construction, grading, filling, clearing, or excavation of any kind shall be initiated until the applicant has received approval of a drainage design plan from the Kuna City Engineer. The drainage design plan shall include all proposed site grading.
- 14. Individual lot pressurized irrigation shall be provided. The Kuna City Engineer must approve an irrigation plan prior to submitting the final plat for approval.
- 15. Lighting within the development shall comply with the Kuna City Code.
- 16. One tree per lot shall be provided by the developer.
- 17. All surety and surety agreements shall comply with the Kuna City Code.
- 18. Any additional requirements by the City Engineer.
- 19. Any additional requirements by the Public Works Director.
- 20. Any additional requirements by Central District Health.

Approved this 18<sup>th</sup> day of March, 2008.

  
\_\_\_\_\_  
Scott Dowdy, Mayor

Attest:

  
\_\_\_\_\_  
Lynda Burgess, City Clerk





# City of Kuna

## Findings of Fact and Conclusions of Law

P.O. Box 13  
 Phone: (208) 922-5274  
 Fax: (208) 922-5989  
[Kunacity.id.gov](http://Kunacity.id.gov)

**To:** Kuna City Council

**Case Number(s):** **15-03-AN (Annexation);**  
*Liberty Investments/Calhoun Annexation*

**Location:** 1425 N. School Avenue  
 Kuna, Idaho 83634

**Planner:** Trevor Kesner, Planner II

**Hearing Date:** March 1, 2016  
**Findings:** **October 3, 2017**

**Applicant:** Liberty Investments, Inc.  
 Logan Patten  
 PO Box 412  
 Kuna, Idaho 83634  
[logan@libinc.net](mailto:logan@libinc.net)

### Table of Contents:

- A. Course Proceedings
- B. Applicants Request
- C. Vicinity and Aerial Maps
- D. History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Comprehensive Plan Analysis
- I. Findings of Fact
- J. Conclusions of Law
- K. Decision by the Council

### A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation is designated as a public hearing with the Planning and Zoning Commission as the recommending body and City Council as the decision-making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act (LLUPA).

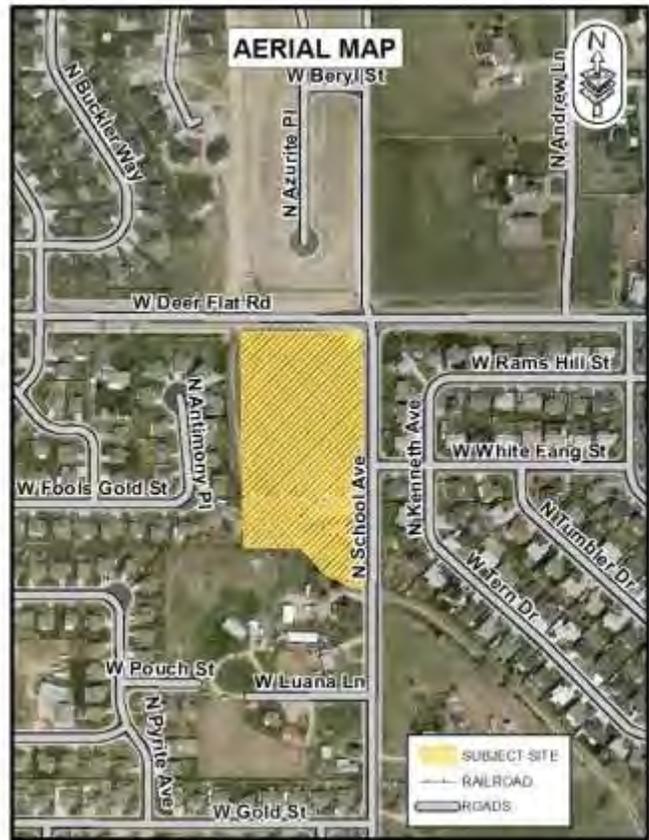
#### a. Notifications

- |                           |                                       |
|---------------------------|---------------------------------------|
| i. Neighborhood Meeting   | October 29, 2015 (3 persons attended) |
| ii. Agencies Notified     | December 29, 2015                     |
| iii. 300' Property Owners | February 9, 2016                      |
| iv. Kuna, Melba Newspaper | February 10, 2016                     |
| v. Site Posted            | February 20, 2016                     |

### B. Applicant Request:

1. The applicant seeks approval for Annexation of an approximately 4.65 +/- acre parcel located at 1425 N. School Avenue, into the City of Kuna with an R-6 zoning designation; and subsequently requested to split the parcel for future development.

**C. Vicinity and Aerial Maps:**



**D. History:** The parcel is contiguous to City limits and is currently zoned RUT (Rural Urban Transitional) in Ada County. A residence and three (3) accessory structures are currently situated on the southern portion of the subject parcel. The majority of the surrounding ground has historically been used for pasturing.

**E. General Projects Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as Mixed Use, City Center. Staff views this land use request to be consistent with the approved FUTURE LAND USE map.

2. **Surrounding Land Uses:**

<b>North</b>	R-6	Medium-Low Density Residential
<b>South</b>	A/RUT	Agricultural/Rural Urban Transitional – Ada County
<b>East</b>	R-6	Medium-Low Density Residential
<b>West</b>	R-6	Medium-Low Density Residential

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 4.693 total acres
- RUT, Rural Urban Transitional (Ada County)
- Parcel # - S1323212406

#### 4. **Services:**

Future Sanitary Sewer – City of Kuna  
Potable Water – City of Kuna  
Irrigation District – Boise-Kuna Irrigation District  
Future Pressurized Irrigation – City of Kuna (KMID)  
Fire Protection – Kuna Fire District  
Police Protection – Kuna City Police (Ada County Sheriff's office)  
Sanitation Services – J&M Sanitation

5. **Existing Structures, Vegetation and Natural Features:** Currently there is a home on the existing parcel where the owner resides. There are additional outbuildings on the parcel; however, no buildings or ancillary structures are situated upon any portion of the parcel which is to be split. The site has historically been used as residential along with small-scale agricultural activities. It is anticipated that such use will continue until future development occurs on the newly created parcel.
6. **Transportation / Connectivity:** The parcel is currently improved with curb, gutter and five (5) foot sidewalk as it fronts School Avenue; however, there are no sidewalk or surface drainage improvements on the parcel as it fronts Deer Flat Road. The site currently takes access from N. School Avenue and will remain the primary access for the current owner's residence. ACHD has provided standards for future access to, and improvements required for development of the newly created parcel in their staff report (reference Exhibit B-5).
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts resulting from this application. This site's topography is generally flat.
8. **Agency Responses:** The Kuna City Engineer provided comments on January 2, 2016. The following agencies returned comments: Boise Project Board of Control (BPOC), Idaho Transportation Department (ITD) and Ada County Highway District (ACHD). The responding agency comments are included as exhibits with this case file.
9. **Public Responses:** Planning and Zoning staff received a letter of comment from an adjacent property owner on January 8, 2016 (reference Exhibit C-1).

#### F. **Staff Analysis:**

The subject site is located on the southwest corner of S. School Avenue and W. Deer Flat Roads. The applicant requests to annex the entire parcel into Kuna City limits with an R-6 zoning designation; and subsequently split the parcel to create two (2) parcels. The proposed southerly parcel will remain as an approximate 1.65 acre residential home site for the current owner, which will continue to utilize the existing septic system until such time as the septic system is no longer viable; at which time the property owner will be required to abandon the septic system and hook up to city services. The remaining land will be an approximate 3.6 +/- acre parcel designated as R-6. All future development on the newly created parcel will be required to connect to city services.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and Kuna Comprehensive Plan; and forwards a recommendation of approval for Case # 15-03-AN, subject to the recommended conditions of approval.

#### G. **Applicable Standards:**

1. City of Kuna, Title 5 Zoning Ordinance: Annexation and Lot Splits
2. City of Kuna Comprehensive Plan and Future Land Use Map.
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

#### **H. Comprehensive Plan Analysis:**

The Kuna City Council accepts the Comprehensive Plan components as described below.

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

##### **GOALS AND POLICY – Property Rights**

**Goal 1: Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.**

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criterion established to determine the potential for property taking.

##### **GOALS AND POLICY – Housing**

**Goal 1: Offer a wide variety of housing choices for current and future Kuna residents.**

Policy 3.1: Promote developments with a variety of lot sizes.

##### **GOALS AND POLICY – Land Use**

**Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.**

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

#### **I. Findings of Fact:**

1. This request appears to be in compliance with all ordinances and laws of the City, including Kuna City Code (KCC).
2. The site is physically suitable for annexation and lot split.
3. The annexation and lot-split are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat; however, it is evident that a variety of raptor species are nesting on-site in the existing trees along the Teed Lateral.
4. The annexation and lot split application are not likely to cause any adverse public health problems.
5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
6. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
7. The Kuna City Council accepts the facts as outlined in the staff report, any public testimony and the supporting evidence as presented.
8. Based on the evidence contained in Case No.s 15-03-AN, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
9. The City Council has the authority to approve or deny the annexation and lot split application.
10. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

**J. Conclusions of Law:**

1. Based on the evidence contained in Case No. 15-03-AN, the Kuna City Council finds Case No. 15-03-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No. 15-03-AN, the Kuna City Council finds Case No. 15-03-AN is consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

**K. Proposed Decision by the City Council:**

*Note: This motion is for the approval of this request. However, if the Council wishes to approve or deny specific parts of the request as detailed in this report, they shall be specified.*

Based on the facts outlined in staff's report and any public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves* Case No.s 15-03-AN, a request for annexation from Liberty Investments, Inc, with the following conditions of approval:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
  - a. The City Engineer shall approve the future sewer, water and pressure irrigation hook-ups.
  - b. The Kuna Fire District shall approve all building and site plans.
  - c. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
  - d. Approval from Ada County Highway District shall be obtained on any proposed construction plans, and Impact Fees must be paid prior to the issuance of any building permits.
2. All public rights-of-way shall be dedicated to the City and/or Ada County Highway District. No public street construction may be commenced without the approval and permit from Ada County Highway District:
  - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. All utilities shall be installed underground (see KCC 6-4-2-W).
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. Any future development of the site shall take into consideration the existence of wildlife and their habitat on the site. All current and future owners or their assigns shall make every considerable effort to preserve, protect and avoid disrupting such species and their habitat.
6. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
7. Applicant shall follow all staff, City engineer and other agency recommended requirements as applicable.
8. Applicant shall abide by all applicable federal, state and local laws and ordinances.

**DATED** this 03rd day of October 2017.

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Joe Stear, Mayor  
City of Kuna

ATTEST:

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Chris Engels  
Kuna City Clerk

# CITY OF KUNA

## State of Idaho *Proclamation*

### **DOMESTIC VIOLENCE AWARENESS MONTH**

**WHEREAS**, Domestic violence is defined as abusive behavior in a personal relationship that gives one member control and power over another through physical, emotional, sexual, economic or psychological actions or threats; and

**WHEREAS**, An estimated one in four women will face domestic abuse in her lifetime, and in 2016 there were 5,236 calls for service related to domestic violence and sexual assault in Ada County; and

**WHEREAS**, Each day in Idaho more than 559 victims of domestic violence and their children seek safety and services from domestic violence programs in Idaho; and

**WHEREAS**, The Women's and Children's Alliance provides safety, healing and freedom from domestic abuse and sexual assault through a range of services including secure shelters, court advocacy, counseling, childcare, as well as case management; and

**WHEREAS**, The City of Kuna is an important partner in the Women's and Children's Alliance's vision to create a community where people thrive in safe and healthy relationships.

**NOW, THEREFORE, BE IT RESOLVED** that I, Joe L. Stear, Mayor of the City of Kuna, Idaho, do hereby join national and local officials in proclaiming October as

DOMESTIC VIOLENCE AWARENESS MONTH.



**IN WITNESS WHEREOF,**  
I set my hand on this the 26<sup>th</sup> day of September  
in the year of two thousand and seventeen.

**Joe L. Stear**  
Mayor of Kuna, Idaho



## City of Kuna

### Staff Memo – City Council

P.O. Box 13  
Kuna, ID 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Kunacity.id.gov

**To:** City Council

**Case Number:** 17-01-Vac (Vacation)  
File Ridge Sub

**Location:** 1550 feet South of Hubbard Road/East of Kay Avenue, Kuna, Idaho 83634

**Planner:** Troy Behunin, Planner III

**Meeting Date:** October 3, 2017

**Applicant/  
Representative:** Fox Land Surveys  
Aaron Rush  
1515 Shoshone St.  
Boise ID, 83705  
208.342.7957  
[Arush@foxland-surveys.com](mailto:Arush@foxland-surveys.com)

**Owner:** CJM LTD. LLLP  
Donald Mark Ridley  
621 Washington St. South  
Twin Falls, ID 83301



#### A. General Project Facts, Applicant Request:

1. The applicant is requesting approval for Easement Vacation for a portion of the File Ridge Subdivision Final Plat (Bk. 106, pg. 14640 – Ada County Records). The applicant proposes releasing the easements on the east, west, and south sides of Lot 1, block 1, File Ridge final plat, the north easement will remain fully intact (Ada County Assessor Parcel No. R2823300010).
2. In accordance with Idaho State Code (ISC), Vacations regulations, this application seeks partial easement vacation approval for the recorded File Ridge Subdivision. The proposed easement vacation is in substantial conformance with the requirements as listed in ISC; 50-1306(A)(5).

#### B. Applicable Standards:

1. Idaho Code, Title 50, Chapter 13, Plats and Vacations [ISC; 50-1306(A)(5)]

#### C. Staff Analysis:

1. The basis for this request begins with the acquisition of this parcel by CJM LTD, LLLP (Mark Ridley), from Idaho Central Credit Union (ICCU). File Ridge Subdivision was created by ICCU, in 2014. After the File Ridge plat was recorded with the County, Mark Ridley and ICCU orchestrated a land swap/deal, whereby CJM LTD, LLLP acquired the File Ridge Subdivision lot from ICCU, while ICCU acquired a lot within the Ridley's Family Center Subdivision No. 1, where ICCU has since built a branch. Mark Ridley chose to include File

Ridge Subdivision with the proposed Ridley's No. 2 final plat, and to re-configure the File Ridge subdivisions only lot through a re-platting process to better fit the development desires of Mark Ridley. When the Ridley's Subdivision No. 2 final plat is recorded (presented for vote tonight), the plat will include the required easements for all development with no loss of easements for any of the utilities. Rather, the easements will simply be moved to different locations, as the re-platting process will create different lot lines. Staff notes that all agencies with an interest in the existing easements have been notified and released their respective interest(s). Staff has determined the proposed easement vacation for the described portions of the File Ridge final plat is in substantial conformance with Idaho State Code, follows the goals and policies of the City of Kuna Comprehensive Plan, while furthering the Council's wishes of adding new commercial development to Kuna, and specifically, the Meridian Road corridor.

# VICINITY MAP

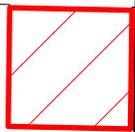


*Kuna Canal*

E Lazy Db Ln

E Deer Flat Rd

(Bi-mart)



Ashton Estates  
Sub

Ridley's  
Ace

I.C.C.U.

McDonald's

E Profile Ln

N Meridian Rd

## Legend



File Ridge Sub



PARCEL LINES



ROADS



WATER FEATURES



69

N Meridian Rd

© 2017 Google

Google earth



1515 S. Shoshone St., Boise, ID 83705  
Office (208)342-7957 Fax (208)342-7437

April 17, 2017

Planning & Zoning Department  
City of Kuna  
751 West 4<sup>th</sup> Street  
Kuna, ID 83634

**RE: Vacation Request of Public Utility Easement, File Ridge Subdivision**

We have been requested by CJM, LLLP, the owner of Lot 1, Block 1, File Ridge Subdivision (Book 106, Pages 14640-41 of Plats, Ada County Records), to vacate the Five (5) foot wide Public Utilities, Lot Drainage, Sewer, Water, and Irrigation easement created by this plat, and described in Note 2 on the face of said plat. (highlighted in blue on the attached map)

This Lot is being re-platted with adjacent property as Ridley's Subdivision No 2, and like easements will be created along the new lot boundaries and exterior subdivision boundary in accordance with Kuna City Code.

Public utility companies with facilities in the surrounding area have been formally requested to either provide proof of their usage of the easement or else relinquish any vested interest they may have acquired. Responses are attached.

Sincerely,

Aaron Rush, PLS #12464  
Fox Land Surveys, Inc.



City of Kuna  
Planning & Zoning  
Department  
P.O. Box 13  
Kuna, Idaho 83634  
208.922.5274  
Fax: 208.922.5989  
Website: www.kunacity.id.gov

### Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.

\*Please submit the appropriate checklist (s) with application

For Office Use Only	
File Number (s)	
Project name	
Date Received	
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

#### Type of Review (check all that apply):

- Annexation
- Appeal
- Comprehensive Plan Amendment
- Design Review
- Development Agreement
- Final Planned Unit Development
- Final Plat
- Lot Line Adjustment
- Lot Split
- Planned Unit Development
- Preliminary Plat
- Rezone
- Special Use
- Temporary Business
- Vacation
- Variance

#### Contact/Applicant Information

Owners of Record: <u>Ridley's Food Co.</u>	Phone Number: <u>(208) 524-4633</u>
Address: <u>621 Washington St. S.</u>	E-Mail: _____
City, State, Zip: <u>Twin Falls, ID 83301</u>	Fax #: _____
Applicant (Developer): _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Engineer/Representative: <u>Jeff Ward</u>	Phone Number: <u>(208) 429-4037</u>
Address: <u>200 Broad Street</u>	E-Mail: <u>Jeff.Ward@CSHQA.com</u>
City, State, Zip: <u>Boise, ID 83702</u>	Fax #: _____

#### Subject Property Information

Site Address: <u>SWC Deer Flad Rd. and Future Sailor Place</u>	
Site Location (Cross Streets): _____	
Parcel Number (s): <u>51419223151</u>	
Section, Township, Range: <u>Par #3151 of GOVT LOT 1+2 SEC. 19 2N 1E #221001-B</u>	
Property size: <u>50.8 acres</u>	
Current land use: <u>Agriculture</u>	Proposed land use: <u>commercial</u>
Current zoning district: _____	Proposed zoning district: _____

**Project Description**

Project / subdivision name: Ridley's Family Center Subdivision No. 2

General description of proposed project / request: \_\_\_\_\_

Type of use proposed (check all that apply):

Residential \_\_\_\_\_

Commercial \_\_\_\_\_

Office \_\_\_\_\_

Industrial \_\_\_\_\_

Other \_\_\_\_\_

Amenities provided with this development (if applicable): \_\_\_\_\_

**Residential Project Summary (if applicable)**

Are there existing buildings?  Yes  No

Please describe the existing buildings: \_\_\_\_\_

Any existing buildings to remain?  Yes  No

Number of residential units: \_\_\_\_\_ Number of building lots: \_\_\_\_\_

Number of common and/or other lots: \_\_\_\_\_

Type of dwellings proposed:

Single-Family \_\_\_\_\_

Townhouses \_\_\_\_\_

Duplexes \_\_\_\_\_

Multi-Family \_\_\_\_\_

Other \_\_\_\_\_

Minimum Square footage of structure (s): \_\_\_\_\_

Gross density (DU/acre-total property): \_\_\_\_\_ Net density (DU/acre-excluding roads): \_\_\_\_\_

Percentage of open space provided: \_\_\_\_\_ Acreage of open space: \_\_\_\_\_

Type of open space provided (i.e. landscaping, public, common, etc.): \_\_\_\_\_

**Non-Residential Project Summary (if applicable)**

Number of building lots: \_\_\_\_\_ Other lots: \_\_\_\_\_

Gross floor area square footage: \_\_\_\_\_ Existing (if applicable): \_\_\_\_\_

Hours of operation (days & hours): \_\_\_\_\_ Building height: \_\_\_\_\_

Total number of employees: \_\_\_\_\_ Max. number of employees at one time: \_\_\_\_\_

Number and ages of students/children: \_\_\_\_\_ Seating capacity: \_\_\_\_\_

Fencing type, size & location (proposed or existing to remain): \_\_\_\_\_

Proposed Parking:

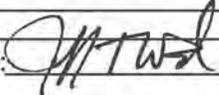
a. Handicapped spaces: \_\_\_\_\_ Dimensions: \_\_\_\_\_

b. Total Parking spaces: \_\_\_\_\_ Dimensions: \_\_\_\_\_

c. Width of driveway aisle: \_\_\_\_\_

Proposed Lighting: \_\_\_\_\_

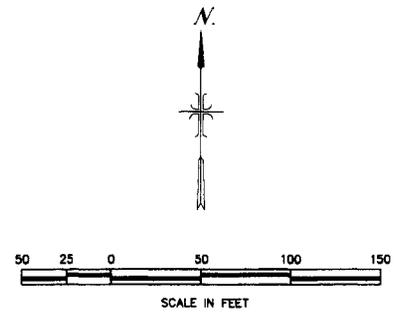
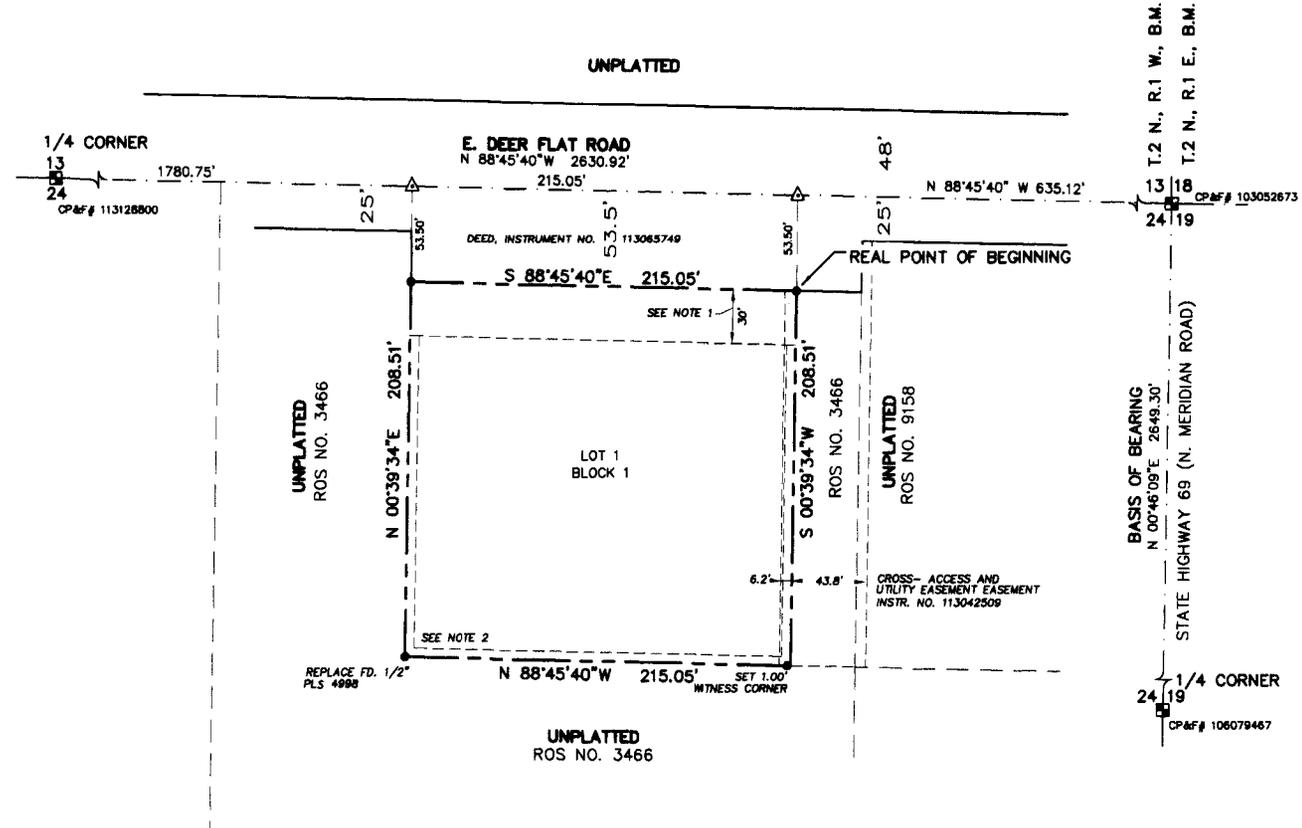
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): \_\_\_\_\_

Applicant's Signature:  Date: 06-26-17

PLAT SHOWING

FILE RIDGE SUBDIVISION

A PORTION OF PARCEL B OF RECORD OF SURVEY NO. 8346, ADA COUNTY RECORDS LOCATED IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 24, T.2N., R.1W., B.M., KUNA, ADA COUNTY, IDAHO 2014



- LEGEND**
- FOUND ALUMINUM CAP MONUMENT
  - SET 5/8" X 24" REBAR WITH PLASTIC CAP, PLS 4998
  - △ CALCULATED POINT
  - SUBDIVISION BOUNDARY
  - RIGHT-OF-WAY LINE
  - - - SECTION LINE
  - - - - - PARCEL LINE
  - - - - - EASEMENT LINE

NOTES

- 1.) THERE SHALL BE A PERMANENT EASEMENT FOR LANDSCAPING, PUBLIC UTILITIES, LOT DRAINAGE, SEWER, IRRIGATION AND KUNA CITY STREET LIGHTS OVER THE THIRTY (30) FEET ADJACENT TO E. DEER FLAT ROAD. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO THE LOT.
- 2.) THERE SHALL BE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, LOT DRAINAGE, SEWER, WATER AND IRRIGATION OVER THE FIVE (5) FEET ADJACENT ALL LOT LINES WHICH DO NOT FRONT E. DEER FLAT ROAD.
- 3.) ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- 4.) THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503 AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION FACILITY OR EXPANSION THEREOF NOT A NUISANCE-EXCEPTION WHICH STATES: NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITION IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT WAS BEGUN OR CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
- 5.) IRRIGATION WATER HAS BEEN PROVIDED FROM THE BOISE-KUNA IRRIGATION DISTRICT, IN COMPLIANCE WITH IDAHO CODE 31-3805(b). THIS LOT WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE BOISE-KUNA IRRIGATION DISTRICT OR ITS SUCCESSOR. THE OWNER HAS AGREED IN WRITING TO TRANSFER THE SURFACE IRRIGATION WATER TO THE KUNA MUNICIPAL IRRIGATION SYSTEM AND SAID SYSTEM WILL ASSESS THIS LOT AS PROVIDED IN IDAHO CODE 50-1801 THROUGH 50-1835, SEE INSTRUMENT NO. 113112422.
- 6.) MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA.
- 7.) SEE RECORD OF SURVEY NOS. 3328, 3466, 572, 83461 AND 9158, ADA COUNTY RECORDER'S OFFICE, FOR ADDITIONAL DATA OF RECORD.
- 8.) ACCESS TO THIS LOT FROM E. DEER FLAT ROAD IS LIMITED TO THE CROSS ACCESS EASEMENT AS SHOWN HEREON.
- 9.) THIS DEVELOPMENT IS SUBJECT TO THE CONDITIONS OF A DEVELOPMENT AGREEMENT WITH THE CITY OF KUNA, INSTRUMENT NO. 108073048 AND ANY OTHER CONDITIONS OF DEVELOPMENT.
- 10.) THIS DEVELOPMENT IS SUBJECT TO RESTRICTIVE COVENANTS RECORDED AS INSTRUMENT NO. 108071863.



DEVELOPER:  
**IDAHO CENTRAL CREDIT UNION**  
 POCATELLO, IDAHO



# FILE RIDGE SUBDIVISION

## CERTIFICATE OF OWNER

KNOWN ALL MEN BY THESE PRESENTS:

THAT IDAHO CENTRAL CREDIT UNION, AN IDAHO CORPORATION, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS ITS INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS SUBDIVISION PLAT. THE OWNER ALSO HEREBY CERTIFIES THAT THIS PLAT COMPLIES WITH IDAHO CODE 50-1334 (2): ALL LOTS IN THIS SUBDIVISION WILL RECEIVE DOMESTIC WATER FROM AN EXISTING WATER SYSTEM AND THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE ALL LOTS IN THIS SUBDIVISION.

A PORTION OF PARCEL B OF RECORD OF SURVEY NO. 8346, ADA COUNTY RECORDS, A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 24, T.2N., R.1W., B.M., THENCE N 88°45'40" W, 635.12 FEET ALONG THE NORTH LINE OF SAID SECTION 24 TO A POINT;  
THENCE S 00°39'34" W, 53.50 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF E. DEER FLAT ROAD THE REAL POINT OF BEGINNING OF THIS SUBDIVISION;  
THENCE S 00°39'34" W, 208.51 FEET TO A POINT;  
THENCE N 88°45'40" W, 215.05 FEET TO A POINT;  
THENCE N 00°39'34" E, 208.51 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF E. DEER FLAT ROAD;  
THENCE S 88°45'40" E, 215.05 FEET TO THE REAL POINT OF BEGINNING OF THIS SUBDIVISION.  
THIS SUBDIVISION CONTAINS 1.03 ACRES MORE OR LESS.

THE EASEMENTS INDICATED ON SAID PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 17<sup>th</sup> DAY OF December 2013

KENT ORAM, CHIEF EXECUTIVE OFFICER  
IDAHO CENTRAL CREDIT UNION  
*Kent Oram*  
KENT ORAM

## ACKNOWLEDGMENT

STATE OF IDAHO) SS  
COUNTY OF ADA) SS  
ON THIS 17<sup>th</sup> DAY OF December 2013, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED KENT ORAM, KNOWN OR IDENTIFIED TO ME TO BE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



*Rebecca Harwood*  
NOTARY PUBLIC FOR Ada County  
RESIDING AT Ada County  
MY COMMISSION EXPIRES: 6-15-2016

## CERTIFICATE OF SURVEYOR

I, MICHAEL E. MARKS, P.L.S., DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT, AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE 55-1601 THROUGH 55-1612.

M.E. Marks  
MICHAEL E. MARKS, P.L.S. NO. 4998



## APPROVAL OF CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY KUNA, ADA COUNTY, IDAHO, ON THIS 14<sup>th</sup> DAY OF December 2013, HEREBY APPROVE THIS PLAT.

*Sharon D. Law*  
CITY ENGINEER

## CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR ADA COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

*Jerry D. Blasing*  
COUNTY SURVEYOR  
PLS 5359 1-31-2014



## ACCEPTANCE OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE 5<sup>th</sup> DAY OF June 2015.



*John J. Franke*  
CHAIRMAN  
ADA COUNTY HIGHWAY DISTRICT

## APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 7<sup>th</sup> DAY OF August 2013, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

*Brenda A. Ringland*  
CITY CLERK, KUNA, IDAHO



## CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

*Vicky McIntire by Mercedes Ward*  
COUNTY TREASURER Deputy DATE 2/3/2014



## COUNTY RECORDERS CERTIFICATE

INSTRUMENT NO. 114009150

STATE OF IDAHO )  
COUNTY OF ADA ) SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Idaho Central Credit Union AT 42 MINUTES PAST 9 O'CLOCK A.M., THIS 5 DAY OF February, 2014, IN MY OFFICE AND WAS DULY RECORDED IN BOOK 106 OF PLATS AT PAGES 14640 THROUGH 14641.

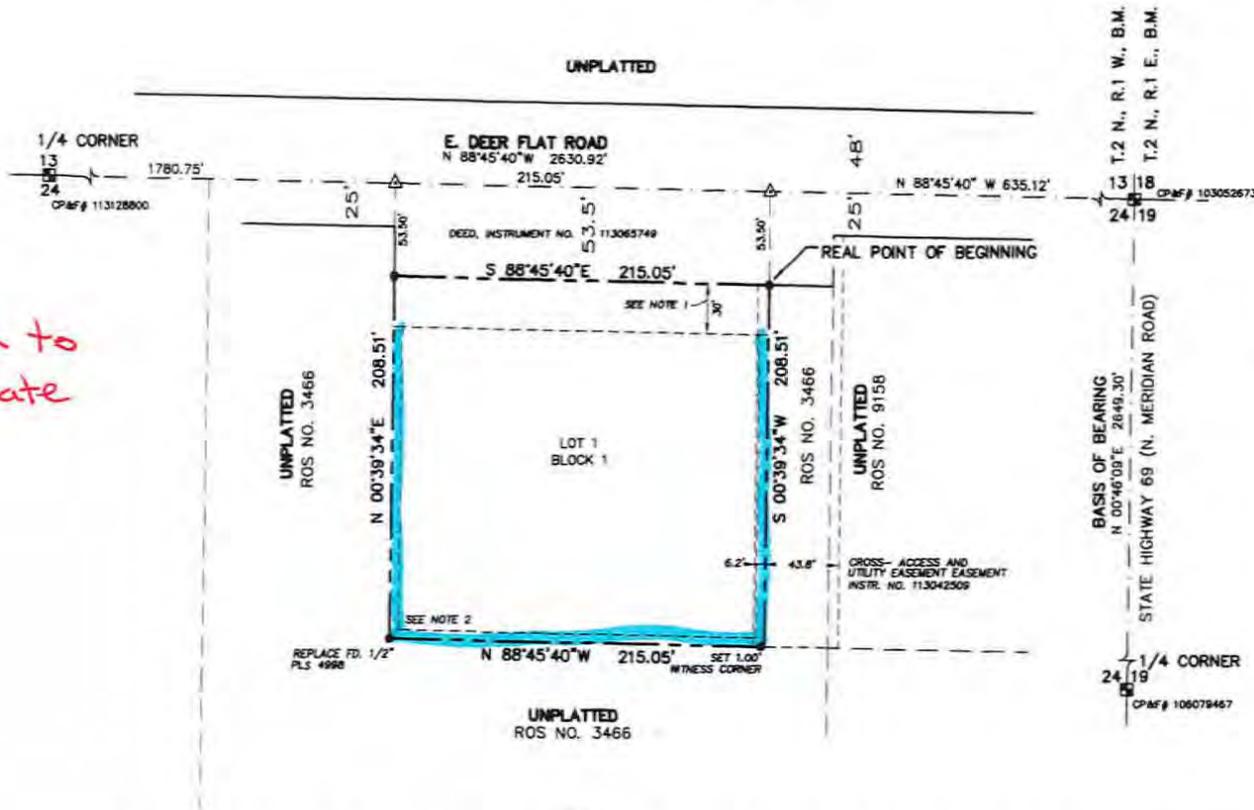
*J. Best* *Christopher D. Rich*  
DEPUTY EX-OFFICIO RECORDER

Fee 1100

PLAT SHOWING

# FILE RIDGE SUBDIVISION

A PORTION OF PARCEL B OF RECORD OF SURVEY NO. 8346, ADA COUNTY RECORDS  
LOCATED IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 24, T.2N., R.1W., B.M.,  
KUNA, ADA COUNTY, IDAHO  
2014



- LEGEND**
- FOUND ALUMINUM CAP MONUMENT
  - SET 5/8" x 24" REBAR WITH PLASTIC CAP, PLS 4998
  - △ CALCULATED POINT
  - SUBDIVISION BOUNDARY
  - RIGHT-OF-WAY LINE
  - SECTION LINE
  - PARCEL LINE
  - EASEMENT LINE

**NOTES**

- 1.) THERE SHALL BE A PERMANENT EASEMENT FOR LANDSCAPING, PUBLIC UTILITIES, LOT DRAINAGE, SEWER, IRRIGATION AND KUNA CITY STREET LIGHTS OVER THE THIRTY (30) FEET ADJACENT TO E. DEER FLAT ROAD. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO THE LOT.
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- 4.) THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503 AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF NOT A NUISANCE-EXCEPTION WHICH STATES: NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITION IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT WAS BEGUN OR CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
- 5.) IRRIGATION WATER HAS BEEN PROVIDED FROM THE BOISE-KUNA IRRIGATION DISTRICT, IN COMPLIANCE WITH IDAHO CODE 31-3805(b). THIS LOT WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE BOISE-KUNA IRRIGATION DISTRICT OR ITS SUCCESSOR. THE OWNER HAS AGREED IN WRITING TO TRANSFER THE SURFACE IRRIGATION WATER TO THE KUNA MUNICIPAL IRRIGATION SYSTEM AND SAID SYSTEM WILL ASSESS THIS LOT AS PROVIDED IN IDAHO CODE 50-1801 THROUGH 50-1835, SEE INSTRUMENT NO. 113112422.
- 6.) MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA.
- 7.) SEE RECORD OF SURVEY NOS. 3328, 3466, 572, 83481 AND 9158, ADA COUNTY RECORDER'S OFFICE, FOR ADDITIONAL DATA OF RECORD.
- 8.) ACCESS TO THIS LOT FROM E. DEER FLAT ROAD IS LIMITED TO THE CROSS ACCESS EASEMENT AS SHOWN HEREON.
- 9.) THIS DEVELOPMENT IS SUBJECT TO A DEVELOPMENT AGREEMENT WITH THE CITY OF KUNA, INSTRUMENT NO. 108073048 AND ANY OTHER CONDITIONS OF DEVELOPMENT.
- 10.) THIS DEVELOPMENT IS SUBJECT TO RESTRICTIVE COVENANTS RECORDED AS INSTRUMENT NO. 108071863.



DEVELOPER:  
**IDAHO CENTRAL CREDIT UNION**  
POCATELLO, IDAHO





February 17, 2017

*Via E-mail: [arush@foxlandsurveys.com](mailto:arush@foxlandsurveys.com)*

Aaron Rush  
Fox Land Surveys  
1515 S. Shoshone Street  
Boise, Idaho 83705

Re: Relinquishment of the public utility easement areas set forth in File Ridge Subdivision, located in Kuna, Idaho.

Situated in the E $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of Section 24, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho.

Dear Aaron:

This is in response to the Relinquishment Application submitted to Idaho Power Company on January 23, 2017, regarding the possible relinquishment of a certain area of platted utility easement located within File Ridge Subdivision, as described in Exhibit A (the "Utility Easement Area").

Idaho Power's review of the relinquishment request indicated that while there are facilities within the general Utility Easement Area, future electrical facilities will be covered through public utility areas established in the new plat for Ridley's Family Center Subdivision No. 2.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment. Kindly provide our office with a copy of the newly recorded plat for Ridley's Family Center Subdivision No. 2 once complete.

Sincerely,

A handwritten signature in blue ink that reads "Mary K. Alandt".

Mary K. Alandt  
Associate Real Estate Specialist  
Land Management and Permitting Department  
(208) 388-2699  
[malandt@idahopower.com](mailto:malandt@idahopower.com)



1515 S. Shoshone St., Boise, ID 83705  
Office (208)342-7957

---

January 10, 2017

Dave Rehder  
Cable One  
8400 Westpark Street  
Boise, Idaho 83704

**RE: Relinquishment of Easement associated with File Ridge Subdivision**

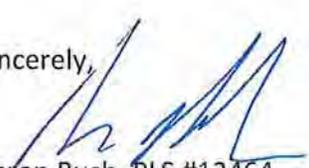
Dear Dave:

We have been requested by CJM LLLP, the owners of Lot 1, Block 1, of File Ridge Subdivision (Bk. 106, Pg. 14640, Instrument No. 114009150, Ada Co. Records), to vacate the easements reserved by the plat for this subdivision and described in Note 1 and Note 2 on the face of the plat (see attached).

File Ridge Subdivision is to be re-platted and included in a new development with the adjacent property. New easements will be reserved that reflect the new development.

The easements created by File Ridge Subdivision are no longer necessary. By signing this document, Cable One relinquishes its' interest in all easements created by the plat of File Ridge Subdivision as referenced above.

Sincerely,



Aaron Rush, PLS #12464  
Fox Land Surveys, Inc.



1515 S. Shoshone St., Boise, ID 83705  
Office (208)342-7957

Please execute this request by your notarized signature below.

By signing below, you agree to the vacation of the easements reserved by File Ridge Subdivision (Bk. 106, Pg. 14640, Instrument No. 114009150, Ada Co. Records) by and for Cable One, hereby relinquishing all rights in said easement, and certify that you have the vested authority to execute this request in the name of Cable One.

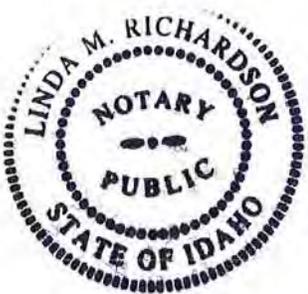
Don Weed Date: 1/24/17  
Cable One Representative

STATE OF Idaho

COUNTY OF Canyon

On this 24 day of January, 2017, before me, a notary public in and for said state, personally appeared Don Weed, know to me to be the person who executed this instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Linda M Richardson  
Notary Public for Idaho

Residing at Canyon, County  
My commission expires: 9/13/2018



1515 S. Shoshone St., Boise, ID 83705  
Office (208)342-7957

---

January 10, 2017

Bryce Ostler  
Intermountain Gas Company  
555 S. Cole Road  
Boise, ID 83709

**RE: Relinquishment of Easement associated with File Ridge Subdivision**

Dear Bryce:

We have been requested by CJM LLLP, the owners of Lot 1, Block 1, of File Ridge Subdivision (Bk. 106, Pg. 14640, Instrument No. 114009150, Ada Co. Records), to vacate the easements reserved by the plat for this subdivision and described in Note 1 and Note 2 on the face of the plat (see attached).

File Ridge Subdivision is to be re-platted and included in a new development with the adjacent property. New easements will be reserved that reflect the new development.

The easements created by File Ridge Subdivision are no longer necessary. By signing this document, Intermountain Gas relinquishes its' interest in all easements created by the plat of File Ridge Subdivision as referenced above.

Sincerely,

Aaron Rush, PLS #12464  
Fox Land Surveys, Inc.



1515 S. Shoshone St., Boise, ID 83705  
Office (208)342-7957

Please execute this request by your notarized signature below.

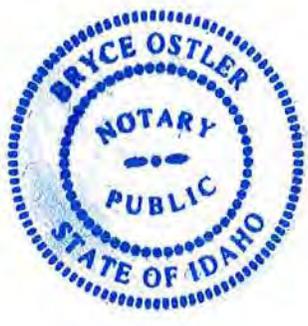
By signing below, you agree to the vacation of the easements reserved by File Ridge Subdivision (Bk. 106, Pg. 14640, Instrument No. 114009150, Ada Co. Records) by and for Intermountain Gas Company, hereby relinquishing all rights in said easement, and certify that you have the vested authority to execute this request in the name of Intermountain Gas Company.

Roger Phillips Date: 1-12-17  
Roger Phillips

STATE OF Idaho )  
COUNTY OF Ada )

On this 12 day of January, 2017, before me, a notary public in and for said state, personally appeared Roger Phillips, know to me to be the person who executed this instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Bryce Ostler  
Notary Public for Idaho

Residing at Borse, Ada  
My commission expires: May 10, 2022



CenturyLink

5/3/2017

No Response, No Reservations

Chad Leatherman  
Fox Land Surveys  
1515 S Shoshone St  
Boise ID 83705  
208.342.7957

**SUBJECT: P787943 N.249262.E.01**  
**Project Name: File Ridge Subdivision public utility easement vacation**

**Re: Request from Fox Land Surveys to vacate and abandon easements of interest along the south 5', the east 5', the west 5' and the north 30' of lot 1, block 1; File Ridge Subdivision, located south of East Deer Flat Rd, lying within the East ½ of the Northeast 1/4 of Section 24, Township 2 North, Range 1 West, B.M., Ada County, Idaho.**

To Whom It May Concern:

QWEST CORPORATION d/b/a CENTURYLINK QC has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found within the vacated area as described, the Applicant will relocate the facilities at Applicant's expense and within guidelines set by CenturyLink and all regulating entities. All relocations will be done under the supervision of a CenturyLink Inspector.

Sincerely yours,

Murkel Mansell  
CenturyLink Network Real Estate  
222 W 5 St  
Pueblo CO 81003

P787943

4/1/2017



# City of Kuna AFFIDAVIT OF LEGAL INTEREST

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.cityofkuna.com

State of Idaho )  
County of Ada )

I, Donald Mark Ridley/CTM LLP, 621 Washington St. South  
Name Address  
Twin Falls Idaho 83301  
City State Zip Code

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my permission to Aaron Rvsh 1515 S. Shoshone St, Boise, ID 83702  
Name Address

to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose of site inspections related to processing said application(s).

Dated this 21<sup>st</sup> day of August, 2017

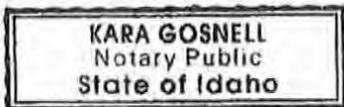
[Signature]  
Signature

Subscribed and sworn to before me the day and year first above written.

Kara Gosnell  
Notary Public for Idaho

Residing at: 310 Red Rock Trail, Kimberly, ID 83341

My commission expires: 9/21/17

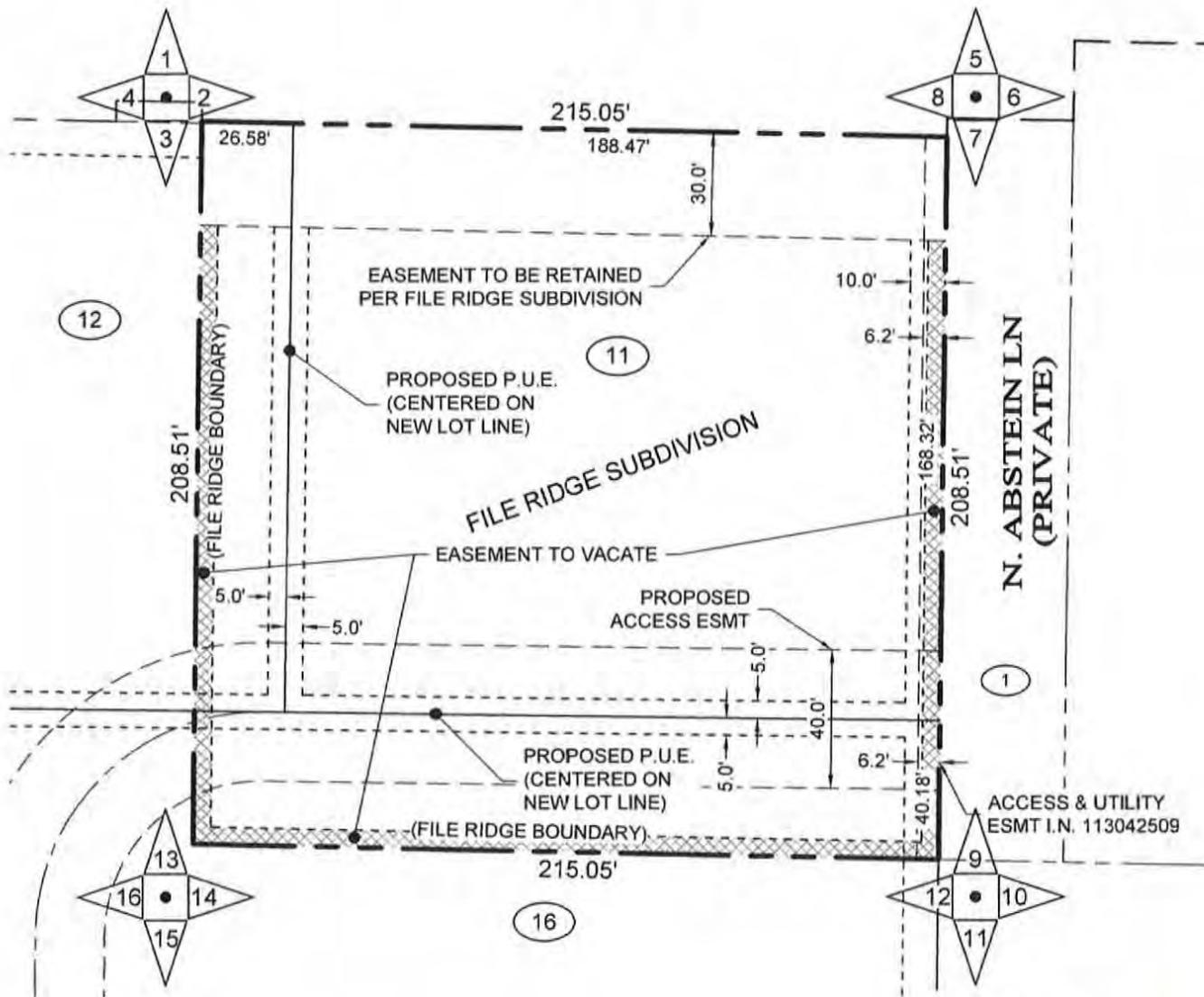


# SITE MAP

## FILE RIDGE SUBDIVISION EASEMENT VACATION

RECEIVED  
9/11/2017

E.DEER FLAT RD.  
(PUBLIC)



50 25 0 50 100  
SCALE: 1"=50'



FOX LAND SURVEYS INC.  
(208) 342-7957