OFFICIALS

Joe Stear, Mayor
Briana Buban-Vonder Haar, Council President
Richard Cardoza, Council Member
Warren Christensen, 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, January 15, 2019

6:00 P.M. REGULAR CITY COUNCIL

1. Call to Order and Roll Call

2. Invocation: D. Scott Allen, Kuna United Methodist Church

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS

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, January 2, 2019

B. Accounts Payable Dated January 10, 2019 in the Amount of $886,768.71

C. Resolutions

1. Consideration to approve Resolution No. R02-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS.

D. Finds of Fact and Conclusions of Law

1. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 18-03-V (Variance) for Desert Hawk No. 4 Subdivision

6. Community Reports or Requests:

None

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.

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

A. Public Hearing and Consideration to approve 18-05-S (Preliminary Plat) – Jace Hellman, Planner II ACTION ITEM

The applicant, Inaki Lete, requests to subdivide approximately 12.19-acres into 19 total lots, consisting of 10 commercial buildable lots, and 9 Common lots and has reserved the name Lete Commercial Subdivision. The subject site is located at 1795 West Deer Flat Road, Kuna, ID 83634, within Section 22, Township 2 North, Range 1 West; (APN# S1322111056).

- *Open Public Hearing*
- *Receive evidence*

Potential Motions:

- *Consideration to close evidence presentation and proceed to deliberation*
- *Consideration to either:*

  Option 1: Approve a Decision and Order and Close the Public Hearing and direct staff to prepare Findings of Fact, Conclusions of Law and Order of Decision for approval by the Council on the next Council Meeting Consent Agenda.

  Option 2: Continue the Public Hearing to a time and date certain, direct staff to prepare a draft Findings of Fact, Conclusions of Law and Order of Decision for consideration by the Council.

B. Continuation of Public Hearing to receive evidence including but not limited to evidence regarding health and safety issues, sewer capacity and build out of the proposed subdivision, and traffic safety issues and build out of the proposed subdivision and consideration to approve Case No. 18-02-S (Preliminary Plat) Madrone Heights Subdivision – Troy Behunin, Planner III ACTION ITEM

Kristi Garbo, KM Engineering, on behalf of applicant Tim Eck, requests approval to subdivide approximately 39.50 ac. into 206 single home lots, an additional 27 common lots, and one shared driveway. The address is 2030 W. Kuna Road, Kuna Idaho, and is located near the NWC of Ten Mile and Kuna Roads, in Section 22, T 2N, R 1W, APN #: S1322438400.

- *Continue Public Hearing*
- *Receive evidence*

Potential Motions:

- *Consideration to close evidence presentation and proceed to deliberation*
- *Consideration to either:*

  Option 1: Approve a Decision and Order and Close the Public Hearing and direct staff to prepare Findings of Fact, Conclusions of Law and Order of Decision for approval by the Council on the next Council Meeting Consent Agenda.

Option 2: Continue the Public Hearing to a time and date certain, direct staff to prepare a draft Findings of Fact, Conclusions of Law and Order of Decision for consideration by the Council.

C. Continuation of Public Hearing to accept testimony regarding the final draft of the Development Agreement and the additional emails entered into evidence at the public hearing held January 2, 2019 and consideration to approve 18-03-AN (Annexation), 18-01-CPM (Comp Map Change),18-04-ZC (rezone), 18-02-PUD (Planned Unit Develop), 18-04-S (Preliminary Plat) and DA (Development Agreement) for Falcon Crest Subdivision – Troy Behunin, Planner III ACTION ITEM

Mark Tate, with M3 Companies (Owner), requests approval to Annex approximately 990 acres into Kuna City limits, change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres (net), to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and private roads. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho.

- *Continue Public Hearing*
- *Receive evidence*

Potential Motions:

- *Consideration to close evidence presentation and proceed to deliberation*
- *Consideration to either:*

  Option 1: Approve a Decision and Order and Close the Public Hearing and direct staff to prepare Findings of Fact, Conclusions of Law and Order of Decision for approval by the Council on the next Council Meeting Consent Agenda.

  Option 2: Continue the Public Hearing to a time and date certain, direct staff to prepare a draft Findings of Fact, Conclusions of Law and Order of Decision for consideration by the Council.

8. Business Items:

None

9. Ordinances:

None

10. Mayor/Council Announcements:

11. Executive Session:

None

12. Adjournment:

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Warren Christensen, 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
Wednesday, January 2, 2019

Note: *The regular City Council Meeting is moved to Wednesday due to the holiday occurring on the first Tuesday of this January, the regular meeting date for Council.*

6:00 P.M. REGULAR CITY COUNCIL

1. *Call to Order and Roll Call*

COUNCIL MEMBERS PRESENT:
Mayor Joe Stear
Council President Briana Buban-Vonder Haar
Council Member Richard Cardoza
Council Member Warren Christensen
Council Member Greg McPherson

CITY STAFF PRESENT:
Bob Bachman, Public Works Director
Jared Empey, City Treasurer
Chris Engels, City Clerk
Wendy Howell, Planning & Zoning Director
Bobby Withrow, Parks Director
Paul Stevens, City Engineer
Troy Behunin, Planner III
Jace Hellman, Planner II

2. ***Invocation:*** Justin Sturgeon, New Beginnings Church

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

4. ***Consent Agenda:*** ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS

(Timestamp 00:01:27)

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.

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A. City Council Meeting Minutes:

1. Regular City Council Minutes, December 18, 2018

B. Accounts Payable Dated December 27, 2018 in the Amount of $888,542.00

C. Resolutions

1. Consideration to approve Resolution No. R01-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE "LIMITED SERVICES AGREEMENT" WITH MILLER'S EXCAVATING, LLC FOR CITY OF KUNA PUBLIC WORKS DEPARTMENT PRESSURIZED IRRIGATION IMPROVEMENTS INCLUDING THE EXPENDITURE OF $32,298 FROM CONTINGENCY FUND FOR SERVICES OUTLINED IN SAID "LIMITED SERVICES AGREEMENT"; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

Council President Buban-Vonder Haar moved approve the consent agenda. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried 4-0.

5. Community Reports or Requests:

None

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

A. Public Hearing and Consideration to approve 18-03-ZC (Rezone) for Career Technical Education (CTE) High School – Troy Behunin, Planner III ACTION ITEM
(Timestamp 00:02:20)

Wayne Thowless, LKV Architects, requests rezone approval for an approximately 60-acre parcel, from AG (Agriculture) to P (Public), in order to place a new (approx.) 260,000 square foot (SF) Career Technical Education (CTE) High School for Kuna School District No. 3 (KSD). Applicant proposes to phase the project and begin with 500-600 students and a 72,000 SF building on the north portion of the property, and ultimately, expand the building and other site improvements and the student count (up to 1,600) as the need arises. This site is located at the northeast corner (NEC) of Linder and Columbia Roads.

Wayne Thowless with LKV Architects, 2400 E Riverwalk Drive, Boise, Idaho 83706, presented the application with the rezone request and stood for questions.

Planner III Troy Behunin followed up from the applicant that they have complied with city and agency requests. Staff was very supportive of the Comprehensive Map Plan Change. In order to accomplish this every single zone required a special use permit and they got that. The Ag Zone did not allow for a school so they had to choose a zone. Staff agreed with the zoning and found it was complimentary to the goal. It would be an answer to the increase of students in Kuna. He stood for questions.

Mayor Stear opened the public hearing.

Support: None

Against: None

Neutral: None

Rebuttal: None

Council President Buban-Vonder Haar moved to close the public hearing. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar stated Planning & Zoning forwarded a recommendation of approval, no one was signed up to testify one way or the other, it was consistent with the comprehensive plan, and she knew it was a school they had been planning for a long time. Not necessarily the location but the facility itself. It appeared to comport with everything. It complied with City Code and the comp plan as noted.

Council President Buban-Vonder Haar moved to direct staff to prepare Findings of Fact, Conclusions of Law and Order of Decision for approval by the Council on the next Council Meeting Consent Agenda. Seconded by Council Member McPherson. Motion carried 4-0.

B. Public Hearing and Consideration to approve 18-03-AN (Annexation), 18-01-CPM (Comp Map Change),18-04-ZC (rezone), 18-02-PUD (Planned Unit Develop), 18-04-S (Preliminary Plat) and DA (Development Agreement) for Falcon Crest Subdivision – Troy Behunin, Planner III ACTION ITEM
(Timestamp 00:10:55)

Mark Tate, with M3 Companies (Owner), requests approval to Annex approximately 990 acres into Kuna City limits, change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres (net), to rezone approx. 20 acres and

subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and private roads. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho.

Mayor Stear noted there were some irregularities regarding this case and a lot of emails that went around. He stated even though the City had informed the public in communications to not communicate directly with the Mayor or City Council on this matter, he had received communications regarding the pending Applications which were the subject of this hearing which he had forwarded to the Planning & Zoning Staff which they would submit in addition to their staff report to be part of the record of these proceedings.

For purposes of transparency and fairness for this hearing, Mayor Stear asked the City Attorney to prepare a Disclosure Statement Format for the Council Members and Mayor to go through at the beginning of this hearing.

For purposes of the record, Mayor Stear introduced the Disclosure Statement Format into the record, which was being provided to each Council Member for their disclosures on the record and would recognize the Council one at a time then himself to each, following the Disclosure Statement Format, make their disclosures on the record. If either the Applicant or an affected property wished to make a challenge to the ability of any Council Member or the Mayor to preside over this Hearing, based upon bias or conflict of interest the challenge must be stated now. If a Challenge was made by the Applicant or an affected property owner: they must identify on the record who is making the challenge, and state the basis for their challenge. If there was a challenge, he would then recognize the challenged Council Member or himself, as the case may be, for their response to either recuse themselves or affirm their ability to be fair and impartial. If there is challenge based upon a conflict of interest the Council Member or Mayor should request an opinion of the City Attorney.

Mayor Stear confirmed City Clerk Chris Engels had a copy of the disclosure statement prepared by the City Attorney and confirmed each council member had a copy as well.

Ms. Engels replied she did.

Mayor Stear stated he and the council members would need to acknowledge the applications' sites, personal investigation conducted regarding applications, communications received regarding applications, letters received and read or received and not read, emails received and read or received and not read, social media received and read or received and not read, personal conversations face to face or via phone, personal or immediate family member's legal interest in real property which was the subject of the applications or within the affected area of the applications, personal or immediate family member's legal or business interest with any of the applicants. He asked to start with Council Member McPherson.

Council Member McPherson stated he received approximately 13 emails. He had read the first 2 or 3 and figured out what was going on. All emails were forwarded to City staff to make sure they were aware of them. He did not have any personal interest in any properties or such out there so he could make a fair and impartial judgement based on what little he knew about the project so far.

Council President Buban-Vonder Haar also received a number of emails. She did not count how many. She assumed they were all the same emails Council Member McPherson received. She too had read the first 1 or 2 until she realized what was going on. Based on the email preview her phone showed her, she knew the majority were about a request to postpone a decision or public hearing to allow additional time for preparation for people who lived near the subject property. She did not delete any but believing that everyone was receiving the same ones she assumed staff already had them. She could forward or print them if needed for the record but she had not yet done that. She had no other interests and received no other communications or conversations. In respective of the information she had acknowledged, she remained fair and impartial and her deliberations and determinations would be based only upon the evidence produced at that hearing. Any knowledge of the applications sites would only be used for her understanding of the evidence presented at the hearing and any communications she acknowledged would not be considered by her unless they were also presented at that hearing.

Mayor Stear stated he received emails from 18 different people; a couple of which he responded to because he hated to ignore people. He tried to keep it from becoming an ex parte conversation by not giving answers of substance. All of them were forward to the City Clerk and Planning & Zoning Director. There was nothing he saw in there or said that would make him biased in making a decision in this action.

Council Member Christensen stated like the other Council Members he received emails. He did not count them either. He did not read the emails being fully aware of the potential it carried with it. With the subject line in tact it was made aware most of the emails were about a delay. In respective of that information he received, he remained fair and impartial in his deliberations and his determinations would be based solely upon what they heard that night. Any knowledge of the site would imbue from the evidence presented at the hearing that night.

Council Member Cardoza also received numerous emails. He looked at the intent, the wording, and did not open any of the emails knowing that they would have to be presented for public testimony that night. He did not have any immediate family with legal interest. The closet he could say was he had been out there playing golf on numerous occasions on the golf course. In respective of the information he acknowledged, he felt he could still provide a fair and impartial statement to the legality of that night.

Mayor Stear asked City Attorney Bill Gigray if that satisfied this.

Mr. Gigray stated he had been advised by Planning & Zoning staff they had received some emails and they had some emails that had been forwarded by Mayor Stear as stated. Planner III Troy Behunin would be adding those emails as an adjunct to his staff report that he would introduce as an exhibit and would have all of the emails on them so they would become part of the record and people would understand what they were. He advised Council, if they received emails, they consider agreeing to continue the hearing to a time certain so those emails that had been received, rather than taking the time to read them all, could be reviewed by anyone that would want to so they could be prepared to address any new evidence that might come to light from those emails at the continued hearing so this was fully vetted out. Council could forward whatever emails they received to the Planning & Zoning Director or Mr. Behunin as they directed, so it would be very clear exactly what all communications were out there. He felt this was a way this could be handled that would afford everybody an opportunity to see what that was and address things if they were relevant to these proceedings.

Mayor Stear explained whenever they got into land use issues those were treated differently than the making of laws and that type of thing where they could have communication with decision makers but when in came to land use items and that type of thing, the intent of that ex parte was that one person did not have an advantage over another person based on one sided conversation. People that were opposed to a project also would not like Council to have discussions with the developer so they could have an unfair advantage over the neighbors. That was why they had to go through this thing. They weren't supposed to get those emails but when they did, they had to report them in the honor of disclosure so it didn't look like they were hiding anything because that was certainly not the intent of Council. They could get in big trouble for that and obviously they didn't like that to happen.

Mayor Stear asked if there was a sign-up sheet and if there was anyone who wished to testify that did not get a chance to sign up.

Mark Tate with M3 Companies, 533 E River Street, Boise, Idaho 83702, gave some background on their company presented the applications and request. In regards to a condition of approval from Planning & Zoning that they include the irrigation text from the City Engineer's letter as appropriate, there was some discussion at Planning & Zoning about some kind of form language where typically the pressure irrigation rights or irrigation rights were dedicated over to the City. He wanted to change that to "if applicable" or "if the development were to tie into City Pressure Irrigation then those irrigation rights would go to the City". That was supposed be captured from Planning & Zoning but he wanted to make sure that it was clarified that was the intent. He felt staff would agree that was the intent but it was not as clear as he had hoped. He reviewed the background on the irrigation at the project site and stood for questions.

Council Member Cardoza asked if any of the trails would be open to the public or if they would be private.

Mr. Tate responded all of the trails would be open to the public.

Planner III Troy Behunin thanked Mr. Tate for his accurate presentation of the applications and reviewed the staff report. He passed out and read the list of noticing procedures followed for the development and reviewed what noticing procedures were actually required. He stated for the record, staff did have a copy of Kuna City Code 5-1A-3 concerning the requirements for publishing, posting, and letters if Council wanted to see it. He pointed out City Code was stricter than State Code when it came to noticing requirements. He reviewed the application and noted Mr. Tate stated it was 1,025 acres and the legal description showed 1,028 acres but some of that was within the dedicated right-of-way which was why there might be a discrepancy there and they did have a legal description for all the parcels that were being annexed in. He stood for questions.

Council Member Cardoza asked what page the DA was on.

Mayor Stear replied it started on page 286 of the overall packet.

Mr. Behunin stated, as Mr. Gigray announced earlier, he did have a small packet to deliver to Council as well as something that was delivered to staff that night. The first was a letter from Cindy Giesen which would be Exhibit G7 and the second was the packet of email communications that went through to the Mayor and to staff and would be Exhibit G8. He passed the items out and concluded his presentation.

Public Works Director Bob Bachman explained to Mayor and Council, to help them and the public with further information, they had invited Ed Squires with Hydro Logic to do a small presentation on how they determine locations where wells would be. Mr. Squires had over 22 years' history working with the City of Kuna and Kuna's water system, wells, and water rights. He thought it would help Council and the people in the audience to hear him out and hear where City staff got their information.

Ed Squires, Hydro Logic Incorporated, 102 S 17th Street, Boise, Idaho 83702, shared he had the great pleasure of working for the City of Kuna for a very long time on wells and all things related to their water supply. He had been charged by the City over quite a few administrations in implementing what he called Kuna's Ground Water Master Plan though it had never been formally recognized as that. In all those years he had never been called to testify before the Mayor and Council. He stated, based on his experience around the United States and particularly Idaho, the City of Kuna had done an impressive job of studying and evaluating its future source of ground water supply. He could safely say it was far and above what was normally seen in municipalities throughout the Western United States. He gave an overview of what that was and the next part of that plan which was setting wells in Falcon Crest.

The basic principle of the Ground Water Master Plan was the best way to develop and understand the ground water basin was to do it as it was developed. What really provided the basis of understanding the ground water and aquifer were the wells that they drill. The well facilities enabled them to test the sustainability and productivity of the aquifers. For a very small amount of extra effort each well project could be its own research project. He reviewed well projects done in Kuna and what they learned from each. That was the plan that would continue with Falcon Crest, to start with an exploratory test well that would become a monitoring well. Supply wells and domestic wells were not very good monitoring wells for a host of reasons. The wells the City had been building were long term designated monitoring wells for perpetuity.

In terms of Falcon Crest, the City system had not extended out there yet but Cloverdale Turf Farm and the golf course were also clients of his for a number of years and his firm redeveloped several of those wells and reconstructed some of those wells because, as Mr. Tate said, they were quite old. The City didn't have any monitoring like he just described out there but he could say, as a part of working on those wells for the Borbonus family and Cloverdale Turf Farm, they had measured, pump tested and reported on those wells and they had not seen any water level declines out there. If you compared the water levels from the drillers reports when the wells were drilled it was quite surprising the water levels even after all the years and decades of agricultural pumpage and golf course irrigation pumpage the water levels each year still returned back to levels they were at back then. The last time they measured was in 2011. They hadn't measured since then because they were difficult wells to measure. He showed some slides reviewing what had been discussed throughout his presentation and stood for questions.

Mayor Stear thanked Mr. Squires for his presentation. He felt it was important to exemplify that. Kuna's water supply was and would always be a major concern for the City because everyone needed good water. That was why the city went above and beyond to make sure Kuna's wells were good. They had also made some strides in making sure their wells were extra secure by using double liners and plastic so there weren't corrosives with the steel and that type of thing. They spent a lot of time and effort on their wells and would continue to do so.

Mr. Squires added that the City was at the cutting edge of new details with well construction; maybe 15 years ahead of most municipalities. A really valuable point he missed was that with the monitoring he had been describing, you often read in the news about catastrophes happening all of the sudden like the Eastern Snake River Plain or California, you could never wake up and have the aquifer be in decline. You could see these things coming. They were always very slow. As long as you monitor you will never be surprised.

Mayor Stear noted the last 3 people who signed up to testify signed up under support. He clarified with them that they meant to sign up under opposition.

Mayor Stear opened the public hearing.
(Timestamp 01:24:35)

Support: None

Against:

Bill Terry lived at 6169 Reining Horse Drive, Kuna, Idaho 83634, which was about 700 feet from the project site so he was not included in the mailings even though he asked about it. He heard a lot of good stuff about the water which he was going to talk about but he would talk about 2 other things. They said this was a good time to bring up things that should be moved. He recommended moving a power line that went north to south on Cloverdale because he thought there was not enough room for traffic on Cloverdale. There were also 2 bridges, 1 at the New York Canal going north on Cloverdale and 1 going west on Kuna Road, that would need to be bigger because as someone who traveled all the time and, even though he felt this was being billed as not high density and not duplexes and only old retired people, like he was going to be, and they don't drive, he would take exception to that because he made more trips a day with his grandkids and to the gym than his wife who worked full time. They needed to take that into account. He would also say, with the exception of Council Member Cardoza who golfs at Falcon Crest, the people coming south to turn east into there, stop the whole Cloverdale Road. They were unable to use the lane provided there because it was to narrow so when he was coming home, he had to stop to let the golfers in. He recommended they move all the power poles 30 to 40 feet to the east because there was nothing there now. He liked it better when it was a sod farm out there. He had been living there for 24 years and it was better then but it is what is. His last suggestion was the corner of Cloverdale and Kuna Road where he saw something like a Walmart or Chevron going in, something with a lot of bright lights in that commercial section, there was a huge power pole there also. He did not know how they were going to get around that. His backyard faced that way and the thought of having 24 hours of a Chevron and light pollution out there was not what he signed up for but that was his position. He stood for questions.

Cindy Giesen, 1363 S Ash Avenue, Kuna, Idaho 83634, read most of the testimony she submitted to Mr. Behunin that evening and was then handed out to Council as Exhibit G7. She stood for questions.

John Lawson, 1357 Cow Horse Drive, Kuna, Idaho 83634, lived in the Cow Horse Subdivision just west of this project. He took exception to the notification procedures. The Cloverdale Ridge Water Corporation sent a PRR in August of that year requesting information on this. They were informed by the attorney there was not sufficient information available at that time and they would have to resubmit it another time. The whole issue of May and all summer long and all that business was not correct. They were rebuffed on that August PRR. The second was probably the most obvious and probably what they received the most emails on. They received, on Christmas Eve, notification this public hearing was going to be held the day after

New Year's. A lot of them were gone or they had family. They didn't have time to get ready for this; to him it was a drop and go. He sent stuff in and got back Mr. Behunin was out of the office on Christmas break, good for him. He sent it to another guy and got 1 thing back even though he was on Christmas break so good for him. That didn't bode well for this whole process. They knew growth was coming but they wanted to be part of it, not be snuck up on and have a bomb dropped on them on Christmas Eve. He appreciated have Mr. Squires there. He felt Mr. Squires had a good understanding of water use. The only thing he would add to that was all the water use in that part of the County was affected by the New York Canal. A 10-foot drop in water at his house could mean he may be out of water. It may not be a significant drop on a big bore well but it may be a big drop in a lot of their home wells. Those were the things they were worried the most about. They would fully support monitoring of the ground water zone. There was a lot that went in to that. He felt there was a lot that needed to be studied before Council could decide on putting that kind of well in that area. He gave the example that at build out they were going to be pumping 2 million gallons of water a day, that was 1,500 gallons a minute 24/7/365. That was a lot of water and it may not be good water. It changes with use. The folks in the Desert View Subdivision had arsenic issues. There was a lot of stuff they needed to know. He went back to the most precious resource, water. He hoped to have a time to talk about this when they could prepare a little bit more.

Council President Buban-Vonder Haar asked him to repeat the 2 million figure he mentioned.

Mr. Lawson reiterated at build out it was projected they would be pumping about 2 million gallons a day. If you break that out into how many minutes there were in a day that's about 1,500 gallons a minute 24/7. The EPA said the average family used about 300 gallons of water a day. If they had more time, they could present some figures to look at. They would really like to work with Mr. Squires to kind of come up with some understanding of what this water was all about. It was way bigger than just putting a well in. He thanked Council for the opportunity.

Council Member McPherson asked if Mr. Lawson knew the depth of his well.

Mr. Lawson replied it was about 200 feet and it was affected by the New York Canal. It went up in the summer and down in the winter. The Cloverdale Ridge Water Corporation had 2 big wells that they pumped during the summer on an average of about 1,500 gallons per minute per well. There were 350 acres in that subdivision that got irrigated.

Quincy Holton, 6000 E Deer Flat Road, Kuna, Idaho 83634, was a little bit out of the 450 foot. This was the subdivisions with a little bigger land uses so even though he was only 2 houses from Cloverdale he did not get a notice and was not terribly prepared. He reiterated the water use concerns. He grew up in southern Idaho where there were issues with wells going dry because of irrigation. There was currently

irrigation happening there which happened only during the summer. Adding houses again was at 365 days a year and had to be taken into consideration. Also, the traffic going to Deer Flat from Cloverdale could be difficult. There was a hill coming from the north that made it difficult to see traffic as they exited onto Cloverdale. Increasing the amount of traffic by quite a bit presented Cloverdale as probably the only north-south passageway that subdivision would be able to use. Other avenues needed to be looked at as far as relieving that traffic pressure. He thanked Council.

Mayor Stear asked if the entrance to the golf course was near that hill.

Mr. Holton stated the entrance was further south than Deer Flat. He was between the entrance and the hill. It just made it difficult to see traffic coming up. There wasn't a lot of traffic in the mornings but half the time traffic was going south to north and if that increased by a whole lot that would make getting out kind of hairy.

Council Member Cardoza clarified the hill was north of the entrance.

Mr. Holton confirmed it was north of the golf course. It was by the substation and the canal.

Ford Falkner, 11459 Kuna Road, Kuna, Idaho 83634, stated the project was not in his back yard, it was in his front yard. He was concerned about the power poles as well. They seemed to be fairly permanent so he thought when the extra traffic caused Kuna Road to be widen there, they would have to take it from all the houses on the south side of the road. He thought they should have to take it from their side. He was also concerned about the water. They did have water problems in the Desert View area. There was alpha radiation and they had to drill a new well. It took quite a while to find a depth that was ok for house water. He was rather concerned that if they started pumping more water out of there, they would change that back to bad.

Mayor Stear asked Mr. Bachman if the City had spoken with anyone from Desert View Water Corporation. He heard a couple times now about arsenic issues and alpha radiation.

Mr. Bachman explained when Robbie Ford worked for the City he lived out in that subdivision and he talked with them quite often. Mr. Bachman believed he even tried to help them and made suggestions from a water operator stand point. They had talked to several residents of Desert View and their door was always open to talk to them and help out any way they could.

Mayor Stear was wondering if they could do that on a more regular basis to make sure they were giving any assistance they could. He wasn't sure what they could do to help though.

Mr. Bachman replied absolutely.

Mr. Falkner did not know how that would help once it killed the well again.

Mayor Stear answered that was why the open line of communication was important. Like they said before, they took the water very seriously. He knew Desert View had their own water supply and water tank so he thought it was important to communicate so they could be as helpful as possible and do whatever they could to assist.

Dallas Hulsey, 11985 S Cloverdale Road, Kuna, Idaho 83634, explained over the summer his well did go dry and he had to wait for about a month for a new well to drilled. That cost him about $30,000. That 10-foot drop was pretty significant and not everyone had $30,000 to throw at a new well. Living in a house without water kind of sucked. Traffic on Cloverdale Road increased drastically since he purchased in 2012. There were a lot of semis that transit north to south on Cloverdale. They could hear the air breaks coming down the hill all the time. With the increase in traffic, a light at the entrance to Falcon Crest would greatly help as well as no air break signs or reduced semi traffic. Semis moving at speed with any increase in traffic increased the chance of fatal accidents.

Mayor Stear asked if he noticed that increase when CS Beef Packers opened up.

Mr. Hulsey said absolutely.

Mayor Stear said they could probably bring that up.

Council Member Cardoza asked how deep Mr. Hulsey's well was.

Mr. Hulsey replied 200 feet and they had to drill down to 350 feet.

Bruce Collier, 9545 Kuna Road, Kuna, Idaho 83634, was concerned about water and sewer. He didn't know if there was a sewer system out there. No one was talking about sewage. Also, the 400 feet. Everyone was on acreage out there and 400 feet did not go very far. He was on 10 acres and Desert View was on acreage. One of his biggest concerns was the R-6 and the R-12 didn't fit. Where the subdivision was, was 5 or 6 miles away. Nobody could vote for Council. He said get in the game. He had an issue with that. The people it affected the most had no recourse. They couldn't vote them out or in. He did not like the R-6 and R-12. He knew growth was going to happen but did it have to happen in apartments. There were longhorns on that side of the road and again everything was acreage. If they did the subdivision in acres or half acres, he wouldn't have such a problem. He stood for questions.

Mayor Stear explained the sewer lines would be extended out there so they would be feeding into Kuna's plants. It was in the Development Agreement. One of the main reasons they had a big Development Agreement was because that would be a substantial expense to them.

Patricia Collier – Ms. Collier didn't want to testify.

Tyler Dibble, 1425 Cow Horse Drive, Kuna, Idaho 83634, was concerned about the water. It was nice to hear Mr. Squires' professional opinion. He was the acting president of the Cloverdale Ridge Water Corporation directly across the street. Water was a big concern to them as farmers and homeowners. He asked how long the 2 inch well point study would take; did it take over a year to decide where the water draw down was or did they wait until there was a problem before they decided they needed to fix something. Traffic was a huge concern. He referenced Bill Terry's concern regarding the bridges and power poles. He believed Idaho Power owned that right-of-way. He didn't think they would move those poles. They would take property from the people on Cloverdale. Only 1 entrance concerned people as far as safety issues and traffic. There was also the impact on schools. This was being sold as just a senior development right now but at full build out would impact everything including traffic, schools, and water. Their subdivision had to drill a new well 8 years ago. Their old well was put in in the 60s. Desert View was also having water pressure issues and stuff like that. He asked that there be more of a study on the water before this decision was made.

Mike Apostolou, 5783 E Barrel Horse Drive, Kuna, Idaho 83634, lived back quite a ways from Cloverdale so he did not receive notice. He was notified right before Christmas by some of the other homeowners in the subdivision. As stated before, it was an acreage subdivision. They were very dependent on 2 deep irrigation wells on their properties and they were all a conglomerate called the Cloverdale Ridge Water Corporation. It was a very good presentation on the water but what he heard was the way they find out the impact of the water was to drill the wells. What they would find out was what this subdivision would do to the surrounding ground water once it was in. What he wanted was a guarantee or something; somebody to tell him it wasn't going to impact their water adversely and they could guarantee that and he would be all for this. He didn't have any problem with a development like this. It looked like a very nice development. It was well thought out. The sewage problem was brought up. He noted Mayor Stear had said they would run the sewer line out there. He didn't know how far away the main was from there but it was quite a ways.

Mayor Stear replied about 4 or 5 miles.

Mr. Apostolou said that was a pretty significant cost the developer was undertaking to get this project through. That was good. He was glad a treatment plant wasn't going out there. They got enough odor from the kill plant and the rendering plant south of them when the wind blew. So, sewer wasn't an issue. Traffic was though, and he could see people on Cloverdale being concerned and a little fearful they would lose some of their property. Some of those houses were right on Cloverdale and couldn't afford to lose any more property or they would be driving right in their house. The last issue he had was he put in to split his lots. He had 14 ½ acres and he wanted to do a 6 ½ acre lot split. He went down to City Hall and they told him he couldn't do it; only 10-acre parcels were allowed in his zone. He was right next to 5-

acre parcels. He just wanted to make it 6 ½ and 6 ½. He was told he would need to have a pathway. Some way the development showed that he could have the R-6 or R-12 or whatever it was. He asked where the pathway was for this development that offered the opportunity to have an R-6 or R-12. He didn't see it on the map. He asked how he could get his lot split like they got this development to that stage. He would like to do that himself.

Mayor Stear said they would find the answer to that for him.

Mr. Apostolou replied if he got his lot split that didn't mean he would approve of the project. He reiterated the biggest concern everyone there had was water and he hadn't heard anyone definitively tell them their wells would not be adversely affected by this development.

Richard Boardman, 999 Cow Horse Drive, Kuna, Idaho 83634, followed up on what his neighbor, Mr. Apostolou, said in terms of not knowing about the water situation. When he presented to the Planning & Zoning Commission on November 27th, he and plenty of other people expressed concerns regarding this issue. They heard plenty about it this evening. When you look at the minutes from the Planning & Zoning Commission and what they instructed staff to do with respect to studying the water, it was obvious they wanted water studies, well impact studies, and ground water studies to be done before any development started. What got the commission over the hump for approval to recommend this to City Council was the clause in the Development Agreement that provided for if there was insufficient water in the 2 wells after some study that a water line would be brought out from the City's water system right now. He assumed that would be down Kuna Road. There was a clause in the Development Agreement that was posted on the P&Z's agenda at that time. He quoted what it said. "In the event the City does not secure the necessary water right and well permits to serve the project via new wells, prepare and submit to the City an offsite potable water plan that would connect the subject real property to the City's potable water system via the offsite potable water line." The Development Agreement that was in the packet that was available online, that he printed the day before and studied, mysteriously that provision disappeared. He stressed again that if you look at the minutes and the dialog between the developer, staff, and the P&Z Commission, that was essential to them recommending approval to Council. It was gone. He asked what happened. He was a little suspicious and wondered if somebody in the City said the City water system couldn't handle it and they wouldn't be able to service that many homes. The problem was they didn't have any empirical evidence in front of them about what impact this would have on the water table. Mr. Cook from Cloverdale submitted a little bit of what he would call anecdotal information to them in the letter that was in their packet. He wasn't questioning it. It might be right. He asked for some real studies, not just a dog and pony show about monitoring wells after they were made. That wouldn't do them any good as property owners.

Mayor Stear stated they would look into that. He saw it in the minutes but not the DA.

Barbara Allerton, 775 Cow Horse Drive, Kuna, Idaho 83634, shared a cow horse was a horse that worked cattle. She noted things were getting repetitive. She reiterated the concerns regarding water, traffic, and light pollution. She also did not receive a notification except that John Lawson kept their neighborhood well informed. She guessed she lived to far back to be informed and was out of the country for part of that time. She explained 3 weeks ago she had to start putting in a brand new well; $25,000 later she had water. Her well was at 300 feet and her water level was at 190 feet. She asked, 5 years from now when this was all in, would she have any water and if she didn't, what recourse did she have. Her property would basically become worthless. That was her concern. She wanted some sort of assurance that either before this development started there was a study done that showed it would not dry up their wells or they had some sort of protection that they would not be without water and it was not just their domestic wells, it was their irrigation. If they couldn't irrigate their property it became pretty worthless too.

Rebecca Goodner, 12555 S Cloverdale Road, Kuna, Idaho 83634, said, like a lot of her neighbors already presented, her well went dry in 2016. Her original well was at 272 feet. She now had a well at 350 feet. It took her 6 months to get a well drilling company to come out to be able to pump that. She had stock that she had to hand carry water out to from her house. Her biggest concern was being guaranteed that she would not have drill another well; $30,000 was hard to come by. She reiterated traffic concerns. It was incredible on south Cloverdale and Kuna Road. She lived out there since 1978 and it used to take her 20 minutes to get home. Now it took over an hour. After 5:30 or 6:00 it was at a standstill.

Rex Hiatt, 10699 S Cloverdale Road, Kuna, Idaho 83634, lived at the bottom of the alleged hill. He stated he wouldn't beat the drum on traffic and water and keep everyone there. He just added that he had to pull out on that road right then and they didn't have 2000 more vehicles rolling in and out. He had in laws in a retirement community that traveled more than he did going back and forth to town. It was a big concern and that road already couldn't handle certain traffic patterns. It was definitely something he would appreciate being looked at. As well as his well was an old one. He didn't know exactly how deep it was but he guessed it was right in that 200-foot range. He would like to postpone or alleviate the possibility of having to re-drill that anytime soon.

Mayor Stear asked if there was anyone else who wanted to testify that did not get a chance.

There was none.

Mayor Stear stated there was a lot of information to take in and digest. They also had information that was presented that night as well as the email list they needed to go through. He asked where Council was at with that and how they wanted to proceed.

Public Works Director Bob Bachman stated there was a plan b if they did not get the proper permits or approvals for the wells out there which would be to bring a water line down Kuna Road from their current system. They had plenty of capacity for it. The water line wasn't designed yet but that was the backup plan and he believed it was in section 5.2.1.2 of the DA. He just wanted to be clear that was still the plan and had not been removed.

Council President Buban-Vonder Haar asked Mr. Bachman about the process they would need to go through in order to determine whether it would be feasible for the development to proceed with wells versus plan b so they had a clear idea of what that entailed. She asked what circumstances would lead to them concluding there was insufficient water on site to service that site.

Mr. Bachman deferred to Ed Squires.

Ed Squires explained there were 2 major regulatory submittals that would have to be done; 1 for a Water Right Permit through the Department of Water Resources and the second was for a Municipal Drinking Water System Well Approval through the DEQ. Given the details of well construction that the City of Kuna embraced, which were far above the norm at DEQ, he did not envision any difficulty at all in getting a permit from the DEQ. He thought that permit could be acquired quickly.

Council President Buban-Vonder Haar asked if DEQ looked more at how the well would be constructed or whether there was sufficient water available to service the well.

Mr. Squires responded they looked more at the details of well construction, how the well protected the aquifer and public health, how the ground water pumping would be connected to surface water sources for health reasons, and at the pumping plant design and well house plumbing to make sure they were sanitary. The DEQ, other than the ability of the well to produce the desired amount of water for the public it would serve, really had no say in the sustainability of the aquifer. That was for the Department of Water Resources.

Council President Buban-Vonder Haar asked at what point they got involved.

Mr. Squires replied the Department of Water Resources was the first regulatory agency to get involved because the very first thing that had to happen was the Water Right had to be secured by the City to enable the drilling of the wells and produce the water from the aquifer. As Mr. Bachman already alluded to, the City already had ample Water Rights to serve this and a whole lot more but it still needed to make a filing for each new well it drilled to designate what was know as a point of

diversion, the actual location of the well. The City filed an application for transfer to add the points of diversion at Falcon Crest quite some time ago and that Water Right Transfer was protested by Suez Water Company in Boise. An administrative hearing and a preliminary hearing were held. There were a lot of meetings between the 2 parties and the protest was withdrawn. There were no impediments at that time to adding the points of diversion for Falcon Crest. Regulatorily he did not see any roadblocks to adding the wells and producing the water from either agency.

Mayor Stear asked, if they drilled a well and went to a different water table and went way deeper than what most everybody else was at, would it only draw from that water table or would it take from the water table that was above.

Mr. Squires said what they found about the Kuna aquifers was they were very transmissive or permeable. It did not take a lot of draw down in the aquifer to cause the water to move towards the well. He used the analogy of the cone of depression you get when your bath tub drains to explain how wells draw water. What he tried to show, though probably not very effectively because it was complicated, in his slide was that even in the selfsame aquifer, the same depth, that Kuna was pumping out of for Well #11, just 100 feet away in the monitoring well, constructed for that very purpose, there was only about 10 feet of water level draw down 100 feet away. The shape of the cone of depression was at its steepest at the well and then it got shallower and shallower the further away from the well you got. The shapes of these cones of depressions could be definitively known and measured using standard aquifer testing practices. Those were the longer-term tests he was referring to. A gentleman earlier referred to a 48-hour test or a 2-week test was great but this was forever. He thought those were some good points. The residents were right to be concerned about their water but as a general matter most people didn't understand how ground water hydraulics worked. On that point, when a well was pumped for 2 weeks, the cone of depression grew the fastest in just a few minutes and after a few hours it didn't grow very fast after that because as it got bigger and bigger it had more water coming into so it didn't grow very much so the amount the cone of depression grew after 24 hours of pumping was minuscule compared to the amount it grew in the first 24 hours of pumping. What they tended to see was these cones of depression tended to stabilize after a certain amount of time and you couldn't really measure additional draw down in the aquifer.

Mayor Stear said when he thought about the cone of depression the bathtub gets empty. He thought that was where there was confusion. That was where they needed relief, that the bathtub wouldn't get empty.

Mr. Squires explained in the bath tub analogy the recharge was the tap. You don't want the withdrawal from the tub to exceed what was going into it. What they had seen over the years in the Kuna area was the aquifer was very robustly recharged. For example, the Falcon Crest irrigation well returning back to 255 feet every year since the 60s even though there had been decades of irrigation water removal then turning to golf course water removal in addition to all these other wells that had

come into play since that time. Another person expressed concern over the 2 million gallons a day 1,500 gallons a minute proposed. He did not know exactly what those numbers were for this development, whether that was a peak day or full on pumping. Assuming that was full on pumping he would say, even though those numbers may sound scary, that was a very small municipal supply well; certainly not a large municipal supply well. Most municipal supply wells that he worked on for valley cities had a target of 2,250 gallons per minute because those were the typical fire flows those wells needed to produce. They rarely produced at that year-round because there was a lot more use in the summer than there was in the winter. The water levels in the Kuna area tended to increase in the summer months and decline in the winter months because of the recharge situation. He pointed out they heard about wells going dry but he submitted that very few wells go dry. He had never known a well that went dry except maybe 1 out around Micron. It seemed like they went dry and it was a reasonable assumption if you own a well and you turn on the pump and hear air coming out but, what really happens is the well was not productive enough to allow the water to flow in that was being pumped out so it draws the water level down to the pump and breaks suction. If you stop pumping the water level may return right back up to where it was. It was just a well construction and efficiency issue usually. Wells, contrary to what everyone seemed to believe, in his opinion, needed to be worked on too. They could become plugged or encrusted or get iron bacteria. There were a lot of reasons wells became less productive and caused their own draw down. He explained how that related to why domestic wells weren't good monitoring wells.

Council President Buban-Vonder Haar asked if the cone of depressions' size was the same universally or if it depended on the aquifer it pulled from.

Mr. Squires replied it was very dependent on the nature of the aquifer and explained some of the different effects different aquifers could have on the cone of depression.

Council President Buban-Vonder Haar asked if any new wells drilled at Falcon Crest would pull from the same aquifer as the wells Kuna currently utilized.

Mr. Squires responded the Kuna area aquifers were very near the top edge of the basin which was where the ancient rivers ran in. That was why there was so much course material at the top of the basin and there wasn't much clay. They were very leaky aquifers which meant water could move vertically versus just horizontally. He reviewed information from a slide in his presentation. Since the Kuna aquifers were so permeable and so productive and because the cones of depression were so shallow there was not a lot of impotence for those pressures to move vertically and affect the overlying layers because it could draw the water so effectively side to side. You could characterize the Kuna aquifer system as an aquifer system but there were sub-aquifers within that, distinctive sand layers, and they were separated just even by their layering which made it harder for water to move vertically than horizontally.

Council President Buban-Vonder Haar was wondering, since they were drawing from the same water source, if they could extrapolate any information from the cones of depression in current Kuna wells that could be applied to the proposed Falcon Crest wells so they could provide some assurances or as close as they could get to assurances so the folks could have a clearer idea of what kind of draw down to expect.

Mr. Squires answered every well that was pumped induced a cone of depression. If wells were close enough to each other they would have interference effects. Based on what they knew from their other testing in the Kuna area they could say the aquifers were very productive, permeable, and were characterized by very low draw downs and the cones of depression were wide but very shallow. When the Falcon Crest monitoring well and subsequent supply well was installed and pumped for the test, they would know exactly what the shape of the cone was and that would be before the well was brought online and put into service. He suggested that if 10 feet of draw down in a well caused problems then that well had serious problems to begin with. It was not an unreasonable amount of interference effects to be realized. It was a lot about well construction and a lot of the well construction in the valley was poor. He discussed the amount of space most wells had for dry out and what the City of Kuna did in response to poor well construction.

Council Member Cardoza asked if a municipal well had to be dug deeper than a private well.

Mr. Squires replied they did not and used the Kuna #3 Butler well as an example. He also explained when there would be a depth requirement.

Council Member Cardoza clarified the Idaho Resources did not put an emphasis on depth to any of the City.

Mr. Squires replied not in Kuna but the Water Resources placed a regulatory limit of 200 feet in much of Boise. He explained why Boise had that restriction.

City Clerk Chris Engels asked Mr. Squire to state his name on the record.

Ed Squires, Hydro Logic Incorporated, 102 S 17th Street, Boise, Idaho 83702.

Mayor Stear thanked Mr. Squires. He asked how Council wanted to proceed.

Council was ready for the rebuttal.

Neutral: None

Rebuttal: None

Mr. Tate did not have a lot more to say about water but he reiterated the water backup plan and where the clause that someone testified was missing was located in DA, section 5.2.1.2. He read it into the record. "In the event the City does not secure the necessary water rights and well permits to serve the project via new wells, prepare and submit to the City an offsite potable water plan that would connect the subject real property to the City's potable water system via the offsite potable water line." He appreciated the comments about the Kuna aquifer. He learned a lot and even took some notes. He noted Mr. Squires did not say he knew what the effect would be on everybody's homes but he did characterize it as a productive aquifer that was well suited for municipal development.

Mr. Tate guaranteed there hadn't been another project that had come forward where they talked so specifically about wells even though the City had many wells around the city limits and there were many rural subdivisions throughout Kuna developed in the County prior to those wells. He hoped that was some sort of assurance to the Council that moving forward right then made a lot of sense. He reviewed some of the other testimony given and pointed out building permits for ACHD were around $3,000 dollars per door and those impact fees went to pay for arterial roads such as Cloverdale. He reviewed ACHD's plan and highlighted plans for Cloverdale Road, including the improvements they were required to make. He also noted powerlines did get moved and that was certainly a possibility. In regards to the concern about 1 point of access, there were actually 2 points of access; the current golf course access and a gated access point across from Reining Horse.

Mr. Tate reviewed how long the project would take and that the traffic impacts would be gradual just like the road improvements that would continue to be built over time. He had no rebuttal to the comment about the inability to vote Council out. He explained, concerning the issues over density, the cap was 2.25 units per acre in this project and the reasons for the R-6 and R-12 density. He reviewed why the project was not actually dense and he hoped people understood it was a quality project. He noted a comment made at the Planning & Zoning meeting was this project didn't fit with the neighborhood because it was too nice. He took that as a complement because they were really going to do a nice, quality project if Council chose to move it forward which he requested they did. He stood for questions.

Council Member McPherson asked roughly how long it would take for construction of the sewer line to hook this up.

Mr. Tate replied they would be looking to start construction in spring and it would take approximately 4 – 6 months start to finish. They had started some preliminary designs on it. Sewer profiles reported a big portion of the way they found rock. They understood it was a 4-mile sewer line and a big commitment. They were paying for it upfront and the tax payers wouldn't have to pay for it. He added the project was not limited to the active adult community. It was a big part of it and what they were starting with but they planned to have non-age restricted as well.

City Attorney Bill Gigray clarified the Development Agreement that was last approved by him with city staff that was on the project and the attorney representing the Developer, JoAnn Butler, was dated December 21, 2018 and it had a provision in it that was not in any other version. It was section 14.1.7. He could provide his copy to the clerk if they needed to in order to establish what the last draft was that was approved by the city's staff and JoAnn Butler. He received an email from Ms. Butler saying she approved the draft. The provision was regarding a prevailing party in a litigation.

Council Member Cardoza confirmed the Development Agreement dated November 20, 2018 in his agenda was outdated.

Mr. Gigray explained why there was a new draft and some of the main points that were changed from the draft in Council's agenda.

Mr. Tate confirmed he had a copy of the final draft.

Council Member Cardoza stated the Council was to make a decision on a Development Agreement that was not current in their agenda.

Mr. Gigray said Council had the right to continue the hearing, if they wished, for a time certain which would need to be announced and that they receive the last draft. Then they could review it and continue the hearing for any questions from the developer and owner as well as affected property owners regarding the agreement as well as any issues associated with any of the emails produced at this meeting. They could limit it to those items and it would give them time to review them. He reiterated what issues the changes centered around.

Mr. Tate added the sections that were time consuming with staff, sewer, water, parks, open space, were done before Planning & Zoning and were in his opinion the meat of the Development Agreement. He was happy to read those paragraphs because they were 2 paragraphs that weren't different from Council's version. As far as development requirements, what Council had was the latest draft.

Mr. Gigray stated the staff and the developer were patient in this project. They all worked very hard to come up with a process and a form of a development agreement they believed would be in the interest of the City as they moved forward. If they ever got any other large developments, they had a format and process that they believed protected the interest of the public and the City as well as being fair to developers. They felt this particular project presented that opportunity to staff because it was so pervasive of all of the issues they dealt with through the type of services the City provided.

Council President Buban-Vonder Haar asked Public Works Director Bob Bachman if there was a reason they couldn't do the test drilling before this approval occurred.

Mr. Bachman explained the biggest issue with that would be spending tax payer dollars outside of city limits. The quarter quarter sections where the well was proposed to go were part of this approval. They couldn't spend City funds on a property not in the city to put a permanent facility in until it was annexed in.

Council President Buban-Vonder Haar asked if the test well became the final well.

Mr. Bachman replied if everything went right with the test well it would become the permanent well.

Council President Buban-Vonder Haar asked why drilling the test well wouldn't be the responsibility of the developer and why couldn't they drill a test well ahead of time to provide assurances that it would work out.

Mr. Bachman stated the City of Kuna had very high standards and would own that facility when it was done. They wanted it built to the City's standards. That was why the City maintained ownership of all the wells they did and always took the lead and responsibility of drilling them.

Council President Buban-Vonder Haar clarified the way the City wanted it done was more expensive than what a private individual might do.

Mr. Tate added there were private water systems out there and they end up be disparate water systems. Typically, cities didn't want to see developers going out and drilling wells because they would keep them. He explained what would happen if they had to drill the well before hand.

Council discussed how to proceed and decided to continue the public hearing for additional testimony regarding the emails submitted that evening and the last draft of the Development Agreement.

Council President Buban-Vonder Haar moved to continue the public hearing to the next Council Meeting on Tuesday, January 15, 2019 at which time they would accept testimony regarding the final draft of the Development Agreement and the additional emails entered into evidence that evening and at which time Council would also proceed to deliberation and make a decision on 18-03-AN (Annexation), 18-01-CPM (Comp Map Change), 18-04-ZC (rezone), 18-02-PUD (Planned Unit Develop), 18-04-S (Preliminary Plat) and DA (Development Agreement) for Falcon Crest Subdivision. Seconded by Council Member McPherson. Motion carried 4-0.

7. Business Items:

None

8. Ordinances:

A. Consideration to approve Ordinance No. 2019-01 ACTION ITEM
(Timestamp 03:04:11)

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL AND THE CITY OF KUNA, IDAHO;

• MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
• ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NOS. S1419223000 AND S1418346600 OWNED BY SELECT DEVELOPMENT & CONTRACTING LLC SITUATED WITHIN THE UNICORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
• RESPECTIVELY ESTABLISHING R-6 AND R-4 ZONING DISTRICT CLASSIFICATION OF SAID REAL PROPERTIES; AND
• AMENDING THE OFFICIAL ZONING MAP; AND
• DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
• PROVIDING AN EFFECTIVE DATE.

Council President Buban-Vonder Haar had a minor edit for page 2, paragraph 6; the words "of R-4" should be deleted. She noted it did say in the ordinance itself this was effecting decisions they made back in November and December.

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-01. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-01. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried 4-0.

B. Consideration to approve Ordinance No. 2019-02 ACTION ITEM
(Timestamp 03:07:50)

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING ALL OF PARCEL S1324142215 OWNED BY LESLEY PROPERTIES LLC., AND REFERRED TO AS ENSIGN SUBDVISION NO. 2, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; THUS, CHANGING THE BOUNDARY OF THE KUNA MUNICIPAL

IRRIGATION DISTRICT; 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 President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-02. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved approve Ordinance No. 2019-02. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried 4-0.

9. Mayor/Council Announcements:

(Timestamp 03:09:26)

Mayor Stear stated it was a little bit odd that evening and thanked Council for their ability to get that figured out right away.

Council Member Cardoza thanked the City for the Christmas decorations at the park and up and down the streets. They put out a lot of effort that year.

Planning & Zoning Director Wendy Howell noted the new Comprehensive Plan was going out for public comment that week.

Mayor Stear added they were getting really close on that.

City Clerk Chris Engels mentioned Council Member Cardoza would be out for approximately the next 6 weeks.

City Attorney Bill Gigray stated Council Member Cardoza did have the opportunity to participate in the meetings via phone.

10. Executive Session:

None

11. Adjournment: 9:12 P.M.

CITY OF KUNA
751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

January 2, 2019 – Council, Public Hearing

Case Name: Kuna CTE High School – Kuna School District

Case Type: Applicant requests rezone approval for an approximately 60 acre parcel, from AG (Agriculture) to P (Public), in order to place a new (approx.) 260,000 square foot (SF) Career Technical Education (CTE) High School for Kuna School District No. 3 (KSD). Applicant proposes to phase the project and begin with 500-600 students and a 72,000 SF building on the north portion of the property, and ultimately, expand the building, other site improvements and student count (up to 1,600) as the need arises. This site is located at the northeast corner (NEC) of Linder and Columbia Roads.

Case No's: **18-03-ZC (Rezone)**.

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission/Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
(APPLICANT) ☒ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
WAYNE THOWLESS	Print Name	Print Name
Print Name	Print Address	Print Address
2400 E. RIVERWALK DR.	City State, Zip	City State, Zip
Print Address	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
BOISE ID. 83706	Print Name	Print Name
City State, Zip	Print Address	Print Address
☐ Testify ☐ Not Testify	City State, Zip	City State, Zip
Print Name	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Address	Print Name	Print Name
City State, Zip	Print Address	Print Address
☐ Testify ☐ Not Testify	City State, Zip	City State, Zip
Print Name	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
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Print Name		
Print Address		
City State, Zip		

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SIGN-UP SHEET

January 2, 2019 – Council, Public Hearing

Case Name: Falcon Crest Master Planned Community: Request by Mark Tate, M3 Companies

Case Type: Applicant requests to Annex approximately 996 acres into Kuna City limits, Change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, a Planned Unit Development (PUD) for approx. 1,028 acres, to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and one private road. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho.

Case No's: **18-03-AN, 18-01-CPM, 18-04-S, 18-02-ZC, 18-02-PUD, D.A. – Annexation, Comp. Plan Map Change, Preliminary Plat, Rezone, Planned Unit Develop & Develop Agreement.**

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission/Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☒ Testify ☐ Not Testify
Print Name	Print Name	✓ BILL TERRY Print Name
Print Address	Print Address	6169 RUNNING HORSE DR Print Address
City State, Zip	City State, Zip	KUNA ID 83634 City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☒ Testify ☐ Not Testify
Print Name	Print Name	✓ Cindy Gilsen Print Name
Print Address	Print Address	1363 S. Ash Ave Print Address
City State, Zip	City State, Zip	Kuna, ID 83634 City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
Print Name	Print Name	✓ BRAD ROSANBALM Print Name
Print Address	Print Address	1091 COW HORSE Print Address
City State, Zip	City State, Zip	KUNA ID 83634 City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	✓ ☒ Testify ☐ Not Testify
Print Name	Print Name	JOHN LAWSON Print Name
Print Address	Print Address	1357 COW HORSE DR Print Address
City State, Zip	City State, Zip	KUNA City State, Zip

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☑ Testify ☐ Not Testify
Print Name	Print Name	Quincy Holton
Print Address	Print Address	6000 E. Deer Flat Rd
City State, Zip	City State, Zip	Kuna ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
Print Name	Print Name	Jay Dobbel
Print Address	Print Address	477 Cow Horse Dr
City State, Zip	City State, Zip	Kuna ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☑ Testify ☐ Not Testify
Print Name	Print Name	Ford Falkner
Print Address	Print Address	11459 Kuna Rd
City State, Zip	City State, Zip	Kuna ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☑ Testify ☐ Not Testify
Print Name	Print Name	DALLAS HULSEY
Print Address	Print Address	11985 S. CLOVERDALE RD
City State, Zip	City State, Zip	KUNA ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☒ Testify ☐ Not Testify
Print Name	Print Name	Bruce Collier
Print Address	Print Address	9545 Kuna Road
City State, Zip	City State, Zip	Kuna Id. 83634

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
Print Name	Print Name	Patrea Collier
Print Address	Print Address	9595 Kuna Rd
City State, Zip	City State, Zip	Kuna Id 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☑ Testify ☐ Not Testify
Print Name	Print Name	Tyler Dibble
Print Address	Print Address	1425 Cow Horse Dr
City State, Zip	City State, Zip	Kuna ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☑ Testify ☐ Not Testify
Print Name	Print Name	Mike Apostolou
Print Address	Print Address	5783 E. Barrel Horse
City State, Zip	City State, Zip	Kuna ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☑ Not Testify
Print Name	Print Name	Tina Apostolou
Print Address	Print Address	5783 E. Barrel Horse
City State, Zip	City State, Zip	Kuna ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☑ Testify ☐ Not Testify
Print Name	Print Name	Richard Boardman
Print Address	Print Address	999 Cow Horse Dr
City State, Zip	City State, Zip	Kuna 83634

opposition

IN FAVOR	NEUTRAL	IN OPPOSITION
☑ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Barbara Allerton		
Print Name	Print Name	Print Name
775 Cow Horse Dr		
Print Address	Print Address	Print Address
Kuna ID 83634		
City State, Zip	City State, Zip	City State, Zip
☒ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Rebecca Goodin		
Print Name	Print Name	Print Name
12555 S Cloverdale		
Print Address	Print Address	Print Address
Kuna ID 83634		
City State, Zip	City State, Zip	City State, Zip
☒ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Ken Hiatt		
Print Name	Print Name	Print Name
10699 S Cloverdale		
Print Address	Print Address	Print Address
Kuna 83634		
City State, Zip	City State, Zip	City State, Zip
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City State, Zip	City State, Zip	City State, Zip

Introductory statement by Mayor: Even though the City has informed the public in our communications to not communicate directly with the Mayor or City Council on this matter, I have received communications regarding the pending Applications which are the subject of this hearing which I have forwarded to the Planning and Zoning Staff which they will submit in addition to their staff report to be part of the record of these proceedings.

- For purposes of transparency and fairness for this hearing, I have asked the City Attorney to prepare a Disclosure Statement Format for the Council Members and Mayor to go through at the beginning of this hearing.

- For purposes of the record, I will introduce the Disclosure Statement Format into the record, which is being provided to each Council Member for their disclosures on the record will recognize the Council one at a time then myself to each, following the Disclosure Statement Format, make their disclosures on the record.

Following the Disclosures the Mayor Announces: If either the Applicant or an affected property wish to make a challenge [to the ability of any Council Member or the Mayor to preside over this Hearing, based upon bias or conflict of interest] the challenge must be stated now.

If a Challenge is made by the Applicant or an affected property owner: they must identify on the record who is making the challenge, and state the basis for their challenge.

If a Challenge is stated:

- Mayor then recognizes the challenged Council Member or Mayor, as the case may be, for their response to either recuse themselves or affirm their ability to be fair and impartial.

- If there is challenge based upon a conflict of interest the Council Member or Mayor should request an opinion of the City Attorney.

Hearing then continues with the Staff Report.

CITY COUNCIL MEMBER AND MAYOR DISCLOSURE STATEMENTS
QUASI-JUDICIAL PLANNING AND ZONING HEARING

Council Member and Mayor Disclosures at the beginning of the hearing:

- Knowledge of the Applications' sites
- Personal investigation conducted regarding Applications
- Communications received regarding Applications:
  - ✓ *Letters:* received and read *or* received and not read /forwarded or not to staff
  - ✓ *E-mail:* received and read *or* received and not read/forwarded or not to staff
  - ✓ *Social Media:* received and read *or* received and not read/forwarded or not to staff
  - ✓ *Personal conversations*: face-to-face *or* via phone

- Personal or immediate family member's legal interest in real property which is the subject of the Applications or within the affected area of the Applications.

- Personal or immediate family member's legal or business interests with any of the Applicants

Council Member and Mayor will, after the above disclosures, make <u>one</u> of the following statements:

- **Fair and Impartial Statement:** Irrespective of the information I have acknowledged, regarding these Applications, I remain fair and impartial and my deliberations and determinations will be based only upon the evidence produced at this hearing.

  - ✓ That any knowledge of the Application's sites will only be used for my understand of the evidence presented at the hearing; and

  - ✓ That any communications I have acknowledge will not be considered by me, unless those communications are presented at the hearing.

- **Recusal Statement Based Upon Information Received:** Based upon the information I have acknowledged regarding these Applications, I cannot at this time say that I will be able to limit my deliberations and determinations to the evidence produced at this hearing. Therefore, I recuse myself from any discussion and from taking part in any action in this matter and I will step down from my council seat for all agenda items involving this matter.

- **Recusal Statement Based Upon Potential Conflict of Interest:** Based upon the interests I have acknowledged regarding these Applications, due to a potential for a conflict of interest, I therefore recuse myself from any discussion and from taking part in any action in this matter and I will step down from my council seat for all agenda items involving this matter.

751 West 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
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CITY OF KUNA

PLANNING & ZONING DEPARTMENT

January 2, 2019

Noticing Procedure Followed:

In **spring of 2018** - Prior to submittal the applicant was told this application would take longer than normal to process and get before the Commission – Normal is 7-10 weeks.

May 9, 2018 – Neighborhood meeting held at the golf course – 46 home owners ppl attended.

May 30, 2018 – Application submitted for staff review.

July 13, 2018 – Application sent out for Agency Review and Comment.

September 12, AND 19, 2018 – Published in the Official Paper of Kuna, the KMN. Two times. Only one is required.

September 29, 2018 – Site posted with three signs for Oct. 9th Commission hearing.

October 1, 2018 – Letters sent out to land owners within 450 feet, exceeding 300' minimum.

October 9, 2018 – At the Commission meeting, the application was tabled until Oct. 23, 2018. Four sheets were in lobby to gather addresses for those interested in receiving letters who live outside the 450'.

October 18, 2018 –Courtesy letters sent out to land owners within 450 feet, notifying them the hearing will not take place on Oct. 23 2018, but will be heard Nov 27, 2018.

November 27, 2018 – At the Commission meeting the Public was informed that this was a recommendation to Council and would be sent to Council for a final decision.

December 12 AND 19, 2018 - Published in the Official Paper of Kuna, the KMN. Two times. Only one is required.

December 18, 2018 - Site Posted with three signs for 1.2.2019 Council hearing.

December 21, 2018 - Letters sent out to land owners within 450 feet, exceeding 300' minimum, including all who requested to be added to the mailing list.

December 24, 2018 – Email sent to citizens who wanted notice even though they live outside the required notice boundary.

Troy Behunin
Planner III
Kuna Planning and Zoning Department

Cc: Wendy Howell, Director of Planning Services

Greetings Mayor and Council Members, 1/2/19

In general, I am not opposed to this Falcon Crest Development of 1028 acre of mixed uses, since... 1) it is not directly in my back yard and 2) because I feel that the development will add value to Kuna, if it is carefully and wisely planned.

However, **I am opposed to the many Kuna Code 'Exceptions' that the applicant is requesting in Exhibit F** (packet p336). They request 'exceptions' in the use of Residential land; reductions in property setbacks; modifications to urban development standards; changes in sign regulations, road widths, landscaping and lighting - just to name a few areas. To me, an exception in one area, leads to a justification for another developer in the future, and the protections provided by our zones and codes, to the citizens of Kuna, are lost.

A great deal of thought and effort went into our existing codes, so **I request that you carefully evaluate each item in Exhibit F**. Possibly our zoning or codes should be formally changed, rather than allowing these 'exceptions'. Exceptions to zoning and codes are far too important to just gloss over and approve as a package. The community is often angered and impacted by the unexpected 'surprises' that come with these exceptions.

In particular, and as an example, I would like to address T: Street Lighting on page 346, of the hearing packet. The applicant is requesting that you increase the maximum distance between street lights from 250 ft to 400 ft.

The further you separate lights, if public safety is considered, the taller the poles must be, the light distribution becomes wider, the illuminating device is larger and intensity is brighter. This is contrary to the 'dark skies' reference also mentioned in that same code. This exception will likely result in reduced public safety or, greater light trespassing and pollution for the city, surrounding homes and neighborhoods. More light pollution harms our region, the people, the wildlife and our dark skies.

Attention to developing a updated, official, Street lighting code for all, would better provide a well planned 'dark sky' lighting strategy and consistency. When lighting, different areas, with different purposes, require different solutions and for this code, only maximum distance is clearly addressed.

Our code books do not clearly defined what the basic generic 'dark sky' lighting practices and requirements are, so little attention seems to be given to the applications and plats that Kuna receives. As our code books stand, I feel the term 'dark sky' is left open to broad interpretation.

Exhibit G7

Therefore, I not only opposed to Exhibit F. **but I request that a great deal of attention is given to 'dark sky' light and lighting, concerning all applications associated with this annexation and development of the 1028 acres involved.**

Applicants can only plan well, if the City of Kuna codes are explicit. Therefore, in this single example of lighting, **I recommend that the city leaders create a general 'Kuna Dark Sky Ordinance'**, which can be referred to in our code books, while updating and adding light related codes.

Effective dark sky efforts have been incorporated in many cities, so there are excellent resources to help reduce light pollution and solidify our dark sky efforts. I am not an expert in this area, but I'm willing to help.

Please consider my requests tonight, along with a letter I am submitting, dated 12/30/18, which includes links and more details concerning a Kuna Dark Sky Ordinance and how the ordinance can be applied to this development.

I thank you for your time and consideration concerning these requests.

Sincerely,

Cindy Giesen 1363 S. Ash Ave, Kuna ID 83634 contact: cmthewiz@yahoo.com

Dear Mayor Stear, Kuna City Council Members and P&Z Commission Members, 12/30/18

In regards to your upcoming Public Hearings, on Jan.2, 2019 concerning the agenda item B .....

As the City of Kuna annexes properties and considers more development near and in the city limits, I am concerned with light pollution and request that we protect our 'Dark-Skies' to the best of our ability. I am aware that Kuna does consider dark skies in some light/lighting related codes, but I cannot find one general chapter or ordinance in the code books that specifically explain or addresses the need for Dark Skies or Dark Sky codes and which consolidates dark sky requirements for most zones and developments. Prior to approving more annexing and rezone, I feel that we need to address this, before we wash out the dark skies with bad lighting.

Presently, at the Kuna City Council meeting on January 2, 2019 you will be considering the annexing, zoning and development of 1023 acres of potential mixed use. This will be a huge impact to our region and together, with public and developer's input, we can make this impact mostly positive. I hope you will consider my comments concerning this one area of impact - dark skies, and consider what we can do in our city planning efforts to better protect the sky. Starting now.

MY REQUESTS

I request that KUNA city leaders and managers...

1) consider, help create and adopt an official 'KUNA DARK SKY ORDINANCE' (KDSO), and

2) that these annexation, rezoning, planned unit develop, preliminary plat and development agreement noted in Public Hearing Item B. of the January 2, 2019 KCC Agenda, include a 'contingency', 'condition' or 'requirement' for approval as follows... *(a Revision 1 suggested wording, yours would be more professional)*

Approval is contingent on adherence to the upcoming creation of the "KUNA DARK SKY ORDINANCE" (KDSO) and on satisfying all existing, added and revised City, Planning, Zoning, and Building codes related to dark sky, lighting and light. If there are dark sky concerns and solutions that support the KDSO, but have not been formally incorporated into the department code books, it is recommended that the applicant and approving department consider adopting that dark sky effort and to submit a code recommendation to further support the KDSO. Lighting with Dark Sky protection details will be considered at each stage of the applicant's development and building process. Lighting plans for buildings, home exteriors, streets, trails, sidewalks, parking, recreation, parks, green space and other infrastructure required for this application, shall be clearly defined in readable documentation during each step of the development and building process, and shall be made available at least a week in advance of public hearings.

3) that all future applications presented to the City of Kuna have the above, or a similar contingency or requirement statement, until the 'KUNA DARK SKY ORDINANCE' is in place and while associated codes are being updated, added and revised to support it.

As a result of the creation of a 'KUNA DARK SKY ORDINANCE', over time more specific details would be added to the city codes, zoning codes and building codes to support the ordinance. If we work together, especially with this huge rezone and development, they can help us define codes that will work for all parties. The resulting code details and revisions will assist our decision makers, as well as future

developers and builders. Our dark skies will be preserved and our citizens will be safer and happier. Our improved light codes should have a minimal financial impact on developers, while making their development safer, more beautiful, considerate and better planned. I predict with this effort, Kuna will be known as an attractive, 'dark sky', caring community, which will attract positive attention and growth. Because of it, light pollution will be avoided and reduced, while still providing fairly dark skies for the enjoyment of our people, our environment, the wildlife and the protected regions around us (Birds of Prey National Conservation, Snake River areas etc..).

Although I am not an expert in this dark sky area, I do like to research and will help to the best of my ability. To start with, here is an example of Ketchum's excellent Dark Sky Ordinance (updated 2017) which I believe is a great starting point for Kuna. (Document included with my letter, but accessible at this link...) www.ketchumidaho.org/documentcenter/view/3327 go to Title 17 Chapter 17.132 Dark Skies starting page 166, of the linked PDF

At the end of my letter, I've included it a few more links to helpful *RESOURCES* and code examples (ADA county) concerning lighting and dark skies. As well, as a link to how one huge community of mixed uses, like the one coming to us, that seemed to be nicely planned in unincorporated ADA County (Hidden Springs).

The following OBSERVATIONS are what drives me to focus on this Dark Sky issue for Kuna . Personally, I do not want to repeat my past mistake of sitting on the sideline, while the dark skies in the region I lived were being flooded by light with every street, house, business or recreational area that was approved.

OBSERVATIONS : MY KUNA CITY OBSERVATIONS TO DATE

I have investigated Kuna city codes, building codes, planning and development documents, and many public hearing outcomes. I see there is an effort to protect our skies by using a few key words, sometimes a small bulleted section and sentences in the Kuna related ordinances and codes, but many are, in my opinion, minimal, vague and easily missed as they are scattered throughout the various departments (planning, building, city) code sections. A general Dark Sky / Lighting Chapter that includes the KDSO might remedy this.

My research found (and know I didn't research every meeting or development just a sample) **...**

a) applicants say they are/will be adhering to lighting codes because they will use LED lighting (which mostly refers to economy) or a specific 'box' light, but there are many choices for different purposes.
b) The applicants often state that they will abide by a specific city code light section 6-4-2:N, which incorrectly addresses Pathways, not Lighting (which is section 6-4-2:T). So how could they abide?
c) The development plans rarely have lighting details in place before they come to public hearings, which is a requirement. As plans are presented for committee approval, the lack of lighting is missed or becomes a quick conditional mention that lighting should be address in the future. Is there followup?
d) Residents in subdivisions complain of not having enough sidewalk lighting, so they put in their own exceedingly bright solutions, whereas this lighting can be better addressed during the development stage, with underground wiring, motion sensors, smart units and lower profiles.
e) As you go around the city you can find several violations of the Sign lighting requirement codes and our commercial areas are being flooded with unnecessary, bright and flashing neon lights. Stop it.
f) Lighting (if provided) in the recreational common areas of subdivisions, on school fields and in public areas do not seem to be well addressed concerning dark sky efforts.

Because of these issues, because of our rapid growth , huge city meeting packets every week and what must be an overwhelming city work load, I feel there is great cause for concern. I believe that the best solution for protection against light pollution is to create a 'KUNA DARK SKY ORDINANCE'. This will give us a foundation for code improvements and enforcement, as we development our communities and protect our safety, lifestyle, sky, land, water, and wild life. We can't control what has happened, but we can prevent what might occur, if we plan well and take action now, as we grow.

Please consider my requests and if you find reasons not to, please postpone your applicant approvals until you can agree on steps to protect our dark sky and to avoid the detrimental damage that will occur if we do not increase our efforts.

Thank you for your consideration and time,

Cindy Giesen 1363 S. Ash Avenue Kuna, ID cmthewiz@yahoo.com

RESOURSES: OTHER HELPFUL RESOURCES AND EXAMPLES CONCERNING LIGHT and DARK SKIES

* **Unincorporated ADA County Zoning Title 8 has some good lighting and planning verbiage** (but once we annex, I don't how if any of this is/can be applied to the city)...

Chapter 4: REGULATIONS APPLYING TO ALL DISTRICTS 8-4H-2 ARTICAL H: LIGHTING STANDARDS
http://sterlingcodifiers.com/codebook/index.php?book_id=447&chapter_id=19319

And for lighting, as well as overall planning ideas, for the 1023 mixed use acres Kuna is now considering, this ADA County Article A seems to be a great planning example/resource....

Chapter 21: PLANNED COMMUNITY SUBAREA DEVELOPMENT REGULATIONS
ARTICLE A: HIDDEN SPRINGS PLANNED COMMUNITY ZONING ORDINANCE
http://sterlingcodifiers.com/codebook/index.php?book_id=447&chapter_id=19353

Ketchum's excellent Dark Sky Ordinance (updated 2017) which I believe is a great starting point for Kuna. www.ketchumidaho.org/documentcenter/view/3327

* **The most respected and well known resource for helping our skies ..**

The International Dark-Sky Association at www.darksky.org is a great resource. They have actually recognize Idahoan Stephen Pauley for a formula he developed on light pole height in 1999. And our cities Hailey and Ketchum, ID are recognized for their Dark-Sky city planning efforts.

CITY OF KUNA

PLANNING & ZONING DEPARTMENT

751 West 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
Fax: 208-922-5989
www.kunacity.id.gov

January 2, 2019

RE: Citizen Letters:

The following packet of emails and letters are communications the Planning and Zoning Department have either received, or have been forwarded from December 2, 2018 through January 2, 2019.

There are a total of 50 pages in the attachment, including this sheet.

Respectfully,

Troy Behunin
Planner III
Kuna Planning and Zoning Department

Cc: Wendy Howell, Director of Planning Services

Exhibit G8

Statement Concerning the Annexation of the Planned Unit Development of the Falcon Crest Subdivision, Kuna Idaho

November 27, 2018

My name is John Lawson, I am a resident and land owner in Ada County in an area within less than a quarter mile from the SW boundary of the planned subdivision. I am also a board member of the Cloverdale Ridge Water Corporation an independent irrigation district that provides irrigation water to my small farm.

Concern: There are over 50 homes and farms within a half mile of the proposed site. All the homes have independent wells and the irrigation district provides water through two wells. These wells pump enough water to supply over 250 acres of irrigated pastureland during a period of seven months of the year. We as homeowners and shareholders in this irrigation district would like to address:

1) There has not a comprehensive environmental analysis to determine the impacts from the planned subdivision.
2) There are 50+ household drinking water wells that may be affected by this planned expansion.
3) The Cloverdale Ridge subdivision landowners have water rights that are senior to those of the Falcon Crest Subdivision or Golf Course; however, we as landowners do not feel that our water rights have been appropriately evaluated by the Idaho Department of Water Resources.
4) There is not an apparent evaluation of the impact of this proposed subdivision on regional groundwater quality or quantity. Especially if the quality of the groundwater is impacted by a changing water table level or the introduction of contaminants to the groundwater that are so common to concentrated impact areas (sewage, hazardous materials spills, salts and minerals from a changing water table).
5) We feel that a complete study of the wells in our subdivision is necessary to predict changing levels of water, especially if we consider diminishing water levels anticipated from climate change. While it is clear that we have senior rights we understand that once a well has dried up it will be an expensive litigation to resolve water replacement strategies. This type of a study will be part and parcel to a complete environmental analysis of the proposed impacts.
6) The residents have also expressed that we are quite concerned about changes in the water quality in our wells and the wells for the Cloverdale Ridge Water Corporation.
7) The Cloverdale Ridge Water Corporation has 2 large bore wells that have a replacement value of nearly $200,000 provided adequate water could be developed. We in the subdivision are very concerned that the City of Kuna has not taken the appropriate steps to assure the irrigation corporation that the volume of water needed to maintain the 250+ acres of irrigated land will be maintained in perpetuity for our land in which we have senior water rights.
8) The Water Corporation has a well that is about 700 ft deep and within 400 ft from the proposed subdivision. We have experience that the well is on the edge of a geothermal zone which means the water is warm (over 70 degrees F) and is heavily impacted by salts such as variable pH, sulfates and sulfides, sodium and bicarbonates such that the water must be treated extensively to be suited for drinking. It is clear that a well to provide water to a large subdivision will require a deep well with a lot of production. We know that the City of Kuna has not investigated these issues in the planning of this subdivision.

It for these reasons and more that I must insist that the City of Kuna perform a responsible water quality and quality analysis along with an environmental impact assessment of this planned subdivision. Barring these studies and an objective analysis of the data I can only vehemently oppose this poorly thought out plan.

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634

Exh. C.5

Submitted at Commission

From: Anna Barrington
To: Troy Behunin
Subject: Falcon Crest Subdivision
Date: Sunday, December 23, 2018 3:31:12 PM

I have several concerns about the Councils wait and see or wait till later then we'll act. I live in the Cloverdale estates across from Falcon Crest.

1. **Water** – without water none of us will survive so why does the Council take this resource for granted? Building the homes that have been proposed and after all the other smaller developments have been completed how much water will be left in the aquafers? I don't think you or the other Council members or the Mayor know the answer to this. To keep throwing up homes and hoping we have enough water is certainly NOT the way to go nor are you looking out for Kuna's current residents. I want to know what studies have been done on the current water situation and then what is the future water situation after each phase of Falcon Crest is completed. You must know there will be a limit to the available water, but will you stop before you exhaust it? Do you have a fund set up for all the farms, ranches and homes with private wells to either cover digging a deeper well for each or for bringing in public water into each of these properties? When I purchased my just under 5 acres with home, pastures and barn for my horses I did so with the understanding I had a well to supply my water at little to no cost and there would be plenty for at least my lifetime. Now I don't even know if there will be enough water for the next ten years. Do you have a water study and/or will there be one before any more homes are approved for construction?
2. **Roads and Traffic** – From what I've read we're taking a wait and see, then we'll widen and deal with the traffic. I wonder do you drive our roads currently? Do you wait in line on Meridian road trying to get on the freeway at rush hour or off the freeway at rush hour? Currently the Cloverdale bridge over 84 is being built but not addressing this issue so what you are doing is saying we have no control over that and more importantly we'll keep adding to the problem instead of addressing the issue. It is my understanding that Cloverdale road from Kuna road to the freeway can't be widened to completely to address the current overload of traffic not to mention the huge amount of traffic Falcon Crest will create. While Kuna road appears will be able to be widened but when and it only leads to one road Meridian Road which is already becoming a problem as stated above.
3. **Infrastructure – Police, Fire and schools**. Where on earth will you come up with enough of these NEEDED resources to cover what is coming? We don't have fire hydrants in most of Kuna that's a huge burden on the fire department. We are short on schools and currently there appears to be at least one that has huge problems. Personally I'm sick to death hearing about school issues that everyone swears the next levy will solve only to hear the following year we need another levy. How about we try something new, solve our current issues and prepare for the future BEFORE we build any more homes that surely will require the resources that we don't have enough of already.

I realize Kuna is looking for money when they approve these projects, but the builders need to contribute more to the community then just slapping up homes and leaving the community to clean up the mess. In other states builders are required to solve some of these issues before and during the construction period why don't we adopt that plan? Next you'll be telling me all the property

taxes will cover what we need, but if you look at Meridian you'll see property taxes did not cover enough resources like Fire, Police and Schools.

Let's make Kuna the example rather than going with the flow. Let's look out for Kuna and its CURRENT residents and make this an even great community.

Anna Barrington
Cloverdale Estates
(208)608-4534

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:29 PM
To: Chris Engels
Subject: FW: Falcon Crest Subdivision Meeting

#3

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Anna Barrington [mailto:5barringtons@gmail.com]
Sent: Friday, December 28, 2018 2:00 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Falcon Crest Subdivision Meeting

Dear Mayor Stear,

I am a neighbor to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 2019 so I can better understand the impacts to my home and life from this subdivision.

Sincerely,

Anna Barrington
Resident of Cloverdale Ridge Estates
(208) 608-4534

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:29 PM
To: Chris Engels
Subject: FW: Meeting for Falcon Crest subdivision

#2

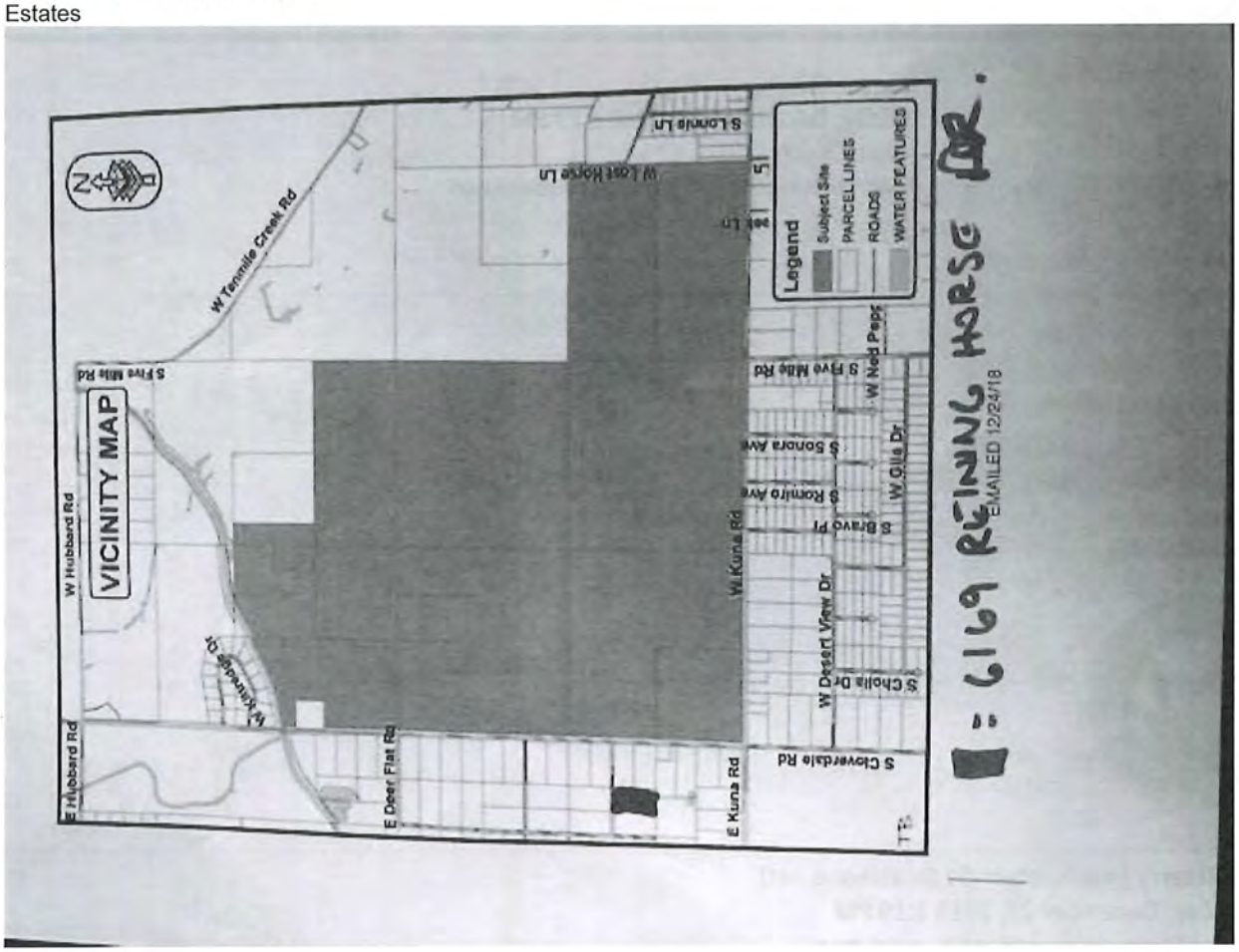
Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: bill terry [mailto:bterry51@cableone.net]
Sent: Friday, December 28, 2018 2:19 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>; Warren Christensen <wchristensen@kunaid.gov>; bill terry <bterry51@cableone.net>
Subject: Meeting for Falcon Crest subdivision

Dear Mayor Stear, and Council Members;
I am a neighbor to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 5th 2019 so I can better understand the impacts to my home and life from this subdivision. the Kuna City planner said they only mail to residents so may feet from Cloverdale, since our subdivision is all 5 acres I didn't qualify???
you can see the enclosed Map my location as second house from Cloverdale, yet I am not on the mailing list. This growth will have a huge impact on me because more traffic, my street looks selected to continue thru. I have lived there for 24 years and the falcon crest folks already can't turn correctly into the main golf entrance without stopping all southbound traffic. My water well is already 300 feet deep and I am concerned about it running dry. I also see my rural lifestyle loosing the darkness as light pollution from residential and commercial growth.
Sincerely,
Bill Terry
6169 Reining horse dr
Kuna, Idaho 83634

Resident of Cloverdale Ridge Estates



Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:30 PM
To: Chris Engels
Subject: FW:

#6

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Richard Vick [mailto:teddytuggy49@gmail.com]
Sent: Friday, December 28, 2018 12:26 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject:

Hello Mr. Mayor,

I am a resident of Cloverdale Ridge subdivision, and live directly across Cloverdale from the Falcon Crest proposed subdivision. I am also on the board of the Cloverdale Ridge Water Corporation. I am apalled that your city planner has manipulated the hearing process so that we are not involved, even though we stand to be very much harmed by this proposal. At the first hearing those of us who testified were ket to a strict 3 minutes, while the agent of the contracting firm was allowed to go on and on, and your planner went on as long as he liked in favor of this project. Now we got notice a few days ago that the hearing before the full council will be on the second of January, not giving our residents , and water customers any time to prepare for this meeting. We have our corporate attorney looking in to these ploys .

We are not simply upset that this huge proposal will destroy the rural atmosphere of our community, but that it will put us, our livestock, and our property values in jeapardy . To this date no studies of our water table have been done. The contractor wants to sink another large volume well to begin the first part of construction, and our wells are already on the decline. OUr personal well has only got 13 feet of water now. Our irrigation wells , owned by the water corporation , will be in danger if there is any drop in water level.

Also there has been no impact study of what such a huge development would do to the traffic on Cloverdale Road.

I would strongly suggest this meeting be postponed until February 5, so that we may build our case to present to the city Council.

Let me say finally as taxpayers in the Kuna impact zone we have been treated shamefully. I would suggest you investigate the interest your planner seems to have in pushing this proposal, and in cutting those who will be impacted most out of the equation.

Thank you Mr. Mayor for your cosideration.

Richard S. Vick
11457 S. Cloverdale Rd
Kuna, ID. 83634

Phone 208-608-8777

Troy Behunin

From: Wendy Howell
Sent: Saturday, December 29, 2018 1:23 PM
To: Troy Behunin
Subject: Fw: Falcon Crest

Sent from my Verizon LG Smartphone

------ Original message------
From: Mayor Stear
Date: Sat, Dec 29, 2018 12:47 PM
To: Wendy Howell;Chris Engels;
Cc:
Subject: Fwd: Falcon Crest

Sent from my iPhone

Begin forwarded message:

> **Resent-From:** <MayorStear@kunaid.gov>
> **From:** Dave JOHNSON <ddjohn551@aim.com>
> **Date:** December 29, 2018 at 12:39:53 PM MST
> **To:** MayorStear@kunaid.gov
> **Subject: Falcon Crest**
>
> Dear Mr. Mayor
> Please consider changing the hearing for the Falcon Crest project to a later date beyond January. My primary concern is water supply . Thank you for your consideration.
>
> Dave Johnson
>
> Sent from my iPhone

Troy Behunin

From: Elise Daniel <poppydaniel@gmail.com>
Sent: Tuesday, December 18, 2018 6:38 AM
To: Troy Behunin
Subject: Falcon Crest Developement

Dear Mr. Behunin,

I understand that as city planner you have quite a bit of power over the decision involving the large new subdivision that is planned around the Falcon Crest Golf Course. I live at 10781 S Cloverdale Rd, Kuna, ID 83634 just across from the golf course. As a matter of fact, I pick up misfired golf balls from my field on a weekly basis.

I am writing to you to encourage you to fully consider the impact that this subdivision will have on the ground water that supports my home and the homes all around me. We all depend on our wells to supply water to our homes. We also depend on large wells to irrigate our fields and pastures. If you allow the new subdivision to dig deep wells to try to support a large number of homes (800 or 1200??) it will undoubtedly put our water supply at great risk.

This is a grave concern for myself and for all of my neighbors. As you must know, access to water is a huge issue in this part of the world. By risking our access to water you adversely affect our lives, the value of our properties, and the ability to live in the area supporting our families and livestock.

I also have grave concerns about the traffic that this development will create. As it stands, traffic has dramatically worsened in the nearly 14 years that I have lived here. There is no way for Cloverdale Road to absorb the amount of traffic that this subdivision will add.

I beg of you to fully research and consider what this development will do to this side of Kuna. While I understand that the money this will bring to the town is enticing, I believe that the strength to turn it down will ultimately make Kuna a stronger and better town.

Thank you for your consideration and best wishes for a Happy Holiday Season to you and your family.

Best Always,

Elise Ann Daniel

Please leave me a 5-star review on Google and Facebook! If you appreciate the service that I provide please share my name and contact information with your friends and family!

Elise Ann Daniel, AFC ®

MFCS - Family Financial Planning
Daniel Insurance, LLC
200 N. 4th Street
Suite 101B
Boise, Idaho 83702

www.elisedaniel.com

poppydaniel@gmail.com
tel: (208)590-2606
fax:(208)297-7890

The best compliments that I receive are your referrals!

Know that I take the security of your information very seriously. Please do not email me your personal information. Fax or a secure email are the safest ways to transfer personal information.

Troy Behunin

To: Elise Daniel
Subject: Dear Mayor

From: Elise Daniel [mailto:poppydaniel@gmail.com]
Sent: Tuesday, December 18, 2018 7:25 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Troy Behunin <tbehunin@kunaid.gov>; Wendy Howell <whowell@kunaid.gov>
Subject: Re: Dear Mayor

Thank you for your response. Have a wonderful Holiday Season with your family and friends.
Blessings,
Elise

"Almost everything will work again if you unplug it for a few minutes, including you."
- Anne Lamott

Please leave me a 5-star review on Google and Facebook! If you appreciate the service that I provide please share my name and contact information with your friends and family!
Elise Ann Daniel, AFC ®
Daniel Insurance, LLC

On Tue, Dec 18, 2018 at 7:02 AM Mayor Stear <mayorstear@kunaid.gov> wrote:

Elise; Discussions such as this before a public hearing are considered exparte'. That said I will have to include it into the record for the hearing. (Troy would you please see that it is?) The city is strictly regulated on any wells that are drilled or accessed. If there is not adequate water table they can not be used. We will certainly refer to the traffic experts at ACHD on that area. As far as the revenue for the city we are in good shape and I would not base any decision on that. Property rights are the main issue with things like this. Thank You and I would assume that you will be at the public hearing for this. I am not sure of the date but you can call into P&Z for that. Have a blessed Christmas!

Sent from my iPhone

On Dec 18, 2018, at 6:45 AM, Elise Daniel <poppydaniel@gmail.com> wrote:

> Dear Joe,
> I voted for you as Mayor because I believed that you would look after the best interests of the town of Kuna and it's residents. I live at 10781 S Cloverdale Rd, Kuna, ID 83634 just across from the golf course. As a matter of fact, I pick up misfired golf balls from my field on a weekly basis.
>
> I am writing to you to encourage you to fully consider the impact that the proposed subdivision at Falcon Crest will have on the ground water that supports my home and the homes all around me. We all depend on our wells to supply water to our homes. We also depend on large wells to irrigate our fields and pastures. If you allow the new subdivision to dig deep wells to try to support a large number of homes (800 or 1200??) it will

undoubtedly put our water supply at great risk. IF you do approve this subdivision, which I pray you do not, you must plan to provide city water to the subdivision to protect our ground water.

Damage to our ground water is a grave concern for myself and for all of my neighbors. As you must know, access to water is a huge issue in this part of the world. By risking our access to water you adversely affect our lives, the value of our properties, and the ability to live in the area supporting our families and livestock.

I also have real concerns about the traffic that this development will create. As it stands, traffic has dramatically worsened in the nearly 14 years that I have lived here. There is no way for Cloverdale Road to absorb the amount of traffic that this subdivision will add.

I beg of you to fully research and consider what this development will do to this side of Kuna. While I understand that the money this will bring to the town is enticing, I believe that the strength to turn it down will ultimately make Kuna a stronger and better town.

Thank you for your consideration and best wishes for a Happy Holiday Season to you and your family.

Best Always,
Elise Ann Daniel

"Almost everything will work again if you unplug it for a few minutes, including you."
- Anne Lamott

Please leave me a 5-star review on Google and Facebook! If you appreciate the service that I provide please share my name and contact information with your friends and family!

Elise Ann Daniel, AFC ®
MFCS - Family Financial Planning
Daniel Insurance, LLC
200 N. 4th Street
Suite 101B
Boise, Idaho 83702
www.elisedaniel.com
poppydaniel@gmail.com
tel: (208)590-2606
fax:(208)297-7890
The best compliments that I receive are your referrals!
Know that I take the security of your information very seriously. Please do not email me your personal information. Fax or a secure email are the safest ways to transfer personal information.

October 25 2018

City of Kuna
Planning and Zoning

To whom it may concern:

I'm writing about the proposed Falcon Crest Subdivision. I am extremely concerned about the proposal that the City of Kuna Planning and Zoning is considering. The impact it will have on our peaceful ambience in our community will be extreme.

If the City of Kuna looks at this development logically the answer to the added subdivision would be NO for the following reasons:

The biggest concerns being traffic and our water table.
What will happen with our private wells and our irrigation?
Where are you planning on getting water for all those homes and yards?
What are the specifics for the septic of each of those homes?
Where will the traffic outlets be and what is the specific plan for that?
And what specifically will be annexed by Kuna City?

I would appreciate a **specific** response to my concerns, including pros and cons of this proposed subdivision and why I and others should support it.

Sincerely,

Helyn Haase

Helyn Haase
6144 East Deer Flat Rd.
Kuna Idaho

208-631-9979
haashw@gmail.com

received
10.26.18

Troy Behunin

From: Wendy Howell
Sent: Friday, December 28, 2018 2:01 PM
To: Troy Behunin
Subject: FW: Falcon Crest Subdivision Planning Meeting

From: Chris Engels <cengels@kunaid.gov>
Sent: Friday, December 28, 2018 12:23 PM
To: Wendy Howell <whowell@kunaid.gov>
Cc: Ariana Welker <awelker@kunaid.gov>
Subject: FW: Falcon Crest Subdivision Planning Meeting

Wendy,
Packet is already done. We'll make sure to have a copy available and it can be read into the record.

Thanks
Chris

From: Greg McPherson <gmcpherson6835@gmail.com>
Sent: Friday, December 28, 2018 12:07 PM
To: Chris Engels <cengels@kunaid.gov>
Subject: Fwd: Falcon Crest Subdivision Planning Meeting

---------- Forwarded message ---------
From: **BJ H** <b.j.henningfeld@gmail.com>
Date: Fri, Dec 28, 2018 at 12:06 PM
Subject: Falcon Crest Subdivision Planning Meeting
To: <bbuban@kunaid.gov>, <rcardoza@kunaid.gov>, <gmcpherson@kunaid.gov>, <wchristensen@kunaid.gov>

Dear Kuna City Council Members,

My bride, two sons, and I live right across from the planned Falcon Crest Subdivision and we must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting. It is a busy time after the holidays from travel and spending time with family and friends. We would request that you hear the information for the subdivision until February 2019 so we can better understand the impacts to our home and life from this subdivision.

Sincerely,

The Henningfeld Family
(208) 570-3507
11893 S Cloverdale Rd Kuna

Put in file

Idaho Statesman

BUSINESS

What Kuna commission decided after neighbors objected to 2,000-home golf development

BY BRANDON RASMUSSEN
brasmussen@idahostatesman.com

November 28, 2018 07:54 AM
Updated 6 hours 47 minutes ago

About 45 people watched and murmured among themselves as six Kuna residents stepped up to the podium to oppose a golf-course development of over 2,000 homes near their property over the next two decades.

"While growth is expected, it must be controlled," said David Imhoff, a Kuna resident who lives just off Cloverdale Road near the proposed development. "Don't add [our community] to the list of extinct species in Kuna. Being a good neighbor is everything this community stands for."

Kuna's Planning and Zoning Commission passed several motions Tuesday night to advance the development of the Falcon Crest subdivision, attached to the Falcon Crest Golf Course at 11102 S. Cloverdale Road. The development would cover 1,025 acres immediately north of Kuna Road and east of File Mile Road.

The development would include lots for single families, homes targeted at people ages 55 or older, and golf villages. It would include almost 19 acres for commercial use. The proposal also includes a city park.

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Now, the development — represented on Tuesday by Mark Tate of M3 Companies, a housing developer in Idaho and Arizona — must move on to seek approval from the Kuna City Council.

The commission's decision came after hours of debate following an unbroken string of residents opposed to the project. Most of them were primarily concerned with potential water supply problems they said could affect the surrounding area if the development were to draw its water by creating wells, as is laid out in the project's development plan.

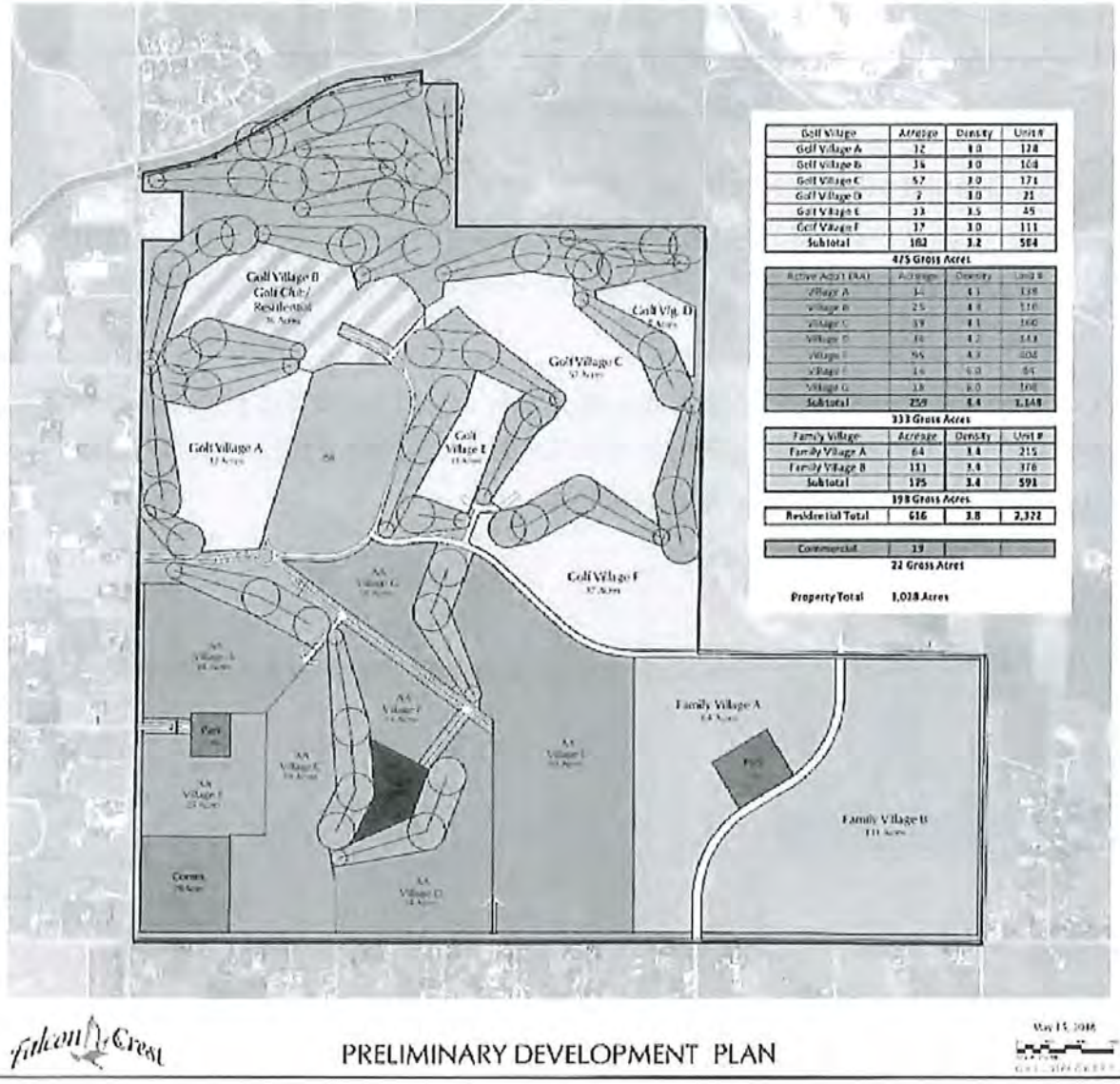
The Falcon Crest Golf Club is the main attraction for the proposed Falcon Crest Subdivision north of Kuna Road and east of Cloverdale Road.
Darin Oswald - Darin Oswald/Idaho Statesman

"All we hear is that the city of Kuna is going to dig two new wells. What is that going to do to the water table?" said Richard Boardman, who lives just west of Cloverdale Road. "What's going to happen to our wells — are they going to dry up in five years? Where will the developer be at that time?"

Other themes among opponents included concerns about traffic as well as the general character of the place. Some said the gated-community-style neighborhoods wouldn't fit in with the rural cultural of the surrounding area.

The comments, especially those about water levels, sparked a series of questions and debates among members of the commission and city staffers, in which it was suggested that a study be done to assess the water levels.

Ultimately, these concerns seemed to be satisfied by the testimony of Bob Bachman, Kuna's planning and zoning and public works director, and by an existing contingency plan within the development plan, which states that if M3 is unable to obtain approval to drill new wells, the developer would instead arrange to be connected to the city water supply.



This map appears in the Ada County Highway District's analysis of the proposal for the Falcon Crest golf community in Kuna. More than 2,000 homes could be built on more than 1,000 acres.

Provided by Ada County Highway District

"All of the information we have been given through our process ... is that there should be adequate water," Bachman said. "The permits are only approved if DEQ [the Idaho Department of Environmental Quality] says the well is viable and doesn't affect the area... If DEQ says we're unable to serve the next project, there is no next project."

Bachman said the city will use test wells to determine whether the development would affect the local well water supply, though that process cannot begin until the land is annexed into the city limits. Annexation requires City Council approval.

The proposed land and golf course are owned by Terry Cook and Hansgeorge Borbonus, who also own Cloverdale Nursery at 2528 N Cloverdale Road in Kuna. A development was conceived to adjoin the golf course since before the course opened 17 years ago.

With two persons per household, the development would boost the population of the city of 19,700 by more than 20 percent. Completing the development could take 20 years, depending on market conditions.

READ NEXT

This development may bring more than 2,000 homes to Kuna

READ NEXT

Cities ask newcomers to pay for growth — but that could raise home prices for everyone

READ NEXT

Troy Behunin

From: Jeff Caldwell <jmcaldwell519@gmail.com>
Sent: Friday, December 28, 2018 1:14 PM
To: Mayor Stear
Cc: Troy Behunin; Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson
Subject: Falcon Crest Golf Course City of Kuna Annexation Plan

December 28th, 2018

Troy Behunin,

Troy my name is Jeff Caldwell and my residence is 1581 Cow Horse Dr, Kuna ID which is in the Cloverdale Ridge Estates on the west side of Cloverdale Rd across from Falcon Crest Golf Course. This email is regarding your notice dated December 24, 2018. I list it below:

> **From:** Troy Behunin <tbehunin@kunaid.gov>
> **Subject: Falcon Crest public notice flyer**
> **Date:** December 24, 2018 at 10:00:31 AM MST
>
> Good afternoon,
> Please review the attached PDF of the flyer sent out to notify land owners of the upcoming public hearing for the Falcon Crest annexation, rezone, PUD, CPM change, and pre plat.
> Please let me know if you have questions, and please let me know you receive this email. The letter is also at the bottom of this email.
> Thanks so much.
> Merry Christmas to you and yours.
> Troy
>
> Troy Behunin
> Planner III
> City of Kuna
> 751 W. 4th Street
> Kuna, ID 83634
> TBehunin@Kunald.Gov

It is my opinion that the lack of notice and timing of this hearing is a major inconvenience by giving a notice of your hearing date on January 2 the day before Christmas. A grand total of 1 week, and what looks like an obvious attempt to catch residence off guard during 2 major holidays. We all have work and family commitments especially during major holidays and your decision to pick such a short period of time and and now is just not ethical or right. A proposed development of this magnitude and the lack of notice and time frame as well as during holidays is unconscionable. I am requesting that the full hearing be postponed due to lack of appropriate notice (1 week) and that we as property owners in the Cloverdale Ridge Estates have not be allowed enough time to prepare for the full City Council hearing!

On top of this, what impact will this development require and it's impact on the surrounding wells both residential and commercial(Cloverdale Ridge Water Corporation wells). We have approximately 250 acres for agricultural land that can be affected by this development's water needs let alone are personal wells. What studies have been done regarding this issue to develop this subdivision at Falcon Crest? I understand there is plans to drill a large bore well to accommodate this development Where does the city stand if the Falcon Crest well impacts not only our residential wells, but our commercial well which has water rights? Will the city pay for any impacts to our wells do too reduced water static levels in our wells?

I would like to see your traffic study and the impact of the 1300 plus homes for this development which will impact Cloverdale Rd? Current Idaho Power's easement and placement of power poles limits one side of the road for expansion and personal property on the other side does as well, unless there are plans for condemnation of those homes property rights to make an expansion. I would appreciate the opportunity to see the documentation, however this short notice doesn't allow it.

What is the impact on school requirements, police, for present and future years. Are these costs absorbed by existing residence or is the development paying for this? How does the city know that this development company has the financial means to cover these costs and liabilities? We as current residents of Kuna should absorb these impacts now or in the future, especially our water resources.

In short there are too many questions, and what seems to be not enough studies or documentation to put forth this meeting or this development on January 2nd. I again request that this meeting be postponed and or stopped until there is a fully evaluated and documented proposal be provided before any development proceeds

Sincerely,

Jeff Caldwell
1581 Cow Horse Dr
Kuna ID 83634 .

From:	John Lawson
To:	Troy Behunin
Cc:	Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson
Subject:	Falcon Crest public notice flyer - public comment
Date:	Wednesday, December 26, 2018 9:53:14 PM

Mr. Behunin,
First and foremost I must object to the City of Kuna presenting the Falcon Crest Subdivision proposal at the first City Council meeting directly after the holidays. This notice allows citizens barely a week to prepare for the meeting and certainly appears to be an attempt by Planning and Zoning to diminish public input on this very controversial proposal. As a citizen of Ada County and a board member of the Cloverdale Ridge Water Corporation (which is a irrigation district of 40-50 year old multiple acre farms and home directly adjacent to this very extensive proposed subdivision); I am outraged that the City of Kuna would try to sneak this meeting through during the holidays. Consequently, Mr. Behunin, for the City to be upfront and open, I really must request that your department postpone the meeting until later in January or early February. I'm not sure how the City can plan to affect citizens of Ada County that have been a part of the Kuna community for multiple decades, without ample time to understand the full extent of impacts from this massive expansion. The City of Kuna plan for the Falcon Crest area has a potentially monumental affect on SW Ada County. As you know, the City of Kuna Engineer's office has not done any impact analysis on our area of Ada County, including and potentially and most importantly, our ground water resources. Citizen input during the Planning and Zoning meeting in November 2018, made it abundantly clear that the City has no idea of the proposed impact on ground water in the Falcon Crest area. The City has proposed to conduct a groundwater evaluation study in the area, coordinated with the State DEQ and IDWR. Before this study is complete, there is no way that the City of Kuna can plan this expansion before all the impacts have been analyzed. It was also quite clear that the traffic study does not fully address traffic impacts into the future, especially provided the limits of expansion of Cloverdale given Idaho Power's right of way on the east and the homeowners land boundaries adjacent to Cloverdale Road on the west. While you may decide to defer this to ACHD, we all know that ACHD is only a reactionary county agency, ill equipped to address excess impacts to areas that have no alternatives. In short, if this subdivision is allowed to proceed there will be extensive traffic issues into the future, with no method of alleviating the problems the subdivision has created. I am not clear as to how this can be considered as good planning.

Sir, if this plan is good enough to hear on January 2, 2019, it is clearly good enough to hear in February 2019. The City of Kuna has not done any critical impact analysis that will allow us to fully comprehend the extent of this development. Respectfully Mr. Behunin, please allow us to review this in total and don't try to push this through when people are away on holidays or are completing year end business transactions.

Lastly, I would like a to obtain a full copy of the traffic study performed for this planned subdivision. I would also like to see the water resources evaluation and the evaluation of the impacts to the City School system from the massive expansion. I will pay for a copy of the traffic study, if necessary. I am also willing to come to your office to obtain a copy or you can email a copy to me at this email address. However, I must request a copy BEFORE the scheduled meeting so that I can have adequate time to review it and provide information to other impacted citizens to understand how our life may change with this huge proposed development. Please contact me at this email or my phone number below to organize a time or method to obtain the traffic study.

Thank you

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

CC: Kuna City Council - Mayor Stear
Cloverdale Ridge Water Corp Board of Directors

On Dec 24, 2018, at 10:03 AM, Troy Behunin <tbehunin@kunaid.gov> wrote:

Good Morning,
Please review the attached PDF of the flyer sent out to notify land owners of the upcoming public hearing for the Falcon Crest annexation, rezone, PUD, CPM change, and pre plat.
Please let me know if you have questions, and please let me know you receive this email. The letter is also at the bottom of this email.
Thanks so much.
Merry Christmas to you and yours.
Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634
TBehunin@Kunaid.Gov

CONFIDENTIALITY NOTICE
This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

<image009.jpg>

Dear Property Owner:

NOTICE IS HEREBY GIVEN: That the City of Kuna, **City Council** is scheduled to hold a public hearing on **January 2, 2019,** beginning at 6:00 pm concerning the following case(s):

An **Annexation, Preliminary Plat Comprehensive Plan Map Change, Rezone, Pre Annex-Development Agreement, and Planned Unit Development**request by JUB Engineers, to annex approximately 990 acres into Kuna City limits with a variety of zones throughout the project, including, R-6 (Medium Density Resident), C-2 (Commercial), and R-12 (High Density Resident) zones. This application proposes to change the Comp Plan Map for a portion of these lands from "Agricultural" use to "Mixed Use". This is a proposed multi-phased

Master-Planned Development. Applicant requests Preliminary Plat approval in order to subdivide approximately 132 acres into 409 single family lots, 58 common lots, and one commercial lot (total of 468 lots). The un-platted lands (approximately 858 ac.) will be developed in the future using the public hearing process. The project site is in Sections 15, 22, & 23 T2N, R1E, on the hard northeast corner of Cloverdale and Kuna Roads. Contact the P & Z Dept. for the parcel numbers involved with this application.

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments at the hearing. Written testimony will be presented to the governing body at time of the hearing. Please note, oral comments made during the public hearing will be restricted to three (3) minutes per person. Mail written comments to PO Box 13, Kuna, ID 83634 or drop them off at City Hall, 751 West 4th Street, Kuna, ID.

If you have questions or need special assistance, please contact the Planning and Zoning Department at (208) 922-5274.

In all correspondence concerning this case, please refer to the case name:
18-03-AN (Annex), 18-01-CPM (Comp. Plan *MAP* Change), 18-02-ZC (Rezone), 18-01-PUD (Planned Unit Develop), 18-04-S (Pre Plat) and a Development Agreement: For the Falcon Crest Subdivision.

<image010.jpg>

EMAILED 12/24/18

<image005.png>

<image012.png>

<image005.png>

Suggestions For Testifying at the Public Hearing:

Be informed . . .

Review the proposal, the staff report, applicable provisions of the ordinance and comprehensive plan.

Be on time . . .

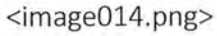
Although the item you are interested in may not be first on the agenda, you never know when it will be heard. The governing body has authority to adjust the schedule according to its discretion. Thus, anticipate attending from the beginning.

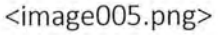
Speak to the point . . .

The governing body appreciates pertinent, well organized, and concise comments. Redundant testimony is prohibited and **each individual is given three (3) minutes to comment.**Long stories, abstract complaints, or generalities may not be the best use of time. Neighborhood groups are encouraged to organize testimony and have one (1) person speak on behalf of the group -- "opposition representative," like the applicant's representative, receives 10 minutes to make comments. Applicant has five (5) minutes to rebut or discuss issues raised by any opposition.

If you don't wish to speak, write . . .

At most hearings, previously submitted written testimony may be reviewed by the governing body before the meeting. It is unreasonable to submit extensive written comments or information at the hearing and expect them to be reviewed prior to a decision. All documents or written comments should be submitted to the City of Kuna at least one (1) week**prior** to the hearing.





<450' Mailer Flyerf for CC 01.02.19.pdf>

From: John Lawson
To: Briana Buban-Vonder Haar; Mayor Stear
Cc: Richard Cardoza; Warren Christensen; Greg McPherson; Troy Behunin
Subject: Comments on the Falcon Crest Proposal P&Z officer out of the office???
Date: Wednesday, December 26, 2018 10:31:30 PM

Dear Mayor Stear and Kuna City Council,
Tonight I sent a full set of comments on the Falcon Crest Proposal that is proposed to be heard on January 2, 2019. We (the public) received the date for the next meeting just 2 days ago, however, per his email response, your P&Z director who is asking for these comments is conveniently out of the office until January 2, 2019, the day of the meeting. Mr Mayor and Council Members, if this is true, I must object to Mr. Behunin's behavior. He as clearly eliminated any public trust we could have in the system by asking for a meeting during the holidays and then to not be available to receive public comments until the day of the meeting? I hope you can reinstall some integrity into this process and delay this meeting until the City can appropriately receive public comments.
Thank you,

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

Troy Behunin

From: John Lawson <jmlcattle@gmail.com>
Sent: Monday, December 31, 2018 12:19 PM
To: Mayor Stear
Cc: Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson; Troy Behunin; Tyler Dibble; Liane Kerting-Vick
Subject: Falcon Crest hearing

Hello Mayor Stear,
I appreciate your reply and understand your concern for ex-parte' comments. On behalf of many of the residents that live adjacent to the planned Falcon Crest subdivision, there have been and will be many of us that will request that the Council table the Falcon Crest hearing due to an untimely meeting notification provided both through the mail and via email during the holidays. Can you please inform me as to when and how we can make the formal request to table the hearing? Ideally, we would like to make the request before the Council meeting or possibly before Council initiates the hearing for the subdivision. We will request a month extension to the Council meeting on February 5, 2019.
Respectfully,

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

On Dec 28, 2018, at 1:44 PM, Mayor Stear <mayorstear@kunaid.gov> wrote:

Mr. Lawson I have not ignored anything. I was trying to avoid conversations that would be considered ex-parte'. Notice has been given for the meeting and it will be a public hearing. You and yours are welcome to ask council table the hearing for a date certain.

Thanks

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546
<image001.jpg>

From: John Lawson [mailto:jmlcattle@gmail.com]
Sent: Friday, December 28, 2018 11:32 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>;

Warren Christensen <wchristensen@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>; Troy Behunin <tbehunin@kunaid.gov>; Mary Jepsen <jepsenm@cableone.net>; Tyler Dibble <tyler@tadibble.com>
Subject: Re: Comments on the Falcon Crest Proposal P&Z

Dear Mr. Mayor,
Thank you for your reply. However, I believe that you have ignored the most obvious issue associated with the public notice of the Falcon Crest subdivision being heard by the City Council on January 2, 2019. That is that we (the public and adjacent landowners) did not find out about the meeting until Christmas eve or Christmas day (both holidays) which allows us precious little time to prepare for this very important meeting. This meeting has been scheduled directly after the holidays when people have holiday travel plans, or families in town or are working diligently to complete year end business. As announced this timing allows about 4 days that are not weekends or holidays to respond to the meeting schedule. Kuna is a family oriented community so we all deserve to enjoy the holidays (just as your employees have done) so to hold this meeting directly after the holidays is borderline unethical. As I said before sir, if this meeting is so critical to our region that it must be heard on January 2, it can easily be postponed for a month to allow other important input from those of us most affected by this massive planned development. Please Mr. Mayor and City Council, I have spoke to many of my neighbors and they all agreed that you should postpone this meeting to make it fair for those of us most affected. We need time to discuss this with our neighbors and with other state and possibly federal agencies (who are also out on holiday beak) so we can understand the extent of the potential impacts to our lives. Thank you for taking my/our requests seriously and allowing us time to make this a fair hearing.
Sincerely,
John Lawson
jmlcattle@gmail.com
208-651-4741

On Dec 27, 2018, at 6:51 AM, Mayor Stear <mayorstear@kunaid.gov> wrote:

Mr. Lawson good morning. Public comments are asked for ahead of time in order to allow for the City Clerks office to include them in the packet. Whether or not Mr. Behunin is in, it will need to be added. Thank you for getting that in and we will be sure to include it.

Sent from my iPhone

On Dec 26, 2018, at 10:31 PM, John Lawson <jmlcattle@gmail.com> wrote:

> Dear Mayor Stear and Kuna City Council,
> Tonight I sent a full set of comments on the Falcon Crest Proposal that is proposed to be heard on January 2, 2019. We (the public) received the date for the next meeting just 2 days ago, however, per his email response, your P&Z director who is asking for these comments is conveniently out of the office until January 2, 2019,

the day of the meeting. Mr Mayor and Council Members, if this is true, I must object to Mr. Behunin's behavior. He as clearly eliminated any public trust we could have in the system by asking for a meeting during the holidays and then to not be available to receive public comments until the day of the meeting? I hope you can reinstall some integrity into this process and delay this meeting until the City can appropriately receive public comments.

Thank you,

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

Troy Behunin

From: Mayor Stear
Sent: Wednesday, December 26, 2018 10:19 AM
To: Matt Taplin
Cc: Troy Behunin; Wendy Howell; Jace Hellman
Subject: RE: Highly Concerned about proposed development at Falcon Crest golf course

Matt Good Morning.

As this is up for public hearing, it is considered ex-parte' communications for myself or council to discuss ahead of time. I would urge you to attend the public hearing for this project if you are able. If you are not, you can send in a written statement to be in the packet on the project.

I will say that our hands are somewhat tied when it comes to property owners rights. When people testify at these public hearings, it might not go the way that they want it to but council is listening and we have made some changes to make projects better. I will also say that this rapid growth across the Treasure Valley is quite concerning to me on a personal level and is effecting every city in our reign.

I will be sending this to the planning and zoning department to add to the record so that we are not in violation of law.

Thank You so much!

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

-----Original Message-----
From: Matt Taplin [mailto:taplin@rocketmail.com]
Sent: Monday, December 24, 2018 3:22 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Highly Concerned about proposed development at Falcon Crest golf course

Dear Mayor Stear,
As our mayor and longtime Kuna resident, we know that you are fully versed on the proposed changes to the Falcon Crest area and the annexation of over 1000 acres of land for development. The City of Kuna has annexed more land that it has ever annexed before with little to no evaluation of environmental impacts or impacts to adjacent landowners. Our house was built in 1985 by my father in law and has been owned by my wife and I for 12 years and has always been in the family. We are concerned that this development will adversely affect our ability live in our homes without a large economic, environmental and social impact to us as individuals (land values, water well impacts, increased traffic, even more crowded schools and crime). Please Mayor Stear, we urge you to stop this process and allow the City of Kuna and us as residents to fully evaluate this proposal before it is fully approved.
Sincerely,
Matthew Taplin

Troy Behunin

From: Wendy Howell
Sent: Friday, December 28, 2018 2:01 PM
To: Troy Behunin
Subject: FW: Postponement of meeting

-----Original Message-----
From: Mayor Stear <mayorstear@kunaid.gov>
Sent: Friday, December 28, 2018 1:38 PM
To: Wendy Howell <whowell@kunaid.gov>
Subject: FW: Postponement of meeting

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

-----Original Message-----
From: Matt Taplin [mailto:taplin@rocketmail.com]
Sent: Friday, December 28, 2018 1:18 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Postponement of meeting

Dear Mayor Stear,
I am a neighbor to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 2019 so I can better understand the impacts to my home and life from this subdivision.
Sincerely,
Matthew Taplin
Resident of Cloverdale Ridge Estates

Sent from my iPhone

11/13/18
City Hall
PO Box 13
Kuna, ID 83634
Regarding: Annexation of land for Falcon Crest development

RECEIVED
NOV 16 2018
CITY OF KUNA

At this time the Falcon Crest proposed sub division should not be annexed into the City of Kuna. According to the attached City of Kuna - City limits map the proposed area on the corner of Cloverdale Rd & Kuna Rd do not meet the requirement of the Planning and Zoning Commission Case number 15-01-AN page 3 paragraph F "stating that the parcel must touch existing City Limits". The enclosed map was printed on 11/13/18 from the Kuna Idaho Planning & Zoning Map website.

There is a new article from KTVB date July 7 2017 that 8 housing developments are currently underway. How many of those are completed? Kuna currently doesn't have the infrastructure to support more people moving in? I hear from neighbors the schools are crowded. Do we have enough police and fire equipment and staff to support the current developments let alone Falcon Crest?

How will first responders be increased and who is paying for that increase in staff and equipment? How much financial responsibility will Falcon Crest take on?

Will Falcon Crest develop and staff the small fire station currently not in use on the corner of Kuna Rd & Five Mile Rd?

Cloverdale road is already congested with commuter traffic heading back into Meridian and Boise. Falcon Crest original proposal was to build a total of 1200 homes between single family & apartments. The existing roads of Cloverdale Rd and Kuna Rd can't support another 1200-2200 cars (1-2 cars per family) coming into the subdivision. Which roads will the Falcon Crest Development exit onto, Kuna Rd or Cloverdale? Will there be turn lanes and traffic lights? Who is paying for the road improvements?

Is Kuna Rd going to be extended over Federal and State land to extend Kuna Rd to Cole Rd to help with road congestion?

Are existing houses around the proposed annexation going to be annexed into the City limits?

My husband and I moved to Kuna because it's a small town with a lot of charm. We wanted to be out of the city and not have houses and neighbors stacked on top of use. From my house I can look west at the beautiful sunset and enjoy the peace and quiet. On Falcon Crest's original proposal they want to build a section of apartments buildings. If allowed to build apartment buildings I will no longer get my view of the setting sun on the horizon. I consider the proposed site a rural community and apartments have no business being out there obstructing the sky line. The original proposal from Falcon Crest was to put six single family homes per acre, People move out into this area for larger parcels and more space.

I urge the Planning & Zoning Commission to slow down on housing developments. Develop the cities infrastructure (roads, schools, restaurant that are not fast-food) and finish the housing developments that currently have approval before moving forward with Falcon Crest or any other proposed development.

Thank you
Natalie Henderson
Natalie Henderson

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

COURTESY NOTICE

Dear Property Owner:

NOTICE IS HEREBY GIVEN: That the City of Kuna **Planning & Zoning Commission** was scheduled to hold a public hearing on October 23 2018. However, staff is requesting that this be tabled (delayed) again, *until* ***November 27, 2018***, beginning **at 6:00 pm** concerning the following case(s):

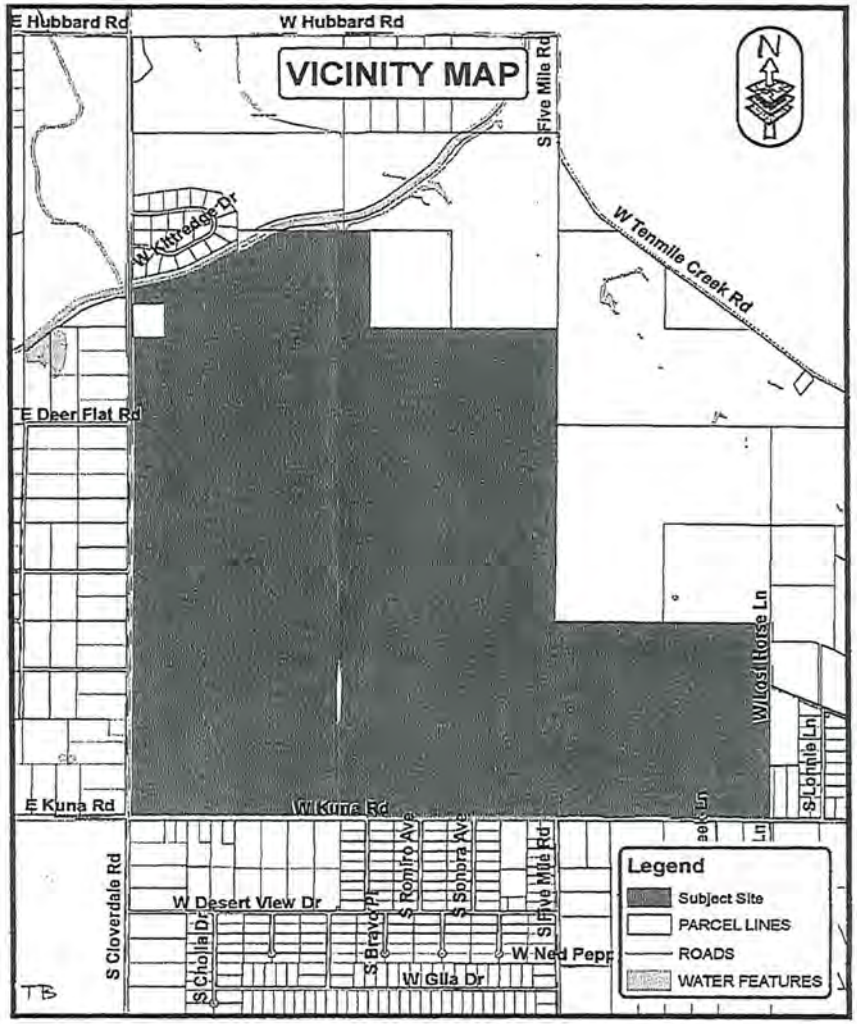
An **Annexation, Preliminary Plat Comprehensive Plan Map Change, Rezone, Pre Annex-Development Agreement, and Planned Unit Development** request by Scott Wonders with JUB Engineers, to annex approximately 990 acres into Kuna City limits with a variety of zones throughout the project, including, R-6 (Medium Density Resident), C-2 (Commercial), and R-12 (High Density Resident) zones. This application proposes to change the Comp Plan Map for a portion of these lands from "Agricultural" use to "Mixed Use". This is a proposed multi-phased Master-Planned Development. Applicant requests Preliminary Plat approval in order to subdivide approximately 132 acres into 409 single family lots, 58 common lots, and one commercial lot (total of 468 lots). The un-platted lands (approximately 858 ac.) will be developed in the future using the public hearing process. The project site is in Sections 15, 22, & 23 T2N, R1E, on the hard northeast corner of Cloverdale and Kuna Roads. Contact the P&Z Dept. for the parcel numbers involved with this application.

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments at the hearing. Written testimony will be presented to the governing body at time of the hearing. Please note, oral comments made during the public hearing will be restricted to three (3) minutes per person. Mail written comments to PO Box 13, Kuna, ID 83634 or drop them off at City Hall, 751 West 4th Street, Kuna, ID.

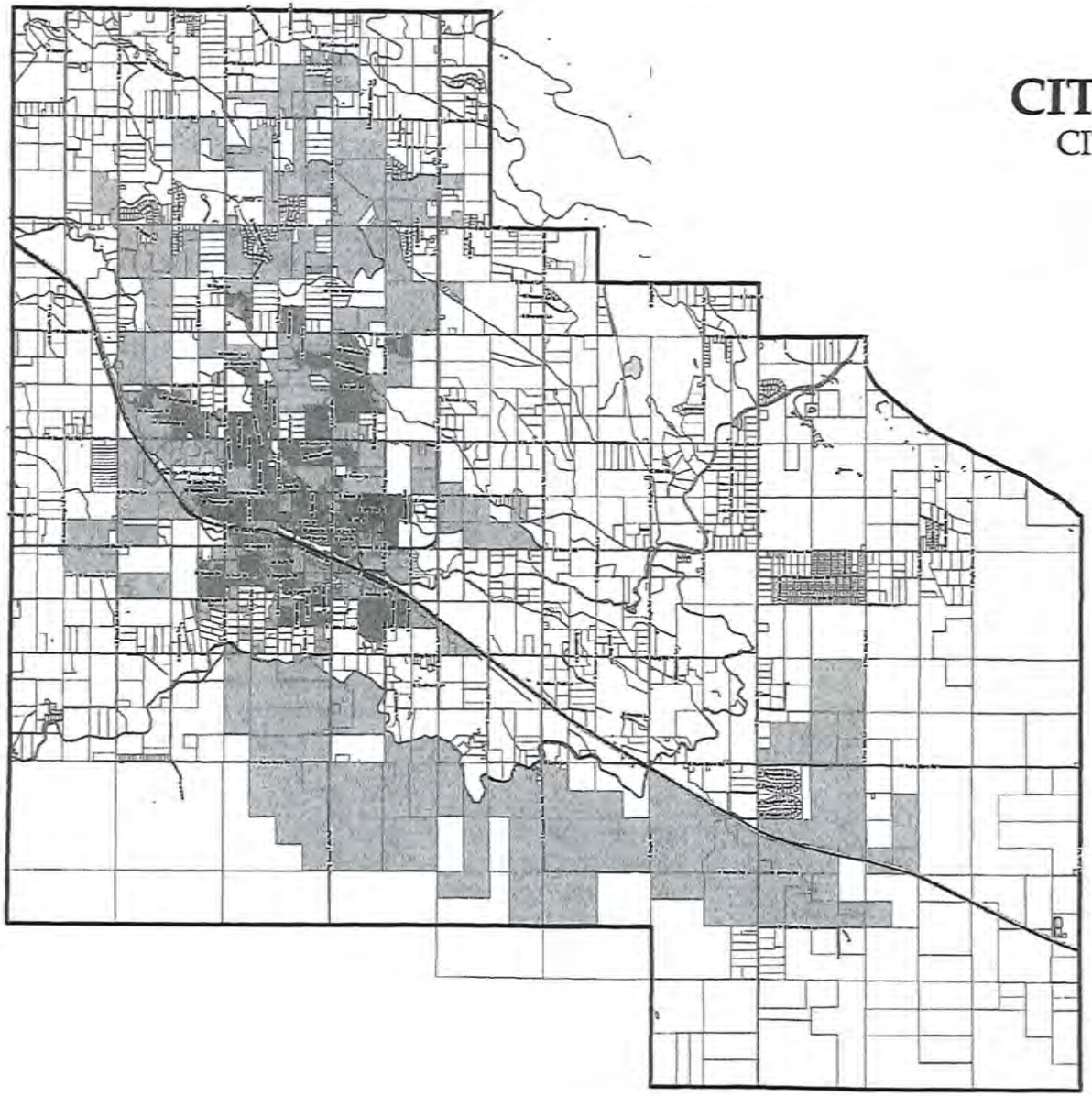
If you have questions or need special assistance, please contact the Planning and Zoning Department at (208) 922-5274.

In all correspondence concerning this case, please refer to the case name: 18-03-AN (Annex), 18-01-CPM (Comp. Plan *MAP* Change), 18-02-ZC (Rezone), 18-01-PUD (Planned Unit Develop), 18-04-S (Pre Plat) and a Pre Annex/Development Agreement: Falcon Crest Subdivision.



MAILED 10/18/18

CITY OF KUNA
CITY LIMITS MAP



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LEGEND

- CITY LIMITS
- ROADS
- RAILROAD
- WATERBODIES

Troy Behunin

From: Rebecca Goodner <rgoodner@cableone.net>
Sent: Tuesday, December 18, 2018 8:52 AM
To: Troy Behunin
Subject: Falcon Crest perposed 1000 new homes/water rights

Mr. Behunin,

My name is Rebecca Goodner, I live across the street from the purposed Falcon Crest home project. I am extremely concerned about this project and how it will not only impact the traffic on Cloverdale Rd.
but the WATER they will need to feed the purpose 1000 homes.

City Council needs to consider our water use in their plans, we need a full and objective evaluation of the impact on our wells. Many years ago the Idaho Dept of Water Resources over appropriated water for our area and that could cause us issues in the future. Our Water Corporation has Senior water rights but the City may use politics to take our water rights out of the equation.

I am asking you to please keep this in mind when voting on this, and please keep us informed moving forward.

Respectfully,

Rebecca L Goodner

12555 S. Cloverdale RD.
Kuna, Idaho 83634

Troy Behunin

From: Casey Hiatt <rchvandal@gmail.com>
Sent: Thursday, December 20, 2018 11:55 AM
To: Troy Behunin
Subject: Falcon Crest Developement

Mr Behunin,

I own a home and acreage on Cloverdale road across from Falcon Ridge golf course.
As I am sure you are aware, a large bore well is being proposed for potentially 1000's of new homes for the Falcon Ridge Project. The surrounding homes and land owners have already lost wells over the past few years. I am very concerned that the proper studies of this new mega wells impact on existing wells and the water tables are being overlooked by the developer, and or the governing body responsible for approving such a development.

If the proposed mega-well is drilled, by the time it is realized it was a mistake it will be too late, and more wells could undoubtedly dry up. Many of the water rights potentially affected date back to the 1960's and 70's, and in an era of water being such a valued commodity I think it is evident how important it is to protect what already exists ahead of what might be. Land that once had a value because it was irrigated becomes burnt and dry, making it next to worthless.

I am an Idaho native, knowing that growth is a great thing for this community, as long as the existing population and their basic needs and lives are not ignored to make room for progress.

I respectfully request that before our community swallows this pill, that a more recent and accurate assessment of the water table is done, as well as a traffic impact analysis. This will certainly provide the information needed to make all impacted sleep at night. The additional several thousand cars down this two lane road could prove to be a nasty and dangerous venture to pull out on if a plan is not implemented.

So that I may continue to keep myself abreast of any new information available, I would like to enter my request to please be kept up to date on all communications and meetings that arise regarding this project. I assume a list of emails are kept for such communications.

Thank you for your help Troy,
Rex Hiatt

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:29 PM
To: Chris Engels
Subject: FW: Falcon Crest subdivision postponement

#1

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Casey Hiatt [mailto:rchvandal@gmail.com]
Sent: Friday, December 28, 2018 2:50 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Falcon Crest subdivision postponement

Mayor Stear,
I am a resident across Cloverdale from the Falcon Crest golf course and proposed subdivision. I am writing to please request a postponement of the January 2 meeting as the short lead time has put me out of town on that date. It seems as though there is a true lack of concern for the issues brought up by the neighboring property owners and feels as though this thing is being pushed through no matter what the case may be.
The major concerns are the demand a huge megawell will put on the water table, and the traffic pattern changes neither which are being addressed by a proactive process. Please Mayor, help the governing powers see that the existing community and their well being is as important as growth and make an otherwise sour experience more palatable. I would hate to lose a whole handful of wells because a recent analysis of the water demand was not done by the developer and this city. Growth is inevitable but doesn't have to be uncomfortable.
Thank you for your help,
Rex Hiatt

Troy Behunin

From: Scott Erickson <swerickson7@gmail.com>
Sent: Thursday, December 20, 2018 1:14 PM
To: Troy Behunin
Subject: evaluating proposed development cloverdale and kuna road

Mr. Behunin,

Please add me to your distribution list regarding current and future information related to the proposed development of the land around Falcon Crest golf course. I am a home owner directly west of the proposed development and have some concerns about traffic implications, water rights, and other considerations such as schools, police and fire,

thank you,

Scott Erickson
6350 Reining Horse Dr
Kuna, ID
83634
208-949-9722
swerickson7@gmail.com

Scott Erickon
6350 Reining Horse Drive
Kuna, ID 83634

12/30/2018

Kuna Planning and Zoning Commission, Kuna City Council, and Mayor Stear

Reference: Case 18-03-AN, 18-01-CPM, 18-02-ZC, 18-01-PUD, 18-04-S and a Development Agreement: For the Falcon Crest Subdivision

Dear Kuna Planning and Zoning Commission, Kuna City Council, and Mayor Stear:

Please consider the following points regarding the proposed annexation of approximately 990 acres on the northeast corner of Cloverdale and Kuna Roads. As a property owner fronting Cloverdale directly across from the proposed annexation, I am strongly advocating for reasonable, carefully planned steps such that any development in this area provides continued quality of life, and safeguards our finite resources, especially fresh air and water.

- What plans are in place to build the infrastructure necessary to support and sustain 400+ homes, literally thousands of new residents in this area?
    - Specifically, what is the timing plan/forecast for widening Cloverdale?
    - Sewer system plan?
    - Surface water run-off plan? Significant water drains from East to West into Cloverdale Ridge Estates. Assurances or plans to understand and manage the impact to surface water quality or volume?
    - Police/Fire/School plan?
    - Environmental impact of large bore well? Who has studied this and what data suggests the impact to the ground water table? I have a private well and am concerned that my well could literally dry up
- As development of some sort is expected, please consider the long-term value of these items:
    - Gather data, and make decisions based on that data—how many cars per road, houses per well, people/acre, etc.
    - Build only low density subdivisions. R-12, for example, would provide immediate and lasting problems that simply cannot be reversed
    - Avoid large private lawns that would require water; instead, plan small to zero-scape style yards (Arizona desert style vs. traditional Meridian, Idaho)
    - Include shared public green space in an effort to be significantly less wasteful and foster a greater sense of community over dense subdivision "feel"
    - Think about and plan for the wildlife in this area. I feel that the true value in living in the country is critically lost without natural habitat—Idaho native plants and grasses are awesome, and take no costly maintenance. How hard would it be to build natural-scapes into the plan?

Sincerely,

Scott Erickson

received
12.31.2018

Scott Erickson
6350 Reining Horse Dr.
Kuna, ID 83634

Kuna Planning & Zoning

Reference: 18-03-AN

Falcon Crest Subdivision

Troy Behunin

From: Personal Gmail <sphaase1@gmail.com>
Sent: Wednesday, December 26, 2018 7:33 PM
To: Troy Behunin
Subject: Meeting Jan 2 2019–Falcon Crest Development / Cloverdale

First, send me copies of All notices—your last email was confusing—either I have been added or I have not to the list of Kuna citizens.

It is unbelievable that a pubic hearing of this magnitude effecting 50 families was not scheduled and all of those concerned notified 30 days not 5 days of the meeting.
Please explain what the meeting on 1-2-2019 is scheduled for and if it is a vote to approve the development at Falcon Crest Golf coarse I do not believe you have given sufficient notice nor do I believe the date you selected was appropriate or legal—

Regards

Steven Haase

Troy Behunin

From: Personal Gmail <sphaase1@gmail.com>
Sent: Wednesday, December 19, 2018 5:12 PM
To: Troy Behunin
Subject: Cloverdale/ Falcon crest development

I would like to request information and added to the list of people that you will notify when there is new information and when there are public meetings.
It appears the city council has already favored the proposal by the developer but as I am sure know those of us that live near by are or can be affected by the councils decisions. Please add me to the list of concerned land owners.
My name is Steven Haase and I live at 6144 E. Deer Flat rd. I have water rights to irrigate my 5 acres and I have a domestic well.
Thank you.

Regards

Steven Haase

Troy Behunin

From: Troy Behunin
Sent: Wednesday, January 02, 2019 12:48 PM
To: 'Terri Hisel'
Subject: Falcon Crest Development

Terri,
I will make sure the Council receives a copy of your letter.
Thank you,
Troy

From: Terri Hisel [mailto:tlnhisel@gmail.com]
Sent: Tuesday, January 01, 2019 12:54 PM
To: Troy Behunin <tbehunin@kunaid.gov>
Subject: Falcon Crest Development

Dear Sirs and the honorable Mayor of Kuna:

I am a property owner in Cloverdale Ridge Subdivision just West of Falcon Crest Golf Course. I would like to express concerns regarding the proposed development surrounding the golf course and it's potential negative impact on surrounding neighborhoods and our water source. Proper water studies have not been completed to determine the impact on our current water sources and the meetings held have not been favorable to property owners. All property owner's deserve complete understanding of how this development will affect our homes and property's.

Please reschedule this meeting so that proper studies can be done and more folks can attend to receive this very important information. It important to us as land and home owners and this meeting is being held at a very inopportune time due to the holidays.Many of us are out of town and there was very little notice regarding this meeting!

When golf course representatives presented a development many years ago, it was based on large rural lots and only a few homes around the course. This new proposed development will have a huge impact on our water, traffic and the country lifestyle we have all worked very hard to maintain. While we understand our city is growing, a development of this magnitude deserves a great deal more research and consideration than we feel it has received.

Please consider moving this meeting to early February to allow for more home owner's to attend and proper time for more research to be done.

Sincerely,
Terri Hisel
Treasurer, Cloverdale Ridge Water Corporation

Troy Behunin

From: Tyler Dibble <tyler@tadibble.com>
Sent: Monday, December 31, 2018 1:35 PM
To: Mayor Stear
Cc: Warren Christensen; Briana Buban-Vonder Haar; Richard Cardoza; Greg McPherson; Troy Behunin
Subject: Falcon Crest Hearing

Dear Mayor Stear,

I am the acting President of the Cloverdale Ridge Water Corporation that provides irrigation water services to the Cloverdale Ridge Estates Subdivision as well as other properties that neighbor the subdivision. The short notice that was given to the public especially the properties that neighbor the proposed Falcon Crest Subdivision for this hearing is totally insane, especially since it was sent out via email on Christmas Eve and or received in the mail on Friday or Saturday of last week. During the holidays, many people were out of town or businesses were not open. It sure makes the City of Kuna appear to be trying to push something through when few people would notice especially since there are huge issues at hand for this subdivision if it were to go through at this point.

I am asking as the acting president of the Cloverdale Water Corporation that this hearing for the Falcon Crest subdivision be postponed until the February 5th 2019 hearing. It is important that our corporation and aligning neighbors have adequate time to put together files and concerns that need to be brought to the Council's attention before a decision is made on this development.

I would also like to stress that no studies have been done for the short and long term impact to ground water for this area, school overcrowding impacts, and municipal impacts to the surrounding properties. It is my opinion as a representative of our corporation and our neighbors that it's very imperative for the people elected to public offices do their due diligence before making a decision of this size, and not just rely on the developer to present all the positive options. None of these studies have been done to date and after being present at the Planning and Zoning council meeting I can see that there are no experts on the City staff that can address these impacts objectively.

Sincerely,
Tyler Dibble

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:30 PM
To: Chris Engels
Subject: FW: Falcon Crest Subdivision

#7

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

-----Original Message-----
From: BJ H [mailto:b.j.henningfeld@gmail.com]
Sent: Friday, December 28, 2018 11:57 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Falcon Crest Subdivision

Dear Mayor Stear,

I live right across to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 2019 so I can better understand the impacts to my home and life from this subdivision.

Sincerely,

B.J. Henningfeld
(208) 570-3507
11893 S Cloverdale Rd

City of Kuna | Payment Approval Report - City Council Approval | Page: 1
Report dates: 12/28/2018-1/10/2019 | Jan 10, 2019 03:31PM

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
ACEM												
839	ACEM	60219.00		2ND QTR MEMBERSHIP CONTRIBUTION DUES FOR FY 2019, JAN.'19	01/01/2019	1,687.00	.00	01-6075 DUES & MEMBERSHIPS	0	1/19		
Total 60219.00:						1,687.00	.00					
Total ACEM:						1,687.00	.00					
ADA COUNTY HIGHWAY DISTRICT (IMPACT)												
5	ADA COUNTY HIGHWAY DISTRICT (IMPACT)	12312018ACH		ACHD IMPACT FEES FOR DECEMBER 2018	12/31/2018	53,910.00	53,910.00	01-2510 ACHD IMPACT FEE TRANSFER	0	1/19	01/09/2019	
Total 12312018ACHDI:						53,910.00	53,910.00					
Total ADA COUNTY HIGHWAY DISTRICT (IMPACT):						53,910.00	53,910.00					
ADA COUNTY SHERIFF'S OFFICE												
6	ADA COUNTY SHERIFF'S OFFICE	8080		SHERIFF SERVICES FOR JANUARY 2019	01/01/2019	183,845.78	.00	01-6000 LAW ENFORCEMENT SERVICES	0	1/19		
Total 8080:						183,845.78	.00					
Total ADA COUNTY SHERIFF'S OFFICE:						183,845.78	.00					
ADVANCED COMMUNICATIONS, INC.												
1566	ADVANCED COMMUNICATIONS, INC.	20694		QUARTERLY MAINTENANCE, 10/1/18-9/30/19 - CITY HALL - ADMIN	12/01/2018	94.08	.00	01-6255 TELEPH0NE	0	1/19		
1566	ADVANCED COMMUNICATIONS, INC.	20694		QUARTERLY MAINTENANCE, 10/1/18-9/30/19 - CITY HALL - P & Z	12/01/2018	33.60	.00	01-6255 TELEPH0NE	1003	1/19		

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
1566	ADVANCED COMMUNICATIONS, INC.	20694		QUARTERLY MAINTENANCE, 10/1/18-9/30/19 - CITY HALL - WATER	12/01/2018	87.36	.00	20-6255 TELEPH0NE EXPENSE	0	1/19		
1566	ADVANCED COMMUNICATIONS, INC.	20694		QUARTERLY MAINTENANCE, 10/1/18-9/30/19 - CITY HALL - SEWER	12/01/2018	87.36	.00	21-6255 TELEPH0NE EXPENSE	0	1/19		
1566	ADVANCED COMMUNICATIONS, INC.	20694		QUARTERLY MAINTENANCE, 10/1/18-9/30/19 - CITY HALL -P.I	12/01/2018	33.60	.00	25-6255 TELEPH0NE EXPENSE	0	1/19		
Total 20694:						336.00	.00					
1566	ADVANCED COMMUNICATIONS, INC.	20831		NEW PHONE FOR N.STAUFFER, RE-ROUTING EXTENSIONS IN UTILITY BILLING, DEC.'18 - ADMIN	12/31/2018	97.50	.00	01-6255 TELEPH0NE	0	1/19		
1566	ADVANCED COMMUNICATIONS, INC.	20831		NEW PHONE FOR N.STAUFFER, RE-ROUTING EXTENSIONS IN UTILITY BILLING, DEC.'18 - WATER	12/31/2018	128.70	.00	20-6255 TELEPH0NE EXPENSE	0	1/19		
1566	ADVANCED COMMUNICATIONS, INC.	20831		NEW PHONE FOR N.STAUFFER, RE-ROUTING EXTENSIONS IN UTILITY BILLING, DEC.'18 - SEWER	12/31/2018	128.70	.00	21-6255 TELEPH0NE EXPENSE	0	1/19		
1566	ADVANCED COMMUNICATIONS, INC.	20831		NEW PHONE FOR N.STAUFFER, RE-ROUTING EXTENSIONS IN UTILITY BILLING, DEC.'18 - P.I	12/31/2018	35.10	.00	25-6255 TELEPH0NE EXPENSE	0	1/19		
Total 20831:						390.00	.00					
Total ADVANCED COMMUNICATIONS, INC.:						726.00	.00					
AFFORDABLE TRANSMISSION & AUTO REPAIR												
1780	AFFORDABLE TRANSMISSION & AUTO REPAIR	0012188	7957	SMOG TEST FOR TRUCK #7, JAN.'19 - WATER	01/08/2019	13.50	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/19		

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 0012188:						13.50	.00					
Total AFFORDABLE TRANSMISSION & AUTO REPAIR:						13.50	.00					
ALLSTREAM BUSINESS US, INC												
1411	ALLSTREAM BUSINESS US, INC	15806629		TELEPHONE, DATA, NETWORK SERVICES, 1/1-1/31/19 - ADMIN	01/01/2019	329.32	.00	01-6255 TELEPH0NE	0	1/19		
1411	ALLSTREAM BUSINESS US, INC	15806629		TELEPHONE, DATA, NETWORK SERVICES, 1/1-31/19 - P & Z	01/01/2019	117.61	.00	01-6255 TELEPH0NE	1003	1/19		
1411	ALLSTREAM BUSINESS US, INC	15806629		TELEPHONE, DATA, NETWORK SERVICES, 1/1-31/19 - WATER	01/01/2019	305.80	.00	20-6255 TELEPH0NE EXPENSE	0	1/19		
1411	ALLSTREAM BUSINESS US, INC	15806629		TELEPHONE, DATA, NETWORK SERVICES, 1/1-31/19 - SEWER	01/01/2019	305.80	.00	21-6255 TELEPH0NE EXPENSE	0	1/19		
1411	ALLSTREAM BUSINESS US, INC	15806629		TELEPHONE, DATA, NETWORK SERVICES, 1/1-31/19 - P.I	01/01/2019	117.61	.00	25-6255 TELEPH0NE EXPENSE	0	1/19		
Total 15806629:						1,176.14	.00					
Total ALLSTREAM BUSINESS US, INC:						1,176.14	.00					
ANALYTICAL LABORATORIES												
1	ANALYTICAL LABORATORIES	59396		MONTHLY SAMPLES, DEC.'18 - WATER	12/31/2018	426.55	.00	20-6150 M & R - SYSTEM	0	1/19		
Total 59396:						426.55	.00					
1	ANALYTICAL LABORATORIES	59397		LAB TESTS, DEC.'18 - SEWER	12/31/2018	1,025.05	.00	21-6152 M & R - LABORATORY COSTS	0	1/19		
Total 59397:						1,025.05	.00					
Total ANALYTICAL LABORATORIES:						1,451.60	.00					

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
BARRY RENTAL INC												
1899	BARRY RENTAL INC	W18232-4		REPAIRS ON THE TOOL CAT, B.GILLOGLY, DEC.'18 - PARKS	12/21/2018	2,111.48	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	1/19		
Total W18232-4:						2,111.48	.00					
Total BARRY RENTAL INC:						2,111.48	.00					
BI-MART CORPORATION												
1931	BI-MART CORPORATION	358868800	7811	6 BOXES CHRISTMAS LIGHTS FOR THE PARK, M.MEADE, NOV.'18	11/26/2018	29.26	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/19		
Total 358868800:						29.26	.00					
1931	BI-MART CORPORATION	817968800	7815	CHRISTMAS LIGHTS FOR THE PARK, J.MORFIN, NOV.'18	11/27/2018	354.63	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/19		
Total 817968800:						354.63	.00					
Total BI-MART CORPORATION:						383.89	.00					
BUREAU OF OCCUPATIONAL LICENSE												
1091	BUREAU OF OCCUPATIONAL LICENSE	12052018MN		LICENSE RENEWAL FOR M.NADEAU, WWT3-19857, WWC4-21203, WWL1-20448	01/04/2019	90.00	90.00	21-6075 DUES & MEMBERSHIPS	0	1/19	01/04/2019	
Total 12052018MN:						90.00	90.00					
Total BUREAU OF OCCUPATIONAL LICENSE:						90.00	90.00					
BUYWYZ LLC												
1795	BUYWYZ LLC	131147	7914	OFFICE CHAIR, TAPE DISPENSER, DISK ORGANIZERS, SCISSORS, LETTER OPENER, WASTEBASKET, PAPER CLIPS,								

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
				2 DOZ PENS, 1 PKG LEGAL PADS, UTILITY BILLING DEC.'18 - ADMIN	12/26/2018	70.28	.00	01-6165 OFFICE SUPPLIES	0	1/19		
1795	BUYWYZ LLC	131147	7914	OFFICE CHAIR, TAPE DISPENSER, DESK ORGANIZERS, SCISSORS, LETTER OPENER, WASTEBASKET, PAPER CLIPS, 2 DOZ PENS, 1 PKG LEGAL PADS, UTILITY BILLING, DEC.'18 - WATER	12/26/2018	92.77	.00	20-6165 0FFICE SUPPLIES	0	1/19		
1795	BUYWYZ LLC	131147	7914	OFFICE CHAIR, TAPE DISPENSER, DESK ORGANIZERS, SCISSORS, LETTER OPENER, WASTE BASKET, PAPER CLIPS, 2 DOZ PENS, 1 PKG LEGAL PADS, UTILITY BILLING, DEC.'18 - SEWER	12/26/2018	92.77	.00	21-6165 OFFICE SUPPLIES	0	1/19		
1795	BUYWYZ LLC	131147	7914	OFFICE CHAIR, TAPE DISPENSER, DESK ORGANIZERS, SCISSORS, LETTER OPENER, WASTEBASKET, PAPER CLIPS, 2 DOZ PENS, 1 PKG LEGAL PADS, UTILITY BILLING, DEC.'18 - P.I	12/26/2018	25.31	.00	25-6165 OFFICE SUPPLIES	0	1/19		
Total 131147:						281.13	.00					
1795	BUYWYZ LLC	131200		SOAP REFILLS, SENIOR CENTER, DEC.'18	12/28/2018	53.58	.00	01-6025 JANITORIAL	1001	1/19		
Total 131200:						53.58	.00					
1795	BUYWYZ LLC	131372	7934	HIGHLIGHTERS, MOUSE PAD, CANDY FOR CUSTOMER SERVICE, COPY PAPER, UTILITY BILLING, JAN.'19 - ADMIN	01/02/2019	15.37	.00	01-6165 OFFICE SUPPLIES	0	1/19		
1795	BUYWYZ LLC	131372	7934	HIGHLIGHTERS, MOUSE PAD, CANDY FOR CUSTOMER SERVICE, COPY PAPER, UTILITY BILLING, JAN.'19 -								

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
				WATER	01/02/2019	20.29	.00	20-6165 0FFICE SUPPLIES	0	1/19		
1795	BUYWYZ LLC	131372	7934	HIGHLIGHTERS, MOUSE PAD, CANDY FOR CUSTOMER SERVICE, COPY PAPER, UTILITY BILLING, JAN.'19 - SEWER	01/02/2019	20.29	.00	21-6165 OFFICE SUPPLIES	0	1/19		
1795	BUYWYZ LLC	131372	7934	HIGHLIGHTERS, MOUSE PAD, CANDY FOR CUSTOMER SERVICE, COPY PAPER, UTILITY BILLING, JAN.'19 - P.I	01/02/2019	5.53	.00	25-6165 OFFICE SUPPLIES	0	1/19		
1795	BUYWYZ LLC	131372	7934	1 CASE TOILET PAPER, SENIOR CENTER - JAN.'19	01/02/2019	69.95	.00	01-6025 JANITORIAL	1001	1/19		
1795	BUYWYZ LLC	131372		2 CARTONS PAPER TOWELS, B.PRICE, JAN.'19 - SENIOR CENTER	01/02/2019	91.94	.00	01-6025 JANITORIAL	1001	1/19		
Total 131372:						223.37	.00					
Total BUYWYZ LLC:						558.08	.00					
CASELLE INC												
1239	CASELLE INC	92605		CONTRACT SUPPORT AND MAINTENANCE 2/1-28/19 - ADMIN	01/01/2019	459.20	.00	01-6052 CONTRACT SERVICES	0	1/19		
1239	CASELLE INC	92605		CONTRACT SUPPORT AND MAINTENANCE 2/1-28/19 - P & Z	01/01/2019	147.60	.00	01-6052 CONTRACT SERVICES	1003	1/19		
1239	CASELLE INC	92605		CONTRACT SUPPORT AND MAINTENANCE 2/1-28/19 - WATER	01/01/2019	434.60	.00	20-6052 CONTRACT SERVICES	0	1/19		
1239	CASELLE INC	92605		CONTRACT SUPPORT AND MAINTENANCE 2/1-28/19 - SEWER	01/01/2019	434.60	.00	21-6052 C0NTRACT SERVICES	0	1/19		
1239	CASELLE INC	92605		CONTRACT SUPPORT AND MAINTENANCE 2/1-28/19 - P.I	01/01/2019	164.00	.00	25-6052 C0NTRACT SERVICES	0	1/19		

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 92605:						1,640.00	.00					
Total CASELLE INC:						1,640.00	.00					
CASSANDRA SARAH JOHNSTON												
1924	CASSANDRA SARAH JOHNSTON	140		PHOTOGRAPHY FOR STATE OF THE CITY, DEC.'18	12/03/2018	100.00	100.00	01-6155 MEETINGS/COMMITTEES	1032	1/19	01/04/2019	
Total 140:						100.00	100.00					
Total CASSANDRA SARAH JOHNSTON:						100.00	100.00					
CENTURYLINK												
62	CENTURYLINK	208922113612		DEDICATED LANDLINE SCADA, 12/25/18-01/24/19 - WATER	12/25/2018	19.77	.00	20-6255 TELEPH0NE EXPENSE	0	1/19		
62	CENTURYLINK	208922113612		DEDICATED LANDLINE SCADA, 12/25/18-01/24/19 - SEWER	12/25/2018	19.77	.00	21-6255 TELEPH0NE EXPENSE	0	1/19		
62	CENTURYLINK	208922113612		DEDICATED LANDLINE SCADA, 12/25/18-01/24/19 - P.I	12/25/2018	7.54	.00	25-6255 TELEPH0NE EXPENSE	0	1/19		
Total 20892211361225012419:						47.08	.00					
Total CENTURYLINK:						47.08	.00					
CITIBANK, N.A.												
1874	CITIBANK, N.A.	100049994	7841	KEROSENE HEATER FOR SHOP, B.GILLOGLY, DEC.'18 - ADMIN	12/03/2018	100.00	.00	01-6175 SMALL TOOLS	0	1/19		
1874	CITIBANK, N.A.	100049994	7841	KEROSENE HEATER FOR SHOP, B.GILLOGLY, DEC.'18 - WATER	12/03/2018	40.00	.00	20-6175 SMALL TOOLS	0	1/19		
1874	CITIBANK, N.A.	100049994	7841	KEROSENE HEATER FOR SHOP, B.GILLOGLY, DEC.'18 - SEWER	12/03/2018	40.00	.00	21-6175 SMALL TOOLS	0	1/19		

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
1874	CITIBANK, N.A.	100049994	7841	KEROSENE HEATER FOR SHOP, B.GILLOGLY, DEC.'18 - P.I	12/03/2018	19.99	.00	25-6175 SMALL TOOLS	0	1/19		
Total 100049994:						199.99	.00					
1874	CITIBANK, N.A.	100050128	7845	1 PAIR GLOVES FOR D.ABBOTT, 1 PAIR BIBS FOR B.BOWEN, DEC.'18 - PARKS	12/04/2018	151.98	.00	01-6285 UNIF0RMS	1004	1/19		
Total 100050128:						151.98	.00					
1874	CITIBANK, N.A.	100050577	7866	HIGH PRESSURE PUMP FOR VAC TRAILER, J. OSBORN, DEC.'18	12/07/2018	99.99	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/19		
Total 100050577:						99.99	.00					
1874	CITIBANK, N.A.	200087629	7893	1 PAIR RUBBER BOOTS, M.MEADE, DEC.'18	12/17/2018	14.44	.00	01-6285 UNIF0RMS	1004	1/19		
Total 200087629:						14.44	.00					
Total CITIBANK, N.A.:						466.40	.00					
COMPASS												
4	COMPASS	219039		2ND QTR MEMBERSHIP DUES, FY2019, JAN. '19	01/02/2019	2,286.00	.00	01-6075 DUES & MEMBERSHIPS	0	1/19		
Total 219039:						2,286.00	.00					
Total COMPASS:						2,286.00	.00					
CORE & MAIN LP												
63	CORE & MAIN LP	J957737	7907	11 NEPTUNE METERS, 11 REGISTERS, B. BURR, DEC. '18	12/21/2018	4,114.22	.00	20-6020 CAPITAL IMPR0VEMENTS	1089	1/19		

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 J957737:						4,114.22	.00					
Total CORE & MAIN LP:						4,114.22	.00					
DIGLINE												
25	DIGLINE	0059574-IN		DIG FEES, DEC. '18 - WATER	12/31/2018	134.57	.00	20-6065 DIG LINE EXPENSE	0	1/19		
25	DIGLINE	0059574-IN		DIG FEES, DEC. '18 - SEWER	12/31/2018	134.57	.00	21-6065 DIG LINE EXPENSE	0	1/19		
25	DIGLINE	0059574-IN		DIG FEES, DEC. '18 - P.I.	12/31/2018	51.27	.00	25-6065 DIG LINE EXPENSE	0	1/19		
Total 0059574-IN:						320.41	.00					
Total DIGLINE:						320.41	.00					
DIVERSIFIED SYSTEMS INC												
76	DIVERSIFIED SYSTEMS INC	46821		FUEL TANK REPLACEMENT AT TEN MILE LIFT STATION, T.FLEMING, JAN.'19	01/03/2019	7,847.50	.00	21-6166 PP&E PURCHASES - OPERATIONS	1160	1/19		
Total 46821:						7,847.50	.00					
Total DIVERSIFIED SYSTEMS INC:						7,847.50	.00					
DMH ENTERPRISES												
1745	DMH ENTERPRISES	12312018DMH		PLUMBING PERMITS FOR DECEMBER 2018	12/31/2018	6,387.26	6,387.26	01-6202 PR0FESSI0NAL SERVICES	1003	1/19	01/09/2019	
Total 12312018DMH:						6,387.26	6,387.26					
Total DMH ENTERPRISES:						6,387.26	6,387.26					
DUBOIS CHEMICALS INC												
512	DUBOIS CHEMICALS INC	IN-1791380	7948	1 TOTE OF CHLORINE, FOR THE WELLS, D. CROSSLEY, JAN. '19	01/08/2019	753.24	.00	20-6151 M & R - PROCESS CHEMICALS	0	1/19		

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 IN-1791380:						753.24	.00					
Total DUBOIS CHEMICALS INC:						753.24	.00					
ED STAUB & SONS PETROLEUM, INC												
1731	ED STAUB & SONS PETROLEUM, INC	83523T-IN		118.50 GALLONS PROPANE DELIVERED TO THE SHOP, JAN.'19 - ADMIN	01/07/2019	119.10	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	0	1/19		
1731	ED STAUB & SONS PETROLEUM, INC	83523T-IN		118.50 GALLONS PROPANE DELIVERED TO THE SHOP, JAN.'19 - WATER	01/07/2019	47.64	.00	20-6150 M & R - SYSTEM	0	1/19		
1731	ED STAUB & SONS PETROLEUM, INC	83523T-IN		118.50 GALLONS PROPANE DELIVERED TO THE SHOP, JAN.'19 - SEWER	01/07/2019	47.64	.00	21-6150 M & R - SYSTEM	0	1/19		
1731	ED STAUB & SONS PETROLEUM, INC	83523T-IN		118.50 GALLONS PROPANE DELIVERED TO THE SHOP, JAN.'19 - P.I	01/07/2019	23.81	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	1/19		
Total 83523T-IN:						238.19	.00					
1731	ED STAUB & SONS PETROLEUM, INC	NP77132-IN		PROPANE DELIVERED TO THE SHOP, 12/26/18 - ADMIN	12/26/2018	197.89	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	0	1/19		
1731	ED STAUB & SONS PETROLEUM, INC	NP77132-IN		PROPANE DELIVERED TO THE SHOP, 12/26/18 - WATER	12/26/2018	79.15	.00	20-6150 M & R - SYSTEM	0	1/19		
1731	ED STAUB & SONS PETROLEUM, INC	NP77132-IN		PROPANE DELIVERED TO THE SHOP, 12/26/18 - SEWER	12/26/2018	79.15	.00	21-6150 M & R - SYSTEM	0	1/19		
1731	ED STAUB & SONS PETROLEUM, INC	NP77132-IN		PROPANE DELIVERED TO THE SHOP, 12/26/18 - P.I	12/26/2018	39.58	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	1/19		
Total NP77132-IN:						395.77	.00					

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 ED STAUB & SONS PETROLEUM, INC:					633.96	.00					
ELECTRICAL CONTROLS & INSTRUMENTATION												
1744	ELECTRICAL CONTROLS & INSTRUMENTATION	12312018ECI		ELECTRICAL PERMITS FOR DECEMBER 2018	12/31/2018	5,956.80	5,956.80	01-6202 PR0FESSI0NAL SERVICES	1003	1/19	01/09/2019	
	Total 12312018ECI:					5,956.80	5,956.80					
	Total ELECTRICAL CONTROLS & INSTRUMENTATION:					5,956.80	5,956.80					
FERGUSON ENTERPRISES INC												
219	FERGUSON ENTERPRISES INC	0702214	7869	10 IRR VALVE CAN LIDS, M. DAVILA, DEC. '18	12/11/2018	108.62	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	1/19		
	Total 0702214:					108.62	.00					
219	FERGUSON ENTERPRISES INC	0702214-1	7869	1 IRRIGATION MAN HOLE LID, M. DAVILA, DEC. '18	12/19/2018	270.18	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	1/19		
	Total 0702214-1:					270.18	.00					
219	FERGUSON ENTERPRISES INC	0703190	7901	1 EA 12" CAP, 1 EA 2" NIPPLE, 1 EA 2" GATE VALVE, ORCHARD LIFT STATION, DEC. '18	12/18/2018	290.63	.00	20-6020 CAPITAL IMPR0VEMENTS	1089	1/19		
	Total 0703190:					290.63	.00					
219	FERGUSON ENTERPRISES INC	0703562	7918	WATER METERS, STOCK, J.OSBORN, DEC.'18	12/27/2018	1,508.24	.00	20-6150 M & R - SYSTEM	0	1/19		
	Total 0703562:					1,508.24	.00					
	Total FERGUSON ENTERPRISES INC:					2,177.67	.00					
FLUID CONNECTOR PRODUCTS, INC.												

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
1083	FLUID CONNECTOR PRODUCTS, INC.	7169857	7871	2 PRESSURE GAUGES, FOR VAC TRAILER, J. WEBB, DEC. '18 - WATER	12/10/2018	65.06	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/19		
1083	FLUID CONNECTOR PRODUCTS, INC.	7169857	7871	2 PRESSURE GAUGES, FOR VAC TRAILER, J. WEBB, DEC. '18 - P.I.	12/10/2018	16.27	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
Total 7169857:						81.33	.00					
1083	FLUID CONNECTOR PRODUCTS, INC.	7186593	7871	22 FEET OF SUCTION HOSE FOR VAC TRAILER, J. WEBB, JAN. '19 - WATER	01/03/2019	86.30	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/19		
1083	FLUID CONNECTOR PRODUCTS, INC.	7186593		22 FEET OF SUCTION HOSE FOR VAC TRAILER, J. WEBB, JAN. '19 - P.I.	01/03/2019	21.58	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
Total 7186593:						107.88	.00					
Total FLUID CONNECTOR PRODUCTS, INC.:						189.21	.00					
FRED PRYOR SEMINARS												
161	FRED PRYOR SEMINARS	032386424-18		TRAINING REWARDS RENEWAL, ID #917146, D.CROSSLEY, JAN.'19	12/13/2018	239.20	.00	20-6265 TRAINING & SCH00LING EXPENSE	0	1/19		
161	FRED PRYOR SEMINARS	032386424-18		TRAINING REWARDS RENEWAL, ID #917146, D.CROSSLEY, JAN.'19	12/13/2018	59.80	.00	25-6265 TRAINING & SCH00LING EXPENSE	0	1/19		
Total 032386424-18347:						299.00	.00					
Total FRED PRYOR SEMINARS:						299.00	.00					
GRANITE EXCAVATION INC												
1907	GRANITE EXCAVATION INC	217070-000		PROFESSIONAL SERVICES, 11/1-12/14/18 - ORCHARD REGIONAL LIFT STATION	12/18/2018	406,621.13	.00	21-6020 CAPITAL IMPR0VEMENTS	1104	1/19		

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 217070-000:					406,621.13	.00					
	Total GRANITE EXCAVATION INC:					406,621.13	.00					
HARBOR FREIGHT TOOLS												
1312	HARBOR FREIGHT TOOLS	866534	7891	14 PC WRENCH SET, 2 GREASE GUNS, M. NADEAU, DEC. '18	12/14/2018	109.97	.00	21-6175 SMALL TOOLS	0	1/19		
	Total 866534:					109.97	.00					
	Total HARBOR FREIGHT TOOLS:					109.97	.00					
HUBER TECHNOLOGY, INC.												
1611	HUBER TECHNOLOGY, INC.	CD10017633	7878	20 EA LONGO-PACK-BAGS, T. SHAFFER, DEC. '18	12/14/2018	2,300.00	.00	21-6150 M & R - SYSTEM	0	1/19		
	Total CD10017633:					2,300.00	.00					
	Total HUBER TECHNOLOGY, INC.:					2,300.00	.00					
IDAHO HUMANE SOCIETY												
833	IDAHO HUMANE SOCIETY	01/2019		CONTRACT SERVICES FOR JANUARY 2019	01/01/2019	5,833.33	.00	01-6005 ANIMAL CONTROL SERVICES	0	1/19		
	Total 01/2019:					5,833.33	.00					
	Total IDAHO HUMANE SOCIETY:					5,833.33	.00					
IDAHO POWER CO												
38	IDAHO POWER CO	01012019I		ELECTRIC SERVICE FOR DECEMBER 2018 - STREET LIGHTS	01/01/2019	828.96	.00	01-6290 UTILITIES	1002	1/19		
	Total 01012019I:					828.96	.00					

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
38	IDAHO POWER CO	12282018I		ELECTRIC SERVICE FOR DECEMBER 2018 - ADMIN	12/28/2018	403.26	403.26	01-6290 UTILITIES	0	12/18	12/28/2018	
38	IDAHO POWER CO	12282018I		ELECTRIC SERVICE FOR DECEMBER 2018 - P & Z	12/28/2018	31.09	31.09	01-6290 UTILITIES	1003	12/18	12/28/2018	
38	IDAHO POWER CO	12282018I		ELECTRIC SERVICE FOR DECEMBER 2018 - SENIOR CENTER	12/28/2018	284.32	284.32	01-6290 UTILITIES	1001	12/18	12/28/2018	
38	IDAHO POWER CO	12282018I		ELECTRIC SERVICE FOR DECEMBER 2018 - STREET LIGHTS	12/28/2018	6,005.20	6,005.20	01-6290 UTILITIES	1002	12/18	12/28/2018	
38	IDAHO POWER CO	12282018I		ELECTRIC SERVICE FOR DECEMBER 2018 - PARKS	12/28/2018	1,006.93	1,006.93	01-6290 UTILITIES	1004	12/18	12/28/2018	
38	IDAHO POWER CO	12282018I		ELECTRIC SERVICE FOR DECEMBER 2018 - WATER	12/28/2018	7,770.10	7,770.10	20-6290 UTILITIES EXPENSE	0	12/18	12/28/2018	
38	IDAHO POWER CO	12282018I		ELECTRIC SERVICE FOR DECEMBER 2018 - SEWER	12/28/2018	19,469.26	19,469.26	21-6290 UTILITIES EXPENSE	0	12/18	12/28/2018	
38	IDAHO POWER CO	12282018I		ELECTRIC SERVICE FOR DECEMBER 2018 - FARM	12/28/2018	329.65	329.65	21-6090 FARM EXPENDITURES	0	12/18	12/28/2018	
38	IDAHO POWER CO	12282018I		ELECTRIC SERVICE FOR DECEMBER 2018 - P.I	12/28/2018	941.11	941.11	25-6290 UTILITIES EXPENSE	0	12/18	12/28/2018	
	Total 12282018I:					36,240.92	36,240.92					
	Total IDAHO POWER CO:					37,069.88	36,240.92					
IDAHO PRESS TRIBUNE, LLC												
1802	IDAHO PRESS TRIBUNE, LLC	1141993	7912	AD#1850906, LEGAL NOTICE, FILE18-07-S, ARBOR RIDGE VILLAS SUBDIVISION, J. HELLMAN, DEC. '18	01/02/2019	54.58	.00	01-6125 LEGAL PUBLICATI0NS	1003	1/19		
	Total 1141993:					54.58	.00					
	Total IDAHO PRESS TRIBUNE, LLC:					54.58	.00					

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
IDAHO STATE POLICE												
1509	IDAHO STATE POLICE	S9056889		NEW EMPLOYEE FINGERPRINTING, B.PRICE, UTILITY BILLING, DEC.'18 - ADMIN	12/14/2018	2.50	.00	01-6202 PR0FESSI0NAL SERVICES	0	1/19		
1509	IDAHO STATE POLICE	S9056889		NEW EMPLOYEE FINGERPRINTING, B.PRICE, UTILITY BILLING, DEC.'18 - WATER	12/14/2018	3.30	.00	20-6202 PROFESSIONAL SERVICES	0	1/19		
1509	IDAHO STATE POLICE	S9056889		NEW EMPLOYEE FINGERPRINTING, B.PRICE, UTILITY BILLING, DEC.'18 - SEWER	12/14/2018	3.30	.00	21-6202 PR0FESSI0NAL SERVICES	0	1/19		
1509	IDAHO STATE POLICE	S9056889		NEW EMPLOYEE FINGERPRINTING, B.PRICE, UTILITY BILLING, DEC.'18 - P.I	12/14/2018	.90	.00	25-6202 PROFESSIONAL SERVICES	0	1/19		
1509	IDAHO STATE POLICE	S9056889		NATIONWIDE BACKGROUND CHECK, NEW EMPLOYEE, D.WALTMAN, DEC.'18 - ADMIN	12/14/2018	8.00	.00	01-6202 PR0FESSI0NAL SERVICES	0	1/19		
1509	IDAHO STATE POLICE	S9056889		NATIONWIDE BACKGROUND CHECK, NEW EMPLOYEE, D.WALTMAN, DEC.'18 - WATER	12/14/2018	11.07	.00	20-6202 PROFESSIONAL SERVICES	0	1/19		
1509	IDAHO STATE POLICE	S9056889		NATIONWIDE BACKGROUND CHECK, NEW EMPLOYEE, D.WALTMAN, DEC.'18 - SEWER	12/14/2018	11.07	.00	21-6202 PR0FESSI0NAL SERVICES	0	1/19		
1509	IDAHO STATE POLICE	S9056889		NATIONWIDE BACKGROUND CHECK, NEW EMPLOYEE, D.WALTMAN, DEC.'18 - P.I	12/14/2018	1.86	.00	25-6202 PROFESSIONAL SERVICES	0	1/19		
1509	IDAHO STATE POLICE	S9056889		NATIONWIDE BACKGROUND CHECK, NEW EMPLOYEE, D.ABBOTT, PARKS, DEC.'18	12/14/2018	32.00	.00	01-6202 PR0FESSI0NAL SERVICES	1004	1/19		
Total S9056889:						74.00	.00					
Total IDAHO STATE POLICE:						74.00	.00					

INTEGRINET SOLUTIONS, INC.

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
1595	INTEGRINET SOLUTIONS, INC.	111654		PERFORMED WEEKLY PRO-ACTION MAINTENANCE, INCLUDING COMPUTER SET UP FOR NEW UTILITY BILLING EMPLOYEE, INSTALLING PUBLISHER FOR CLERKS' OFFICE, DEC.'18 - ADMIN	12/23/2018	12.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	1/19		
1595	INTEGRINET SOLUTIONS, INC.	111654		PERFORMED WEEKLY PRO-ACTION MAINTENANCE, INCLUDING COMPUTER SET UP FOR NEW UTILITY BILLING EMPLOYEE AND INSTALLING PUBLISHER FOR THE CLERKS' OFFICE, DEC.'18 - WATER	12/23/2018	15.84	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/19		
1595	INTEGRINET SOLUTIONS, INC.	111654		PERFORMED WEEKLY PRO-ACTION MAINTENANCE, INCLUDING COMPUTER SET UP FOR NEW UTILITY BILLING EMPLOYEE AND INSTALLING PUBLISHER FOR THE CLERKS' OFFICE, DEC.'18 - SEWER	12/23/2018	15.84	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
1595	INTEGRINET SOLUTIONS, INC.	111654		PERFORMED WEEKLY PRO-ACTION MAINTENANCE, INCLUDING COMPUTER SET UP FOR NEW UTILITY BILLING EMPLOYEE AND INSTALLING PUBLISHER FOR THE CLERKS' OFFICE, DEC.'18 - P.I	12/23/2018	4.32	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
Total 111654:						48.00	.00					
1595	INTEGRINET SOLUTIONS, INC.	111810		NEW COMPUTER AND SOFTWARE FOR WENDY HOWELL, DEC. '18	12/31/2018	1,482.00	.00	01-6175 SMALL TOOLS	1003	1/19		
Total 111810:						1,482.00	.00					
Total INTEGRINET SOLUTIONS, INC.:						1,530.00	.00					
INTERMOUNTAIN GAS CO												
37	INTERMOUNTAIN GAS CO	482195000112		NATURAL GAS CONSUMPTION AT THE TREATMENT PLANT, 11/28-12/27/18 - WATER	01/04/2019	891.18	891.18	20-6290 UTILITIES EXPENSE	0	1/19	01/04/2019	

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
37	INTERMOUNTAIN GAS CO	482195000112		NATURAL GAS CONSUMPTION AT THE TREATMENT PLANT, 11/28-12/27/18 - SEWER	01/04/2019	891.18	891.18	21-6290 UTILITIES EXPENSE	0	1/19	01/04/2019	
37	INTERMOUNTAIN GAS CO	482195000112		NATURAL GAS CONSUMPTION AT THE TREATMENT PLANT, 11/28-12/27/18 - P.I	01/04/2019	339.49	339.49	25-6290 UTILITIES EXPENSE	0	1/19	01/04/2019	
Total 4821950001128122718:						2,121.85	2,121.85					
Total INTERMOUNTAIN GAS CO:						2,121.85	2,121.85					
J & M SANITATION, INC.												
230	J & M SANITATION, INC.	12212018-122		SANITATION RECEIPT TRANSFER, 12/21/2018-12/27/2018	12/28/2018	11,401.35	11,401.35	26-7000 SOLID WASTE SERVICE FEES	0	12/18	12/28/2018	
230	J & M SANITATION, INC.	12212018-122		SANITATION RECEIPT TRANSFER LESS FRANCHISE FEES, 12/21/2018-12/27/2018	12/28/2018	-1,126.45	-1,126.45	01-4170 FRANCHISE FEES	0	12/18	12/28/2018	
Total 12212018-12272018:						10,274.90	10,274.90					
230	J & M SANITATION, INC.	12272018J		SLUDGE REMOVAL/DISPOSAL, DEC.'18	12/27/2018	2,520.00	.00	21-6153 M & R - SLUDGE DISPOSAL	0	1/19		
Total 12272018J:						2,520.00	.00					
230	J & M SANITATION, INC.	12282018-010		SANITATION RECEIPT TRANSFER, 12/28/2018-01/03/2019	01/04/2019	23,844.77	23,844.77	26-7000 SOLID WASTE SERVICE FEES	0	1/19	01/04/2019	
230	J & M SANITATION, INC.	12282018-010		SANITATION RECEIPT TRANSFER LESS FRANCHISE FEES, 12/28/2018-01/03/2019	01/04/2019	-2,355.86	-2,355.86	01-4170 FRANCHISE FEES	0	1/19	01/04/2019	
Total 12282018-01032019:						21,488.91	21,488.91					
Total J & M SANITATION, INC.:						34,283.81	31,763.81					

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
JONATHAN STRICKLAND												
1976	JONATHAN STRICKLAND	145		JANITORIAL SERVICES FOR JANUARY 2019, TREATMENT PLANT - WATER	01/04/2019	50.40	.00	20-6025 JANITORIAL	0	1/19		
1976	JONATHAN STRICKLAND	145		JANITORIAL SERVICES FOR JANUARY 2019, TREATMENT PLANT - SEWER	01/04/2019	50.40	.00	21-6025 JANITORIAL	0	1/19		
1976	JONATHAN STRICKLAND	145		JANITORIAL SERVICES FOR JANUARY 2019, TREATMENT PLANT - P.I	01/04/2019	19.20	.00	25-6025 JANITORIAL	0	1/19		
Total 145:						120.00	.00					
1976	JONATHAN STRICKLAND	146		JANITORIAL SERVICES FOR JANUARY 2019, SENIOR CENTER	01/04/2019	446.00	.00	01-6025 JANITORIAL	1001	1/19		
Total 146:						446.00	.00					
1976	JONATHAN STRICKLAND	147		JANITORIAL SERVICES FOR JANUARY 2019, CITY HALL - ADMIN	01/04/2019	156.80	.00	01-6025 JANITORIAL	0	1/19		
1976	JONATHAN STRICKLAND	147		JANITORIAL SERVICES FOR JANUARY 2019, CITY HALL - P & Z	01/04/2019	56.00	.00	01-6025 JANITORIAL	1003	1/19		
1976	JONATHAN STRICKLAND	147		JANITORIAL SERVICES FOR JANUARY 2019, CITY HALL - WATER	01/04/2019	145.60	.00	20-6025 JANITORIAL	0	1/19		
1976	JONATHAN STRICKLAND	147		JANITORIAL SERVICES FOR JANUARY 2019, CITY HALL - SEWER	01/04/2019	145.60	.00	21-6025 JANITORIAL	0	1/19		
1976	JONATHAN STRICKLAND	147		JANITORIAL SERVICES FOR JANUARY 2019, CITY HALL - P.I	01/04/2019	56.00	.00	25-6025 JANITORIAL	0	1/19		
Total 147:						560.00	.00					

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 JONATHAN STRICKLAND:						1,126.00	.00					
KELLER ASSOCIATES, INC.												
429	KELLER ASSOCIATES, INC.	10112018K-21		PROFESSIONAL SERVICES 9/1-30/2018 - USER RATE/CONNECTION FEE STUDY - WATER	10/11/2018	5,830.00	.00	20-6202 PROFESSIONAL SERVICES	0	1/19		
429	KELLER ASSOCIATES, INC.	10112018K-21		PROFESSIONAL SERVICES 9/1-30/2018 - USER RATE/CONNECTION FEE STUDY - SEWER	10/11/2018	5,830.00	.00	21-6202 PR0FESSI0NAL SERVICES	0	1/19		
Total 10112018K-217086-029:						11,660.00	.00					
Total KELLER ASSOCIATES, INC.:						11,660.00	.00					
KENDALL FORD OF MERIDIAN LLC												
1616	KENDALL FORD OF MERIDIAN LLC	4878	7939	PUBLIC WORKS CAR, 2018 FORD HYBRID FUSION, VIN# 3FA6P0LU3KR114426, B. BACHMAN, JAN. '19 - ADMIN	01/03/2019	11,900.50	.00	40-6166 PP&E PURCHASES OPERATIONS	1178	1/19		
1616	KENDALL FORD OF MERIDIAN LLC	4878	7939	PUBLIC WORKS CAR, 2018 FORD HYBRID FUSION, VIN# 3FA6P0LU3KR114426, B. BACHMAN, JAN. '19 - WATER	01/03/2019	4,760.20	.00	20-6166 PP&E PURCHASES OPERATIONS	1178	1/19		
1616	KENDALL FORD OF MERIDIAN LLC	4878	7939	PUBLIC WORKS CAR, 2018 FORD HYBRID FUSION, VIN# 3FA6P0LU3KR114426, B. BACHMAN, JAN. '19 - SEWER	01/03/2019	4,760.20	.00	21-6166 PP&E PURCHASES - OPERATIONS	1178	1/19		
1616	KENDALL FORD OF MERIDIAN LLC	4878	7939	PUBLIC WORKS CAR, 2018 FORD HYBRID FUSION, VIN# 3FA6P0LU3KR114426, B. BACHMAN, JAN. '19 - PI	01/03/2019	2,380.10	.00	25-6166 PP&E PURCHASES - OPERATIONS	1178	1/19		
Total 4878:						23,801.00	.00					
1616	KENDALL FORD OF MERIDIAN LLC	R1CS71727		OIL CHANGE ON TRUCK #24, B.WITHROW, JAN.'19 - PARKS	01/02/2019	100.08	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1004	1/19		

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 R1CS71727:						100.08	.00					
Total KENDALL FORD OF MERIDIAN LLC:						23,901.08	.00					
KUNA CHAMBER OF COMMERCE												
314	KUNA CHAMBER OF COMMERCE	01032019C		KUNA CHAMBERS DUES PASS-THROUGH/TRIPLE M MACHINE, DEC. '18	01/03/2019	125.00	.00	01-2075 UNEARNED REVENUE	4100	1/19		
Total 01032019C:						125.00	.00					
Total KUNA CHAMBER OF COMMERCE:						125.00	.00					
KUNA JT. SCHOOL DISTRICT NO. 3												
199	KUNA JT. SCHOOL DISTRICT NO. 3	715		FIBER OPTIC LEASE FOR DECEMBER 2018 - ADMIN	01/03/2019	84.00	.00	01-6255 TELEPH0NE	0	1/19		
199	KUNA JT. SCHOOL DISTRICT NO. 3	715		FIBER OPTIC LEASE FOR DECEMBER 2018 - P & Z	01/03/2019	30.00	.00	01-6255 TELEPH0NE	1003	1/19		
199	KUNA JT. SCHOOL DISTRICT NO. 3	715		FIBER OPTIC LEASE FOR DECEMBER 2018 - WATER	01/03/2019	78.00	.00	20-6255 TELEPH0NE EXPENSE	0	1/19		
199	KUNA JT. SCHOOL DISTRICT NO. 3	715		FIBER OPTIC LEASE FOR DECEMBER 2018 - SEWER	01/03/2019	78.00	.00	21-6255 TELEPH0NE EXPENSE	0	1/19		
199	KUNA JT. SCHOOL DISTRICT NO. 3	715		FIBER OPTIC LEASE FOR DECEMBER 2018 - P.I	01/03/2019	30.00	.00	25-6255 TELEPH0NE EXPENSE	0	1/19		
Total 715:						300.00	.00					
Total KUNA JT. SCHOOL DISTRICT NO. 3:						300.00	.00					
KUNA LUMBER												
499	KUNA LUMBER	A103183	7910	STREET LIGHTS, S.HOWELL, DEC.'18	12/21/2018	27.57	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1002	1/19		

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 A103183:						27.57	.00					
499	KUNA LUMBER	B121232	7873	1 EACH MOP AND MOP HEAD, OFFICE BUILDING, M. NADEAU, FOR SEWER DEPARTMENT, DEC. '18	12/10/2018	18.97	.00	21-6165 OFFICE SUPPLIES	0	1/19		
499	KUNA LUMBER	B121232	7873	1 EACH THREADED HANDLE AND EXTENSION POLE, M. NADEAU, FOR SEWER DEPARTMENT, DEC. '18	12/10/2018	25.00	.00	21-6140 MAINT & REPAIR BUILDING	0	1/19		
Total B121232:						43.97	.00					
499	KUNA LUMBER	B121447	7896	6 COPIES OF KEY FOR THE WELLS, J. COX, DEC. '18	12/17/2018	12.90	.00	20-6140 MAINT. & REPAIR BUILDING	0	1/19		
Total B121447:						12.90	.00					
499	KUNA LUMBER	B121538	7905	2 EA "NO PARKING" SIGNS FOR DISCOVERY AND DANSKIN LIFT STATIONS, R. WARWICK, DEC. '18	12/19/2018	21.58	.00	21-6150 M & R - SYSTEM	0	1/19		
Total B121538:						21.58	.00					
Total KUNA LUMBER:						106.02	.00					
KUNA RURAL FIRE DISTRICT (IMPACT)												
1944	KUNA RURAL FIRE DISTRICT (IMPACT)	12312018KRF		KUNA RURAL FIRE DISTRICT IMPACT FEES FOR DECEMBER 2018	12/31/2018	50,527.40	50,527.40	01-2511 KRFD IMPACT FEE TRANSFER	0	1/19	01/09/2019	
1944	KUNA RURAL FIRE DISTRICT (IMPACT)	12312018KRF		KUNA RURAL FIRE DISTRICT IMPACT FEES FOR DECEMBER 2018 LESS ADMIN FEE	12/31/2018	-270.00	-270.00	01-4155 ADMINISTRATI0N SERVICES	0	1/19	01/09/2019	
Total 12312018KRFDI:						50,257.40	50,257.40					

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 KUNA RURAL FIRE DISTRICT (IMPACT):						50,257.40	50,257.40					
KUNA RURAL FIRE DISTRICT (PLAN REVIEW)												
1945	KUNA RURAL FIRE DISTRICT (PLAN REVIEW)	12312018KRF		KUNA RURAL FIRE DISTRICT PLAN REVIEW FEES FOR DECEMBER 2018	12/31/2018	5,482.32	5,482.32	01-2512 KRFD PLAN REVIEW FEE TRANSFER	0	1/19	01/09/2019	
1945	KUNA RURAL FIRE DISTRICT (PLAN REVIEW)	12312018KRF		KUNA RURAL FIRE DISTRICT PLAN REVIEW FEES FOR DECEMBER 2018 LESS ADMIN FEE	12/31/2018	-5.25	-5.25	01-4155 ADMINISTRATI0N SERVICES	0	1/19	01/09/2019	
Total 12312018KRFDPR:						5,477.07	5,477.07					
Total KUNA RURAL FIRE DISTRICT (PLAN REVIEW):						5,477.07	5,477.07					
KUNA WELDING												
46	KUNA WELDING	4651	7903	6 FOOT PIECE OF 1/2 INCH IRON FOR TOOL RACK ON WATER TRUCK #25, J. COX, DEC. '18	12/19/2018	1.03	.00	25-6175 SMALL TOOLS	0	1/19		
46	KUNA WELDING	4651	7903	6 FOOT PIECE OF 1/2 INCH IRON FOR TOOL RACK ON WATER TRUCK #25, J. COX, DEC. '18	12/19/2018	4.13	.00	20-6175 SMALL TOOLS	0	1/19		
Total 4651:						5.16	.00					
Total KUNA WELDING:						5.16	.00					
LES SCHWAB TIRES												
221	LES SCHWAB TIRES	12800338898	7850	NEW TIRES ON TRUCK #13, B.GILLOGLY, DEC.'18	12/04/2018	813.84	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1004	1/19		
Total 12800338898:						813.84	.00					
221	LES SCHWAB TIRES	12800339016	7852	REAR DISC BRAKE REPAIR FOR SEWER TRUCK 23, S. HOWELL, DEC. '18	12/04/2018	892.27	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/19		

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 12800339016:						892.27	.00					
221	LES SCHWAB TIRES	12800340538	7887	1 EA. TIRE FOR THE KUBOTA, M.MEADE, JAN.'18 - PARKS	12/13/2018	107.89	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	1/19		
Total 12800340538:						107.89	.00					
Total LES SCHWAB TIRES:						1,814.00	.00					
MATHESON TRI-GAS INC												
1871	MATHESON TRI-GAS INC	18893987		HYDROCHLORIC ACID GAS FOR THE LAGOONS, T.SHAFFER, JAN.'19	12/31/2018	33.32	.00	21-6150 M & R - SYSTEM	0	1/19		
Total 18893987:						33.32	.00					
Total MATHESON TRI-GAS INC:						33.32	.00					
METROQUIP, INC.												
196	METROQUIP, INC.	100467	7870	CANISTER FILTER AND FOAM FILTER FOR SMALL VAC TRAILER, M. DAVILA, DEC. '18	12/10/2018	358.00	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/19		
Total 100467:						358.00	.00					
Total METROQUIP, INC.:						358.00	.00					
MISCELLANEOUS VENDORS 2												
1849	MISCELLANEOUS VENDORS 2	01032019E		REFUND OVERCHARGE ELECTRICAL PERMIT #17280 P&Z	01/03/2019	195.00	.00	01-4362 ELECTRICAL PERMITS	1003	1/19		
Total 01032019E:						195.00	.00					
Total MISCELLANEOUS VENDORS 2:						195.00	.00					

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
NEOFUNDS BY NEOPOST												
1770	NEOFUNDS BY NEOPOST	12312018NEO	7778	POSTAGE AND LABELS FOR POSTAGE MACHINE, DEC.'18 - ADMIN	12/31/2018	204.40	.00	01-6190 POSTAGE & BILLING	0	1/19		
1770	NEOFUNDS BY NEOPOST	12312018NEO	7778	POSTAGE AND LABELS FOR POSTAGE MACHINE, DEC.'18 - P & Z	12/31/2018	73.00	.00	01-6190 POSTAGE & BILLING	1003	1/19		
1770	NEOFUNDS BY NEOPOST	12312018NEO	7778	POSTAGE AND LABELS FOR POSTAGE MACHINE, DEC.'18 - WATER	12/31/2018	189.80	.00	20-6190 POSTAGE & BILLING	0	1/19		
1770	NEOFUNDS BY NEOPOST	12312018NEO	7778	POSTAGE AND LABELS FOR POSTAGE MACHINE, DEC.'18 - SEWER	12/31/2018	189.80	.00	21-6190 POSTAGE & BILLING	0	1/19		
1770	NEOFUNDS BY NEOPOST	12312018NEO		POSTAGE AND LABELS FOR POSTAGE MACHINE, DEC.'18 - P.I	12/31/2018	72.99	.00	25-6190 POSTAGE & BILLING	0	1/19		
Total 12312018NEOF:						729.99	.00					
Total NEOFUNDS BY NEOPOST:						729.99	.00					
PAIGE MECHANICAL GROUP, INC.												
1654	PAIGE MECHANICAL GROUP, INC.	8957		SERVICE ON HVAC UNIT IN CHEMICAL ROOM, T.SHAFFER, DEC.'18	12/14/2018	225.00	.00	21-6140 MAINT & REPAIR BUILDING	0	1/19		
Total 8957:						225.00	.00					
Total PAIGE MECHANICAL GROUP, INC.:						225.00	.00					
PARTS, INC.												
470	PARTS, INC.	180936	7889	PULL CORD FOR WEED EATERS, M.MEADE, DEC.'18	12/14/2018	5.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	1/19		
Total 180936:						5.00	.00					

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
470	PARTS, INC.	181100	7897	SHOP RAGS FOR WELL HOUSES, J. OSBORN, DEC. '18	12/17/2018	30.99	.00	20-6140 MAINT. & REPAIR BUILDING	0	1/19		
Total 181100:						30.99	.00					
470	PARTS, INC.	181472	7913	AIR AND FUEL FILTER FOR TRUCK #23, S.HOWELL, DEC.'18 - SEWER	12/26/2018	146.31	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/19		
Total 181472:						146.31	.00					
470	PARTS, INC.	181523	7915	1 EA 8MM SOCKET, S.HOWELL, DEC.'18 - ADMIN	12/27/2018	1.16	.00	01-6175 SMALL TOOLS	0	1/19		
470	PARTS, INC.	181523	7915	1 EA 8MM SOCKET, S.HOWELL, DEC.'18 - WATER	12/27/2018	.47	.00	20-6175 SMALL TOOLS	0	1/19		
470	PARTS, INC.	181523	7915	1 EA 8MM SOCKET, S.HOWELL, DEC.'18 - SEWER	12/27/2018	.47	.00	21-6175 SMALL TOOLS	0	1/19		
470	PARTS, INC.	181523	7915	1 EA 8MM SOCKET, S.HOWELL, DEC.'18 - P.I.	12/27/2018	.23	.00	25-6175 SMALL TOOLS	0	1/19		
Total 181523:						2.33	.00					
470	PARTS, INC.	181589		CIRCUIT TESTER, 4 SIGNAL LAMPS, TRUCK #22, R. JONES, JAN. '19 - WATER	12/28/2018	23.62	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/19		
470	PARTS, INC.	181589		CIRCUIT TESTER, 4 SIGNAL LAMPS, TRUCK #22, R. JONES, JAN. '19 - P.I.	12/28/2018	5.91	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	1/19		
Total 181589:						29.53	.00					
470	PARTS, INC.	181591		TOP LIGHT ON TRUCK 22, R. JONES, DEC. '18 - WATER	12/28/2018	12.30	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/19		
470	PARTS, INC.	181591		TOP LIGHT ON TRUCK 22, R. JONES, DEC. '18. - P.I.	12/28/2018	3.08	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	1/19		

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 181591:						15.38	.00					
Total PARTS, INC.:						229.54	.00					
SHARP ELECTRONICS CORP-METERED												
1806	SHARP ELECTRONICS CORP-METERED	11766844		EXCESS METER READING, COPIER MODEL MX2615, SERIAL 55096581, 11/1-30/18 , TREATMENT PLANT - WATER	12/28/2018	32.49	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/19		
1806	SHARP ELECTRONICS CORP-METERED	11766844		EXCESS METER READING, COPIER MODEL MX2615, SERIAL 55096581, 11/1-30/18, TREATMENT PLANT - SEWER	12/28/2018	32.49	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
1806	SHARP ELECTRONICS CORP-METERED	11766844		EXCESS METER READING, COPIER MODEL MX2615N, SERIAL 55096581, 11/1-30/18, TREATMENT PLANT - P.I	12/28/2018	12.37	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
Total 11766844:						77.35	.00					
Total SHARP ELECTRONICS CORP-METERED:						77.35	.00					
ST. LUKE'S REGIONAL MEDICAL CENTER												
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	428959159		DRUG SCREEN FOR NEW EMPLOYEE, B.PRICE, UTILITY BILLING, DEC.'18	12/14/2018	8.75	.00	01-6202 PR0FESSI0NAL SERVICES	0	1/19		
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	428959159		DRUG SCREEN FOR NEW EMPLOYEE, B.PRICE, UTILITY BILLING, DEC.'18 - WATER	12/14/2018	11.55	.00	20-6202 PROFESSIONAL SERVICES	0	1/19		
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	428959159		DRUG SCREEN FOR NEW EMPLOYEE, B.PRICE, UTILITY BILLING, DEC.'18 - SEWER	12/14/2018	11.55	.00	21-6202 PR0FESSI0NAL SERVICES	0	1/19		
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	428959159		DRUG SCREEN FOR NEW EMPLOYEE, B.PRICE, UTILITY BILLING DEC.'18 - P.I	12/14/2018	3.15	.00	25-6202 PROFESSIONAL SERVICES	0	1/19		
Total 428959159:						35.00	.00					

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 ST. LUKE'S REGIONAL MEDICAL CENTER:						35.00	.00					
SUNBELT RENTALS INC												
1972	SUNBELT RENTALS INC	84835284-000		MAN LIFT FOR INSTALLING CHRISTMAS LIGHTS AT THE PARK, B.WITHROW, DEC.'18	12/04/2018	1,477.40	.00	01-6212 RENT-EQUIPMENT	1004	1/19		
Total 84835284-0001:						1,477.40	.00					
Total SUNBELT RENTALS INC:						1,477.40	.00					
THE JORDEL COMPANY												
1523	THE JORDEL COMPANY	00000002142	7876	INSPECTION LABELS, N. STAUFFER, DEC. '18	12/11/2018	80.00	.00	01-6165 OFFICE SUPPLIES	1003	1/19		
Total 00000002142:						80.00	.00					
Total THE JORDEL COMPANY:						80.00	.00					
TREASURE VALLEY COFFEE												
992	TREASURE VALLEY COFFEE	2160:05828151	7746	3 EA 5-GALLON WATER BOTTLES, 2 SLEEVES OF CUPS, 1 CASE OF HOT CHOCOLATE, 2 PACKAGES OF COFFEE, 2 EACH CANISTERS OF CREAM AND SUGAR, TREATMENT PLANT, C. OSWALD, OCT. '18 - WATER	10/31/2018	68.26	.00	20-6165 0FFICE SUPPLIES	0	1/19		
992	TREASURE VALLEY COFFEE	2160:05828151	7746	3 EA 5-GALLON WATER BOTTLES, 2 SLEEVES OF CUPS, 1 CASE OF HOT CHOCOLATE, 2 PACKAGES OF COFFEE, 2 EACH CANISTERS OF CREAM AND SUGAR, TREATMENT PLANT, C. OSWALD, OCT. '18 - SEWER	10/31/2018	68.26	.00	21-6165 OFFICE SUPPLIES	0	1/19		
992	TREASURE VALLEY COFFEE	2160:05828151	7746	3 EA 5-GALLON WATER BOTTLES, 2 SLEEVES OF CUPS, 1 CASE OF HOT CHOCOLATE, 2 PACKAGES OF COFFEE, 2 EACH CANISTERS OF CREAM AND SUGAR, TREATMENT PLANT, C.								

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
				OSWALD, OCT. '18 - P.I.	10/31/2018	26.00	.00	25-6165 OFFICE SUPPLIES	0	1/19		
Total 2160:05828151:						162.52	.00					
992	TREASURE VALLEY COFFEE	2160:05900648	7947	1 EA 5-GALLON WATER BOTTLE, 1 WATER COOLER RENTAL, MAINTENANCE SHOP. JAN. '19	01/04/2019	16.70	.00	01-6165 OFFICE SUPPLIES	1004	1/19		
Total 2160:05900648:						16.70	.00					
992	TREASURE VALLEY COFFEE	2160:05910649	7917	4 EA 5-GALLON WATER BOTTLES, PLANT, D. CROSSLEY, DEC. '18 - WATER	12/27/2018	9.15	.00	20-6165 0FFICE SUPPLIES	0	1/19		
992	TREASURE VALLEY COFFEE	2160:05910649	7917	4 EA 5-GALLON WATER BOTTLES, PLANT, D. CROSSLEY, DEC. '18 - SEWER	12/27/2018	9.16	.00	21-6165 OFFICE SUPPLIES	0	1/19		
992	TREASURE VALLEY COFFEE	2160:05910649	7917	4 EA 5-GALLON WATER BOTTLES, PLANT, D. CROSSLEY, DEC. '18 - P.I.	12/27/2018	3.49	.00	25-6165 OFFICE SUPPLIES	0	1/19		
Total 2160:05910649:						21.80	.00					
992	TREASURE VALLEY COFFEE	2160:05922853	7947	2 EA 5-GALLON BOTTLES, 2 WATER COOLER RENTALS, CITY HALL, JAN. '19	01/04/2019	41.40	.00	01-6165 OFFICE SUPPLIES	0	1/19		
Total 2160:05922853:						41.40	.00					
Total TREASURE VALLEY COFFEE:						242.42	.00					
U. S. POST OFFICE												
67	U. S. POST OFFICE	01072019USP		2019 POST OFFICE BOX FEE, JAN.'19 - ADMIN	01/07/2019	21.42	.00	01-6190 P0STAGE & BILLING	0	1/19		
67	U. S. POST OFFICE	01072019USP		2019 POST OFFICE BOX FEE, JAN.'19 - P & Z	01/07/2019	3.06	.00	01-6190 P0STAGE & BILLING	1003	1/19		

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
67	U. S. POST OFFICE	01072019USP		2019 POST OFFICE BOX FEE, JAN.'19 - WATER	01/07/2019	32.64	.00	20-6190 P0STAGE & BILLING	0	1/19		
67	U. S. POST OFFICE	01072019USP		2019 POST OFFICE BOX FEE, JAN.'19 - SEWER	01/07/2019	32.64	.00	21-6190 P0STAGE & BILLING	0	1/19		
67	U. S. POST OFFICE	01072019USP		2019 POST OFFICE BOX FEE, JAN.'19 - P.I	01/07/2019	12.24	.00	25-6190 P0STAGE & BILLING	0	1/19		
Total 01072019USPS:						102.00	.00					
Total U. S. POST OFFICE:						102.00	.00					
U.S. BANK (VISA)												
1444	U.S. BANK (VISA)	042983544806		MICROSOFT STORE, PUBLISHER SOFTWARE, A.WELKER, DEC.'18 - ADMIN	12/20/2018	122.19	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	1/19		
1444	U.S. BANK (VISA)	042983544806		MICROSOFT STORE, PUBLISHER SOFTWARE, A.WELKER, DEC.'18 - WATER	12/20/2018	3.12	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/19		
1444	U.S. BANK (VISA)	042983544806		MICROSOFT STORE, PUBLISHER SOFTWARE, A.WELKER, DEC.'18 - SEWER	12/20/2018	3.12	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
1444	U.S. BANK (VISA)	042983544806		MICROSOFT STORE, PUBLISHER SOFTWARE, A.WELKER, DEC.'18 - P.I	12/20/2018	1.56	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
Total 04298354480641811534:						129.99	.00					
1444	U.S. BANK (VISA)	128983340300	7834	NW FOOD PRODUCER SHOW, ENTRY FEES, L.HOLLAND, NOV.'18 - ECONOMIC DEVELOPMENT	11/29/2018	101.97	.00	01-6155 MEETINGS/COMMITTEES	4000	1/19		
Total 12898334030022590601:						101.97	.00					
1444	U.S. BANK (VISA)	133983420010	7848	BARGREEN AND ELLINGSON, 2 CAMBRO'S FOR HOT CHOCOLATE AT THE TREE LIGHTING, DEC.'18	12/07/2018	280.00	.00	01-6175 SMALL TOOLS	1004	1/19		

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 13398342001073380121:						280.00	.00					
1444	U.S. BANK (VISA)	309983474005		MICROSOFT STORE, OFFICE BUSINESS 2019 SOFTWARE, CITY CLERKS' LAPTOP, DEC.'18 - ADMIN	12/13/2018	234.99	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	1/19		
1444	U.S. BANK (VISA)	309983474005		MICROSOFT STORE, OFFICE BUSINESS 2019 SOFTWARE, CITY CLERK'S LAPTOP, DEC.'18 - WATER	12/13/2018	6.00	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/19		
1444	U.S. BANK (VISA)	309983474005		MICROSOFT STORE, OFFICE BUSINESS 2019 SOFTWARE, CITY CLERKS' LAPTOP, DEC.'18 - SEWER	12/13/2018	6.00	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
1444	U.S. BANK (VISA)	309983474005		MICROSOFT STORE, OFFICE BUSINESS 2019 SOFTWARE, CITY CLERKS' LAPTOP, DEC.'18 - P.I	12/13/2018	3.00	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/19		
Total 30998347400553003525:						249.99	.00					
1444	U.S. BANK (VISA)	310683378245	7834	ALASKA AIR, AIRFARE FOR NW FOOD PRODUCER SHOW IN PORTLAND, OR, L. HOLLAND, NOV.'18 - ECONOMIC DEVELOPMENT	11/29/2018	181.90	.00	01-6270 TRAVEL	4000	1/19		
Total 31068337824506408916:						181.90	.00					
1444	U.S. BANK (VISA)	450083414001	7856	WALMART, CASE FOR IPAD, J. LORENTZ, DEC. '18	12/06/2018	39.95	.00	01-6175 SMALL TOOLS	1004	1/19		
Total 45008341400136194616:						39.95	.00					
1444	U.S. BANK (VISA)	921683311005		LOWES, LIGHTED/INFLATABLE SNOWMAN, FOR CHRISTMAS LIGHTS IN PARK, B.WITHROW, NOV.'18	11/27/2018	52.99	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/19		

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 92168331100538789583:						52.99	.00					
1444	U.S. BANK (VISA)	921683311006	7812	LOWE'S, EXTENSION LADDER AND BUNGIE CORDS, S.HOWELL, NOV.'18	11/27/2018	63.69	.00	01-6175 SMALL TOOLS	0	1/19		
1444	U.S. BANK (VISA)	921683311006	7812	LOWE'S, EXTENSION LADDER AND BUNGIE CORDS, S.HOWELL, NOV.'18	11/27/2018	22.75	.00	01-6175 SMALL TOOLS	1003	1/19		
1444	U.S. BANK (VISA)	921683311006	7812	LOWE'S, EXTENSION LADDER AND BUNGIE CORDS, S.HOWELL, NOV.'18	11/27/2018	59.15	.00	20-6175 SMALL TOOLS	0	1/19		
1444	U.S. BANK (VISA)	921683311006	7812	LOWE'S, EXTENSION LADDER AND BUNGIE CORDS, S.HOWELL, NOV.'18	11/27/2018	59.14	.00	21-6175 SMALL TOOLS	0	1/19		
1444	U.S. BANK (VISA)	921683311006	7812	LOWE'S, EXTENSION LADDER AND BUNGIE CORDS, S.HOWELL, NOV.'18	11/27/2018	22.75	.00	25-6175 SMALL TOOLS	0	1/19		
Total 92168331100617640541:						227.48	.00					
1444	U.S. BANK (VISA)	921683311006		AMAZON.COM, CREDIT/REFUND, RETURNED TABLET COVER, B.WITHROW, NOV.'18	11/27/2018	-7.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	1/19		
Total 92168331100657618352:						-7.00	.00					
1444	U.S. BANK (VISA)	921683321002	7817	LOWES, TOTES FOR ARCHERY TAG ITEMS, B.WITHROW, NOV.'18	11/28/2018	29.98	.00	40-6020 CAPITAL IMPROVEMENTS	1168	1/19		
1444	U.S. BANK (VISA)	921683321002	7817	LOWES, STAPLEGUN, B.WITHROW, NOV.'18	11/28/2018	15.48	.00	01-6175 SMALL TOOLS	1004	1/19		
1444	U.S. BANK (VISA)	921683321002		LOWES, STAPLES FOR HANGING CHRISTMAS LIGHTS, B.WITHROW, NOV.'18	11/28/2018	3.38	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/19		

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 92168332100242690944:						48.84	.00					
1444	U.S. BANK (VISA)	921683321003	7822	START STOP, SOFTWARE UPDATE, W.HOWELL, NOV.'18	11/28/2018	75.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	1/19		
Total 92168332100368382250:						75.00	.00					
1444	U.S. BANK (VISA)	921683331008	7817	HOME DEPOT, CHRISTMAS LIGHTS, NOV.'18	11/28/2018	536.88	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/19		
Total 92168333100822343418:						536.88	.00					
1444	U.S. BANK (VISA)	921683401004	7855	AMAZON.COM, DOG WASTE BAGS, DEC.'18	12/06/2018	69.98	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/19		
Total 92168340100488121679:						69.98	.00					
1444	U.S. BANK (VISA)	921683411000	7863	LOWES, SUPPLIES TO BUILD SHELVING FOR WATER METERS, M.BORZICK, DEC.'18	12/07/2018	431.65	.00	20-6150 M & R - SYSTEM	0	1/19		
1444	U.S. BANK (VISA)	921683411000	7863	LOWES, SUPPLIES TO BUILD SHELVING FOR MAPS, M.BORZICK, DEC.'18 - ADMIN	12/07/2018	107.91	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	0	1/19		
1444	U.S. BANK (VISA)	921683411000	7863	LOWES, SUPPLIES TO BUILD SHELVING FOR MAPS, M.BORZICK, DEC.'18 - WATER	12/07/2018	149.35	.00	20-6150 M & R - SYSTEM	0	1/19		
1444	U.S. BANK (VISA)	921683411000	7863	LOWES, SUPPLIES TO BUILD SHELVING FOR MAPS, M.BORZICK, DEC.'18 - P.I	12/07/2018	25.04	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	1/19		
1444	U.S. BANK (VISA)	921683411000	7863	LOWES, SUPPLIES TO BUILD SHELVING FOR MAPS, M.BORZICK, DEC.'18 - SEWER	12/07/2018	149.35	.00	21-6150 M & R - SYSTEM	0	1/19		

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 92168341100061439109:						863.30	.00					
1444	U.S. BANK (VISA)	921683471009	7881	AMAZON.COM, 2 KEYBOARDS, 1 MOUSE, AND A SET OF SPEAKERS, D. STEPHENS, DEC. '18 - P & Z	12/13/2018	78.03	.00	01-6175 SMALL TOOLS	1003	1/19		
Total 92168347100969027893:						78.03	.00					
1444	U.S. BANK (VISA)	926283462069	7875	ICSC, MEMBERSHIP FOR PROFESSIONAL ASSOCIATION, L. HOLLAND, DEC. '18	12/11/2018	135.00	.00	01-6075 DUES & MEMBERSHIPS	4000	1/19		
Total 92628346206983201704:						135.00	.00					
Total U.S. BANK (VISA):						3,064.30	.00					
U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)												
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	373544923		COPIER CONTRACT 500-0519539-000, RICOH MODEL MPC4504EX, SERIAL C737M540938 & C737M540155, CITY HALL, DEC.'18 - ADMIN	12/18/2018	177.96	.00	01-6212 RENT-EQUIPMENT	0	1/19		
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	373544923		COPIER CONTRACT 500-0519539-000, RICOH MODEL MPC4504EX, SERIAL C737M540938 & C737M540155, CITY HALL, DEC.'18 - P & Z	12/18/2018	63.56	.00	01-6212 RENT-EQUIPMENT	1003	1/19		
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	373544923		COPIER CONTRACT 500-0519539-000, RICOH MODEL MPC4504EX, SERIAL C737M540938 & C737M540155, CITY HALL, DEC.'18 - WATER	12/18/2018	165.25	.00	20-6212 RENT - EQUIPMENT	0	1/19		
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	373544923		COPIER CONTRACT 500-0519539-000, RICOH MODEL MPC4504EX, SERIAL C737M540938 & C737M540155, CITY HALL, DEC.'18 - SEWER	12/18/2018	165.25	.00	21-6212 RENT-EQUIPMENT	0	1/19		
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	373544923		COPIER CONTRACT 500-0519539-000, RICOH MODEL MPC4504EX, SERIAL								

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
				C737M540938 & C737M540155, CITY HALL, DEC.'18 - P.I	12/18/2018	63.55	.00	25-6212 RENT - EQUIPMENT	0	1/19		
Total 373544923:						635.57	.00					
Total U.S. BANK NATIONAL ASSOC (EQUIP FINANCE):						635.57	.00					
USA BLUE BOOK												
265	USA BLUE BOOK	759604	7877	2 ROLLS SEALS AND 2 EA SWITCHES, DEC.'18 - SEWER	12/11/2018	258.42	.00	21-6150 M & R - SYSTEM	0	1/19		
265	USA BLUE BOOK	759604	7877	1 BOX EAR PLUGS, T.SHAFFER, DEC.'18 - SEWER	12/11/2018	34.68	.00	21-6230 SAFETY TRAINING & EQUIPMENT	0	1/19		
Total 759604:						293.10	.00					
265	USA BLUE BOOK	763234	7890	1 GALLON TRACING DYE, T.SHAFFER, DEC.'18	12/14/2018	290.93	.00	21-6150 M & R - SYSTEM	0	1/19		
Total 763234:						290.93	.00					
Total USA BLUE BOOK:						584.03	.00					
UTILITY REFUND #6												
1951	UTILITY REFUND #6	121240.02		SHAWN M PURL, 1854 W MULHULAND CT, UTILITY REFUND	01/03/2019	.50	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	121240.02		SHAWN M PURL, 1854 W MULHULAND CT, UTILITY REFUND	01/03/2019	.65	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	121240.02		SHAWN M PURL, 1854 W MULHULAND CT, UTILITY REFUND	01/03/2019	.51	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
1951	UTILITY REFUND #6	121240.02		SHAWN M PURL, 1854 W MULHULAND CT, UTILITY REFUND	01/03/2019	1.04	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		

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 121240.02:						2.70	.00					
1951	UTILITY REFUND #6	122050.02		BURNS MATTHEW R TRUST SHARE, 1653 W SECLUDED CT, UTILITY REFUND	01/09/2019	43.88	.00	20-4500 METERED WATER SALES	0	1/19		
Total 122050.02:						43.88	.00					
1951	UTILITY REFUND #6	160710.04		KORY KNIGHT CROMER, 344 W FARMALL WAY, UTILITY REFUND	01/08/2019	66.03	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	160710.04		KORY KNIGHT CROMER, 344 W FARMALL WAY, UTILITY REFUND	01/08/2019	86.68	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	160710.04		KORY KNIGHT CROMER, 344 W FARMALL WAY, UTILITY REFUND	01/08/2019	79.46	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
1951	UTILITY REFUND #6	160710.04		KORY KNIGHT CROMER, 344 W FARMALL WAY, UTILITY REFUND	01/08/2019	27.62	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 160710.04:						259.79	.00					
1951	UTILITY REFUND #6	160995.01		JASON D WHITSON, 364 W WHITE WAY, UTILITY REFUND	01/04/2019	.04	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	160995.01		JASON D WHITSON, 364 W WHITE WAY, UTILITY REFUND	01/04/2019	.05	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	160995.01		JASON D WHITSON, 364 W WHITE WAY, UTILITY REFUND	01/04/2019	2.65	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 160995.01:						2.74	.00					
1951	UTILITY REFUND #6	162050.03		SOPHIE CASTLE, 1350 N MASSEY AVE, UTILITY REFUND	01/03/2019	14.65	.00	20-4500 METERED WATER SALES	0	1/19		

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
1951	UTILITY REFUND #6	162050.03		SOPHIE CASTLE, 1350 N MASSEY AVE, UTILITY REFUND	01/03/2019	18.99	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	162050.03		SOPHIE CASTLE, 1350 N MASSEY AVE, UTILITY REFUND	01/03/2019	14.67	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
1951	UTILITY REFUND #6	162050.03		SOPHIE CASTLE, 1350 N MASSEY AVE, UTILITY REFUND	01/03/2019	5.68	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 162050.03:						53.99	.00					
1951	UTILITY REFUND #6	170960.03		CORY J SAYRE, 773 S WHITEHORSE AVE, UTILITY REFUND	01/09/2019	226.27	.00	20-4500 METERED WATER SALES	0	1/19		
Total 170960.03:						226.27	.00					
1951	UTILITY REFUND #6	173550.03		MARKETPLACE MORTGAGE, 1998 W STONY DESERT ST, UTILITY REFUND	12/27/2018	24.66	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	173550.03		MARKETPLACE MORTGAGE, 1998 W STONY DESERT ST, UTILITY REFUND	12/27/2018	30.03	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	173550.03		MARKETPLACE MORTGAGE, 1998 W STONY DESERT ST, UTILITY REFUND	12/27/2018	23.48	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
1951	UTILITY REFUND #6	173550.03		MARKETPLACE MORTGAGE, 1998 W STONY DESERT ST, UTILITY REFUND	12/27/2018	11.27	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 173550.03:						89.44	.00					
1951	UTILITY REFUND #6	174109.01		CBH HOMES, 1679 W SAHARA DR, UTILITY REFUND	01/03/2019	22.10	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	174109.01		CBH HOMES, 1679 W SAHARA DR, UTILITY REFUND	01/03/2019	28.71	.00	21-4600 SEWER USER FEES	0	1/19		

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
1951	UTILITY REFUND #6	174109.01		CBH HOMES, 1679 W SAHARA DR, UTILITY REFUND	01/03/2019	12.96	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 174109.01:						63.77	.00					
1951	UTILITY REFUND #6	174114.01		CBH HOMES, 906 S STIBNITE PL, UTILITY REFUND	01/03/2019	32.93	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	174114.01		CBH HOMES, 906 S STIBNITE PL, UTILITY REFUND	01/03/2019	42.78	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	174114.01		CBH HOMES, 906 S STIBNITE PL, UTILITY REFUND	01/03/2019	20.74	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 174114.01:						96.45	.00					
1951	UTILITY REFUND #6	174115.01A		CBH HOMES, 888 S STIBNITE PL, UTILITY REFUND	01/04/2019	73.22	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	174115.01A		CBH HOMES, 888 S STIBNITE PL, UTILITY REFUND	01/04/2019	27.34	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	174115.01A		CBH HOMES, 888 S STIBNITE PL, UTILITY REFUND	01/04/2019	16.96	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 174115.01A:						117.52	.00					
1951	UTILITY REFUND #6	174128.01		CBH HOMES, 1704 W SAHARA DR, UTILITY REFUND	12/27/2018	59.00	.00	20-4500 METERED WATER SALES	0	1/19		
Total 174128.01:						59.00	.00					
1951	UTILITY REFUND #6	174130.01		CBH HOMES, 1728 W SAHARA DR, UTILITY REFUND	01/04/2019	21.49	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	174130.01		CBH HOMES, 1728 W SAHARA DR, UTILITY REFUND	01/04/2019	27.92	.00	21-4600 SEWER USER FEES	0	1/19		

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
1951	UTILITY REFUND #6	174130.01		CBH HOMES, 1728 W SAHARA DR, UTILITY REFUND	01/04/2019	9.62	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 174130.01:						59.03	.00					
1951	UTILITY REFUND #6	175006.02		JUAN TORRES, 1488 W BAYHORSE ST, UTILITY REFUND	12/27/2018	17.47	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	175006.02		JUAN TORRES, 1488 W BAYHORSE ST, UTILITY REFUND	12/27/2018	22.66	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	175006.02		JUAN TORRES, 1488 W BAYHORSE ST, UTILITY REFUND	12/27/2018	19.38	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
1951	UTILITY REFUND #6	175006.02		JUAN TORRES, 1488 W BAYHORSE ST, UTILITY REFUND	12/27/2018	10.44	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 175006.02:						69.95	.00					
1951	UTILITY REFUND #6	175024.01A		CBH HOMES, 284 S RETORT AVE, UTILITY REFUND	01/04/2019	52.64	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	175024.01A		CBH HOMES, 284 S RETORT AVE, UTILITY REFUND	01/04/2019	2.63	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	175024.01A		CBH HOMES, 284 S RETORT AVE, UTILITY REFUND	01/04/2019	3.49	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 175024.01A:						58.76	.00					
1951	UTILITY REFUND #6	190220.02		MARKETPLACE MORTGAGE INC, 395 W WHITETAIL CT, UTILITY REFUND	01/03/2019	10.91	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	190220.02		MARKETPLACE MORTGAGE INC, 395 W WHITETAIL CT, UTILITY REFUND	01/03/2019	14.16	.00	21-4600 SEWER USER FEES	0	1/19		

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
1951	UTILITY REFUND #6	190220.02		MARKETPLACE MORTGAGE INC, 395 W WHITETAIL CT, UTILITY REFUND	01/03/2019	12.08	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
1951	UTILITY REFUND #6	190220.02		MARKETPLACE MORTGAGE INC, 395 W WHITETAIL CT, UTILITY REFUND	01/03/2019	2.85	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 190220.02:						40.00	.00					
1951	UTILITY REFUND #6	203000.04		MICHAEL S CANADAY, 495 E WHITBECK ST, UTILITY REFUND	01/04/2019	18.70	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	203000.04		MICHAEL S CANADAY, 495 E WHITBECK ST, UTILITY REFUND	01/04/2019	15.02	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
1951	UTILITY REFUND #6	203000.04		MICHAEL S CANADAY, 495 E WHITBECK ST, UTILITY REFUND	01/04/2019	14.39	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	203000.04		MICHAEL S CANADAY, 495 E WHITBECK ST, UTILITY REFUND	01/04/2019	6.12	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 203000.04:						54.23	.00					
1951	UTILITY REFUND #6	20440.02		PATSY JEAN WELLS, 541 E BLUE SKY DR, UTILITY REFUND	01/08/2019	8.01	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	20440.02		PATSY JEAN WELLS, 541 E BLUE SKY DR, UTILITY REFUND	01/08/2019	8.16	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	20440.02		PATSY JEAN WELLS, 541 E BLUE SKY DR, UTILITY REFUND	01/08/2019	9.66	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
Total 20440.02:						25.83	.00					
1951	UTILITY REFUND #6	250450.02		LORA SANDBURG, 754 W PLAYGROUND ST, UTILITY								

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
				REFUND	01/03/2019	32.50	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	250450.02		LORA SANDBURG, 754 W PLAYGROUND ST, UTILITY REFUND	01/03/2019	42.25	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	250450.02		LORA SANDBURG, 754 W PLAYGROUND ST, UTILITY REFUND	01/03/2019	32.72	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
1951	UTILITY REFUND #6	250450.02		LORA SANDBURG, 754 W PLAYGROUND ST, UTILITY REFUND	01/03/2019	13.51	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 250450.02:						120.98	.00					
1951	UTILITY REFUND #6	260620.03		PARKER A WIGHTMAN, 1834 N FIREBRICK DR, UTILITY REFUND	01/08/2019	2.28	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	260620.03		PARKER A WIGHTMAN, 1834 N FIREBRICK DR, UTILITY REFUND	01/08/2019	-.22	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	260620.03		PARKER A WIGHTMAN, 1834 N FIREBRICK DR, UTILITY REFUND	01/08/2019	2.11	.00	26-4975 SOLID WASTE USER FEES	0	1/19		
1951	UTILITY REFUND #6	260620.03		PARKER A WIGHTMAN, 1834 N FIREBRICK DR, UTILITY REFUND	01/08/2019	.94	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 260620.03:						5.11	.00					
1951	UTILITY REFUND #6	264535.02		ANDREW HARDY, 2005 W CRENSHAW ST, UTILITY REFUND	01/03/2019	3.50	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	264535.02		ANDREW HARDY, 2005 W CRENSHAW ST, UTILITY REFUND	01/03/2019	4.54	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	264535.02		ANDREW HARDY, 2005 W CRENSHAW ST, UTILITY REFUND	01/03/2019	3.47	.00	26-4975 SOLID WASTE USER FEES	0	1/19		

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
1951	UTILITY REFUND #6	264535.02		ANDREW HARDY, 2005 W CRENSHAW ST, UTILITY REFUND	01/03/2019	4.69	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
1951	UTILITY REFUND #6	264535.02		ANDREW HARDY, 2005 W CRENSHAW ST, UTILITY REFUND	01/03/2019	1.34	.00	20-4510 SERVICE RECONNECT FEES	0	1/19		
Total 264535.02:						17.54	.00					
1951	UTILITY REFUND #6	268123.01		CBH HOMES, 1632 N VERIDIAN AVE, UTILITY REFUND	01/04/2019	27.37	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	268123.01		CBH HOMES, 1632 N VERIDIAN AVE, UTILITY REFUND	01/04/2019	21.07	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	268123.01		CBH HOMES, 1632 N VERIDIAN AVE, UTILITY REFUND	01/04/2019	12.20	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 268123.01:						60.64	.00					
1951	UTILITY REFUND #6	277035.01		CBH HOMES, 2569 N IDITAROD WAY, UTILITY REFUND	01/03/2019	33.71	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	277035.01		CBH HOMES, 2569 N IDITAROD WAY, UTILITY REFUND	01/03/2019	27.14	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	277035.01		CBH HOMES, 2569 N IDITAROD WAY, UTILITY REFUND	01/03/2019	12.28	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 277035.01:						73.13	.00					
1951	UTILITY REFUND #6	277113.01A		CBH HOMES, 702 W ALLSPICE ST, UTILITY REFUND	01/04/2019	54.57	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	277113.01A		CBH HOMES, 702 W ALLSPICE ST, UTILITY REFUND	01/04/2019	.98	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	277113.01A		CBH HOMES, 702 W ALLSPICE ST, UTILITY REFUND	01/04/2019	3.21	.00	25-4700 PRESS. IRRIGATI0N USER				

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
								FEES	0	1/19		
Total 277113.01A:						58.76	.00					
1951	UTILITY REFUND #6	277326.01		CBH HOMES, 343 W SCREECH OWL DR, UTILITY REFUND	01/08/2019	4.17	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	277326.01		CBH HOMES, 343 W SCREECH OWL DR, UTILITY REFUND	01/08/2019	5.41	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	277326.01		CBH HOMES, 343 W SCREECH OWL DR, UTILITY REFUND	01/08/2019	3.21	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 277326.01:						12.79	.00					
1951	UTILITY REFUND #6	277418.01		CBH HOMES, 2312 N DOE AVE, UTILITY REFUND	12/27/2018	4.92	.00	20-4500 METERED WATER SALES	0	1/19		
Total 277418.01:						4.92	.00					
1951	UTILITY REFUND #6	277419.01		CBH HOMES, 2296 N DOE AVE, UTILITY REFUND	12/27/2018	11.17	.00	20-4500 METERED WATER SALES	0	1/19		
Total 277419.01:						11.17	.00					
1951	UTILITY REFUND #6	277422.01		CBH HOMES, 2297 N DOE AVE, UTILITY REFUND	01/08/2019	25.33	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	277422.01		CBH HOMES, 2297 N DOE AVE, UTILITY REFUND	01/08/2019	32.90	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	277422.01		CBH HOMES, 2297 N DOE AVE, UTILITY REFUND	01/08/2019	17.99	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 277422.01:						76.22	.00					

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
1951	UTILITY REFUND #6	278106.01A		CBH HOMES, 3060 W FUJI CT, UTILITY REFUND	01/04/2019	168.92	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	278106.01A		CBH HOMES, 3060 W FUJI CT, UTILITY REFUND	01/04/2019	5.06	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	278106.01A		CBH HOMES, 3060 W FUJI CT, UTILITY REFUND	01/04/2019	3.86	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 278106.01A:						177.84	.00					
1951	UTILITY REFUND #6	278230.01A		CBH HOMES, 9386 S BRAEBURN AVE, UTILITY REFUND	01/04/2019	75.39	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	278230.01A		CBH HOMES, 9386 S BRAEBURN AVE, UTILITY REFUND	01/04/2019	23.94	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	278230.01A		CBH HOMES, 9386 S BRAEBURN AVE, UTILITY REFUND	01/04/2019	18.19	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 278230.01A:						117.52	.00					
1951	UTILITY REFUND #6	280510.01		SUNRISE HOMES, 2194 N FIRE OPAL AVE, UTILITY REFUND	01/04/2019	.27	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	280510.01		SUNRISE HOMES, 2194 N FIRE OPAL AVE, UTILITY REFUND	01/04/2019	.36	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	280510.01		SUNRISE HOMES, 2194 N FIRE OPAL AVE, UTILITY REFUND	01/04/2019	1.25	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 280510.01:						1.88	.00					
1951	UTILITY REFUND #6	280530.01		TRADITION CUSTOM HOMES, 2239 N FIRE OPAL AVE, UTILITY REFUND	01/08/2019	1.53	.00	20-4500 METERED WATER SALES	0	1/19		

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
1951	UTILITY REFUND #6	280530.01		TRADITION CUSTOM HOMES, 2239 N FIRE OPAL AVE, UTILITY REFUND	01/08/2019	1.99	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	280530.01		TRADITION CUSTOM HOMES, 2239 N FIRE OPAL AVE, UTILITY REFUND	01/08/2019	3.05	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 280530.01:						6.57	.00					
1951	UTILITY REFUND #6	291041.01		CBH HOMES, 6908 S DONAWAY AVE, UTILITY REFUND	01/08/2019	20.36	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	291041.01		CBH HOMES, 6908 S DONAWAY AVE, UTILITY REFUND	01/08/2019	28.61	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	291041.01		CBH HOMES, 6908 S DONAWAY AVE, UTILITY REFUND	01/08/2019	14.71	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 291041.01:						63.68	.00					
1951	UTILITY REFUND #6	302025.01		RIVERWOOD HOMES, 631 E RAISON CT, UTILITY REFUND	01/03/2019	12.15	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	302025.01		RIVERWOOD HOMES, 631 E RAISON CT, UTILITY REFUND	01/03/2019	15.77	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	302025.01		RIVERWOOD HOMES, 631 E RAISON CT, UTILITY REFUND	01/03/2019	9.75	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 302025.01:						37.67	.00					
1951	UTILITY REFUND #6	302104.01		EAGLEWOOD HOMES, 677 E ANDES DR, UTILITY REFUND	01/03/2019	9.20	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	302104.01		EAGLEWOOD HOMES, 677 E ANDES DR, UTILITY REFUND	01/03/2019	11.95	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	302104.01		EAGLEWOOD HOMES, 677 E ANDES DR, UTILITY REFUND	01/03/2019	5.59	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		

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 302104.01:						26.74	.00					
1951	UTILITY REFUND #6	303201.01		HUBBLE HOMES, 2655 N ELK CREEK AVE, UTILITY REFUND	01/03/2019	31.75	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	303201.01		HUBBLE HOMES, 2655 N ELK CREEK AVE, UTILITY REFUND	01/03/2019	41.25	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	303201.01		HUBBLE HOMES, 2655 N ELK CREEK AVE, UTILITY REFUND	01/03/2019	12.50	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 303201.01:						85.50	.00					
1951	UTILITY REFUND #6	303219.01		HUBBLE HOMES, 1134 E JACK CREEK ST, UTILITY REFUND	01/03/2019	41.25	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	303219.01		HUBBLE HOMES, 1134 E JACK CREEK ST, UTILITY REFUND	01/03/2019	12.50	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
1951	UTILITY REFUND #6	303219.01		HUBBLE HOMES, 1134 E JACK CREEK ST, UTILITY REFUND	01/03/2019	31.75	.00	20-4500 METERED WATER SALES	0	1/19		
Total 303219.01:						85.50	.00					
1951	UTILITY REFUND #6	310021.01		COLEMAN HOMES, 9484 S SARATOV WAY, UTILITY REFUND	01/04/2019	.78	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	310021.01		COLEMAN HOMES, 9484 S SARATOV WAY, UTILITY REFUND	01/04/2019	.59	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	310021.01		COLEMAN HOMES, 9484 S SARATOV WAY, UTILITY REFUND	01/04/2019	.51	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 310021.01:						1.88	.00					
1951	UTILITY REFUND #6	310023.01		TOLL BROS INC, 9432 S SARATOV WAY, UTILITY								

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
				REFUND	01/03/2019	11.12	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	310023.01		TOLL BROS INC, 9432 S SARATOV WAY, UTILITY REFUND	01/03/2019	14.43	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	310023.01		TOLL BROS INC, 9432 S SARATOV WAY, UTILITY REFUND	01/03/2019	10.55	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 310023.01:						36.10	.00					
1951	UTILITY REFUND #6	310301.01		TOLL BROS INC, 1049 W SAGWON DR, UTILITY REFUND	01/08/2019	4.38	.00	21-4600 SEWER USER FEES	0	1/19		
1951	UTILITY REFUND #6	310301.01		TOLL BROS INC, 1049 W SAGWON DR, UTILITY REFUND	01/08/2019	3.37	.00	20-4500 METERED WATER SALES	0	1/19		
1951	UTILITY REFUND #6	310301.01		TOLL BROS INC, 1049 W SAGWON DR, UTILITY REFUND	01/08/2019	3.49	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/19		
Total 310301.01:						11.24	.00					
Total UTILITY REFUND #6:						2,416.73	.00					
VERIZON WIRELESS												
1575	VERIZON WIRELESS	9821235331		CELL PHONE SERVICE, 11/29-12/28/18 - ADMIN	12/28/2018	97.41	.00	01-6255 TELEPH0NE	0	1/19		
1575	VERIZON WIRELESS	9821235331		CELL PHONE SERVICE, 11/29-12/28/18 - PARKS	12/28/2018	313.12	.00	01-6255 TELEPH0NE	1004	1/19		
1575	VERIZON WIRELESS	9821235331		CELL PHONE SERVICE, 11/29-12/28/18 - BUILDING INSPECTION	12/28/2018	86.98	.00	01-6255 TELEPH0NE	1005	1/19		
1575	VERIZON WIRELESS	9821235331		CELL PHONE SERVICE, 11/29-12/28/18 - WATER	12/28/2018	343.21	.00	20-6255 TELEPH0NE EXPENSE	0	1/19		
1575	VERIZON WIRELESS	9821235331		CELL PHONE SERVICE, 11/29-12/28/18 - SEWER	12/28/2018	499.77	.00	21-6255 TELEPH0NE EXPENSE	0	1/19		

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
1575	VERIZON WIRELESS	9821235331		CELL PHONE SERVICE, 11/29-12/28/18 - P.I	12/28/2018	94.62	.00	25-6255 TELEPH0NE EXPENSE	0	1/19		
1575	VERIZON WIRELESS	9821235331		CELL PHONE SERVICE, 11/29-12/28/18 - ECONOMIC DEVELOPMENT	12/28/2018	43.49	.00	01-6255 TELEPH0NE	4000	1/19		
Total 9821235331:						1,478.60	.00					
Total VERIZON WIRELESS:						1,478.60	.00					
W.W. GRAINGER												
162	W.W. GRAINGER	9036330661	7902	HAND TRUCK, T. SHAFFER, DEC. '18	12/18/2018	194.00	.00	21-6175 SMALL TOOLS	0	1/19		
Total 9036330661:						194.00	.00					
Total W.W. GRAINGER:						194.00	.00					
WEX BANK												
1234	WEX BANK	57178512		FUEL, DEC.'18 - ADMIN	12/31/2018	2.22	.00	01-6300 FUEL	0	1/19		
1234	WEX BANK	57178512		FUEL, DEC.'18 - PARKS	12/31/2018	383.38	.00	01-6300 FUEL	1004	1/19		
1234	WEX BANK	57178512		FUEL, DEC.'18 - BUILDING INSPECTION	12/31/2018	85.71	.00	01-6300 FUEL	1005	1/19		
1234	WEX BANK	57178512		FUEL, DEC.'18 - WATER	12/31/2018	407.46	.00	20-6300 FUEL	0	1/19		
1234	WEX BANK	57178512		FUEL, DEC.'18 - SEWER	12/31/2018	125.97	.00	21-6300 FUEL	0	1/19		
1234	WEX BANK	57178512		FUEL, DEC.'18 - P.I	12/31/2018	106.75	.00	25-6300 FUEL	0	1/19		
Total 57178512:						1,111.49	.00					
Total WEX BANK:						1,111.49	.00					

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
WHITE, PETERSON, GIGRAY, & NICHOLS P.A.												
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	131516		LEGAL SERVICES, DECEMBER 2018 - ADMIN	12/31/2018	3,642.36	.00	01-6202 PR0FESSI0NAL SERVICES	0	1/19		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	131516		LEGAL SERVICES, DECEMBER 2018 - PARKS	12/31/2018	144.00	.00	01-6202 PR0FESSI0NAL SERVICES	1004	1/19		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	131516		LEGAL SERVICES, DECEMBER 2018 - WATER	12/31/2018	57.60	.00	20-6202 PROFESSIONAL SERVICES	0	1/19		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	131516		LEGAL SERVICES, DECEMBER 2018 - SEWER	12/31/2018	57.60	.00	21-6202 PR0FESSI0NAL SERVICES	0	1/19		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	131516		LEGAL SERVICES, DECEMBER 2018 - P.I	12/31/2018	28.80	.00	25-6202 PROFESSIONAL SERVICES	0	1/19		
Total 131516:						3,930.36	.00					
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	131517		LEGAL SERVICES, DEC.'18 - WATER	12/31/2018	690.11	.00	20-6202 PROFESSIONAL SERVICES	0	1/19		
Total 131517:						690.11	.00					
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	131519		LEGAL SERVICES, DECEMBER 2018 - SEWER	12/31/2018	1,278.00	.00	21-6202 PR0FESSI0NAL SERVICES	0	1/19		
Total 131519:						1,278.00	.00					
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	131566		LEGAL SERVICES, DECEMBER 2018 - P & Z	12/31/2018	3,658.00	.00	01-6202 PR0FESSI0NAL SERVICES	1003	1/19		
Total 131566:						3,658.00	.00					

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 WHITE, PETERSON, GIGRAY, & NICHOLS P.A.:						9,556.47	.00					
Grand Totals:						886,768.71	192,305.11					

Dated: _____

Mayor: _____

City Council: _____

_____

_____

_____

_____

_____

City Treasurer: _____

Report Criteria:
Detail report.
Invoices with totals above $0.00 included.
Paid and unpaid invoices included.

RESOLUTION NO. R02-2019
CITY OF KUNA, IDAHO

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS.

WHEREAS, Idaho Code §50-907 requires that the City Council authorize the destruction of records that are not required to be retained as permanent records and that have met the minimum retention period provided by the City's record retention schedule and are no longer required by law or for city business; and,

WHEREAS, the City Clerk has identified certain records for destruction that have exceeded their minimum retention; and,

WHEREAS, approval for the destruction of the below listed records has been obtained from the Idaho State Historical Society, when required, and the City Attorney, as provided by Idaho Code §50-907.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Kuna, Idaho that the below listed records shall be destroyed under the direction and supervision of the City Clerk.

RECORDS TO BE DESTROYED	AUTHORITY
Election Ballots • 2005 Official City Ballots for Council Members **Temporary: Keep 2 Years after Fiscal End**	**Idaho State Code §50-907(3)(c)**
Election Supplies • Misc. Election Items: Pens, Ink Pads, "I Voted Stickers" **Temporary: Keep 2 Years after Fiscal End**	**Idaho State Code §50-907(3)(d)**
Public Records Requests • 2007 Public Records Requests **Temporary: Keep 2 Years after Fiscal End**	**Idaho State Code §50-907(3)(d)**
Permits & Licenses • 2011 Retail Fireworks Permits • 2010 Alcohol Catering Permits • 2008-2012 Dog License Tags **Semipermanent: Keep 5 Years after Fiscal End**	**Idaho State Code §50-907(2)(d)**
Insurance Policy Records • ICRMP Renewal 09.04.2006 **Semipermanent: Keep 5 Years after Fiscal End**	**Idaho State Code §50-907(2)(g)**
Correspondence • 2009 General Correspondence • 2007 Community Communication **Transitory or Semipermanent: Keep 5 years after Fiscal End or Administrative Need Ends**	**Idaho State Code §50-907(2)(g)**
Activity Reports, General • 2001 City Hall Cleaning Quotes	**Idaho State Code §50-907(2)(g)**

Semipermanent: Keep 5 years after Fiscal End	
Park & Facility Use Permits • 2010 Bernie Fisher Park Reservation **Temporary: Keep 2 years after date of event, denial or revocation of permit**	**Idaho State Code §50-907(2)(d)**
Accounts Payable • 2006-2009 Dog License Tag Invoices • 1995-1996 Payables • 08.08.2012-12.2012 Paid Invoices • 2004 Utility Billing • 03.07.2012-07.18.2012 Paid Invoices • 1998-1999 Paid Bills L-Z • 1996-1997 Paid Bills N-Z • 1997-1998 Bills **Semipermanent: Keep 5 years after Fiscal End**	**Idaho State Code §50-907(2)(a)**
Accounts Receivable • 1993-1195 Aged Account List • 2011-2012 Irrigation Billing • 06.2010-07.2010 Water Bill Receipts • 10.2010-11.2010 Water Bill Receipts • 2003 Utility Billing Books • 2011 Utility Billing Books • 2012 Utility Billing Receipts • 09.2010-10.2013 Utility Meter Readings & Billings • 03.2011-07.2011 Utility Meter Readings & Billings • 02.2012-05.2012 Utility Meter Readings & Billings • 06.2012-07.2012 Utility Billing • 06.2012-07.2012 Irrigation Billing • 04.2011-07.2011 Utility Billing • 01.2010-03.2012 Utility Billing Daily Work • 09.2010 Utility Billing • 10.2011-12.2011 Utility Billing **Semipermanent: Keep 5 years after Fiscal End**	**Idaho State Code §50-907(2)(a)**
Financial Reports • 2007 City Surplus Bid Results • 2004-2006 Voided Checks • 2005 Excise Tax (Fuel) Recovery • 2005-2007 BOTC Statements • 2005-2007 US Bank Statements • 2007 Bank Statements/Customer Analysis • 2007 Workers Compensation Info • 2007 Visa Payments • 2000-2007 Letters of Credit • 10.01.2007-09.30.2008 Voided Checks • 10.01.2008-09.30.2009 Voided Checks • 10.2009-09.2010 Voided Checks • 1996-1997 Journal Entries • 02.19.2002-02.19.2004 Daily Reconciliations – P&Z	**Idaho State Code §50-907(2)(a)**

• 1996-1997 Unemployment Insurance Wage Reports • 1998-1999 State Quarterly Unemployment Tax Reports • 1996-1997 Accounts Payable Journal • 10.2002-09.2003 Bank Statements/Records • 01.01.2011-01.31.2011 Caselle Daily Work • 1993-1995 Bank Statements • 1998-1999 Bank Statements • 2010-08.20.2012 Indigent Services • 11.2005-12.2005 ASYST Accounting • 08.2006 ASYST Accounting • 10.2010-11.2010 Caselle Daily Work • 11.2007 Payment Posting Journal & Misc. Entries • 12.2007 Daily Deposits • 1996-1997 Cash Reconciliations • 1996-1997 Cash Deposits • 1996-1997 Bank Statements • 1996-1997 Collections • 1996-1997 Voided Checks: #5516 - #6394 • 1996-1997 Check Registers • 07.2011-10.2011 Caselle Daily Work **Semipermanent: Keep 5 years after Fiscal End**	
Financial Reports • 2001 Vendor List **Temporary: Keep 2 Years after Fiscal End or until Superseded/Obsolete**	**Idaho State Code §50-907(2)(g)**
Financial Reports • Empty Ledger **Temporary: Keep 2 Years after Fiscal End**	**Idaho State Code §50-907 (3)(d)**
Employee Personnel Records • 1995 Unsuccessful Employment Applications • 2010 Unsuccessful Applicants for Waste Water Attendant Position **Temporary: Keep 2 Years after Fiscal End**	**Idaho State Code §50-907(3)(d)**
Utility Assessment Records • 03.01.2012-08.31.2012 Assessments • 09.01.2012-10.31.2012 Assessments • 11.01.2012-12.31.2012 Assessments • 11.01.2010-05.16.2011 Assessments • 05.17.2011-10.21.2011 Assessments • 2011-2013 Assessments **Semipermanent: Keep 5 years after Fiscal End**	**Idaho State Code §50-907(2)(a)**

The administrative staff of the City is authorized to take all necessary steps to carry out the authorization provided by this Resolution.

PASSED BY THE CITY COUNCIL of Kuna, Idaho this 15th day of January, 2019.

APPROVED BY THE MAYOR of Kuna, Idaho this 15th day of January, 2019.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

City of Kuna

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
www.Kunacity.id.gov

Council Findings of Fact & Conclusions of Law

To: **City Council**

File Numbers: **18-03-V** (Variance)

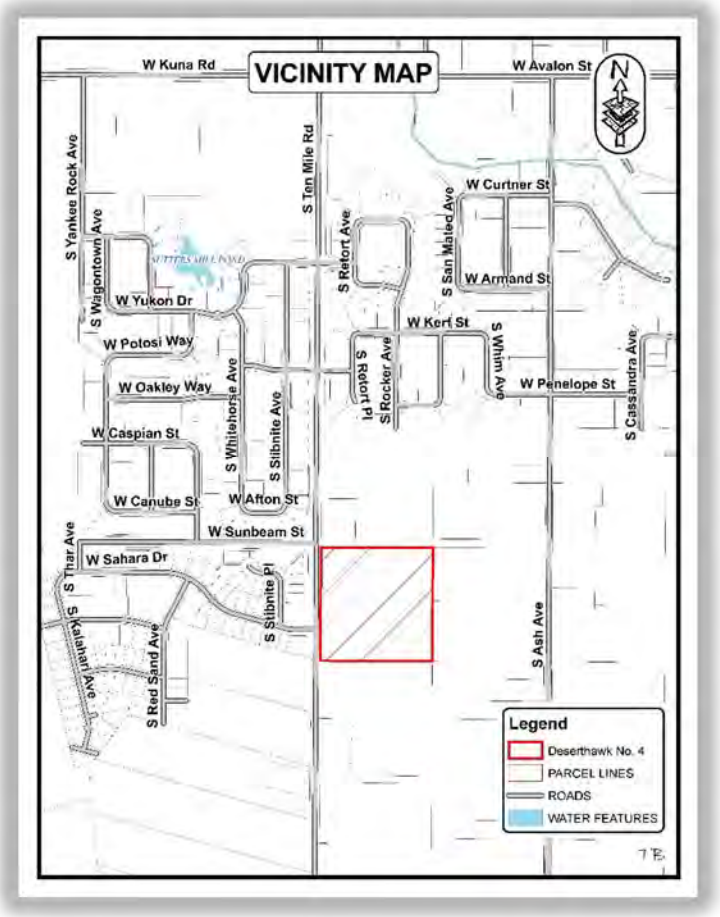
Location: SEC Ten Mile and Sunbeam Roads.
Kuna, Idaho 83634

Planner: Troy Behunin,
Planner III

Hearing date: December 4, 2018
Findings of Fact: *January 15, 2019*

Applicant: **B & A Engineers**
David Crawford
5505 W. Franklin Rd.
Boise, ID 83705
208.342.5792
dacrawfod@baengineers.com

Owner: **Endurance Holdings, LLC,**
CBH Homes
1977 E. Overland Road
Meridian, ID 83642



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E. General Project Facts
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G. Applicable Standards
H. Comprehensive Plan Analysis
I. Findings of Fact
J. Kuna City Code Analysis
K. Conclusions of Law
L. Order of Decision by Council

A. Course of Proceedings:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that Variance Requests are designated as public hearings, with the City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

i. Neighborhood Meeting August 10, 2018 (Two persons attended)

ii.	Agencies	November 2, 2018
iii.	350' Notice to Property Owners	November 21, 2018
iv.	Kuna, Melba Newspaper	November 7, 2018
v.	Site Posted	November 16, 2018

B. Applicants Request:

Applicant, David Crawford, with B & A Engineers, requests approval of this Variance request, in order to reduce the landscape buffer width requirements for the west side of their property along Ten Mile Road. Applicant requests to reduce the landscape buffer width from 20 feet down to 8 feet and apply the landscaping with the rights-of-way toward the landscape buffer width requirement. This site is located at southeast corner of Ten Mile Rd. and Sunbeam St. (See Map Below).

C. Aerial Map:

©Copyrighted

D. History: The property was rezoned to R-6 in September of 2017, and historically been used as a residential home site with associated agricultural-related uses (pasture).

E. General Project Facts:

1. **Surrounding Land Uses:**

North	Ag/R-4	Agriculture and Low/Medium Density Residential – Kuna City
South	R-6	Medium Density Residential – Kuna City
East	Ag RUT	Agriculture – City of Kuna Rural Urban Transition – Ada County

West	R-6	Medium Density Residential – Kuna City

2. **Parcel Sizes, Current Zoning, Parcel Numbers:**
   - Parcel Size: Approximately 9.43 acres.
   - Zoning: R-6 (Medium Density Residential)
   - Parcel #: R5070501800

3. **Services:**

Sanitary Sewer– City of Kuna
Irrigation District – Kuna Municipal District
Fire Protection – Kuna Rural Fire District
Sanitation Services – J & M Sanitation
Potable Water – City of Kuna
Pressurized Irrigation – City of Kuna
Police Protection – Kuna Police (Ada County Sheriff)

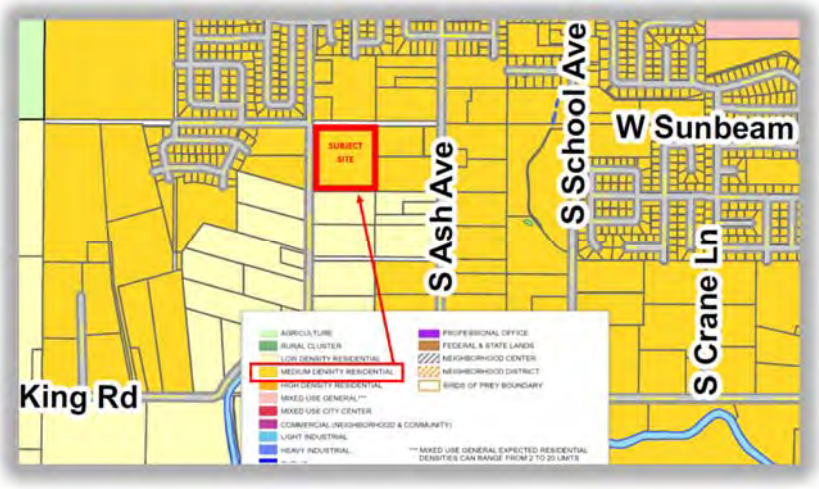
4. **Existing Structures, Vegetation and Natural Features:**
The site is currently under construction to become a residential subdivision.

5. **Transportation / Connectivity:**
The subject site's frontage is adjacent to S. Ten Mile Road, which currently has two (2) travel lanes on approximately 48 feet of pavement within the rights-of-way, including curb, gutter and sidewalk on the west side of Ten Mile. Applicant will improve South Ten Mile Road on the East side, abutting the site.

The West Sunbeam Street alignment abutting the northern boundary of the site will also include improved rights-of-way (ROW), including road, curb, gutter and sidewalk. Sunbeam is not part of this Variance application/request.

6. **Environmental Issues:**
The subdivision will ultimately be required to connect to the Kuna sanitary sewer system, staff is not aware of any environmental issues, health or safety conflicts at this time. This site's topography is generally flat.

7. **Comprehensive Future Land Use Map:** The Future Land Use Map (FLU) identifies this site as Medium Density Residential. Staff views this proposed Variance request to be consistent with approved Comprehensive Plan Future Land Use Map.
(See Map Below)



8. **Agency Responses:**
The following agencies returned comments which are included as exhibits with this case file:
   - City Engineer.....Exhibit B1
   - Boise Project Board of Control (*BPBC*) .....Exhibit B2
   - Idaho Transportation Department (ITD).....Exhibit B3

F. Staff Analysis:

The applicant requests this ability to reduce the required landscape buffer width on Ten Mile Road from 20 feet, down to eight feet, measured from the Rights-of-Way (ROW), into the project.

The applicant proposes that there was confusion between the applicant and Ada County Highway District (ACHD), at some point between preliminary plat approvals and construction plan approvals. The applicant proposes to maintain the landscaping that is required, but due to these conditions, a large portion of the landscape buffer will be *inside* the ROW, similar to another project in the area. The landscaping within the ROW will be maintained by the subdivisions HOA via a license agreement with ACHD.

Since sidewalks and landscaping will be in place, staff believes that the safety for motorists and pedestrians will not be compromised if this application is approved as requested. Staff believes that if the landscaping within the ROW is in place and the HOA will have a license agreement that this request follows the intent of the roadway improvements including the landscape buffer. Staff will rely on the Council for a decision.

Staff has determined that this request appears to comply with Title 5, Chapter 11 of Kuna City Code; and the Kuna Comprehensive Plan; and sends Case No. 18-03-V to the City Council for its decision, subject to the conditions of approval as decided at the public hearing.

G. Applicable Standards:

1. Kuna City Code, Title 5, Zoning Regulations
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

H. Comprehensive Plan Analysis:

The Kuna City Council may accept or reject the Comprehensive Plan components as described below:

1. The proposed Variance request for the site is consistent with the following comprehensive plan components:

2.0 – *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: 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 criteria established to determine the potential for property taking.

Objective 1.1: Ensure that City land use actions, decisions and regulations will not cause an unconstitutional physical occupation or physical invasion of private property.

Objective 1.2: Ensure that City land use actions, decisions and regulations will not do not effectively eliminate all economic value of the subject property.

Objective 1.4: Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure City actions do not impose a substantial and significant limitation on the use of the property.

6.0 – Land Use

Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable and self-sufficient community.

I. Findings of Fact:

1. Based on the record contained in Case No. 18-03-V including the exhibits, staff's report and any public testimony at the public hearing, the Council of Kuna, Idaho, hereby *approves* the Findings of Fact and Conclusions of Law, and the conditions of approval for Case No. 18-03-V.

2. The Council of Kuna approves the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

   Comment: *The Kuna City Council held a public hearing on the subject applications on December 4, 2018, to hear from the City staff, the applicant, and to accept public testimony. The decision by the Council is based on the application, staff report and public testimony, both oral and written*

3. Based on the evidence contained in Case No. 18-03-V, this proposal appears to generally comply with the Comprehensive Plan and Future Land Use Map.

   Comment: *The Comp Plan Future Land Use Map designates the approximately 9.43 acres (project site) as Medium Density Residential.*

4. The Kuna City Council has the authority to approve or deny these applications.

   Comment: *On December 4, 2018, Kuna's Council voted to approve Case No. 18-02-V.*

5. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

   Comment: *As noted in the process and noticing section, notice requirements were met to hold a public hearing on December 4, 2018.*

J. Kuna City Code Analysis:

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).

   Comment: *The proposed application adheres to the applicable requirements of Title 5, Chapters 4 through 6, of the KCC.*

2. The site is physically suitable for the proposed development.

   Comment: *The approximately 9.43 acre project site is suitable for a subdivision.*

3. The Variance is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

   Comment: *The land to be expanded on is not used as wildlife habitat. Roads, structures and open space already exist and will therefore not cause environmental damage or loss of habitat.*

4. The Variance application *is not* likely to cause adverse public health problems.

   Comment: *Through comments received from outside agencies, there does not appear to be a health issue.*

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.

Comment: *The Variance request considers the location of the property and adjacent uses. The adjacent uses are currently agriculture and residential – as referenced in the Kuna Comprehensive Plan Future Land Use Map.*

6. The existing utility services in proximity to the site are adequate for this site.

Comment: *Utility services are already available and connected to the existing house and adequate for this addition.*

K. Conclusions of Law:

1. Based on the evidence contained in Case No. 18-03-V, Council finds Case No. 18-03-V generally complies with Kuna City Code.
2. Based on the evidence contained in Case No. 18-03-V, Council finds Case No. 18-03-V is generally 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 City Ordinances.

L. Order of Decision by Council:

Based on the facts and exhibits outlined in staff's report, the public testimony as presented, the City Council of Kuna, Idaho, hereby approves Case No. 18-03-V, a Variance request by B & A Engineers on behalf of Endurance Holdings, LLC, with the following conditions of approval:

- Applicant shall follow the conditions of approval as listed in the staff memo.
- Applicant shall enter an ACHD License agreement (for the landscaping installation, care and maintenance); Applicant has provided a copy of the recorded agreement and it is attached with these findings (Ada County Recorder Instru. # 2018-117917).

1. In the event the uses or the building on this parcel are enlarged, expanded upon or altered in anyway (even for temporary purposes), the landowner/applicant/developer, and any future assigns having interest in the subject property, shall seek an amendment to the approvals of this Variance through the public hearing process.
2. All easements and public right-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. Any work within the Ada County Highway District right-of-way requires a permit.
3. Applicant shall pay all ACHD impact fees prior to issuance of a building permit from the City of Kuna.
4. Applicant shall make/improve connections to city services and utilities, and pay any differences that may arise with the expansion of the building, for sewer, potable water and/or pressure Irrigation connection fees.
5. Installation of service facilities shall comply with the requirements of the public utility and irrigation district providing the services. All utilities shall be installed underground.
6. 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.
7. This Variance is valid as long as the conditions of approval are adhered to continuously. In the event the conditions are not continuously followed; the Variance approval may be revoked by the City Council.
8. This Variance is *not* transferable to another property.
9. The applicant shall follow all staff and agency recommendations.
10. The applicant shall comply with all local, state and federal laws.

DATED: this 15th, day of January, 2019.

_____
Joe Stear, Mayor
Kuna City

ATTEST:

_____
Chris Engels, Kuna City Clerk

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=19 LISA BATT
ADA COUNTY HIGHWAY DISTRICT
2018-117917
12/14/2018 11:04 AM
NO FEE

Property Management No: 2621-3816-1218
Deserthawk East Subdivision
SUBP18-0053
T.2N., R.1W., Sec. 26

(space reserved for recording)

TEMPORARY LICENSE AGREEMENT

THIS TEMPORARY LICENSE AGREEMENT (the "Agreement") is made and entered into this 14th day of December, 2018, by and between the ADA COUNTY HIGHWAY DISTRICT, a body politic and corporate of the state of Idaho, ("ACHD") and **Challenger Development, Inc.** ("Licensees").

WITNESSETH:

For good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties:

SECTION 1. RECITALS.

1.1 Licensee owns the real property adjacent to the public right-of-way located in Ada County, Idaho, municipally described as **Deserthawk East Subdivision**, and more particularly described on Exhibit "A" attached hereto ("Licensee's Property").

1.2 ACHD owns and has exclusive jurisdiction over the public right-of-way adjacent to Licensee's Property, located in Ada County, Idaho, municipally described as **S. Ten Mile Rd., W. Sunbeam St., W. Sahara Dr., S. Tanami Ave., W. Atacami Dr., S. Rangipo Ave., Kuna** more particularly described and/or depicted on Exhibit "B" attached hereto (the "Right-of-Way").

1.3 Licensee desires a license to use the Right-of-Way for the limited purposes hereinafter set forth, and, for the consideration and on the terms and conditions hereinafter set forth, ACHD is willing to extend such license to Licensee.

SECTION 2. LICENSE; LICENSE NOT EXCLUSIVE.

2.1 On the terms and conditions hereinafter set forth, ACHD hereby extends to Licensee a license on, over, across and under the Right-of-Way for the following uses and purposes ("Authorized Use") and no others:

Licensee is to construct, install and maintain features consisting of trees, grass, perennials, and landscape irrigation system per Exhibit C and the ACHD approved civil drawings located within ACHD right-of-way along S. Ten Mile Rd., W. Sunbeam St., W. Sahara Dr., S. Tanami Ave., W. Atacami Dr., S. Rangipo Ave., and within ACHD Master Perpetual Storm Water Drainage Easement recorded on November 10, 2015, as Instrument No. 2015-103256. In general, coniferous trees are prohibited within the right-of-way. If allowed, the tree or shrub must be less than 3' in height at maturity. Final grading of landscaped areas shall slope away from right-of-way "hardscape" improvements including the edge of pavement, curbing and sidewalks.

Property Management No 2021-3816-1218
Deserthawk East Subdivision
SUBP18-0053
T.2N., R.1W., Sec. 26

(space reserved for recording)

TEMPORARY LICENSE AGREEMENT

THIS TEMPORARY LICENSE AGREEMENT (the "Agreement") is made and entered into this 11th day of December, 2018, by and between the ADA COUNTY HIGHWAY DISTRICT, a body politic and corporate of the state of Idaho, ("ACHD") and **Challenger Development, Inc.** ("Licensees").

W I T N E S S E T H:

For good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties:

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In general, licensee to install landscaping and sprinklers in a manner to eliminate irrigation flows and/or ponding of irrigation water within the ACHD Right of Way. Any perennial trees or plants that will extend roots deeper than 18 inches shall be prohibited over ACHD underground seepage beds, infiltration facilities or piping systems. Trees shall be offset from the seepage beds a minimum of 10 feet to allow for future root pruning, if necessary, and maintenance access for heavy equipment over beds. Access to inlets and outlets of ACHD Drainage Areas shall not be planted with trees, shrubs or any landscaping that would impede heavy equipment vehicle access. Licensee shall observe the 40-foot sight triangle and will not plant any shrubs or trees within the area or over any utility lines. All trees in the public right-of-way shall be maintained by Licensee for clearance of 14 feet over all roadways as measured at the gutter plate, and 8 feet over all sidewalks. Licensee to contact Digline Inc., prior to start of construction. Licensee to contact Construction Services at 387-6280 to verify if a construction permit is required.

2.2 This Agreement does not extend to Licensee the right to use the Right-of-Way to the exclusion of ACHD for any use within its jurisdiction, authority and discretion or of others to the extent authorized by law to use public right-of-way. If the Right-of-Way has been opened as a public Highway (as used in the Agreement the term "Highway" is as defined in Idaho Code § 40-109(5)) Licensee's Authorized Use is subject to the rights of the public to use the Right-of-Way for Highway purposes. Licensee's Authorized Use is also subject to the rights of holders of easements of record or obvious on inspection of the Right-of-Way and statutory rights of utilities to use the public right-of-way. This Agreement it is not intended to, and shall not, preclude or impede the ability of ACHD to enter into other similar agreements in the future allowing third parties to also use its public rights-of-way, or the ability of ACHD to redesign, reconstruct, relocate, maintain and improve its public rights-of-way and Highways as authorized by law and as it determines, in its sole discretion, is appropriate.

SECTION 3. CONSTRUCTION, OR INSTALLATION OF IMPROVEMENTS. Any repairs or maintenance, of the Licensee's improvements currently located in the Right-of-Way or the installation or construction of improvements by Licensee in the Right-of-Way as permitted by the Authorized Use, (the "Improvements"), shall be accomplished in accordance with designs, plans and specifications approved in advance and in writing by ACHD as required to satisfy applicable laws, its policies and good engineering practices. In approving such plans and specifications, ACHD assumes no responsibility for any deficiencies or inadequacies in the design or construction of the Improvements, and the responsibility therefor shall be and remain in Licensee.

SECTION 4. WAIVER AND ESTOPPEL STATEMENT BY LICENSEE. Licensee acknowledges and agrees that the license granted herein is temporary, non-transferable, and merely a permissive use of the Right-of-Way pursuant to this Agreement Licensee further acknowledges and agrees that it specifically assumes the risk that the license pursuant to this Agreement may be terminated before Licensee has realized the economic benefit of the cost of installing, constructing, repairing, or maintaining the Improvements, and Licensee hereby waives and estops itself from asserting any claim that the license is in any way irrevocable because Licensee has expended funds on the Improvements and the Agreement has not been in effect for a period sufficient for Licensee to realize the economic benefit from such expenditures.

SECTION 5. TERM.

5.1 The term of this Agreement will commence on the 11th day of DECEMBER, 2018, and will continue until terminated by either party, with or without cause, which termination shall be effective following THIRTY (30) DAYS advance written notice of termination given the other party.

5.2 If Licensee defaults in the performance of any obligations incumbent upon it to perform hereunder ACHD may terminate this Agreement and the rights extended to Licensee hereunder at any time, effective at the end of thirty (30) days following the date ACHD shall provide written notice of termination to Licensee, which notice shall specify such default(s). Licensee shall have such thirty (30) day period to correct and cure the specified defaults, and if so corrected and cured, to the satisfaction of ACHD, this Agreement shall not be terminated but shall continue in full force and effect.

SECTION 6. FEE. There is no fee for the Licensee's Authorized Use of the Right-of-Way under this Agreement

SECTION 7. MAINTENANCE; FAILURE TO MAINTAIN; RELOCATION OF UTILITIES.

7.1 At its sole cost and expense, Licensee shall maintain the Improvements in good condition and repair and as required to satisfy applicable laws, the policies of ACHD and sound engineering practices. Licensee shall have access over, across and under the Right-of-Way for the purposes of accomplishing such repair and maintenance.

7.2 If the Highway on and/or adjacent to the Right-of-Way is damaged as a result of:

(i) the performance by Licensee of the maintenance required by section 7.1, or the failure or neglect to perform such maintenance; and/or

(ii) Licensee's design, installation or use of the Improvements, regardless of cause;

at its sole cost and expense Licensee shall forthwith correct such deficiency and restore the Highway and the surface of the Right-of-Way to the same condition it was in prior thereto, and if Licensee shall fail or neglect to commence such correction and restoration within twenty-four (24) hours of notification thereof, ACHD may proceed to do so, in which event Licensee agrees to reimburse ACHD for the costs and expenses thereof, including, without limitation, reasonable compensation for the use of staff and equipment of ACHD.

7.3 Notwithstanding the provisions of section 7.2, should an emergency exist related to the Licensee's use of this license which threatens the stability or function of the Highway on or adjacent to the Right-of-Way or the safety of the public use thereof, ACHD shall have the right to immediately perform, on behalf of, and at the cost of Licensee necessary emergency repairs.

7.4 Licensee will be responsible for the relocation of any existing utilities located on the Right-of-Way as may be required in connection with any construction or installation of Improvements by Licensee in the Right-of-Way.

SECTION 8. RELOCATION OF IMPROVEMENTS. If during the term of this Agreement ACHD requires, in its sole discretion, at any time, and from time to time, that the Highway on and/or

adjacent to the Right-of-Way be widened and/or realigned, redesigned, improved and/or reconstructed, Licensee hereby accepts responsibility for all costs for relocating, modifying or otherwise adapting the Improvements to such realignment and/or relocation and/or reconstruction if required by ACHD, which shall be accomplished by Licensee according to designs, plans and specifications approved in advance by ACHD in writing; provided Licensee may elect to terminate this Agreement in lieu of complying with this responsibility, and further provided ACHD gives Licensee adequate written notice as necessary to allow Licensee to redesign, relocate, modify or adapt the Improvements to the realignment and/or relocation and/or reconstruction of the Highway and also licenses Licensee such additional area of its right-of-way, if any, as may be necessary for the proper operation of the Improvements.

SECTION 9. PERMIT. If the proposed construction and installation of the Improvements, or any reconstruction, relocation or maintenance thereof requires Licensee to obtain a permit under ACHD policies, Licensee shall first obtain such permit from ACHD (Construction Services Division) before commencing such work, and pay the required fees and otherwise comply with the conditions set forth therein.

SECTION 10. NO TITLE IN LICENSEE. Licensee shall have no right, title or interest in or to the Right-of-Way other than the right to temporarily use the same pursuant to the terms of this Agreement.

SECTION 11. NO COSTS TO ACHD. Any and all costs and expenses associated with Licensee's Authorized Use of the Right-of-Way, or any construction or installation of Improvements thereon, or the repair and maintenance thereof, or the relocation of Improvements or utilities thereon, or the restoration thereof at the termination of this Agreement, shall be at the sole cost and expense of Licensee.

SECTION 12. TAXES AND ASSESSMENTS. Licensee agrees to pay all special assessments and personal property taxes that may be levied and assessed on the Improvements during the term of this Agreement.

SECTION 13. RESTORATION ON TERMINATION. Upon termination of this Agreement, Licensee will promptly remove all Improvements and restore the Right-of-Way to at least its present condition. Should Licensee fail or neglect to promptly remove the Improvements and restore the Right-of-Way, ACHD may do so, and assess Licensee for the costs thereof. Provided, ACHD and Licensee may agree in writing that some or all of such Improvements are to remain on the Right-of-Way following termination, and by entering into such an agreement Licensee thereby disclaims all right, title and interest in and to the same, and hereby grants such Improvements to ACHD, at no cost. Further provided, if the Authorized Use of the Right-of-Way under this Agreement is for landscaping in ACHD right-of-way and the irrigation and maintenance thereof, and the general purpose government with jurisdiction has adopted ordinances, rules and regulations governing the landscaping and maintenance of such right-of-way by owners of the adjacent property, to the extent such owners are obligated to maintain and irrigate the landscaping Licensee need not remove the same from the Right-of-Way.

SECTION 14. INDEMNIFICATION. Licensee hereby indemnifies and holds ACHD harmless from and against any and all claims or actions for loss, injury, death, damages, mechanics and other liens, arising out of the failure or neglect of Licensee, Licensee's employees, contractors and agents, to properly and reasonably make Authorized Use of the Right-of-Way or properly construct, install, plant, repair or maintain the Improvements thereon, or that otherwise result from the use and occupation of the Right-of-Way by Licensee, and including any attorney fees

and costs that may be incurred by ACHD in defense of such claims or actions indemnified against by Licensee hereunder. For claims or actions arising out of failures or neglects occurring during the term of this Agreement Licensee's obligations pursuant to this section shall survive the termination of this Agreement.

SECTION 15. COMPLIANCE WITH LAW; WASTE AND NUISANCES PROHIBITED. In connection with Licensee's use of the Right-of-Way, throughout the term of this Agreement Licensee covenants and agrees to: (i) comply and observe in all respects any and all, federal, state and local statutes, ordinances, policies, rules and regulations, including, without limitation, those relating to traffic and pedestrian safety, the Clean Water Act and/or to the presence, use, generation, release, discharge, storage or disposal in, on or under the Right-of-way of any Hazardous Materials (defined as any substance or material defined or designated as hazardous or toxic waste, material or substance, or other similar term, by any federal, state or local environmental statute, regulation or occurrence presently in effect or that may be promulgated in the future); (ii) obtain any and all permits and approvals required by ACHD or any other unit of government; and (iii) commit no waste or allow any nuisance on the Right-of-Way. Licensee covenants and agrees to indemnify and hold ACHD harmless from and against any and all claims, demands, damages, liens, liabilities and expenses (including without limitation, reasonable attorneys' fees), arising directly or indirectly from or in any way connected with the breach of the foregoing covenant. These covenants shall survive the termination of this Agreement.

SECTION 16. ASSIGNMENT. Licensee cannot sell, assign or otherwise transfer this Agreement, the license herein extended, or any of its rights hereunder except with the prior written consent of ACHD, which consent will not be granted unless the assignee assumes all obligations, warranties, covenants and agreements of Licensee herein contained.

SECTION 17. ATTORNEYS' FEES. In any suit, action or appeal therefrom to enforce or interpret this Agreement, the prevailing party shall be entitled to recover its costs incurred therein, including reasonable attorneys' fees.

SECTION 18. NOTICE. Any notice under this Agreement shall be in writing and be delivered in person, or by United States Mails, postage prepaid, or by public or private 24-hour overnight courier service (so long as such service provides written confirmation of delivery), or by facsimile verified by electronic confirmation. All notices shall be addressed to the party at the address set forth below or at such other addresses as the parties may from time to time direct in writing by notice given the other. Any notice shall be deemed to have been given on (a) actual delivery or refusal, (b) three (3) days following the day of deposit in the United States Mails, (c) the day of delivery to the overnight courier, or (d) the day facsimile delivery is electronically confirmed.

If to ACHD:
Ada County Highway District
3775 N. Adams St.
Garden City, Idaho 83714

If to Licensee:
Challenger Development, Inc.
1977 E. Overland Rd.
Meridian, ID 83642

SECTION 19. SUCCESSORS AND ASSIGNS. This Agreement, the license herein extended, and the covenants and agreements herein contained shall inure to the benefit of and be binding upon the parties hereto and their successors and, if consented to by ACHD under section 16, Licensee's assigns.

SECTION 20. EXHIBITS. All exhibits attached hereto and the recitals contained herein are incorporated herein as if set forth in full herein.

SECTION 21. RECORDATION. This Agreement shall be recorded by ACHD upon execution in the Official Real Property Records of Ada County, Idaho.

SECTION 22. Warranty of Authority to Execute.

22.1 The person executing this Agreement on behalf of ACHD represents and warrants due authorization to do so on behalf of ACHD, and that upon execution of this Agreement on behalf of ACHD, the same is binding upon, and shall inure to the benefit of, ACHD.

22.2 If Licensee is not a natural person, the person executing the Agreement on behalf of Licensee represents and warrants due authorization to do so on behalf of Licensee, and that upon execution of this Agreement on behalf of Licensee, the same is binding upon, and shall inure to the benefit, of Licensee.

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed the day, month and year first set forth above.

LICENSEE: **Challenger Development, Inc.**

By: **Corey D. Barton**
Its: **President**

ADA COUNTY HIGHWAY DISTRICT

By: **William J. Gall**
Its: **Development Review Supervisor**

STATE OF IDAHO)
) ss.
County of Ada)

This record was acknowledged before me on December 11, 2018
[date]

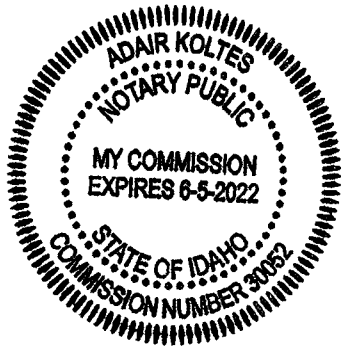
by Corey Barton
[name(s) of individual(s)]

as President
[type of authority, such as officer or trustee]

of Challenger Development Inc.
[name of party on behalf of whom record was executed]

Adair Koltes

Signature of notary public



My commission expires: 6-05-22

STATE OF IDAHO)
) ss.
County of Ada)

This record was acknowledged before me on December 14, 2018 by William J. Gall as Development Review Supervisor of the Ada County Highway District.

Tamara Tucker

Signature of notary public

TAMARA TUCKER
NOTARY PUBLIC
STATE OF IDAHO
COMMISSION #60975

My commission expires: 1/23/19

EXHIBITS

Exhibit A- Description of Licensee's property
Exhibit B- Depiction of ACHD Right-of-Way
Exhibit C- Authorized Use of Right-of-Way

The Ada County Highway District (ACHD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives. ACHD assures that no person shall on the grounds of race, color, national origin, gender, disability or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ACHD service, program or activity.

Deserthawk East Subdivision
Vicinity Map

B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5505 W. Franklin Rd. Boise, Id. 83705
(208) 343-3381

NORTH
NOT TO SCALE

EXHIBIT A

B & A Engineers, Inc.
Consulting Engineers & Surveyors
5505 W. Franklin Rd. Boise, Id. 83705
Phone. 208-343-3381 Facsimile 208-342-5792

Deserthawk Subdivision No. 4
Boundary Description

10 April 2017

A re-subdivision of Lot 13 of The Kuna Orchard Tracts as shown in Book 6 of Plats, at Page 291, records of Ada County, Idaho, being situate in the northwest quarter of the southwest quarter of Section 26, Township 2 North, Range 1 West, Boise Meridian, Kuna City, Ada County, Idaho, and being more particularly described as follows:

Commencing at the southwest corner of said Section 26, which bears S00°20'21"W, 2,669.67 feet from the west quarter corner of said Section 26; thence N00°20'21"E, 2,002.27 feet along the westerly boundary of the southwest quarter of said Section 26; thence S89°39'39"E, 25.00 feet to the southwest corner of said Lot 13 and to the ***Point of Beginning:***

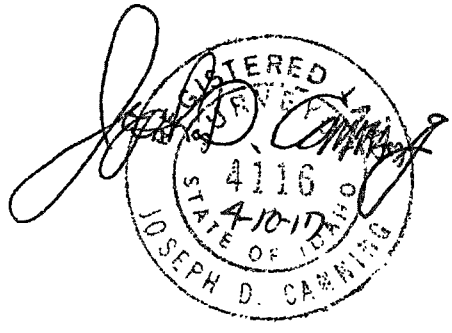
Thence N00°20'21"E, 642.47 feet along the westerly boundary of said Lot 13 and along a line parallel with the westerly boundary of the southwest quarter of said Section 26 to the northwest corner of said Lot 13;

Thence S89°48'47"E, 632.72 feet along the northerly boundary of said Lot 13 and along a line parallel with the northerly boundary of the southwest quarter of said Section 26 to the northeast corner of said Lot 13;

Thence S00°19'24"W, 643.41 feet along the easterly boundary of said Lot 13 to the southeast corner of said Lot 13;

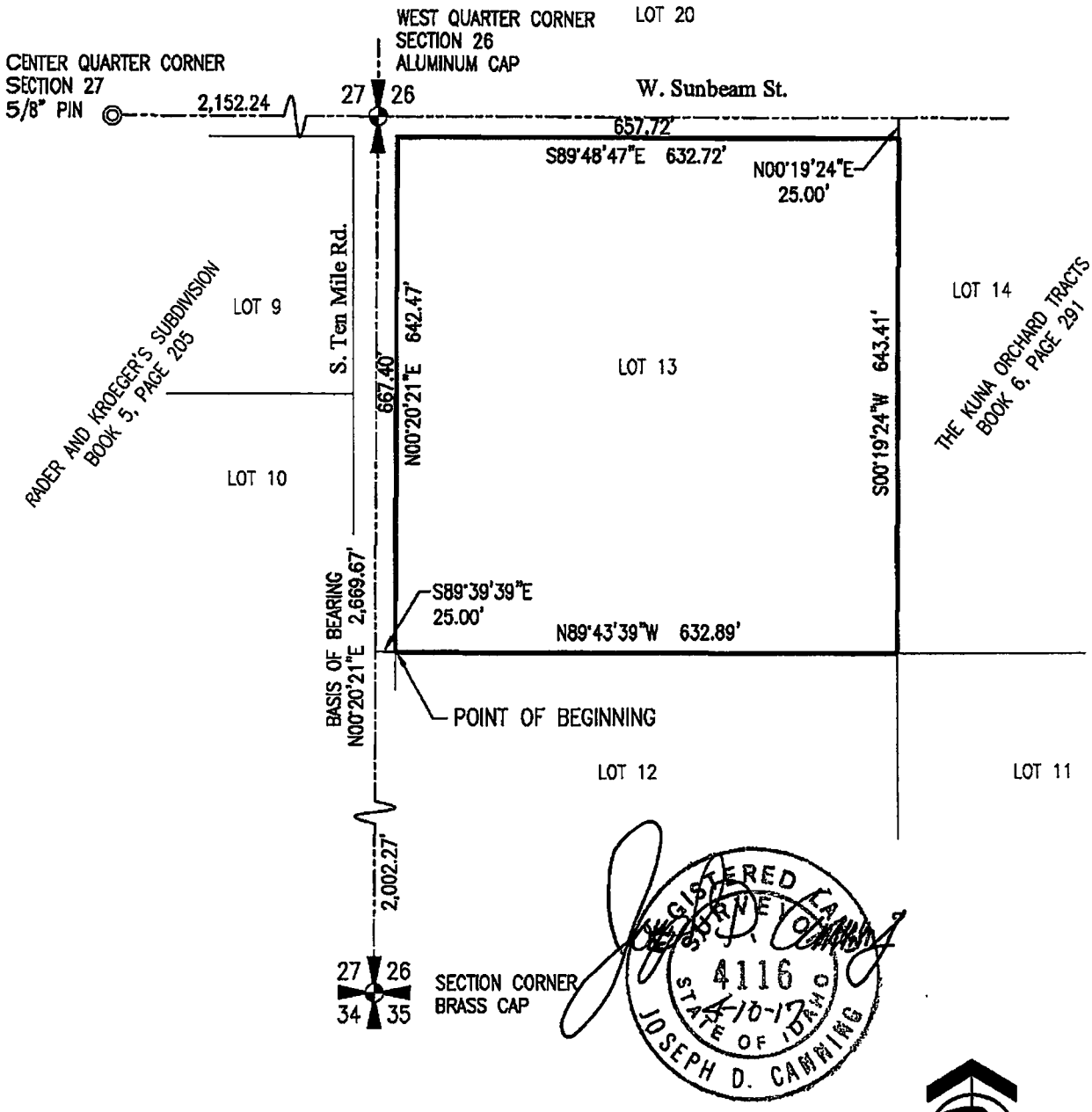
Thence N89°43'39"W, 632.89 feet along the southerly boundary of said Lot 13 to the ***Point of Beginning.***

Comprising 9.34 acres, more or less.

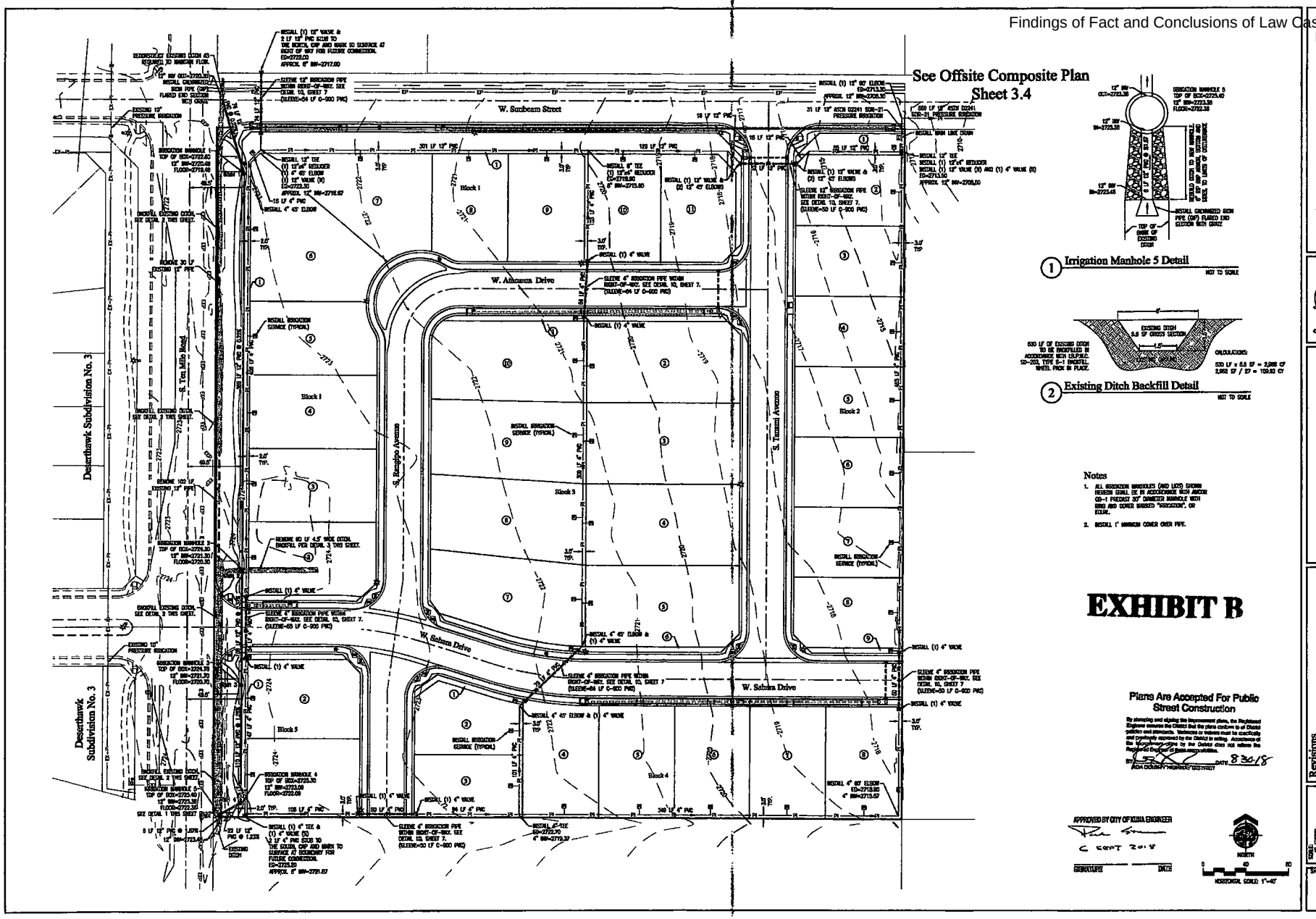


Deserthawk Subdivision No. 4

Property Boundary



B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5505 W. Franklin Rd. Boise, Id. 83705
(208) 343-3381



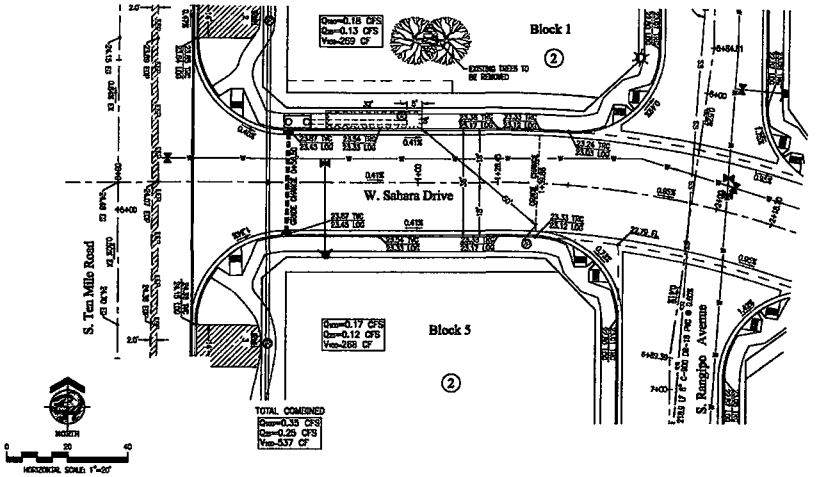
B&A Engineers, inc.
Consulting Engineers, Surveyors & Planners
5000 W. Franklin Rd. Boise, Id. 83705
(208) 343-3301

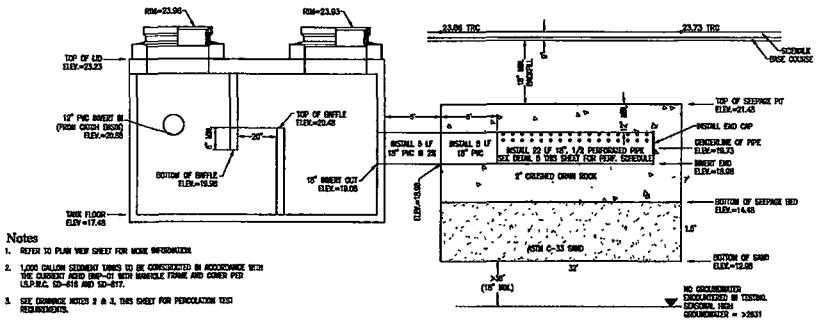
Irrigation Composite Plan
Desertthawk Subdivision No. 4
A RESUBDIVISION OF LOT 13 OF THE KUNA DESIRED TRACTS AS SHOWN IN BOOK 6 OF PLATS, AT PAGE 251, RECORDS OF ADA COUNTY, IDAHO, BEING SITUATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 19, T.3S., R.1W., B.M., ADA COUNTY, IDAHO.

Revisions		
REV.	DESC.	DATE/BY
A	CITY OF KUNA COMMENTS DATED FEBRUARY 14, 2018	3-5-18 KMC
B	ADA COUNTY HIGHWAY DISTRICT COMMENTS DATED APRIL 26, 2018	5-2-18 KMC
C	CITY OF KUNA FINAL APPROVAL RECEIVED AUGUST 30, 2018	8-30-18 KMC

SCALE: AS SHOWN
DATE: JANUARY 15, 2018
DRAWN BY: KMC
CHECKED BY: MICHAEL
JOB NO.: 17-072
DRAWING FILE NAME: Desertthawk 4 Cover Plan.dwg

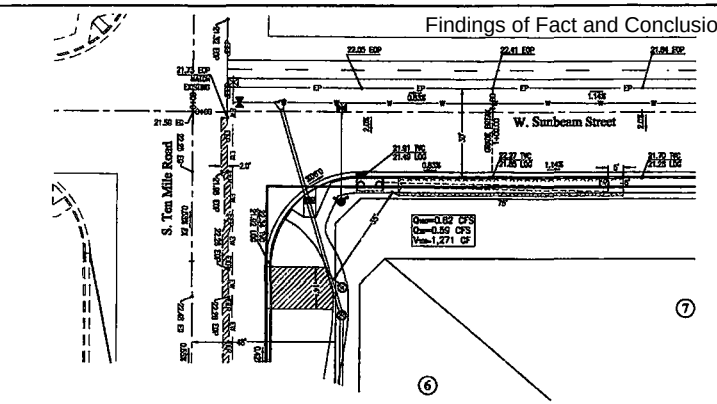
SHEET NO.
3.3



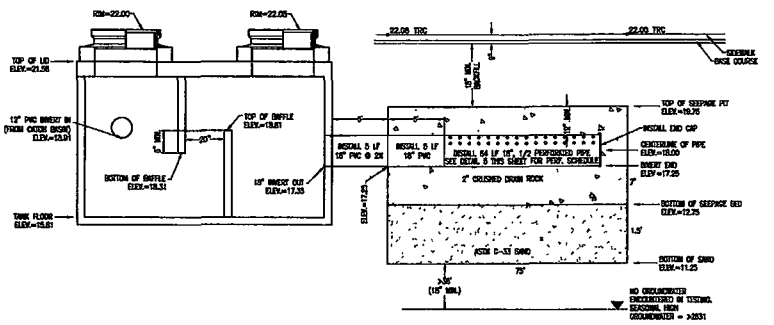


Notes
1. REFER TO PLAN VIEW SHEET FOR MORE INFORMATION.
2. 1,000 GALLON SEDIMENT TANKS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT ACHD EMP-01 WITH MANHOLE FRAME AND COVER PER I.S.P.W.C. SD-618 AND SD-617.
3. SEE DRAINAGE NOTES 2 & 3, THIS SHEET FOR PERCOLATION TEST REQUIREMENTS.
4. SEE BELOW FOR ADDITIONAL STORM DRAINAGE NOTES AND DETAILS.

1 Basin A Seepage Bed Detail
SCALE: NOT TO SCALE



Notes
1. REFER TO PLAN VIEW SHEET FOR MORE INFORMATION.
2. 1,000 GALLON SEDIMENT TANKS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT ACHD EMP-01 WITH MANHOLE FRAME AND COVER PER I.S.P.W.C. SD-618 AND SD-617
3. SEE DRAINAGE NOTES 2 & 3, THIS SHEET FOR PERCOLATION TEST REQUIREMENTS.
4. SEE BELOW FOR ADDITIONAL STORM DRAINAGE NOTES AND DETAILS.

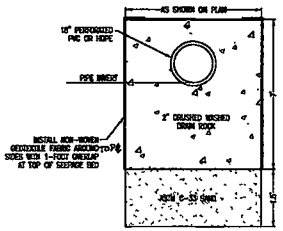


2 Basin B Seepage Bed Detail
SCALE: NOT TO SCALE

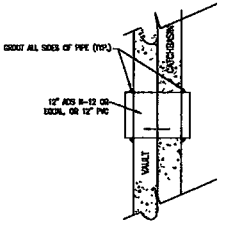
Plans Are Accepted For Public Street Construction

By accepting and signing the improvement plans, the Registered Engineer assures the District that the plans conform to all District policies and standards. Variances or waivers must be specifically and previously approved by the District in writing. Acceptance of the improvement plans by the District does not relieve the Registered Engineer of responsibility.

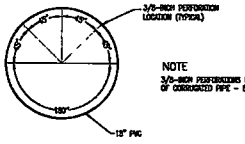
ADA COUNTY HIGHWAY DISTRICT



3 Typical Drainage Bed & Perforated Pipe Detail
SCALE: NOT TO SCALE



4 Typical Catch Basin & Sediment Tank Connection Detail
SCALE: NOT TO SCALE



5 Perforation Schedule
SCALE: NOT TO SCALE

Drainage Notes
1. REFER TO PLAN VIEW SHEET FOR MORE INFORMATION.
2. BASED ON TEST PIT FINDINGS, BEDROCK WILL BE ENCOUNTERED AND BLASTING TO CREATE DRAINAGE IS CERTAIN.
3. AFTER THE BLASTING, INFILTRATION TESTING IS MANDATORY. THE CONTRACTOR SHALL HIRE PERCOLATION TESTING PERFORMED BY SOILS ENGINEER AFTER DISPOSAL TRENCH IS FULLY EXCAVATED. IF THE PERCOLATION TEST IS LESS THAN SPECIFIED BY THE SOILS REPORT AND ENGINEER, CONTRACTOR MAY NEED ADDITIONAL BLASTING OR SCRAPE TO CREATE CONDUIT FOR DRAINAGE TO DEEPER OR REDESIGN THE SYSTEM TO ACHIEVE THE REQUIRED INFILTRATION.
4. GROUNDWATER IS ANTICIPATED TO REMAIN AT DEPTHS OF 100 FEET OR GREATER BELOW GROUND SURFACE PER BOB ARNOLD, PE REPORT DATED OCTOBER 31, 2003.
5. THE CONTRACTOR SHALL MODIFY THE ENGINEER IMMEDIATELY IF GROUNDWATER IS ENCOUNTERED WITHIN 5-FEET OF THE BOTTOM DESIGN ELEVATION FOR ANY INFILTRATION FACILITY.
6. SEDIMENT TANKS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT ACHD EMP-01 WITH MANHOLE FRAME AND COVER PER I.S.P.W.C. SD-618 AND SD-617
7. SEE PLAN VIEW ABOVE FOR SEEPAGE BED DIMENSIONS.
8. SEE DRAINAGE REPORT FOR CALCULATIONS.
9. ALL SOLID WALL SIDING DRAIN PIPING SHALL BE PVC OR HDPE, ALL PERFORATED STORM DRAIN PIPING SHALL BE PVC OR HDPE.
10. DESIGN INFILTRATION RATE IS 6 INCHES PER HOUR.
11. INSTALL 1,000 GALLON SEDIMENT TANK PER ACHD EMP-01 WITH MANHOLE FRAME AND COVER PER I.S.P.W.C. SD-618 AND SD-617, LOCATED AS SHOWN.
12. ELECTRONIC MARKERS ARE REQUIRED AT EACH CORNER OF AN UNDERGROUND INFILTRATION SYSTEM. CONTRACTOR TO COORDINATE WITH ACHD THE INSPECTION FOR PLACEMENT OF SAID MARKERS PRIOR TO BACKFILLING. ACHD IS CURRENTLY SUPPLYING THE MARKERS.
13. CONTACT ACHD FOR INSPECTION. SEE ACHD GENERAL NOTE 5, SHEET 1 1.

B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5000 W. Franklin Rd. Boise, ID. 83705
(208) 343-3301

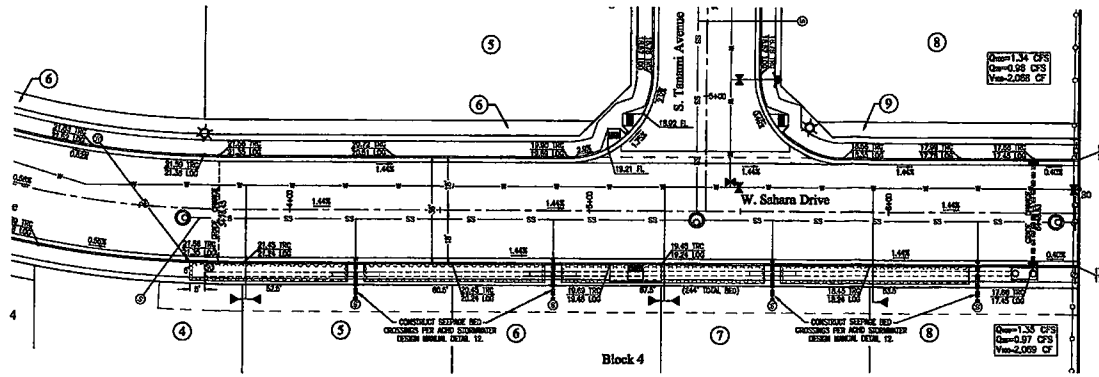
Storm Drain Details
Deserthawk Subdivision No. 4
A RESUBDIVISION OF LOT 13 OF THE KUNA ORCHARD TRACTS AS SHOWN IN BOOK 5 OF PLATS, AT PAGE 251, RECORDS OF ADA COUNTY, IDAHO, BEING SITUATE IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO.

Revisions

REV.	DESCRIPTION	DATE
1	PER CITY COMMENTS	6-6-05
2	PER CITY COMMENTS	8-8-05
3	PER CITY COMMENTS	9-9-05
4	PER CITY COMMENTS	10-10-05

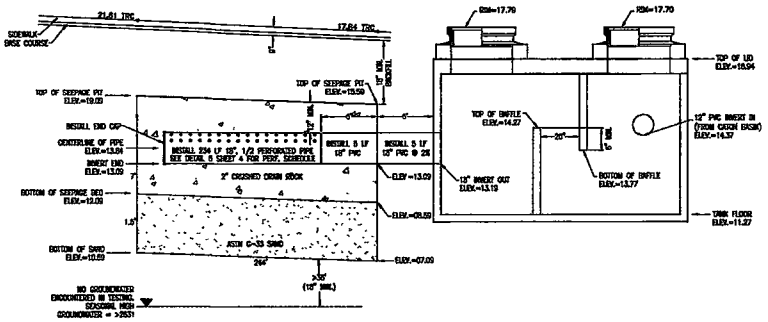
SCALE: AS SHOWN
DATE: JANUARY 19, 2005
DRAWN BY: JMH/DTM/MAC
CHECKED BY: MAC
PROJECT NO.: 2004-039
FILENAME: SHEET 4 STORM DRAIN DETAILS.dwg

SHEET NO: 4

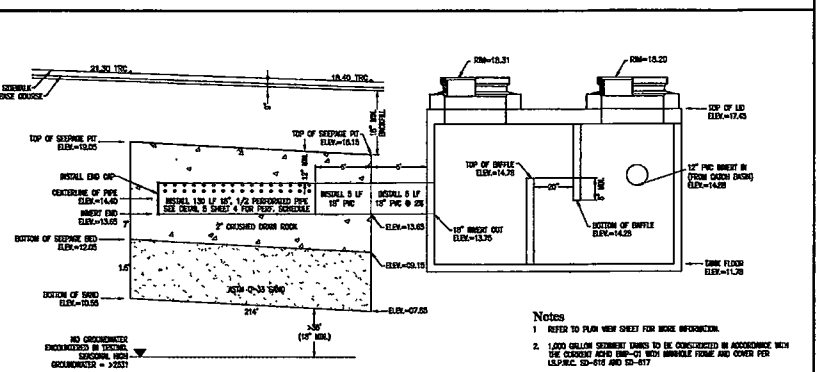


Notes
1. REFER TO PLAN VIEW SHEET FOR MORE INFORMATION.
2. 1,000 GALLON SEDIMENT TANKS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT ADHD ESM-C1 WITH MANHOLE FRAME AND COVER PER I.S.P.W.C. SD-615 AND SD-617
3. SEE DRAINAGE NOTES 2 & 3, SHEET 4 FOR PERCOLATION TEST REQUIREMENTS.
4. SEE SHEET 4 FOR ADDITIONAL STORM DRAINAGE NOTES AND DETAILS.

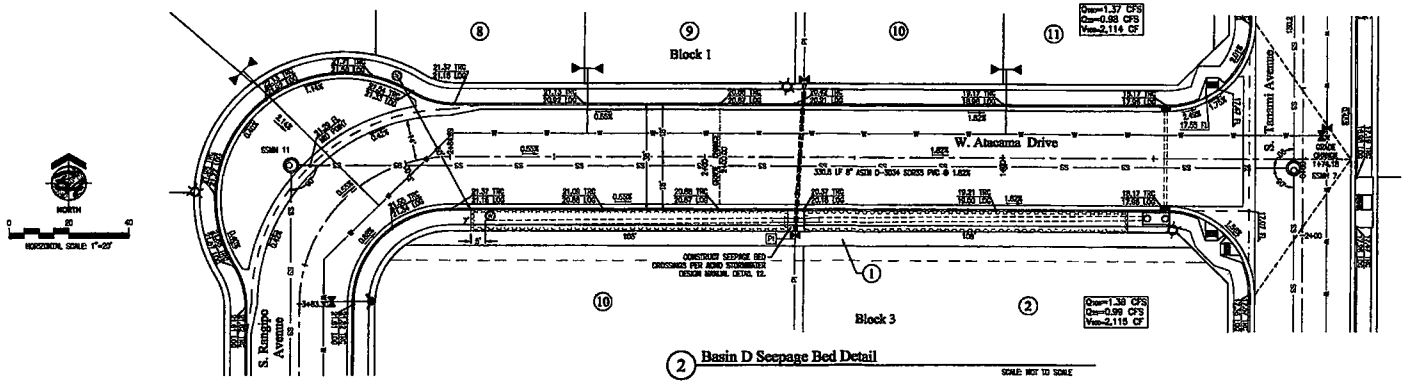
⇔ SEE SHEET 4 FOR DRAINAGE BED & PERFORATED PIPE DETAIL, CATCH BASIN & SEDIMENT TANK CONNECTION DETAIL, AND PIPE PERFORATION SCHEDULE.



1 Basin C Seepage Bed Detail
SCALE: NOT TO SCALE



Notes
1. REFER TO PLAN VIEW SHEET FOR MORE INFORMATION.
2. 1,000 GALLON SEDIMENT TANKS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT ADHD ESM-C1 WITH MANHOLE FRAME AND COVER PER I.S.P.W.C. SD-615 AND SD-617
3. SEE DRAINAGE NOTES 2 & 3, SHEET 4 FOR PERCOLATION TEST REQUIREMENTS.
4. SEE SHEET 4 FOR ADDITIONAL STORM DRAINAGE NOTES AND DETAILS.



2 Basin D Seepage Bed Detail
SCALE: NOT TO SCALE

Plans Are Accepted For Public Street Construction
By accepting and signing the improvement plans, the Registered Engineer assumes the District that the plans conform to all District policies and standards. Variances or waivers must be specifically noted and individually approved by the District in writing. Acceptance of the improvement plans by the District does not relieve the Registered Engineer of responsibilities.
DATE: 8-30-18
ADA COUNTY HIGHWAY DISTRICT

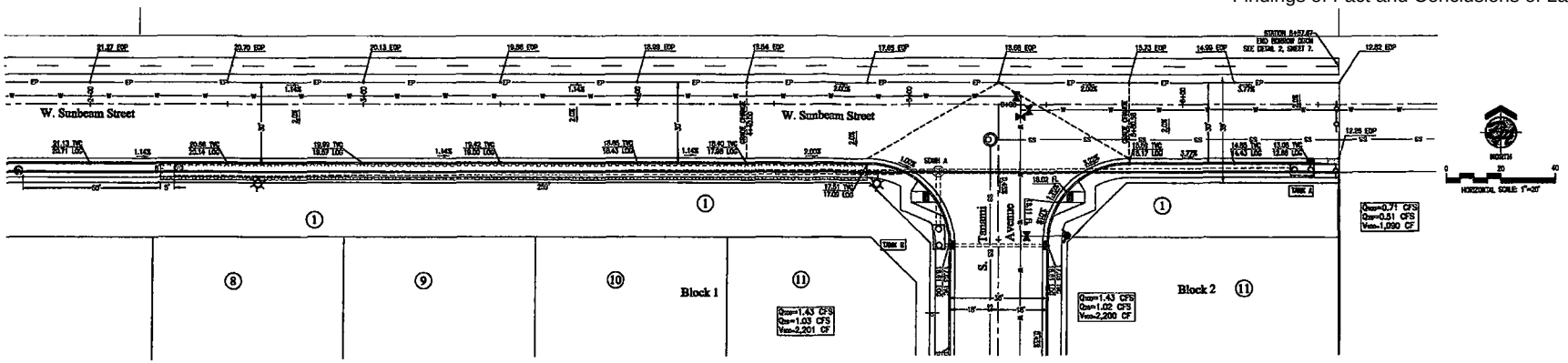
B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5000 W. Franklin Rd. Boise, Id. 83705
(208) 343-3334

Storm Drain Details
Desert Hawk Subdivision No. 4
A RESUBDIVISION OF LOT 13 OF THE ADA COUNTY RECORDS OF SURVEY NO. 1 IN BLOCK 6 OF PLATS, AT PAGE 201, RECORDS OF ADA COUNTY, IDAHO, SITUATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 1, T.3N., R.1W., B.M., AND THE SW 1/4 OF THE SE 1/4 OF SECTION 36, T.4N., R.1W., B.M., ADA COUNTY, IDAHO.

Revisions
REV. | DESC. | DATE/BY
1 | ADA COUNTY HIGHWAY DISTRICT COMMENTS DATED APRIL 30, 2018 | 5-21-18 RWE
2 | ADDITIONAL COMMENTS FOR CONSTRUCTION OF AUGUST 15, 2018 | 8-21-18 RWE

SURVEYED: AS SHOWN
DRAWN: RWE
CHECKED: BH
APPROVED: RWE
PROJECT NO.: 1718-000
DRAWING FILE NAME: Desert Hawk 4 Detail Plan.dwg

SHEET NO.
4.1



TOTAL COMBINED
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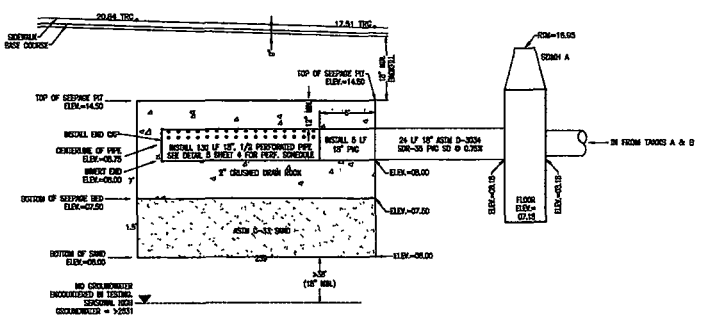
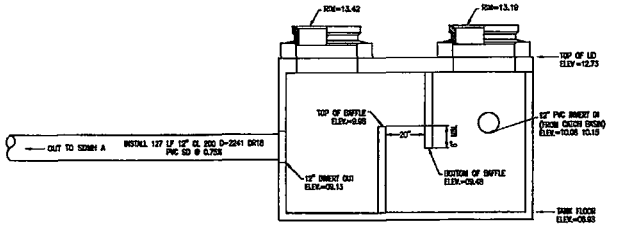
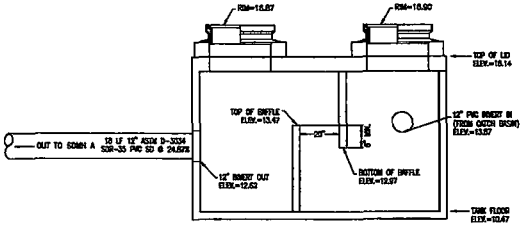
Q25=2.05 CFS
V100=4,401 CF





Tank A



Tank B

Notes

1. REFER TO PLAN VIEW SHEET FOR MORE INFORMATION.
2. 1,000 GALLON SEDIMENT TANKS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT ADHD EHP-01 WITH MANHOLE FRAME AND COVER PER I.S.P.W.S.S. SD-515 AND SD-517.
3. SEE DRAINAGE NOTES 2 & 3, SHEET 4 FOR PERCOLATION TEST REQUIREMENTS.
4. SEE SHEET 4 FOR ADDITIONAL STORM DRAINAGE NOTES AND DETAILS.

(2) Basin E and F Seepage Bed Detail
SCALE: NOT TO SCALE

Plans Are Accepted For Public Street Construction

By accepting and signing the improvement plans, the Registered Engineer assumes the District and the plans conform to all District policies and standards. Variances or waivers must be specifically and properly approved by the District in writing. Acceptance of the improvement plans by the District does not relieve the Registered Engineer of his responsibilities.

BY: [signature] DATE: 8-30-15
ADA COUNTY HIGHWAY DISTRICT

** SEE SHEET 4 FOR DRAINAGE BED & PERFORATED PIPE DETAIL, CATCH BASIN & SEDIMENT TANK CONNECTION DETAIL, AND PIPE PERFORATION SCHEDULE.

B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
3505 W. Franklin Rd. Boise, Id. 83705
(208) 343-3301

Storm Drain Details

Deserthawk Subdivision No. 4

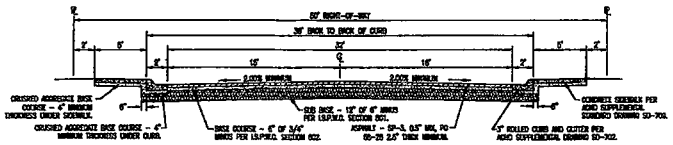
A RESUBDIVISION OF LOT 13 OF THE ADA OBSERVED TRACTS AS SHOWN IN BOOK 9 OF PLATS, AT PAGE 251, RECORDS OF ADA COUNTY, IDAHO, BEING SITUATED IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO.

Revisions

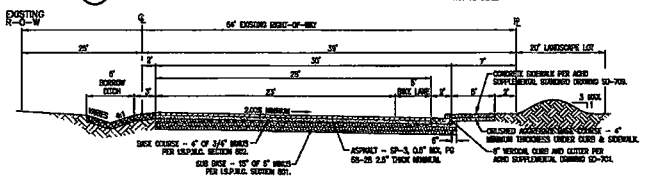
REV	DESCRIPTION	DATE
1	ADA COUNTY HIGHWAY DISTRICT COMMENTS DATED FEB. 25, 2015	3-4-15
2	KUNA CITY COMMENTS DATED MARCH 19, 2015	4-6-15

Date: 2/27/15
Drawn By: [illegible]
Checked By: [illegible]
Project No. [illegible]
Drawing File Name: Deserthawk 4 Cover Plans.dwg

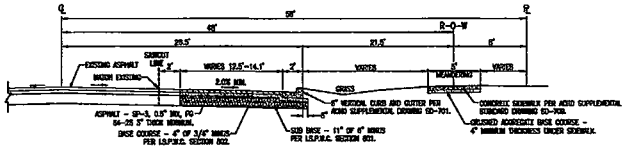
SHEET NO.
4.2



1 Typical Local Street Section
NOT TO SCALE

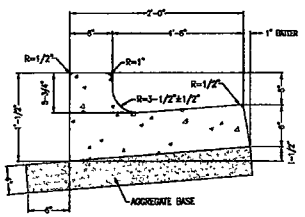


2 W. Sunbeam Street Section (Residential Collector) - Looking East
Station 0+00 - Station 6+57.67
NOT TO SCALE



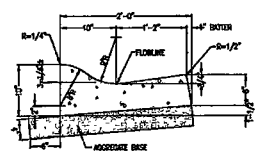
3 S. Ten Mile Road Section (Minor Arterial) - Looking North
Station 0+00 - Station 6+67.40
NOT TO SCALE

NOTES
1. GRADE AND ALIGNMENT TO BE ESTABLISHED OR APPROVED BY THE ENGINEER AND THE PUBLIC AGENCY HAVING JURISDICTION.
2. BASE: 4-INCH COMPACTED DEPTH OF 3/4-INCH MINUS CRUSHED AGGREGATE BASE MATERIAL, PLACED AS SPECIFIED AND PAID UNDER SECTION-802 ISPWC; COMPACTED TO EXCEED 95% OF STANDARD PROCTOR.
3. CONTINUOUS PLACEMENT PREFERRED; SCORE INTERVALS 10-FEET MAXIMUM SPACING (OR CONSISTENT WITH 2X SIDEWALK WIDTH SCORE SPACING).
4. MATERIALS AND CONSTRUCTION IN COMPLIANCE WITH ISPWC SPECIFICATIONS.
5. BACKFILL AS PER SECTION-708.
6. SECURE RIGHT-OF-WAY PERMIT BEFORE BEGINNING CONSTRUCTION IN PUBLIC RIGHT-OF-WAY.
7. SURMOUNTED CURB TO BE USED ON:
1. COLLECTOR AND ARTERIAL STREETS, UNLESS OTHERWISE REQUIRED.
2. ALL CURB PLUS 5-FEET EACH END WITH 2-FEET TRANSITION TO ROLL CURB.
3. TO MATCH EXISTING CURBS.
4. SEE SD-709 FOR CURB CONSTRUCTION WHEN SIDEWALK IS INCLUDED.

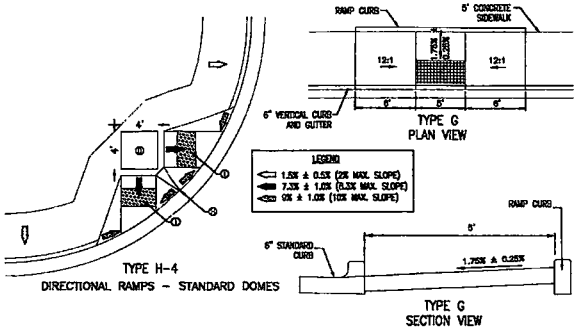


4 Typical 6" Vertical Curb & Gutter
REF.: ADMD STANDARDS FOR PUBLIC WORKS CONSTRUCTION, ADMD SUPPLEMENTAL STD DWG. SD-701. NOT TO SCALE

NOTES:
A. GRADE AND ALIGNMENT TO BE ESTABLISHED OR APPROVED BY THE ENGINEER AND THE PUBLIC AGENCY HAVING JURISDICTION.
B. BASE: 4-INCH COMPACTED DEPTH OF 3/4-INCH MINUS CRUSHED AGGREGATE BASE MATERIAL, PLACED AS SPECIFIED AND PAID UNDER SECTION-802 ISPWC; COMPACTED TO EXCEED 95% OF STANDARD PROCTOR.
C. 1/2-INCH PREFORMED EXPANSION JOINT MATERIAL (AASHTO M 213) AT TERMINAL POINTS OF RADII.
D. CONTINUOUS PLACEMENT PREFERRED; SCORE INTERVALS AT 10-FEET MAXIMUM SPACING (OR CONSISTENT WITH 2x SIDEWALK WIDTH FOR SCORE SPACING.)
E. MATERIALS AND CONSTRUCTION IN COMPLIANCE WITH ISPWC SPECIFICATIONS.
F. BACKFILL AS PER ISPWC SECTION-708.
G. SECURE RIGHT-OF-WAY PERMIT BEFORE BEGINNING CONSTRUCTION IN PUBLIC RIGHT-OF-WAY.
H. USE ROLLED CURB IN RESIDENTIAL AREAS, WHEN LOCAL JURISDICTION REQUIRES VERSIONS, CURB AT INTERSECTIONS VERTICAL CURB LENGTH TO BE FULL RADIUS PLUS 5 FEET AT EACH END. TRANSITION LENGTH FROM ROLLED CURB TO VERTICAL CURB 5 FEET.



5 Typical 3" Rolled Curb And Gutter
REF.: ADMD STANDARDS FOR PUBLIC WORKS CONSTRUCTION, ADMD SUPPLEMENTAL STD DWG. SD-702. NOT TO SCALE



TYPE H-4
DIRECTIONAL RAMPS - STANDARD DOMES

TYPE G
PLAN VIEW

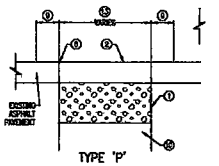
TYPE G
SECTION VIEW

NOTES:
A. RAMPS FOR CORNERS WITH A MIN. 15' RADII AND UTILIZING ROLLED CURB
B. RAMPS ARE CONTAINED WITHIN THE CURB RADIUS
C. RAMP DIMENSIONS
CURB TYPE = SURMOUNTED 3-INCH ROLLED PER ISPWC SD-702
THROAT DEPTH = 6-FEET FROM FACE OF CURB
THROAT WIDTH = 4-FOOT MINIMUM
WING = 3-FEET TOWNSCRIBE
WING = 1.0 FEET NON TOWNSCRIBE
D. RAMPS REQUIRE A MINIMUM 4 FOOT X 4 FOOT LANDING IN SIDEWALK @ 1.5% & 0.5% (2% MAX. SLOPE)
E. RAMPS SHALL NOT EXCEED 12:1 (8.3%) SLOPE & TOWNSCRIBE WINGS 10:1 (10%)
F. NON TOWNSCRIBE AREA - PATTERNED CONCRETE\LAVA\BOSKEL\ETC.
G. 4 FOOT X 4 FOOT FLAT STREET SIDE LANDING REQUIRED
H. CURB IS NOT REQUIRED TO BE FULL - HEIGHT
I. TRUNCATED DOMES SHALL BE REQUIRED IN ALL PEDESTRIAN RAMPS LOCATED WITHIN THE RIGHT-OF-WAY PER I.S.P.W.C. SD-712. DOMES SHALL BE RIGID INSERTS WE-SET INTO CONCRETE (CONCRETE STAMPS AND ADHESIVE MATS NOT ALLOWED) AND SHALL BE COLORED "TRAFFIC YELLOW".

6 Pedestrian Ramp SD-712-H4 & Mid Block Ramp SD-712-G
REF.: ADMD STANDARDS FOR PUBLIC WORKS CONSTRUCTION - ADMD SUPPLEMENT, STD DWG. SD-712-H
REF.: ADMD STANDARDS FOR PUBLIC WORKS CONSTRUCTION - MID BLOCK RAMP ISPWC SD-712-G
NOT TO SCALE

UTILITY WORK NOTES:
ACTUAL FIELD CONDITIONS DURING TRENCHING MAY REQUIRE ADDITIONAL PAVEMENT REPAIR BEYOND THE LIMITS SHOWN ON THE PLAN. THE FOLLOWING CONDITIONS ARE LISTED IN SECTION 6000 OF THE ADMD POLICY MANUAL.
a. ALL ASPHALT MATCH LINES FOR PAVEMENT REPAIR SHALL BE PARALLEL TO THE CENTERLINE OF THE STREET AND INCLUDE ANY AREA DAMAGED BY EQUIPMENT DURING TRENCHING OPERATIONS.
b. IF THE CUMULATIVE DAMAGED PAVEMENT AREA EXCEEDS 50% OF THE TOTAL ROAD SURFACE, CONTRACTOR SHALL REPLACE THE ENTIRE ROADWAY SURFACE.
c. CONTRACTOR SHALL REPLACE THE PAVEMENT SURFACE TO ENSURE MATCH LINE DOES NOT FALL WITHIN THE WHEEL PATH OF A LANE. MATCH LINE SHALL ONLY FALL IN THE CENTER OR EDGE OF A TRAVEL LANE.
d. FLOWABLE FILL OR IMPORTED MATERIAL MAY BE REQUIRED IF THE NATIVE TRENCH MATERIAL IS DEEMED UNSUITABLE BY ADMD INSPECTOR, DOES NOT MEET COMPACTION STANDARDS, OR TOOK IS A CONTROL FACTOR.
e. ANY EXCEPTIONS TO THESE RULES SHALL BE PRE-APPROVED IN WRITING BY DISTRICT STAFF BEFORE CONSTRUCTION BEGINS.

LEGEND
1. 6" OF 3/4" MINUS CRUSHED AGGREGATE BASE (MBA) UNLESS A GREATER DEPTH IS OTHERWISE SPECIFIED.
2. MATCH EXISTING PAVEMENT DEPTH TO 6-INCHES UNLESS A GREATER DEPTH IS OTHERWISE SPECIFIED. USE A 2.5-INCH (MIN.) MAT ON RESIDENTIAL STREETS AND A 3-INCH (MIN.) MAT ON COLLECTORS AND ARTERIALS.
3. PORTLAND CEMENT CONCRETE SHALL BE CLASS 3000 PSI EARLY STRENGTH, AND COMPLY WITH SECTION -703. CUT ASPHALT IN A NEAT STRAIGHT LINE.
4. KEEP TRAFFIC OFF 72 HOURS, UNLESS OTHERWISE APPROVED BY THE ENGINEER.
5. MINIMUM DISTANCES 4 OVERLAP APPLIES WHERE FABRIC IS BETWEEN ASPHALT LAYERS.
6. CUT ASPHALT IN A NEAT STRAIGHT LINE.
7. 3/4-INCH MINUS AGGREGATE SURFACE COURSE (5-INCHES) OR THICKNESS OF CY EXISTING GRAVEL, WHICHEVER IS GREATER.
8. THICKNESS EQUALS EXISTING PAVEMENT DEPTH PLUS 2-INCHES OF CONCRETE OR PAVEMENT.
9. LOCAL CUTBACK, ONLY IF REQUIRED.
10. COMPACTED TRENCH BACKFILL AS PER SD-301 AND SECTION -306 OF THESE SPECIFICATIONS.
11. ASPHALT TO EXISTING SHELF (MIN 2-INCHES THICK).
12. PLACE NEW PAVEMENT FABRIC FULL WIDTH OF ASPHALT PATCH.
13. 4-FOOT MINIMUM WIDTH FOR SURFACE RESTORATION.

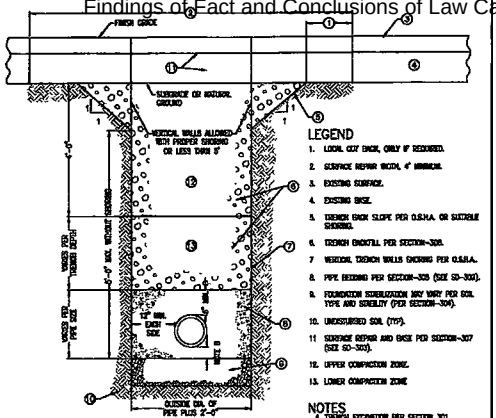


TYPE 'P'
ASPHALT

NOTES:
A. REFER TO SECTION-307 FOR GROUNDS AND WORKMANSHIP REQUIREMENTS.
B. ALL STREET CUTS WILL REQUIRE RESURFACING BY A PAVING MACHINE OR SPREADER BOX. PATCH WIDTHS ARE NEEDED TO BE LESS THAN 6' IN WIDTH. LOCATE THE WIDTH OF THE NEW TO ENSURE PAVEMENT OUT OF THE WHEELS WHEEL PATH OF THE STREET.
C. WHERE THE STREET SURFACE INCLUDES AN OVERLAY WITH FABRIC, TAKE THE FOLLOWING ADDITIONAL STEPS:
a. OVERLAY ABOVE FABRIC AN ADDITIONAL 4-INCHES ON EACH SIDE TO EXPOSE EXISTING FABRIC.
b. INSTALL NEW ASPHALT TO GRADE FABRIC.
c. INSTALL NEW FABRIC FULL WIDTH OF CUT, IN ACCORDANCE WITH MANUFACTURE'S SPECIFICATIONS.
d. OVERLAY FABRIC WITH ASPHALT TO FINISH GRADE OF STREET.
D. TACK ALL COLD JOINT SURFACES WITH EMULSION WHICH HAS BEEN "BROKEN" PRIOR TO PAVING.

ASPHALT MATERIAL NOTES:
A. SUPER-PAVE IS REQUIRED FOR PRINCIPLE ARTERIAL ROADWAY SECTIONS.
B. SP-5 ASPHALT USING PERFORMANCE GRADE (PG) 64S AT 64-28 AS A MINIMUM.

7 Street Cuts & Pavement Repair Details
REF.: CURRENT EDITION ADMD STANDARDS FOR PUBLIC WORKS CONSTRUCTION, STD. DWG. SD-353. NOT TO SCALE
(ADMD 2017 SUPPLEMENT REVISION)

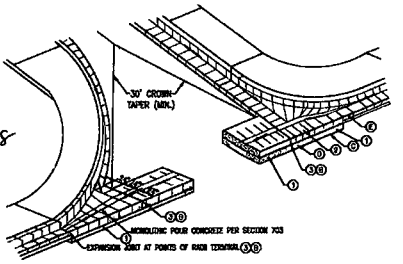


LEGEND
1. LOCAL CUT BACK, ONLY IF REQUIRED.
2. SURFACE REPAIR WIDTH, 4' MINIMUM.
3. EXISTING SURFACE.
4. EXISTING BASE.
5. TRENCH SIDE SLOPE PER O.S.H.A. OR SUITABLE SHORING.
6. TRENCH BACKFILL PER SECTION-308.
7. VERTICAL TRENCH WALLS SHORING PER O.S.H.A.
8. PIPE BEDDING PER SECTION-305 (SEE SD-302).
9. FOUNDATION STABILIZATION MAY VARY PER DIR. TYPE AND SENSITIVITY (PER SECTION-306).
10. UNDISTURBED SOIL (TYP).
11. SURFACE REPAIR AND BASE PER SECTION-307 (SEE SD-302).
12. UPPER COMPACTION ZONE.
13. LOWER COMPACTION ZONE

NOTES
A. TRENCH EXCAVATION PER SECTION 301
B. PIPE BEDDING PER SECTION 305
C. BACKFILL AND COMPACTION PER SECTION 308.

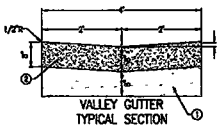
8 Typical Trench Detail
REF.: ADMD STANDARDS FOR PUBLIC WORKS CONSTRUCTION, STD DWG. SD-301. NOT TO SCALE

Plans Are Accepted For Public Street Construction
By stamping and signing the Improvement plans, the Registered Engineer assures the District that the plans conform to all District policies and standards. Variances to waivers must be specifically called out and approved by the District in writing. Acceptance of the improvement plans by the District does not relieve the Registered Engineer of these responsibilities.
DATE: 3-30-18
ADA COUNTY HIGHWAY DISTRICT



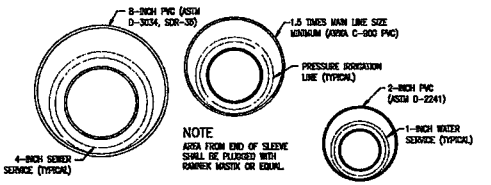
NOTES:
A. GRADE OF GUTTER MINIMUM 0.4%.
B. EXPANSION JOINT 1/2-INCH PREFORMED JOINT MATERIAL (AASHTO M 213.)
C. FILLET AND BASE SECTION THICKNESS SHALL MATCH THE VALLEY GUTTER, TYPICAL.
D. PAY LIMITS FOR VALLEY GUTTER.
E. FILLET DETAIL FOR CORNER RADIUS 15 FEET OR LESS.

KEYNOTES:
1. 6" OF 3/4" MINUS CRUSHED AGGREGATE BASE MINIMUM.
2. CONCRETE.
3. 1/2" EXPANSION JOINT.



VALLEY GUTTER
TYPICAL SECTION

9 Typical Valley Gutter
REF.: ADMD STANDARDS FOR PUBLIC WORKS CONSTRUCTION, ADMD SUPPLEMENT, STD DWG. SD-705. NOT TO SCALE



NOTE
AREA FROM END OF SLEEVE SHALL BE PLUGGED WITH RAMNEK MASTIK OR EQUAL.

10 Pipe Sleeve Section Detail
NOT TO SCALE

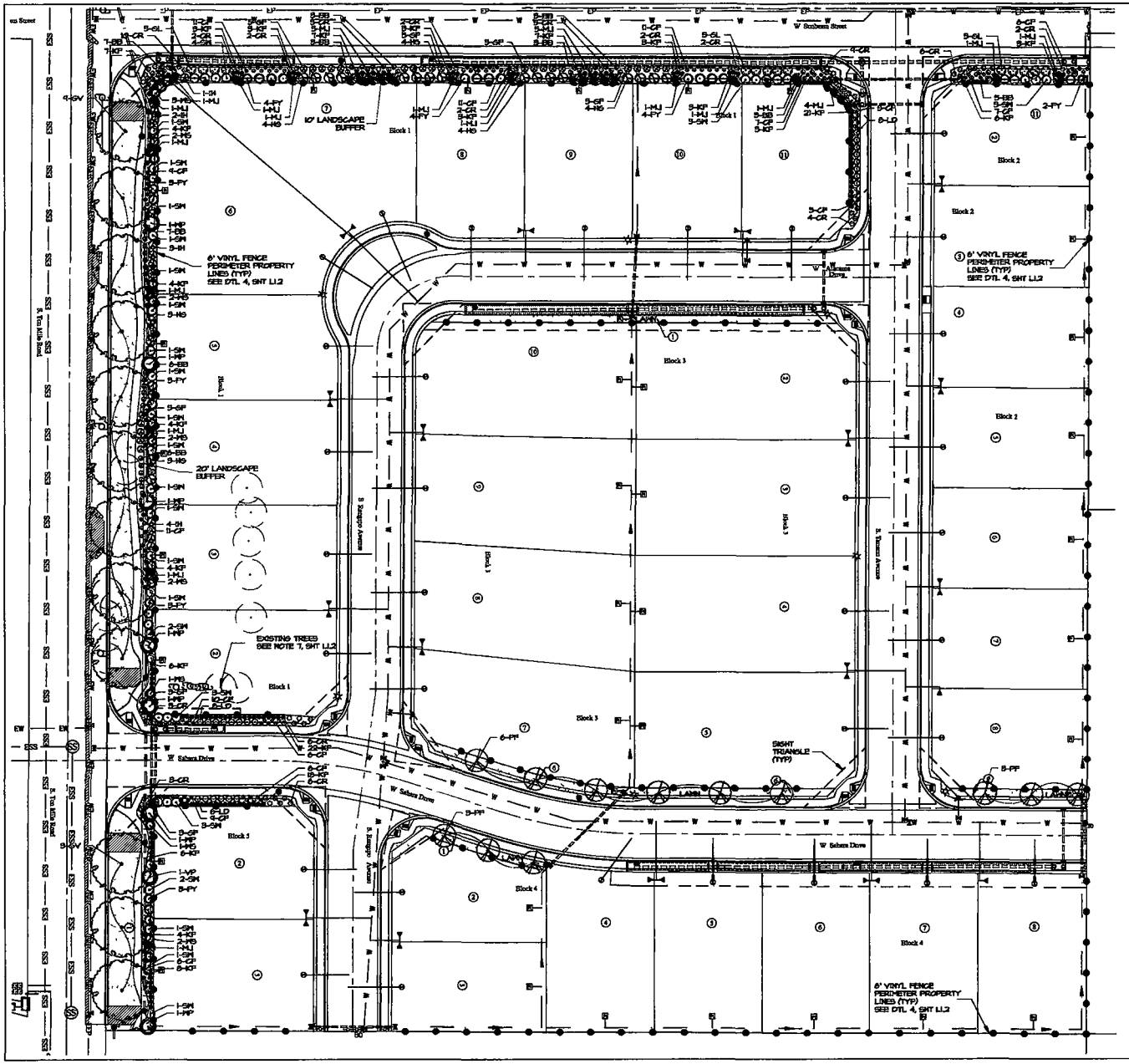
B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
8500 W. Franklin Rd. Boise, Id. 83709
(208) 343-3331

Construction Details
Deserthawk Subdivision No. 4
A RESUBDIVISION OF LOT 13 OF THE NOAH DEERHEAD TRACTS AS SHOWN IN BOOK 8 OF PLATS AT PAGE 344, RECORDS OF ADA COUNTY, IDAHO, LOCATED IN THE NE1/4 NW1/4 OF SECTION 25, T.3N., R.1W., B.M., ADA COUNTY, IDAHO.
GENERAL LOCATION: 1 MILE WEST OF MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO.

Revisions
DATE / BY
1 ADA COUNTY HIGHWAY DISTRICT COMMENTS DATED APR. 24, 2018 - E-E-I - 5/18
2 CITY OF KUNA, NOTE AND DETAIL UPDATE OF APRIL 2018 - E-E-I - 5/18

JOB NO. 17-0
DATE: JANUARY 15, 2018
DRAWN BY: E-E-I
CHECKED BY: A.D. GAMMETT
PROJECT NO. 17-0
DRAWING FILE NAME: Deserthawk 4 Const Plans.dwg

SHEET NO.
7



PLANT SCHEDULE

(REFERENCE SHT L1.2)

SYM	COMMON NAME
EVERGREEN TREES	
MP	COLUMNAR WHITE PINE
MS	WEEPING WHITE SPRUCE
SHADE TREES (CLASS II)	
GV	GREEN VASE ZELKOVA
ORNAMENTAL TREES (CLASS I)	
PF	PINK FLARE CHERRY
SHRUBS/ORNAMENTAL GRASSES	
BB	CRIMSON PYGMY BARBERRY
CF	PURPLE CONEFLOWER
CR	FLOWER CARPET ROSE
FY	SWAN OFF FORSYTHIA
GA	GOLD FLAME SPIREA
GL	GRO-LOW SUMAC
HS	HENRY'S GARNET SWEETSPIRE
IH	IVORY HALO DOGWOOD
KF	KARL FOERSTER REED GRASS
LD	LITTLE DEVIL NINEBARK
MJ	MOONGLOW JUNIPER
SN	SUMMERWINE NINEBARK

LAWN

6' VINYL PRIVACY FENCE SEE DETAIL 4, SHT L1.2

NOTES

1. REFER TO SHEET L1.2 FOR PLANT SCHEDULE, LANDSCAPE NOTES & DETAILS, AND FENCING DETAILS.
2. REFER TO SHEET L2.0 FOR ALL LANDSCAPE AND PERFORMANCE IRRIGATION SPECIFICATION REQUIREMENTS

EXHIBIT C

OWNER/APPLICANT
ENDURANCE HOLDINGS
1077 E. OVERLAND RD
MERIDIAN, IDAHO 83642
(208) 288-5560

ENGINEER
B&A ENGINEERS, INC.
5905 W. FRANKLIN RD
BOISE, IDAHO 83705
(208) 343-3381

NORTH

SCALE 1" = 30'

Rev.	Description	Date
	ISSUE	4-6-17
	CITY COMMENTS	8-8-17
	ACHD COMMENTS	8-8-18
	ACHD COMMENT	12-6-18

JENSEN BELTS ASSOCIATES
Site Planning
Landscape Architecture
1509 S. Tyrell Ln. Ste. 130
Boise, Idaho 83706
Ph. (208) 343-7775
Fax (208) 343-7778
e-mail jba@jensenbelts.com

DESERTHAWK NO.4 SUBDIVISION

KUNA, IDAHO

FINAL PLAT

Job Number 1718

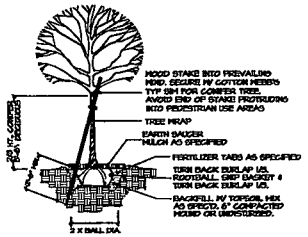
Drawn	Checked
JJN	KCS
Scale	AS SHOWN

Sheet Title: LANDSCAPE PLAN

Sheet Number: L1.1

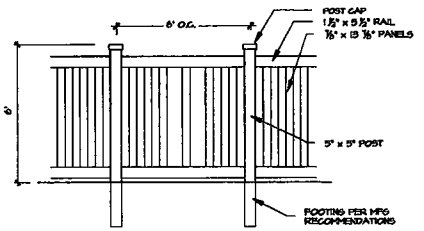
of Sheets

RECEIVED
DEC 06 2018



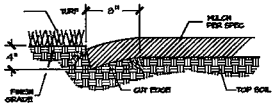
NOTES:
1. REMOVE ALL TWINE, ROPE, OR BINDINGS FROM ALL TRUNKS.
2. REMOVE BURLAP AND WIRE BASKETS FROM THE TOP 1/2 OF ALL ROOT BALLS AFTER PLANTING.
3. IF SYNTHETIC WRAP/BURLAP IS USED, IT MUST BE COMPLETELY REMOVED.

① TREE PLANTING/STAKING
NOT TO SCALE

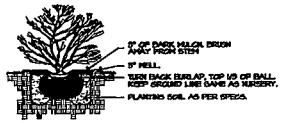


NOTES:
1. INSTALL PER MANUFACTURERS RECOMMENDATIONS/REQUIREMENTS.
2. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.
3. STYLE MAY VARY. COLOR TO BE PER OWNERS DIRECTIVE.

④ 6' VINYL PRIVACY FENCE
NOT TO SCALE



⑤ PLANTER CUT BED EDGE
NOT TO SCALE



NOTE: DIG HOLE TWICE THE SIZE OF ROOTBALL.

② SHRUB PLANTING
NOT TO SCALE

PLANT SCHEDULE

SYM	COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
EVERGREEN TREES				
MP	COLUMNAR WHITE PINE	PINUS STROBUS 'FASTIGIATA'	6-8' HT B&B	5
WS	WEEPING WHITE SPRUCE	PICEA GLAUCA 'PENDULA'	6-8' HT B&B	15
SHADE TREES (CLASS II)				
SV	SAWTOOTH ZELKOVA	ZELKOVA SERRATA 'GREEN VASE'	2" CAL B&B	12
ORNAMENTAL TREES (CLASS I)				
PF	PINK FLARE CHERRY	PRUNUS SARGENTII 'JFS-KNEB'	2" CAL B&B	12
SHRUBS/ORNAMENTAL GRASSES				
BB	CRIMSON PYGMY BARBERRY	BERBERIS THUNBERGII 'CRIMSON PYGMY'	3 GAL	48
CP	PURPLE CONEFLOWER	ECHINACEA PURPUREA	1 GAL	120
CR	FLOWER CARPET ROSE	ROSA x FLOWER CARPET	3 GAL	71
FY	SHOW OFF FORSYTHIA	FORSYTHIA x INTERMEDIA 'MINDOR'	3 GAL	28
GF	GOLD FLAME SPIREA	SPIRAEA x BUMALDA 'GOLDFLAME'	3 GAL	91
GL	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	3 GAL	14
HS	HENRY'S GARNET SWEETSPIRE	ITEA VIRGINICA 'HENRY'S GARNET'	5 GAL	32
IH	IVORY HALO DOGWOOD	CORNUS ALBA 'BAILHALO'	5 GAL	10
KF	KARL FOERSTER REED GRASS	CALAMAGROSTIS x ACUTIFOLIA 'K.F.'	1 GAL	134
LD	LITTLE DEVIL NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DONNA MAY'	3 GAL	22
MJ	MOONGLOW JUNIPER	JUNIPERUS SCOPULORUM 'MOONGLOW'	15 GAL	30
SM	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIUS 'SEWARD'	5 GAL	41

LAWN

PLANT SCHEDULE NOTE:
1 QUANTITIES FOR INFORMATION ONLY. CONTRACTOR TO VERIFY AND ASSUME RESPONSIBILITY FOR ALL PLANT MATERIAL QUANTITIES

6' VINYL PRIVACY FENCE
SEE DETAIL 4, THIS SHEET

NOTES

1. ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH KUNA CITY ORDINANCE REQUIREMENTS. ALL LOTS WILL COMPLY WITH KUNA CITY ORDINANCE REQUIRING ONE (1) TREE PER LOT (PROVIDED BY BUILDER AND/OR DEVELOPER) REFER TO SHT L2.0 FOR LANDSCAPE SPECIFICATIONS.
2. ALL PLANTING AREAS TO BE MATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. REFER TO SHT L2.0 FOR IRRIGATION PERFORMANCE SPECIFICATIONS.
3. TREES SHALL NOT BE PLANTED WITHIN THE 10'-CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.
4. NO TREES SHALL IMPEDE THE 40' STREET AND DEPARTURE VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM STOP SIGNS.
5. LANDSCAPE AND TREES IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION OF THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UTILITY LINES.
6. PLANT LIST IS REPRESENTATIVE AND SUBJECT TO SUBSTITUTIONS OF SIMILAR SPECIES BY OWNER, SUBJECT TO CITY FORESTERS PRE-APPROVAL. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
7. FOURTEEN (14) EXISTING TREES LOCATED ON-SITE AROUND THE EXISTING HOUSE (TO BE REMOVED). THE EXISTING TREES ARE: DEAD, DYING, AND/OR OF UNDESIRABLE SPECIES. TREES TO BE VERIFY FOR REMOVAL WITH KUNA CITY FORESTER AND MITIGATED (IF REQUIRED) WITH TREES BEYOND THOSE REQUIRED IN LANDSCAPE BUFFER AND COMMON OPEN SPACE.

DEVELOPMENT DATA

TOTAL AREA	9.54 ACRES (100%)
RESIDENTIAL LOTS	6.13 ACRES (65.6%)
USEABLE OPEN SPACE	1.9 ACRES (19.2%)
RIGHT-OF-WAY	2.73 ACRES (24.2%)
RESIDENTIAL LOTS	84
COMMON LOTS	7
TOTAL LOTS	41
EXISTING ZONING	A
PROPOSED ZONING	R-6

LANDSCAPE CALCULATIONS

LANDSCAPE BUFFER ARE REQUIRED TO BE PLANTED WITH THE FOLLOWING PLANTS PER 100 LINEAR FEET: TWO (2) SHADE TREES, THREE (3) EVERGREEN TREES, AND TWELVE (12) SHRUBS. EACH REQUIRED SHADE TREE MAY BE SUBSTITUTED FOR TWO (2) FLOWERING/ORNAMENTAL TREES

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
S. TEN MILE RD	20'	540' / 100' =	12 TREES	12 TREES
			18 EVERGREENS 71 SHRUBS	22 EVERGREENS 100 SHRUBS
PL SUNBEAM ST	10'	600' / 100' =	12 TREES	REQUIRED TREE QUANTITIES WERE NOT MET DUE TO LOCATION OF SEEPAGE BEDS AND ACHD REGULATIONS.
			18 EVERGREENS 72 SHRUBS	266 SHRUBS

NUMBER OF TREES PROVIDED ON BUFFERS: 34
NUMBER OF TREES PROVIDED ON COMMON LOTS: 12
TOTAL NUMBER OF TREES: 46

OWNER/APPLICANT
ENDURANCE HOLDINGS
1877 E. OVERLAND RD
MERIDIAN, IDAHO 83642
(208) 288-5560

ENGINEER
B&A ENGINEERS, INC
5505 W FRANKLIN RD.
BOISE, IDAHO 83705
(238) 343-338

Mark	Description	Date
ISSUE		4-18-17
CITY COMMENTS		8-15-17
ACHD COMMENTS		6-8-18
ACHD COMMENT		12-6-18

JENSEN BELTS ASSOCIATES
Site Planning
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DESERTHAWK NO.4 SUBDIVISION
KUNA, IDAHO
FINAL PLAT

Job Number 1716

Drawn JJN | Checked KCS
Scale AS SHOWN

Sheet Title
LANDSCAPE PLAN

Sheet Number
L1.2
Of Sheets

SECTION 32 80 00 - LANDSCAPE WORK

PART 1 - GENERAL

1.1 RELATED DOCUMENTS
A. Drawings and general provisions of Contract, including General and Supplementary Conditions and Division 1 Specification Sections.

1.2 SUMMARY
A. This Section includes provisions for the following items:
1. Trees.
2. Shrubs; Ground cover
3. Lawns.
4. Topsoil and Soil Amendments.
5. Miscellaneous Landscape Elements.
6. Initial maintenance of landscape materials.
B. Related Sections: The following sections contain requirements.
1 Underground sprinkler system is specified in Section 32 84 00, "Irrigation System."

1.3 QUALITY ASSURANCE
A. Subcontract landscape work to a single firm specializing in landscape work.
B. Source Quality Control
1 General: Ship landscape materials with certificates of inspection required by governing authorities. Comply with regulations applicable to landscape materials.
2. Do not make substitutions. If specified landscape material is not obtainable, submit proof of non-availability to Architect, with proposal for use of equivalent material.
3. Analysis and Standards: Package standard products with manufacturer's certified analysis. For other materials, provide analysis by recognized laboratory made in accordance with methods established by the Association of Official Agriculture Chemists, wherever applicable.
4. Trees, Shrubs and Groundcovers: Provide trees, shrubs, and groundcovers of quantity size, genus, species, and variety shown and scheduled for work complying with recommendations and requirements of ANSI Z60.1 "American Standard for Nursery Stock." Provide healthy, vigorous stock, grown in recognized nursery in accordance with good horticultural practice and free of disease, insects, eggs, larvae ' and defects such as knots, sunscald, injuries, abrasions, or disfigurement.
5. Label at least one tree and one shrub of each variety with attached waterproof tag with legible designation of botanical and common name.
a. Where formal arrangements or consecutive order of trees or shrubs are shown, select stock for uniform height and spread.
6. Inspection: The Architect may inspect trees and shrubs either at place of growth or at site before planting, for compliance with requirements for genus, species, variety size, and quality. Architect retains right to further inspect trees and shrubs for size and condition of balls and root systems, insects, injuries and latent defects, and to reject unsatisfactory or defective material at any time during progress of work. Remove rejected trees or shrubs immediately from project site

1.4 SUBMITTALS
A. General: Submit the following in accordance with Conditions of Contract and Division 1 Specification Sections.
B. Plant and Material Certificates:
1 Certificates of inspection as required by governmental authorities.
2. Manufacturer's or vendor's certified analysis for soil amendments and fertilizer materials.
3. Label data submitted stating that plants, trees, shrubs and planting materials comply specified requirements.
4. Seed vendor's certified statement for each grass seed mixture required, stating botanical and common names, percentages by weight, and percentages of purity, germination, and weed seed for each grass seed species.
C Mulch: Submit 1 gal bag of mulch sample for approval.

1.5 DELIVERY STORAGE AND HANDLING
A. Soil Trim delivery so that soil will be placed within 24 hours after stripping. Protect soil against drying and freezing of rolled strips.
B. Trees and Shrubs: Provide freshly dug trees and shrubs. Do not prune prior to delivery unless otherwise approved by Architect. Do not bend or break trees or shrubs in such manner as to damage bark, break branches, or destroy natural shape. Provide protective covering during delivery. Do not drop balled and burlapped stock during delivery
C. Deliver trees and shrubs after preparations for planting have been completed and plant immediately. If planting is delayed more than 6 hours after delivery, set trees and shrubs in shade, protect from weather and mechanical damage, and keep roots moist by covering with mulch, burlap or other acceptable means of retaining moisture.
D. Do not remove container-grown stock from containers until planting time.
E. Do not drop or dump materials from vehicles during delivery or handling. Avoid any damage to rootballs during deliver, storage and handling.

1.6 JOB CONDITIONS
A. Utilities: Determine location of underground utilities and work in a manner which will avoid possible damage. Hand excavate, as required. Maintain grade stakes until removal is mutually agreed upon by parties concerned.
B. Excavation: When conditions detrimental to plant growth are encountered, such rubble fill, adverse drainage conditions, or obstructions, notify Architect before planting.
C. Adjacent Landscape: Protect planted areas adjacent to construction area. Replace or recondition to prior conditions at project completion.

1.7 SEQUENCING AND SCHEDULING
A. Planting Time: Proceed with, and complete landscape work as rapidly as portions of site become available working within seasonal limitations for each kind of landscape work required.
1 Plant or install all plant materials during normal planting seasons from 15 February to 15 November.
2. Consider planting with specified maintenance periods to provide maintenance from date of substantial completion.
B. Coordination with Lawns: Plant trees and shrubs after final grades are established and prior to planting of lawns, unless otherwise acceptable to Architect. If planting of trees and shrubs occurs after lawn work, protect lawn areas and promptly repair damage to lawns resulting from planting operations.

1.8 SPECIAL PROJECT WARRANTY
A. Warranty lawns through specified lawn maintenance period, until Final Project Acceptance.
B. Warranty trees and shrubs, for a period of one year after date of substantial completion, against defects including death and unsatisfactory growth, except for defects resulting from neglect by Owner, abuse or damage by others, or unusual phenomenon or incidents beyond Landscape Installer's control.
C Remove and replace trees, shrubs, or other plants dead or in unhealthy condition during warranty period. Make replacements during growth season following end of warranty period. Replace trees and shrubs which are in doubtful condition at end of warranty period, unless, in opinion of Architect, it is advisable to extend warranty period for a full growing season.

PART 2 - PRODUCTS

2.1 TOPSOIL
A. If deemed unsuitable, native topsoil shall be stockpiled for re-use in landscape work. Topsoil shall be fertile, friable natural loam, surface soil, reasonably free of subsoil, clay lumps, brush, weeds, rocks, stumps, stones larger than 1 inch in any dimension, and other extraneous or toxic matter harmful to plant growth.
1 Contractor shall send a minimum of three (3) representative topsoil samples for testing. See testing requirements below. Contractor is responsible for whatever soil additives are recommended by the tests. Submit to Architect for approval. Compost will be added to other additives and added regardless of test results.
B. If quantity of stockpiled topsoil is insufficient, contractor to provide imported topsoil that is fertile, friable, natural loam, surface soil, reasonably free of subsoil, clay lumps, brush, weeds and other litter, and free of roots, stumps, stones larger than 1 inches in any dimension, and other extraneous or toxic matter harmful to plant growth.
1 Obtain topsoil from local sources or areas with similar soil characteristics to that of project site. Obtain topsoil only from naturally well-drained sites where topsoil occurs in a depth of not less than 4 inches. Do not obtain from bogs or marshes.
2. Composition: Topsoil shall contain from 1 to 20% organic matter as determined by the Organic Carbon, Ek, Chromic Acid/wet Method described in USDA Soil Survey Investigation Report No. 1. Maximum particle size 3/4-inch, with maximum 3% retained on 1/4-inch screen.
Other components shall conform to the following limits:

pH	6.5 to 7.5
Soluble Salts	600 ppm maximum
Silt	25-50%
Clay	10-30%
Sand	20-50%

3. Contractor shall submit representative soil report on imported topsoil proposed for use for approval. Report shall meet standards below. Contractor is responsible for whatever soil additives are recommended by the test. Compost will be in addition to other additives and added regardless of test results.

C. Soil Testing
1 Soil tests are required for this project (see above for requirements). Test shall be provided as follows:
a. Provide certified analysis at time of sample submitted (three samples imported topsoil). Amend soils per chemist's recommendations and as herein specified unless otherwise approved by Architect.
2. Test shall include, but not limited to recommendations on chemical distributions, organic contents, pH factors, and sieve analysis as necessary. Test PIT by Western Laboratories (1-800-658-5202) is required.
3. Contractor is responsible for whatever soil additives are recommended by the soil testing laboratory.
4. Contractor shall coordinate, obtain and pay for all soil tests.
5. If aggressive noxious weeds are present in the soil, remove all resultant growth including roots throughout one-year period after acceptance of work, at no cost to Owner.

2.2 pH ADJUSTERS
A. When pH does not comply with the specification, commercial grade aluminum sulfate shall be used to adjust soil pH.

2.3 SOIL AMENDMENTS
A. Compost: Compost "Cascade Compost" from Cloverdale Nursery (208) 375-5262 and Re-Gro Compost (208) 629-5912 or approved equal to equal amounts by volume.
B. Commercial Fertilizer: Fertilizer shall be complete, standard commercial brand fertilizer. It shall be free-flowing and packaged in new waterproof, non-wetted bags clearly labeled as to weight, analysis, and content. Packed materials from deterioration during delivery and while stored at site.
1 Commercial fertilizer "A" for trees during planting: AGRO "Transplanter" (4-24-4) type or equal.
2. Commercial fertilizer "B" for lawn areas, applied to bed prior to sodding, to be 16-16-16 applied at the rate of ten pounds per acre.
3. Commercial fertilizer "C" for lawn areas three to four weeks after planting (sod). Organic Fertilizer: Nitrogenate 16-0-0 (type) or equal.
C. Herbicide: Pre-emergent for topsoil application in planting beds. Oxadiazon 2G brand or pre-approved equal. Use in accordance with manufacturer's recommendation on all planting beds.

2.4 PLANT MATERIALS
A. Quality: Provide trees, shrubs, and other plants of size, genus, species, and variety shown for landscape work and complying with recommendations and requirements of ANSI Z60.1 "American Standard for Nursery Stock".
B. Deciduous Trees: Provide trees of height and caliper scheduled or shown with branching configuration recommended by ANSI Z60.1 for type and species required. Single stem trees except where special forms are shown or listed.
C. Deciduous Shrubs: Provide shrubs of the height shown or listed, not less than minimum number of canes required by ANSI Z60.1 for type and height of shrub.
D. Coniferous and Broadleaved Evergreens: Provide evergreens of sizes shown or listed. Dimensions indicate minimum spread for spreading and semi-spreading type evergreens and height for narrow or columnar evergreens unless otherwise shown. Core, pyramidal, broad upright, and columnar. Provide normal quality evergreens with well balanced form complying with requirements for other size relationships to the primary dimension shown.

2.5 GRASS MATERIALS
A. Lawn sod: Provide strongly rooted sod, not less than 1 growing season old, and free of weeds and undesirable native grasses. Provide only sod capable of growth and development when planted (viable, and cleaned).
1 Provide sod of uniform pad sizes with maximum 5% deviation in either length or width. Broken pads or pads with uneven ends will not be acceptable. Sod pads incapable of supporting their own weight when suspended vertically with a firm grasp on upper 10% of pad will be rejected.
B. Provide sod composed of: Rhizzomatous Tall Fescue (RTF) from the The Turf Company, Meridian, ID (208) 888-3760.

2.6 MISCELLANEOUS LANDSCAPE MATERIALS
A. Anti-Desiccant: Emulsion type, film-forming agent designed to permit transpiration, but retard excessive loss of moisture from plants. Deliver in manufacturer's fully identified containers and mix in accordance with manufacturer's instructions.
B. Mulch: Mulch for planting beds shall be medium ground bark mulch, free of splinters, consistent in appearance, and shall contain no toxic substance detrimental to plant life.
C. Stakes and Guys: Provide stakes and deadmen of sound new hardwood, treated softwood, or redwood, free of knot holes and other defects. Provide wire ties and guys of 2-strand, twisted, pliable galvanized iron wire, not lighter than 12 ga. with zinc-coated turnbuckles. Provide not less than 3 inch diameter rubber or plastic hose, cut to required lengths out of uniform color material, and size to protect tree trunks from damage by wires.

PART 3 - EXECUTION

3.1 PREPARATION - GENERAL
A. General Contractor shall be responsible for excavating planting areas to appropriate depths for placement of topsoil and shrubbery.
B. Lay out individual tree and shrub locations and areas for multiple plantings. Stake locations and outline areas and secure Architect's acceptance before start of planting work. Make minor adjustments as may be required.

3.2 PREPARATION OF PLANTING SOIL
A. Before mixing, clean topsoil of roots, plants, sod, stones, clay lumps and other extraneous materials harmful or toxic to plant growth.
B. Mix specified compost and fertilizer with topsoil at rates specified. Delay mixing fertilizer if planting will not follow placing of planting soil in a few days.
Compost: Lawn Areas/ 4# compost, 3/4 topsoil.
Shrub Areas: 1/3 compost, 2/3 topsoil.
Fertilizer: Per soil test and manufacturer's recommendations.
C. For shrub and lawn areas, mix planting soil other prior to planting, or apply on surface of topsoil and mix thoroughly before planting.

3.3 PREPARATION FOR PLANTING LAWNS
A. After excavating and removing surface material to proper depth, loosen subgrade of lawn areas to a minimum depth of 4 inches. Remove stones measuring over 1-1/2 inches in any dimension. Remove sticks, roots, rubbish, and other extraneous matter. Limit preparation to areas which will be planted promptly after preparation.
1 Spread topsoil mix to minimum depth of 4 inches for sodded lawns as required to meet lines, grades, and elevations shown, after light rolling and natural settlement. Add 1 1/2 inches of topsoil mix top of loosened subgrade to create a transition layer and then place remainder of planting soil. Add specified soil amendments as required and mix thoroughly into upper 4 inches of topsoil.

3.4 PREPARATION OF PLANTING BEDS
A. Loosen subgrade of planting areas to a minimum depth of 6 inches using a cultivator or similar equipment. Remove stones measuring over 1 1/2 inches in any dimension. Remove sticks, stones, rubbish, and other extraneous matter.
B. Spread planting soil mixture to minimum depths noted below after light rolling and natural settlement. Add 1 1/2 inches of specified compost over entire planting area and mix thoroughly into upper 6 inches of topsoil. Place approximately 1/2 of total amount of planting soil required. Work into top of loosened subgrade to create a transition layer. Then place remainder of the planting soil.
C. Apply Pre-Emergent per manufacturer's recommendation.

3.5 PLANTING TREES AND SHRUBS
A. Set balled and burlapped (B&B) stock on layer of compacted planting soil mixture, plumb and in center of pit or trench with top of ball at same elevation as adjacent finished landscape grades. Remove burlap from sides of balls; retain on bottoms. When set, place additional backfill around base and sides of ball, and work each layer to settle backfill and eliminate voids and air pockets. Place fertilizer tablets in excavated area per manufacturer's written instructions. When excavation is approximately 2/3 full, water roughly before placing remainder of backfill. Repeat watering until no more is absorbed. Water again after placing final layer of backfill. Remove all tree ties around base of tree.
B. Set container grown stock as specified, for balled burlapped stock, except cut cans on 2 sides with an approved can cutter and remove can; remove bottoms of wooden boxes after partial backfilling so as not to damage rootballs.
C. Dish top of backfill to allow for watering.
D. Mulch pits, and planted areas. Provide not less than following thickness of mulch, and work into top of backfill and finish level with adjacent finish grades.
1 Provide 3 inches thickness of mulch.
E. If season and weather conditions dictate, apply anti-desiccant, using power spray, to provide an adequate film over trunks, branches, stems, twigs and foliage.
F. Prune, thin out, and shape trees and shrubs in accordance with standard horticultural practice. Prune trees to retain required height and spread. Unless otherwise directed by Architect, do not cut tree leaders, and remove only injured or dead branches from flowering trees, if any. Prune shrubs to retain natural character.
G. Remove and replace excessively pruned or malformed stock resulting from improper pruning.
H. Guy and stake trees immediately after planting, as indicated.
I. Apply approved mulching to all shrub bed areas at manufacture specified rate. Re-apply as necessary for elimination of weeds.

3.6 SODDING NEW LAWNS
A. General: Install lawn sod in all areas designated on the drawings.
B. Soil Preparation
1 Any sod lawn areas that may have become compacted prior to sodding must be scarified to a depth of eight (8) inches by approved means, then finish graded as hereinbefore described.
C. Lay sod within 24 hours from time of stripping. Do not plant dormant sod or if ground is frozen.
D. Sod Placement
1. Sod will be brought onto lawn areas by wheeled carriers with proper protection of sod beds. Sod shall not be broken, crushed, or if inappropriated, shall be constantly supervised by an experienced foreman. The Contractor shall insure that the base immediately under sod of sod layer is moist. Sod shall be laid tight with not gaps. Allowance shall be made for shrinkage. Lay sod with long edges perpendicular to primary slope.
2. Lay to form a solid mass with tightly fitted joints. Butt ends and sides of strips; do not overlap. Stagger joints to offset joints in adjacent courses. Work on boards to avoid damage to subgrade or sod. Tamp or roll lightly to ensure contact with subgrade. Work sifted soil into minor cracks between pieces; remove excess to avoid smothering of adjacent grass.
3. Sod shall be rolled with a two hundred (200) pound roller after installation to insure proper contact with underlying soil bed. Final rolling must provide a uniform surface. After final rolling, the sod lawn shall be mowed and watered. Approval of sod lawns shall be based on uniform, healthy and vigorous growth with no dry or dead spots.
4 Add fertilizer "B" at the manufacturer's recommended application rate.
E. Water and thoroughly with a fine spray immediately after planting.
F. Sodded Lawn Establishment
1 The Contractor shall be responsible for first mowing, subsequent reseedings and fertilizing of sod lawn areas until Final Acceptance of the project.
2. Mowing shall be done by an approved "reel" type mower. Mower blades shall be set at two (2) inches high for all mowings.
3. Subsequent fertilizing shall occur three to four weeks after installation. Apply fertilizer as per the fertilizer manufacturer's recommended application rate. Apply all methods of application. Contractor shall certify the Architect in writing that the fertilizer applications have occurred and on what dates.

3.7 MAINTENANCE
A. Begin landscape maintenance immediately after planting. Maintenance shall continue until Project Final Acceptance.
B. Maintain trees, shrubs, and other plants by pruning, cultivating, and weeding as required for healthy growth. Restore planting saucers. Tighten and repair stakes and guy supports and reset trees and shrubs to proper grades or vertical position as required. Restore or replace damaged tree wrappers. Keep as required to keep trees and shrubs free of insects and diseases.
C. Maintain lawns by watering, fertilizing, weeding, mowing, trimming, and other operations such as rolling, regulating and replanting as required to establish a smooth, acceptable lawn, free of weeded or bare areas.
D. Maintain lawns for no less than period stated above, or longer as required to establish acceptable lawn. If seeded in fall and not given full 60 days of maintenance before Final Acceptance, or if not reasonably acceptable at that time, continue maintenance the following spring until acceptable lawn is established.

3.8 CLEANUP AND PROTECTION
A. During landscape work, keep pavements clean and work area in an orderly condition.
B. Protect landscape work and materials from damage due to landscape operations, operations by other contractors and trades, and trespassers. Maintain protection during installation and maintenance periods. Treat, repair, or replace damaged landscape work as directed.

3.9 INSPECTION AND ACCEPTANCE
A. When landscape work is completed, including maintenance, Architect will, upon request, make an inspection to determine acceptability.
B. When inspected landscape work does not comply with requirements, replace rejected work and continue specified maintenance until reinspected by Architect and found to be acceptable. Remove rejected plants and materials promptly from project site.

END OF SECTION

SECTION 02810 - SPRINKLER IRRIGATION

PART 1 - GENERAL

1.1 CONDITIONS AND REQUIREMENTS.
A. General and Supplementary Conditions, and Division 1 General Requirements

1.2 SUMMARY
A. Work Included
1. Provide and install a complete and operating automatic irrigation system for all lawn and planting areas.
2. Connect to main water supply at existing site stubout as provided.
3. Sleeving under paved areas (by others)
4. Obtain and pay for all permits and fees for the work of this section.
5. Perform work on a design/construct basis, subject to the requirements of the Contract Documents, applicable codes, and good design practice.
6. Winterization of system.

1.3 SUBMITTALS
A. Within 30 days after Contractor's receipt of Owner's Notice to Proceed, submit
1. Manufacturer's printed product information and catalog cut sheets for all system components. Two copies.
B. Shop Drawings: Submit shop drawings for underground irrigation system including plan layout and details illustrating location and type of head, type and size of valve, piping circuits, circuit GPM, pipe size, controls, and accessories.
C. Record Drawings: At completion of this work, submit to the Contractor
1. Record Drawings; reproducible and two prints.
2. Operations and Maintenance information (2 copies), including:
a. Information including descriptive details, parts list, specifications, maintenance schedules and procedures for system components.
b. Operation, adjustment of system and components instructions.
c. Winterization procedures.
d. Schedule including completed open valve flow to produce given precipitation amounts and seasonal adjustments.
e. Warranties and guarantees.
f. Submit five copies.

1.4 GUARANTEE
A. Guarantee in writing all materials, equipment and workmanship furnished to be free of all defects of workmanship and materials. Within one year after date of Substantial Completion repair or replace all defective parts or workmanship that may be found at no additional cost to Owner
B. Fill and repair all depressions and replace all necessary trees and planting which result from the settlement of irrigation trenches for one year after date of Substantial Completion.
C. Supply all manufacturer's printed guarantees.

1.5 QUALITY ASSURANCE
A. Contractor shall be licensed in the State in which this work is being performed.
B. Contractor shall have at least two years prior experience in projects of equal or larger scope. Provide minimum of three references and list of similar projects with owners' names, addresses, and telephone numbers, when requested by Owner
C. Contractor shall employ on site at all times a foreman who is thoroughly experienced and competent in all phases of the work of the Section.

1.6 SYSTEM DESCRIPTION
A. Design requirements:
1. Minimum water conveyance: Planting areas - 85%. Lawn areas - 100%
2. Layout system to obtain optimum coverage using manufacturer's standard heads. Spray on walks, walls or paved areas is not acceptable.
3. Zoning shall be designed for optimum use of available pressure and efficient distribution for types of plantings and shapes of planting areas.
4. Design pressures: Install pressure regulating equipment as necessary.
5. Provide backflow preventer device in conformance with local or prevailing codes. Locate as approved with location. Provide for drainage without erosive damage.

1.7 EXTRA EQUIPMENT
A. In addition to installed system, furnish owner with the following:
1. Valve operating key with quick coupler key.
2. Wrench for each sprinkler head cover type.
3. Ten (3) installed head locations of each size and type.
4. Two (2) nozzles for each size and type used.
B. Store above items safely until Substantial Completion.
C. Deliver above items at Substantial Completion.

PART 2 - PRODUCTS

2.1 PIPE AND FITTINGS
A. PVC 1120, ASTM D-1784, permanently marked with manufacturer's name, schedule rating, size type. Solvent-weld type
1. Pipe:
a. Pressure lines: Schedule 40 solvent weld.
b. Lateral lines: Class 200 psi.
c. Nonpressure: Class 200 psi.
2. Fittings: Schedule 40 PVC, solvent-weld type. Install threaded joints where required at valves, risers, etc.
3. Risers: Lawn and shrub heads - flexible and damage-resistant plastic "polypipe" riser
4. Solvent: NSF approved solvent for Type I & II PVC.
B. Polyethylene Pipe
1. Pipe: Class 100, 3/4" lateral line, for use on drip irrigation zone(s) where drip tubing is not otherwise used.
2. Fittings: Schedule 80 PVC.
3. Clamps: Stainless Steel.
C. Drip Line: Netafim Techline Dripperline, with .6 GPH drippers at 18" spacing.

2.2 SPRINKLER HEADS
A. Description: Appropriate for application in flow, pressure and discharge. Each type of head shall be of a single manufacturer.
1. Lawn heads: pop-up type.
B. Manufacturer: Rainbird, Hunter, Weathermatic Irrigation Company.

2.3 AUTOMATIC CONTROL SYSTEM
A. General: Furnish low voltage system manufactured expressly for control of automatic circuit valves of underground irrigation systems. Provide unit of capacity to suit number of circuits as indicated.
B. Control Enclosure: Manufacturer's standard wall mount with locking cover, complying with NEMA 3R.
C. Circuit Control: each circuit actuates three approximately 5 to 60 minutes, including switch for manual or automatic operation of each circuit.
D. Timing Device: Adjustable 24-hour and 7 or 14 day clocks to operate any time of day and skip any day in a 7 or 14 day period.
E. Wiring: Solid or stranded direct-burial type as recommended by manufacturer and of unit type AWG-#27 UL approved.

2.4 VALVING
A. Manual valves: brass or bronze for direct burial, gate valves, 150 pound class, threaded connection with cross type handle designed to receive operating key.
B. Automatic circuit valves: high impact plastic with corrosion-resistant internal parts. Low power solenoid control, normally closed, with manual flow adjustment; screw stem-disc or control unit.
1. Valve for drip system shall be 3/4" Hardie 700 series Ultraflow.
2. Standard sprinkler valve shall be Rainbird PEB-PRS-S.
C. Quick coupler valves: brass or bronze construction with hinged top. One per zone.
D. Manual drain valves
1. Bronze construction, straight type, 150 pound class, threaded connections, with cross type operating handle designed to receive operating key. Cato Champion 100, or approved equal.
2. Size: 3/4 inch.
3. Pressure Regulator: Netafim Model PRV075HF38, 3/4", one per zones.
F. Flushing Valve: Netafim Model TLFLV-1 two per zone (each end).
G. Filter: Netafim Model DF075-120, 3/4" filter, one per drip zone.
H. Air Relief Valve: Netafim Model TLAVRV.

2.5 MISCELLANEOUS
A. Chemicals: primer and solvent glue as required by pipe manufacturer
B. Valve box - high impact plastic, green in color.
C. Valve cover and frame - compatible with valve box with provision for locking.
D. Drainage backfill - clean gravel or crushed stone graded from 3" minimum to 3/4" minimum.

PART 3 - EXECUTION

3.1 GENERAL
A. Install system to provide for adequate protection against freeze damage.
B. Install system in accordance with approved Contractor design drawings. All deviations from the plans must be approved, and clearly recorded on record drawing.
C. Install system and components to strict accordance with manufacturer's recommendations.
D. Install quick couplers on risers supply line, approximately equal spacing, at valve box locations or intervals of approximately 200 feet, whichever is greater. Locate adjacent to paved surfaces, at valve boxes where practical.

3.2 SURFACE CONDITIONS
A. Examine the areas and conditions under which work will be performed. Notify Contractor of conditions detrimental to timely and proper completion of Section work. Do not proceed until unsatisfactory conditions are corrected.
B. Locate all underground utilities and structures and notify Architect of any conflict with Section work. Protect structures and utilities. Repair or replace said structures or utilities damaged by the work at no cost to the Owner

3.3 SLEEVING
A. Sleeving installed by others. Coordinate with other trades.

3.4 TRENCHING AND BACKFILLING
A. Trenching and backfilling shall be per applicable ISPWC Section.
B. Cut trenches straight and without abrupt grade changes to allow the following minimum cover
1. Main Lines and Sleeving: 18 inches.
2. PVC Laterals: 12 inches.
C. Surround lines with 2 inches of clean rock-free material on all sides.

3.5 MISCELLANEOUS VALVES
A. Install control drain valves as shown. Install drains at mainline top in accordance with manufacturer requirements for complete operation. Install backflow provision and connect to controller.

3.6 CIRCUIT VALVES
A. Install to valve, arranged for easy adjustment and removal.
1. Provide union on downstream side.
2. Adjust automatic control valves to provide flow rate of rated operating pressure required for each sprinkler circuit

3.7 PIPE INSTALLATION
A. Lay PVC pipe in accordance with standard and acceptable practice. Thrust blocks to be used at points of intersection and change of direction in main line pipe as per manufacturer's recommended specifications. Install manual drains.
B. PVC pipe joints, solvent welded except as indicated. Cut pipe square, deburr wipe bare surface all save chips, dust, dirt, moisture and any foreign matter which may contaminate the cemented joint. Apply cleaner/primer and solvent cement, seats joints in accordance with manufacturer's recommendations. Use Teflon thread sealant (tape) at all threaded joints.
C. Contractor shall size pipe according to schedule provided. Flow velocities shall not exceed 5 feet/second in all cases. Lateral lines shall be laid out and installed per pressure zones to balance the pressure loss and provide minimum fluctuation in system operating pressures.

Pipe Size	Pipe Section	Pipe Size	Pipe Section
3/4"	0-9 GPM	1 1/2"	24-34 GPM
1"	10-17 GPM	2"	35-53 GPM
1 1/4"	18-25 GPM	2 1/2"	54-80 GPM

D. Techline Drip Line. Place in shallow furrow at finish grade, below layer of specified mulch. Lay in uniform pattern in groundcover areas, or as per shrub pattern layout. Cut 20 linear feet at each tailed and bulldapped tree around base and to allow for tree removal if required. Flush all lines with full head of water prior to installation of flush valves at end of circuit lines.
E. Flush Valves: Install flush valve at end of each drip line run.

3.8 SPRINKLER HEADS
A. Flush circuit lines with full head of water prior to head installation.
1. Install heads at level with mulch.
2. Locate part-circle shrubbery heads to maintain a minimum distance of six inches (6") from walls and four inches (4") from other boundaries unless otherwise indicated. Keep canopy to a minimum.

3.9 CONTROL WIRE INSTALLATION
A. Bury wires beside or below main line pipe in same trench.
B. Bundle multiple wires together with tape at ten feet (10') maximum intervals.
C. Provide 36 inch loop in wire at each valve where controls are connected and at 100' maximum intervals between.
D. Make all electrical joints (splices) in boxes only. Make electrical joints waterproof. Scotch-Lock connectors, or approved.

3.10 AUTOMATIC CONTROLLER
A. Install as site as approved. Verify location with Owner Representative.
B. Install typewritten legend inside controller door

3.11 TESTING
A. Do not allow or cause any work of this Section to be covered up or enclosed until it has been inspected and tested.
B. Pressure testing:
1. Make necessary provision for thoroughly bleeding the line of air and debris.
2. Before testing, cap all risers, and install all valves.
3. Fill all main supply lines with water. Pressurize to 100 psi. Close air supply and test for leakage. Test shall be approved if no greater than 5 psi loss occurs in 15 minutes.
4. Fill all zone lines with water to static pressure. Hold for 15 minutes. Inspect for leakage.
5. Contractor shall provide all required testing equipment and personnel. Test shall be performed in presence of Architect. Contractor shall make notice of test (48) hours in advance.
6. Provide required testing equipment and personnel.
7. Repair leaks, and retest until acceptance by the Architect.
C. Coverage inspections: upon completion of all systems, perform a coverage test to determine if coverage of water afforded all areas is complete, adequate and uniform. Change heads, nozzles, orifices and/or adjustment as directed to provide uniform coverage.
D. Final inspection
1. Clean, adjust, and balance all systems. Verify that:
a. Remote control valves are properly balanced.
b. Heads are properly adjusted for radius and arc of coverage;
c. The installed system is workable, clean and efficient.
E. Winterization: Winterize system at the end of first season of system operation. Review procedures with Owner Representative.

END OF SECTION

OWNER/APPLICANT	ENGINEER
ENDURANCE HOLDINGS 1977 E. OVERLAND RD MERIDIAN, IDAHO 83642 (208) 288-5560	B&A ENGINEERS, INC. 5353 W FRANKLIN RD BOISE, IDAHO 83705 (208) 343-3334

Description	Date
ISSUE	4-24-17
CITY COMMENTS	6-5-17
AGHD COMMENTS	6-5-18
AGHD COMMENT	12-6-18

JENSEN BELTS ASSOCIATES
Site Planning
Landscape Architecture
1500 S. Tyrell Ln. Ste. 130
Boise, Idaho 83702
Ph. (208) 343-7175
Fax (208) 343-7178
e-mail jb@jensenbelts.com

DESERTHAWK NO.4 SUBDIVISION
KUNA, IDAHO
FINAL PLAT

Job Number 1718

Drawn	Checked
JJN	KCS
Scale	AS SHOWN

Sheet Title
LANDSCAPE SPECIFICATIONS

Sheet Number
L2.0
Of Sheets

City of Kuna

City Council
Staff Memo

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
www.Kunacity.id.gov

To: City Council

Case Numbers: 18-05-S (Preliminary Plat)
Lete Commercial Subdivision

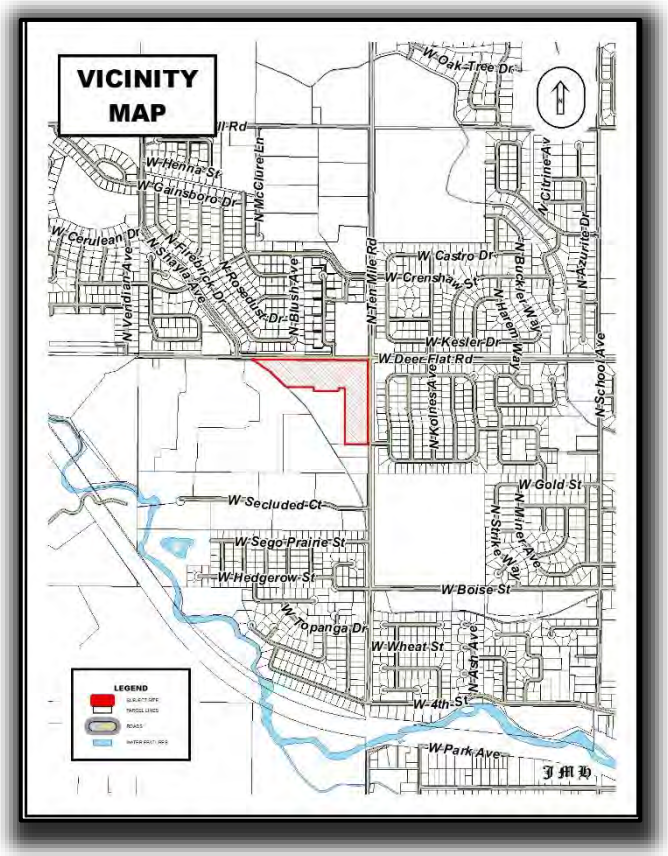
Site Location: 1795 W. Deer Flat Road, Kuna, ID 83634

Planner: Jace Hellman, Planner II

Hearing Date: January 15, 2019

Owner/Applicant: **Lete Family Revocable Trust**
117 North Kings Road
Nampa, ID 83687
208.465.6141
inaki@kingsgateid.com

Representative: Mason and Associates
924 3rd Street South STE B
Nampa, ID 83651
208.454.0256
wmason@masonandassociates.us



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M. Council's Order of Decision
N. Recommended Conditions of Approval

A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that design reviews are designated as *public meetings*, with the Planning and Zoning Commission (acting as the Design Review Board) as the decision-making body; and that preliminary plats are designated as public hearings, with the P & Z Commission as a recommending body and City Council as the decision-making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

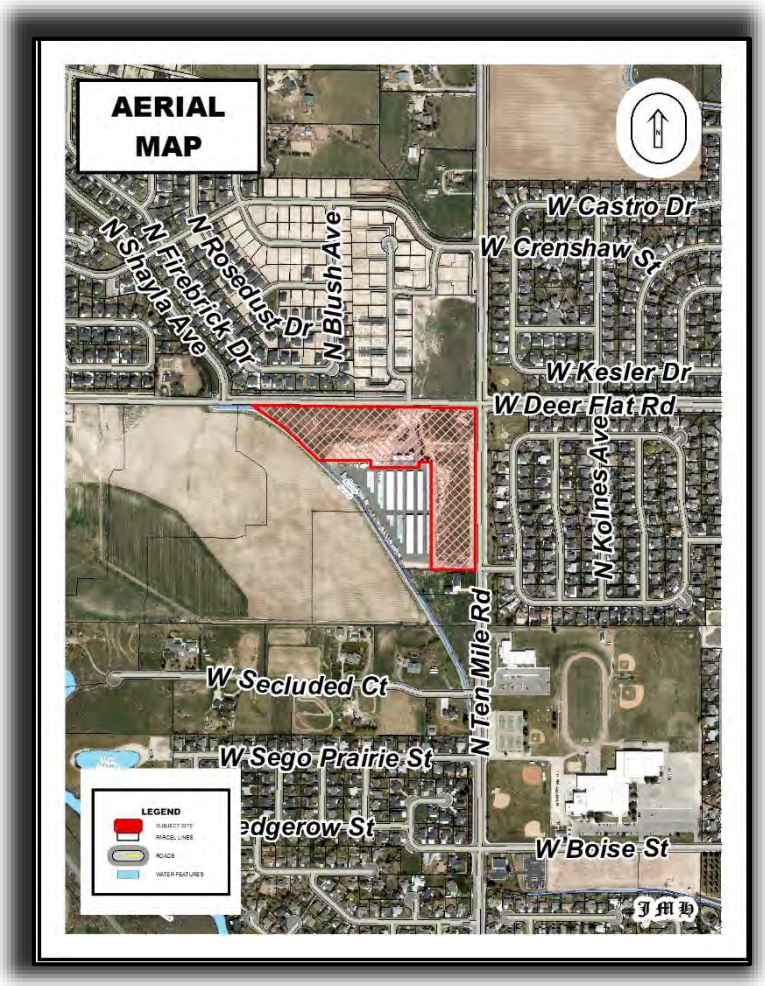
i.	Neighborhood Meeting	August 16, 2018 (3 people attended)
ii.	Agency Comment Request	September 27, 2018
iii.	400' Property Owners Notice	December 19, 2018
iv.	Kuna Melba Newspaper	December 19, 2018

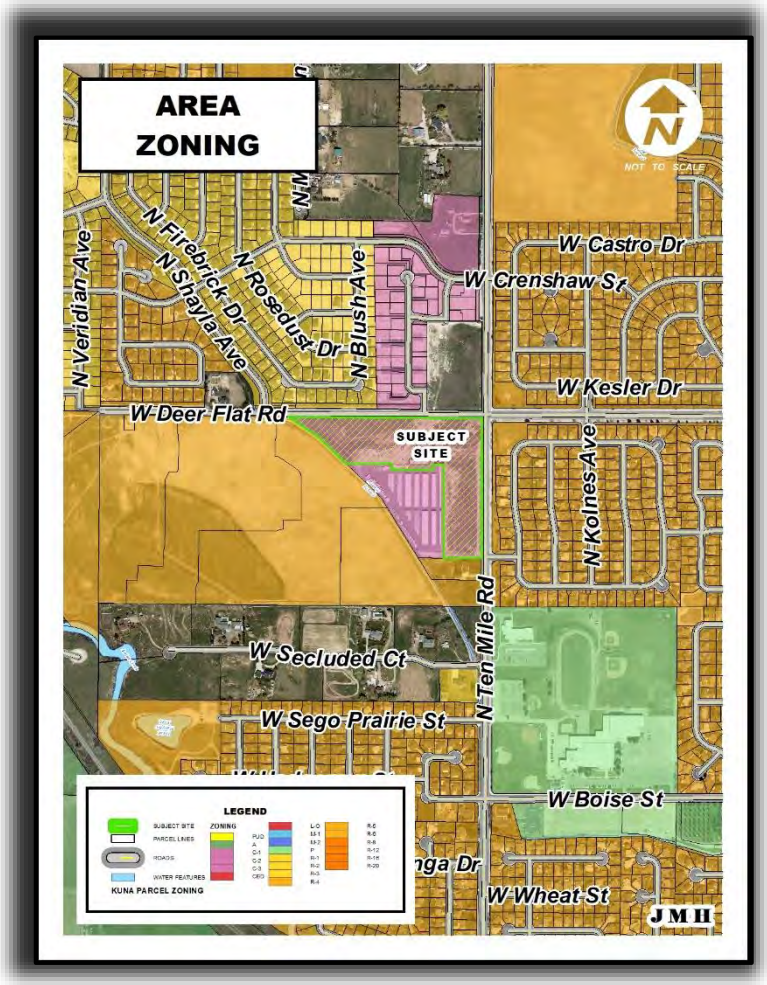
v. Site Posted December 20, 2018

B. Applicant's Request:

The applicant, Inaki Lete, requests to subdivide approximately 12.19-acres into 19 total lots, consisting of 10 commercial buildable lots, and 9 Common lots and has reserved the name Lete Commercial Subdivision. A Design Review application for site landscaping, and an addition to an existing on-site mini storage facility, which features eight (8) additional storage buildings on approximately 4.93-acres, accompanies this application. The subject site is located at 1795 West Deer Flat Road, Kuna, ID 83634, within Section 22, Township 2 North, Range 1 West; (APN# S1322111056).

C. Exhibit Maps:



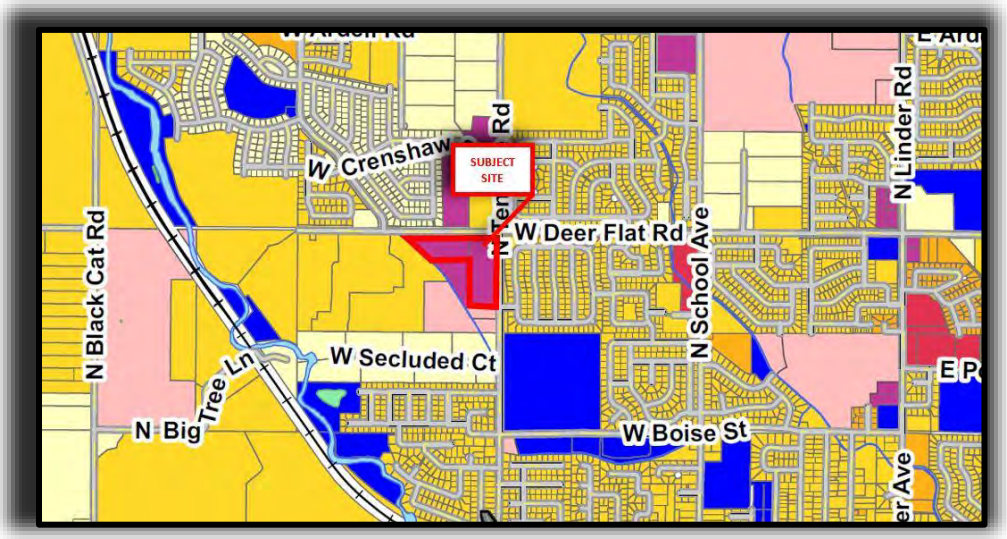


D. Site History:

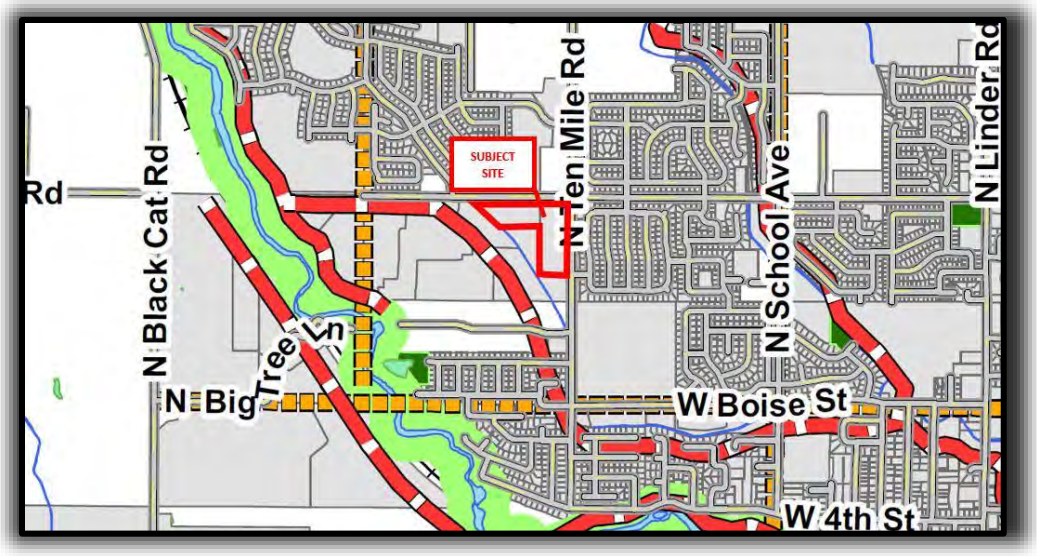
This parcel is currently zoned C-1 within Kuna City Limits. A special use permit for the self-storage addition was approved by the Planning and Zoning Commission on February 13, 2018 and the Findings of Fact and Conclusions of Law were signed on February 27, 2018.

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. The Comp Plan map indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map identifies the 12.19-acre site as Commercial.



2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map does not indicate a future trail through the proposed project site.



3. **Surrounding Land Uses:**

North	C-1 R-4 RUT	Neighborhood Commercial – Kuna City Medium Density Residential – Kuna City Rural Urban Transition – Ada County
South	R-4	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	R-6 R-4	Medium Density Residential – Kuna City Medium Density Residential – Kuna City

4. **Parcel Sizes, Current Zoning, Parcel Numbers:**

Property Owner	Parcel Size	Current Zone:	Parcel Number
Lete Family Revocable Trust	12.19 acres	C-1	S1322111056

5. **Services:**

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

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

The proposed project site has a single-family residence on the corner of Ten Mile Road and Deer Flat Road, which will remain in place until the remainder of the property is developed in the future. Otherwise, the parcel is generally vacant of any structures and vegetation on-site include natural grasses and shrubbery associated with an ungraded, unimproved building lot. The site is relatively flat with an estimated average slope of 0% to 2%. Bedrock depth is estimated to be greater than sixty inches according to the USDA Soil Survey for Ada County.

7. **Transportation / Connectivity:**

Current access is available to the site via an existing full access driveway on West Deer Flat Road approximately 410-feet west of Ten Mile Road and an existing full access driveway on Ten Mile Road approximately 916-feet south of Deer Flat Road. Additionally, the existing single-family home is accessed via two driveways located 55-feet south of Deer Flat Road and 80-feet west of Ten Mile Road. Curb, gutter and sidewalk do not abut the site.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts beyond the designation of being in the nitrate priority area. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.

9. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:

- Boise Project Board of Control ..... Exhibit C-2
- Idaho Transportation Department ..... Exhibit C-3
- Department of Environmental Quality ..... Exhibit C-4
- Nampa & Meridian Irrigation District ..... Exhibit C-5
- Central District Health Department ..... Exhibit C-6
- Ada County Highway District ..... Exhibit C-7

F. Staff Analysis:

The applicant proposes to subdivide an approximately 12.19-acre site into 19 total lots, consisting of 10 commercial buildable lots, and 9 Common lots. When a portion of this project was granted a special use permit in February of 2018, a condition of approval was added which required the applicant to begin the preliminary plat process for the overall site within one year of the Commission's Order of Decision. Staff confirms that the applicant has satisfied that condition of approval.

This project is adjacent to Deer Flat Road and Ten Mile. All major public utilities located approximately within 300 feet of the subject site. Applicant is aware that development of these parcels will require connection to all city services and associated connection fees at time of building permit submittal.

The applicant has proposed shared accesses onto Ten Mile Road between proposed lots 18 and 16, 14 and 13, while the remaining lots are to be accessed via an existing access on Deer Flat Road. Following Correspondence with Ada County Highway District (ACHD) access to the proposed buildable lots will only be granted via approved existing access points on Ten Mile and Deer Flat Roads. However, ACHD will permit an additional right-in/right-out entry point along Ten Mile no further than 550-Ft from the Deer Flat Road and Ten Mile Road Intersection. Staff would recommend the applicant be conditioned to work with ACHD and City in order to provide access to the site that meets Kuna City Code and ACHD Policy. Additionally, Staff will require the applicant to allow cross access across all newly created parcels.

Per comments received by ACHD, the existing driveways that service the above-mentioned household should be approved as temporary full access that may be restricted to a right-out/right-in only in the future as long as the house retains its current function as single-family residence. According to the applicant, the existing house will remain in place until the proposed phase that contains the residence is developed. Staff would note, at such time that the property is redeveloped Ada County Highway District and the City of Kuna will require the applicant to close the existing driveways.

The installation of streetlights are a required public improvement listed under Kuna City Code 6-4-2. The applicant has not identified streetlight locations on the preliminary plat. Applicant will be required to work with staff in order to comply with Kuna City code and install street lights a maximum spacing of two hundred fifty (250) feet along the site's frontage. An updated preliminary plat and site plan will be required to be provided to staff showing the improvements. Staff would note that these street lights must be designed and installed according to "Dark skies" standards.

Applicant proposes to install an eight (8) foot sidewalk. Following Staff's review of the preliminary plat, it appears that the proposed location is within the designated landscape buffer for the site. The road sections of Ten Mile Road and Deer Flat Road that abut the site are designated as minor arterials. Kuna City Code 5-17 requires the construction of detached eight (8) foot sidewalks along the accompany property frontage. This sidewalk needs to be located within the public right-of-way and separated from public vertical curb by a four to eight-foot-wide irrigated and landscaped planter strip, which is in addition to the required 20-foot landscape buffer. Staff recommends applicant conform to Kuna City Code and install the proposed sidewalk within the right-of-way separated from the public vertical curb by a four to eight-foot-wide irrigated and landscaped planter strip.

All monument signage shall go to the Commission for review and approval. No application for signage was submitted with this application, and shall be approved through the design review process prior to installation.

Applicant is hereby notified that this project is subject to design review inspection fees. Required inspections (post construction), are to verify design review compliance for buildings, prior to issuance of the Certificate of Occupancy for the building, and landscaping prior to signature on the final plat.

Staff has determined the preliminary plat and design review complies with the goals and policies for Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case Nos. 18-05-S (Preliminary Plat) and 18-26-DR (Design Review), subject to any conditions of approval outlined by Kuna's Planning and Zoning Commission and City Council.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5.
2. City of Kuna Subdivision Ordinance Title 6.
3. City of Kuna Comprehensive Plan.
4. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Factual Summary:

The proposed project site is located at 1795 West Deer Flat Road. The applicant proposes to subdivide approximately 12.19- acres into nineteen (19) total lots, consisting of ten (10) commercial buildable lots and nine (9) common lots. The applicant proposes to complete this project in four phases.

I. Proposed Comprehensive Plan Analysis:

The Kuna City Council may accept or reject the Comprehensive Plan components, and has determined the preliminary plat request for the site *is*/*is not* consistent with the following Comprehensive Plan components as described below:

2.0 – 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 a private property "takings".

Policy: 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 criteria established to determine the potential for property taking.

5.0 – Economic Development

Goal 1: Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.

Objective 1.2: Strengthen existing business enterprises and promote their expansion.

Goal 2: Expand Kuna's shopping and entertainment opportunities.

Objective 2.2: Promote the development of neighborhood retail centers throughout the City.

6.0 – Land Use

Goal 2: Encourage a balance of land uses to ensure that Kuna remains desirable, stable and a self-sufficient community.

Objective 2.2: Plan for areas designed to accommodate a diverse range of business 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.

Policy: Retail and residential land uses should be appropriately mixed and balanced with professional offices and service facilities to provide residents with a broader mix of services within walking distance from their homes.

J. Proposed Kuna City Code Analysis:

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).

   Comment: *The proposed applications adhere/do not adhere to the applicable requirements of Title 5 and Title 6 of KCC.*

2. The City Council feels the site *is/is not* physically suitable for the proposed development.

   Comment: *The 12.19-acre (approximate) site does/does not appear to be suitable for the proposed development.*

3. The preliminary plat request is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

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

4. These applications *are/are not* likely to cause adverse public health problems.

   Comment: *The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of 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.

   Comment*: The preliminary plat request considers the location of the property and adjacent uses. The adjacent uses are residential and commercial.*

6. The existing and proposed street and utility services in proximity to the site are suitable *or* adequate for a commercial development.

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

K. <u>Proposed Findings of Fact and Conclusion of Law:</u>

Based upon the record contained in Case Nos. 18-05-S including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna City Council hereby recommends *approval/denial of* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 18-05-S, a request for preliminary plat approval by Inaki Lete:

1. *The Kuna City Council approves/conditionally approves/denies the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.*

   Comment: *The Kuna Planning and Zoning Commission held a public hearing on the subject applications on November 27, 2018, where they voted to recommend approval of 18-05-S (Preliminary Plat). The Kuna City Council held a public hearing on the subject applications on January 15, 2019 to hear from City staff, the applicant and to accept public testimony. The decision by the Commission is based on the application, staff report and public testimony, both oral and written.*

2. *Based on the evidence contained in Case No. 18-05-S, this proposal does/does not generally comply with the Comprehensive Plan and City Code.*

   Comment: *The Comp Plan has listed numerous goals for promoting and supporting a diverse and sustainable economy that will allow more Kuna residents to work in their community and encouraging a balance of land uses to ensure that Kuna remains desirable, stable and a self-sufficient community.*

3. *Based on the evidence contained in Case No. 18-05-S, this proposal does/does not generally comply with the City Code.*

Comment: *The applicant has submitted a complete application, and following staff review the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

4. *The Kuna City Council has the authority to approve or deny case no. 18-05-S.*

   Comment: *On November 27, 2018, the Commission voted to recommend approval of case no. 18-05-S. On January 15, 2019, the Council voted to approve/deny case no. 18-05-S.*

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

   Comment: *Neighborhood Notices were mailed out to residents within 400-FT of the proposed project site on December 19, 2018 and a legal notice was run in the Kuna Melba Newspaper on December 19, 2018. The applicant placed a sign on the property on December 20, 2018.*

L. Recommendation by the Commission:

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No. 18-05-S (Preliminary Plat), a subdivision request from Inaki Lete to subdivide approximately 12.19 acres into 19 total lots (10 buildable commercial lots and 9 common lots) subject to the following conditions of approval listed in section N of this staff report.

M. Councils Order of Decision:

Note: The motion is for the approval or denial of the preliminary plat application. However, if the City Council wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.

Based on the facts outlined in staff's report and public testimony as presented, the City Council of Kuna, Idaho, hereby *approves/denies* Case No. 18-05-S (Preliminary Plat), a subdivision request from Inaki Lete to subdivide approximately 12.19 acres into 19 total lots (10 buildable commercial lots and 9 common lots) subject to the following conditions of approval listed in section N of this staff report.

N. Recommended Conditions of Approval:

- Applicant shall work with City Staff to provide a Landscape plan illustrating an approved ground cover.
- Applicant shall work with ACHD and City Staff regarding access points to and from the site

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the 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 sewer hook-ups.
   b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
   c. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
   d. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District are required.
   e. The Kuna Municipal Irrigation District and Boise Project Board of Control shall approve any modifications to the existing irrigation system.

f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.

2. 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, see **KCC 6-4-2-W**.
3. 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.
4. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
5. Curb, gutter and detached sidewalk shall be installed in accordance with Kuna City Code Title 5 Chapter 17 along the proposed project sites frontages on Deer Flat Road and Ten Mile Road.
6. Applicant shall work with staff in order to provide locations of street lights as required by Kuna City Code.
7. Street lights and parking lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
8. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
9. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
10. All signage within/for the project shall comply with Kuna City Code and shall be approved through the design review process.
11. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
12. At such time that the existing single-family home, seizes to operate as such, the landowner/applicant/developer shall close the existing driveways that serve as access point to the home.
13. A cross access agreement shall be created across all proposed lots and shall be identified on the preliminary plat.
14. If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the preliminary plat.
15. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
16. Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
17. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED this 15th day of January, 2019.

received
4/7/18

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

Preliminary Plat Checklist

Preliminary Plats require public hearings with both the Planning & Zoning Commission and City Council. Public hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online.

Project name: Lete Commercial **Applicant:** Mason and Associates

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

Applicant (√)	Description	Staff (√)
✓	Completed and signed Commission & Council Review Application.	
✓	Vicinity map showing relationship of the proposed plat to the surrounding area with a 2-mile radius.	
	Homeowner's maintenance agreement for the care of landscaped common areas.	
✓	Legal description of the preliminary plat area: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	
✓	Proof of ownership—A copy of your deed **and** Affidavit of Legal Interest (for all interested parties involved).	
✓	Letter of Intent indicating reasons and details for preliminary plat.	
✓	Commitment of Property Posting form signed by the applicant/agent.	
NA	If preliminary plat includes 100 lots or more, please submit a traffic impact study. If preliminary plat includes 50 lots or more, please submit an estimate of tax revenue generation and an estimate of the public service costs to provide adequate service to the development.	
✓	A letter from Ada County Engineer with the Subdivision Name reservation. **ANY** name change(s) needs to be submitted and approved by the Planning & Zoning Director and Ada County Engineer.	
✓	Phasing Plan	
NA	Include Large Scale Development Requirements. KCC 6-5-4	
✓	Landscape Plan— ~~(in color)~~ 8½" x 11"	
✓	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	
✓	8 1/2 x 11 proposed preliminary plat.	
✓	Preliminary plat drawing on 24x36 quality paper drawn to scale of 1 to 100' or more. The following information shall be contained on the preliminary plat: ◊ Topography at two foot (2') intervals ◊ Land uses (location, layout, types & dimensions): residential, commercial & industrial land uses. ◊ Street right-of-ways: dimensions of right-of-way dedication for all roadways, street sections, improvements, etc. ◊ Easements/common space: utility easements, parks, community spaces ◊ Lots: layout and dimensions of lots ◊ Preliminary improvement drawing: show water, sewer, drainage, electricity, irrigation, telephone, natural gas, proposed street lighting, proposed street names, proposed subdivision name, fire hydrant placement, storm water disposal, underground utilities, and sidewalks..	

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 Public Hearing 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.

Exhibit A2

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)	18-05-S 18-26-DR
Project name	Lete comm. Sub
Date Received	9/7/18
Date Accepted/ Complete	9/27/18
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: Lete Family Revocable Trust — Phone Number: (208) 465-6141
Address: 117 N. Kings Road — E-Mail: inaki@kingsgateid.com
City, State, Zip: Nampa, ID 83687 — Fax #: (208) 465-5013

Applicant (Developer): Lete Family Revocable Trust — Phone Number: (208) 465-6141
Address: 117 N. Kings Road — E-Mail: inaki@kingsgateid.com
City, State, Zip: Nampa, ID 83687 — Fax #: (208) 465-5013

Engineer/Representative: Mason and Associates — Phone Number: (208) 454-0256
Address: 924 3rd Street South STE B — E-Mail: wmason@masonandassociates.us
City, State, Zip: Nampa, ID 83651 — Fax #: (208) 467-4130

Subject Property Information

Site Address: 1795 W. Deer Flat Rd, Kuna ID 83634
Site Location (Cross Streets): W. Deer Flat and N. Ten Mile
Parcel Number (s): S1322111056
Section, Township, Range: Section 22, T. 2N, R1W
Property size: 12.19 acres
Current land use: Vacant/ Residential — Proposed land use: Commercial
Current zoning district: C-1 — Proposed zoning district: NA

Exhibit A1a

Project Description

Project / subdivision name: Lefe Commercial Subdivision
General description of proposed project / request: addition to existing storage facility - create commercial lots along N. 10 Mile

Type of use proposed (check all that apply):

- ☐ Residential
- ☒ Commercial storage units and RV coverage - commercial lots along N. 10 mile
- ☐ 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: Residential home
Any existing buildings to remain? ☒ Yes ☐ No
Number of residential units: one 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: 10 Other lots: 9
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: existing parking will remain
a. Handicapped spaces: Dimensions:
b. Total Parking spaces: Dimensions:
c. Width of driveway aisle:
Proposed Lighting: to match existing on storage buildings
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): See Landscape plan but type + character to match existing.

Applicant's Signature: Date: 8/20/18

Mason & Associates Inc.

Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Suite B, Nampa, ID 83651
Ph (208) 454-0256 Fax (208) 467-4130

LETTER OF EXPLANATION
DESIGN REVIEW FOR WEST DEER FLAT STORAGE

West Deer Flat Storage is the anticipated second phase of the Kuna Caves storage facility in Kuna. This phase will add additional storage units to the existing storage facility on the SW corner of W. Deer Flat Road and 10 Mile. This phase will also provide sheltered RV parking/storage. West Deer Flat Storage will continue the continuity and design from the original storage buildings.

The materials used for West Deer Flat Storage facility will match in color, structure and theme to the existing buildings. Please refer to the colored exhibits in this packet that reference the color and type of materials that will be used.

The buildings will be designed to reflect a desirable Kuna architectural style with creative landscaping for a pleasing and inviting environment to the community and adjacent properties. The proposed use will have low impact to the neighboring communities based on the use, location and design. All sides of the storage site will be appropriately fenced for beautification and security purposes. Landscaping will be provided to match the creative use of Kuna approved trees and plants already growing around the existing storage facility. The storage buildings will have attached lighting for safety and security.

The additional storage units and sheltered RV parking West Deer Flat Storage plans to provide will help meet the demands of the growing Kuna community.

Exhibit A2b

Mason & Associates Inc.

Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Suite B, Nampa, ID 83651
Ph (208) 454-0256 Fax (208) 467-4130

LETTER OF INTENT
PRELIMINARY PLAT FOR LETE COMMERCIAL

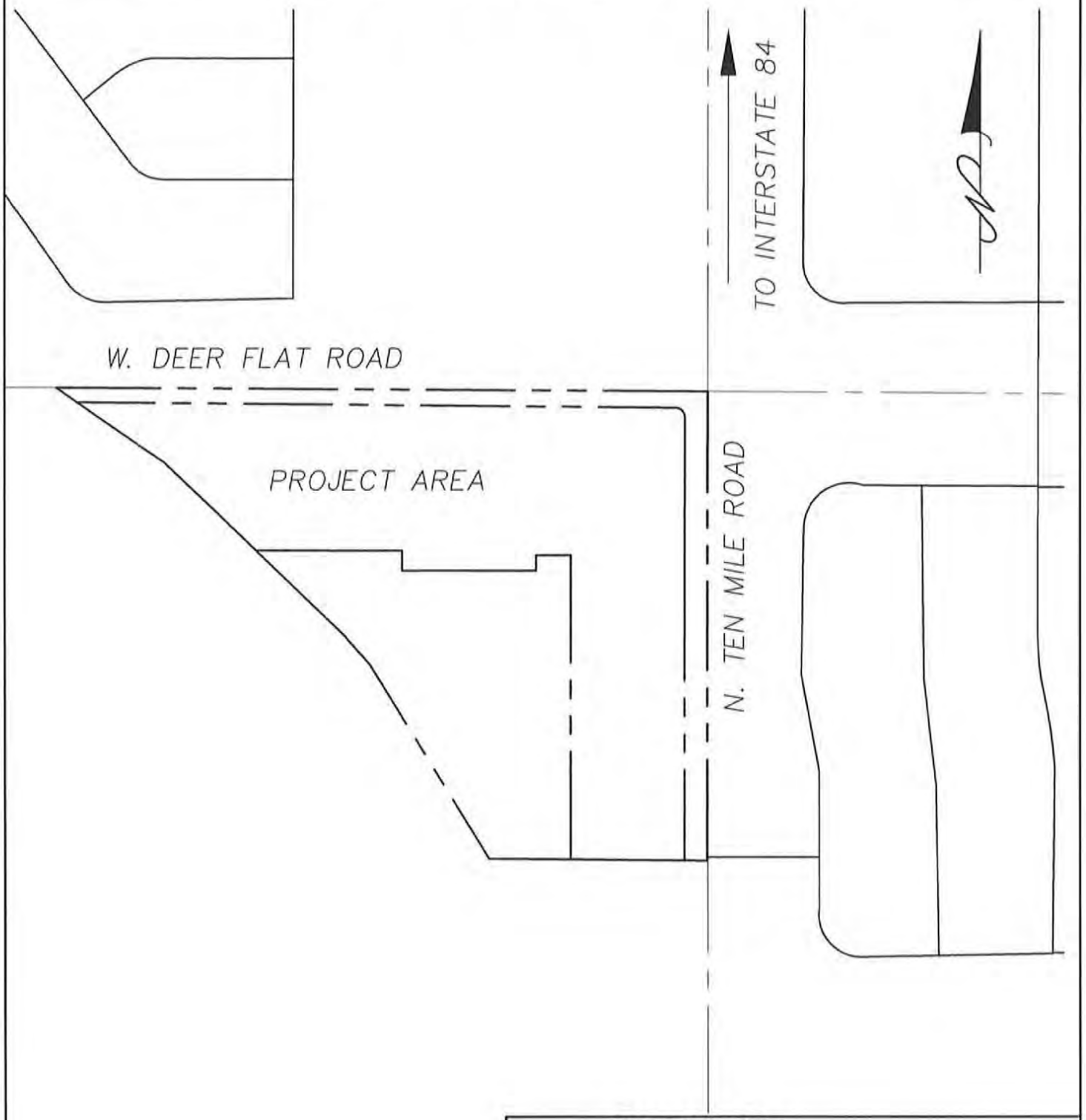
Lete Commercial wishes to continue the expansion of the Kuna Caves storage facility in Kuna. This phase will add additional storage units to the existing storage facility on the SW corner of W. Deer Flat Road and 10 Mile. This phase will also provide sheltered RV parking/storage. In addition the preliminary plat will allow for commercial lots along 10 Mile and Deer Flat Road.

The materials used for the Lete Commercial storage facility will match in color, structure and theme to the existing buildings. Please refer to the colored exhibits in this packet that reference the color and type of materials that will be used.

The buildings will be designed to reflect a desirable Kuna architectural style with creative landscaping for a pleasing and inviting environment to the community and adjacent properties. The proposed use will have low impact to the neighboring communities based on the use, location and design. All sides of the storage site will be appropriately fenced for beautification and security purposes. Landscaping will be provided to match the creative use of Kuna approved trees and plants already growing around the existing storage facility. The storage buildings will have attached lighting for safety and security.

The storage units, sheltered RV parking, and commercial lots Lete Commercial plans to provide will help meet the demands of the growing Kuna community.

VICINITY MAP



INAKI LETE

LETE COMMERCIAL VICINITY MAP

Mason & Associates
Professional Engineers, Land Surveyors & Planners
924 3rd St. South, Nampa, ID 83651
(208) 454-0256 Fax (208) 454-0979

JOB NO.	FE0517
DWG NO.	VIC MAP 300
SCALE:	1"=300'
REV.	△
FIELD BOOK NO.	
DRAWN BY:	JH
DATE:	6/4/18

Exhibit A2C

VICINITY MAP

INAKI LETE

LETE COMMERCIAL VICINITY MAP

Mason & Associates
Professional Engineers, Land Surveyors & Planners
924 3rd St. South, Nampa, ID 83651
(208) 454-0256 Fax (208) 454-0979

JOB NO.	FE0517
DWG NO.	VIC MAP 300
SCALE:	1"=300'
REV.	△
FIELD BOOK NO.	
DRAWN BY:	JH
DATE:	6/4/18

Mason & Stanfield, Inc.
Professional Engineers, Land Surveyors and Planners
826 3rd Street South, Nampa, ID 83651
Ph (208) 454-0256 Fax (208) 454-0979
e-mail: dholzhey@mseng.us

FOR: Inake Lete
JOB NO.: AU0412
DATE: January 20, 2015

PARCEL 1

A parcel of land being a portion of the NE1/4 NE1/4 of Section 22 Township 2 North, Range 1 West Boise Meridian, Ada County Idaho, more particularly described as follows:

BEGINNING at the northeast corner of the NE1/4 NE1/4;

Thence S 00° 04' 19" W a distance of 988.28 feet along the east boundary of said NE1/4 NE1/4 to a point;

Thence N 89° 27' 02" W a distance of 290.01 feet to a point;

Thence N 00° 04' 19" E a distance of 640.46 feet to a point;

Thence N 89° 54' 41" W a distance of 73.00 feet to a point;

Thence S 00° 04' 19" W a distance of 32.32 feet to a point;

Thence N 89° 55' 41" W a distance of 284.00 feet to a point;

Thence N 00° 04' 19" E a distance of 42.32 feet to a point;

Thence N 89° 55' 41" W a distance of 309.55 feet to a point the approximate centerline of the Ramsey Lateral;

Thence along the approximate centerline of the Ramsey Lateral the following courses and distances;

Thence N 46° 17' 36" W a distance of 267.24 feet to a point;

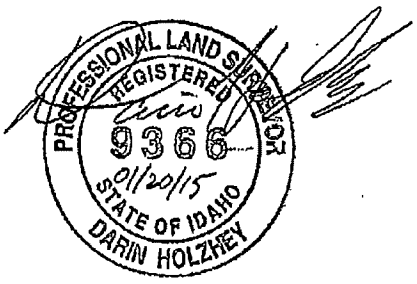
Exhibit A2e

Thence N 55° 20' 14" W a distance of 287.37 feet to a point on the north boundary of the NE1/4;

Thence leaving the approximate centerline of the Ramsey Lateral S 89° 25' 29" E a distance of 1386.59 feet along said north boundary to the **POINT OF BEGINNING**;

This parcel contains 13.65acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.



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)
) ss.
County of Ada)

I, Inaki Lete (Name), 117 N. Kings Rd (Address)

Nampa (City), Idaho (State) 83687 (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 Mason and Associates (Name) 924 3rd Street South STE B (Address) Nampa, ID 83651 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 July day of 12th, 2018

I. Lete
Signature

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

Jordan Hurd
Notary Public for Idaho

Residing at: Canyon County Idaho

My commission expires: Sept. 23, 2020

JORDON HURD NOTARY PUBLIC STATE OF IDAHO

Exhibit A2f

/

ACCOMMODATION

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=3 CHE FOWLER
PIONEER TITLE CANYON - CALDWELL

2015-018881
03/10/2015 12:58 PM
$16.00

QUITCLAIM DEED

FOR VALUE RECEIVED, The Lete Family Revocable Trust does hereby convey, release, remise and forever quit claim unto The Lete Family Revocable Trust whose current address is: 146 North Middleton Road, Private Mail Box 106, Nampa, Idaho 83651

the following described premises:

The Parcel of land described on the Exhibit attached hereto and made a part.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date: March 10, 2015

Inaki E. Lete, Trustee

Celeste E. Lete, Trustee

State of Idaho)
County of Canyon)ss

On this 10th day of March, 2015 before me, the undersigned, a notary public in and for said state, personally appeared Inaki E. Lete and Celeste E. Lete known to me to be the Trustees of the Lete Family Revocable Trust and acknowledged to me that they executed the within instrument as such Trustees.

Notary Public
residing in: Nampa
My Bond expires: 12-5-2017

C. DEAN SHAFER
NOTARY
PUBLIC
STATE OF IDAHO

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

City of Kuna

COMMITMENT TO PROPERTY POSTING

Per City Code 5-1A-8, the applicant for all applications requiring a public hearing shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice or the application (s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign (s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign (s) shall be removed no later than three (3) days after the end of the public hearing for which the sign (s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in Kuna City Code 5-1A-8

J. Tate — Applicant/agent signature

7/12/18 — Date

Exhibit A29

From: Sub Name Mail [subnamemail@adaweb.net]
Sent: Wednesday, May 2, 2018 2:23 PM
To: Jordon Hurd
Cc: Darin Holzhey (dholzhey@mseng.us)
Subject: RE: Lete Commercial Subdivision Name Reservation

May 2, 2018

Jordan Hurd, Mason & Associates
Darin Holzhey, Mason & Associates

RE: Subdivision Name Reservation: **LETE COMMERCIAL SUBDIVISION**

At your request, I will reserve the name **Lete Commercial 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: Jordon Hurd [mailto:jhurd@masonandassociates.us]
Sent: Friday, April 27, 2018 11:35 AM
To: Sub Name Mail
Subject: RE: Subdivision Name Request

Glen,

Parcel S1322111061 is an existing storage facility with a paved driveway that goes through this parcel. This commercial subdivision and the existing storage will use the same driveway.

Thanks,

Jordon

From: Sub Name Mail [mailto:subnamemail@adaweb.net]
Sent: Friday, April 27, 2018 11:18 AM
To: Jordon Hurd
Subject: RE: Subdivision Name Request

Jordan;

Exhibit A2

When I checked the mapping it appears that the Lete Family Revocable Trust also owns Parcel S1322111061. Since creating a subdivision of only parcel S1322111056 as noted below would land lock parcel 1061, it is not clear if Kuna would allow this.

Is parcel S1322111061 also a part of the development?

Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 *office*
(208) 287-7909 *fax*

From: Jordon Hurd [mailto:jhurd@masonandassociates.us]
Sent: Friday, April 27, 2018 8:42 AM
To: Sub Name Mail
Subject: RE: Subdivision Name Request

He came in yesterday and decided to go with Lete Commercial. I'm sorry about the confusion on this, we had a real hard time getting him to settle on a name.

Jordon

From: Sub Name Mail [mailto:subnamemail@adaweb.net]
Sent: Thursday, April 26, 2018 4:48 PM
To: Jordon Hurd
Subject: RE: Subdivision Name Request

Jordon;

You cancelled this request a couple of days ago.

Before I create another record, does your client really want to reserve the name, or was this latest request in error?

Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 *office*
(208) 287-7909 *fax*

From: Jordon Hurd [mailto:jhurd@masonandassociates.us]
Sent: Thursday, April 26, 2018 1:46 PM
To: Sub Name Mail
Subject: Subdivision Name Request

WE ARE REQUESTING THE NAME LETE COMMERCIAL FOR A PROJECT IN KUNA. THE PROJECT LOCATION IS A PART OF THE NE 1/4, NE 1/4, SECTION 22, T. 2 N., R. 1 W., B.M., KUNA, ADA COUNTY, IDAHO. THE PROPERTY OWNER/DEVELOPER IS THE LETE FAMILY REVOCABLE TRUST.THE SURVEYOR IS DARIN HOLZHEY, PLS9366 FOR MASON & ASSOCIATES.
PARCEL NUMBER IS S1322111056.

Mason & Associates Inc.

Jordon Hurd
Mason & Associates
826 3rd St. South
Nampa, ID 83651
(208) 454-0256

Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: Addition to existing storage facility

Date and time of neighborhood meeting: August 16th, 2018

Location of neighborhood meeting: 1795 W. Deer Flat Rd

SITE INFORMATION:

Location: Quarter: NE Section: 22 Township: 2N Range: 1W Total Acres: 12.19

Subdivision Name: Lete Commercial Lot: Block:

Site Address: 1795 W. Deer Flat Rd Kuna, ID 83634 Tax Parcel Number(s): S1322111056

Please make sure to include **all** parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: Lete Family Revocable Trust

Address: 117 N. Kings Rd City: Nampa State: ID Zip: 83687

CONTACT PERSON (Mail recipient and person to call with questions):

Name: Will Mason Business (if applicable): Mason and Associates

Address: 924 3rd Street South STE B City: Nampa State: ID Zip: 83651

Exhibit A2K

addition to existing storage facility

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type	***Brief Description***
Annexation	
Re-zone	
Subdivision (Sketch Plat and/or Prelim. Plat)	addition to existing storage facility
Special Use	and commercial lots on N
Variance	Ten Mile
Expansion of Extension of a Nonconforming Use	
Zoning Ordinance Map Amendment	

APPLICANT:

Name: Lete Family Revocable Trust
Address: 117 N. Kings Road
City: Nampa State: ID Zip: 83687
Telephone: (208) 465-6141 Fax: (208) 465-5013

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 5-1A-2 of the Kuna City Code

Signature: (Applicant) C M. Lete Date 8/20/18

Mason & Associates Inc.

Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Suite B, Nampa, ID 83651
Ph (208) 454-0256 Fax (208) 467-4130

Dear Property Owner and Neighbor,

Lete Commercial would like to invite you to a neighborhood meeting to be held from 6:00 p.m. to 6:30 p.m. on August 16, 2018.

The location of this meeting will be 1795 West Deer Flat Road, Kuna ID 83634, at the main office of Kuna Caves Storage facility.

This meeting will be regarding the proposed addition to the existing storage facility as well as additional commercial lots along N. Ten Mile Rd. If you have questions, a representative for the project will be there to discuss them.

Thank you,

William V. Mason

William Mason PE

SIGN IN SHEET

PROJECT NAME: Lete Commercial Subdivision

Date: August 16, 2018

	Name	Address	Zip	Phone
1	Naki Lete	117 N. Kings Rd	83687	(208) 989-3721
2	Jaime Elliott	1873 W. Feltson	83634	(208) 313-9919
3	George Butigan	1725 N. Rose Dust Dr	83634	(951) 201-1775
4				
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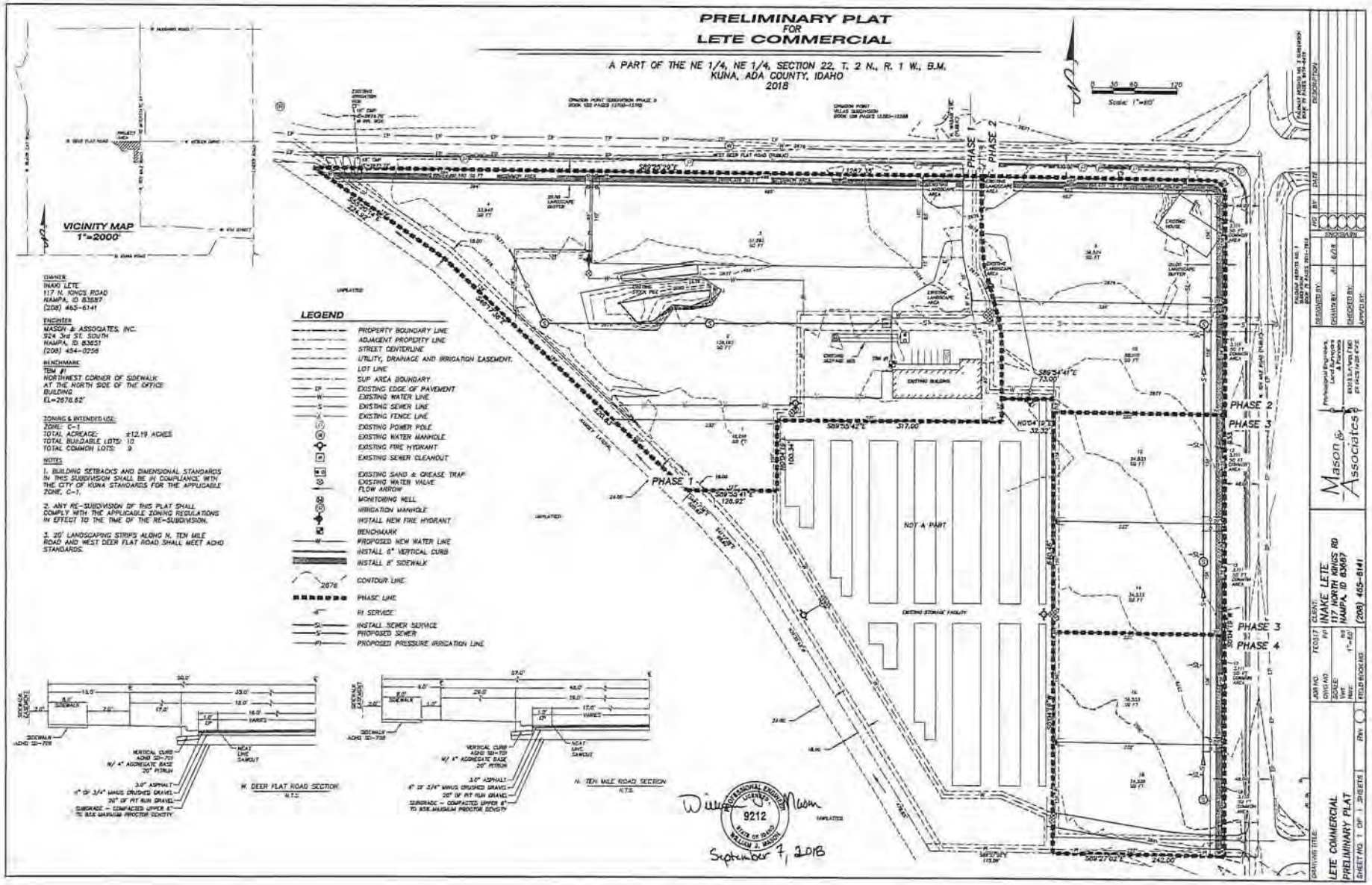

PRELIMINARY PLAT
FOR
LETE COMMERCIAL
A PART OF THE NE 1/4, NE 1/4, SECTION 22, T. 2 N., R. 1 W., B.M.
KUNA, ADA COUNTY, IDAHO
2018
VICINITY MAP
1"=2000'
OWNER
INAKI LETE
117 N. KINGS ROAD
NAMPA, ID 83687
(208) 465-6141
ENGINEER
MASON & ASSOCIATES, INC.
324 3rd ST. SOUTH
NAMPA, ID 83651
(208) 454-0256
BENCHMARK
TBM #1
NORTHWEST CORNER OF SIDEWALK
AT THE NORTH SIDE OF THE OFFICE
BUILDING
EL=2676.62'
ZONING & INTENDED USE:
ZONE: C-1
TOTAL ACREAGE: ±12.19 ACRES
TOTAL BUILDABLE LOTS: 10
TOTAL COMMON LOTS: 9
NOTES
1. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE CITY OF KUNA STANDARDS FOR THE APPLICABLE ZONE, C-1.
2. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT TO THE TIME OF THE RE-SUBDIVISION.
3. 20' LANDSCAPING STRIPS ALONG N. TEN MILE ROAD AND WEST DEER FLAT ROAD SHALL MEET ACHD STANDARDS.
LEGEND
PROPERTY BOUNDARY LINE
ADJACENT PROPERTY LINE
STREET CENTERLINE
UTILITY, DRAINAGE AND IRRIGATION EASEMENT
LOT LINE
SUP AREA BOUNDARY
EXISTING EDGE OF PAVEMENT
EXISTING WATER LINE
EXISTING SEWER LINE
EXISTING FENCE LINE
EXISTING POWER POLE
EXISTING WATER MANHOLE
EXISTING FIRE HYDRANT
EXISTING SEWER CLEANOUT
EXISTING SAND & GREASE TRAP
EXISTING WATER VALVE
FLOW ARROW
MONITORING WELL
IRRIGATION MANHOLE
INSTALL NEW FIRE HYDRANT
BENCHMARK
PROPOSED NEW WATER LINE
INSTALL 6" VERTICAL CURB
INSTALL 8' SIDEWALK
CONTOUR LINE
PHASE LINE
HI SERVICE
INSTALL SEWER SERVICE
PROPOSED SEWER
PROPOSED PRESSURE IRRIGATION LINE
PHASE 1
PHASE 2
PHASE 3
PHASE 4
NOT A PART
W. DEER FLAT ROAD SECTION
N.T.S.
N. TEN MILE ROAD SECTION
N.T.S.
PROFESSIONAL ENGINEER
LICENSED
9212
STATE OF IDAHO
WILLIAM J. MASON
September 7, 2018
Mason & Associates
CLIENT:
INAKE LETE
117 NORTH KINGS RD
NAMPA, ID 83687
(208) 465-6141
LETE COMMERCIAL
PRELIMINARY PLAT
SHEET NO. 1 OF 1 SHEETS

Exhibit
A2L

received
12.20.18

City of Kuna
PROOF OF PROPERTY POSTING

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.kunacity.id.gov

This notice shall confirm that the Public Hearing Notice for Lete Commercial was posted as required per Kuna City Ordinance 5-1-5B. Sign posted

DATED this 20 day of December, 2018.

Signature,

Owner/Developer

STATE OF IDAHO)
: ss
County of Canyon)

On this 20 day of December, 2018, before me the undersigned, a Notary Public in and for said State, personally appeared before me

Inaki Lete

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

Notary Public
Residing at Canyon County Idaho
Commission Expires Sept. 23 2020

JORDON HURD
NOTARY PUBLIC
STATE OF IDAHO

Exhibit
A5

CITY OF KUNA
PUBLIC HEARING
NOTICE

CITY OF KUNA
PUBLIC HEARING
NOTICE

CITY OF KUNA
PUBLIC HEARING
NOTICE
KUNA CITY COUNCIL

CITY OF KUNA
PUBLIC HEARING
NOTICE
KUNA CITY COUNCIL
PURPOSE: REQUEST FOR PRELIMINARY PLAT OF 19 LOTS
ACRES. PARCEL IS ZONED C-1

LETE COMMERCIAL
LANDSCAPE PLAN

A PART OF THE NE 1/4, NE 1/4, SECTION 22, T. 2 N., R. 1 W., B.M.
KUNA, ADA COUNTY, IDAHO
2018

Vicinity Map
Scale: 1"=1000'

SHEET INDEX

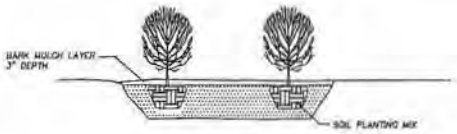
SHEET 1: PLANT SCHEDULE/DETAILS
SHEET 2: LANDSCAPE PLAN

DECIDUOUS TREE PLANTING

SYMBOLS	PLANT SCHEDULE		
	COMMON NAME	SCIENTIFIC NAME	SIZE AT PLANTING
	BLUE SNAKE CEDAR	DEODARA COLUMN CEDAR	2" CAL. B AND B
	IVORY HALO	CORNUS ALBA 'BAILHALO'	2 GAL.
	DWARF MAIDEN GRASS	MISCANTHUS SLOPECURROSUS	2 GAL.
	BRADFORD PEAR	PYRUS CALLERYANA	2" CAL. B AND B
	RED TWIG	CORNUS SERICEA	2 GAL.
	CALAMAGROSTIS GRASS	CALAMAGROSTIS	1 GAL.
	OVERSEAM	CALAMAGROSTIS ACUTIFLORA	1 GAL.

NOTE

IRRIGATION SHALL BE PROVIDED BY EXISTING PRESSURIZED IRRIGATION SYSTEM.



PERENNIAL & GROUND COVER PLANTING

SHRUB PLANTING

10/2/18
STEVE A. PETERSEN NURSERYMAN/FLORIST LICENSE #7718

DRAWING TITLE: LETE COMMERCIAL LANDSCAPE PLAN
SHEET NO. 1 OF 2 SHEETS

JOB NO. 170318 | DWG NO. 170318LS | SCALE: | DATE: | FIELD BOOK NO.

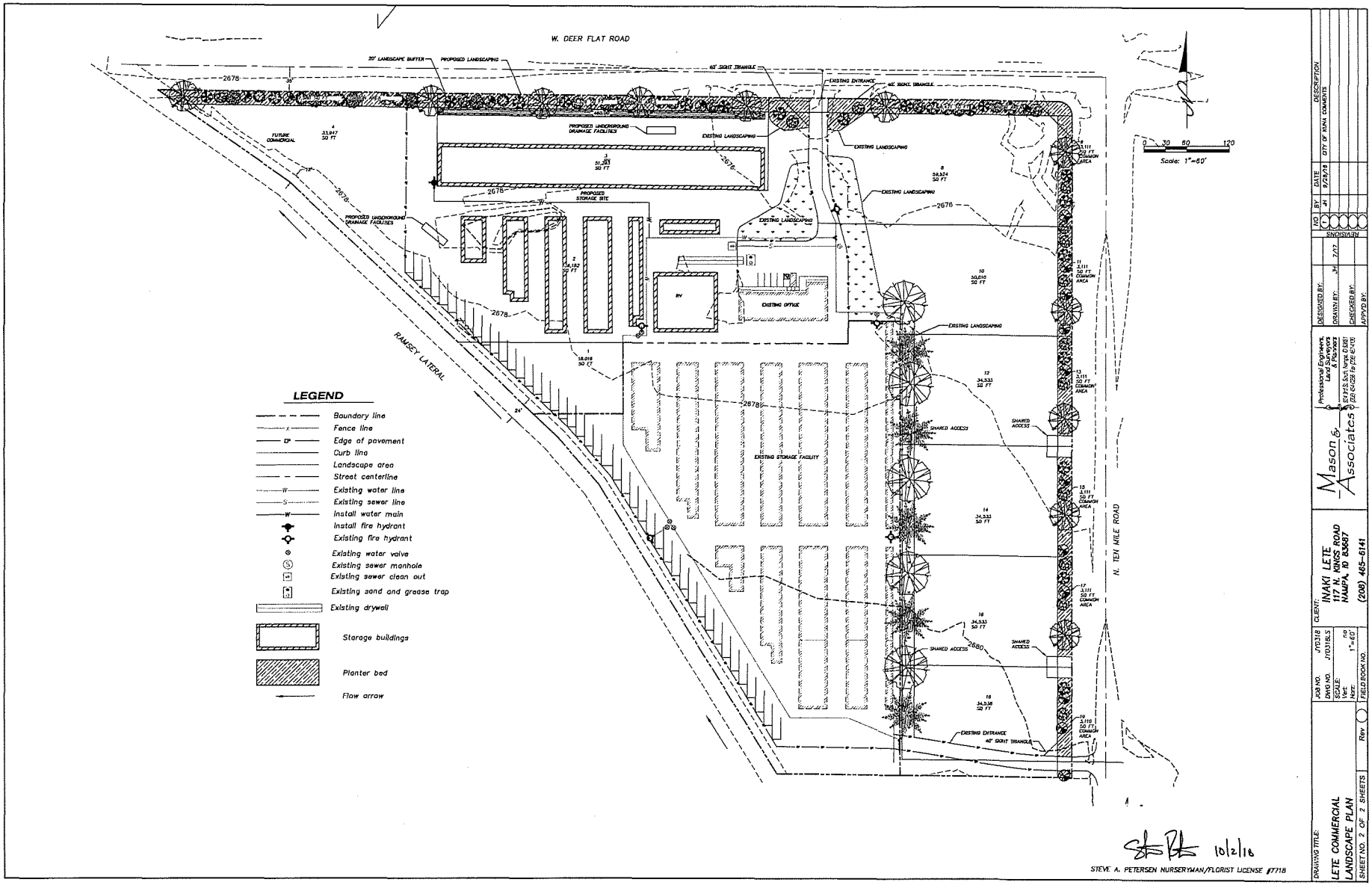
CLIENT: INAKI LETE
117 N. KINGS ROAD
NAMPA, ID 83687
(208) 455-6141

Mason & Associates
Professional Engineers, Land Surveyors & Planners
6742 S. 5th Terrace, Eagle, Idaho 83616

NO	BY	DATE	DESCRIPTION
1	JH	9/26/18	CITY OF KUNA COMMENTS

DESIGNED BY:
DRAWN BY: JH
CHECKED BY:
APPROVED BY:

Exhibit B2


W. DEER FLAT ROAD
N. TEN MILE ROAD
RAMSEY LATERAL
20' LANDSCAPE BUFFER
PROPOSED LANDSCAPING
60' SIGHT TRIANGLE
EXISTING ENTRANCE
40' SIGHT TRIANGLE
PROPOSED UNDERGROUND DRAINAGE FACILITIES
EXISTING LANDSCAPING
PROPOSED STORAGE SITE
EXISTING OFFICE
RV
EXISTING STORAGE FACILITY
SHARED ACCESS
FUTURE COMMERCIAL
Scale: 1"=60'
LEGEND
Boundary line
Fence line
Edge of pavement
Curb line
Landscape area
Street centerline
Existing water line
Existing sewer line
Install water main
Install fire hydrant
Existing fire hydrant
Existing water valve
Existing sewer manhole
Existing sewer clean out
Existing sand and grease trap
Existing drywall
Storage buildings
Planter bed
Flow arrow
10/2/18
STEVE A. PETERSEN NURSERYMAN/FLORIST LICENSE #7718
DESCRIPTION
CITY OF KUNA COMMENTS
DATE
9/26/18
BY
JH
NO
1
DESIGNED BY:
DRAWN BY: JH
CHECKED BY:
APPVD BY:
Mason & Associates
Professional Engineers, Land Surveyors & Planners
CLIENT:
INAKI LETE
117 N. KINGS ROAD
NAMPA, ID 83687
(208) 465-6141
JOB NO. 170318
DWG NO. 170318LS
SCALE: 1"=60'
VERT.
FIELD BOOK NO.
Rev
DRAWING TITLE:
LETE COMMERCIAL
LANDSCAPE PLAN
SHEET NO. 2 OF 2 SHEETS

Jace Hellman

From: Jace Hellman
Sent: Thursday, September 27, 2018 4:40 PM
To: ACHD; Ada County Engineer; Adam Ingram; Attorney Icloud; Becky Rone - Kuna USPS Addressing; Bob Bachman; Boise Project Board of Control (TRitthaler@boiseproject.org); Cable One t.v.; Central District Health Dept. CDHD; COMPASS; DEQ (Alicia.martin@deq.idaho.gov); Eric Adolfson; Idaho Power; Idaho Power; Idaho Power Easements 1; 'Idaho Power Easments 2'; Intermountain Gas; J&M Sanitation - Chad Gordon; jmcdaniel@adaweb.net; Julie Stanely - Regional Address Mgmt.; Ken Couch: Idaho Transportation Department; Kuna Postmaster - Marc C. Boyer; Kuna School District; Kuna School District; Kuna School District; Megan Leatherman; Nampa Meridian Irrigation District; New York Irrigation; Paul Stevens; Perry Palmer; Planning Mgr: Ada County Development Services; Terry Gammel
Subject: Kuna Planning and Zoning Request for Comment - Case No. 18-05-S (Preliminary Plat)
Attachments: Agency Transmittal Packet.pdf

September 27, 2018

Notice is hereby given by the City of Kuna that the following action(s) are under consideration:

File Number & Case Name:	18-05-S (Preliminary Plat) Lete Commercial Subdivision.
Project Description	Inaki Lete requests approval to subdivide an approximately 13.65-acre commercial property into 19 total lots, consisting of (ten) 10 buildable lots and nine (9) common lots. The subject site is located at 1795 W. Deer Flat Road, Kuna, ID 83634, within Section 22, Township 2 North, Range 1 West; (APN# S1322111056).
Site Location	1795 W. Deer Flat Road, Kuna, ID 83634 Southwest corner of Ten Mile Road and Deer Flat Road.
Representative	**Mason and Associates** Will Mason 924 3rd St S. STE B Nampa, ID 208-288-0700 wedwards@selectdev.com
Public Hearing Date	Tuesday, **November 27, 2018** 6:00 pm Kuna City Hall is located at 751 W. 4th Street, Kuna, ID 83634
Staff Contact	Jace Hellman, Planner II jhellman@kunaid.gov Phone: 208.922.5274 Fax: 208.922.5989

Exhibit C1

Enclosed is information to assist you with your consideration and response. All comments as to how this action may affect the service(s) your agency provides, is greatly appreciated. Please contact staff with any questions. **If your agency needs different or additional information to review and provide comments please notify our office and they will be sent to you.** If your agency needs additional time for review, please let our office know as soon as possible. *No response within 15 business days will indicate you have no objection or comments for this project.*

Thank you!

Jace Hellman
Planner II
751 W 4th St
Kuna, ID 83634
jhellman@kunaid.gov

RICHARD DURRANT
CHAIRMAN OF THE BOARD

CLINTON PLINE
VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER
PROJECT MANAGER

THOMAS RITTHALER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

MARY SUE CHASE
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000 ACRES FOR THE FOLLOWING IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

28 September 2018

City of Kuna
751 W. 4th street
Kuna, Idaho 83634

RE: Inaki Lete **18-05-S**
1795 W Deer Flat Rd Kuna
Boise-Kuna Irrigation District BK-1401
Ramsey Lateral 58+40
Sec. 22, T2N, R1W, BM.

RECEIVED
OCT 03 2018
CITY OF KUNA

Jace Hellman, Planner I:

The United States' Ramsey Lateral lies within the southwestern boundary of the above-mentioned location. The easement for this lateral is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain this lateral. We assert the federal easement 18 feet north and 24 feet south of the lateral's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve landscaping (other than grass or gravel) within its easements, as this will certainly increase our cost of maintenance. Easements must remain flat drivable surface.

Fencing or pathways must be constructed just off the lateral easement, to insure public safety and prevent encroachments.

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

Project facilities and/or easements that parallel, and are within and/or intended to be within road right-of-ways due to any development of this property must be relocated outside of road right-of-ways. The easements of Boise Project facilities will remain the same unless agreed upon and/or approved with written permission from Boise Project Board of Control.

Exhibit
C2

The construction of any roadway crossings must be conducted only during the non-irrigation season when the lateral is dewatered. In any case no work shall take place within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case, no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

Crossing agreements must be secured and signed by all parties prior to March 1st of each year. A time schedule for the construction to be done during the non-irrigation season must be approved by Boise Project prior to any activity within Project easements. No construction will be allowed within the easement boundaries of the Boise Project Board of Control facilities after March 15th of each year. However, on a case by case, overhead utilities and utilities boring underneath a Project facility may be allowed after March 15th if reviewed and approved by the Boise Project.

Storm Drainage and/or Street Runoff must be retained on site.

NO DISCHARGE into any live irrigation system is permitted.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statues, Title 42-1209.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to review plans and require changes when our easements and/or facilities are affected by unknown factors.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,

Thomas Ritthaler
Management/GIS

tbr/tr

cc:	Clint McCormick	Watermaster, Div; 2 BPBC
	Lauren Boehlke	Secretary – Treasurer, BKID
	File	

received
10.8.18

Your Safety • Your Mobility
Your Economic Opportunity

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

October 4, 2018

Troy Behunin
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

Development Application	**18-05-S**
Project Name	**LETE COMMERCIAL SUBDIVISION**
Project Location	1795 West Deer Flat Road, west of SH-69 milepost 3.0
Project Description	Approval to subdivide a 13.65 acre commercial property into 19 total lots, consisting of ten buildable lots and nine common lots
Applicant	Will Mason of Mason and Associates
Representing	Inaki Lete

The Idaho Transportation Department (ITD) reviewed the referenced preliminary plat application and has the following comments:

1. This project does not abut the State highway system.
2. IDAPA 39.03.60 rules govern advertising along the State highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
3. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway.
4. ITD does not object to the subdivision of the parcel into 19 total lots as presented in the application.

If you have any questions, you may contact Tom Haynes at (208) 334-8944 or me at (208) 332-7190.

Sincerely,

Ken Couch
Development Services Coordinator
Ken.Couch@itd.idaho.gov

Exhibit
C3

STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOISE REGIONAL OFFICE
1445 North Orchard Street•Boise, ID 83706-2239•(208) 373-0550

DEQ Response to Request for Environmental Comment

Date:	*October 10, 2018*
Agency Requesting Comments:	*City of Kuna*
Date Request Received:	*September 27, 2018*
Applicant/Description:	*18-05-S (Preliminary Plat) Lete Commercial Subdivision.*

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at http://www.deq.idaho.gov/ieg/.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- *Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).*

  The property owner, developer, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.

  Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

  For questions, contact David Luft, Air Quality Manager, at 373-0550.

2. Wastewater and Recycled Water

- *DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.*

- *IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.*

  All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects

Exhibit C4

require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

3. Drinking Water

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

  All projects for construction or modification of public drinking water systems require preconstruction approval.
- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at http://www.deq.idaho.gov/water-quality/drinking-water.aspx). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

  For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*
- *Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. If this project disturbs more than one*

acre, a stormwater permit from EPA may be required.

- *If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.*
- *The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at:* http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm
- *The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.*

For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- ***Hazardous Waste.*** *The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.*
- *No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.*
- ***Water Quality Standards.*** *Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).*

  Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- ***Ground Water Contamination.*** *DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in*

accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at 373-0550.

6. ***Additional Notes***
   - *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx) for assistance.*
   - *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any our technical staff at 208-373-0550.

Sincerely,

Aaron Scheff

Aaron Scheff
aaron.scheff@deq.idaho.gov
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

ec: TRIM 2018AEK153

ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

OFFICE: Nampa 208-466-7861
SHOP: Nampa 208-466-0663

October 9, 2018

RECEIVED
OCT 15 2018
CITY OF KUNA

City of Kuna
Planning & Zoning Department
PO Box 13
Kuna, ID 83634

RE: 18-05-S/ Lete Commercial; 1795 W. Deer Flat Road

Dear Planning & Zoning Department:

Nampa & Meridian Irrigation District (NMID) has no comment on the above referenced application as it lies outside of our district boundaries. Please contact Thomas Ritthaler, Boise Project- Board of Control, at 208-344-1141 or 2465 Overland Road Room 202 Boise, ID 83705-3173.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. Developers must comply with Idaho Code 31-3805.

Sincerely,

David T. Duvall

David T. Duvall
Crew Foreman
Nampa & Meridian Irrigation District
DTD/ gnf

Cc:
Office/ file
B. Carter, Board of Control

APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000

Exhibit
C5

CENTRAL DISTRICT HEALTH DEPARTMENT

CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

Return to:

- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat 18-05-S

Late Commercial

RECEIVED
OCT 15 2018
CITY OF KUNA

☐ 1. We have No Objections to this Proposal.

☐ 2. We recommend Denial of this Proposal.

☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.

☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.

☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- ☐ high seasonal ground water
- ☐ bedrock from original grade
- ☐ waste flow characteristics
- ☐ other _____

☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.

☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.

☒ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
- ☒ central sewage
- ☐ community sewage system
- ☐ community water well
- ☐ interim sewage
- ☒ central water
- ☐ individual sewage
- ☐ individual water

☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☒ central sewage
- ☐ community sewage system
- ☐ community water
- ☐ sewage dry lines
- ☒ central water

☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.

☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.

☐ 12. We will require plans be submitted for a plan review for any:
- ☐ food establishment
- ☐ swimming pools or spas
- ☐ child care center
- ☐ beverage establishment
- ☐ grocery store

☒ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____ Reviewed By: _____

_____ Date: 10/10/18

Exhibit
C6

CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

CENTRAL DISTRICT HEALTH DEPARTMENT

Return to:
- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

Rezone # 18-03-ZC

Conditional Use # 18-12-SUP

Preliminary / Final / Short Plat _____

City of Kuna

☐ 1. We have No Objections to this Proposal.

☐ 2. We recommend Denial of this Proposal.

☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.

☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.

☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
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- ☐ waste flow characteristics
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☐ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____ Reviewed By: Rob Bach

_____ Date: 10/10/18

Review Sheet

Sara M. Baker, President
Rebecca W. Arnold, Vice President
Jim D. Hansen, Commissioner
Kent Goldthorpe, Commissioner
Paul Woods, Commissioner

October 23, 2018

To: Lete Family Revocable Trust
Inaki Lee
117 N Kings Road
Nampa, ID 83687

Representative: Mason & Associates
924 3rd Street, Ste B
Nampa, ID 83651

Subject: KPP18-0012/ 18-05-S/ 18-26-DR
1795 W Deer Flat Road
Create 10 commercial lots and construct 2nd phase of self-storage units.

This is a staff level approval of a preliminary plat for Lete Commercial Subdivision. On January 30, 2018 the Ada County Highway District reviewed and approved this site as part of West Deer Flat Storage/ KUNA17-0014/ 18-01-SUP. The District had site specific requirements related to that application and the adjacent streets. The site specific conditions of approval also apply to the current subdivision application KPP18-0012/ 18-05-S/ 18-26-DR.

The applicant will be required to pay all applicable platting and review fees prior to final approval.

If you have any questions, please contact me at (208) 387-6171.

Sincerely,

Stacey Yarrington
Planner III
Development Services

cc: Project File
City of Kuna

Exhibit C-7

Request for Appeal of Staff Decision

Appeal of Staff Decision: The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.

a) Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.

b) Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.

c) Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.

d) Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.

e) Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Paul Woods, President
Rebecca W. Arnold, Vice President
Sara M. Baker, Commissioner
Kent Goldthorpe, Commissioner
Jim Hansen, Commissioner

Committed to Service

Date: January 30, 2018

(Via email)

To: Inaki Lee
117 N Kings Road
Nampa, ID 83687

Subject: West Deer Flat Storage/ KUNA17-0014/ 18-01-SUP
1795 W Deer Flat Road

On January 30, 2018, the Ada County Highway District staff acted on your application for the above referenced project. The attached report lists site-specific requirements, conditions of approval and street improvements, which are required.

If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

Stacey Yarrington

Stacey Yarrington
Planner III
Development Services
Ada County Highway District

CC: Project File
City of Kuna (via email)
Mason & Associates (via email)

Development Services Department

ACHD
Committed to Service

Project/File: **West Deer Flat Storage/ KUNA17-0014/ 18-01-SUP**
This is a special use permit application to construct mini-storage units located on 4.93-acres.

Lead Agency: City of Kuna

Site address: 1795 W Deer Flat Road

Staff Approval: January 30, 2018

Applicant: Inaki Lete
117 N Kings Road
Nampa, ID 83687

Representative: Mason & Stanfield
826 3rd Street South
Nampa, ID 83651

Staff Contact: Stacey Yarrington, Planner III
Phone: 387-6171
E-mail: syarrington@achdidaho.org

A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval of a special use permit to construct additional mini-storage units to an existing storage facility. The concept plan provided shows the units will be constructed in 4-phases; and also shows future commercial use along the Ten Mile Road frontage. The site is located on 4.93-acres of a 13.65-acre parcel. The parcel is currently zoned C-1 (Neighborhood Commercial) and is consistent with the City of Kuna's comprehensive plan.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Neighborhood Commercial, Medium-low density Residential/ Rural Urban Transition (Ada County)	C-1, R-3/ RUT
South	Medium-low density Residential	R-4
East	Medium density Residential	R-6
West	Medium density Residential, Medium density Residential	R-4, R-5

3. **Site History:** ACHD previously reviewed this site as K13-08-SUP in January 2014. The requirements of this staff report are not consistent with those of the prior action as the prior application was for a lot line adjustment and the parcel being developed was not adjacent to any public streets and was reviewed for access only.

4. **Transit:** Transit services are not available to serve this site.

5. **New Center Lane Miles:** The proposed development includes 0.0 centerline miles of new public road.

6. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
   - The intersection of Deer Flat Road and Linder Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south, 5-lanes east, and 5-lanes on the west leg, and reconstructed/signalized in 2020.
   - Ten Mile Road is listed in the CIP to be widened to 3-lanes from Deer Flat Road to Hubbard Road between 2031 and 2035.
   - The intersection of Deer Flat Road and Ten Mile Road is listed in the CIP to be reconstructed as a single-lane roundabout between 2031 and 2035.

B. Traffic Findings for Consideration

1. **Trip Generation:** The exact square footages for the proposed uses are unknown at this time. Below are the trip generation rates, based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

Land Use	Average Daily Trips (ADT)	PM Peak Hour (VPH)
Mini-Warehouse (1,000 sf)	2.50	0.26
Assisted Living (occ. beds)	2.74	0.29
General Office Building (1,000 sf)	11.03	1.49
Medical/Dental Office Building (1,000 sf)	36.13	3.57
Specialty Retail Center (1,000 sf)	44.32	2.71
Convenience Market (1,000 sf)	737.99	52.41

2. **Condition of Area Roadways**
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Deer Flat Road	1,330-feet	Minor Arterial	105	Better than "E"
Ten Mile Road	965-feet	Minor Arterial	370	Better than "E"

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

3. **Average Daily Traffic Count (VDT)**
Average daily traffic counts are based on ACHD's most current traffic counts.
   - The average daily traffic count for Deer Flat Road west of Ten Mile Road was 1,987 on 03/08/2016.

- The average daily traffic count for Ten Mile Road south of Hubbard Road was 6,424 on 09/20/2016.

C. Findings for Consideration

1. Deer Flat Road

a. **Existing Conditions:** Deer Flat Road is improved with 2-travel lanes, 24-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is between 50 to 60-feet of right-of-way for Deer Flat Road (25-feet from centerline).

b. **Policy:**

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Deer Flat Road is designated in the

MSM as a Residential Arterial with 5-lanes and on-street bike lanes, a 72-foot street section within 96-feet of right-of-way.

The intersection of Deer Flat Road and Ten Mile Road is designated in the MSM for a future single-lane roundabout.

c. **Applicant Proposal:** The applicant is not proposing any improvements to Deer Flat Road abutting the site.

d. **Staff Comments/Recommendations:** The applicant should be required to dedicate additional right-of-way to total 48-feet from centerline of Deer Flat Road abutting the site. The right-of-way to be dedicated is without compensation consistent with District Policy 7205.2, as this segment of Deer Flat Road is not listed in the District's CIP.

The applicant should be required to dedicate sufficient right-of-way at the Deer Flat/Ten Mile Road intersection consistent with the template shown on attachment 3 to accommodate the future construction of the single-lane roundabout. The single-lane roundabout is listed in the CIP and is therefore impact fee eligible for compensation.

The applicant should be required to improve Deer Flat Road with 17-feet of pavement from centerline along Deer Flat Road and construct 5-foot wide sidewalk located a minimum of 42-feet from centerline abutting the site.

The applicant should provide a permanent right-of-way easement to 2-feet behind the back of sidewalk for any public sidewalk located outside of the dedicated right-of-way.

2. Ten Mile Road

a. **Existing Conditions:** Ten Mile Road is improved with 2-travel lanes, 24-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 72-feet of right-of-way for Ten Mile Road (25-feet from centerline).

b. **Policy:**

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Ten Mile Road is designated in the MSM as a Transitional/Commercial Arterial with 5-lanes and on-street bike lanes, a 72-foot street section within 96-feet of right-of-way.

The intersection of Deer Flat Road and Ten Mile Road is designated in the MSM for a future single-lane roundabout.

c. **Applicant Proposal:** The applicant is not proposing any improvements to Ten Mile Road abutting the site.

d. **Staff Comments/Recommendations:** The applicant should be required to dedicate additional right-of-way to total 48-feet from centerline of Ten Mile Road abutting the site. Although this portion of Ten Mile Road is not listed in the District's CIP, the District is preserving for future right-of-way along this section of roadway and therefore is eligible for compensation.

The applicant should be required to dedicate sufficient right-of-way at the Deer Flat/Ten Mile Road intersection consistent with the template shown on attachment 3 to accommodate the future construction of the single-lane roundabout. The single-lane roundabout is listed in the CIP and is therefore impact fee eligible for compensation.

The applicant should be required to improve Ten Mile Road with 17-feet of pavement from centerline along Ten Mile Road and construct 5-foot wide sidewalk located a minimum of 42-feet from centerline abutting the site.

The applicant should provide a permanent right-of-way easement to 2-feet behind the back of sidewalk for any public sidewalk located outside of the dedicated right-of-way.

3. Driveways

3.1 Deer Flat Road

a. **Existing Conditions:** There are 2 existing driveways onto Deer Flat Road from the site, a 30-foot wide driveway located approximately 80-feet west of Ten Mile Road; and a 30-foot wide driveway onto Deer Flat Road, located approximately 410-feet west of Ten Mile Road in alignment with Wasabi Avenue (measured centerline to centerline).

b. **Policy**

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 40 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

Cross Access Easements/Shared Access Policy: District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

c. **Applicant's Proposal:** The applicant is not proposing any changes to the 2 existing driveways. The driveway located approximately 80-feet west of Ten Mile Road serves an existing residence on the property.

The applicant is proposing a

d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Access Management, Successive Driveway, and Driveway Location policies, because the driveway accessing the residential use does not meet the minimum separation offset from the Deer Flat/Ten Mile intersection or the driveway to the west. However, staff recommends approval of the applicant's proposal with the condition that the 30-foot wide driveway located approximately 80-feet west of Deer Flat Road be approved as a temporary full access that may be restricted in the future, due to the fact the residence is not a change in use and is necessary to serve the residence. If the residence is removed as a part of this application, then the driveway should be closed.

The driveway located approximately 410-feet west of Ten Mile Road serving the existing use, meets District policy and should be approved, as proposed.

The applicant should be required to construct the commercial driveway as curb return type driveways with minimum 30-foot radii; and pave the 2 driveways their entire width and at least 30-feet into the site beyond the edge of pavement of the roadway.

3.2 Ten Mile Road

a. **Existing Conditions:** There are 2 existing driveway onto Ten Mile Road from the site; a 30-foot wide driveway located approximately 55-feet south of Deer Flat Road; and a 30-foot wide driveway onto Ten Mile Road, located approximately 916-feet south of Deer Flat Road in alignment with Ingo Street (measured centerline to centerline).

b. **Policy:**

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 50 MPH to align or offset a minimum of 520-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

Cross Access Easements/Shared Access Policy: District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

c. **Applicant's Proposal:** The applicant is not proposing any changes to the 2 existing driveways. The driveway located approximately 55-feet south of Ten Mile Road serves an existing residence on the property.

d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Access Management, Successive Driveway, and Driveway Location policies, because the driveway accessing the residential use does not meet the minimum separation offset from the Deer Flat/Ten Mile intersection. However, staff recommends approval of the applicant's proposal with the condition that the 30-foot wide driveway located approximately 55-feet south

of Deer Flat Road be approved as a temporary full access that may be restricted in the future, due to the fact the residence is not a change in use and is necessary to serve the residence. If the residence is removed as a part of this application, then the driveway should be closed.

The driveway located approximately 916-feet south of Deer Flat Road meets District policy and should be approved, as proposed.

The applicant should be required to construct the commercial driveway as a curb return type driveway with minimum 30-foot turning radii; and pave the 2 driveways their entire width and at least 30-feet into the site beyond the edge of pavement of the roadway.

Staff recommends the City of Kuna require cross access between the parcels.

4. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

5. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

6. Other Access

Deer Flat Road and Ten Mile Road are classified as minor arterials roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways.

D. Site Specific Conditions of Approval

1. Dedicate additional right-of-way to total 48-feet from centerline of Deer Flat Road abutting the site. The right-of-way to be dedicated is eligible for compensation.
2. Dedicate sufficient right-of-way at the Deer Flat/Ten Mile Road intersection consistent with the template shown on attachment 3 to accommodate the future construction of the single-lane roundabout. The single-lane roundabout is listed in the CIP and is therefore impact fee eligible for compensation.
3. Improve Deer Flat Road with 17-feet of pavement from centerline along Deer Flat Road and construct 5-foot wide sidewalk located a minimum of 42-feet from centerline abutting the site.
4. Dedicate additional right-of-way to total 48-feet from centerline of Ten Mile Road abutting the site. The right-of-way to be dedicated is without compensation.
5. Improve Ten Mile Road with 17-feet of pavement from centerline along Ten Mile Road and construct 5-foot wide sidewalk located a minimum of 42-feet from centerline abutting the site.
6. Provide a permanent right-of-way easement to 2-feet behind the back of sidewalk for any public sidewalk located outside of the dedicated right-of-way along Deer Flat Road and Ten Mile Road.

7. Construct the commercial driveway onto Deer Flat Road with minimum 30-foot radii; and pave the 2 driveways their entire width and at least 30-feet into the site beyond the edge of pavement of the roadway.
8. Construct the commercial driveway onto Ten Mile Road with minimum 30-foot wide radii; and pave the 2 driveways their entire width and at least 30-feet into the site beyond the edge of pavement of the roadway.
9. If the residence is removed as a part of this application, then the driveways onto Deer Flat Road and Ten Mile Road should be closed.
10. Payment of impacts fees are due prior to issuance of a building permit.
11. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.

12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

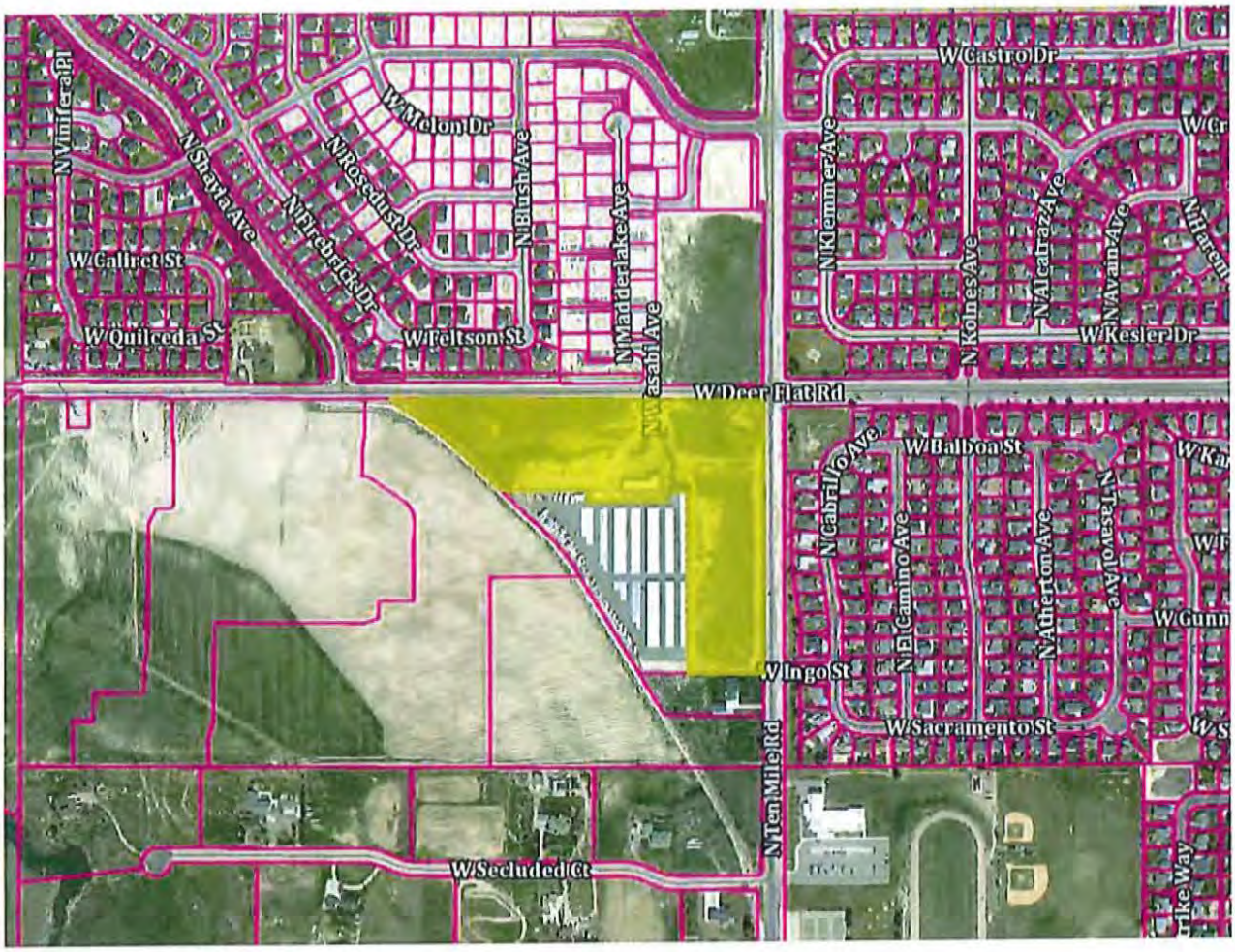
F. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

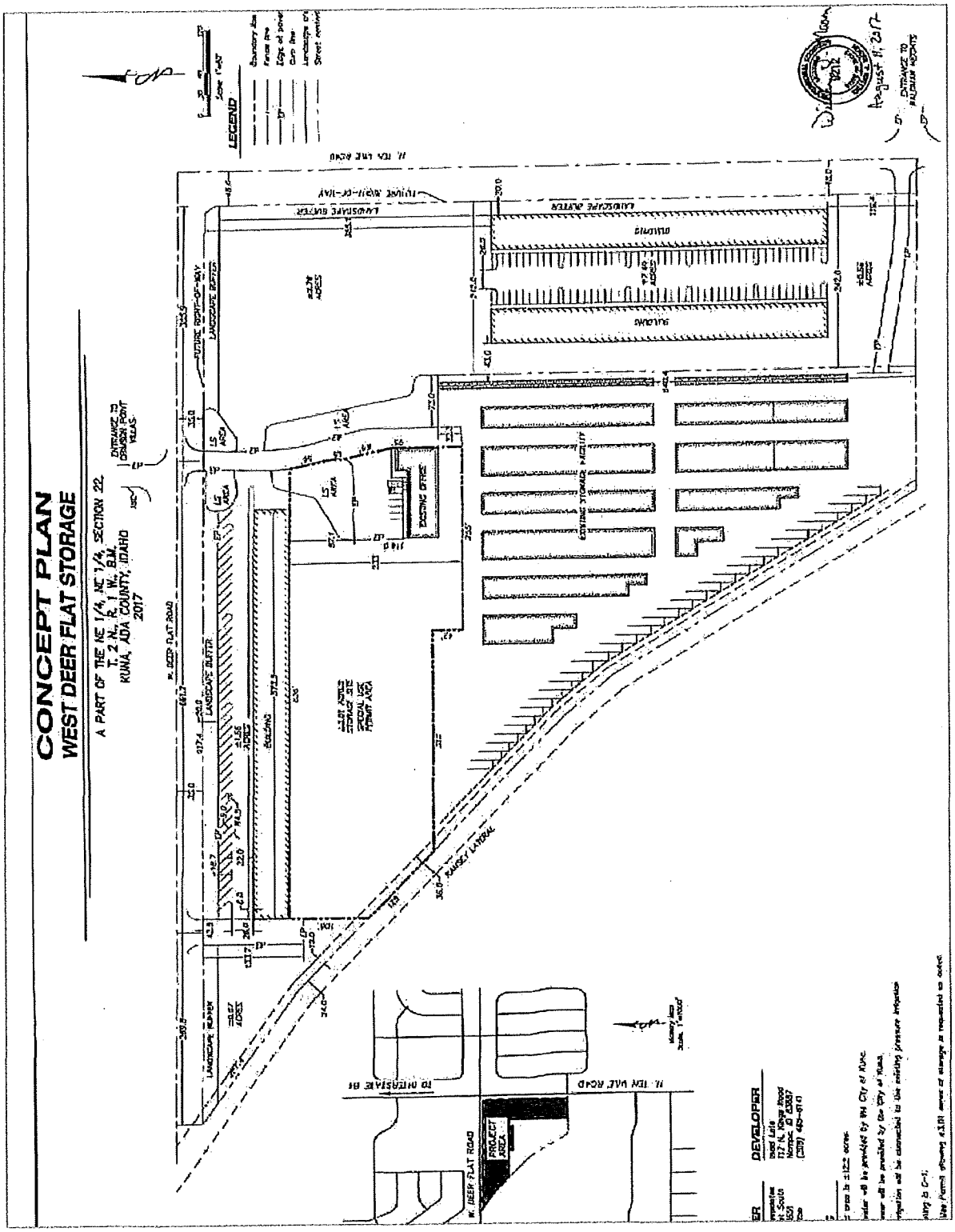
G. Attachments

1. Vicinity Map
2. Concept Plan
3. Single-lane Roundabout Template
4. Utility Coordinating Council
5. Development Process Checklist
6. Appeal Guidelines

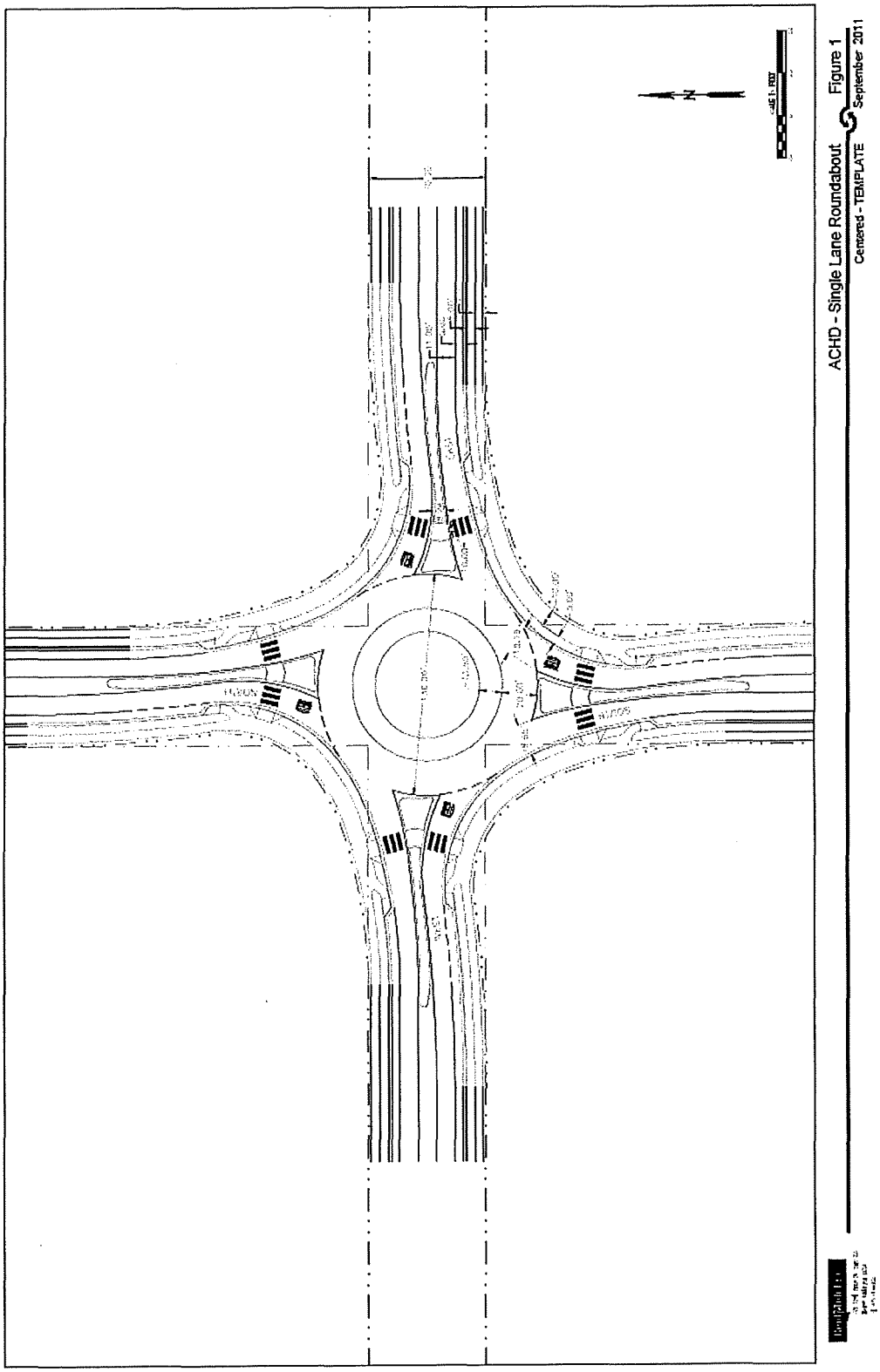
VICINITY MAP



SITE PLAN


CONCEPT PLAN
WEST DEER FLAT STORAGE
A PART OF THE NE 1/4, NE 1/4, SECTION 22
T. 2 N., R. 1 W., B.M.
KUNA, ADA COUNTY, IDAHO
2017
LEGEND
W. DEER FLAT ROAD
N. TEN MILE ROAD
PROJECT AREA
DEVELOPER

SINGLE-LANE ROUNDABOUT



Ada County Utility Coordinating Council

Developer/Local Improvement District
Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.

2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.

3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.

4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

☒Submit a development application to a City or to Ada County

☒The City or the County will transmit the development application to ACHD

☒The ACHD **Planning Review Section** will receive the development application to review

☒The **Planning Review Section** will do one of the following:

☐Send a **"No Review"** letter to the applicant stating that there are no site specific conditions of approval at this time.

☒Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

☒Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

☐For **ALL** development applications, including those receiving a **"No Review"** letter:

- The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
- The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.

☐Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:
Construction (Non-Subdivisions)
☐ **Driveway or Property Approach(s)**
- Submit a "Driveway Approach Request" form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

☐ **Working in the ACHD Right-of-Way**
- Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with:
  a) Traffic Control Plan
  b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)
☐ **Sediment & Erosion Submittal**
- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

☐ **Idaho Power Company**
- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

☐ **Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.

   a. Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.

   b. Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.

   c. Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.

   d. Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.

   e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Jace Hellman

From: Jace Hellman
Sent: Thursday, December 13, 2018 9:31 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: City of Kuna Request for Legal Publication
Attachments: Lete Commercial Publication KMN 12.19.18.docx

Greetings:

We would like to request that you publish the attached legal notification in the **December 19th, 2018** cycle of Kuna Melba News on behalf of the City of Kuna, Planning & Zoning Department.
This notification needs to only be published for one (1) cycle.

The Kuna P.O. for this request is #7883 (if you need it).
Thank you.

Jace Hellman
Planner II
751 W 4th St
Kuna, ID 83634
jhellman@kunaid.gov

Exhibit D4

CITY OF KUNA
PO Box 13 - Kuna, ID 83634
Phone: 208.922.5274 - Fax: 208.922.5989

File #'s 18-05-S, Lete Commercial Subdivision

NOTICE IS HEREBY GIVEN, that the Kuna City Council will hold a public hearing, **Tuesday, January 15, 2019 at 6:00 pm**, or as soon as can be heard at Kuna City Hall, 751 W. 4th St, Kuna, ID; in connection with a **Preliminary Plat (S)** request from Inaki Lete to subdivide 12.19-acres into 19 total lots, consisting of 10 commercial buildable lots, and 9 common lots. The subject site is located at 1795 West Deer Flat Road, Kuna, ID 83634, within Section 22, Township 2 North, Range 1 West; (APN# S1322111056).

The public is invited to present written or oral comments. Written testimony received by the close of business on ***January 8, 2019*** will be included in the packets distributed to the governing body. Late submissions (must include six (6) copies) will be presented to the governing body at the time of the hearing. Please mail written comments to PO Box 13, Kuna, ID 83634, or drop them off at City Hall: 751 West 4th Street, Kuna, ID.

Please do not contact anyone who would be involved in this decision making process, which would include the Planning & Zoning Commissioners, City Council Members, or the Mayor; as such private conversations would be considered ex parte (one sided) and could jeopardize the public hearing process.

If you have any questions or require special accommodations, please contact the Kuna Planning & Zoning Department prior to the meeting at (208) 922-5274.

Kuna Planning & Zoning Department

(No need to print this portion) Please publish one time on December 19, 2018.

(Sent 12/13/18)

Kuna P.O. #7883

Jace Hellman

From: Jace Hellman
Sent: Thursday, December 13, 2018 11:35 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: RE: Confirmation: Ad 1847177 for 1 KUNA, CITY OF
Attachments: 20181213112844137.pdf

Hello,

Everything looks great! Thank you!

Jace Hellman
Planner II
751 W 4th St
Kuna, ID 83634
jhellman@kunaid.gov

-----Original Message-----
From: IDAHO PRESS TRIBUNE <legals@idahopress.com>
Sent: Thursday, December 13, 2018 11:26 AM
To: Jace Hellman <jhellman@kunaID.gov>
Cc: legals@idahopress.com
Subject: Confirmation: Ad 1847177 for 1 KUNA, CITY OF

LEGAL E-MAIL FINAL APPROVAL RECEIPT

Good Day,
Attached is an invoice which shows proof, price and publication dates. Please check spelling and run dates for accuracy. PLEASE RESPOND by 11:00 am to confirm or make changes in order to meet deadline. You can simply reply to this email.

Idaho Press, Emmett Messenger-Index, Kuna-Melba News and Meridian Press-Tribune

Legal Clerk
legals@idahopress.com
208-465-8129

IDAHO PRESS TRIBUNE
MERIDIAN PRESS, KUNA MELBA NEWS
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208)467-9251
Fax (208)475-2338

ORDER CONFIRMATION

Salesperson: LEGALS — Printed at 12/13/18 10:25 by sje14

Acct #: 345222 — Ad #: 1847177 — Status: New WHOLD

1 KUNA, CITY OF
P.O. BOX 13
KUNA ID 83634

Start: 12/19/2018 — Stop: 12/19/2018
Times Ord: 1 — Times Run: ***
LEG 1.00 X 63.00 — Words: 255
Total LEG 63.00
Class: 0006 GOVERNMENT NOTICES
Rate: LG — Cost: 51.62
Affidavits: 1

Contact: CHRIS ENGLES
Phone: (208)387-7727
Fax#:
Email: awelker@kunaid.gov; gsmith@k
Agency:

Ad Descrpt: 18-05-S
Given by: JACE HELLMAN
P.O. #:
Created: sje14 12/13/18 10:19
Last Changed: sje14 12/13/18 10:24

PUB	ZONE	EDT	TP	RUN DATES
KMN	A	96	S	12/19

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Jace Hellman
Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

IDAHO PRESS TRIBUNE
MERIDIAN PRESS, KUNA MELBA NEWS
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208)467-9251
Fax (208)475-2338

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS Printed at 12/13/18 10:25 by sje14

Acct #: 345222 Ad #: 1847177 Status: New WHOLD WHOI

LEGAL NOTICE

File #'s 18-05-S, Lete Commercial Subdivision

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The public is invited to present written or oral comments. Written testimony received by the close of business on **January 8, 2019** will be included in the packets distributed to the governing body. Late submissions (must include six (6) copies) will be presented to the governing body at the time of the hearing. Please mail written comments to PO Box 13, Kuna, ID 83634, or drop them off at City Hall: 751 West 4th Street, Kuna, ID.

Please do not contact anyone who would be involved in this decision making process, which would include the Planning & Zoning Commissioners, City Council Members, or the Mayor; as such private conversations would be considered ex parte (one sided) and could jeopardize the public hearing process.

If you have any questions or require special accommodations, please contact the Kuna Planning & Zoning Department prior to the meeting at (208) 922-5274.

Kuna Planning & Zoning Department

December 19, 2018
1847177

Look Great!

345222 1847177

1 KUNA, CITY OF

P.O. BOX 13
KUNA ID 83634

RECEIVED
JAN 04 2019
CITY OF KUNA

LEGAL NOTICE

File #'s 18-05-S, Lete Commercial Subdivision

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If you have any questions or require special accommodations, please contact the Kuna Planning & Zoning Department prior to the meeting at (208) 922-5274.

Kuna Planning & Zoning Department

December 19, 2018
1847177

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)SS.
County of Ada)

Sharon Jessen
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Kuna Melba News, a weekly newspaper published in the City of Kuna, in the County of Ada, State of Idaho; that the said newspaper is in general circulation in the said County of Ada, and in the vicinity of Kuna and Melba, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 1 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
12/19/2018

Sharon Jessen

STATE OF IDAHO)
County of Canyon)
On this 19th day of December in the year of 2018 before me a Notary Public, personally appeared. Sharon Jessen, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Colleen Nielsen

Notary Public for Idaho
Residing at Canyon County
My Commission expires 06/28/2023

COLLEEN R. NIELSEN
NOTARY PUBLIC
Comm No. 70215
STATE OF IDAHO

CITY OF KUNA
PLANNING & ZONING DEPARTMENT

751 West 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
Fax: 208-922-5989
www.kunacity.id.gov

CERTIFICATE OF MAILING

Date: December 19, 2018

To: ❑ 400' Property Owners ❑ Other _____

Planner: Jace Hellman, Planner II

Case Name: 18-05-S (Preliminary Plat)

I HEREBY CERTIFY that on this 19th day of December, 2018, I caused a true and correct copy of the foregoing instrument to be deposited in the United States mail, with prepaid postage.

Signature

Dawn Stephens
Attest

Exhibit
D5

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

Dear Property Owner:

NOTICE IS HEREBY GIVEN that the City of Kuna **City Council** is scheduled to hold a public hearing on **January 15, 2019,** beginning **at 6:00 pm** on the following case:

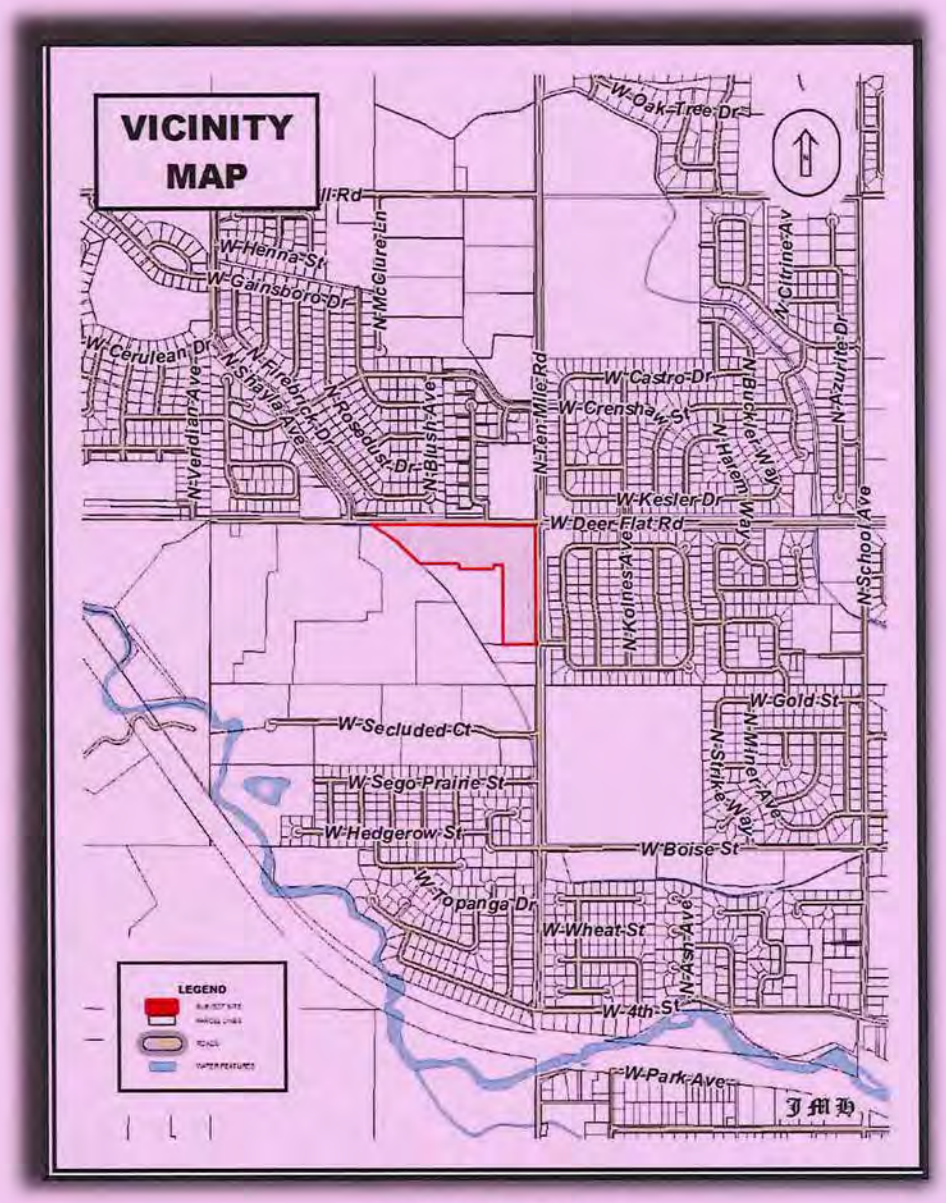
A **Preliminary Plat (S)** request from Inaki Lete to subdivide 12.19-acres into 19 total lots, consisting of 10 commercial buildable lots, and 9 common lots. The subject site is located at 1795 West Deer Flat Road, Kuna, ID 83634, within Section 22, Township 2 North, Range 1 West; (APN# S1322111056).

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments at the hearing. Written testimony received by the close of business on ***January 8, 2019*** will be included in the packets that is distributed to the governing body prior to the hearing. Late submissions (must submit six (6) copies) will be presented to the governing body at time of the hearing. Please note oral comments made during the public hearing will be restricted to three (3) minutes per person. Mail written comments to PO Box 13, Kuna, ID 83634 or drop them off at City Hall, 751 West 4th Street, Kuna, ID.

If you have questions or need special assistance, please contact the Planning and Zoning Division at (208) 922-5274.

In all correspondence concerning this case, please refer to the case name: **18-05-S (Preliminary Plat) – Lete Commercial Subdivision**



MAILED 12/19/2018

James & Sheri Russell
781 S School Ave
Kuna, ID 83634

Astrid Sanchez-Acosta
1701 N Rosedust Dr
Kuna, ID 83634

Brian & Karlee Semancik
1369 N Cabrillo Ave
Kuna, ID 83634

Serna Family Living Trust 10/27/16
John Allen Serna Trustee
1537 N Firebrick Dr
Kuna, ID 83634

Chyanne Sexton
1520 W Balboa St
Kuna, ID 83634

Richard & Jean Sini
1537 W McHenry St
Kuna, ID 83634

Merlin Slyter
1502 W Balboa St
Kuna, ID 83634

Lelia Smith
1311 N Cabrillo Ave
Kuna, ID 83634

Jason & Heather Stanhouse
1348 N Cabrillo Ave
Kuna, ID 83634

Ann Marie Strohm
Mark Hellekson
1364 N Cabrillo Ave
Kuna, ID 83634

Teco One LLC
1500 N Eldorado St #4
Boise, ID 83704

Teresa Mike & Jody Trust
Teresa Michael S Trustee
1326 N Cabrillo Ave
Kuna, ID 83634

Vincent Townsend
Madison Perry
1401 N El Camino Ave
Kuna, ID 83634

Charles Turner JR
1956 W Feltson St
Kuna, ID 83634

Courtney Tuttle
1325 El Camino Ave
Kuna, ID 83634

James & Melanie Vincent
1587 N Firebrick Dr
Kuna, ID 83634

Cheth & Amber Wallin
1518 W Kesler Dr
Kuna, ID 83634

Andrew Warren
1912 W Feltson St
Kuna, ID 83634

William & Jennifer Weiss
1503 W Kesler Dr
Kuna, ID 83634

Jennifer Wesely
1387 N Cabrillo Ave
Kuna, ID 83634

Audra & Aaron Weslowski
1385 N El Camino Ave
Kuna, ID 83634

Trenton Wolverton
1905 W Feltson St
Kuna, ID 83634

Charles Woods JR
1293 N Cabrillo Ave
Kuna, ID 83634

Eleanor Adkins
1265 N Ten Mile Road
Kuna, ID 83634

American Homes 4 Rent Properties Three LLC
30601 Agoura Rd STE 200
Agoura Hills, CA 91301

Karen Atkins
PO Box 102
Kuna, ID 83634

William & Tanya Barkell
1189 N Cabrillo Ave
Kuna, ID 83634

Kelly Bartlett
1535 W Sacramento St
Kuna, ID 83634

Corey Barton
1977 E Overland Rd
Meridian, ID 83642

Larry & Glenda Behrens
1173 N Cabrillo Ave
Kuna, ID 83634

Karin Bonham
1539 N Firebrick Dr
Kuna, ID 83634

Kodiak Boulter
Ashley Mooney
1684 N Blush Ave
Kuna, ID 83634

Kyle & Courtney Burgess
1949 W Feltson St
Kuna, ID 83634

Emmett Burns
1960 W Verbena Dr
Meridian, ID 83642

Nicholas & Farrah Busbee
1822 N Rhodamine Ave
Kuna, ID 83634

George & Jennifer Butigan
1725 N Rosedust Dr
Kuna, ID 83634

Luke Cary
1273 N El Camino Ave
Kuna, ID 83634

William & Sharon Cecil
1511 W Balboa St
Kuna, ID 83634

Joseph & Julie Colton
1571 N Firebrick Dr
Kuna, ID 83634

Cordero Family Trust 10-6-17
Michael Richard Cordero Trustee
1324 Ruby Ct
Santa Maria, CA 93454

Corey Barton Homes Inc
1977 E Overland Rd
Meridian, ID 83642

Crimson Point Subdivision HOA
2155 W Crenshaw St
Kuna, ID 83634

Steven & Beverly Critcher
2110 W Deer Flat Road
Kuna, ID 83634

Tamara Croft
1716 N Blush Ave
Kuna, ID 83634

Benjamin Dennis
1288 N Cabrillo Ave
Kuna, ID 83634

Licivalter Desouza
Tina Lima
2229 S Weimaraner Way
Meridian, ID 83642

Darren & Deborah Didreckson
1596 N Firebrick Dr
Kuna, ID 83634

Courtney & Lydia Fry
1749 N Rosedust Dr
Kuna, ID 83634

Diana Garza
1349 N El Camino Ave
Kuna, ID 83634

Xko & Chris Gonzalez
1713 N Rosedust Dr
Kuna, ID 83634

Terri Ham
1253 N Cabrillo Ave
Kuna, ID 83634

Hamann Lee E & Deborah M
Revocable Trust
PO Box 728
Sebastopol, CA 95473

Reed & Cassandra Hammer
1214 N Cabrillo Ave
Kuna, ID 83634

Bradford & Patricia Hayes
1579 N Klemmer Ave
Kuna, ID 83634

Curtis Hough
1197 N El Camino Ave
Kuna, ID 83634

Steven Hunt
1554 N Firebrick Dr
Kuna, ID 83634

Marcus Hurlburt
1517 W Sacramento St
Kuna, ID 83634

Michael Infanger
1248 N Cabrillo Ave
Kuna, ID 83634

William King JR
1561 N Klemmer Ave
Kuna, ID 83634

Kyle & Kayla Kirk
1551 N Firebrick Dr
Kuna, ID 83634

Robyn Knoelk
1971 W Feltson St
Kuna, ID 83634

Curtis Krohn
1851 W Feltson St
Kuna, ID 83634

Amanda Kulig
1233 N El Camino Ave
Kuna, ID 83634

Kuna Joint School District #3
711 E Porter Road
Kuna, ID 83634

Phillip Lang
1207 N Cabrillo Ave
Kuna, ID 83634

Rebecca Lanham
1382 N Cabrillo Ave
Kuna, ID 83634

Dawn & Travis Laursen
1927 W Feltson St
Kuna, ID 83634

Lete Family Revocable Trust
1795 W Deer Flat Rd PMB 301
Kuna, ID 83634

Curtis Long
1662 N Blush Ave
Kuna, ID 83634

Abel Lozano
1266 N Cabrillo Ave
Kuna, ID 83634

Steven Manthei
Yulia Lyshko
1934 W Feltson St
Kuna, ID 83634

Patti McCullough
1329 N Cabrillo Ave
Kuna, ID 83634

Dan & Debra McElravy
1304 N Cabrillo Ave
Kuna, ID 83634

Elizabeth Mick
1215 N El Camino Ave
Kuna, ID 83634

Kevin Mooney
1196 N Cabrillo Ave
Kuna, ID 83634

Bret & Laurel Nicolaysen
1737 N Rosedust Dr
Kuna, ID 83634

Phil Okuyama
1404 N Cabrillo Ave
Kuna, ID 83634

Palomar Heights HOA Inc
2180 W SR 434 STE 5000
Longwood, Fl 32779

Selina Paul
1277 N Cabrillo Ave
Kuna, ID 83634

Richard & Rosalie Perez
1367 N El Camino Ave
Kuna, ID 83634

Eric & Amy Peterson
11913 Woodland Ave E
Puyallup, WA 98373

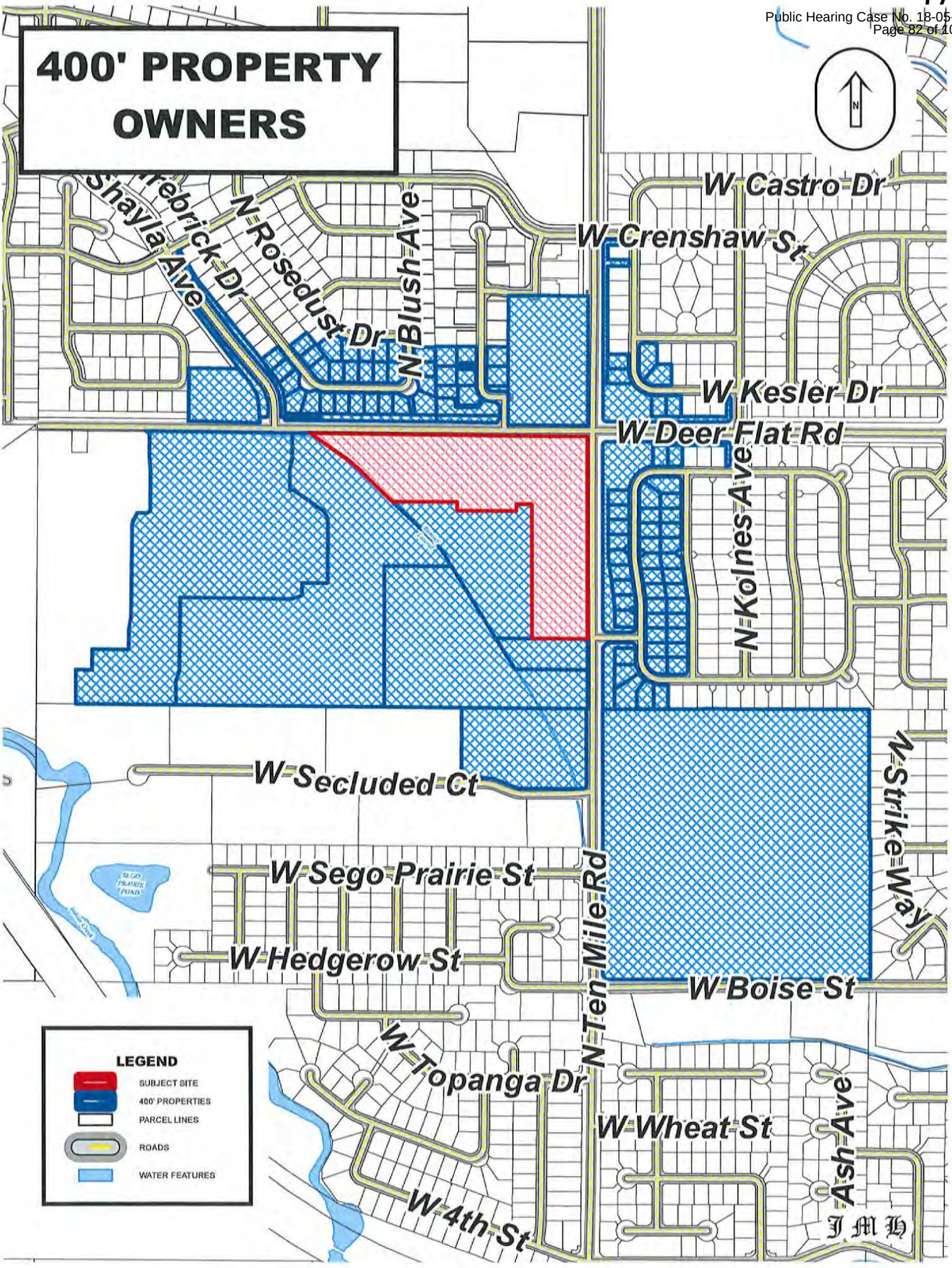
Katharina & Gary Peterson
12961 N Hauser Lake Rd
Hauser, ID 83854

Daniel & Judith Razutis
1700 W Secluded Ct
Kuna, ID 83634

PRIMOWNER	SECOWNER	ADDCONCAT	STATCONCAT
ADKINS ELEANOR		1265 N TEN MILE RD	KUNA, ID 83634-1248
AMERICAN HOMES 4 RENT PROPERTIES THREE LLC		30601 AGOURA RD STE 200	AGOURA HILLS, CA 91301-2013
ATKINS KAREN		PO BOX 102	KUNA, ID 83634-0000
BARKELL WILLIAM	BARKELL TANYA	1189 N CABRILLO AVE	KUNA, ID 83634-0000
BARTLETT KELLY R		1535 W SACRAMENTO ST	KUNA, ID 83634-0000
BARTON COREY D		1977 E OVERLAND RD	MERIDIAN, ID 83642-0000
BEHRENS LARRY J	BEHRENS GLENDA M	1173 N CABRILLO AVE	KUNA, ID 83634-0000
BONHAM KARIN		1539 N FIREBRICK DR	KUNA, ID 83634-0000
BOULTER KODIAK CAMERON	MOONEY ASHLEY ANN	1684 N BLUSH AVE	KUNA, ID 83634-0000
BURGESS KYLE C	BURGESS COURTNEY R PIVA	1949 W FELTSON ST	KUNA, ID 83634-0000
BURNS EMMETT G		1960 W VERBENA DR	MERIDIAN, ID 83642-0000
BUSBEE NICHOLAS DEAN EDWARD	BUSBEE FARRAH NICOLE DAVIES	1822 N RHODAMINE AVE	KUNA, ID 83634-0000
BUTIGAN GEORGE A JR	BUTIGAN JENNIFER	1725 N ROSEDUST DR	KUNA, ID 83634-0000
CARY LUKE		1273 N EL CAMINO AVE	KUNA, ID 83634-0000
CECIL WILLIAM L	CECIL SHARON	1511 W BALBOA ST	KUNA, ID 83634-0000
COLTON JOSEPH H	COLTON JULIE D	1571 N FIREBRICK DR	KUNA, ID 83634-0000
CORDERO FAMILY TRUST 10-6-17	CORDERO MICHAEL RICHARD TRUSTEE	1324 RUBY CT	SANTA MARIA, CA 93454-0000
COREY BARTON HOMES INC		1977 E OVERLAND RD	MERIDIAN, ID 83642-0000
CRIMSON POINT SUBDIVISION HOA		2155 W CRENSHAW ST	KUNA, ID 83634-0000
CRITCHER STEVEN	CRITCHER BEVERLY JEAN	2110 W DEER FLAT RD	KUNA, ID 83634-1224
CROFT TAMARA		1716 N BLUSH AVE	KUNA, ID 83634-0000
DENNIS BENJAMINS		1288 N CABRILLO AVE	KUNA, ID 83634-0000
DESOUZA LICIVALTER	LIMA TINA L	2229 S WEIMARANER WAY	MERIDIAN, ID 83642-0000
DIDRECKSON DARREN E	DIDRECKSON DEBORAH M	1596 N FIREBRICK DR	KUNA, ID 83634-0000
FRY COURTNEY W	FRY LYDIA L	1749 N ROSEDUST DR	KUNA, ID 83634-0000
GARZA DIANA		1349 N EL CAMINO AVE	KUNA, ID 83634-0000
GONZALEZ XKO K	GONZALEZ CHRIS L	1713 N ROSEDUST DR	KUNA, ID 83634-0000
HAM TERRI M		1253 N CABRILLO AVE	KUNA, ID 83634-0000
HAMANN LEE E & DEBORAH M REVOCABLE TRUST		PO BOX 728	SEBASTOPOL, CA 95473-0000
HAMMER REED F	HAMMER CASSANDRA E	1214 N CABRILLO AVE	KUNA, ID 83634-0000
HAYES BRADFORD H JR	HAYES PATRICIA M	1579 N KLEMMER AVE	KUNA, ID 83634-0000
HOUGH CURTIS		1197 N EL CAMINO AVE	KUNA, ID 83634-0000
HUNT STEVEN		1554 N FIREBRICK DR	KUNA, ID 83634-0000
HURLBURT MARCUS		1517 W SACRAMENTO ST	KUNA, ID 83634-0000
INFANGER MICHAEL T		1248 N CABRILLO AVE	KUNA, ID 83634-0000
KING WILLIAM JR		1561 N KLEMMER AVE	KUNA, ID 83634-0000
KIRK KYLE	KIRK KAYLA	1551 N FIREBRICK DR	KUN, ID 83634-0000

KNOELK ROBYN L		1971 W FELTSON ST	KUNA, ID 83634-0000
KROHN CURTIS D		1851 W FELTSON ST	KUNA, ID 83634-0000
KULIG AMANDA		1233 N EL CAMINO AVE	KUNA, ID 83634-0000
KUNA JOINT SCHOOL DIST #3		711 E PORTER RD	KUNA, ID 83634-0000
LANG PHILLIP ANDREW		1207 N CABRILLO AVE	KUNA, ID 83634-0000
LANHAM REBECCA A		1382 N CABRILLO AVE	KUNA, ID 83634-0000
LAURSEN DAWN M	LAURSEN TRAVIS R	1927 W FELTSON ST	KUNA, ID 83634-0000
LETE FAMILY REVOCABLE TRUST		1795 W DEER FLAT RD PMB 301	KUNA, ID 83634-0000
LONG CURTIS L		1662 N BLUSH AVE	KUNA, ID 83634-0000
LOZANO ABEL G		1266 N CABRILLO AVE	KUNA, ID 83634-0000
MANTHEI STEVEN R	LYSHKO YULIA BORIGOVNA	1934 W FELTSON ST	KUNA, ID 83634-0000
MCCULLOUGH PATTI M		1329 N CABRILLO AVE	KUNA, ID 83634-0000
MCELRAVY DAN &	MCELRAVY DEBRA	1304 N CABRILLO AVE	KUNA, ID 83634-0000
MICK ELIZABETH H		1215 N EL CAMINO AVE	KUNA, ID 83634-0000
MOONEY KEVIN L		1196 N CABRILLO AVE	KUNA, ID 83634-0000
NICOLAYSEN BRET	NICOLAYSEN LAUREL	1737 N ROSEDUST DR	KUNA, ID 83634-0000
OKUYAMA PHIL		1404 N CABRILLO AVE	KUNA, ID 83634-0000
PALMER DEAN E	PALMER MONA	1978 W FELTSON ST	KUNA, ID 83634-0000
PALOMAR HEIGHTS HOA INC		2180 W SR 434 STE 5000	LONGWOOD, FL 32779-0000
PAUL SELINA DYAN		1277 N CABRILLO AVE	KUNA, ID 83634-0000
PEREZ RICHARD	PEREZ ROSALIE L	1367 N EL CAMINO AVE	KUNA, ID 83634-0000
PETERSON ERIC J	PETERSON AMY M	11913 WOODLAND AVE E	PUYALLUP, WA 98373-0000
PETERSON KATHARINA B	PETERSON GARY J JR	12961 N HAUSER LAKE RD	HAUSER, ID 83854-0000
RAZUTIS DANIEL J	RAZUTIS JUDITH K	1700 W SECLUDED CT	KUNA, ID 83634-1273
RUIZ AGUSTIN MURILLO	MURILLO OLGA	1405 N CABRILLO AVE	KUNA, ID 83634-0000
RUSSELL JAMES D	RUSSELL SHERI J	781 S SCHOOL AVE	KUNA, ID 83634-0000
SANCHEZ-ACOSTA ASTRID		1701 N ROSEDUST DR	KUNA, ID 83634-0000
SEMANCIK BRIAN ANTHONY	SEMANCIK KARLEE ANN	1369 N CABRILLO AVE	KUNA, ID 83634-0000
SERNA FAMILY LIVING TRUST 10/27/16	SERNA JOHN ALLEN TRUSTEE	1537 N FIREBRICK DR	KUNA, ID 83634-0000
SEXTON CHYANNE S		1520 W BALBOA ST	KUNA, ID 83634-0000
SINI RICHARD G	SINI JEAN E	1537 W MCHENRY ST	KUNA, ID 83634-0000
SLYTER MERLIN L		1502 W BALBOA ST	KUNA, ID 83634-0000
SMITH LELIA SUSAN		1311 N CABRILLO AVE	KUNA, ID 83634-0000
STANHOUSE JASON B	STANHOUSE HEATHER M	1348 N CABRILLO AVE	KUNA, ID 83634-0000
STROHM ANN MARIE	HELLEKSON MARK D	1364 N CABRILLO AVE	KUNA, ID 83634-0000
TECO ONE LLC		1500 N ELDORADO ST # 4	BOISE, ID 83704-0000
TERESA MIKE & JODY TRUST	TERESA MICHAEL S TRUSTEE	1326 N CABRILLO AVE	KUNA, ID 83634-0000
TOWNSEND VINCENT	PERRY MADISON	1401 N EL CAMINO AVE	KUNA, ID 83634-0000

TURNER CHARLES R JR		1956 W FELTSON ST	KUNA, ID 83634-0000
TUTTLE COURTNEY J		1325 EL CAMINO	KUNA, ID 83634-0000
VINCENT JAMES D	VINCENT MELANIE L	1587 N FIREBRICK DR	KUNA, ID 83634-0000
WALLIN CHETH	WALLIN AMBER C	1518 W KESLER DR	KUNA, ID 83634-0000
WARREN ANDREW VK		1912 W FELTSON ST	KUNA, ID 83634-0000
WEISS WILLIAM A	WEISS JENNIFER J	1503 W KESLER DR	KUNA, ID 83634-0000
WESELY JENNIFER		1387 N CABRILLO AVE	KUNA, ID 83634-0000
WESLOWSKI AUDRA G	WESLOWSKI AARON	1385 N EL CAMINO AVE	KUNA, ID 83634-0000
WOLVERTON TRENTON		1905 W FELTSON ST	KUNA, ID 83634-0000
WOODS CHARLES R JR		1293 N CABRILLO AVE	KUNA, ID 83634-0000


400' PROPERTY OWNERS
N
W Castro Dr
W Crenshaw St
Shayla Ave
N Rebrick Dr
N Rosedust Dr
N Blush Ave
W Kesler Dr
W Deer Flat Rd
N Kolnes Ave
W Secluded Ct
N Strike Way
W Sego Prairie St
W Hedgerow St
N Ten Mile Rd
W Boise St
W Topanga Dr
W Wheat St
Ash Ave
W 4th St
LEGEND
SUBJECT SITE
400' PROPERTIES
PARCEL LINES
ROADS
WATER FEATURES
J M H

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PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	X	Jace Hellman, Planner II	X
Commissioner Stephen Damron	X	Sam Weiger, Planner I	X
Commissioner John Laraway	X	Bill Gigray, City Attorney	X

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Chairman Young called the meeting to order at **6:00 pm**.

Call to Order and Roll Call

1. **CONSENT AGENDA**
   a. Meeting Minutes for October 23, 2018.

   Commissioner Hennis Motions to approve the consent agenda; Commissioner Damron Seconds, all aye and motion carried 4-0.

2. **NEW BUSINESS**
   18-37-DR (Design Review) – Freedom Fitness; Richard Wilmot, with ALC Architecture, seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) to construct a *Freedom Fitness* gymnasium with accompanying landscaping, lighting and a parking lot. The project is within Ensign Commercial Subdivision No. 2 at 821 North Meridian Road, Kuna, Idaho 83634 (APN# S1324142215).

   C/Gealy: Mr. Chairman, I will recuse myself from this item. **Richard Wilmot**: 1119 East State Street, Eagle, ID. We are proposing a fitness facility off of Meridian Road just south of the existing Dollar Tree building. There will be a workout area with locker rooms and child care available for patrons using the facility. The building is comprised of cement plaster, stucco, metal panel, and standing seam metal roofing. It is our plan to share our parking lot with other future buildings that are developed on the property. We don't have objections with anything in the staff report. The only condition is that we address the location of the trash enclosure. We'll finalize that in the coming week or so. **Sam Weiger:** Chairman, commissioners for the record Sam Weiger, Planner I for the City of Kuna 751 W 4th ST. The applicant is seeking Design Review approval for a new *Freedom Fitness* gymnasium accompanying landscaping, lighting and a parking lot. The new commercial building site is located within Ensign Commercial Subdivision No. 2, at the northwest corner of Meridian Road and East Meadow View Road. The property as it sits now is vacant, within city limits, and currently zoned C-1. The applicant proposes two driveway access points from North Meridian Road. The applicant proposes 78 total parking spaces and 4 accessible parking spaces. Staff finds that the proposed parking lot and parking lot lighting comply with Kuna City Code. All landscaping complies with Kuna City Code, Title 5, Chapter 17, Landscaping Requirements. Comments received from J&M Sanitation indicate that the proposed enclosure meets their standards. Staff would note the applicant was required to submit a new site plan illustrating the new location, dimensions and material types. Staff has determined that this application complies with Title 5 of Kuna City Code; Idaho Code Title 67; and the Kuna Comprehensive Plan. Staff forwards a recommendation of approval for Case No. 18-37-DR to the Planning and Zoning Commission. I will now stand for any questions you may have. **C/Young**: Did you have any feedback from fire as far as any path of travel or anything? **Sam Weiger:** There were no comments from the fire department on the Design Review application. **C/Young**: As far as

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the side layout, the parking lots are there and the circulation seems to work well. As far as landscape, there is not much to landscape. They have the planters in the area. **C/Young**: Architecturally it looks good, with a change in roofline materials. **C/Hennis**: I think they've done a nice job with layout and conformance.

Commissioner Hennis motions to approve Case No. 18-37-DR with the conditions as outlined in the staff report; With an additional condition that the applicant continue to work with J&M Sanitation to arrive at the correct location for the trash enclosure and materials. Commissioner Laraway seconds, all aye and motion carried 3-0.

PUBLIC HEARING

18-05-S (Preliminary Plat) & 18-26-DR (Design Review) – Lete Commercial Subdivision**;** The applicant, Inaki Lete, requests to subdivide approximately 12.19-acres into 19 total lots, consisting of 10 commercial buildable lots, and 9 Common lots and has reserved the name Lete Commercial Subdivision. A Design Review application for site landscaping, and an addition to an existing on-site mini storage facility, which features eight (8) additional storage buildings on approximately 4.93-acres, accompanies this application. The subject site is located at 1795 West Deer Flat Road, Kuna, ID 83634, within Section 22, Township 2 North, Range 1 West; (APN# S1322111056).

William Mason: I'm with Mason and Associates, on behalf of Lete Commercial. This is on the southeast corner of Deer Flat and Ten Mile. This will be constructed out the same materials and colors as the existing facility. This will actually come with landscaping along Deer Flat. One of the questions in the staff analysis was about something that we needed to do in the landscape areas. There are 19 lots, nine of those are common lots. Those nine lots are in different phases in the project. We've split those common lots up, it's all going to be one facility and one ownership. There will be 10 commercial, buildable lots in these phases when it's built out. We made sure with staff that we would come forward with that preliminary plat, so we made sure we would meet that within one year. **C/Young**: The house that sits currently, is the intent of that house to stay until that parcel develops? **William Mason:** It would stay until that parcel develops if there was a use for that house somewhere else. There's a possibility that it can be relocated sometime in the future. Right now, there's no intention of moving it. **Jace Hellman**: Good Evening Chairman and Members of the Commission. For the Record, Jace Hellman, Planner II, Kuna Planning and Zoning Staff, 751 W 4th St, Kuna, ID. The application before you this evening is for subdivision consideration and design review approval. The applicant is proposing to subdivide approximately 12.19 acres into 19 total lots, consisting of 10 commercial buildable lots, and 9 common lots. The subject site is located on the Southwest corner of Deer Flat and Ten Mile at 1795 W. Deer Flat Road, and has reserved the name, Lete Commercial Subdivision. Staff would note, this preliminary plat comes to the Commission as step towards completing the conditions of approval of a special use permit that was granted by this body in February, 2018, which required the applicant to begin the preliminary plat process for the overall site within one year of the Commission's Order of Decision. The applicant has proposed shared accesses onto Ten Mile Road between proposed lots 18 and 16, 14 and 13, while the remaining lots are to be accessed via an existing access on Deer Flat Road. Following Correspondence with Ada County Highway District (ACHD) access to the proposed buildable lots will only be granted via approved existing access points on Ten Mile and Deer Flat Roads. Furthermore, conversation with staff members at ACHD an additional right-in/right-out entry point along Ten Mile no further than 550-Ft from the Deer Flat Road and Ten Mile Road Intersection will be permitted. Staff would recommend the applicant be conditioned to work with ACHD and City in order to provide access to the site that meets Kuna City Code and ACHD Policy. Additionally, Staff will require the applicant to allow cross access across all newly created parcels. Per comments received by ACHD, the existing driveways that service the above-mentioned household should be approved as temporary full access that may be restricted to a right-out/right-in only in the future as long as the house retains its current function as single-family residence. According to the applicant, the existing house will remain in place until the proposed phase that contains the residence is developed. Staff would note, at such time that the property is redeveloped Ada County Highway District and the City of Kuna will require the applicant to close the existing driveways. The installation of streetlights is a required public improvement listed under Kuna City Code 6-4-2. The applicant has not identified streetlight locations on the

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preliminary plat. Applicant will be required to work with staff in order to comply with Kuna City code and install street lights a maximum spacing of two hundred fifty (250) feet along the site's frontage. An updated preliminary plat and site plan will be required to be provided to staff showing the improvements. Staff would note that these street lights must be designed and installed according to "Dark skies" standards. Applicant proposes to install an eight (8) foot sidewalk. Following Staff's review of the preliminary plat, it appears that the proposed location is within the designated landscape buffer for the site. The road sections of Ten Mile Road and Deer Flat Road that abut the site are designated as minor arterials. Kuna City Code 5-17 requires the construction of detached eight (8) foot sidewalks along the accompany property frontage. This sidewalk needs to be located within the public right-of-way and separated from public vertical curb by a four to eight-foot-wide irrigated and landscaped planter strip, which is in addition to the required 20-foot landscape buffer. Staff will require the applicant conform to Kuna City Code and install the proposed sidewalk within the right-of-way separated from the public vertical curb by a four to eight-foot-wide irrigated and landscaped planter strip. A design review application for common area landscaping was included as a part of the overall application. Applicant proposes several dedicated landscaping and buffer areas throughout the project. Much of what the applicant proposed will mirror what was installed when Kuna Caves Storage was built. Staff finds the proposed landscaping complies with the landscaping requirements set by City code. Staff would note the applicant does not identify the type of groundcover that will be used for all landscape buffers. Staff would prefer sod, and Kuna City Code requires organic material for groundcover. Staff would recommend the applicant be conditioned to provide a landscape plan to staff with a Kuna City Code approved groundcover identified. Additionally, the applicant has proposed to create a second phase of Kuna Caves Storage on some of the lots to be platted. Special Use Permit approval was granted in February of 2018, with the condition that the applicant get design review approval prior to beginning construction. The applicant proposes eight additional storage related buildings on 4.93-acres (as granted by the recently approved special use permit). Extensive landscaping has been proposed along the site's frontage on Deer Flat Road. Colors, fencing and building materials are proposed to be similar those used in the existing Kuna Caves Storage facility. Staff has determined the preliminary plat and design review complies with the goals and policies for Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation for a recommendation of approval for Case No. 18-05-S (Preliminary Plat) and a recommendation of approval for 18-26-DR (Design Review), subject to any conditions of approval outlined by Kuna's Planning and Zoning Commission and City Council. **C/Gealy:** I heard you mention several conditions that you would recommend, and I would like to clarify those conditions. **Jace Hellman**: The cross-access agreement across all parcels, that is included in the staff report. The closing of the driveway is when the property is redeveloped, and that is also in the report. The conforming to Kuna City Code is covered in No. 5. I did not include that staff would work with ACHD for their access points. That would be one that we need to include as a condition. I also would request that the commission recommend that they work with staff to provide a landscape plan showing an approved ground cover for their planter strips and buffers. Is street lighting included in there as well? **Jace Hellman**: That's tackled with No. 6 and No. 7 of the conditions of approval. **C/Gealy**: What about submitting a preliminary plat and site plan? **Jace Hellman**: That could be added to condition No. 6 as a recommendation to provide staff with an additional preliminary plat showing improvements. **C/Gealy**: We basically have three conditions to consider? **Jace Hellman**: Correct. **C/Hennis:** We'll have additional design review for the commercial lots. **C/Young**: They've done an exceptional job with the landscaping. On the preliminary plat side, I like the idea of the second entrance off of Ten Mile. We just need to verify those distances with ACHD. We're looking forward to seeing additional material in that corner. Any additional thoughts on the preliminary plat piece.

Commissioner Gealy motions to recommend approval of Case No. 18-05-S with the conditions as outlined in the staff report; With an additional condition to update the preliminary plat and site plan. And an additional condition to work with staff regarding the landscape plan with the allowable ground cover; And an additional condition to work with ACHD to work with staff on access points. Commissioner Hennis seconds; Motion carried 4-0. Commissioner Gealy motions to approve Case No. 18-26-DR with the conditions as outlined in the staff report; With an additional condition to update the preliminary plat and site plan; And an additional condition to work with staff to include allowable

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ground cover and to work with ACHD and staff on the access points. Commissioner Hennis seconds, all aye and motion carried 4-0.

18-03-AN (Annexation), 18-01-CPM (Comprehensive Map Change), 18-04-ZC (Rezone), 18-02-PUD (Planned Unit Development), 18-04-S (Preliminary Plat) & 18-20-DR (Design Review) – Falcon Crest Subdivision; Scott Wonders with JUB Engineers, on behalf of M3 Companies- Mark Tate (Owner), requests approval to Annex approximately 996 acres into Kuna City limits, Change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres, to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and one private road. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho. Please see the application for a list of parcel numbers affected by this application.

Mark Tate: I'm with M3 Companies, the address is 1087 W River Street, Boise, ID 83702. The Falcon Crest property is over 1,000 acres. There's an additional property that's 160 acres. They have maintenance buildings. There is a residence, a pro shop, and the courses were constructed in the 1990s. The property is also irrigated as a sod farm and has been operated as such for some time now. The bulk of the property was designated as mixed-use in the comprehensive plan. With Boise not really continuing to grow to the south, this would be a great opportunity for the City of Kuna. This will be restricted to people 55 and over. The area will have many amenities, including tennis, pickleball, swimming pools, horseshoe, any kind of activity that you can think of as far as popular recreation. On the corner of Kuna and Cloverdale, we have 19 acres of commercial. Regarding the east-west collector road, if it ultimately extended, there's a big ridge line right there. The road would never be able to be built on that section line. Because it drops off at such a steep angle, it would have to come back down that ridge line at an angle. It's important to note that the east-west collector road, knowing about the concerns of traffic there, for what our project would do regarding trips. Having the east-west collector road running through the middle of the property would really funnel our own traffic into the collector road and out to Cloverdale Road without having to push it down to the south. We also noticed that we have limited access at Kuna Road. Most of the traffic is really going to come into the middle and will have very little impact, relatively speaking. The most logical way will be to come into the project and out that way, we'll talk about the open space and trails. Another thing to point out is the overall gross density, which is only 2.25 units inside the community. It's not really a high-density development. One thing we're really excited about is the new golf club facilities and community amenities up where the existing club house is. There are three zones in our rezone we're requesting. One is C-2 in the corner at 19 acres. We made it large enough to include a restaurant, a grocery store, any uses that be ancillary to residential uses. This will ultimately reduce trips and make the location more walkable. The greyed-out areas are all zoned R-6. Each of those parcels has boundaries called villages. For the larger density, we have R-12. We've focused that kind of zone around our community. It would potentially be townhomes or things like that. It doesn't mean apartment complexes. It would be really for a smaller lot kind of property. There is an eight- to 10-foot wide greenbelt area. This is much more than any of the items required in city code. There is a seven-acre city park, which should go up to a 10-acre city park. We're proposing a roundabout as you come into the property. The main reason that we're doing the PUD is to focus on private streets, different types of lots. We're looking at concepts to build additional lakes. The first subdivision is in the southwest corner there. This would be a four-mile extension from the sewer line to the Orchard Lift Station. Water will be done on site through a well. We're currently in a process with the City of Kuna to decide exactly where that would be and get that located on the site. The city would be developing the well, and we'd be responsible for building all of the infrastructure for the community from the well. We've got one access proposed at Cloverdale Road directly into the subdivision, which would be gated. This project does not have a lot of surface water available. Most of the property is elevated above the New York Canal. Most of it is done through a couple of large irrigation wells to serve the golf course and sod farm. Our irrigation system would be private, the owning rights would stay with that community and the Homeowner's Association. The City of Kuna and the City Engineer seem comfortable with what we're proposing. There's a central community park off to Cloverdale that

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will serve the neighborhood. There's a pathway network where you see a lot of trees lining. It's eight feet long and loops the entire property. There's no access to Kuna Road with this phase. The lot sizes vary from 55 feet wide to about 75 feet wide. These are smaller than your standard subdivision lot size, because we are targeting a demographic that does not want to have to maintain large lots. I've reviewed the city's staff report, and I agree to the conditions. I will ask a request from you. For the development agreement that is part of the application, I will ask that you include in your motion direction to staff to continuously refine the development agreement exhibits, formatting, numbering. We want to make sure that we can revise the development agreement before we go to City Council. There were a couple of specific modifications that were included in the City Engineer's letter. There was some form language in there as it relates to irrigation. Typically, irrigation rights are returned to the city. Because we're not doing that, we request you include these changes in your motion. **C/Laraway**: You mentioned in here a gated community, and ACHD bought off on that? **Mark Tate**: Yes, the important thing to them is that the collector be maintained through the property. We should not be foreclosing anything beyond the property or adjacent to the property. They've seen the east-west collector that runs through the property and extending Five Mile Road to the north. These would all be public roads. **C/Laraway**: All snow and stuff like that would be at your hands? **Mark Tate**: Yes, snow removal, road maintenance, all that goes through the HOA. **C/Laraway**: The second house between Five Mile and Kuna, is that going to be renovated? Has that been discussed with the Fire District? **Mark Tate**: The owners of the Falcon Crest Golf Course take title to that property, and the Fire District has requested to have a location somewhere out along Cloverdale Road with the industrial stuff going on to the south. We don't any specific use for it right now, but I know that the nursery next to it is potentially looking into using it during the interim. **C/Laraway**: Part of my concern is, as big as this is going to be, there are not many first responders out there. **Mark Tate**: believe the fire district has had an opportunity to weigh in on the application. I know that they are working on acquiring a place on Cloverdale Road. I believe all the fire districts in the area are charging impact fees for land acquisition. **C/Young**: Has anybody done any test wells out there for water? **Mark Tate**: There are two large irrigation wells, and there is a domestic well on the property. The domestic well is associated with the clubhouse area to use for potable water or drinking water. The two irrigation wells do 1,800 gallons per minute, and the domestic well is about 2,500 gallons per minute. In terms of capacity, that would be on par with a very highly productive municipal well. The water quality out there is substantial. The wells out there are pretty old, they haven't seen any decline in water levels. We've also done a lot of water quality testing. Some wells in the region have had some water quality issues. We did test all three wells for irrigation, and that water does not need to be treated. As far as water rights go, there are water rights that have been used for irrigation out there. We would be maintaining those irrigation rights; sod water and golf is a very water-intensive use. **C/Young**: As far as product types in this first phase, if it's geared toward active adults, are they mainly one-story, two-story, or is there a mix? **Mark Tate**: We haven't written the design guidelines yet, I don't know if we would preclude two-story houses, but we probably won't see a lot of four-bedroom houses. Two bedrooms is about as large people would go. We would allow in some of the larger lots an RV garage. There will be all the travelers. I would anticipate single clubhouses. **C/Young**: Do you have for the first phase or the first preliminary plat, an average lot size? **Mark Tate**: I would estimate about a fifth of an acre. **C/Young**: As far as the higher density, I'm guessing that it's a townhome type community? **Mark Tate**: It could even be a detached type of product. Maybe two master suites with indoor and outdoor living, maybe with 6,200 square feet. This could be 6-7 square units per acre for a detached product. Some of our houses have featured a bigger side yard to the next house, and there are ways to maintain the outsides of it. We envision cluster-type projects out there. **C/Hennis**: One of the applications you're looking at out there is an R-12 area. All your densities so far are R-6, so why go to an R-12? **Mark Tate:** It really has a lot more to do with the lot standards. The R-12 gives us more flexibility with the design to try to get to 12 or more units per acre. We might have areas that get up to 8 units per acre. All of the open space in there comes in at a reasonable density. **C/Young**: We'll start off with the R-6, where we're looking at being able to work with an R-6, which has an average size of 4,500 square feet. **Mark Tate**: These are around 6,000 square feet. **C/Young**: That is well into an R-4. **C/Young**: As far as plats and that go and the grand scheme of things, the clubhouse portion for the active living section, what plat is that intended to come in? **Mark Tate**: It will actually come in the second plat and will

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definitely include the collector road with the community clubhouse. **C/Hennis**: That roundabout or that collector that comes in, you have an area designated as Design Review, what is the DR? **Mark Tate**: That is actually for the driving range. **C/Young**: With this preliminary plat, you've got one entryway into the subdivision for 400 plus units. Do you have plans for a temporary access until this builds out? **Mark Tate**: Along the Cloverdale Road portion of the boundary, there will be an emergency access going out to Cloverdale right there. That's a potential future well site as well. We would build a 20-foot access and put a well site as well. We would basically double the access and put emergency services in there. We also have one along Kuna Road for emergency access ingress. **C/Young**: Do you have an initial intent until there's a second entrance at the subdivision coming from another direction to use one of those as a full access until it builds out? **Mark Tate**: We're still looking at the exact phasing. I know that the plat we submitted included Cloverdale access, the first one that we're planning on doing. Potentially looking at the Falcon Crest entry as the first access and coming off of that. In this case, we'll need to get out to the secondary access very quickly. **C/Hennis**: You indicated that you would the extension on Five Mile and then reconnect down to Kuna. I noticed in ACHD's report, there was a recommendation to not have it wander. There was a recommendation to keep it a hybrid of the section line going all the way over to where we proposed. Part of their recommendation is that they will need to address it as future applications come in and as we get to platting in that area. **C/Young**: As far as ACHD's report goes, it was one of the biggest reports from ACHD I've ever seen. What are your anticipations for left turn lane, southbound direction, deceleration lanes and that sort of thing for these messages? **Mark Tate**: That would have to be done immediately, and we would anticipate that to be done at the outset. One of the big reasons that their traffic study is large is because they are all private streets on the interior, so there's not a lot to comment on. As we go through this project, there will be many preliminary plats that we will submit as we go. Each one will require its own ACHD approval. They will continue over the life of this project to a 20-year horizon. We will be looking at trip counts, traffic rates, where we are at in five years. They have a twenty-year work plan for much of Cloverdale Road. They will look at what gets built in that time. The retired buyers will do their commute in the middle of the day, which will reduce the 8-5 commute problems. **C/Young**: Can you describe the initial modifications of Cloverdale? There aren't any specific recommendations from ACHD for 400 units. **Mark Tate:** The traffic study determined that Kuna Road or Cloverdale Road is functioning well. They've got projects in the cue to remedy things much closer to Overland Road. When you look at 400 units, it sounds like a lot of units. From a percentage of trips as we get closer to Cloverdale Road, it is a very small percentage of those trips because Cloverdale Road is an arterial. It's covered by impact fees. Every house in this project is going to pay some impact fee for the road arterial system. We will build arterial roads in our project. We're also responsible to build the entire frontage of the project. All along Cloverdale road with the accesses and the turn lane, we'll be building that. **C/Young**: Cloverdale being an arterial road, you have no plans to put a middle turn lane in? **Mark Tate**: We would at our access. **C/Young**: I'm trying to get some specifics because it's not in the report. Where are you looking to put those? Where are the deceleration lanes? How long are those? What is that plan that you have? **Mark Tate:** There would be a deceleration lane and a center turn lane associated with the Cloverdale entry on this preliminary plat. ACHD has the real idea on the deceleration and turn lane. It has to do with travel speeds and that sort of thing. They are still going to improve all of our projects. **Troy Behunin:** Good Evening Commissioners, for the record, Troy Behunin, Planner III, 751 W. 4th Street, Kuna. The applications before you tonight are case No's 18-03-AN (Annexation), 18-01-CPM (Comprehensive Plan Map Change), 18-04-ZC (rezone), 18-02-PUD (Planned Unit Development), 18-04-S (Preliminary Plat) is presented for your vote to recommend approval, conditional approval or denial to Council. 18-20-DR (Sub Design Review) is before you for your decision tonight. The application materials have been assembled for your packets for your reading pleasure. All of the noticing procedures have been followed to hold the public hearing tonight. The applicant seeks approval for annexation of approximately 996 acres, approximately 807 acres at R-6 and 187 acres at R-12, a comp plan map change from Ag to Mixed Use for approximately 160 acres, a rezone of approximately 20 acres, and a pre-plat for approximately 131 aces to subdivide up to 409 lots and 58 common lots, 2 well lots, and up to 4 common driveways in a PUD in Kuna City limits. The applicant also proposes a DA to memorialize the requirements, obligations for both applicant and COK. This request (except for the request for CPM for approx. 160 ac) matches the Comp Plan map,

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designation of Mixed-Use General. This project is located at the NEC of Cloverdale and Kuna Roads, and 40 ac is already in the COK limits. This project has significant on frontage Cloverdale and Kuna Roads and proposes half mile collectors for E-W and N-S alignments. There are several topographic challenges and Staff is willing to work with the applicant on alignment. What is important is they are proposing to continue the MSM Kuna has approved. As a PUD, and the fact the applicant is willing to meet and exceed the 10% open space requirements and other amenities, these requests meet the criteria to request changes in dimensional and other code changes to add variety and flexibility to their communities. Staff (including our Attorney) has meet with the applicant multiple times to discuss and negotiate the requested changes and even as late as yesterday, to bring a unified request to Commission and ultimately on to City Council. In the back of the DA is a side by side comparative to showcase what the applicant will be required and obligated and where flexibility has been extended. It is up to the Commission to decide if they recommend approval. Staff has vetted out this entire document with the applicant and we have reached an agreement that will provide a way for a resort style community that Kuna has never seen before. This will include age-targeted audiences as well as family subdivisions, or villages. The pre-plat appears to meet all COK standards and does include a request for private streets, which staff and ACHD have both met with applicant to discuss standards and we have reached agreeable terms. The Landscape plan appears to meet all COK standards. The same goes for the pressurized irrigation. There are limited surface water rights out there. They will be creating their own system to facilitate watering all of the common lots and nursery. If they connected to our system, as Mark indicated in his request, the water rights would have to be dedicated to the city in order for the city to continue servicing those customers. The applicant has been notified and is willing to bring the sewer to this site. Staff would support a condition that in the event that the pressurized irrigation system is dedicated to the city, then it would be held at that time. The Development Agreement indicated that there would be several city parks. Right now, the plan is to dedicate just one city park of 10 acres as a public park. Staff would ask the applicant work with the Kuna Fire District, based on how many houses can be built at one time. There has been an incomplete application submitted by the Kuna Rural Fire District for a new site, which is almost a half-mile south of Cloverdale Road. Staff has worked with the applicant to get it before you tonight, and they have submitted everything that staff has asked for. Staff finds this application to be complimentary to the comprehensive plan goals and the comprehensive plan map. I stand for questions. **C/Laraway**: You mentioned the sewage situation. Is there going to be a sewage system built on site, or will it be transferred all the way back here? **Troy Behunin**: It will come from the Falcon Crest Subdivision. It will travel down Kuna Road for a large part of that. It will empty into the Orchard Street Lift Station. There will not be a sewage site on Falcon Crest. It will all travel this way. **C/Laraway**: The Commercial lot on the corner of Kuna and Cloverdale Road, will that be commercial pads or will we see townhome applications? **Troy Behunin**: That will allow for townhome or any other kind of multi-family or single-family residence. It will be commercial uses. They will come back with a plat for that, because right now, it's being platted as one single lot. They'll come back at a later time when the commercial development does kick off. **C/Young**: Have there been any discussion with Kuna Police Dept for that jump in current control areas to this, and have they worked with staff to do all that? **Troy Behunin**: ACHD will not support or fund anything with roads until there's actually been something created. That also goes for police and fire, too. Their actually contracted through the city as Ada County Sheriff Office. They will add more control once this comes up. **Wendy Howell**: The fire and police departments attend the pre-ap meetings. As far as coverage, the budget season is when council and the sheriff's office determine if there's additional need for additional detectives. That would go for the next coming year. **C/Young**: For the code modifications addressed in the DA are just specific to the DA, not a city-wide request? **Troy Behunin**: Correct. It's not a city-wide zoning code request. It meets the criteria for a PUD. **C/Gealy:** With respect to these exhibits, the schedule of district regulations and official height and area standards, they are only applicable to this application, correct? **Troy Behunin**: Any code changes are specific to this project only. **C/Damron**: I didn't see anything on street sizes. Did they send anything in? **Troy Behunin**: They did not, they will have to meet those standards. Even for the private streets. They have met with the fire district. The fire district did not have any significant concerns. Fire hydrant spacing is not handled at this level. That is a technical question that is handled during construction plan review. The only standard that they are requesting a change for is the length of cul-de-

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sac. They are willing to and will provide emergency accesses for those over length cul-de-sacs. The two cul-de-sacs that they have proposed do meet code. **C/Damron**: The C-2 access, that's internal from within that subdivision? **Troy Behunin**: They will have to go through the preliminary plat process for that. **C/Damron**: They've got the access points for the other phases. Do we know if that will be internal or external? **Troy Behunin**: It will be external. There are separation distance requirements, especially for an intersection. **C/Gealy**: There will be pressurized irrigation on the common lots, golf courses, and lots themselves? **Troy Behunin**: Yes, they have to come up with their own pressurized irrigation system for that. **C/Gealy**: The swales are on Cloverdale, but there is no curb, gutter and sidewalk? **Troy Behunin**: All arterials and collectors do require those to the proper widths. **C/Gealy**: Curb, gutter, and sidewalk? **Troy Behunin**: We're willing to work with ACHD. Sometimes we have these roadways in the five-year work plan. If they are not in the work plan or capital improvement plan (CIP), then they would require a swale. Staff would like to recommend that if it's not in their CIP then they widen and improve it to city standards. **C/Gealy**: Would that also include Kuna Road? **Troy Behunin**: Yes. **C/Laraway**: Is there any discussion about greenbelt walkway? **Troy Behunin**: Yes, there is. They have their own master plan for a regional walkway system. That's in addition to the internal walkways, which will be extensive. They plan to exceed our open space requirement by a significant margin. **C/Gealy**: I have a question regarding the development agreement. The red copy that you gave us, does that also include the red line copy that was in our packet? **Troy Behunin**: Actually, this supersedes the development agreement portion in your packet. That represents everything said since yesterday afternoon. **Troy Behunin**: Staff would also note that there were four letters sent in from the public. The fourth one was not, and it was anonymous. That does not meet the requirements for sending in a citizen's letter. C/Gealy: On page eight, item number 1.5.7 private road. I think it's confusing to have a public street a private road. **Bill Gigray**: With regards to the definitions, the reasons that they are definitions for private roads and public streets is so that we can find in the development agreement that this development will have both. When we're using the word streets, we're denoting that these are going to be public. ACHD indicated it would be in their jurisdiction. They would be the holders for the public streets. The private roads will be retained, and in accordance with the development agreement, the developer once they have been completed will then be transferring those to HOAs. Within the HOA CC&Rs, they'll be responsible to maintain them. **C/Gealy**: What I don't understand is why public street is included as a separate definition and it is also included in the definition of private road. **C/Gealy:** Can I request that we get a current copy of the agreement before we discuss it? **Wendy Howell**: We can go through your concerns to make sure they are addressed on this new development agreement. **Wendy Howell**: On our copy, it just says any road or street. **C/Gealy**: Next is 5.1.1.5.1. If they're going to modify curb drainage and other standards, then would they need to go through another approval process or will they modify it at will? **Troy Behunin**: This gives them the ability to modify that. The standards and what actually is transpiring will actually be construction plan review. **C/Gealy**: Would there still be staff review of those modifications? **Troy Behunin**: Yes. **Wendy Howell**: In addition, it will be looked at in the subdivision review process. **C/Gealy**: In the next section, it mentions an owner's association. Typically, we hear about homeowner's associations. In this case, it's referring to an owner's association. **Troy Behunin**: If you go back to the definitions, owner's association refers to any nonprofit organization or any responsible for the maintenance and operation of management, private roads, green space, public green space, pressure irrigation system and common lots as such are set forth in the CC&Rs. It is talking about a homeowner's association. **Bill Gigray**: The reason to include that it is a non-profit entity is because the developer intends to form either a non-profit corporation or it could be a non-profit association. There are different kinds of entities that can be created under the Idaho law to establish membership and the membership within those. These are usually the property owners in the designated boundaries of the homeowner's association. They're the ones who establish and pick the board of directors. They manage it just like you would manage a corporation. They are responsible for administering the CC&Rs in the designated areas, and it's my understanding that planning this development will be done in phases so they will create different HOAs for different phases of this development. **C/Gealy**: My concern is that when I read owners, I think I'm rightly so that it will include all owners of the property will be represented. If everybody with a 6,000-foot lot gets one vote, the people in the golf course get more votes than anybody. I have that the homeowners be well-represented in the presentation. **Bill**

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Gigray: You might want to ask Mr. Tate about that with regards to how they plan to deal with HOAs and the entities that they create. How I understand it is they will be able to review all of those, because we're going to be really concerned that those associations will be in a position and well able to maintain all the necessary infrastructure that they'll be responsible for. It's their intention that it will come back before it's ever finalized. **C/Gealy**: My feeling is that we are representing the residents and future residents of this area. 5.2.2.7 reimbursement regards to potable water service. What does this mean? **Troy Behunin**: They are subject to the reimbursement agreement, and it's been decided in the reimbursement policies that the city has in place right now or that are reached through this process. **Bill Gigray**: We are prohibited by law to extend and enlarge our proprietary systems water and sewer. Developers can put extensions to them to at their expense if proposed. We require them to oversize the line so that it would be able to handle the load of adjacent properties as those are developed. When they do the oversizing, through the reimbursement process they can recapture some of the investment that comes from these hookups. This is a process used all over the valley by cities that are growing. It enables the city to maintain a controlled sewer and water system through this process. **C/Gealy**: My next one is 5.4.2.2.4. It says the developer shall be eligible for reimbursement of 100 percent of the cost. **Bill Gigray**: It would be the same idea that I mentioned for water. **Bob Bachman**: We have a section of the sewer line that's basically 7,700 lineal feet that the city had to put in. Instead of the city putting it in, we are actually having the developer put it in and basically treat it as a CIP. The benefit to the city for doing that is general contractors can do it much cheaper than we can. That percentage of the 7,700 feet is 100 percent eligible that will be eligible for reimbursement. The fee for future development tying in that line will go to pay that back quicker. They're putting in the line for us and getting reimbursed for that section of the line at 100 percent. Some of that basically gets done by the developments. **Troy Behunin**: They have to pull it like three and a half miles? **Bob Bachman**: From Cloverdale down Kuna Road to Strobel, the developers putting that section in are paying for their reasonable duty and we will reimburse them for anything over their reasonable duty. **C/Gealy**: For 5.5.7, in locations where pathways and trails are isolated and not connected to any development or trail, such isolated trails shall be constructed and approved by the city. **Troy Behunin**: The whole trail system is not being built all at one time. Portions of that will be built with each phase as it progresses. In a way to make it a better situation for the developer and public interest, a short trail doesn't just end. Really what we've negotiated with the developer is that small trails won't just be created and site for long periods of time. We're hoping to extend as much with each phase as we can. **C/Gealy**: Why would the city construct those trails rather than the developer? **Wendy Howell**: We will delete constructed. The system will be constructed by the developer and then dedicated to the city. **C/Gealy**: For 5.6.9, I just wanted to clarify the statement beginning with if the developer develops and conveys any public park within the subject property to the city upon approval from the city administrator of the public park improvement costs. This included the fair market value of the land. My question is with respect to all other developers that come before us and we ask them for amenities or additional amenities and they pay park impact fees. We have not offered to any other developer that I know of an offset of their park impact fees by putting in a park. **Troy Behunin**: It is offered to any developer that comes in. It may not make the public arena, but it is offered. There is a Kuna City ordinance that does allow for that. **C/Gealy**: I do understand that this is a different animal here. I want to make sure we recognize that we're opening this as an opportunity. **Troy Behunin**: Other developers have implemented that same structure involving parks and trails. **Bill Gigray**: This really follows the impact layout of the State of Idaho. There is a mandatory provision in your ordinance for impact fees, and it's driven by state law. A fee payer can request a credit if they are entitled to an offset that's in the CIP for the parks. The payment of those fees, for which the fees can be used to buy for an improve facilities. This is doing nothing in my mind but complying with the Idaho Law and what the city's own ordinances which follow the law for development impact fees. **C/Gealy**: The next one is 8.5, the top of page 25. Could you explain this section please? **Troy Behunin**: With respect to the residential densities, as was discussed earlier, the minimum lot size for an R-6 right now is 4,500 square feet. Their average lot size is 6,500. They will exceed that in terms of density. They may get into a situation where they can't reach R-6. They may shift things around so one village is 5.2 dwelling units per acre, but they cannot go over six. That will be reviewed by staff in the preliminary plat process. **C/Gealy**: The next one is at

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9.1.3.1, just further down on that same page. Where it says the City Council shall grant an application for a limited termination for some parts of this agreement, is the shall a directive? Should it say shall or may in this sentence? I would like to defer to a legal. **Bill Gigray**: The reason why this has this wording is that it would depend on the circumstances in which the applicant is going to want some of this terminated. It's going to depend on the completion of the complete phase of the project. The idea was that they would come back, and they would say all of it Is completed and in place. We want to have a certain portion of the agreement terminated. I wanted to make sure that we included provisions for perpetual maintenance and operation of infrastructure is going to be maintained throughout by a homeowner's association. That's why that was left in there. If they were seeking terminations in portions of the agreement, it would likely only be parts of the agreement, rather than the whole agreement. **C/Gealy**: Does the City Council have flexibility to grant the limited termination. **Bill Gigray**: "May" is a better word for us, absolutely. **C/Gealy**: I prefer the word 'may' as well. My next one is 11.2. For this part, if there is additional property will there be another PUD? **Bill Gigray**: I requested that be added there, because the applicant wants to have the assurance as they move forward. The city's zoning ordinance is as it is now. They don't change as they add phases to this development. We were saying it's ok within the original property subject to development within this agreement. We're not going to agree that it can automatically apply to some additional property that they may want to add to this development years from now. If you change your zoning ordinance for whatever reason, then those new ordinances would apply. **C/Gealy**: Section 14 on default, it did seem that it was primarily one sided, but you'll continue working it. **Bill Gigray**: It is provided so that the developer can only seek specific performance in the agreement. There are provisions are there for which the city can seek modifications for the other. The way in which it's written, there will be more options for the city than there would be for the developer. It is a deliberate process of notice of intent, ability to cure, proceeding through the process that will end up in the City Council's lap. Much of it, if you have original jurisdiction, will start with you, and it would go directly to the city council. This process also assures that the City Council and you have a chance to look at the default and determine. If they claim that we're in default, then they must go through the same process. They can't just run to court and say that we're in default and try some sort of declaratory relief action in district court. They have to go through our process and we have a chance to address whether we are or are not. **C/Gealy**: In 14.1.3 under default, there had been a comment regarding mediation. I don't see it on the copy that I have here. The part that states that the claimant shall ask the Planning and Zoning Commission or City Council to proceed to set a hearing and provide written notice of the hearing to show cause of the accused. In the event of default, the Planning and Zoning Commission will potentially hear the default? **Bill Gigray**: Yes, if you have original jurisdiction and other factors, it may just fall to the City Council. It's hard to tell at the point. As you know, this is a very large development with all kinds of issues. Some may be public works alone, some may be a compilation of a PUD permit. You have original jurisdiction and it seem to me that if you have original jurisdiction on the granting and permitting process, then they're in violation of the development agreement as well. They'll need to come back to the original jurisdiction and that's why it's written that way. **C/Gealy**: The last question I have is on question 16, legal defense of this agreement. The city and the developer may mutually agree to hold a legal counsel. However, all other costs of such defense shall be shared equally by the parties. **Bill Gigray**: It's helpful to the city too, because if we get third party action claiming that the agreement was contrary law, we would probably be in a position for good faith and fair dealing under a contract to defend it as well as the developer. The idea is for the parties to share the cost of defending the agreement if they declare that it is unlawful. **C/Gealy**: In the packet I received, there was nothing about CC&Rs. There was a title page and nothing else there. Are they not available yet? **Troy Behunin**: That's not something that we actually review, they just have to show and provide for a homeowner's association the CC&Rs. It's just to show this body and the City Council that there are CC&Rs for the owner's association. **Wendy Howell**: We do review the maintenance portion to make sure all of that's covered, but not anything else because it's a civil issue. We don't comment on them. We'll get that with the final plat. **Troy Behunin**: We want to make sure that the proper mechanism is in place to take care of the trails, the roads, and the green spaces. **C/Gealy**: 5-3-3 and 5-3-2 will only apply to the modifications on this project, correct? **Troy Behunin**: Anything is specific to Falcon Crest Subdivision. **C/Young**: We'll open the public testimony at 8:23. We'll start with

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those in favor. **John Lawson**: I am a resident of Ada County and I live in the subdivision to the west. I am actually opposed. I am representing myself and my neighbors. I'm on the board of the Cloverdale Ridge Corporation just to the west. We provide irrigation water for about 50 homes, farms in over 250 acres of irrigated land, which has been there since the late 70s. All of the homes in this area have personal wells. There's not a unit that depends on more than the well. My biggest concern with this proposal is that I understand that you look at the surface. There has not been a Comprehensive analysis on this site. There are two wells that the golf course uses, and there is a drinking water well that the golf course drinks from. No sophisticated pump test has been provided. We are in no effort to document the water in the subdivision. We have two significant irrigation wells that could be affected by this. Those wells are a significant cost to us. One of those wells is fairly deep and is not drinking water. We have over 50 homes that could be affected. If we lose a well to our house, who do we talk to? We all have senior rights, but with bureaucracy, we would go through an incredible process to recoup our losses. **C/Young**: Next I have those who are neutral. **B.J. Henningfield**: I live at 11893 S Cloverdale Road, which is a house directly across from the new development. I'm concerned about the R-6, because that's in front of me. The other concern I had was the widening of the road. If it encroached on my property versus the development side. I want to know about the speed limit as well. I have two boys at home. Nobody really follows that speed limit. For the City of Kuna, what does the future look like for those five-to-10-acre lots? We have a lot of those in this new development. On the south side there, Kuna Road, this condensed look that we'll have out there will look kind of funky. I'm wondering what the future holds for that area as well as we move forward with this. **C/Young**: Next is opposition. **David Enhoff**: I live at 9901 W Kuna Road. We attended the initial meeting at Falcon Crest Clubhouse. Most are strongly against it based on our way of life. We have large animals, gardens, we have a 15-20 commute. We value small community and minimal traffic. Controlled growth is important for the current members. Infrastructure expansion would be enormous. An addition 4,000 plus trips from Cloverdale and Kuna Road, and a secondary road coming in east of Five Mile Road. Growth in other locations of Kuna has seen a change in the demographic. We're all on wells, and it will be affected. To handle the increase of populations and traffic, what properties will be taken to handle those needs? These people will lose 25 to 50 feet of their property lines and put homes closer to busy lifestyle. Developers are looking at this solely to maximize profits. Please respect the people who you are attempting to run over. Being a respectful neighbor is everything this community stands for. We would ask that everyone affected by the development have an opinion about it. We need their voice heard and carried equally. **Brad Rosenbaum**: 1091 Cutting Horse Drive. I'm on an individual well and the system, we're very concerned about water and traffic. I've been out here for 25 years and it's in jeopardy now. I heard Troy talk about the infrastructure of the water and the water lines. They will be built to Kuna standards. I'm concerned about where the water's actually coming from. Have there been studies on the aquifer We have 2,300 homes coming up and a lot of it is on dry ground. I'm concerned about the horse trailers trying to get onto to the road. Can some more studies possibly be done? **Brent Higby**: 12741 S Romiro Avenue. This is just off Kuna Road next to the development. As this growth comes, we need to temper it. If it fits within the surrounding area and subdivisions that are close to there. To the north are typically one-acre lots. To the west are 5-10 plus acre lots. All this is agricultural in nature. In 2009 it got rezoned. I'd like to mention that the R-6 will not fit well in the surrounding area. Also, one person uses 80 to 100 gallons of water per day. When that comes out of the ground, it gets used in their system and goes into a sewer pipe on Cloverdale. With the amount of people, that becomes 600,000 gallons of water per day. It won't percolate back down into the water. **Richard Wharton**: 999 Cutting Horse Drive. I'm about 600 yards west of Cloverdale Road. We've lived in our property for 46 years where the golf course was developed. I put myself down as semi-neutral for this development. When the golf course was developed, it was planned to be a class act. What I find inadequate is the analysis of where the water is coming from. There is no record of where the water is coming from. Will we dry up and have to do new wells? Should there be a condition that the developer put money in for our wells? Nobody knows. The Bureau of Reclamation has done studies near the New York Canal. **Vicky Lane**: 3907 E Indian Trail. I am off the beaten path but Cloverdale is my path out. Cloverdale is my main concern. I look at the houses that are right on the street, are they going to be widened? How many streets will be added? What's our speed limit going to be on Cloverdale? It said in the statesman here

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last month that road construction will begin in 2023. The Cloverdale won't expand until between 2031 and 2035? We'll have 2,000 houses and the road won't be started for four years. All of these rural communities next to the subdivision I support. **Brian Wilson**: 6171 Cutting Horse Drive. My biggest concerns are water and traffic. I understand they pump a tremendous amount of water for the golf course. If you take what they're pumping and add another 2,300 homes, they're taking so much water but they're not doing it year-round. Can they only pump during the ag season? I'm not sure how those wells work. That and traffic will become more and more of a problem. We all know that, but you can widen the road but the traffic noise will be a problem. I used to live off of Victory Drive and they put that big wall on the other side of the freeway. **Richard Vick**: 11457 S Cloverdale. I raise hay and I'm right across the entrance to Falcon Crest. When we moved in 16 years ago, we were told they'd add 400 houses. The meeting's been hyped up. The area is 220 feet with no water left in it, that's all. If you allow this development to go in with these wells, you'll put our whole subdivision out of business. None of us will have any water. **Nicole White**: 12625 S Five Mile Road. Next to me is the sod farm field. Everyone in Desert View has farm animals. A lot of our homes were built in the mid-70s. Having that type of atmosphere next to an HOA type atmosphere doesn't fit. The school concerns are noticeable. Rural people are feeling forced or pushed out. When I heard of this my heart sank. Our whole style of life is being threatened. If this development happens, we won't stay around. We don't want an HOA type of community. I'd like to speak on behalf of those families that couldn't make it. I don't know how the demand is for all of this senior living. I would like to more affordable housing. Who will fund these HOA communities? **Tom Atwood**: 12793 N Sonora in Desert View. I've lived there for 42 years and I kind of expected this to happen. We have a pressurized irrigation system and a domestic system. We have a little over 200 residents. We pump one million gallons a day as a community. 10 million gallons a day would occur in the irrigation water in the summer months. **Ben Eichelberger:** I live at 4008 E King Road. I live 2-3 miles southwest of this development. My kids are the fifth generation to live on this property. I commute north on Cloverdale every day. It's six miles to Overland. The plans for widening are way out. I'll take exception to the 55 and over, but what is the average retirement age. There are many people working well into their 60s. I just ask that you take that into consideration. Thank you for your time. **Mark Tate**: Commissioner Gealy asked about the owner's association. We run HOAs typically in the course of all of our developments. As we are developing, a lot is declared by the HOA board. That master association will take over certain portions of the project. There will either be affiliated associations of that master that have private amenities that aren't available to the entire community. The community also won't have to pay for those amenities. There are basically neighborhoods within the homeowner's association that will have their own structure. For instance, if you have your own community with private streets. You will have access to all the master amenities. However, if you're not in that area, you won't be paying for their private streets, the parks within that area. There are benefits to each of them, if somebody wants to be in the gated portion. There will also be amenities that are for everybody in the community. There are community parks and entry monuments. It's a master system so there will be use of those wells that are currently out there. To get to your question about HOA representation, it is very developer oriented. You're probably wondering if the golf course is part of this association. Our owner's association would really just be for the golf course. We've done it 100 percent the opposite way where it's basically an HOA amenity. For the isolated trails, I do in my defense want to say that there's another way to refute that. The city will not build the items as mentioned earlier. In the termination section, we just ask that we have a little bit of flexibility as we continue to make that exactly what it needs to be. We'll do that through your motion. We want to continue to work on that agreement to clean those things up. I think that the structure is there, we have no problem with what the attorney described. As a response for what I've heard from the neighbors, there were three main themes that I heard. The first was water, which was obviously a concern. Development uses less water than agriculture, irrigation water is still used seasonally. The really isn't a more water-intensive unit than sod. If the whole thing was going from dry land to development. We'll be taking sod out of production for the most part. As part of a permit to drill a new well out, the submit a watering plan to the Idaho Department of Water Resources. They submit readings from that well to monitor aquifer levels. To their question about impacts, you need to monitor them. There are provisions in the state law to address impacts to wells. There are also provisions in state law that says if you have 200 feet of water in the aquifer, and

you draw a well to the top foot, that doesn't necessary preclude people from certain wells. It needs to be a reasonable depth of wells, so this is certainly not the first place to deal with these sorts of things, and I certainly understand their concern. We will be very efficient with our water systems, it's smaller lots and lawns which should be a benefit. Cloverdale and traffic in general are the other issues. Development pays impact fees, unfortunately the roads must be built in phases. ACHD does have their five-year work plan. With this interchange being replaced, they're actually looking at speeding up a lot of those projects. This is because they thing that it will be a better connection. We'll at bike facilities and a lot of other stuff. I would say look in the near future at the iterations that accelerate some of those projects. We're paying impact fees, building the frontage, and ACHD will continue as we submit the preliminary plats to condition more improvements. We will continue to look at the offsite improvements. There was a question about right-of-way and the additional side. That shouldn't happen. There is enough right-of-way out there currently, and we certainly don't have condemnation of those improvements. We'll build half of the road with a five-lane section. That will be the extent of it. The speed limits are determined by ACHD. The last big overarching concern is just with the rural character in the area. The houses and the lots will be much smaller. They'll be a higher density development. It's developed at 2.25 units per acre. That is a low -density development. While there are clusters of higher density, overall there's a huge amount of open space. A typical suburban development might be three or four units per acre. Much of it is relative. We certainly want to be respectful and mindful of our neighbors and those folks around us. I'm proud of neighbors not saying that this development is shoddy. All of the developments we do are high quality and we're very proud of them. They will bring a lot of value to the area. There are also concerns about traffic and water. Having a really high-quality development next door. This will enhance property values and make properties more desirable. I think we do bring a lot of benefit to the area. We'll bring food service, new club facilities, and a walking pass. This project will still be built incrementally. This will be a 20-year project. The improvements will come as the rooftops come. Please include the requests I added in the presentation. **C/Young**: The family zone on the east end of the property, what are the lot sizes that you envision for something like that? **Mark Tate**: A third of an acre lot is typical for those. **C/Young**: There's a conflict between the DA and the landscape plan. The fencing called out as wood, but we'll modify that as we go. **C/Damron**: The gated community at 55 and over, is that planned for without children? **Mark Tate**: Correct. **C/Gealy**: You're not developing the commercial now. There will be access from here to the commercial property. That would not require driving back to Cloverdale and back in. **Mark Tate**: We didn't include any streets to go in naturally, but if you look at the landscape plan, there are connections on the north and east side. They would function as emergency accesses as well. **C/Young**: We'll close the public hearing section at 9:16. **Bob Bachman**: The City of Kuna is currently in the middle of a rate study, and we got detailed into water use, sewers, capacities, basically across the board. Currently, the average family in Kuna uses 206 gallons of water a day. This equals about 60 per person. We have roughly just under 7,000 houses and we use about 1.2 to 1.3 million gallons of water per day for 7,000 houses. Over the last several years, we've reduced our potable water usage on an annual basis by roughly 3 million gallons. One reason we've been able to do that is our pressurized irrigation system and not allowing residents to use potable water for pressurized irrigation. They must use the wells that are already in place. That will help eliminate some of the concerns or problems that could come with allowing them to use potable water. One thing that we saw in the rate study is that there are roughly 300 homes. The City of Kuna right now uses potable water for irrigation. Those users take 80,000 gallons of water and the average user on pressurized irrigation is roughly 7,700 gallons of water. It's a significant savings to create a pressurized irrigation system separate from the water. That's one reason why we're requiring that. Department of Environmental Quality (DEQ) has ultimate authority over usage of the wells. If the water isn't available, they won't let us drill the wells. As a City, we're held to a much higher standard than a domestic well. We'll also drill two wells and put both wells in one hole and pulling out two aquifers instead of one at the same location. Ultimately, this lessens the impact of the water table loss. We're taking every precaution that we can to make sure we get it right, we'll also be drilling test wells. At this point we can't do that, because this property is not in the City of Kuna. We have also hired one of the best hydrologists in the state to help us with this. We're confident in the information and plan he shared with us. **C/Hennis**: We hear the concerns of the public with the wells and the efforts you're making to

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mitigate it. What have you found out so far with the hydrologist? Is there enough water out there? **Bob Bachman**: All of the information that we've been given through our due diligence process of picking well sites shows that we have adequate water. Until we drill test wells, we will have to find the right water level and get to it. Like Mark said, we are required to do a monitoring plan and monitor those wells. **C/Hennis**: The concern I have is approving this and then getting to the point where there's not enough water. We're past the point of no return in that case. Bob Bachman: The first thing that we're doing is the wells. If we don't get DEQ approval, then we're not drilling wells anyway. As of right now, we're in the process of doing that. Hopefully this spring, we'll start doing test wells. In theory, our wells should be ahead of our development. **C/Hennis**: As a city, drilling wells out there, utilizing that water, does it take away from the present usage of those aquifers? If there is a way to show that it has the capacity, then it will alleviate that. I'm sure that it's the cart before the horse and the horse before the card. **Bob Bachman**: That is what I've heard more than anything else. The only way that it can be figured out is the test well process. The city has decided to drill a test well to see that we get a good aquifer. We need to make sure there's plenty of flow until we drill the test well. It's not until spring. **C/Damron**: I have a problem with that Bob, some of the people here have been here for generations. When they drilled wells in those days, somebody would add a well at 60 to 70 feet. To draw an aquifer down with that much usage of water, another gentleman said that he had static pressure at 60 feet. We will draw that down, because they're at the top of the aquifer. Knowing what the hydrologist knows today that we didn't know back then, I have a concern that they're going to draw their wells down and they'll be out of water. You'll be in the aquifer and they've got enough flow, because they know it's there. We'll do a well depth study on what these neighbors all drilled their wells at and where they are footage-wise. We could be drawing water to where they won't have anything and we're saying that you have to go deeper. $25-30 per foot is a lot of money. **Bob Bachman**: A municipal well will be deeper than a domestic well anyway. **C/Damron**: We have aquifers at 150 to 250 feet deep. We're dropping it down to 160 feet. We're in the middle of the aquifer as a city, where these guys are at the top of the aquifer. They went down at say 65 feet. Say they go down to 75 feet or 80. They got a static pressure of 50 feet in the pipe. We're pumping water down at a rate to where their static pressure will drop below 65 feet. Their pump is down 10 feet below, we could get it down below that. They're still in the aquifer, but now they have to drop their pipes down another 60-70 feet. **Wendy Howell**: We're recording this hearing, we cannot have applause as it overrides what's being recorded and discussed up here. **Mark Tate**: What Mr. Bachman is saying is that until they go and drill, we're just guessing. The test well will tell us what is happening in the aquifers. Water is typically slower than others and has the ability to impact more or less. The best way to do all that stuff is to do a drill a test well and do a pump test on that. You go and monitor all the other wells around it. While you're doing that pump test, which is what they'll do. We have irrigation wells and additional wells in the area. You could measure the influence or not measure the influence. We want to ask how transmissive, how much water will be an impact and how much those impacts will be. There is a process for all of that. The well processes go through the state, much regulation for impacts on wells. People are concerned about it, I get it. The city's got to do their work. Plan B is to build a water line and there's provisions in the development agreement and there's some reimbursement policies for that, in which we would have to build the water line for it potentially. I'd extend it from Kuna instead of doing wells there. We're not going to know any of that until we get into it. We won't know most of that until the development moves forward. **C/Hennis**: Some of us in the industry like yourself and citizens don't understand what was being said there. What you're saying in the development agreement is that if we get to the point where this goes through and there's not enough water, then you guys will put a water line in to supply the subdivisions versus pulling from the well that will take from the people that already exist out there. Is that correct? **Mark Tate**: If we can't get the well approved, or the city can't, or the water quality is not good, then bad things could happen. The second option is that you're pulling the line from those wells. **C/Laraway**: While this process is happening, to keep these folks informed on what is going on, how do they keep in the loop during this process to keep them informed? **Mark Tate**: I think that they certainly could reach out to the city. **Bob Bachman**: We have an open-door policy, any information that we have is public record. The permits are only approved if DEQ thinks that it's adequate water. **C/Damron**: I think we need to do a well-depth study with the depth of the aquifer. I've watched our static water go to 58 feet. I've gone to 65 feet. We had to

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drill a new well, because he didn't do a well depth study. We know that the water is there, but will that affect the residents around there? For the irrigation wells and the potable water. I don't feel we're putting the cart before the horse. We need to pass it to know what's in it. What I feel that I will have to do tonight is to pass this, and then we'll find out about the water. If we have the water for this to do it, if not then we need to work on the city water system to get it out there. **C/Young**: Obviously, there's large traffic concerns too, not just the water. **Bill Gigray**: With your permission, members of the Commission, I just wanted to point out that in the development agreement, I think this is what Mr. Tate was discussing. It's section 5.2.1.2 on page 17. In the event that the city does not secure the water rights and well permits, to prepare and submit an offsite potable water plan that would connect the subject real property to the city's potable water system. The offsite water line would be the responsibility of the developer. That's how development agreement works. **C/Young**: Does the city have the capacity to suck from our wells by the four miles to supplement that, if that turns out to be the case? **Bob Bachman**: We do. As full buildout occurs, we have to expand our system to keep up. You guys approve these all the time. As we do a development, we just hook in and keep going. The reason we do that is so we don't have to tear it up and redo it. Every well we have in the city limits right now is a loop system. If we have 10 miles, those 10 miles all feed one another. If one well goes down, one well picks up the demand. It's very efficient to do it that way. Ultimately, if we drill wells out there, it will be looped. **C/Damron**: Say we go to full buildout and go to Kuna Road through Cloverdale, the well passed and says we have enough water. Say 30 years we get down that road, then they say we don't have enough water in the aquifer. Since the city took care of that, the city will have to pay for that development. This will incur huge costs to the city. Say we're five miles down the road with developments. Now we've got to build a road to where we're at now all the way out to where the aquifer will no longer support it. **Bob Bachman**: A developer is responsible for water or sewer to and through their property. Say we put in an eight-inch by 12-inch, they are responsible for that size difference. If we don't ultimately bring our line out there, he would most likely be eligible for some reimbursement now. We would make him oversize it. It wouldn't make any sense to just bring a line out there that only services his community. It would be more cost in the long run to do that, if your scenario were to play out. **C/Damron**: Would it be more cost effective to use the city to use that as say, a booster well, have them run the lines out there, use it as a booster well as it builds up? Then we're not sacrificing the water that's there. We can utilize it down the road. Bob Bachman: I wouldn't say more cost-effective. It's always more cost-effective to have your sources as close to the demand as possible. From a cost-effective standpoint, the most cost-effective thing to do would be to drill wells on the site. **C/Young**: To partly answer your question, I think that looking to do that before any test wells were done would be an undue burden on the developer if it turned out there was enough. This would be better than pulling out five miles of line. **C/Damron**: I'm thinking when we're gone 30 years down the road and that's built out, at what point does that aquifer drop off or the static level drop far enough that these people don't have water? We need water further down the line, and now say we're ten miles back from the city sewage out there. You've got to pay for that whole 10 to 15 miles of pipe and line. This is to where the other developer now hooks in to it. **C/Gealy**: But at what point do the people out there hook up to it the city water system? **C/Damron**: Do we put an undue burden on them that they have to? **C/Young**: They can't, because they're in the county. **C/Damron**: If we as a city take their water, they have to either incorporate into the city or something**. Bob Bachman**: The city has allocated water rights that we have to use up, or you lose them. Say Mr. Tate builds five different preliminary plats in the next five years. Before every one of those plats, we have to issue a will-serve ladder on behalf of DEQ. What that means is we are capable of serving the next project. If DEQ says we're not capable, there is no next project. DEQ regulates that from a sewer perspective and water sewage perspective. You're getting ready to do phase 11 and there's no water and sewer capacity, we can't issue them that will-serve letter. We stop until the problem resolves. **C/Young**: At that point, the developer would have to maybe bring the line out at that point. **C/Gealy**: I would go back to what I heard several times, which is that this uses less water than agriculture. Right now, they're watering sod out there out of wells. **C/Gealy**: Without a study we don't know. **C/Hennis**: A study would give us hard numbers and assure our citizens that if we're going to have water or not. **C/Gealy**: It sounds like the city is more than willing to do a study once the land is annexed into the city. The city feels it's imprudent to do a study on the land that isn't in the city. **Bob**

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Bachman: We're currently in the middle of a rate study. The rate study clearly shows the people that are using potable water for irrigation use 10 times more water. The study clearly shows that. It will probably go to the City Council next month for review, and the study shows that the 300 homes we having using potable water use quite a bit more extensive amount than are on pressurized irrigation systems. **C/Young**: My other concern is traffic. To me, reading the traffic impact study, it looks like what was done was the buildout in 2040. It tried to address everything looking at where we'll be at in 22 years. A fair portion of those that were being addressed in the five-year plan for ACHD (obviously not all of them), ACHD modifies those. North of the development, I think that it worked out as the impact for how the process works. My biggest concern is right here by the development. The only thing that was listed in the traffic impact study was for 2022 based on the current buildout. In 2022, they recommended putting in the left turn lane. Personally, I'd be in support of a specific traffic study for this plat. It's good to know when we're at 22 years from now. I want to know what they want us to do to mitigate the traffic right here at the proposed entrance. I want to know specifically what ACHD wants us to do. I think that's something that needs to be done on the plat approval. I don't know if there are some things that we need to approve. For me, a pre-plat approval may need to be tabled for these 400 homes. **C/Hennis**: This is the influential corner for all the neighborhood down Kuna Road, this will impact the most people. **C/Young**: The product they're proposing is good quality, I think that they wouldn't be proposing to build them if the market was bad. There are many people retiring early. For me, there are pieces of this that I could recommend approval for. **C/Hennis**: Providing the annexation and allowing the city to move forward with their pre-work would probably be good. How does the PUD figure into this? **C/Young**: The PUD would be the concept of the overall development and the functions of those pieces, adult, family, the way it's spread out. **C/Gealy**: Can we treat the items separately? **Wendy Howell**: Yes. Another thing that you could do is condition with the recommended condition that the TIS be completed for that before it goes to the City Council as well. **C/Gealy**: Would the traffic impact study before City Council address those concerns? **C/Laraway**: They would have to do speed studies of 15 days or so to complete it before it gets to council. **C/Young**: If it takes 3-4 months for a study then it takes 3-4 months for a study. **Wendy Howell**: I was notified by the developer that the TIS was completed. **Mark Tate**: It was completed 3-4 months ago. ACHD acted on the entire project, and that's what you have before you in the package. ACHD also did the phase one impacts. They were going through an ordinance change over the last couple of months. Their conditions were changing while it was all submitted. It includes everything that you wanted to submit in there. This was part of the approval to City Council. **C/Young**: Actually, if it's completed, I'd like to review it myself. If that's available, I would be happy to table the preliminary plat to have time to review that. **Mark Tate**: I wonder if there is a way that you can move us forward and add a condition to come back to you to meet what you want to see in there. **C/Young**: As a commission, we need to review it before we go forward to City Council. **Mark Tate**: That wasn't our doing, that was ACHDs. We've been tabled here for a month. Everything we're doing is time sensitive. If we can't move forward, we'll lose an entire year. I would implore you to move us forward conditioning what ACHD did. The staff report requires that we build all of our frontage to city standards. There isn't going to be anything different in that ACHD report. **Troy Behunin**: Staff would like to mention about the frontage requirements that City Code has marked points out. As stated in the staff report. Staff recommends that the build it to ACHD standards. If we're requiring full width, that will be far more stringent than what ACHD requires. We talk about all lanes, the whole gamut. ACHD doesn't car what happens outside the right-of-way. **C/Hennis**: We need to have the ACHD report to make sure that it meets your standard and everything around it. **Troy Behunin**: ACHD has a signature on the plat. Both agencies have to agree that it meets the requirements. We take their recommendations quite seriously over a number of projects. **Bill Gigray**: If you determine that you want to see that report, then I think you must continue at a later date when certain. You would say the purpose of continuing this study is to receive any comment on the part of the developer's staff or any property owners. With regards to that study, which would the limit the continuance of the issue. I think you should announce what they are and set a date and time for the continuance if that's what you choose to do. **C/Hennis**: What would be our use to see this traffic study rather than do a condition. If he wants to move forward to continue to do this, then that needs to be addressed. **C/Hennis**: It seems like our water concerns have a Plan B. It looks like there will be many preliminary plats. We've got backup water for the

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people that live there. **C/Young**: I'm fine with conditioning that in the report. **C/Hennis**: Steven, some of the stuff in the report, the well studies, is that something that they typically do in the monitoring? **C/Damron**: If they look at the area geographically and then geologically, because aquifers don't run straight all over. The proper way to do it is a well-depth study, which determines how much and where they will be in the well. It should tell them through the status of the aquifer how that static level's going to drop due to water usage. That will give them over time an idea of how much water they have, how much they're drawn down. **C/Young**: If we can follow ACHDs plan for mitigating some of the homes here, and obviously there's plans for water. I think that this is viable. What the applicant's done in the past speaks for itself. They do try to play well with others. As far as the annexation, comp plan, PUD piece, I have no issues. As far as the preliminary plat, I think that the development is consistent with the comprehensive plan. The trails go above and beyond what we see with many developments. **C/Gealy**: It's well over 1,000 acres and it looks like a residential density of about 2.25. That's far lower than anything we've seen come before us in a long, long time. This is not the traffic you'll have for an R-6 or R-7, same for traffic. That low of a residential density is low for the project. The amenities are good. I would like to see more transition for the lots on the edge of the neighbors. With this preliminary plat is this gated community. There will be landscaping swales and sidewalks and landscaping. That corner will be commercial will be beneficial to all. **C/Gealy**: I remember a deceleration lane already at the entrance of Falcon Crest Golf Course. **C/Laraway**: I think the developments in these phases, it's not like it's going to drop 900 homes in the next year and a half. It's probably a 20-year project. I have to trust the process we have in place. **C/Hennis:** I like the Plan B in there. **C/Laraway**: As far as the traffic study, I think this will help that it's people 55 and older. I don't think the growth in the next five years will impact the traffic study too much. **C/Gealy**: Where does the development agreement go? **Bill Gigray**: Because the city has an application for annexation and zoning which is proper (the state statutes the zoning), it goes with the application and the zoning. If we are authorized to do development agreements, when we do zoning. It's those two that kind of fit together, then we'll take these at a pace where it would make most sense to take the application and zoning in the development agreement first. I believe those would all go together. You can deal with the more specific requests that would follow. **C/Gealy**: I would ask for a clarification from staff about several conversations and conditions that we would like to have included or added. I feel that from a cursory inspection that the conditions would not really apply to the annexation, rezone or development agreement. **C/Hennis**: I disagree, one of the notes that I have is for the development agreement. The potable water rights and the default agreement are all the ones that I see applying to those. **Troy Behunin**: For the development agreement, that's all that staff recommended the affordability to continue to work out any of the nuances with the developer between now and City Council. Then we come up with complete product at that time. Instead of adding to the City Engineer's Memo. We add that pressurized irrigation be conditioned to dedicate those water rights for the pressurized irrigation system. This would be part of the preliminary plat.

Commissioner Gealy motions to recommend approval of Case Nos. 18-03-AN and 18-04-ZC with the development agreement and the conditions as outlined in the staff report, with an additional condition that the applicant would work with staff to refine and finalize the development agreement and include potable water, the default clause, and to submit a clean development agreement to the City Council. Commissioner Hennis seconds; Motion carried 3-1. Commissioner Gealy motions to recommend approval Case No. 18-01-CPM to the City Council with the conditions as outlined in the staff report. Commissioner Hennis seconds, all aye and motion carried 4-0. Commissioner Gealy motions to approve Case No. 18-02-PUD with the conditions as outlined in the staff report. Commissioner Hennis seconds, all aye and motion carried 4-0. Commissioner Gealy motions to approve 18-04-S with the conditions as outlined in the staff report. With an additional condition that the applicant work with staff to include recommendations from ACHD's report to mitigate the traffic of the first preliminary plat ; With an additional condition that the applicant includes the irrigation text from the City Engineer's letter, as appropriate; with an addition condition that the applicant include curb, gutter and sidewalks on Cloverdale and Kuna Road if they're not included in the ACHD five-year plan; With an addition condition that staff work with ACHD on the alignment of Five Mile Road. Commissioner Hennis seconds, all aye and motion carried 4-0. Commissioner Gealy motions to approve

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18-20-DR with the conditions as outlined in the staff report and the additional conditions included in the preliminary plat, which would include modifications to include text from the Engineer's letter, curb, gutter and sidewalks on Cloverdale and Kuna Road, to include that the applicant work with staff and ACHD to draw the Five Mile alignment, and that the applicant work with staff to provide sod for the driving range. Commissioner Hennis seconds, all aye and motion carried 4-0.

3. COMMISSION REPORTS

4. ADJOURNMENT
Commissioner Hennis motions to adjourn; Commissioner Damron Seconds, all aye and motion carried 4-0.

_____
Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

_____
Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department

City of Kuna

Staff Memo – City Council

P.O. Box 13
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To: City Council

Case Numbers: 18-02-S (Pre Plat)
Madrone Heights

Location: Near the northwest corner of Ten Mile and Kuna Roads, Kuna, Idaho 83642

Planner: Troy Behunin, Planner III

Hearing Date: Nov. 7, 2018 (Elections)
Tabled until: November 20, 2018
Tabled until: January 15, 2019

Engineer: KM Engineering
Kirsti Grabo
9233 W. State St,
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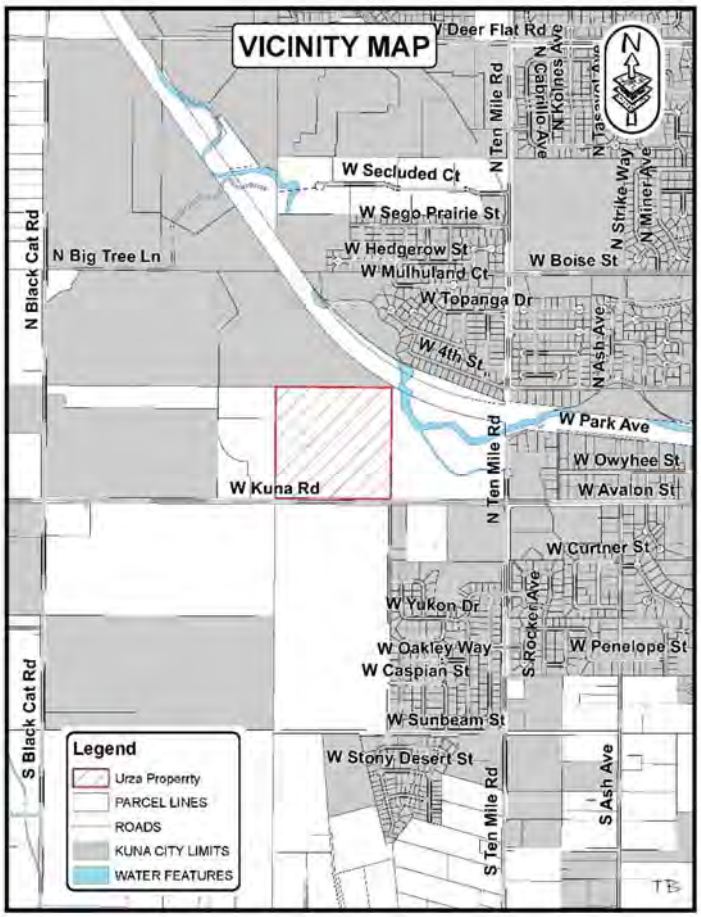
Owner: *N Star Farm, LLC*
Tim Eck
6152 W. Half Moon Ln.
Eagle, ID, 83616



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A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that annexations are designated as public hearings, with the P & Z Commission as a recommending body and City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

i. Neighborhood Meeting April 11, 2018 (seven persons attended)

ii.	Agency Comment Request	June 26, 2018
iii.	375' Property Owners Notice	October 29, 2018
iv.	Kuna, Melba Newspaper	October 3, 2018
v.	Site Posted	October 9, 2018

B. Applicant's Request:

On behalf of N Star Farm, LLC (the applicant), Kirsti Grabo with KM Engineering, requests approval to subdivide approximately 39.50 acres (previously zoned R-6) into 206 single home lots, an additional 27 common lots, and one shared driveway. A Design Review application for the landscaping for the 27 common lots accompanies this application. The address is 2030 W. Kuna Road, Kuna Idaho, and is located near the NWC of Ten Mile and Kuna Roads, in Section 22, T 2N, R 1W, APN #: S1322438400. This project is known as Madrone Heights Subdivision.

C. Aerial Map:

©Copyrighted

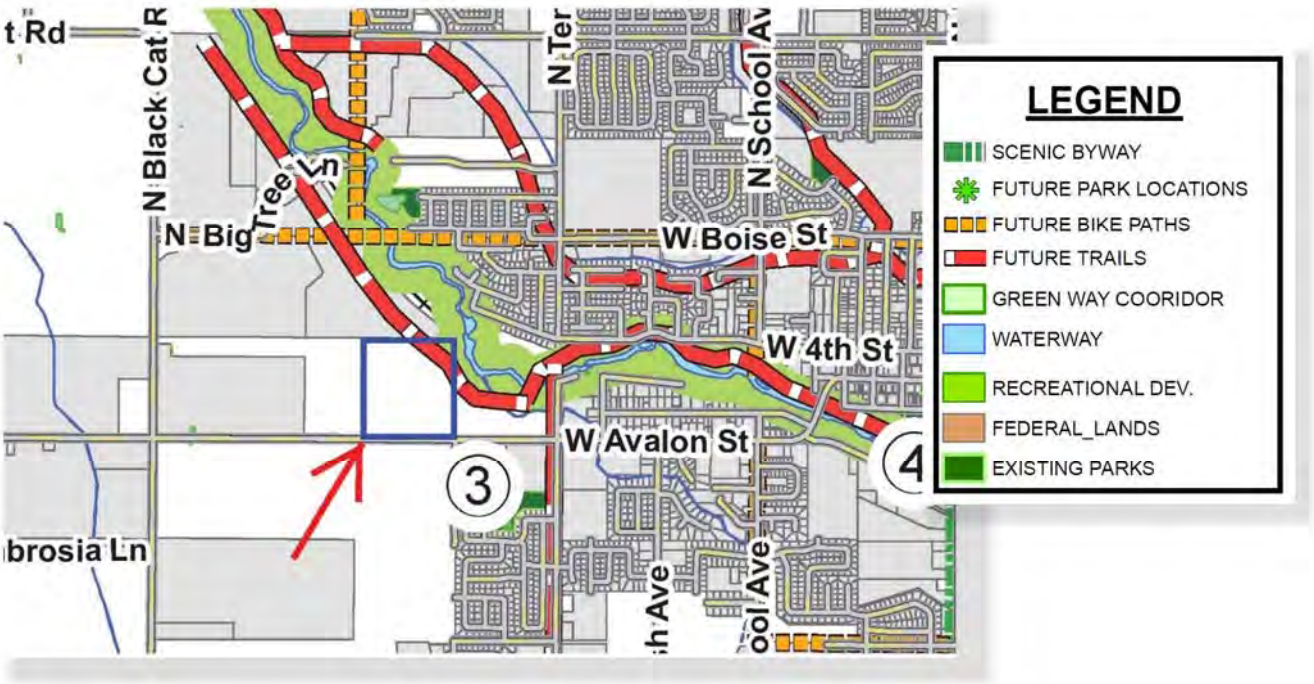
D. Site History:

This parcel is in the City of Kuna limits, with varying historical uses, ranging from residential to farming and is currently zoned R-6 (Medium Density Residential).

E. General Project 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. The Comp Plan map indicates land use designations generally speaking, it is not the actual zone. The Comp Plan Map calls for Medium Density Residential for this parcel.
2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail near the NEC of the site, situated along Indian Creek. Accordingly, it is the City's goal and desire to increase the number of trails and pathways in Kuna. It is necessary for each parcel to develop trails and pathways along

their frontages of creeks, canals and ditches to comply with the Master Plan's goals by either starting a pathway, or extending one in that area at time of development.



3. **Surrounding Land Uses:**

North	A	Agriculture – Kuna City
South	RUT	Rural Urban Transition – Ada County
East	RUT	Rural Urban Transition – Ada County
West	RR	Rural Residential – Ada County

4. **Parcel Sizes, Current Zoning, Parcel Numbers:**

Property Owner	**Parcel Size** (Approximately)	**Current Zone: (R-6)** Medium Density Resident	**Parcel Number**
N Star Farm, LLC	39.48 acres	R-6	S1322438400

5. **Services:**

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

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

The majority of this land is being used for agricultural purposes, a small part of the land was used for residential purposes (Approx. 1.5 ac.) Applicant anticipates that the land will continue the historic agricultural uses on the lands until development occurs. There are no outbuildings on site, or any other structures.

7. **Transportation / Connectivity:**

All access points will need to follow design standards according to City and ACHD (Ada County Highway Dist.) codes. Applicant proposes ingress/egress on Kuna Road near the middle of the site, and a new segment of a mid-mile collector on the west property line. In accordance with City Code, the applicant proposes two (2)

additional connection to properties to the east and north for future connection. Current legal points of access being used at this time may remain until development requires a change.

8. **Environmental Issues:**
Beyond being within the nitrate priority area, staff is not aware of any environmental, health or safety conflicts.

9. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:
    - Kuna City Engineer (Paul Stevens) – Exhibit B-1 [*This report will be late, due to his recent* hiring].
    - Ada County Highway District (ACHD – Austin Miller) – Exhibit B-2
    - Boise-Kuna Irrigation District (Lauren Boehlke) – Exhibit B-3
    - Cable One TV (Brett Pike) – Exhibit B-4
    - Community Planning Association of Southwest Idaho (COMPASS – Carl Miller) – Exhibit B-5

F. Staff Analysis:

The applicant previously annexed the land as part of the former Urza property application and now submits an application for preliminary plat and subdivision design review approvals and entitlements.

This parcel was annexed into Kuna City limits last spring with a R-6 (Medium Density) zoning. During the public hearings for said annexation there were certain density conditions approved by the Commission and City Council. Staff finds that this proposal conforms to the condition as outlined in the Findings of Fact and Conclusions of law.

All major public utilities are approximately 1,325 feet east, at Ten Mile and Kuna Roads. Applicant has been made aware that development of this parcel will require extension of, and connection to city services. Connection fees will be required for those utilities at time a building permit is issued. It is anticipated that development will require four phases for complete build-out. Staff concurs with ACHD's recommendation (for the north-south mid-mile collector on the west side of the project) for construction of the proposed mid-mile up to the north property line. Staff concurs that all required improvements shall be installed along with a barricade to be constructed and placed just beyond the W. Park Street intersection; if development has not occurred when phase four begins (ACHD Condition 9 in section D: Site Specific Conditions of Approval).

Staff has reviewed Kuna's Comprehensive Plan (Comp Plan), and found the Comp Plan encourages a variety of housing types for all income levels numerous times throughout the document. Pertinent sections of the Comp Plan that address housing types are included below, in Section K (Comp Plan Analysis) of this report. The City attempts to balance all housing types within the City. Staff would recommend that the applicant work with Kuna City, ACHD, and Kuna Rural Fire District (KRFD) to conform to each agency's requirements.

In the northeast corner of the site is a pocket park on lot 12, block 2. The Kuna Recreation and Pathway Map indicates a trail in this area. Staff recommends that the applicant provide a public easement for a future greenbelt/pathway to be built in the future by the H.O.A. if development occurs on the east or north. While this is a very small pinch point, it could become a pivotal piece in the future. Staff recommends that plantings be arranged so that a blockade is not formed accidentally.

Staff has determined that this application complies with Title 5 of the Kuna City Code; Idaho Statute § 67-6511; as well as the Kuna Comprehensive Plan document; and forwards a recommendation of approval for Case No. 18-02-S subject to any conditions of approval outlined by Kuna's City 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. Proposed Procedural Background:

On November 7, 2018, the Council considered the case, including the application, agency comments, staff's memo, the application exhibits and public testimony presented or given.

I. Proposed Factual Summary:

This parcel is located near the northwest corners of Ten Mile and Kuna Roads. The project consists of 39.48 (approx.) acres and is in Kuna City limits and zoned R-6 (Medium Density Residential). Applicant requests preliminary plat approval to subdivide said property in 206 homes, 27 common lots and one shared driveway. This parcel is adjacent to Kuna Road; a principle arterial.

J. Proposed Findings of Fact:

Based upon the record contained in Case No. 18-02-S, including the Comprehensive Plan, Kuna City Code, staff's memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Council hereby **approves/conditionally approves/denies** the Findings of Fact and Conclusions of Law, and the conditions of approval for Case No. 18-02-S, a request for preliminary plat approval, according to the following:

The Council concludes that the applications 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. The Kuna Council accepts the facts as outlined in the staff memo, the public testimony and the supporting evidence list presented.

Comment: *The Kuna* Council *held a public hearing on the subject applications on November 7, 2018, to hear from City staff, the applicant and to accept public testimony. The decision by the Council is based on the application, staff report and public testimony, both oral and written.*

2. Based on the evidence contained in Case No. 18-02-S, this proposal **does/does not** appear to *generally* comply with the Comprehensive Plan.

Comment: *The Comp Plan has listed numerous goals for providing single-family housing in Kuna. The Comp Plan describes this property as Medium Density. As this project proposes to accommodate single-family residential uses, the project follows the goals of the Comp Plan.*

3. The Kuna Council has the authority to **approve/conditionally approve/deny** the preliminary plat application.

Comment: *On* November 7, 2018*, Council will decide to vote for an* ***approval/conditional approval/denial*** *for Case No.* 18-02-S.

4. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Comment: *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on Wednesday, November 7, 2018.*

K. Proposed Comprehensive Plan Analysis:

Council determines the proposed preliminary plat and design review requests for the *site* ***are/are not*** consistent with the following Comp Plan components:

Housing:
Residents expressed interest in a mix of residential type dwellings applications; including a variety of housing. 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 Comprehensive Plan [CP]).

***Comment**: The Comp Plan provides for a mix of residential uses. This project has proposed a zone that provides an opportunity for a variety of densities, therefore it generally conforms to the Comp Plan goals and policies.*

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.

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

Economic Development Goals and Objectives - Section 5 - Summary:
Promote and 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 an adequate mix of housing for all income levels and calls for increasing pedestrian connections. The requested zoning for this project provides an opportunity for a number of additional housing types to Kuna's inventory and quality housing. At time of development, this project should be conditioned to add to the City's pedestrian network for non-motorized transportation, by proposing pathway connections for future development to connect to in the future.*

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: *The requested zoning provides an opportunity for quality housing opportunities and multiple housing varieties to the City's inventory for all types of lifestyles, ages and economic groups.*

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 development while discouraging development of 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]).

***Comment:** With the requested zoning, applicant proposes a future high quality development with a variety of dwelling types, densities, and price points for all income levels Kuna as encouraged by the Comp Plan. In the future, this project will add to the City's 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 could avoid 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 well planned 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 and 2.1[CP]).

Comment: *Applicant should be conditioned to offer good community and urban design principles through creation of greenspaces, add to the pedestrian pathway network and add to the City's sidewalk network. Applicant has proposed and shall improve classified roadways, which add to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). Applicant has proposed and should be conditioned to incorporate landscape buffers creating a sense of place for citizens. Applicant has proposed and should be conditioned to follow sound community design concepts and comply with the Comp Plan goals and help strengthen Kuna's image.*

L. 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. 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. 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/is not*** physically suitable for development in the future.

   Comment: *The 39.48 acre (approximate) proposal appears to be suitable for a subdivision, as proposed.*

2. The subdivision request ***is/is not*** likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

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

3. The preliminary plat application ***is /is not*** likely to cause adverse public health problems.

   Comment: *As proposed, the preliminary plat generally complies with the Comp Plan. The project will 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 subdivision request appears to avoid detriment to surrounding uses. Council did consider the subdivision and landscaping and the location of the property with adjacent uses.*

5. The existing and proposed street and utility services in proximity to the site ***are/are not*** suitable *or* adequate for future residential purposes.

   Comment: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services (existing and proposed) are suitable and adequate for this subdivision, or will be as conditioned.*

6. Based on the evidence contained in Case No's 18-02-S, Council finds Case No. 18-02-S adequately complies with Kuna City Code.

7. Based on the evidence contained in Case No. 18-02-S, Council finds Case No. 18-02-S generally complies with Kuna's Zoning Code.

N. Recommendation of the Commission:

Based upon the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Commission, the applicant's presentation, public testimony and discussion during the September 11, 2018, public hearing, the Kuna Commission votes to *recommend* ***approval*** for Case No. 18-02-S to Council with the following conditions of approval:

Preliminary Play Specific Conditions:

- Applicant shall follow *conditions as outlined in the staff report with a revision to No. 13, a condition that the applicant shall provide a perimeter pathway around Lot 12, Block 2 (similar to the central park) in the northeast corner for future connectivity to the city greenbelt,*
- *Applicant shall install solid vinyl fencing across both stub streets at Park and Madrone Avenue to seal off the streets with the future signage as recommended in the ACHD report,*
- *Applicant shall install barricades north of the Park Street and Beadlily intersection to restrict access for the road to the north property line.*
- *Applicant shall install solid vinyl fencing across both stub streets at Park and Madrone Avenue,*
- *Applicant shall install barricades north of Park Street and along Beadlily,*

O. Council's Order of Decision:

18-02-S (Preliminary Plat), *Note*: *The proposed motion is to recommend approval, conditional approval, or denial for these requests to City Council. If the Council wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

On November 7, 2018, the Council voted to **approve/conditionally approve/deny** Case No. 18-02-S, based upon the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Council, the applicant's presentation, public testimony and discussion during the November 7, 2018, public hearing Therefore, the Kuna Council votes to ***approve/conditionally approve/deny*** Case No. 18-02-S, 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 plans of the 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 sewer hook-ups.

b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).

2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
   2.1– With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. 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, 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. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Street lights and parking lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage/monuments within/for the project shall comply with Kuna City Code and shall be approved through the design review process with all subdivisions.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. Developer shall provide a perimeter pathway in Block 2 in the northwest corner for future connectivity to the city greenbelt
12. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
13. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
14. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED: This _____ day of _____, 2018.

received
1-8-19 DS

Jan 8, 2019

Dear Mayor and City Council,

Concerning case: 18-01-S (Preliminary Plat) ~ Madrone Heights Sub., according to the figure of 206 houses built on 39.45 acres with one shared driveway. We have some concerns and questions.

If there are 206 houses built, there could be 2 vehicles per house or more. That means there could be 412 vehicles in and out of this subdivision with only one access point. We are concerned that adding all these vehicles on a road that is already busy is unsafe.

With only one shared access for all these vehicles is this not a concern for safety? Should they not have a second entrance or at least have a turn out lane for cars to pull onto for safety?

At the City Council Meeting of Spring 2018, the council talked how kids could walk to the School at Ten Mile & Avalon Rds (Falcon Ridge Public Charter School). Do you realize this is 1/4 mile down a busy road without sidewalks and has no cross walk? Also, though the speed limit is 35 mph to the front edge of this property, cars often speed up to 50 mph before the Ten Mile intersection, causing increased dangers!

Does the contractor/developer pay for the expansion of sewage and other services or are these expenses passed on to the citizens of the City of Kuna?

Sincerly, Quency Murphy

Ulette Murphy

January 9, 2019

Mayor Joe Stear and Kuna City Council

751 W. 4TH STREET, KUNA, IDAHO 83634

. 18-02-S (PRELIMINARY PLAT) MADRONE HEIGHTS SUBDIVISION

Dear Mayor and City Council,

I would like to take the opportunity to share my thoughts and historic evidence regarding the above application coming before the City Council.

I have lived in Kuna for the past 32 year and I have seen Kuna grow from a sleepy little town of 1,800 people to our current population of 19,700 (Compass 2017) and as with all small communities growth poses challenges and opportunities.

I have lived on both sides of the Union Pacific Railroad tracks and I currently reside and have our family business on the south side of the tracks. I personally have been involved in Comprehensive Plan studies and implementation, worked on the Kuna City Transportation Task Force and been involved with several Overpass Studies in various locations.

We as a community, in the past 30 years have experienced strong periods of growth, with the ten years of the Great Recession sandwiched in between.

received
1.10.19

When I moved here 30 plus years ago we traveled on a two lane road, since then, with development at the state, county and city level we were afforded a brand new four lane road provided from state and federal funds, to accommodate the new rooftops. As well, ACHD has

constructed some local roadway and sidewalk improvements for the benefit of our community and to facilitate development.

But by far, the vast majority of new roadways, sidewalks, and sewer infrastructure have been provided by subdivision development and the homes and their tax base have provided the funding for increased fire, safety and city services.

I am in joint ownership of 187 acres of land contiguous to Madrone Heights Subdivision and I support approval of the Preliminary Plat for Madrone Heights.

I have attended the prior public hearings on Madrone Heights,

From my reading of the minutes of the City Council hearing, dated 11/20/2018, it appears that the Council's concerns were based on interpretations of Kuna's Comprehensive Plan as well as opinions regarding sidewalk safety for students, UPRR crossings and opinions regarding general traffic.

I would like to suggest we look at the evidence regarding these areas of concern.

I would like to present what I consider as evidence regarding the points at issue regarding Madrone Heights and development south of the UPRR.

A) Discontinuous sidewalks along Avalon/Kuna Rd. South of UPRR compared to the north of the UPRR

1. All 10 schools in the Kuna School District are north of UPRR, comprising approximately 95% of student enrollment (5296 students) compared to Falcon Ridge (266 students). Approximately 5% of Kuna student enrollment.

A sampling of Discontinuous Sidewalks in North Kuna

1. Sailor Lane and Avalon west 1 block
2. Dear Flat Road west of Sailer Lane to rapid Creek Lane on North side approximately 1/8 mile.
3. Deer Flat Road from Linder East both sides of road for approximately 1/8 mile
4. Linder Road north of deer flat approximately1/8 mile on the east side
5. Linder Road north of Ardell 1/8 mile on the west side
6. Hubbard Road north of Linder 1/8 mile on the north side
7. Hubbard Road west of Kay Street both sides of the road proximally 1/8 of a mile
8. Hubbard Road east of KelSan Ave, 1/4 mile both north and south sides
9. Hubbard Road west of KelSan Ave. 1/2 mile both north and south sides
10. Tenmile Road north of Hubbard on the east side 1/4 mile before Mason Creek Road, Both north and south of Walnut Creek Subdivision, 1/2 mile
11. Ardell Road east of Crimson point 1/2 mile north and south
12. Deer Flat Road between Deer Horn Avenue and School Street on the north side, 1/8 mile
13. Linder Road north from Porter 1/8 mile

This rather small sampling is evidence that most of the subdivisions in Kuna, which happen to be north of UPRR were approved without any consideration of Discontinuous Sidewalks. Continuous sidewalks are achieved by infill development with some possible by, new sidewalks provided by ACHD or from a city sidewalk fund if in existence. At this point much of the needed right of way to construct sidewalks on Avalon south of the UPRR either needs to be condemned by a governmental agency or dedicated by the individual landowners.

Additionally, road widths and speed limits of 25-50mph are comparable both north and south of UPRR with traffic levels likely to be much heavier to the north, with significantly more rooftops.

Given that a ratio of 95% of Kuna students are enrolled in the Kuna School District, the majority of Madrone Heights children will be bused to schools north of the UPRR, with a potentially small population that may walk to Falcon Ridge, which is a charter school accepting students from all over the city.

Consequently, subdivisions south of town should be treated equally with those to the north, based on the evidence.

B) UPRR Crossings/Fire and Safety issues south of the railroad tracks

There are two studies available to provide evidence to the council regarding railroad crossings in Kuna and the traffic impacts from Madrone Heights. These provide evidence based on professional studies conducted in concert with the applicable transportation agencies.

The first being the Traffic Impact Study for Madrone Heights Property, dated May 2018, provided by Kittleson and Associates, which states in part:

"Madrone Heights Property – Kuna, Idaho Project # 22609 Findings & Recommendations May 2018

FINDINGS & RECOMMENDATIONS

The results of the traffic impact analysis indicate that the build-out of the Madrone Heights Property Subdivision can be constructed while maintaining acceptable levels of service and safety on the surrounding transportation system as long as the appropriate mitigations are in place. The findings of this analysis and recommendations are discussed below.

The next pertinent study regarding the railroad crossing issues is:

KUNA CROSSING FEASIBILITY AND IMPLEMENTATION PLAN DRAFT, Kuna, Idaho, February 2014,

C) Fire and Safety, South of UPRR

Regarding, Fire and Safety issues south of the UPRR, there has been discussions of putting a secondary station to the south. That is not a reality yet. However, that does not mean the area

of the City south of the UPRR cannot be properly and adequately served by our City's exceptional fire district. On the Madrone Heights project, fire has not indicated that there are any problems responding to and serving City residents south of the UPRR.

As further evidence that high levels of service can be delivered across the UPRR, it can be noted that the Kuna Police Station was operating to the south, functionally for approximately eight years, servicing the majority of the population to the north of UPRR.

Thank you for your consideration of above evidence and ideas.

SINCERELY,

TIMOTHY W. GORDON

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Emily G. Mueller
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.
Randall A. Peterman
Jack W. Relf
Michael O. Roe
Jamie Caplan Smith
P. Mark Thompson
Jeffrey A. Warr
Robert B. White

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

January 10, 2019

VIA EMAIL tbehunin@kunaid.gov
City of Kuna
Attn: City Council and Mayor
751 West 4th Street
Kuna, ID 83634

Re: Supplemental Information in 18-02-S (Pre-Plat) for Madrone Heights

Dear Mayor and Council Members:

This firm represents Applicant N Star Farm, LLC ("Applicant"), in connection with preliminary plat application 18-02-S (Pre-Plat) (the "Application") for 39.5 acres in the City (the "Property").

The Council first took up the Pre-Plat Application on November 7, 2018, and heard testimony from City Staff, the Applicant's representative, and the public, but continued the hearing for City Staff to provide additional communications from ITD.[1] At the continued hearing on November 20, 2018, City Staff testified that ITD submitted a supplemental letter withdrawing any objection to the Application.[2] At the conclusion of the hearing, the public hearing was closed, but the matter was continued again.[3]

On December 3, following a request from the Applicant, the Council agreed to re-open the public hearing on the Application. The Council re-opened the public hearing "for the receipt of evidence, including but not limited to, evidence regarding health and safety issues, related to sewer capacity and build out of the proposed subdivision, and traffic safety issues and build out of the proposed subdivision."[4] This letter provides that additional evidence.

[1] November 7 Hearing Audio at 2:42:10.
[2] November 20 Hearing Audio at 11:25.
[3] November 20 Hearing Audio at 54:30.
[4] December 3 Hearing Audio at 5:45.

1. Build Out.

The Applicant anticipates development of Madrone Heights will commence immediately following approval of the Application. The Application proposes 206 buildable lots in four phases (the "Project"). Phase 1 is 51 lots; Phase 2 is 62 lots; Phase 3 is 53 lots; and Phase 4 is 40 lots. If market conditions remain steady, Phase 1 homes should be underway in 2020, and one new phase will be final platted each successive year.

2. Sewer Capacity.

When the Property was annexed and zoned, the Applicant sought an R-8 zoning designation for flexibility in dimensional standards. At the public hearing on annexation and zoning, Public Works Director Bob Bachman testified that a density of 5 units per acre would be preferable due to sewer capacity issues.[5] The Applicant agreed to a zoning designation of R-6, with a maximum density of 5.2 units per acre, and the Council approved the annexation and zoning application.[6]

In connection with this Application for a preliminary plat, Mr. Bachman has testified that the City is able to provide sewer service to the Property at 5.2 dwelling units per acre and that the City is actively taking steps to increase sewer capacity on the south side of the City.[7] He stated at the November 20th hearing that: "At this time, if this project were to move forward, we would have no problem issuing a will serve letter to serve the property."[8] Since this is a multi-phase project, not all proposed units will come online at once.

The Applicant will be paying to bring all utilities, including sewer, to the Property to support the Project. Additionally, future residential construction will pay the City's Service Connection Charge of $4,326.00, generating funds to further improve and develop the City's sewer infrastructure. The Applicant may also utilize its Prepaid EDUs.[9] The Applicant previously purchased Prepaid EDUs for sewer connection to the City's south plant, which were sold by the City to finance sewer infrastructure. After connection, the City's monthly service charges will be assessed to maintain and support the City's sewer system.

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[5] February 20 Hearing Audio at 25:25.
[6] February 20 Hearing Audio at 29:00 (Councilmember Buban-Vonder Haar: "I move we approve case number 17-09-AN with the conditions of approval listed in the packet also noting that we are changing the density request from R-8 to a R-6 and with the notation the applicant has agreed to a density, an actual density, of no more than 5.2 units per acre even though it's an R-6 zoning.").
[7] November 20 Hearing Audio at 17:35.
[8] November 20 Hearing Audio at 20:29.
[9] Resolution No. R10-2018.

3. Traffic Safety.

Neither ITD nor ACHD have any safety concerns with the Application. Any objection ITD had to the Project was formally withdrawn after ITD reviewed the TIS prepared for the Project.[10] ACHD is also supportive of the Project with conditioned mitigation, all of which the Applicant has accepted.

The Applicant's traffic engineer, Kittleson & Associates, worked with ACHD to define the study area for the Project. The study area includes Kuna Road from Ten Mile to Black Cat and the intersection of Kuna Road and Black Cat. Transportation infrastructure in the study area currently meets acceptable service levels and will continue to meet acceptable service levels at full build out of the Project.[11]

The Council expressed concerns with the current safety of Kuna Road. Incident data collected in preparing the TIS shows that there have been 8 reported incidents on Kuna Road in the last 5 years, or 1.6 incidents per year, with 6 of the 8 incidents only reporting property damage and no injuries. The Kuna Road incident data collected for the TIS is attached as Exhibit A. The number of reported incidents on this section of Kuna Road is consistent with other similar road segments in the area. Attached as Exhibit B is incident data collected by Kittleson & Associates on Ten Mile Road between Hubbard and Deer Flat showing 9 reported incidents over a 5-year period between 2011 and 2015.

The Applicant will be constructing transportation improvements that will make the study area safer. Specifically, the Applicant will:

- Construct a right turn lane on westbound Kuna Road at Black Cat.
- Widen and pave Kuna Road adjacent to the Property to 17 feet from centerline.
- Construct a 5-foot detached concrete sidewalk adjacent to the Property.
- Construct a right turn lane on Kuna Road at the intersection of Kuna Road and future Madrone Avenue.
- Construct a center left turn lane on Kuna Road at the intersection of Kuna Road and future Madrone Avenue.

Overall, the Project will have a minimal impact on roadways within the City, and all impact will be mitigated by transportation improvements and impact fees. At full build out during peak hours, traffic leaving the Project headed east will only make up 5% of trips on Kuna Road, approximately 3% of trips on Avalon Street south of Indian Creek, and less than 1% of trips on Avalon Street east of Linder. Attached as Exhibit C is an Area of Influence Map prepared by COMPASS and verified by Kittleson & Associates and ACHD.

[10] Letter dated November 14, 2018 from Sarah Arjona to Troy Behunin.
[11] ACHD Project Report at pp. 2, 3; TIS at pp. 2–3.

The Project will construct all onsite sidewalks required by the Kuna City Code and ACHD's policy manual. Any deficiencies in the offsite sidewalk network are "system improvements" under the Idaho Development Impact Fee Act. The Applicant will make impact fee payments to ACHD to fund system improvements.

4. Conclusion.

We appreciate the Council's willingness to keep this matter open and take additional evidence. We believe that we have addressed the concerns voiced at the prior hearings. If there is any additional information or concerns the Council would like addressed, we ask that those items be raised at the upcoming public hearing so that we may address them as well.

Sincerely,

Jeff Bower

/JWB
cc: William Gigray, wfg@whitepeterson.com
Wendy Howell, whowell@kunaid.gov
14482388_3.docx [13707-7]

City of Kuna
Attn: City Council and Mayor
January 10, 2019
Page 5

Exhibit A
Kuna Road Incident Data

Kuna Road - Black Cat Road to Ten Mile Road												
Accident #	Milepost	Vehicle Type	Driver Action	Direction	Event	Contrib Circ	Conditions	Weather	Light	Serial #	Accident Date	Severity
1	10.7190	SUV/Crossover	Going Straight	E	Overturn	Asleep, Drowsy, Fatigued	Dry	Clear	Day	16C442393	11/17/2016 15:00	B Injury Accident
2	10.5360	SUV/Crossover	Going Straight	E	Fence	Inattention	Dry	Clear	Day	16C426624	5/7/2016 16:09	Property Dmg Report
3	10.9210	Car	Turning Left	W	Head-On Turning	Failed to Yield	Dry	Clear	Day	16C417120	1/8/2016 11:27	C Injury Accident
4	11.2630	Pickup	Going Straight	W	Overturn	Speed Too Fast For Conditions	Ice	Snow	Dark	14C387627	12/27/2014 23:04	Property Dmg Report
5	10.5660	Pickup	Going Straight	E	Fence	Distracted IN or ON Vehicle	Dry	Clear	Day	13C349950	7/21/2013 20:35	Property Dmg Report
6	9.8710	Pickup	Going Straight	E	Utility/Light Support	Speed Too Fast For Conditions	Snow	Snow	Dark	13C340853	2/23/2013 04:00	Property Dmg Report
7	11.2250	Car	Going Straight	W	Utility/Light Support	Speed Too Fast For Conditions	Ice	Clear	Day	13C337602	1/11/2013 14:00	Property Dmg Report
8	104.6920	Pickup	Leaving Driveway	N	Non-Contact Unit	Inattention	Dry	Cloudy	Dark	12C334033	12/5/2012 17:43	Property Dmg Report

Exhibit B
Ten Mile Road Incident Data

Ten Mile Road - Hubbard Road to Deer Flat Road													
10	103.795	Car	Going Straight	Ascending	N	Overturn	Failed to Maintain Lane	Clear	Dry	Day	15C416554	12/29/2015	C Injury Accident
12	104.164	SUV/Crossover	U-Turn	Ascending	S	Head-On Turning	Improper Turn	Clear	Dry	Day	14C379164	9/5/2014	Property Dmg Report
13	104.186	SUV/Crossover	Going Straight	Descending	S	Rear-End	Alcohol Impaired	Clear	Dry	Dark	13C357897	11/23/2013	Property Dmg Report
14	104.207	SUV/Crossover	Going Straight	Descending	S	Rear-End	Speed Too Fast For Conditions	Blowing Snow	Snow	Dark	14C365062	2/7/2014	Property Dmg Report
17	104.245	Van - 1 to 8 seats	Going Straight	Ascending	N	Utility/Light Support	Failed to Maintain Lane	Blowing Snow	Ice	Dark	14C387520	12/28/2014	Property Dmg Report
18	104.347	Car	Going Straight	Descending	S	Overturn	Failed to Maintain Lane	Clear	Dry	Dark	15C394701	4/3/2015	B Injury Accident
19	104.402	SUV/Crossover	Going Straight	Descending	S	Ditch	Speed Too Fast For Conditions	Blowing Snow	Snow	Dark	12C334721	12/25/2012	Property Dmg Report
21	104.544	Car	Going Straight	Ascending	N	Rear-End	Following Too Close	Cloudy	Snow	Day	13C336908	1/10/2013	Property Dmg Report
22	104.581	Pickup	Going Straight	Ascending	N	Cargo Loss/Shift	Other Vehicle Defect	Clear	Dry	Day	14C366811	3/18/2014	Property Dmg Report

City of Kuna
Attn: City Council and Mayor
January 10, 2019
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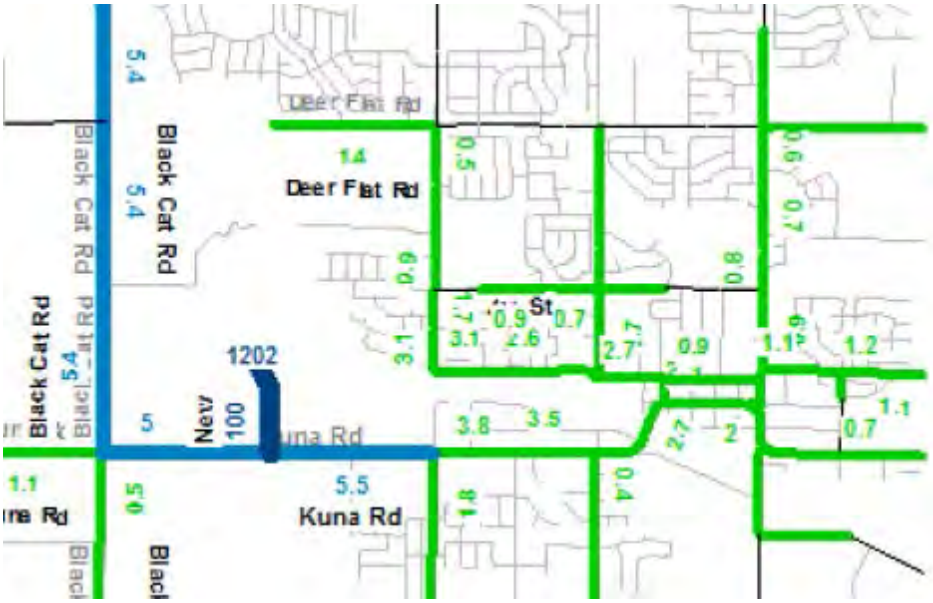
Exhibit C
Area of Influence Map



Troy Behunin

From: Mayor Stear
Sent: Tuesday, August 28, 2018 12:21 PM
To: Wendy Howell; Troy Behunin
Subject: FW: Save our Farms

I received this communication on Madrone Heights that would be considered ex-part' e. So it will need to go with the councils packet when it is heard there.

Thanks

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Mayor Stear
Sent: Tuesday, August 28, 2018 12:18 PM
To: 'Randy Maurer' <randy.maurer@yahoo.com>
Subject: RE: Save our Farms

Randy Maurer;

I never want to leave an email unanswered. But for future reference it is considered ex-part' e communications for myself or council members to discuss issues such as this that we will be making decisions on in the future. The discussion has to occur in a public forum so that neither party can have an advantage over the other.

If you would like to speak in general terms and not have projects in mind we can do that at some point. I would be happy to talk about impact fees with you.

I will have to make this communication a part of the record for this particular application for when it comes to council.

I would suggest that if you would like you may contact our planning and zoning department with concerns and questions. You just cannot have discussions with elected officials prior to public hearings. Also the time to speak on particular projects is at the public hearing for that project. There are generally 2. The first one is with the Planning and Zoning Commission and the second is with the City Council.

Thank You so much!

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Randy Maurer [mailto:randy.maurer@yahoo.com]
Sent: Tuesday, August 28, 2018 10:12 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Save our Farms

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4. PUBLIC HEARING a. 18-02-S (Preliminary Plat) & 18-18-DR (Design Review) – Madrone Heights Subdivision; On behalf of N Star Farm, LLC (the applicant), Kirsti Grabo with KM Engineering, requests approval to subdivide approximately 39.48 acres (previously zoned R-6) into 206 single home lots, an additional 27 common lots, and one shared driveway. Applicant has reserved the name Madrone Heights Subdivision. A Design Review application for the landscaping for the 27 common lots accompanies this application. The address is 2030 W. Kuna Road, Kuna Idaho, and is located near the NWC of Ten Mile and Kuna Roads, in Section 22, T 2N, R 1W, APN #: S1322438400. ACTION ITEM. - Staff requests this item be tabled until a date determined by the Planning and Zoning Commission.

Dear Mayor,
A. This land is not a suitable land for development. It does not boarder city limits.

B. The impact fees are not enough to cover all the expenses of new growth. New Growth should pay for itself. NO MORE BONDS FOR SCHOOLS and other services.

Impact fees paid by developer or by new homeowners will pay for:

8% of each NEW home built

1. Roads, Roads, Roads

2. Buried power

3. Water

4. Sewer

5. Schools

6. Police

7. Fire

8. Parks

9. Libraries

10. Subsidies to keep our farms

11. SMART Planning ahead for growth

12. Other services

I don’t want the Treasure Valley to be like the Phoenix metro area. They built to outer edges so it's a large sprawl city surrounded by desert. All the orange groves, vegetable farms are all gone. Subdivisions are everywhere.

IF DEVELOPMENT MUST HAPPEN MAKE ,IT PAY FOR THE RESIDENTS THAT ARE ALREADY HERE.

IMPACT FEES, IMPACT FEES, IMPACT FEES!

Randy Maurer, Native to the Treasure Valley

RICHARD H. DEUTSCHE
135 N. Ten Mile Road
Kuna, ID 83634-1203
1-208-922-4360 Hm or 1-208-841-7335 Cell
September 10, 2018

CITY OF KUNA
PLANNING AND ZONING DEPARTMENT
PO Box 13
Kuna, ID 83634

ATTENTION: **18-01-S (Preliminary Plat) – Madrone Heights Sub**

To whom it may concern:
Our property is the 30+ or – Acres just east of Madrone Heights subdivision at Ten Mile Road and Kuna Road.

The main concern we have is the **public access** to my property. At times, there are, at list. 50 to 75 head of cattle on our property. **Public access** will not be suitable.

The proposed road out of the subdivision into our property (approximately 600' north of Kuna Road) **must be blocked off,** with solid fencing as proposed around the whole subdivision. Barb wire and or climbable fencing will be an open invitation for access into our field. At a prior meeting, Mr. Eck and I discussed this very problem. He showed concern and had no problem putting solid fencing across my West boundary until such time my property was developed.

The second concern is the two (2) Green Belt access points out of the north boundary of the subdivision in to Tim Gordon;s property north of Madrone Heights, along the fence line for ¼ mile. We can not demand that the two (2) access points be block-off because they do not adjoin our property. (I have called Mr. Gordon to talk with him about this complication, but he has not called me back to set up a meet time.)

Here in lies the problem. At the north-west corner, beyond our common boundary with Madrone Heights,we have a gate access (approximately a 10' opening) into Gordon's property. At this time, cattle are grazing between Gordon's property and ours. So until these two (2) properties are developed the two (2) access points mentioned above can not be open to the public.

By the way, we own the property to the north from Indian Creek to the U.P. Railroad, and from Ten Mile Road to the west to the Railroad Bridge. From there the Creek travels out of our property to the north-west. In addition, we own the Creek Bed and the Ditch Company has an easement to pass their water through our property.

We keep the access closed from the Railroad Bridge, at the north-west end of our property, as

page 2

well as, the fence we put up over the Creek Bed at Ten Mile Road, to keep the cattle contained, when the Creek is dry.

We would appreciate you keeping these two (2) concerns in mind, when making your decisions concerning **PUBLIC ACCESS** from Madrone Heights subdivision into our property. Any questions, please call us. If no answer on the home telephone, call the Cell No.

Yours truly,

Dick Deutsche

R.H. (Dick) Deutsche
RHD/ced

Statement regarding **18-01-S (Preliminary Plat) – Madrone Heights Sub**

November 7th, 2018

To the Kuna City Council:

On page 61 of Section 6E of the packet, regarding the proposed Madrone Heights development, the Idaho Transportation Department's Development Services Coordinator states: "ITD objects to the proposed application due to traffic concerns." While I am not opposed to having new neighbors, I, too object to the application due to traffic concerns because at this time we do not have the roadway infrastructure needed to support increased traffic into Kuna from the west side of town during peak times.

This significant issue was overlooked in the Traffic Impact Study. The TIS only evaluated the intersection of Kuna Road and Black Cat, and the one mile section of Kuna Road between Black Cat and Ten Mile. Yet, it is reasonable to expect that the families in Madrone Heights will frequently travel east into Kuna for school, work, shopping, library, community events, etc. Therefore, it is vital to study the impact on Avalon Street from the Ten Mile intersection to past the creek and railroad crossings.

In my 13 years of living on the west side of town and traveling into and out of Kuna on this road, I have observed that there is usually traffic congestion there in the mornings due to the number of cars and school buses traveling east on Avalon into town. When there is also a train crossing, this congestion is at a standstill as far back as Ash Avenue, and affects traffic on roads intersecting with Avalon. After school as traffic leaves Kuna heading west, we have the same problem in reverse, with congestion and sometimes standstills down Main Street, and blocking Ave D and Ave E, which lead to area schools.

Increased traffic from new developments will not only negatively affect residents' vehicle trips it will impede school bus routes for students traveling through this congested corridor. Idaho Code 67-6513, cited on page 7 in section 6E of the packet, would require the city to mitigate the effects of the development on the ability of the school district to deliver services without compromising quality.

Unless a solution is found--not only for traffic congestion but also the issue of emergency services accessing the area during a train crossing--this point of entry to Kuna will continue to be a travel and safety problem. Thus it is my opinion that it is not responsible to add another 206 households to this area until a traffic impact study on Avalon Street and the crossings into Kuna is conducted and the problems corrected in a way that will make it possible to accommodate our potential new neighbors.

Thank you,

Nancy Simper

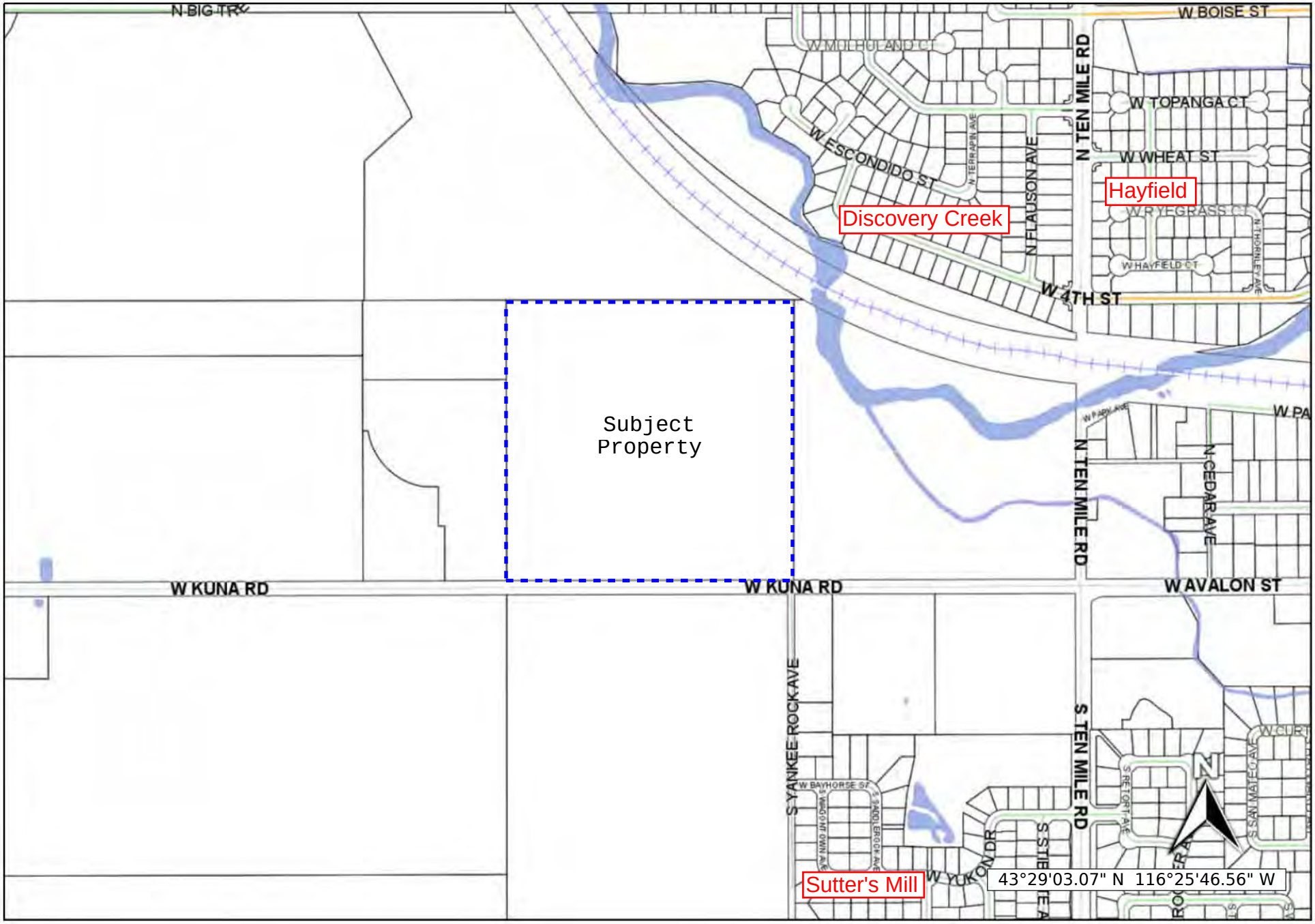
Nancy Simper
4597 West Deer Flat Rd
Kuna, ID 83634

received
11.7.18

Start Of Original Materials

Vicinity Map

2030 West Kuna Road



Oct 27, 2017 - landproDATA.com
Scale: 1 inch approx 600 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

Madrone Heights

Aerial Exhibit

km ENGINEERING

May 25, 2018
Project No.: 17-054

Mr. Troy Behunin
Planning & Zoning Department
City of Kuna
751 West 4th Street
Kuna, ID 83634

RE: Madrone Heights Subdivision – 2030 West Kuna Road – Kuna, ID
Preliminary Plat and Landscape Design Review Applications

Dear Mr. Behunin:

On behalf of N Star Farm, LLC, and Waters Edge Farm, LLC, we are pleased to submit the attached application and required supplements for preliminary plat and landscape design review for Madrone Heights Subdivision.

As you know, the subject property (formerly known as the Urza property) is approximately 39.4 acres of agricultural ground identified as parcel number S1322438400 and located approximately one quarter mile west of Ten Mile on the north side of Kuna Road. Earlier this year, the site was annexed into the City of Kuna with the R-6 zoning designation (with a max density of 5.2 du/acre) commensurate with the existing Comprehensive Plan designation of Medium Density Residential.

Preliminary Plat

The attached preliminary plat proposes 206 buildable single-family residential lots, 27 common lots and 1 shared driveway lot for a total of 234 lots. The layout reflects a gross density of 5.2 units per acre, which is commensurate with the density allowed by Council as a part of the annexation and zoning approval. The project includes 3.4 acres of landscaped open space, which will include a central park with soccer fields and walking paths to provide pedestrian connectivity throughout the neighborhood. Further, the park's central location within the project creates ease of access for all residents of the subdivision. The open space and shared driveway lot will be owned and maintained by the homeowners' association, and draft CC&Rs including language for maintenance of the common lots are included herewith. The shared driveway lot will also serve as a corridor for extension of utilities into the neighborhood from Kuna Road. As such, it will be covered by the necessary access and utility easements.

A traffic impact study was completed, has been submitted to ACHD, and is provided with this application package for your review. As you can see on the preliminary plat, there are no existing stub streets in the area, so the subdivision proposes one access onto Kuna Road with a second access to the west onto a new mid-mile collector street, a portion of which will be constructed with this project. Per ACHD's annexation staff report, curb and gutter are not required along Kuna Road at this time, so we are proposing to improve Kuna Road with 17' of pavement plus a 3' gravel shoulder and a 5' detached sidewalk.

Mr. Eck has conducted significant due diligence regarding public utilities in the area and has worked with the City Engineer to determine a course of action to extend utilities to this site. We are not aware of any concerns in regards to other public services in the area and don't expect the project to create excessive additional requirements at public expense for public facilities and services because services will be supported by property taxes and/or fees paid directly to the service providers.

At this time, we are unaware of any health, safety, or environmental problems that currently exist or that will be created by this project.

Design Review

Included with this submittal package is the design review application for common area landscaping within the subdivision. There are existing trees onsite, but none are proposed to remain. The new landscaping will consist of a combination of trees, shrubs, and other landscape materials, which are detailed on the attached landscape plans, and we believe that the design complies with the City's Design Review standards.

Conclusion

With the proposals discussed herein, we feel that the new Madrone Heights neighborhood will complement the City's vision for growth and provide additional housing opportunities for this growing area. Should you have questions or require further information in order to process these applications, please feel free to contact me. We look forward to working with staff to accomplish this great addition to the City of Kuna.

Sincerely,
KM Engineering, LLP

Kirsti Grabo
Development Coordinator

cc: N Star Farm, LLC
Waters Edge Farm, LLC

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

9.11.2018

18-02-S &
18-18-DR
Madrone Heights

Contact/Applicant Information

Owners of Record: N Star Farm, LLC and	~~Phone Number:~~ Waters Edge Farm, LLC
Address: 6152 West Half Moon Lane	E-Mail:
City, State, Zip: Eagle, ID 83616	Fax #:
Applicant ~~(Developer):~~ same	Phone Number:
Address:	E-Mail:
City, State, Zip:	Fax #:
Engineer/Representative: KM Engineering, LLP	Phone Number: 208.639.6939
Address: 9233 West State Street	E-Mail: Kirsti Grabo - kgrabo@kmengllp.com
City, State, Zip: Boise, ID 83714	Fax #: 208.639.6930

Subject Property Information

Site Address: 2030 West Kuna Road	
Site Location (Cross Streets): approx. 1/4 mile west of Ten Mile and Kuna Roads	
Parcel Number (s): S1322438400	
Section, Township, Range: Section 22, T2N, R1W	
Property size : 39.4 acres +/-	
Current land use: Ag	Proposed land use: SFR
Current zoning district: R-6	Proposed zoning district: R-6

Project Description

Project / subdivision name: Madrone Heights

General description of proposed project / request: Preliminary plat for single-family residential subdivision

Type of use proposed (check all that apply):

- [X] Residential — single-family detached
- [ ] Commercial
- [ ] Office
- [ ] Industrial
- [ ] Other

Amenities provided with this development (if applicable): open space with soccer fields and walking paths

Residential Project Summary (if applicable)

Are there existing buildings? [X] Yes [ ] No

Please describe the existing buildings: existing residence with ag outbuildings

Any existing buildings to remain? [ ] Yes [X] No

Number of residential units: 206 Number of building lots: 206

Number of common and/or other lots: 27 common + 1 shared driveway lot

Type of dwellings proposed:

- [X] Single-Family
- [ ] Townhouses
- [ ] Duplexes
- [ ] Multi-Family
- [ ] Other

Minimum Square footage of structure (s):

Gross density (DU/acre-total property): 5.2 Net density (DU/acre-excluding roads): 7.3

Percentage of open space provided: 8.6 Acreage of open space: 3.4

Type of open space provided (i.e. landscaping, public, common, etc.): landscaped open space with soccer fields and walking paths

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: 5.25.18

W. PENSTEMON ST.
W. CASCARA ST.
W. VIBURNUM ST.
W. TROUT LILY ST.
W. PARK ST.
KUNA ROAD
N. TIDEBERRY AVE.
N. COLTSFOOT AVE.
N. MADRONE AVE.
N. MEADOWSWEET AVE.
N. CRANESBILL AVE.
N. BEADLILY AVE.
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
BLOCK 9
BLOCK 10
BLOCK 11
BLOCK 12
BLOCK 13

SCHEDULE

	148,023	LANDSCAPE BUFFERS AND OPEN SPACE
	206	BUILDABLE LOTS
	336	DECIDUOUS TREES VARIETY AND CLASS VARIES. SEE LANDSCAPE PLAN
	50	EVERGREEN TREES VARIETY VARIES. SEE LANDSCAPE PLAN

REQUIRED LANDSCAPE CALCULATIONS

REQUIREMENTS	CALCULATION	PROVIDED
1 TREE PER LOT	206 BUILDABLE LOTS = 206 TREES REQUIRED	206
1 TREE PER 1000 SF OF OPEN SPACE	2.4 ACRES = +/- 104390 SF/1000= 104 TREES	104
FRONTAGE LANDSCAPE REQUIREMENTS 1 DECIDUOUS TREES PER 100 LF OF FRONTAGE 2 EVERGREEN TREES PER 100 LF OF FRONTAGE 12 SHRUBS PER 100 LF OF FRONTAGE	26 DECIDUOUS TREES REQUIRED 50 EVERGREEN TREES REQUIRED	26 50
TOTALS	386 TREES REQUIRED	386

CONTACT INFORMATION

ENGINEERING CONSULTANT
KM ENGINEERING, LLP
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EMAIL: kevin@kmengllp.com

OWNER
NORTH STAR FARM, LLC &
WATERS EDGE FARM LLC
6152 WEST HALF MOON LANE
EAGLE, IDAHO 83616
CONTACT: TIM ECK

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Plan Scale

PRELIMINARY NOT FOR CONSTRUCTION

MADRONE HEIGHTS SUBDIVISION
LANDSCAPE RENDERING
KUNA, IDAHO

REVISIONS

NO.	ITEM	DATE

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STATE OF IDAHO
ALYSSA YENSEN
LICENSED LANDSCAPE ARCHITECT
LA-16577
5/25/18

DATE: 5/25/18
PROJECT: 17-054
SHEET NO. PPL2.0

PRELIMINARY - NOT FOR CONSTRUCTION

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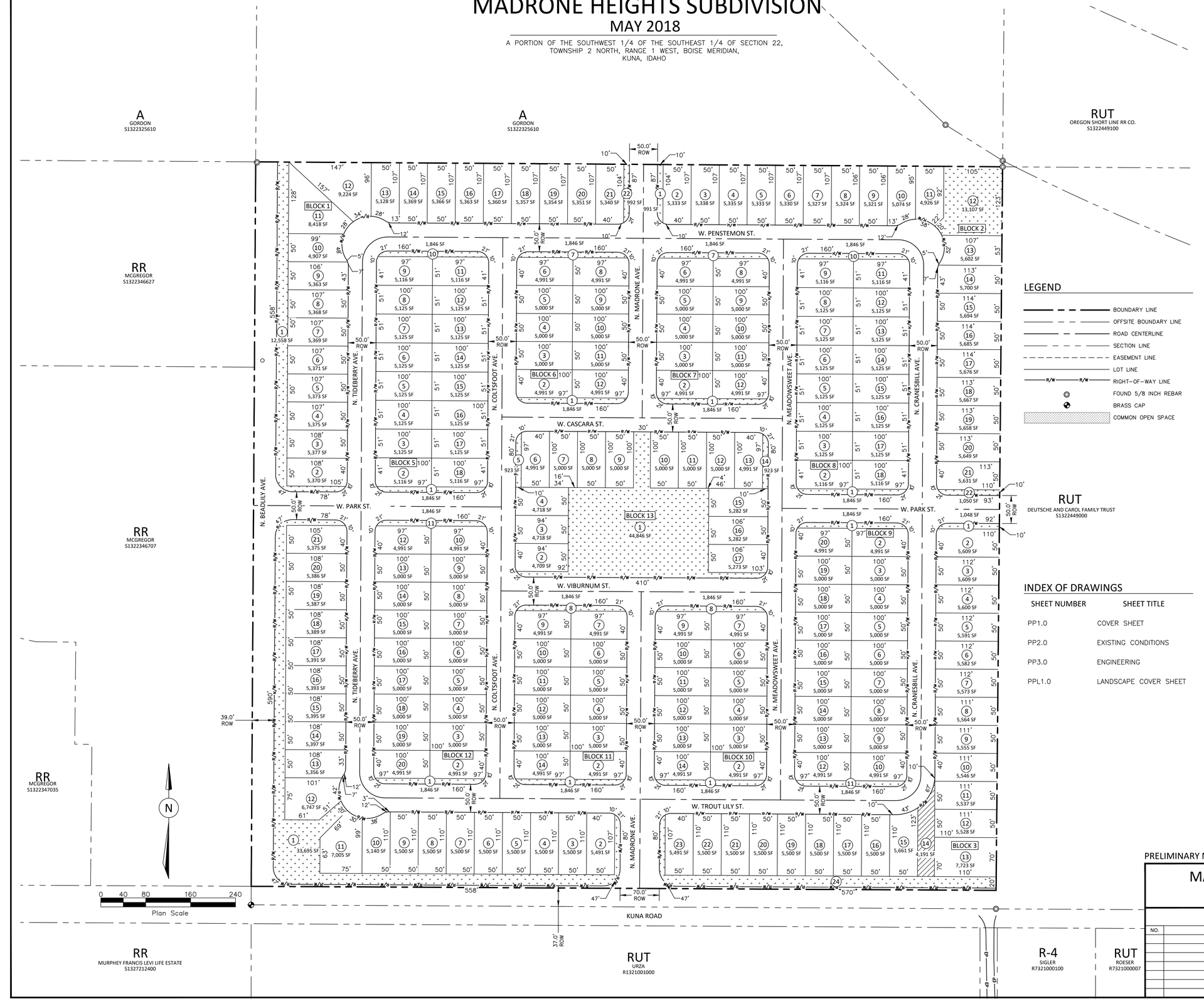
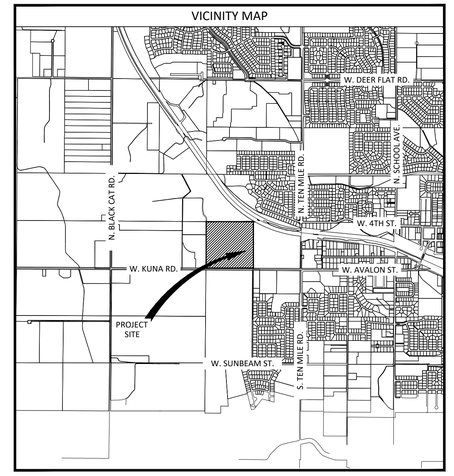
PRELIMINARY PLAT SHOWING
MADRONE HEIGHTS SUBDIVISION

MAY 2018

A PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22,
TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN,
KUNA, IDAHO





LEGEND

- BOUNDARY LINE
- OFFSITE BOUNDARY LINE
- ROAD CENTERLINE
- SECTION LINE
- EASEMENT LINE
- LOT LINE
- R/W—R/W RIGHT-OF-WAY LINE
- FOUND 5/8 INCH REBAR
- BRASS CAP
- COMMON OPEN SPACE

PRELIMINARY PLAT DATA

SITE DATA

TOTAL AREA OF SITE	39.39± ACRES
CURRENT SITE ZONING	R-6
OVERALL OPEN SPACE AREA	3.4± ACRES
PERCENT OPEN SPACE	8.6%
TOTAL NUMBER OF LOTS	234
NUMBER OF BUILDABLE LOTS	206
NUMBER OF COMMON LOTS	27
SHARED DRIVEWAY LOTS	1
DWELLING UNITS PER GROSS ACRE	5.2

R-6 DIMENSIONAL STANDARDS (NO CHANGES PROPOSED)

MINIMUM SQUARE FOOTAGE	4,500 SF
MINIMUM FRONTAGE	45'
FRONT SETBACK	20'
REAR SETBACK	15'
INTERIOR SIDE SETBACK	5'
STREET SIDE SETBACK	
LOCAL	20'
MAXIMUM BUILDING HEIGHT	35'

UTILITIES

WATER:	CITY OF KUNA
SEWER:	CITY OF KUNA
POWER:	IDAHO POWER
NATURAL GAS:	INTERMOUNTAIN GAS CO.
TELEPHONE:	CENTURY LINK
IRRIGATION:	BOISE-KUNA IRRIGATION DISTRICT/CITY OF KUNA PI
PRESSURIZED IRRIGATION:	CITY OF KUNA (KMID)
FIRE PROTECTION:	KUNA RURAL FIRE DISTRICT
POLICE PROTECTION:	KUNA POLICE (ADA COUNTY SHERIFF)
SANITATION:	J&M SANITATION
SCHOOL DISTRICT:	KUNA SCHOOL DISTRICT

INDEX OF DRAWINGS

SHEET NUMBER	SHEET TITLE
PP1.0	COVER SHEET
PP2.0	EXISTING CONDITIONS
PP3.0	ENGINEERING
PPL1.0	LANDSCAPE COVER SHEET

SURVEY CONTROL NOTES

1. ALL SURVEY DATA IS BASED ON THE US GOVERNMENT HORIZONTAL (NAD83 ADJUSTED TO THE ADA COUNTY H.A.R.N. SURVEY) AND VERTICAL (NAVD 88) BENCHMARK DATUM.

NOTES

1. ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE CITY OF KUNA STANDARDS AND SPECIFICATIONS AND THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (LATEST EDITION).
2. ALL EASEMENTS AND BUILDING SETBACKS SHALL CONFORM TO THE CITY OF KUNA ZONING ORDINANCE.
3. INTERNAL LOT LINES ARE CONCEPTUAL AND MAY CHANGE DURING FINAL PLATTING.
4. STREET NAMES AS SHOWN ARE TEMPORARY AND SHALL BE NAMED ACCORDING TO CITY OF KUNA ZONING ORDINANCE PRIOR TO RECORDING OF FINAL PLAT.

CONTACT INFORMATION

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PRELIMINARY NOT FOR CONSTRUCTION

MADRONE HEIGHTS SUBDIVISION
COVER SHEET
KUNA, IDAHO

REVISIONS

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km ENGINEERING
9233 WEST STATE STREET
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PROFESSIONAL ENGINEER — REGISTERED — 10821 — 05/25/2018 — STATE OF IDAHO — KEVIN P. MCCARTHY

DATE: 5/25/18
PROJECT: 17-054
SHEET NO. PP1.0

PRELIMINARY - NOT FOR CONSTRUCTION

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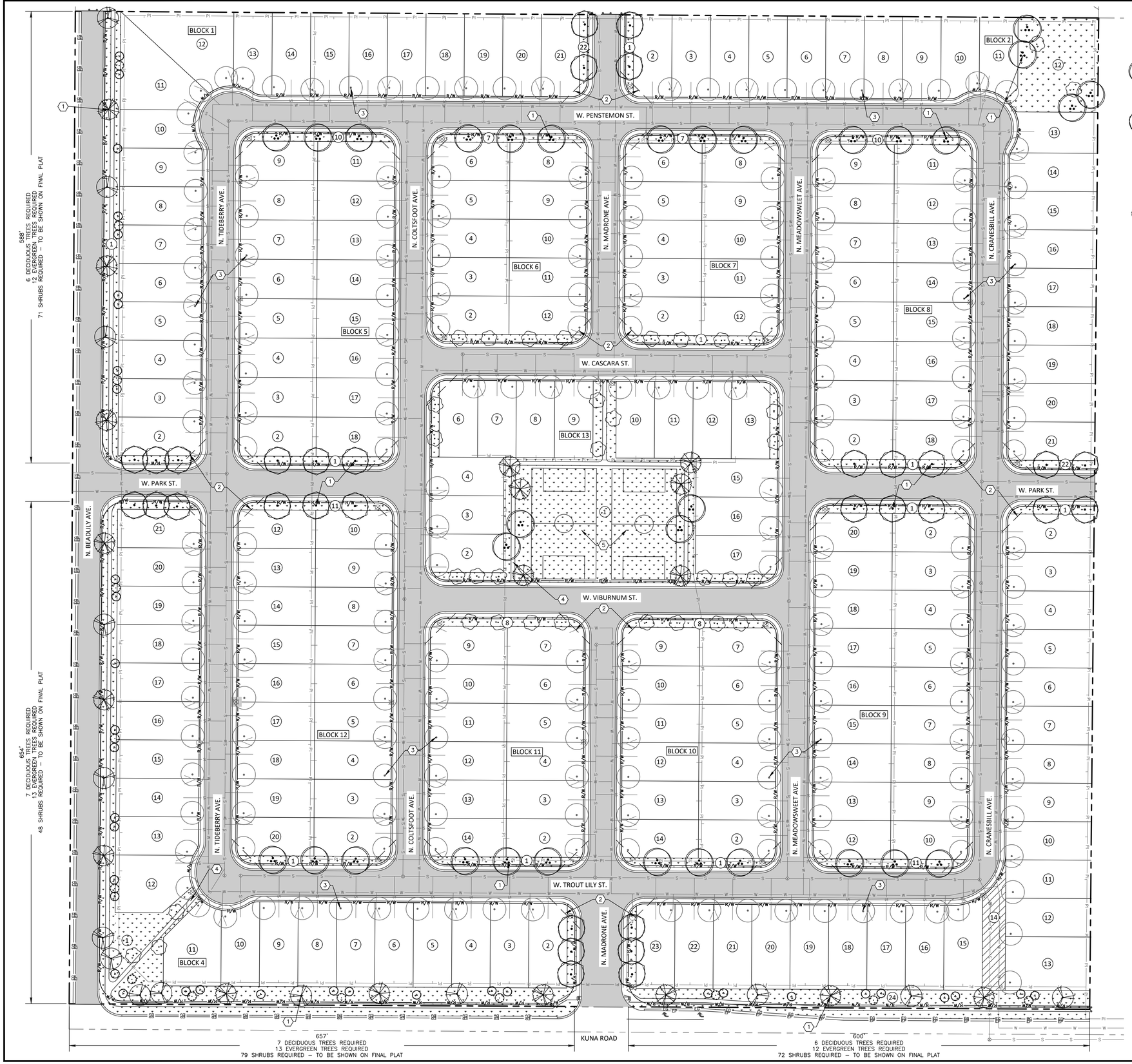

PLANT SCHEDULE

DECIDUOUS TREES	QTY	BOTANICAL NAME	SIZE	MATURE HXW	CLASS
	18	ACER PLATANOIDES `CRIMSON KING` CRIMSON KING MAPLE	2" CAL. B&B	35`X30`	CLASS II
	32	FRAXINUS AMERICANA `AUTUMN PURPLE` AUTUMN PURPLE ASH	2" CAL. B&B	45`X45`	CLASS II
	14	GLEDITSIA TRIACANTHOS `SKYLINE` SKYLINE HONEY LOCUST	2" CAL. B&B	35`X30`	CLASS II
	32	LIQUIDAMBAR STYRACIFLUA `MORAINE` MORAINE SWEET GUM	2" CAL. B&B	55`X45`	CLASS II
	34	PYRUS CALLERYANA `GLEN`S FORM` TM CHANTICLEER FLOWING PEAR	2" CAL. B&B	35`X20`	CLASS I

EVERGREEN TREES	QTY	BOTANICAL NAME	SIZE	MATURE HXW	CLASS
	37	PICEA PUNGENS `HOOPSII` HOOPSI BLUE SPRUCE	6`-8` B&B	35`X15`	
	13	PINUS FLEXILIS `VANDERWOLF`S PYRAMID` VANDERWOLF`S PYRAMID PINE	10`-12` B&B	25`X15`	

OTHER SYMBOLS	QTY	BOTANICAL NAME	SIZE	MATURE HXW	CLASS
	206	INDIVIDUAL LOT TREE SCHEMATIC LOCATION PER KUNA CITY CODE 6-4-2V INSTALL ONE TREE PER LOT. INDIVIDUAL LOT TREES SHALL BE INSTALLED BY THE INDIVIDUAL HOME BUILDER IN CONJUNCTION WITH THE INDIVIDUAL LOT DEVELOPMENT. THESE TREES ARE NOT THE RESPONSIBILITY OF THE DEVELOPER.	2" CAL. B&B		CLASS II

GROUND COVERS	QTY	BOTANICAL NAME	CONT
	154,043 SF	TURF SOD RHIZOMATOUS RHIZOMATOUS TALL FESCUE	SOD

GENERAL LANDSCAPE NOTES

1. CONTRACTOR SHALL LOCATE AND IDENTIFY EXISTING UNDERGROUND AND OVERHEAD UTILITIES WITHIN CONTRACT WORK AREAS PRIOR TO CONSTRUCTION. CONTACT DIG LINE, INC. @ 1.800.342.1885. PROVIDE ADEQUATE MEANS OF PROTECTION OF UTILITIES AND SERVICES DESIGNATED TO REMAIN. REPAIR UTILITIES DAMAGED DURING SITE WORK OPERATIONS AT CONTRACTOR'S EXPENSE.
2. ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE SHOWN.
3. ALL PLANTED BEDS TO RECEIVE A MIN. 3" DEPTH ORGANIC MULCH, SUCH AS BARK, SOIL AID, PERMABARK, OR SIMILAR PRODUCTS. USE OF MULCH OR ROCK AS THE ONLY GROUND COVER IN REQUIRED PLANTING ARES IS PROHIBITED. IF ROCK MULCH IS USED, INSTALL A PERMEABLE FABRIC WEED BARRIER UNDER ROCK MULCH. IMPERMEABLE PLASTIC WEED BARRIERS ARE PROHIBITED.
4. FENCING WITHIN SUBDIVISION, ALONG SIDE AND REAR LOT LINES SHALL BE INSTALLED BY BUILDER/HOMEOWNER IN CONJUNCTION WITH INDIVIDUAL LOT DEVELOPMENT AND SHALL COMPLY WITH THE STANDARDS ESTABLISHED IN THE SUBDIVISION'S CC&RS.
5. REQUIRED SUBDIVISION LOT TREES SHALL BE INSTALLED BY THE BUILDER/ HOMEOWNER IN CONJUNCTION WITH INDIVIDUAL LOT DEVELOPMENT.
6. INSTALL 3' RING WITH BARE EARTH SURFACE AT ALL TREES WITHIN TURF AREAS
7. TREES SHALL NOT BE PLANTED WITHIN THE 10' CLEAR ZONE OF ALL STORM DRAIN PIPE, STRUCTURES, OR FACILITIES.
8. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.

GENERAL IRRIGATION NOTES

1. ALL PLANT MATERIALS TO BE WATERED BY THE DEVELOPMENT OR SUBDIVISION PRESSURIZED IRRIGATION SYSTEM. IRRIGATION OF COMMON AREAS SHALL BE VIA THE SUBDIVISION'S PRESSURIZED IRRIGATION SYSTEM. IRRIGATION OF INDIVIDUAL LOTS AND LANDSCAPING ALONG THE FRONTAGE OF PRIVATE LOTS SHALL BE VIA METERED, POTABLE WATER AND THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNERS.
2. COVERAGE; THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE ONE HUNDRED PERCENT (100%) COVERAGE WITH HEAD TO HEAD SPACING OR TRIANGULAR SPACING AS APPROPRIATE.
3. MATCHED PRECIPITATION RATES: SPRINKLER HEADS SHALL HAVE MATCHED PRECIPITATION RATES WITHIN EACH CONTROL VALVE.
4. IRRIGATION DISTRICTS; SPRINKLER HEADS IRRIGATING LAWN OR OTHER HIGH WATER DEMAND AREAS SHALL BE CIRCUITED SO THAT THEY ARE ON THE SEPARATE ZONE OR DISTRICT FROM THOSE IRRIGATING TREES, SHRUBS, OR OTHER REDUCED WATER DEMAND AREAS.
5. OVERSPRAY; SPRINKLER HEADS SHALL BE ADJUSTED TO REDUCE OVERSPRAY ONTO IMPERVIOUS SURFACES SUCH AS STREETS, SIDEWALKS, DRIVEWAYS, AND PARKING AREAS.

KEY NOTES (#)

1. INSTALL 3' TREE RING, WITH BARE EARTH SURFACE AT ALL TREES WITHIN TURF AREAS.
2. 40' CLEAR VISION TRIANGLE. NO TREES SHALL BE PLANTED WITHIN A CLEAR VISION TRIANGLE. THE MAXIMUM HEIGHT OF ANY VEGETATIVE GROUND COVER AT MATURITY WITHIN THE CLEAR VISION TRIANGLE SHALL BE 3' FROM THE ADJACENT STREET GRADE.
3. SCHEMATIC LOCATION OF INDIVIDUAL LOT TREES. SEE SYMBOL LEGEND. TREES TO BE PLANTED IN CONJUNCTION WITH INDIVIDUAL LOT LANDSCAPING BY THE HOME BUILDING AND IN CONJUNCTION WITH THE INDIVIDUAL LOT DEVELOPMENT. THESE TREES ARE NOT THE RESPONSIBILITY OF THE DEVELOPER.
4. PEDESTRIAN PATHWAY
5. SCHEMATIC SOCCER FIELDS

REQUIRED LANDSCAPE CALCULATIONS

REQUIREMENTS	CALCULATION	PROVIDED
LOT REQUIREMENTS 1 TREE PER LOT	206 BUILDABLE LOTS = 206 TREES REQUIRED	206
1 TREE PER 1000 SF OF OPEN SPACE	2.4 ACRES = +/– 104390 SF/1000= 104 TREES	104
FRONTAGE LANDSCAPE REQUIREMENTS 1 DECIDUOUS TREES PER 100 LF OF FRONTAGE 2 EVERGREEN TREES PER 100 LF OF FRONTAGE 12 SHRUBS PER 100 LF OF FRONTAGE	26 DECIDUOUS TREES REQUIRED 50 EVERGREEN TREES REQUIRED	26 50
TOTALS	386 TREES REQUIRED	386

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Plan Scale

PRELIMINARY NOT FOR CONSTRUCTION

MADRONE HEIGHTS SUBDIVISION
LANDSCAPE COVER SHEET
KUNA, IDAHO

REVISIONS

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FAX (208) 639-6930

STATE OF IDAHO
ALYSSA YENSEN
LA-16577
5/25/18
LICENSED LANDSCAPE ARCHITECT

DATE: 5/25/18
PROJECT: 17-054
SHEET NO. PPL1.0

PRELIMINARY - NOT FOR CONSTRUCTION

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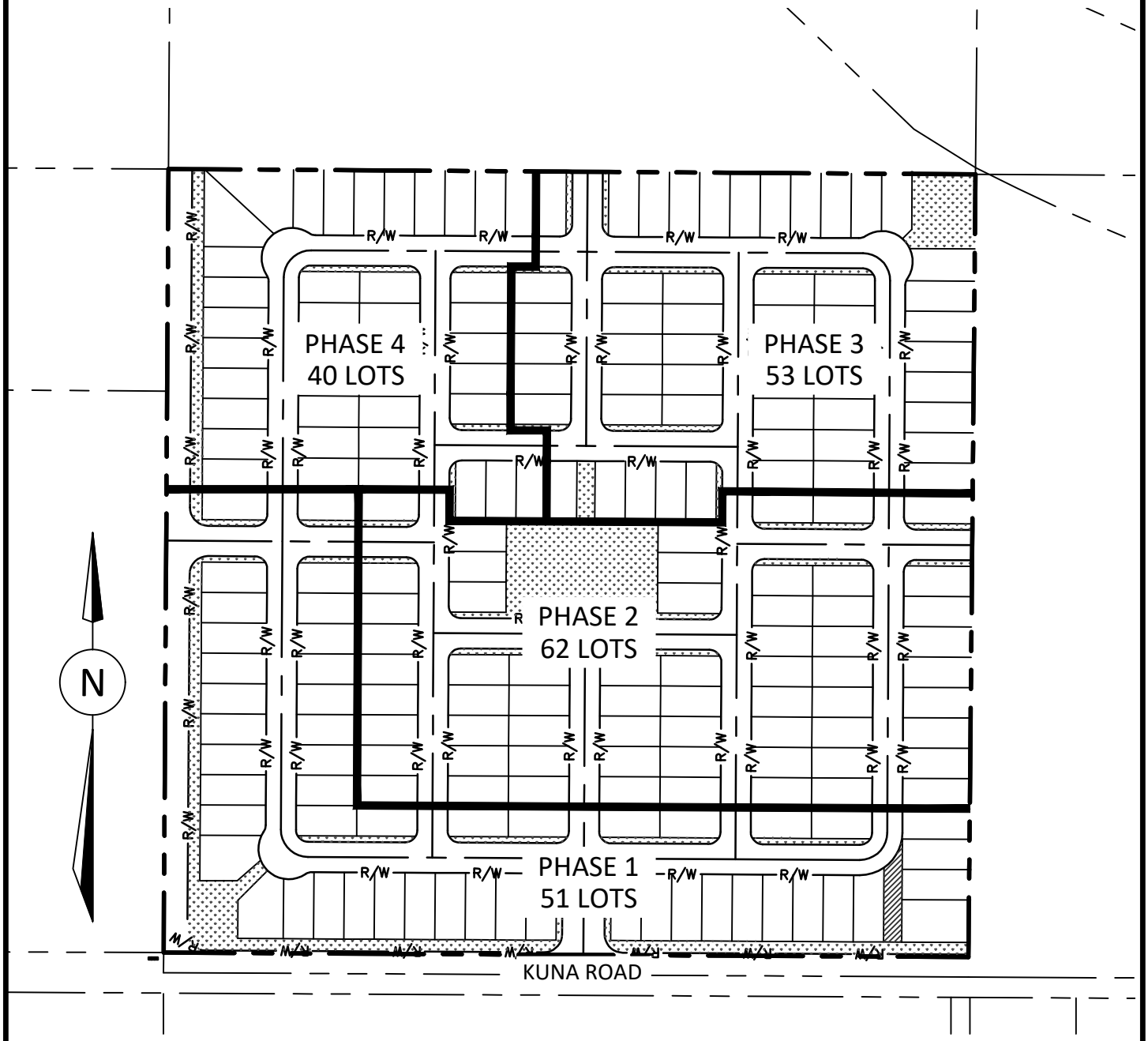

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Plan Scale

MADRONE HEIGHTS SUBDIVISION
KUNA, IDAHO

DATE:	04/25/18
PROJECT:	17-054
SHEET:	1 OF 1

CONCEPTUAL PHASING PLAN
SUBJECT TO CHANGE

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CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.KunaID.gov

MICHAEL L. BORZICK
GIS MAPPING

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

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Bob Bachman ~ Public Works Director
Paul Stevens ~ City Engineer
Michael L. Borzick ~ GIS Manager/Plan Review

RE: The Urza 40 Subdivision

DATE: January 4, 2018

We have reviewed the request of the above applicant. It is noted that specific development plans are not provided except those implied as allowed or permitted in a residential subdivision. Our recommendation is to proceed with this Project and address any issues and conditions raised below in connection with this application during plan review. Accordingly, we have provided the following comments:

1. **Sanitary Sewer Needs**
   a) The City requires connection to all city utilities.
   b) Wastewater from the applicant's property will be treated at the South Treatment Plant, which has sufficient capacity to serve this site at this time. The nearest point of connection for the Urza Subdivision property is located ½ mile to the East of said property within a 15" sewer main that discharges into the Ten Mile Lift Station. When connecting to the sewer system, the applicant shall abide by all relevant inspection, sewer reimbursement policies and agreements and all relevant connection fees. One (1) unit is responsible for one (1) sewer connection fee. 90 units – 90 connection fees.
   c) The Ten Mile Lift Station is "over-committed" for future sewer connections. At this time, the City opines that this project ***will*** over-burden the Lift Station and there may be a delay in the connections to the City sewer while we are working on a solution.
   d) Applicant must conform to City of Kuna Sewer Master Plan.
   e) For assistance in locating existing facilities and understanding issues associated with connection, please contact the GIS Manager at 208-287-1726.

2. Potable Water Needs

a) The applicant's property is currently vacant and it is required that the applicant connect to City facilities at the commencement of development even though water is greater than 300' away.
b) The nearest point of connection for this property is in a 12-inch water main 1/4 mile to the east of said property. 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.
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.
e) For assistance in locating existing facilities, please contact the GIS Manager at 208-287-1726.

3. Pressure and Gravity Irrigation

a) There is no pressurized irrigation available to this property however the applicant would be responsible for the "to and through" policy and must conform to City of Kuna Irrigation Master Plan which entails extending a 12" PI main along the section line road of Avalon St and along the mid mile alignment on the western boundary.
b) Provide adequate request(s) and legal descriptions for annexing and pooling the irrigation water in a phased approach.
c) For assistance in locating existing facilities, please contact the GIS Manager at 208-287-1726.

4. Grading and Storm Drainage

The following is not required for an Annexation or a Re-zone 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) 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) What is the intent for the existing buildings, well(s) and septic tank(s)
c) State the vertical datum used for elevations on all drawings.
d) Provide engineering certification on all final engineering drawings.

e) 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.

f) Right-of-Way

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 that 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.

g) 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.

h) Property Description

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

i) Recommendation

Public Works recommends this property be zoned no more than R-4 or less due to the real capacity issues at the Ten Mile Lift Station. We are working on several solutions to increase the capacity issues within the Ten Mile LS, however these solutions can only be slowly implemented due to budget restraints/cycles and one of the "easiest" options may require putting an older outdated force main into service which is not recommended by staff because of the issues that are associated with that force main.

We look forward to working with you on this project. If we may be of further assistance, feel free to contact me at 208-287-1726.

Sincerely,

Michael L Borzick

Michael L Borzick
GIS Manager

Development Services Department

Project/File: **Madrone Heights/ KPP18-0008/ 18-02-S**
This is a preliminary plat application to allow for the development of 206 single family building lots and 27 common lots on approximately 39 acres.

Lead Agency: City of Kuna

Site address: 2030 W. Kuna Road

Staff Approval: September 6, 2018

Applicant: Tim Eck
Star Farm, LLC
6152 W. Half Moon Lane
Eagle, ID 83616

Representative: Kirsti Grabo
KM Engineering
9233 W. State Street
Boise, ID 83714

Staff Contact: Mindy Wallace, AICP
Phone: 387-6178
E-mail: mwallace@achdidaho.org

A. Findings of Fact

1. **Description of Application:** This is a preliminary plat application to allow for the development of 206 single family building lots and 27 common lots on approximately 39 acres.

   The applicant's proposal is consistent with the R-6 residential zoning of the site.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Agricultural	A
South	Rural urban transitional	RUT
East	Rural urban transitional	RUT
West	Rural residential	RR

3. **Site History:** ACHD has not previously reviewed this site for a development application.
4. **Transit:** Transit services are not available to serve this site.
5. **New Center Lane Miles:** The proposed development includes 0.8 centerline miles of new public road.

6. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**

   There are no roadways, bridges or intersections in the general vicinity of the project that are in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 2,013 vehicle trips per day; 202 additional vehicle trips per hour in the PM peak hour, based on the traffic impact study.

2. **Traffic Impact Study**

   Kittelson & Associates prepared a traffic impact study for the proposed Madrone Heights Subdivision. The executive summary of the findings **as** presented by Consulting Firm can be found as attachment 3. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices, and may have additional requirements beyond what is noted in the summary.

   Staff Comments/Recommendations: The traffic study notes that all study intersections and roadway segments will operate at an acceptable level of service under existing conditions and under total traffic conditions in 2022.

   The traffic impact study recommends a posted speed reduction for Kuna Road between Yankee Rock Avenue and Black Cat Road as a potential mitigation alternative to constructing right turn lanes on Kuna Road at Black Cat Road and at the south site access (Madrone Avenue).

   ACHD collected radar speed data for this segment on August 9, 2018 and found that the existing 85th percentile speed is 56 mph. The construction of the proposed development is not likely to decrease vehicle speeds enough to warrant a reduction of the posted speed limit to 35 or 40 mph, as recommend in the study. Additional development may lead to reduced speeds and an extension to the west of the 35 mph speed zone that currently begins at Yankee Rock Avenue, but right turn lanes will be warranted due to an increase in volume on Kuna Road associated with the additional development. Therefore, staff recommends the construction of a westbound right turn at the Kuna Road/Black Cat Road intersection and the construction of a right turn lane on Kuna Road at Madrone Avenue.

   The turn lane analysis worksheets show that that the warrant is met for an eastbound left-turn lane under total traffic conditions in 2022 in the PM Peak hour at the South Access (Madrone Avenue) and Kuna Road intersection, however, the TIS states that the left-turn warrant is not met for either peak hour. Based on staff's evaluation, an eastbound left turn lane is warranted at this location.

   The TIS also lists potential four-way stop control at the intersection of Kuna Road and Black Cat Road as a potential mitigation alternative to constructing a westbound right turn lane at the intersection. The existing crash data and anticipated future volumes at the intersection do not meet warrants for four-way stop control.

3. Condition of Area Roadways
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Kuna Road	1,320-feet	Minor Arterial	291	Better than "E"

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

4. Average Daily Traffic Count (VDT)
Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for Kuna Road west of Ten Mile Road was 5,240 on 3/21/2018.

C. Findings for Consideration

1. Kuna Road

a. Existing Conditions: Kuna Road is improved with 2-travel lanes, and no curb, gutter or sidewalk abutting the site. There is 66-feet of right-of-way for Kuna Road (33-feet from centerline).

b. Policy:
Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Arterial Road is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 74-feet of right-of-way.

c. Applicant Proposal: The applicant has proposed to dedicate right-of-way to total 37-feet from the centerline of Kuna Road abutting the site. The applicant has proposed to widen the pavement on Kuna Road to 17-feet from centerline with 3-foot wide gravel shoulders and 5-foot wide detached concrete sidewalks.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved, as proposed. The applicant should be required to provide a permanent right-of-way easement for detached sidewalk located outside of the dedicated right-of-way.

No compensation will be provided for right-of-way on Kuna Road, as the roadway is not listed as impact fee eligible in the Capital Improvements Plan.

As recommended in the traffic impact study, construct a dedicated right turn lane and a center left turn lane on Kuna Road at the Madrone Avenue intersection when Madrone Avenue is constructed.

2. Mid-Mile Collector

a. Existing Conditions: There are no mid-mile collector roadways adjacent to or within the site.

b. Policy:

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and

taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Residential Collector. The new collector roadway should be located at the half mile between Black Cat and Ten Mile Roads and should extend from Kuna Road north stubbing to the north property line. The Residential Collector typology as depicted in the Livable Street Design Guide recommends a 36-lane roadway with bike lanes, a 36-foot street section within 54-feet of right-of-way.

c. Applicant Proposal: The applicant has proposed to construct ½ of a mid-mile collector, Beadlily Avenue, abutting the site's west property line. The roadway is proposed to be constructed as a ½ of a 36-foot collector roadway, plus 12-additional feet of pavement to total 30-feet, with vertical curb, gutter, an 8-foot wide planter strip, and 5-foot wide detached concrete sidewalks abutting the site with a gravel shoulder and barrow ditch on the west side of the roadway.

These improvements are proposed to be constructed within 38-feet of right-of-way, with the planter strip and detached sidewalk located outside of the right-of-way in an easement.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved, as proposed. If the sidewalks are detached then the right-of-way may extend from the barrow ditch to 2-feet behind the back of curb on the south side of the roadway. Provide a permanent right-of-way easement for detached sidewalks located outside of the dedicated right-of-way.

The construction of Beadlily Avenue north of Park Street will be evaluated with the final plat necessitating the improvements. If neighboring parcels have developed, or will likely develop, then the road should be constructed to the north property line, as proposed. If development hasn't occurred then Staff recommends that the right-of-way for Beadlily Avenue extend to the site's north property line, but that the improvements terminate at the Park Street intersection and that the applicant provide a road trust deposit for the future construction of the roadway.

The applicant should be required to install a sign at the terminus of Beadlily Avenue Street which states that, *"THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENDED IN THE FUTURE."*

If Beadliliy Avenue is constructed to the north property line, staff recommends that lieu of constructing a temporary turnaround at the terminus of the Beadlily Avenue, that a barricade be installed on the north side of Park Street with a sign that states that, *"THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND*

WIDENDED IN THE FUTURE.". Staff's recommendation is due to the fact that Beadlily is a collector roadway with no front-on housing and no direct lot access, there will be fencing and a 20-foot wide landscape buffer between the roadway and the building lots, and because there is no direct lot access emergency services will not need to turnaround at the terminus of the stub street, as the homes will be access from local streets within the development.

3. Internal Local Street

a. Existing Conditions: There are no local streets within the site.

b. Policy:

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.
For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

c. Applicant's Proposal: The applicant has proposed to construct the internal local streets as 36-foot wide street sections with rolled curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved, as proposed.

4. Roadway Offsets

a. Existing Conditions: There are no roadways within the site.

b. Policy:

Local Street Intersection Spacing on Minor Arterials: District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 660-feet as measured from all other existing roadways as identified in Table 1a (7205.4.6).

Collector Offset Policy: District policy 7205.4.2 states that the optimum spacing for new signalized collector roadways intersecting minor arterials is one half-mile.

Local Offset Policy: District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet from a collector roadway (measured centerline to centerline).

District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

c. Applicant's Proposal: The applicant has proposed to construct 2 roadways to intersect Kuna Road. Madrone Avenue, located approximately 640-feet west of the east property line and Beadlily Avenue, located at the half mile between Ten Mile and Black Cat Roads.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy is consistent with the MSM and should be approved, as proposed.

5. Stub Streets

a. Existing Conditions: There are no stub streets to or from the site.

b. Policy:

Stub Street Policy: District policies 7206.2.4 and 7207.2.4 state that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7206.2.5.4 and 7207.2.5.4, except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE." or "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: District policies 7206.2.4 and 7207.2.4 requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

c. Applicant Proposal: The applicant has proposed to construct 1 stub street to the north, Madrone Avenue, located approximately 640-feet west of the east property line.

The applicant has proposed to construct 1 stub street to the east, Park Street, located approximately 670-feet north of the south property line.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved, as proposed. The applicant should be required to install a sign at the terminus of each stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

6. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

7. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

8. Other Access

Kuna Road is classified as a minor arterial roadway. Beadlily Avenue is classified as a collector roadway. Direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Construct a westbound right turn on Kuna Road at the Kuna Road/Black Cat Road intersection.

2. Dedicate right-of-way to total 37-feet from the centerline of Kuna Road abutting the site. No compensation will be provided for right-of-way dedication.

3. Widen the pavement on Kuna Road to 17-feet from centerline with 3-foot wide gravel shoulders and 5-foot wide detached concrete sidewalks, as proposed. Provide a permanent right-of-way easement for detached sidewalk located outside of the dedicated right-of-way.

4. Construct a dedicated right turn lane and a center left turn lane on Kuna Road at the Madrone Avenue intersection when Madrone Avenue is constructed.

5. Construct Beadlily Avenue to intersect Kuna Road at the half mile between Black Cat and Ten Mile Road, as proposed.

6. Construct Beadlily Avenue as a ½ of a 36-foot collector roadway, plus 12-additional feet of pavement to total 30-feet, with vertical curb, gutter, an 8-foot wide planter strip, and 5-foot wide detached concrete sidewalks abutting the site with a gravel shoulder and barrow ditch on the west side of the roadway, as proposed. The right-of-way shall extend a minimum of 2-feet behind the back curb and encompass the barrow ditch. Provide a permanent right-of-way easement for detached sidewalk located outside of the dedicated right-of-way.

7. The construction of Beadlily Avenue north of Park Street will be evaluated with the final plat necessitating the improvements. If Beadlily isn't constructed north of Park Street, then right-of-way dedication and a road trust deposit for that segment of the roadway will be required.

8. Install a sign at the terminus of Beadlily Avenue Street which states that, *"THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENDED IN THE FUTURE."*

9. If Beadliliy Avenue is constructed to the north property line, install a barricade on the north side of Park Street with a sign that states that, *"THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENDED IN THE FUTURE."*

10. Construct Madrone Avenue to intersect Kuna Road, located 640-feet west of the east property line, as proposed.

11. Construct the internal local streets as 36-foot wide street sections with rolled curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way.

12. Construct 1 stub street to the north, Madrone Avenue, located 640-feet west of the east property line, as proposed. Install a sign at the terminus the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

13. Construct 1 stub street to the east, Park Street, located 670-feet north of the south property line. Install a sign at the terminus of the street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

14. Other than the access specifically approved with this application, direct lot access is prohibited to Kuna Road and Beadlily Avenue and shall be noted on the final plat.

15. Payment of impact fees is due prior to issuance of a building permit.

16. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).

2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.

3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.

4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.

5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.

6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.

7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.

9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.

10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.

11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.

12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

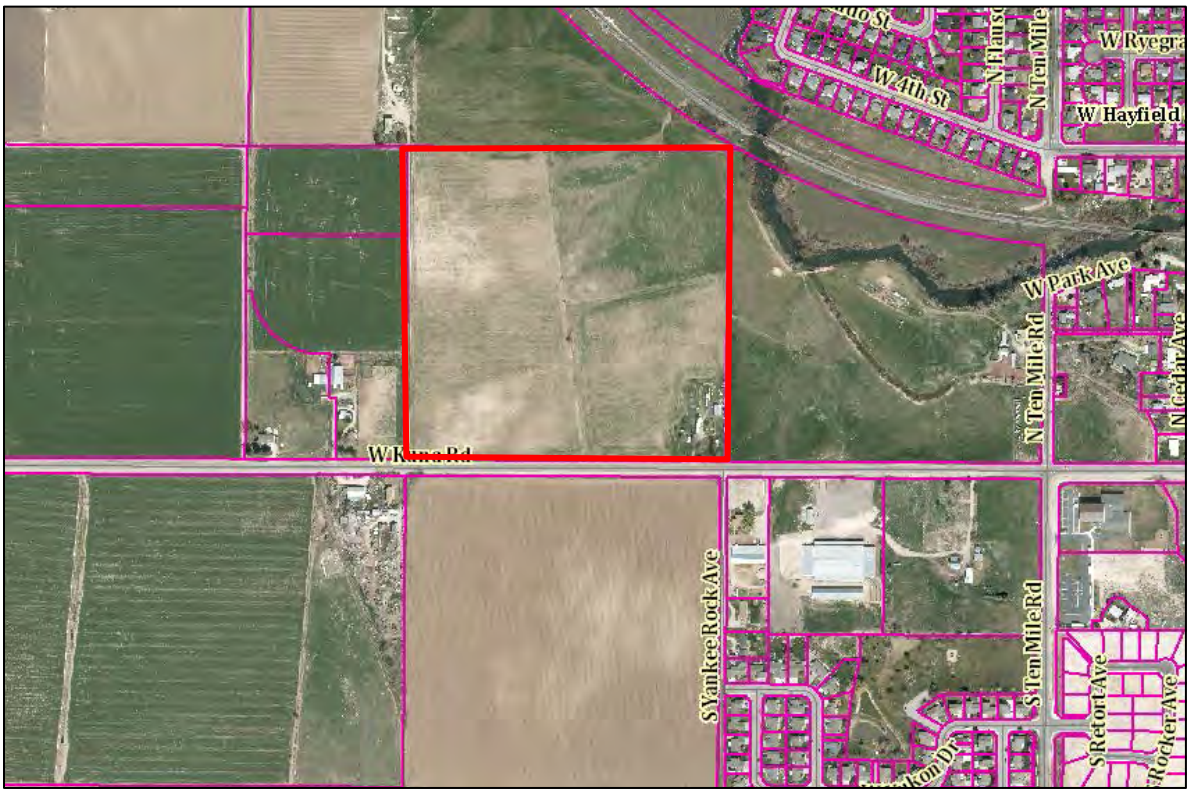
1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.

2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

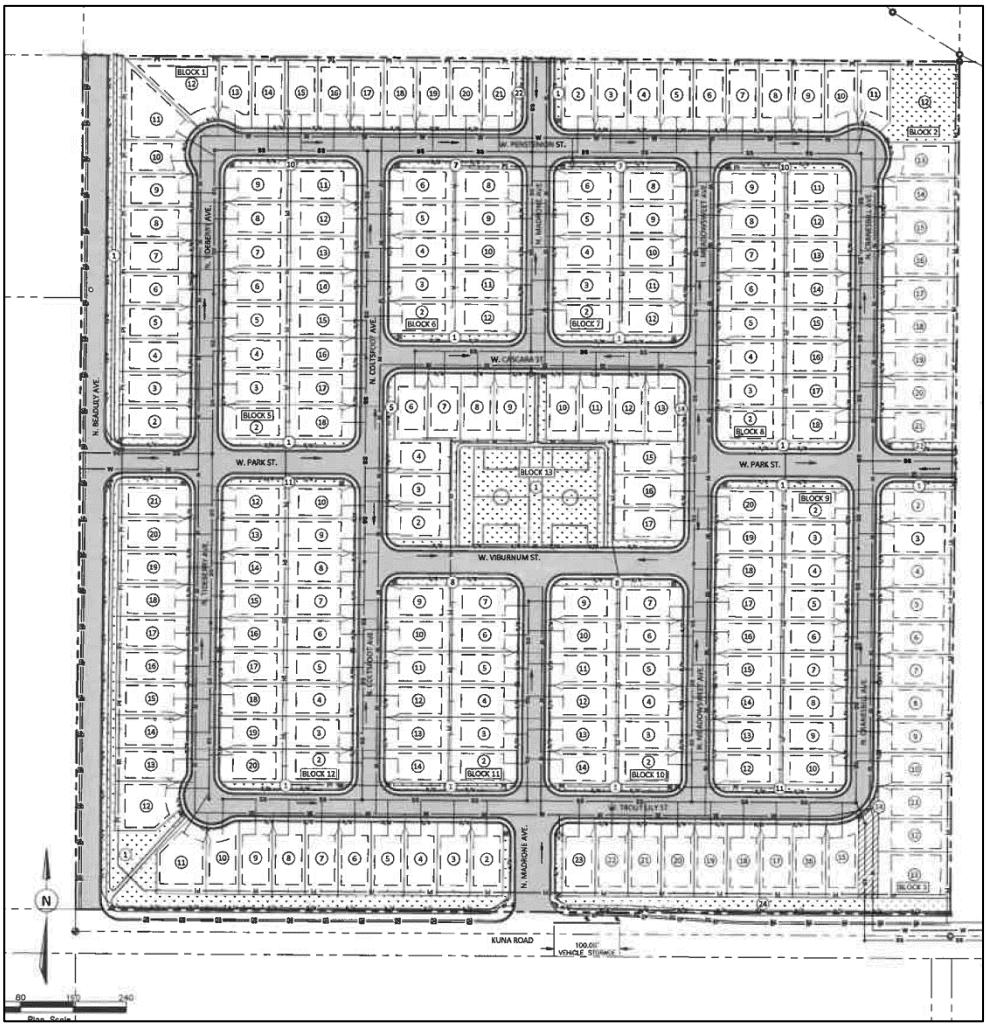
G. Attachments

1. Vicinity Map
2. Site Plan
3. Traffic Study - Summary
4. Utility Coordinating Council
5. Development Process Checklist
6. Request for Reconsideration Guidelines

VICINITY MAP



SITE PLAN


W. PENSTEMON ST.
W. CASCARA ST.
W. PARK ST.
W. VIBURNUM ST.
W. TROUT LILY ST.
KUNA ROAD
N. READLEY AVE.
N. TORBERT AVE.
N. COLTRIDGE AVE.
N. MADRONE AVE.
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
BLOCK 9
BLOCK 10
BLOCK 11
BLOCK 12
BLOCK 13
N

EXECUTIVE SUMMARY

N Star Farms, LLC is in the process of entitling the Madrone Heights Property, previously known as the Urza Farms Property. The entitlement includes the plan for 205 single-family detached housing unit, situated on approximately 39 acres of land in Kuna, Idaho. The property is located on the east side of the proposed mid-mile collector street between Black Cat Road and Ten Mile Road with Kuna Road serving as its southern boundary.

The parcels of land included in the property's site are identified as Rural Urban Transition (RUT) by the City of Kuna's *City Zoning Map*. The parcels in the immediate vicinity of the site are also zoned as RUT, as well as Agriculture (A), Rural Residential (RR) and Low Density Residential (R4) by the City of Kuna. The land has recently been annexed by the City of Kuna and rezoned to Medium Density Residential (R8).

Access to the Madrone Heights Property is proposed via one new mid-mile collector street on the north side of Kuna Road between Black Cat Road and Ten Mile Road, as well as a new local street connection to Kuna Road, approximately 2,640 feet west of Ten Mile Road and 700 feet east of the new collector. The new collector street is identified on the ACHD Master Street Map. Additionally, the preliminary site plan proposes two stub street connections, one to the east and one to north for potential connections to future developments. The timeframe for the development of parcels bordering the site is unknown, however, development is not anticipated to occur until after full build-out of the Madrone Heights Property.

Currently, the proposed site is undeveloped, but consists of one single-family home which would be removed if the site is built-out. The build-out of the site would be completed in four phases, with a projected full build-out in year 2022. This TIS addresses the existing (2018) and background (2022) traffic conditions, as well as the property's impact in the build-out year 2022. Lastly, the TIS provides the approximate number of homes that can be built before proposed mitigations are necessary at any impacted study intersection, roadway and/or driveway.

FINDINGS

Existing Conditions

- The study evaluated the off-site intersection at Black Cat Road & Kuna Road during the a.m. and p.m. peak period of a typical weekday (Tuesday – Thursday).
- The study intersection was found to operate at acceptable operating standards during the existing weekday a.m. and p.m. peak hours.
- The ACHD study roadway segment of Kuna Road between Ten Mile Road and Black Cat Road operates at an acceptable level of service.

- Crash data at the study intersection for the most recent five years (2012-2016) was analyzed for any existing crash trends, below are the findings:
  - The Black Cat Road & Kuna Road intersection averaged 1.6 reported crashes per year, with 75% of crashes involving a turning vehicle onto or from Kuna Road.
  - There were eight reported crashes on the Kuna Road between Black Cat Road and Ten Mile Road. Seven of the crashes involved a single vehicle leaving the roadway.

Year 2022 Background Traffic Conditions

- Year 2022 background traffic volumes were forecasted using a 3% annual growth rate. There were no identified in-process developments within the vicinity of the site that were included in the analysis.
- Year 2022 background traffic analysis (without inclusion of site-generated traffic) found that the study intersection is expected to continue to operate at acceptable operating standards during the weekday a.m. and p.m. peak hours.
- The ACHD study roadway segment of Kuna Road between Ten Mile Road and Black Cat Road is projected to continue operating at acceptable levels of service.

Trip Generation and Distribution

- The *ITE Trip Generation Manual, 10th Edition* was used to estimate the trip generation for the proposed Madrone Heights Property.
- The proposed Madrone Heights Property, with 205 single-family homes in the build-out year of 2022, is estimated to generate a total of 2,013 daily net new trips, 150 weekday a.m. peak hour net new trips (38 inbound / 112 outbound) and 202 weekday p.m. peak hour net new trips (127 inbound / 75 outbound).
- The distribution pattern for site-generated trips was developed by evaluating existing traffic patterns and major trip origins and destinations within the study area, as well as a select zone analysis from COMPASS' regional travel demand model.

Year 2022 Total Traffic Conditions

- Year 2022 total traffic conditions found that the site-generated trips do not impact the study intersection and that the study intersection will continue to operate at acceptable levels of service during the weekday a.m. and p.m. peak hours.
- The site accessed operate acceptably during the weekday a.m. and p.m. peak hours.
- The ACHD study roadway segment of Kuna Road, between Time Mile Road and Black Cat Road is projected to continue operating at acceptable levels of service.

Turn Lane Warrant Evaluation

- The turn lane analysis using ACHD procedures resulted in turn lane warrants at the following site access street:
  - Kuna Road & Black Cat Road: A westbound right-turn lane is warranted under existing conditions, 2022 background conditions, and 2022 total traffic conditions. Following are considerations with respect to this location:
    - The intersection could be converted to an all-way-stop controlled intersection which would operate at LOS A and LOS B without turn lanes and potentially reduce the number of angle crashes at the intersection.
    - A reduction in the posted speed is likely to occur in the future as development occurs around the intersection. If the posted speed were to be reduced in the future to 35 mph (currently posted 1 mile to the east) or 40 mph, a westbound right turn lane would not be warranted at the intersection under existing, 2022 background or total traffic conditions.
    - Site traffic is projected to be approximately 11 percent of the westbound traffic movement during the weekday p.m. peak hour. Note that warrants would not be met if the posted speed limit was 40 mph.
  - South Access & Kuna Road (Site Access B): Westbound right-turn lane is warranted. A sensitivity analysis found that a westbound right-turn lane is warranted in approximately year 2021 with the build-out of approximately 161 Madrone Heights housing units. Following are considerations with respect to this location:
    - A reduction in the posted speed is likely to occur in the future as development occurs around the intersection. If the posted speed were to be reduced in the future to 35 mph (currently posted 1 mile to the east) or 40 mph, a westbound right turn lane would not be warranted at the intersection under existing, 2022 background or total traffic conditions.

Site Access Evaluation

- The results from the queuing analysis found that the 95th percentile queue lengths can be accommodated.
  - Each site accesses provides at least 100 feet of roadway length without a property driveway and/or internal street interference.
- The intersection sight distance evaluation identified that intersection sight distance can be achieved at all the site access intersections with the following actions:

- Remove miscellaneous vegetation and shrubbery, and potential obstructions along Kuna Road as necessary to obtain and maintain adequate intersection sight distance.
- Site access along Kuna Road should match the existing grade of Kuna Road at the intersection.
- Shrubbery, weeds and landscaping near the internal intersections and site access points should be maintained to ensure adequate sight distance.
- If future widening occurs along Kuna Road, care should be taken to ensure adequate intersection sight distance is maintained.

- There are two proposed local street access points to the Madrone Heights Property, as well as a new collector street at the mid-mile along Kuna Road between Black Cat Road and Ten Mile Road. Additionally, there are two proposed stub street for connections to future developments. Following is a summary of each access with respect to ACHD Policy:
  - **New Collector Street & Kuna Road (Site Access A):** This access, a proposed collector, is located on Kuna Road approximately 2,660 feet, or approximately one-half mile, east of Black Cat Road and 2,640 feet west of Ten Mile Road. While the collector meets the spacing requirements between public streets, it does not meet spacing requirements with respect to existing driveways on Kuna Road. The access should be considered by ACHD for the following reasons:
    - The proposed collector is on the ACHD Master Street Map.
    - The proposed collector meets ACHD spacing requirements for a collector street, except for two existing driveways to residential homes on the north and south side of Kuna Road approximately 300 feet west of the collector street. Given the location of the driveways it is assumed that neither of the driveways could be moved to the mid-mile collector.
    - Without the collector street access, site-generated trips would increase the ADT at the south access on Kuna Road to over the ACHD 2,000 ADT threshold for a local street.
    - This access is proposed as a collector street and will only serve residential trips, as well as provide increased accessibility for emergency response vehicles and public services vehicles.
  - **South Access & Kuna Road (Site Access B):** This access, a proposed local street, accesses Kuna Road approximately 700 feet east of the proposed mid-mile collector and approximately 620 feet west of Yankee Rock Avenue. Therefore, the proposed

access does not meet the spacing requirement for Kuna Road. The access should be considered by ACHD for the following reasons:

- Without this access, the site would only have the collector street access, located on a minor arterial street, servicing 205 residential units, which is against ACHD requirements for a development of that size. The volume would remain under the ACHD policy of 3,000 ADT for a single access on a collector, but future development could increase the ADT above 3,000.
- This access is proposed as a local street and will only serve residential trips, as well as provide increased accessibility for emergency response vehicles and public services vehicles.
- The access will function acceptably as a full access with a westbound right-turn lane.

- **West Access & New Collector Street (Site Access C):** This access, a proposed local street, accesses the new collector street approximately 710 feet north Kuna Road. This access is proposed to be full access; however, most movements will consist of right-in and left-out movements because of its connection to Kuna Road via the new collector street. The access should be considered by ACHD for the following reasons:
  - The access meets ACHD local street spacing requirements for collector streets.
  - Without this access, the site would only have one access, located on a minor arterial street, servicing 205 residential units, which is against ACHD requirements for a development of that size.
  - This access is proposed as a local street and will only serve residential trips, as well as provide increased accessibility for emergency response vehicles and public services vehicles.
  - The access will function acceptably as a full access without turn lanes.
- **Stub Streets:** The two proposed stub streets access would connect to a future development north and east of the site. These proposed stub streets are based on the *ACHD Policy Manual, Section 7207.2.4.3,* "a stub street will be required to provide circulation or to provide access to adjoining properties." Presently, the timing of a future development tying into this stub street is unknown and is not anticipated to occur until sometime after full build-out of the Madrone Heights Property. The stub streets have the following benefits:
  - The stub street would provide future access to an adjoining property east of the site and therefore reduce the need for additional access routes to Kuna Road.

- The streets adhere to ACHD stub street requirements.
- The stub streets are not the primary access to the site, with limited trips into and out of the site.
- The stub streets would only serve residential trips, reducing vehicle miles traveled and increasing access for emergency response and city services.

RECOMMENDATIONS

Based on the report's analyses and evaluation findings, recommendations were developed accordingly. There were no recommended mitigations for existing year and background year conditions.

Existing Conditions

The following mitigation is recommended under existing traffic conditions.

Kuna Road & Black Cat Road

- Consider the following options based on warrants being met for the westbound right-turn lane under existing, background, and total traffic conditions:
  - Install a westbound right-turn lane if right-of-way is available.
  - Conduct a speed study for the westbound approach after completion of the build-out of the property to evaluate whether the posted speed should be reduced to 40 mph or 35 mph. This would alleviate the need for a westbound right-turn lane.
  - Consider conversion to and all-way-stop-controlled intersection from a two-way-stop-controlled intersection.
- The site's traffic is projected to be approximately 11 percent of the westbound traffic movement under year 2022 (full build-out) p.m. peak hour (most critical time period for the right-turn lane) traffic conditions.

Mitigations Needed for Madrone Heights Property

The following mitigations are recommended due to the inclusion of Madrone Heights Property's site generated trips.

Collector Road & Kuna Road

- Construct the new collector as proposed.

South Access & Kuna Road

- Construct a westbound right-turn lane with approximately 100 feet of vehicle storage. A sensitivity analysis found that a westbound right-turn lane would be warranted in approximately year 2021 with the build-out of 161 Madrone Heights units.
    - Alternatively, a speed limit reduction in front of the site from 50 mph to 40 mph or 35 mph (consistent with the Kuna Road corridor to the east) would result in the westbound right-turn lane warrant not being met.

Site Accesses

- With approval from ACHD, construct all accesses to the property to allow full access on the public street approaches with the following designations:
    - All local streets within the property should be constructed with one travel lane in each direction.
    - Site driveways with access to public streets should provide sufficient stacking distance for four vehicles (100 feet) to ensure acceptable operation and accommodate larger vehicles, including utility service and delivery vehicles.
    - Site accesses along Kuna Road should match the existing grade of Kuna Road at the intersection to ensure the best possible sight distance.
    - All accesses and internal streets should be designed to provide adequate intersection site distance. Shrubbery, weeds and landscaping near the intersection and site access point should be maintained to ensure adequate sight distance is maintained.

Ada County Utility Coordinating Council

Developer/Local Improvement District
Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.

2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.

3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.

4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

☒Submit a development application to a City or to Ada County

☒The City or the County will transmit the development application to ACHD

☒The ACHD **Planning Review Section** will receive the development application to review

☒The **Planning Review Section** will do one of the following:

☐Send a **"No Review"** letter to the applicant stating that there are no site specific conditions of approval at this time.

☒Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

☒Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

☐For **ALL** development applications, including those receiving a **"No Review"** letter:

- The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
- The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.

☐Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:
Construction (Non-Subdivisions)
☐ **Driveway or Property Approach(s)**

- Submit a "Driveway Approach Request" form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

☐ **Working in the ACHD Right-of-Way**

- Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with:
  a) Traffic Control Plan
  b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)
☐ **Sediment & Erosion Submittal**

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

☐ **Idaho Power Company**

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

☐ **Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.

    a. Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.

    b. Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.

    c. Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.

    d. Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.

    e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Request for Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

    a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

       If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

    b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.

    c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.

    d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.

    e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.

    f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

Troy Behunin

From: Lauren Boehlke <laurenboehlke@yahoo.com>
Sent: Monday, December 04, 2017 8:40 AM
To: Troy Behunin
Subject: Re: Former Urza Property Annexation

Categories: Agency Comments

Good Morning Troy,
Just to let you know that this property does have a valid water right of 39.24 acres through Boise-Kuna Irrigation District. Our 2017 Fall/2018 Spring assessments have been mailed out and the Fall assessment is due by 12/20/17, with Spring Toll due by 4/1/17. Boise Project Board of Control, our delivery entity, will need to be contacted as to where water delivery is on this property and making sure that no other water user is deterred from receiving water do to any development of this property.

Thank you,
Lauren

Lauren S Boehlke
Sec.-Treasurer
Boise-Kuna Irrigation District
Phone# 922-5608
Fax# 922-5659

On Friday, 1 December 2017, 16:24, Troy Behunin <tbehunin@kunaid.gov> wrote:

Good afternoon everyone,
Please review the packet for a new request for annexation into Kuna City Limits. Please send relevant comments to our office within the 15 business days as requested. If your agency needs additional time, please let our office know as soon as possible.
If your agency needs hard copies, please let us know and we will be happy to send them.
Thanks and have a great weekend.
Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634
TBehunin@KunaId.Gov

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This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.

CENTRAL DISTRICT HEALTH DEPARTMENT

CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

RECEIVED
JUL 16 2018
CITY OF KUNA

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat 18-02-S

Madrone Heights

Return to:

- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

☐ 1. We have No Objections to this Proposal.

☐ 2. We recommend Denial of this Proposal.

☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.

☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.

☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- ☐ high seasonal ground water
- ☐ bedrock from original grade
- ☐ waste flow characteristics
- ☐ other _____

☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.

☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.

☒ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
- ☒ central sewage
- ☐ interim sewage
- ☐ individual sewage
- ☐ community sewage system
- ☒ central water
- ☐ individual water
- ☐ community water well

☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☒ central sewage
- ☐ sewage dry lines
- ☐ community sewage system
- ☒ central water
- ☐ community water

☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.

☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.

☐ 12. We will require plans be submitted for a plan review for any:
- ☐ food establishment
- ☐ beverage establishment
- ☐ swimming pools or spas
- ☐ grocery store
- ☐ child care center

☒ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____

Reviewed By: Ron Bandy

Date: 7/6/18

Review Sheet

STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOISE REGIONAL OFFICE
1445 North Orchard Street•Boise, ID 83706-2239•(208) 373-0550

DEQ Response to Request for Environmental Comment

Date:	*July 6, 2018*
Agency Requesting Comments:	*City of Kuna: Planning & Zoning Department*
Date Request Received:	*June 27, 2018*
Applicant/Description:	*18-02-S (Pre-Plat) Madrone Heights – Residential Subdivision*

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at http://www.deq.idaho.gov/ieg/.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- *Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).*

  The property owner, developer, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.

  Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

  For questions, contact David Luft, Air Quality Manager, at 373-0550.

2. Wastewater and Recycled Water

- *DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.*

- *IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.*

  All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects

require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

3. Drinking Water

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

  All projects for construction or modification of public drinking water systems require preconstruction approval.
- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at http://www.deq.idaho.gov/water-quality/drinking-water.aspx). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

  For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*
- *Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. If this project disturbs more than one*

acre, a stormwater permit from EPA may be required.

- *If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.*

- *The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at:*
  http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm

- *The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.*

  For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- ***Hazardous Waste.*** *The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.*

- *No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.*

- ***Water Quality Standards.*** *Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).*

  Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- ***Ground Water Contamination.*** *DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in*

accordance with a permit, consent order or applicable best management practice, best available method or best practical method."
For questions, contact Albert Crawshaw, Waste & Remediation Manager, at 373-0550.

6. Additional Notes

- *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx) for assistance.*

- *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any our technical staff at 208-373-0550.

Sincerely,

Aaron Scheff
aaron.scheff@deq.idaho.gov
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

ec: TRIM 2018AEK84

Your Safety • Your Mobility
Your Economic Opportunity

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

July 6, 2018

Troy Behunin
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

Development Application	**18-02-S**
Project Name	**MADRONE HEIGHTS SUBDIVISION**
Project Location	2030 West Kuna Road, west of SH-69 milepost 2.22
Project Description	Construct a subdivision consisting of 206 single family lots, 27 common lots, and 1 shared driveway
Applicant	Kirsti Grabo of KM Engineering

The Idaho Transportation Department (ITD) reviewed the referenced preliminary plat application and has the following comments:

1. This project does not abut the State highway system.

2. Applicant has indicated that a Traffic Impact Study has been completed. ITD requests a copy of the study to review before submitting comments. ITD reserves the right to make further comments upon review of any submitted traffic generation data or other documents.

3. The City is reminded that the SH-69 corridor is already congested. This project will increase the number of vehicle trips in the corridor. As the City continues to add additional trips to the corridor through development, the congestion will worsen until the roadway system is ultimately overloaded and fails. ITD has no current funding assigned to mitigate traffic congestion in the SH-69 corridor in this area.

Your Safety • Your Mobility
Your Economic Opportunity

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

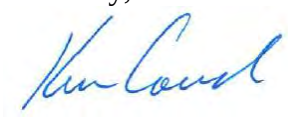
4. IDAPA 39.03.60 rules govern advertising along the State highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.

5. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway.

6. ITD objects to the proposed application due to traffic concerns. ITD will withdraw any objection to the proposed application once all traffic concerns have been addressed with ITD Staff.

If you have any questions, you may contact Tom Haynes at (208) 334-8944 or me at (208) 332-7190.

Sincerely,



Ken Couch
Development Services Coordinator
Ken.Couch@itd.idaho.gov

Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: Preliminary Plat

Date and time of neighborhood meeting: April 11, 2018 at 6:00pm

Location of neighborhood meeting: Kuna Public Library

SITE INFORMATION:

Location: Quarter: SE Section: 22 Township: 2N Range: 1W Total Acres: 39.48

Subdivision Name: Urza Preliminary Plat Lot: Block:

Site Address: 2030 W Kuna Road Tax Parcel Number(s): S1322438400

Please make sure to include **all** parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: N Star Farm, LLC & Waters Edge Farm, LLC - Tim Eck

Address: 6152 W Half Moon Lane City: Eagle State: Idaho Zip: 83616

CONTACT PERSON (Mail recipient and person to call with questions):

Name: Kirsti Grabo Business (if applicable): KM Engineering, LLP

Address: 9233 W State Street City: Boise State: Idaho Zip: 83714

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type	*Brief Description*
Annexation	Subdivision - Preliminary Plat located at 2030 W Kuna Rd
Re-zone	
Subdivision (Sketch Plat and/or Prelim. Plat)	
Special Use	
Variance	
Expansion of Extension of a Nonconforming Use	
Zoning Ordinance Map Amendment	

APPLICANT:

Name: N Star Farm, LLC & Waters Edge Farm, LLC

Address: 6152 West Half Moon Lane

City: Eagle State: Idaho Zip: 83616

Telephone: _____ Fax: _____

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 5-1A-2 of the Kuna City Code

Signature: ~~(Applicant)~~ Applicants Representative _____ Date 4.11.18

Preliminary Plat - Urza Property
Neighborhood Meeting Sign-in Sheet
April 11, 2018 at 6:00 pm - Kuna Public Library

Name	Address	Signature
TANYA ROESER	1857 N. KUNA RD	
DICK DEUTSCHE	135 W TEN MILE	
CAROL DEUTSCHE	" " " "	
Kyle L. Sigler	1629 West Kuna Rd Kuna, Id 83634	
Cynthia Howard	1629 West Kuna Rd Kuna, ID 83634	
Jake Poulsen	4519 N. Vermillion Rd. Boise, ID 83706	
Trevor Kong	1011 S Dale St #202 Boise, ID 83706	

Neighborhood Meeting Notes
Urza Property Preliminary Plat
4.11.18 – 6:00 pm – Kuna Public Library

Discussion Topics

- Will this project change the zoning of the surrounding properties?
- Will there be a road on the east side of the project?
- Why is there a stub street to the east?
- Can that stub street be fenced off so people can't drive into field?
- Is there sewer capacity for more development?
- Where will the water extension run?
- What type of fencing will the subdivision install?
- Why do people want such small lots? Isn't there a market for larger lots?
- What is the City going to do about the traffic?
- Are there any plans for a fire station?
- What style of housing will be built?
- How big will the houses be?
- Will the utility extensions require Kuna Road to be torn up?
- When will building begin? Who is building?
- Will we install a berm along Kuna Road?
- What is the plan for a crossing on Ten Mile?
- When will the application go in?

PRIMOWNER	SECOWNER	ADDCONCAT	STATCONCAT
CITY OF KUNA		PO BOX 13	KUNA, ID 83634-0013
DEUTSCHE RICHARD & CAROL FAMILY TRUST	DEUTSCHE RICHARD H TRUSTEE	135 N TEN MILE RD	KUNA, ID 83634-0000
DISCOVERY CREEK HOA INC		PO BOX 1246	MERIDIAN, ID 83680-0000
GORDON TIMOTHY W	GORDON BELINDA S	PO BOX 236	KUNA, ID 83634-0000
MATHEWSON CHLOE D		1881 W 4TH ST	KUNA, ID 83634-0000
MCGREGOR DANIEL	MCGREGOR EDITH ANN	2430 S MERIDIAN RD	KUNA, ID 83634-0000
MCGREGOR DANIEL A	MCGREGOR EDITH ANN	2430 S MERIDIAN RD	KUNA, ID 83634-0000
MURPHEY FRANCIS LEVI LIFE ESTATE	MURPHEY VELETTA JEAN LIFE ESTATE	2417 W KUNA RD	KUNA, ID 83634-0000
N STAR FARM LLC	WATERS EDGE FARM LLC	6152 W HALF MOON LN	EAGLE, ID 83616-0000
OREGON SHORT LINE R R CO		1400 DOUGLAS ST	OMAHA, NE 68179-1640
ROESER JON	ROESER TANYA	1857 W KUNA RD	KUNA, ID 83634-0000
SIGLER VYCKEE L		1629 W KUNA RD	KUNA, ID 83634-0000
THORNTON LAYNE	THORNTON LORI	3224 S SWAN FALLS RD	KUNA, ID 83634-1732
URZA MARCOS	URZA ESTEFANIA	1923 167TH AVE SE	BELLEVUE, WA 98008-5327
VUITTONET ALEX		569 N YARDLEY AVE	KUNA, ID 83634-0000

DATE: April 2, 2018

TO: Neighbors

FROM: N. Star Farm, LLC

RE: Property at 2030 West Kuna Road – Kuna, ID

Dear Neighbor:

As you know, we are currently working on a new subdivision project for our property located at 2030 West Kuna Road, which is depicted on the enclosed vicinity map. Last year we held a meeting to discuss the annexation of the property into Kuna City Limits, which has occurred, and we have now begun preparation of the preliminary plat application for submittal to the City. This letter is notice of an opportunity to review and discuss the subdivision as required by City Code; however, this is not a public hearing and public officials will not be present.

The neighborhood meeting will be held on Wednesday, April 11, 2018, at 6:00 p.m., in the small conference room at the Kuna Public Library, which is located at 457 North Locust Avenue, Kuna, ID 83634.

We look forward to seeing you there.

km ENGINEERING

9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

May 1, 2018
Project No.: 17-054
Urza Subdivision
Legal Description

A parcel of land being the Southwest 1/4 of the Southeast 1/4 of Section 22, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho and being more particularly described as follows:

Commencing at a found brass cap marking the south 1/4 corner of said Section 22, which bears N89°41'25"W a distance of 2,654.34 feet from a found brass cap marking the southeast corner of said Section 22, thence following the westerly line of said Southwest 1/4 of the Southeast 1/4, N00°21'13"E a distance of 33.00 feet to the **POINT OF BEGINNING.**

Thence following said westerly line, N00°21'13"E a distance of 1,291.70 feet to the Northwest corner of said Southwest 1/4 of the Southeast 1/4;
Thence leaving said westerly line and following the northerly line of said Southwest 1/4 of the Southeast 1/4, S89°37'26"E a distance of 1,330.95 feet to a found 5/8-inch rebar marking the Northeast corner of said Southwest 1/4 of the Southeast 1/4;
Thence leaving said northerly line and following the easterly line of said Southwest 1/4 of the Southeast 1/4, S00°31'02"W a distance of 1,290.16 feet to a point on the northerly right-of-way line of Kuna Road;
Thence leaving said easterly line and following said northerly right-of-way line, N89°41'25"W a distance of 1,327.27 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 39.389 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

Kirsti Grabo

From: Sub Name Mail <subnamemail@adaweb.net>
Sent: Thursday, May 10, 2018 6:05 PM
To: Aaron Ballard; Kirsti Grabo
Subject: Madrone Heights Sub Name Reservation

May 10, 2018

Aaron Ballard, KM Engineering
Kirsti Grabo. KM Engineering

RE: Subdivision Name Reservation: **MADRONE HEIGHTS SUBDIVISION**

At your request, I will reserve the name **Madrone Heights 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: Kirsti Grabo [mailto:KGrabo@kmengllp.com]
Sent: Tuesday, May 08, 2018 10:23 AM
To: Sub Name Mail
Subject: Madrone Heights Sub Name Reservation

Hi Glen –

How about Madrone Heights?

Thanks,
Kirsti

From: Sub Name Mail <subnamemail@adaweb.net>
Sent: Tuesday, April 24, 2018 8:50 AM
To: Kirsti Grabo <KGrabo@kmengllp.com>
Subject: RE: Sub Name Request

Kristi;

Both of the names you have selected have been used.
Please select another name. A link to the online subdivision name search is included below.

DECLARATION OF

COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

MADRONE HEIGHTS SUBDIVISION

THIS DECLARATION is made effective as of Madrone Heights Subdivision, by _____, an Idaho _____ ("Declarant" or "Owner" or "Grantor").

ARTICLE I: RECITALS

1.1 Declarant is the owner of all of the real property located in the County of Ada, State of Idaho (the "County"), described in the attached Exhibit A (the "Property"), which exhibit is incorporated herein by this reference.

1.2 The purpose of this Declaration is to set forth the basic restrictions, covenants, limitations, easements, conditions, and equitable servitudes (collectively "Restrictions") that apply to the Property. The Restrictions are designed to preserve the Property's value, desirability and attractiveness, to ensure a well-integrated high-quality development, and to guarantee adequate maintenance of the Common Area, and the Improvements located thereon, in a cost effective and administratively efficient manner.

ARTICLE II: DECLARATION

Grantor declares that the Property shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied, and improved subject to the following terms, covenants, conditions, easements, and restrictions, all of which are declared and agreed to be in furtherance of a general plan for the protection, maintenance, subdivision, improvement, and sale of the Property, and to enhance the value, desirability, and attractiveness of the Property. The terms, covenants, conditions, easements, and restrictions set forth herein:

A. shall run with the land constituting the Property and with each estate therein, and shall be binding upon all persons having or acquiring any right, title, or interest in the Property or any lot, parcel, or portion thereof; and

B. shall inure to the benefit of every Building Lot, parcel, or portion of the Property and any interest therein; and,

C. shall inure to the benefit of, and be binding upon, Grantor (as defined below), and each grantee and Owner, and such grantee's and Owner's respective successors-in-interest, and may be enforced by Grantor, by any Owner, and any such Owner's successors-in-interest, and by the Association as hereinafter described.

Notwithstanding any other provision in the Declaration to the contrary, no provision of this Declaration shall be construed as to prevent or limit (i) Grantor's right to complete development of the Property and to construct improvements thereon, or (ii) Grantor's right to maintain model homes, construction, sales, or leasing offices, or similar facilities (temporary or otherwise) on any portion of the Property, including the Common Area or any public right-of-way, or (iii) Grantor's right to post signs incidental to construction, sales, or leasing, or (iv) Grantor's right to modify plans for the Property, all in accordance with any necessary approvals of the applicable governmental entities.

ARTICLE III: DEFINITIONS

3.1 "Affiliate" shall mean any entity that has some form of common ownership interest or common management with the Grantor.

3.2 "Architectural Committee" shall mean the committee created by the Grantor or the Association pursuant to Article X hereof.

3.3 "Articles" shall mean the Articles of Incorporation of the Association or other organizational or the charter documents of the Association if formed using a type of entity other than a corporation.

3.4 "Assessments" shall mean those payments required of Owners or other Association Members, including Regular, Special, and Limited Assessments made by the Association as further defined in this Declaration.

3.5 "Association" shall mean the Idaho profit or non-profit corporation (or other type of entity), and its successors and assigns, established by Grantor to exercise the powers and to carry out the duties set forth in this Declaration and any Supplemental Declaration. Grantor shall have the power, in its discretion, to name the Association the "Madrone Heights Subdivision Homeowners Association, Inc.", or any similar name, which fairly reflects its purpose. Grantor, in its sole and absolute discretion, shall have the power to create any additional Associations that it deems necessary or appropriate to act as the Association for any Annexed Tract (as defined below). In such event, reference in this Declaration to the "Association" shall apply to the particular Association designated to apply to that Annexed Tract.).

3.6 "Association Rules" shall mean those rules and regulations promulgated by the Association governing conduct upon and use of the Property under the jurisdiction or control of an Association, the imposition of fines and forfeitures for violation of such rules and regulations, and procedural matters for use in the conduct of business of the Association.

3.7 "Board" shall mean the Board of Directors or other governing board or individual, if applicable, of the Association.

3.8 "Building Lot" shall mean one or more lots within the Property as specified or shown on any Plat and/or by Supplemental Declaration, upon which Improvements may be constructed.

3.9 "Bylaws" shall mean the Bylaws of the Association.

3.10 "Common Area" shall mean all real property in which the Association holds an interest or which is held or maintained, permanently or temporarily, for the common use, enjoyment, and benefit of the entire Subdivision and each Owner therein, and shall include, without limitation, all such parcels that are designated as private streets or drives, common open spaces, common landscaped areas, and Waterways. The Common Area may be established from time to time by Grantor on any portion of the Property by describing it on a Plat, by granting or reserving it in a deed or other instrument, or by designating it pursuant to this Declaration or any Supplemental Declaration. The Common Area may include easement and/or license rights.

3.11 "Declaration" shall mean this Declaration as it may be amended from time to time.

3.12 "Madrone Heights Subdivision" and the "Subdivision" shall each mean the Property.

3.13 "Design Guidelines" shall mean the construction guidelines approved by the Architectural Committee.

3.14 "Grantor" shall mean, _____, an Idaho _____ and its successors-in-interest, and Affiliates (collectively, "_____"), and any person or entity to whom _____ expressly transfers its Grantor rights, which transfer must be made in writing and must include a specific reference to the transfer being of _____'s "Grantor rights" or "rights as Grantor" or other similar specific reference.

3.15 "Improvement" shall mean any structure, facility, or system, or other improvement or object (and any portion of the foregoing), whether permanent or temporary, which is erected, constructed, or placed upon, under, or in, any portion of the Property, including but not limited to buildings, fences, streets, drives, driveways,

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sidewalks, bicycle paths, curbs, landscaping, signs, lights, mail boxes, electrical lines, pipes, pumps, ditches, waterways, and fixtures of any kind whatsoever.

3.16 "Limited Assessment" shall mean Assessments as described in Section 7.4 of this Declaration.

3.17 "Member" shall mean each person or entity holding a membership in the Association. Where specific reference or the context so indicates, it shall also mean persons or entities holding membership.

3.18 "Owner" shall mean the person or other legal entity, including Grantor, holding fee simple interest of record to a Building Lot that is a part of the Property, and sellers under executory contracts of sale, but excluding those having such interest merely as security for the performance of an obligation.

3.19 "Person" shall mean any individual, partnership, corporation, limited liability company or other legal entity.

3.20 "Plat" shall mean any subdivision plat covering any portion of the Property as recorded at the office of the County recorder (the "County Recorder"), as the same may be amended by duly recorded amendments thereof.

3.21 "Property" shall mean, except as otherwise provided in this paragraph, the real property described in Exhibit A, including each lot, parcel, and portion thereof and interest therein, including all water rights associated with or appurtenant to such property. The Property also shall include, at Grantor's sole discretion, such additional property in addition to that described in Exhibit A as may be part of an Annexed Tract by means of a Supplemental Declaration as provided herein.

3.22 "Regular Assessment" shall mean the Assessments described in Section 7.2 of this Declaration.

3.23 "Special Assessment" shall mean the Assessments described in Section 7.3 of this Declaration.

3.24 "Supplemental Declaration" shall mean any Supplemental Declaration including additional covenants, conditions, and restrictions that might be adopted with respect to any portion of the Property and with respect to any Annexed Tract.

3.25 "Waterway" shall mean any surface water amenity, including, without limitation, any lake, pond, channel, slough, stream, ditch or reservoir, natural or artificial, which is located on the Property and which is included within or managed as Common Area.

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ARTICLE IV: GENERAL AND SPECIFIC RESTRICTIONS

4.1 Improvements - Generally. All Improvements are to be designed, constructed and used in such a manner as to (i) comply with the conditions of approval (as may be amended from time to time) issued by the applicable governmental entity with respect to the Plat containing the portion of the Property upon which the Improvements are located (the "Plat Conditions"), (ii) comply with all applicable governmental laws, ordinances, rules and regulations, and (iii) promote compatibility between the types of use contemplated by this Declaration.

4.1.1 Use and Size of Dwelling Structure. All Building Lots shall be used exclusively for single-family residential purposes. No Building Lot shall be improved except with a single-family dwelling unit or structure.

4.1.2 Architectural Committee Review. No construction of any Improvements which will be visible above ground or which will ultimately affect the visibility of any above ground Improvement may commence until the Architectural Committee has approved, in writing, the elevations, building plans, specifications, lot plan and other plans and specifications requested by the Architectural Committee. Construction of all such Improvements must conform to and comply with the applicable approved elevations, plans and specifications. Prior to the start of construction, Owners will submit two (2) sets of plans, including a plat plan, floor plan, all elevations and other documentation requested by the Architectural Committee, to the Architectural Committee for review. These plans will be held for thirty (30) days after completion of the project. The review and approval or disapproval may be based upon the following factors - size, height, design and style elements, mass and form, topography, setbacks, finished ground elevations, architectural symmetry, drainage, color, materials (including, without limitation, Architectural Committee approved architectural shingles and roofing material), physical or aesthetic impacts on other properties (including, without limitation, Common Areas), artistic conformity to the terrain and the other Improvements on the Property, and any and all other factors which the Architectural Committee, in its reasonable discretion, deems relevant. Said requirements as to the approval of the design shall apply only to the exterior appearance of the Improvements and to landscaping. This Declaration is not intended to serve as authority for the Architectural Committee to control the interior layout or design of residential structures except to the extent incidentally necessitated by exterior and landscape design restrictions that this Declaration is intended to control.

4.1.3 Setbacks and Height. No residential or other structure (exclusive of fences and similar structures constructed in compliance with the terms of this Declaration) shall be placed nearer to the Building Lot lines or built higher than permitted by the Plat in which the Building Lot is located, by the applicable Plat

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Conditions or by any applicable zoning restriction or by decision of the Architectural Committee, whichever is more restrictive.

4.1.4 Roofing. All residences must be built with a minimum of thirty (30) year life architectural composition unless otherwise approved by the Architectural Committee. Roof pitch on all dwellings shall be a minimum 5/12 roof pitch.

4.1.5 Accessory Structures. Garages shall accommodate a minimum of two (2) cars; detached garages shall be allowed if in conformity with the provisions of this Declaration, and as approved by the Architectural Committee. All garages, storage sheds and patio covers, whether attached or detached from the residential structure, shall be of the same construction, finish and color as the residential structure on the applicable Building Lot. No playhouses, playground equipment, pool slides, diving boards, hot tubs, spas, or similar items shall extend higher than five (5) feet above the finished graded surface of the Building Lot upon which such item(s) are located, unless specifically so allowed by the Architectural Committee, in its sole discretion. Basketball courts, backboards, pools, tennis courts, shall be allowed in the backyard of any Building Lot, provided that such amenities are approved by the Architectural Committee and are not visible from any street, and do not promote noise or other nuisance that is offensive or detrimental to other portions of the Subdivision or offensive or detrimental to the occupants of other Building Lots.

4.1.6 Elevations. As set forth in Section 4.1.2 above, no construction of any Improvements which will be visible above ground or which will ultimately affect the visibility of any above ground Improvement may commence until the Architectural Committee has approved the elevation drawings and all Improvements must be constructed pursuant to such approved drawings. The Architectural Committee reserves the right to reject plans that in the judgment of the Architectural Committee lack integrity and balance. Without limiting the general reservation of powers set forth in the immediately previous sentences, the following guidelines, which are subject to change by the Architectural Committee, are designed to help provide guidance on appropriate design features for elevation plans and any waiver or exception must be in writing signed by the Architectural Committee:

A. Hardboard or cement fiber siding. Vinyl siding is prohibited.

B. Sixteen-inch (16”) eves and twelve-inch (12”) gables are required.

C. Boxed or returned soffits are recommended.

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D. Windows, at siding locations, must have relief or trim materials to give definition.

E. Stone, brick or stucco is required, provided, however, if the home to be constructed has architectural appeal the Architectural Committee may provide written waiver of the stone, brick or stucco requirement.

F. No vinyl or metal siding except soffit and fascia boards.

G. Minimum of 36" stucco, brick, stone or other masonry accents are required on front elevation, or as otherwise approved by the Architectural Committee.

H. No split entry homes will be approved.

4.1.7 Driveways/Sidewalks. All access driveways and sidewalks shall have concrete or other hard surface along its full width as approved by the Architectural Committee and shall be graded to assure proper drainage. Asphalt driveways will not be allowed. Driveways shall have a maximum width compliant with and as approved pursuant to ACHD driveway approach permit and shall continue until connecting to the garage floor.

4.1.8 Mailboxes. Owner shall supply and install black metal mailbox posts. The location and type of post shall be submitted to and approved by the Grantor or the Architectural Committee prior to installation. On all Building Lots where the adjoining Building Lot has a common utility (garage side) property line the mailbox posts shall be installed at the shared property line, and shall be a paired post capable of accepting two (2) mailboxes. The responsibility for the installation of the post shall be borne by the first Building Lot to obtain a building permit. All mailboxes shall be supplied and installed on the posts by Owner, shall be black and of standard single resident size and shape. Architectural Committee approval shall be obtained prior to installation. Ornamental or oversized mailboxes shall not be permitted. All replacement mailboxes and stands will be of consistent design, material, and coloration as required in 4.1.8 and shall be located as originally placed on adjoining Building Lot lines at places designated by Grantor or the Architectural Committee. Declarant, the Association and/or the US Postal Service may require mailbox locations to be grouped.

4.1.9 Fencing. Fence designs shall not extend into any common green space within the Subdivision. All fencing and boundary walls constructed on any Building Lot shall be permanent in nature, maintenance free and be constructed of materials specified by the Architectural Committee and shall be compliant with applicable code If fencing is used in combination with a landscape berm, the fence shall be placed behind the berm and under no circumstances, placed on the

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berm. The material, style, texture and design shall match the existing Grantor installed fencing and shall be approved by the Architectural Committee. Fencing shall not extend higher than six (6) feet measured from the crest of the adjacent road or extend past the front setback of the home and shall meet any more stringent requirements established by the Architectural Committee. All fencing must meet the setback requirements of City ordinance.

4.1.10 Lighting. Fixtures, standards, and all exposed accessories shall be harmonious with building design, and shall be as approved by the Architectural Committee. Lighting shall be restrained in design, and excessive brightness shall Landscape lighting is encouraged. Building designs shall seek to minimize lighting impacts on adjoining properties.

4.2 Antennae and Satellite Dishes. Exterior radio antenna, television antenna, other antenna and satellite dishes of the type that are governed by 47 C.F.R. Section 1.4000, as amended from time to time, are permitted to be installed on the property without Architectural Committee approval if so required under the aforementioned regulation. No other types of antenna or satellite dish shall be erected or maintained on the property unless it is approved by the Architectural Committee and located or screened in a manner acceptable to the Architectural Committee.

4.3 Insurance Rates. Nothing shall be done or kept on any Building Lot which will increase the rate of insurance on any other portion of the Property without the approval of the Owner of such other portion, nor shall anything be done or kept on the Property or a Building Lot which would result in the cancellation of insurance on any property owned or managed by any such Association or which would be in violation of any law.

4.4 No Further Subdivision. No Building Lot may be further subdivided, nor may any easement or other interest any Building Lot be granted, or Building Lot line adjusted, unless the advanced written approval of the Architectural Committee is obtained.

4.5 Signs. No sign of any kind shall be displayed to the public view without the approval of the Architectural Committee or Association, and the City if so required, except:

A. Such signs as may be used by Grantor and Grantor's agents in connection with the development of the Property, the sale of Building Lots and general promotion of the project. Such signs may be installed in the Common Areas at the discretion of the Grantor.

B. Temporary signs naming the contractors, the architect, and the lending institution for particular construction operation.

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C. Such signs identifying the Subdivision, or informational signs, of customary and reasonable dimensions as prescribed by the Architectural Committee may be displayed on or from the Common Area.

D. One (1) sign of customary and reasonable dimensions not to exceed three (3) feet by two (2) feet may be displayed by an Owner other than Grantor on or from a Building Lot advertising the residence for sale or lease. No such sign shall be placed on Common Areas or on the rear portion of any Lot being sold.

All signage, including signage for the exceptions listed as (B)-(D), must be erected in accordance with signage format approved and established by the Architectural Committee. Save and excepting the foregoing, no sign shall be placed in the Common Area without the written approval of the applicable Architectural Committee or the Association.

4.6 Nuisances. No rubbish or debris of any kind shall be placed or permitted to accumulate anywhere upon the Property, including the Common Area or vacant Building Lots, and no odor shall be permitted to arise therefrom so as to render the Property or any portion thereof unsanitary, unsightly, offensive, or detrimental to the Property or to its occupants, or to any other property in the vicinity thereof or to its occupants. All structures shall be designed to minimize the noise impact on adjoining properties and no noise or other nuisance, as described in any applicable, laws, rules, regulations or ordinances, shall be permitted to exist or operate upon any portion of the Property so as to be offensive or detrimental to the Property or to its occupants or to other property in the vicinity or to its occupants. Without limiting the generality of any of the foregoing provisions, no exterior sound systems, speakers, horns, whistles, bells, or other sound devices (other than security devices used exclusively for security purposes which have been approved by the Association), flashing lights, or search lights, shall be located, used, or placed on the Property without the prior written approval of the Association.

4.7 Site Cleaning: Owners are responsible for ensuring the Building Lot is kept clean in following specific manner:

4.7.1 All contractors and subcontractors must operate a clean site with all debris cleaned and contained on the site. Contractors and subcontractors are not to allow garbage to blow to other sites.

4.7.2 All contractors and subcontractors will make the best efforts to be courteous to the current residents and others on the Property. No dogs or loud music allowed during any phase of the construction.

4.7.3 During the construction phase the streets must be swept clean of debris nightly.

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4.7.4 During the construction phase all weeds must be kept trimmed and properly disposed of in a proper receptacle.

4.7.5 Owners who do not adhere, or require their agents, contractors and/or subcontractors to adhere to the cleaning rules outlined herein will be subject to a charge equal to the cost of cleanup plus and administrative fee equal to 25% of the cleanup cost and any applicable attorney fees and costs incurred in the enforcement or collection of such charges.

4.7.6 During construction, each contractor shall provide portable toilets as is required by applicable laws, rules, regulations and ordinances or by the Architectural Committee, whichever is more restrictive.

4.7.7 The Architectural Committee has the authority to grant variances to the design guidelines and to the requirements of this Section 4.7.

4.8 Exterior Maintenance: Owner's Obligations. No Improvement shall be permitted to fall into disrepair, and each Improvement shall at all times be kept in good condition and repair. In the event that any Owner shall permit any Improvement, including, without limitation, trees and landscaping, which is the responsibility of such Owner to maintain, to fall into disrepair so as to create a dangerous, unsafe, unsightly, or unattractive condition, or to damage property or facilities on or adjoining their Building Lot which would otherwise be the Association's responsibility to maintain, the Board, upon fifteen (15) days prior written notice to the Owner, shall have the right to correct such condition, and to enter upon such Owner's Building Lot for the purpose of doing so, and such Owner shall promptly reimburse the Association for the cost thereof, plus all other costs associated with such action including, without limitation, legal fees, and plus interest at eighteen percent (18%) per annum on all costs incurred by the Association. All such costs and interest shall be a Limited Assessment and shall create a lien enforceable in the same manner as other Assessments set forth in Article VII of this Declaration. The Owner of the offending property shall be personally liable, and such Owner's property may be subject to a mechanic's lien, in addition to the lien for the Limited Assessment, for all costs and expenses incurred by the Association in taking such corrective acts, plus all costs incurred in collecting the amounts due, including attorney's fees and costs. Each Owner shall pay all amounts due for such work within ten (10) days after receipt of written demand therefore, or the amounts may, at the option of the Board, be added to the amounts payable by such Owner as Regular Assessments. Each Owner shall have the remedial rights set forth herein if the Association fails to exercise its rights within a reasonable time following written notice by such Owner.

4.9 Drainage. There shall be no interference with the established drainage pattern over any portion of the Property, unless an adequate alternative provision is made for proper drainage and is first approved in writing by the Architectural Committee. For the purposes hereof, "established" drainage is defined as the system of drainage, whether natural or otherwise, which exists at the time the overall grading of any portion of the

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Property is completed by Grantor, or that drainage which is shown on any plans approved by the Architectural Committee, which may include drainage from the Common Area over any Building Lot in the Property. Drainage which is without the purview of Ada County Highway District Shall be governed by The Association shall maintain the drainage and roadway swales (to the extent roadway swales exist) pursuant to any requirements of ACHD.

4.10 Grading. The Owner of any Building Lot within the Property in which grading or other work has been performed pursuant to a grading plan approved under applicable provisions of City Code shall maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures, means, devices and plantings and ground cover installed or completed thereon, which are not the responsibility of ACHD, the Association, or other public agency. Such requirements shall be subject to Regular, Special, and Limited Assessments provided in Article VII herein, as may be applicable.

4.11 Water Supply Systems. No separate or individual water supply system, regardless of the proposed use of the water to be delivered by such system, shall be permitted on any Building Lot unless such system is designed, located, constructed, and equipped in accordance with the requirements, standards, and recommendations of the Board and all governmental authorities having jurisdiction. Grantor may use the water supply as deemed necessary for any purpose on a temporary basis and for irrigation purposes.

4.12 No Hazardous Activities. No activities shall be conducted on the Property, and no Improvements constructed on any property, which are or might be unsafe or hazardous to any person or property.

4.13 Unsightly Articles. No unsightly articles, as determined by the Architectural Committee, shall be permitted to remain on any Building Lot so as to be visible from any other portion of the Property. Without limiting the generality of the foregoing, refuse, garbage, and trash shall be kept at all times in such containers and in areas approved by the Architectural Committee. No clothing or fabrics shall be hung, dried, or aired in such a way as to be visible to any other portion of the Property, and no equipment, heat pumps, compressors, containers, lumber, firewood, grass, shrub or tree clippings, plant waste, metals, bulk material, scrap, refuse, or trash shall be kept, stored or allowed to accumulate on any Building Lot except within an enclosed structure or as appropriately screened from view. No vacant residential structures shall be used for the storage of building materials.

4.14 No Temporary Structures. No house trailer, mobile home, tent (other than for short term individual use which shall not exceed one (1) week unless approved by the Association), shack or other temporary building, improvement, or structure shall be placed upon any portion of the Property, except temporarily as may be required by

construction activity undertaken on the Property. Also excepted from this requirement is any sales office established by the Grantor or the Association for the Property.

4.15 No Unenclosed or Unscreened Boats, Campers, and Other Vehicles. No boats, trailers, campers, all-terrain vehicles, motorcycles, recreational vehicles, bicycles, dilapidated or unrepaired and unsightly vehicles, or similar equipment shall be placed upon any portion of the Property (including, without limitation, streets, parking areas, and driveways) unless the same are enclosed or screened by a structure concealing them from adjacent street, Building Lot and Common Area view and in a manner approved by the Architectural Committee. To the extent possible, garage doors shall remain closed at all times.

4.16 Sewage Disposal Systems. No individual sewage disposal system shall be used on the Property. Each Owner shall connect the appropriate facilities on such Owner's Building Lot to the sewer system as required by the Architectural Committee and pay all charges assessed therefore.

4.17 No Mining or Drilling. No portion of the Property shall be used for the purpose of mining, quarrying, drilling, boring, or exploring for or removing water, oil, gas, or other hydrocarbons, minerals, rocks, stones, sand, gravel or earth. This Section 4.17 shall not prohibit exploratory drilling or coring which is necessary to construct a residential structure or Improvements.

4.18 Energy Devices Outside. No energy production devices, including, but not limited to, generators of any kind and solar energy devices, shall be constructed or maintained on any portion of the Property without the written approval of the Architectural Committee, except for heat pumps shown in plans approved by the Architectural Committee. This Section 4.18 shall not apply to passive solar energy systems incorporated into the approved design of a residential structure.

4.19 Vehicles. The use of all vehicles, including, but not limited to, trucks, automobiles, bicycles, motorcycles, snowmobiles, aircraft, and boats, shall be subject to all Association Rules, which may prohibit or limit the use thereof within the Subdivision. No overnight on-street parking shall be permitted except where expressly designated for parking use. No parking bays shall be permitted in any side, front, or backyard. Vehicles parked on a driveway shall not extend into any sidewalk, bike path or pedestrian path. No motorized vehicle or device shall be permitted on any Waterway or in the Common Area unless such vehicle is engaged in an emergency procedure.

4.20 Animals/Pets. No animals, birds, insects, pigeons, poultry or livestock shall be kept on the Property. This Section 4.20 does not apply to the keeping of up to two (2) domesticated dogs, up to two (2) domesticated cats, and other household pets, which do not unreasonably bother or constitute a nuisance to others. Without limiting the generality of the foregoing, consistent and/or chronic barking by dogs shall be considered a nuisance. Each dog in the Subdivision shall be kept on a leash, curbed, and otherwise

controlled at all times when such animal is off the Building Lot of its owner. Such owner shall clean up any animal defecation immediately from the Common Area or public right-of-way. Failure to do so may result, at the Board's discretion, with a Limited Assessment levied against such animal owner or the Owner of the Building Lot in which such animal is being kept. No dog or cat shall be allowed in any Waterway. The construction of dog runs or other pet enclosures shall be subject to Architectural Committee approval, shall be appropriately screened, and shall be maintained in a sanitary condition. Dog runs or other pet enclosures shall be placed a minimum of ten (10) feet from the side and twenty-five (25) feet from the rear Building Lot line, shall not be placed in any front yard of a Building Lot, shall be screened from view so as not to be visible from the Common Area or an adjacent Building Lot, and must be approved by the Architectural Committee.

4.21 Landscaping. The Owner of any Building Lot shall sod and landscape such Building Lot in conformance with the landscape plan approved by the Architectural Committee. The Owner must submit a landscaping plan for approval by the Architectural Committee.

The following restrictions apply with respect to landscaping subject to increased requirements established by the Architectural Committee:

A. Front Yard Landscaping: the front yard of all Building Lots must meet the following minimum requirements:

All landscaping is to be completed within thirty (30) days from actual occupancy;

It must be fully sodded within thirty (30) days from occupancy;

It must contain at least 2 trees with a minimum of 2" caliper;

It must contain at least five, one gallon plants/shrubs; and

An Automatic Sprinkler System (covering all of the yards) must be completed within thirty (30) days of occupancy.

B. Back Yard and Side Yard Landscaping: All back and side yard landscaping must be completed within six (6) months of occupancy unless it is not fenced with approved fencing and in that case shall comply with Front Yard Landscaping completion date requirements.

4.22 Water Rights Appurtenant to Subdivision Lands. Following the date of the recording of this Declaration, Declarant may transfer from the Property subject to this Declaration, and within the boundaries of an irrigation entity, as defined in Section

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31-3805, Idaho Code, all water rights and assessment obligations appurtenant to the Property to the Association or the appropriate district providing pressurized irrigation and domestic water to Madrone Heights Subdivision.

4.23 Commencement of Construction. Any owner of a Building Lot shall, within a period of one (1) year following the date of purchase of a Building Lot from Grantor, commence the construction of a dwelling structure in compliance with the restrictions herein, and such construction shall be completed within six (6) months thereafter. The term "commence the construction," as used in this Section 4.23, shall require beginning and ongoing physical construction of the dwelling structure upon such Building Lot. In the event any Owner shall fail or refuse to commence the construction of a dwelling structure within said one (1) year period, Grantor may, at Grantor's option, following the expiration of said one (1) year period, repurchase said Building Lot from such Owner or the then Owner of such Building Lot at a repurchase price equivalent to the money actually paid to Grantor, less an amount equivalent to ten (10) percent thereof. In the event Grantor shall exercise Grantor's option to repurchase such Building Lot, upon tender of said repurchase price, Owner or the then Owner of such Building Lot shall make, execute, and deliver to Grantor a deed re-conveying said Building Lot, free and clear of all liens and encumbrances, which deed shall, by virtue of the notice provided hereby, be binding upon all persons who may, at any time hereafter, own or claim any right, title, or interest in such Building Lot, and the successors in title thereto, whether acquired by voluntary act or through operation of law.

4.24 Exemption of Grantor and for Common Area. Notwithstanding all other provisions in this Declaration, the Articles, Bylaws or any other documents, Grantor is and shall at all times be, and Improvements to the Common Areas by Grantor, or the Association are and shall at all times be, exempt from the obligations and restrictions set forth in this Article IV of the Declaration and from the governance and control of the Architectural Committee. Additionally, Grantor shall not be obligated to comply with any Association Rules. Without limiting the generality of the preceding sentences in this Section 4.24, so long as Grantor owns any Building Lot, nothing contained herein shall limit the right of Grantor to subdivide or re-subdivide any portion of the Property, to grant licenses, to reserve rights-of-way and easements with respect to the Common Area and Building Lots that it owns to utility companies, public agencies, or others, or to complete excavation, grading, and construction of Improvements to and on any portion of the property owned by Grantor, or to alter the foregoing and its construction plans and designs, or to construct such additional Improvements as Grantor deems advisable in the course of development of the Property. Such right shall include, but shall not be limited to, erecting, constructing, and maintaining on the Property such structures, signage and displays as may be reasonably necessary for the conduct of Grantor's business of completing development of the Property and disposing of the same by sales lease or otherwise. Grantor shall have the right at any time prior to acquisition of title to a Building Lot by a purchaser from Grantor to grant, establish, and/or reserve on that Building Lot, additional licenses, reservations and rights-of way to Grantor, to utility companies, or to others as may from time to time be reasonably necessary to the proper

development and disposal of the Property. Grantor may use any structures owned by Grantor on the Property as model homes or home complexes or real estate sales or leasing offices for lots and homes within or outside the Subdivision. Grantor need not seek or obtain Architectural Committee approval of any Improvement constructed or placed by Grantor on any portion of the Property owned by Grantor. All of the rights of Grantor, including, without limitation, those set forth in this Section 4.24 may be assigned by Grantor as set forth in Section 3.14 of this Declaration.

ARTICLE V: MADRONE HEIGHTS SUBDIVISION HOMEOWNERS ASSOCIATION

5.1 Organization of the Madrone Heights Subdivision Homeowners Association. The Association shall be initially organized by Grantor as an Idaho nonprofit corporation under the provisions of the Idaho Code relating to general non-profit corporations and shall be charged with the duties and invested with the powers prescribed by law and set forth in the Articles, Bylaws, and this Declaration. Neither the Articles nor the Bylaws shall be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration or with any Supplemental Declaration which Grantor might adopt pertaining to the Subdivision. Conflicting terms between any of these three documents shall be resolved with the following priority: CC&Rs shall prevail over the Articles and the Bylaws and the Articles shall prevail over the Bylaws.

5.2 Membership. Each Owner, by virtue of being an Owner and for so long as such ownership is maintained, shall be a Member of the Association. Memberships in the Association shall be appurtenant to the Building Lot owned by such Owner. The memberships in the Association shall not be transferred, pledged, assigned, or alienated in any way except upon the transfer of Owner's title and then only to the transferee of such title. Any attempt to make a prohibited membership transfer shall be void and will not be reflected on the books of the Association.

5.3 Voting. Voting in the Association shall be carried out by Members who shall cast the votes attributable to the Building Lots, which they own, or, in the case of Grantor, attributable to the Building Lots owned by Grantor. Member voting procedures shall be performed in accordance with the terms of this Declaration, the Association's Bylaws, Articles and other properly adopted organizational documents. On any issue that comes to a vote of the Members, each Owner shall be entitled to vote a number of votes that correlates to the number of Building Lots owned by such Member as described in more detail below. When more than one person holds an interest in any Building Lot, all such persons shall be Members but shall share the votes attributable to the Building Lot. For voting purposes, the Association shall have two (2) classes of Members as described below:

5.3.1 Class A Members. Owners other than Grantor shall be known as Class A Members. Each Class A Member shall be entitled to cast one (1) vote for each Building Lot owned by such Class A Member on the day of the vote.

5.3.2 Class B Members. The Grantor shall be known as the Class B Member, and notwithstanding all other provisions of this Declaration to the contrary, Grantor shall be entitled to ten (10) votes for each Building Lot of which Grantor is the Owner. The Class B Member shall cease to be a voting Member in the Association when the total cumulative votes of the Class A Members equal or exceed the total votes of the Class B Members, provided that the Class B membership voting rights shall not cease before the expiration of ten (10) years from the date on which the first Building Lot is sold to an Owner other than Grantor. Immediately upon the Class B membership ceasing to have the rights to vote is set forth in this Section 5.3.2 it shall become a Class A Member and shall have the associated voting rights based on the number of Building Lots of which it is an Owner, provided, however, all other rights associated with Grantor's status as Grantor shall continue regardless of whether Grantor is a Class A Member or a Class B Member.

Fractional votes shall not be allowed. In the event that joint Owners are unable to agree among themselves as to how their vote or votes shall be cast, they shall lose their right to vote on the matter being put to a vote. When an Owner casts a vote, it will thereafter be presumed conclusively for all purposes that such Owner was acting with authority and consent of all joint owners of the Building Lot(s) from which the vote derived. The right to vote may not be severed or separated from the ownership of the Building Lot to which it is appurtenant, except that any Owner may give a revocable proxy, or may assign such Owners right to vote to a lessee, mortgagee, beneficiary, or contract purchaser of the Building Lot concerned, for the term of the lease, mortgage, deed of trust, or contract. Any sale, transfer, or conveyance of such Building Lot to a new Owner shall operate automatically to transfer the appurtenant voting right to the Owner, subject to any assignment of the right to vote to a lessee, mortgagee, or beneficiary as provided herein. Neither the Grantor nor the Association shall be responsible or liable for any dispute, or damages related thereto, based on a disagreement as to who has the voting rights associated with a particular Building Lot and shall be able to rely on the claim by any lessee, mortgagee, contract purchaser or beneficiary of their right to vote. The Association shall have the right to suspend the voting rights of an Owner, except Grantor, for any period during which any Assessment or charge against such Owner's or such Owner's Building Lot remains unpaid, and for a period not to exceed sixty (60) days for any infraction of the Association Rules.

5.4 Board and Officers. The affairs of the Association shall be conducted and managed by the Board and agents of the Board as the Board may elect or appoint, in accordance with the Articles and Bylaws, as the same may be amended from time to time. The Board shall be elected in accordance with the provisions set forth in the Association Bylaws.

5.5 Power and Duties of the Association.

5.5.1 Powers. The Association shall have all the powers of a corporation organized under the general corporation laws of the State of Idaho subject only to such limitations upon the exercise of such powers as are expressly set forth in the Articles, the Bylaws, and this Declaration. The Association shall have the power to do any and all lawful things which may be authorized, required or permitted to be done by the Association under Idaho law and under this Declaration, and the Articles and Bylaws, and to do and perform any and all acts which may be necessary to, proper for, or incidental to the proper management and operation of the Common Area and the Grantor's and Association's other assets (including water rights when and if received from Grantor) and affairs and the performance of the other responsibilities herein assigned, including without limitation:

5.5.1.1 Assessments. The power to levy Assessments on any Owner or any portion of the Property and to force payment of such Assessments, all in accordance with the provisions of this Declaration.

5.5.1.2 Right of Enforcement. The power and authority from time to time in its own name, on its own behalf or on behalf of any Owner who consents thereto, to commence and maintain actions and suits to restrain and enjoin any breach or threatened breach of this Declaration or the Article or the Bylaws, including the Association Rules adopted pursuant to this Declaration, and to enforce by injunction or otherwise, all provisions hereof.

5.5.1.3 Delegation of Powers. The authority to delegate its power and duties to committees, officers, employees, or to any person, firm, or corporation to act as manager, and to contract for the maintenance, repair, replacement, and operation of the Common Area. Neither the Association nor the members of its Board shall be liable for any omission or improper exercise by the manager of any such duty or power so delegated.

5.5.1.4 Association Rules. The power to adopt, amend and repeal, by majority vote of the Board, such rules and regulations as the Board deems reasonable, including, without limitation, reasonable charges for an Owner's failure to comply with such rules and regulations. The Association may govern the use of the Common Areas, including, but not limited to, the use of private streets and other common area improvements by the Owners, their families, invitees, licensees, lessees, or contract purchasers; provided, however, that any Association Rules shall apply equally to all Owners and shall not be inconsistent with this Declaration, the Articles, or the Bylaws. A copy of the Association Rules as they may from time to time be adopted, amended, or repealed, shall be mailed or otherwise delivered to each Owner. Upon such mailing or delivery, the Association Rules shall have the same force and effect as if they were set

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forth in and were a part of this Declaration. In the event of any conflict between such Association Rules and any other provisions of this Declaration, or the Articles or the Bylaws, the provisions of the Association Rules shall be deemed to be superseded by provisions of this Declaration, the Articles, or the Bylaws to the extent of any such inconsistency.

5.5.1.5 Emergency Powers. The power, exercisable by the Association or by any person authorized by it, to enter upon any portion of the Property (but not inside any building constructed thereon) in the event of any emergency involving illness or potential danger to life or property or when necessary in connection with any maintenance or construction for which the Association is responsible. Such entry shall be made with as little inconvenience to the Owner as practicable, and any damage caused thereby shall be repaired by the Association unless the conditions of such emergency were caused by such Owner.

5.5.1.6 Licenses, Easements, and Rights-of-Way. The power to grant and convey to any third party such licenses, easements, and rights-of-way in, on, or under the Common Area as may be necessary or appropriate for the orderly maintenance, preservation, and enjoyment of the Common Area, and for the preservation of the health, safety, convenience, and welfare of the Owners, for the purpose of constructing, erecting, operating, or maintaining:

5.5.1.6.1 Underground lines, cables, wires, conduits, or other devices for the transmission of electricity or electronic signals-for lighting, heating, power, telephone, television, or other purposes, and the above ground lighting stanchions, meters, and other facilities associated with the provisions of lighting and services;

5.5.1.6.2 Public sewers, storm drains, water drains, and pipes, water supply systems, sprinkling systems, heating and gas lines or pipes, and any similar public or quasi-public improvements or facilities;

5.5.1.6.3 Mailboxes and sidewalk abutments around such mailboxes, or any service facility, berms, fencing and landscaping abutting Common Areas, public and private streets or land conveyed for any public or quasi-public purpose including, but not limited to, bicycle pathways.

5.5.1.7 Conveyances to and from Municipalities. The power to convey any portion of the Common Area and any portion of the

Property that it owns to any city, county, the State of Idaho, the United States of America, or any political subdivision of any of the foregoing. The Board shall also have the power to receive a conveyance of any property interest from the above-referenced entities, or any other individual or entity, and to hold such property interest as Common Area.

5.5.2 Duties. In addition to duties necessary and proper to carry out the power delegated to the Association by this Declaration, and the Articles and Bylaws, without limiting the generality thereof, the Association or its agents, if any, shall have the authority and the obligation to conduct all business affairs of the Association and to perform, without limitation, each of the following duties:

5.5.2.1 Operation and Maintenance of the Common Area. Operate, maintain, and otherwise manage, or provide for the operation, maintenance, and management of, the Common Area. Such properties may include those lands intended for open space uses and which may be referred to as "non-buildable" lots per the Plat. Without limiting the generality of the foregoing, the Association shall perform the following:

5.5.2.1.1 Maintain, repair, or replace all school bus staging areas;

5.5.2.1.2 Maintain the integrity of the vision triangles as required by the Plat Conditions;

5.5.2.1.3 Maintain the development's Common Area landscaping and open spaces, including temporary irrigation and furnishings located in all public rights-of-way;

5.5.2.1.4 Maintain the Subdivision's non-publically dedicated park and pathway areas;

5.5.2.1.5 Participate in a Road Improvement District or utility local improvement district as the need for these improvements arise;

5.5.2.1.6 Provide for snow removal along pathways in the Common Areas so they are pedestrian accessible within 24 hours of a snow event;

5.5.2.1.7 If the Subdivision becomes part of a transit route(s), provide residents of the Subdivision with transit street furnishings; and

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5.5.2.1.8 Repair and replacement of property damaged or destroyed by casualty loss.

Additionally, the Association may, in its discretion, limit or restrict the access and use of the Common Area to any Owner or Owners, other than Grantor, residing in the Subdivision. **The Association shall establish rules and regulations regarding the Owners' use of Common Areas and Improvements located thereon.**

5.5.2.2 Reserve Account. Establish and fund a reserve account with a reputable banking institution or savings and loan association or title insurance company authorized to do business in the State of Idaho, which reserve account shall be dedicated to the costs of repair, replacement, maintenance and improvement of the Common Area.

5.5.2.3 Maintenance of Berms Retaining Walls and Fences. Maintain the berms, retaining walls, fences, and water amenities within and abutting the Common Area and Landscape Easement areas.

5.5.2.4 Taxes and Assessments. Pay all real and personal property taxes and assessments separately levied against the Common Area or against the Subdivision, the Association, and/or any other property owned by the Association. Such taxes and assessments may be contested or compromised by the Association, provided, however, that such taxes and assessments are paid or a bond insuring payment is posted prior to the sale or disposition of any property to satisfy the payment of such taxes and assessments. In addition, the Association shall pay all other federal, state, or local taxes, including income or corporate taxes levied against the Association, in the event that the Association is denied the status of a tax exempt corporation.

5.5.2.5 Water and Other Utilities. Acquire, provide, and/or pay for water, sewer, garbage disposal, refuse and rubbish collection, electrical, telephone, and gas, and other necessary services, for the Common Area, and manage for the benefit of the Subdivision all domestic, irrigation, and amenity water rights and rights to receive water held by the Association, whether such rights are evidenced by license, permit, claim, stock ownership, or otherwise. The Association shall maintain, repair, and operate any sewer lift stations located on the Property and shall comply with all of the terms and conditions of the Stormwater Plan. All responsibility for payment of fees related to the provision of utilities, and other similar fees, including, without limitation, impact fees, sewer treatment connection fees, sewer interceptor fees, water connection fees, pressure irrigation connection fees, and related inspections fees, shall belongs to the Owner of each Building Lot at the

time a building permit is acquired to commence construction on any Improvements on such Building Lot. In the event the Grantor or Association has paid any such fees, the Association or Grantor, whichever is applicable, shall be entitled to reimbursement of the same and such reimbursement shall be a Limited Assessment.

5.5.2.6 Insurance. Obtain insurance from reputable insurance companies authorized to do business in the State of Idaho, and maintain in effect any insurance policy the Board deems necessary or advisable, which policies must include, the following policies of insurance:

5.5.2.6.1 Fire insurance, including those risks embraced by coverage of the type known as the broad form "All Risk" or special extended coverage endorsement on a blanket agreed amount basis for the full insurable replacement value of all Improvements, equipment, and fixtures located within the Common Area.

5.5.2.6.2 Comprehensive public liability insurance insuring the Board, the Association, the Grantor, and the individual grantees and agents and employees of each of the foregoing, against any liability incident to the ownership and/or use of the Common Area. Limits of liability of such coverage shall be a minimum of the following:

Not less than One Million Dollars and No Cents ($1,000,000.00) per person, and One Million Dollars and No Cents ($1,000,000.00) per occurrence, with respect to personal injury or death, and One Million Dollars and No Cents ($1,000,000.00) per occurrence with respect to property damage.

5.5.2.6.3 Full coverage directors' and officers' liability insurance with a limit of at least Two Hundred Fifty Thousand Dollars and No Cents ($250,000.00).

5.5.2.6.4 Such other insurance, including motor vehicle insurance and Workmen's Compensation Insurance, to the extent necessary to comply with all applicable laws and indemnity, faithful performance, fidelity, and other bonds as the Board shall deem necessary or required to carry out the Association functions or to insure the Association against any loss from malfeasance or dishonesty of any employee or other person charged with the management or possession of any Association funds or other property.

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5.5.2.7 Association as Trustee. The Association shall act as and be deemed trustee of the interests of all Owners in connection with any insurance proceeds paid to the Association under such policies, and have full power to receive such Owner's interests in such proceeds and to deal therewith.

5.5.2.8 Insurance Premiums as Regular Assessments. Charge as a common expense to be included in the Regular Assessments insurance premiums for any and all insurance coverage the Board deems necessary or advisable.

5.5.2.9 Rule Making. Make, establish, promulgate, amend, and repeal such Association Rules as the Board shall deem advisable.

5.5.2.10 Newsletter. If it so elects, prepare and distribute a newsletter on matters of general interest to Association Members, the cost of which shall be included in Regular Assessments.

5.5.2.11 Architectural Committee. Appoint and remove members of the Architectural Committee, subject to the provisions of this Declaration.

5.5.2.12 Enforcement of Restrictions and Rules. Perform such other acts, whether or not expressly authorized by this Declaration, as may be reasonably advisable or necessary to enforce any of the provisions of the Declaration, or of the Articles or the Bylaws, including, without limitation, the recordation of any claim of lien with the County Recorder, as more fully provided herein.

5.5.2.13 Private Streets, Signs and Lights. Maintain, repair, or replace private streets (as noted on the Plat and including any cul-de-sac easements), street signs, and private streetlights located on the Property. This duty shall run with the land and cannot be waived by the Association unless the all required governmental entities consent to such waiver.

5.6 Personal Liability. No member of the Board, or member of any committee of the Association, or any officer of the Association, or the Grantor, or the manager, if any, shall be personally liable to any Owner, or to any other party, including the Association, for any damage, loss, or prejudice suffered or claimed on the account of any act, omission, error, or negligence of such person, the Association, the Board, the manager, if any, or any other representative or employee of the Association, the Grantor, or the Architectural Committee, or any other committee, or any Owner, or the Grantor, provided that such person, upon the basis of such information as may be possessed by such person, has acted in good faith without willful or intentional misconduct.

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5.7 Loans. At the election of Grantor, all expenditures made by Grantor related to the organization and operation of the Association shall be deemed loans made on behalf of Grantor for the benefit of the Association ("Grantor Loans"); provided, however, Grantor shall not be obligated to make any Grantor Loans or otherwise have any of the obligations attributable to the Association under this Declaration or otherwise. All Grantor Loans shall be repaid to Grantor as part of the Expenses used to calculate the Regular Assessment for the next successive fiscal year after each such Grantor Loan is made or, at the option of the Board, at an earlier time pursuant to a Special Assessment. In the event that there is more than one Grantor Loan outstanding and not all outstanding Grantor Loans are paid back in full at the same time, then regardless of when Grantor Loans are made, they shall be paid back on a pro-rata basis.

5.8 Budgets and Financial Statements. Financial statements for the Association shall be prepared regularly and copies shall be distributed to each Member of the Association as follows:

A pro forma operating statement or budget, for each fiscal year shall be distributed not less than sixty (60) days before the beginning of each fiscal year. The operating statement shall include a schedule of Assessments received and receivable, identified by the Building Lot number and the name of the person or entity assigned.

5.9 Meetings of Association. Each year the Association shall hold at least one (1) meeting of the Members, according to the schedule for such meetings established by the Bylaws. Only Members shall be entitled to attend Association meetings and all other persons may be excluded. Notice for all Association meetings shall be given pursuant to the Association's Bylaws.

ARTICLE VI: RIGHTS TO COMMON AREAS

6.1 Use of Common Area. Every Owner shall have a right to use, but not to control, all or any part of the Common Area, which right shall be appurtenant to and shall pass with the title to every Building Lot, subject to all of the following provisions:

6.1.1 The right of the Association holding or controlling such Common Area to levy and increase Assessments.

6.1.2 The right of the Association to suspend the use of, or interest in, the Common Area (but not including access to private streets, cul-de-sacs and walkways of the Property) by an Owner, except Grantor, for any period during which any Assessment or charge against such Owner's or such Owner's Building Lot remains unpaid, and for a period not to exceed sixty (60) days for any infraction of the Association Rules.

6.1.3 The right of the Association to prohibit the construction of structures or Improvements on all Common Areas.

6.1.4 The right of the Association to protect wildlife habitat.

6.1.5 The right of the Association and the Grantor to set aside and restrict access to, either temporarily or permanently, portions of the Common Area for the use of the Association, the Grantor, any individual Owner or any group of Owners, so long as such action does not materially impair the other Owner's use and enjoyment of the Common Area as a whole.

6.2 Designation of Common Area. Grantor shall specifically designate and reserve the Common Area in the Declaration, Supplemental Declarations, and/or recorded Plats. By accepting a deed to a Building Lot, each Owner agrees that such Owner is waiving all right to assert a common law dedication by Grantor or the Association of any Common Area.

6.3 Delegation of Right to Use. Any Owner may delegate, in accordance with the respective Bylaws and Association Rules, such Owner's right of enjoyment to the Common Area, to the members of such Owner's family in residence, and such Owner's tenants or contract purchasers who reside on such Owner's Building Lot. Only Grantor or the Association shall have the right to delegate the right of enjoyment to the Common Area to the general public, and such delegation to the general public shall be for a fee set by Grantor or the Association.

6.4 Damages. Each Owner shall be fully liable for any damage to any Common Area which may be sustained by reason of the negligence or willful misconduct of the Owner, such Owner's resident tenant or contract purchaser, or such Owner's family and guests, both minor and adult. In the case of joint ownership of a Building Lot, the liability of such Owners shall be joint and several. The cost of correcting such damage shall be a Limited Assessment against the Building Lot and may be collected as provided herein for the collection of other Assessments.

ARTICLE VII: ASSESSMENTS

7.1 Covenant to Pay Assessments. By acceptance of a deed to any property in the Subdivision, each Owner of such property hereby covenants and agrees to pay when due all Assessments or charges made by the Association, including all Regular, Special, and Limited Assessments and charges made against such Owner pursuant to the provisions of this Declaration or other applicable instrument. Notwithstanding any other provision of this Declaration, the Articles, Bylaws, or other document, the Grantor shall not be required to pay any Assessments.

7.1.1 Assessment Constitutes Lien. Such Assessments and charges, together with interest, costs, and reasonable attorney's fees which may be

incurred in collecting the same, shall be a charge on the land and shall be a continuing lien upon the property against which each such Assessment or charge is made.

7.1.2 Assessment is Personal Obligation. Each such Assessment, together with interest, costs and reasonable attorney's fees, shall also be the personal obligation of the Owner of such property beginning with the time when the Assessment falls due. The personal obligation for delinquent Assessments shall not pass to such Owner's successors in title unless expressly assumed by them but shall remain such Owner's personal obligation regardless of whether he remains an Owner.

7.2 Regular Assessments. All Owners are obligated to pay Regular Assessments to the treasurer of the Association on a schedule of payments established by the Board.

7.2.1 Purpose of Regular Assessments. The proceeds from Regular Assessments are to be used to repay all unpaid Grantor Loans and to pay for all costs and expenses incurred by the Association and that the Association expects to incur, including legal and attorneys' fees and other professional fees, for the conduct of its affairs, including without limitation the costs and expenses of construction, improvement, protection, maintenance, repair, management, and operation of the Common Areas, including all Improvements located on such areas owned and/or managed and maintained by such Association, and an amount allocated to an adequate reserve fund to be used for repairs, replacement, maintenance, and improvement of those elements of the Common Area, or other property of the Association that must be replaced and maintained on a regular basis (collectively "Expenses").

7.2.2 Computation of Regular Assessments. The Board shall compute the anticipated amount of its Expenses on an annual basis as set forth in this paragraph (the "Anticipated Expenses"). The Regular Assessment for a given fiscal year shall be based on the Anticipated Expenses. The Board shall compute the initial amount of Regular Assessments owed beginning the first day of the third month following the month in which the closing of the first sale of a Building Lot occurred in the Subdivision for the purposes of the Association's Regular Assessment ("Initiation Date"). Thereafter, the computation of Regular Assessments shall take place not less than thirty (30) or more than sixty (60) days before the beginning of each fiscal year of the Association, provided, however, in the event that for any reason the Board fails to make such a computation, the Owners shall not be relieved of the obligation to pay the Regular Assessments and until such computation is made, the Owners shall continue to pay an amount of Regular Assessments consistent with the previous fiscal year. The computation of the Regular Assessment for the period from the Initiation Date until the beginning

of the next fiscal year shall be reduced by an amount, which fairly reflects the fact that such period was less than one (1) year.

7.2.3 Amounts Paid by Owners. The Board can require, in its discretion or as provided in the Articles or Bylaws, payment of Regular Assessments in monthly, quarterly, semi-annual, or annual installments. The Regular Assessment to be paid by any particular Owner, except Grantor, for any given fiscal year shall be computed as follows:

7.2.3.1 An initial assessment set up fee of $200.00 shall be paid to the Association at the closing of the acquisition by any Owner, aside from the Grantor, of a Building Lot. This fee shall (i) be paid by the purchaser, (ii) only apply to the initial sale from Grantor to a non-Grantor Owner, (iii)be in addition to and not a credit towards the Regular Assessments owed by an Owner and (iv) be used to pay back Grantor Loans. On all subsequent transfers of Building Lots, at the closing of the acquisition, the purchaser shall pay to the Association a transfer fee of $150.00.

7.2.3.2 As to the Association's Regular Assessment, initially, each Owner shall be assessed and shall pay an amount computed by multiplying the Association's total Anticipated Expenses by 1.5 and then multiplying that total by the fraction produced by dividing the Building Lots attributable to the Owner by the total number of Building Lots that are part of the Property at the time such calculation is made. Regular Assessments shall be calculated in this manner until such time as all Grantor Loans have been repaid in full and, thereafter, each Owner shall be assessed and shall pay an amount computed by multiplying the Association's total Anticipated Expenses by the fraction produced by dividing the Building Lots attributable to the Owner by the total number of Building Lots not owned by Grantor that are part of the Property at the time such calculation is made. As of the date of this Declaration the estimated initial amount of the regular assessment is $450.00 per year, per Building Lot.

7.2.3.3 Notwithstanding anything in this Declaration to the contrary, Grantor is not obligated to pay any Regular, Special or Limited Assessment on any Building Lot that it owns.

7.3 Special Assessments.

7.3.1 Purpose and Procedure. In the event that the Board shall determine that its respective Regular Assessment for a given calendar year is or will be inadequate to meet the Expenses of the Association for any reason, including but not limited to costs of construction, reconstruction, unexpected

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repairs or replacement of capital improvements upon the Common Area, attorney's fees and/or litigation costs, other professional fees, or for any other reason, the Board shall determine the approximate amount necessary to defray such Expenses and levy a Special Assessment against the Owners and the Building Lots, pursuant to the terms of this Article VII and which shall be computed in the same manner as Regular Assessments. No Special Assessment shall be levied which exceeds twenty percent (20%) of the Anticipated Expenses of such Association for that fiscal year, without the vote or written assent of the Owners representing a majority of the votes of the Members of such Association. The Board shall, in its discretion, determine the schedule under which such Special Assessment will be paid.

7.3.2 Consistent Basis of Assessment. Every Special Assessment levied by and for the Association shall be levied and paid upon the same basis as that prescribed for the levying and payment of Regular Assessments.

7.4 Limited Assessments. Notwithstanding the above provisions with respect to Regular and Special Assessments, the Board may levy a Limited Assessment against any individual Member or multiple members (i) as a remedy to reimburse the Association for costs incurred in bringing the Member and/or such Member's Building Lot or restricted Common Area into compliance with the provisions of this Declaration, the Articles, Bylaws, Association Rules and any other governing instruments of the Subdivision, (ii) to collect other amounts owed by an Owner to the Association, and (iii) otherwise reimburse the Association for expenses incurred as a result of such Member's acts and omissions.

7.5 Uniform Rate of Assessment. Unless otherwise specifically provided herein, Regular and Special Assessments shall be fixed at a uniform rate per Building Lot for all Members of the Association.

7.6 Assessment Period. Unless otherwise provided in this Declaration or otherwise determined by the Board, the Assessment period shall commence on January 1st of each year and terminate December 31st of such year. The first Assessment shall be pro-rated according to the number of months remaining in the fiscal year and shall be payable by the Owner of a Building Lot at the closing of the Owner's acquisition of such Building Lot.

7.7 Notice and Assessment Due Date. Ten (10) days' prior written notice of any change in the amount or due date of Regular and Special Assessments shall be sent to the Owner of every Building Lot subject thereto, and to any person in possession of such Building Lot. The due dates for the semi-annual payment of Regular Assessments and Special Assessments shall be the first day of January and the first day of July, unless some other due date is established by the Board. Each installment of the Regular Assessment or Special Assessment shall become delinquent if not paid within ten (10) days after the due date thereof. All Limited Assessments shall be delinquent if not paid

within ten (10) days after notice of such Limited Assessment is provided to Owner. There shall accrue with each delinquent payment a late charge equal to ten percent (10%) of the delinquent charge and installment. In addition, each payment which is delinquent for more than twenty (20) days shall accrue interest at eighteen percent (18%) per annum calculated from the date of delinquency to and including the date full payment is received by the Association. The Association may bring an action against the delinquent Owner and may foreclose the lien against such Owner's Building Lot, or Building Lots if Owner owns more than one, as more fully provided herein. Each Owner is personally liable for Assessments, together with all interest, costs and attorney's fees, and no Owner may exempt themselves from such liability by a waiver of the use and enjoyment of the Common Areas, by lease or abandonment of such Owner's Building Lot, or by virtue of the fact that their voting and/or Common Area use rights have been restricted pursuant to the terms of this Declaration.

7.8 Estoppel Certificate. The Association, upon at least twenty (20) days prior written request, shall execute, acknowledge and deliver to the party making such request, a statement in writing stating whether or not, to the knowledge of the Association, a particular Owner is in default under the provisions of this Declaration, and further stating the dates, within the preceding twelve (12) month period that any Assessments have been paid by the Owner. Any such certificate delivered pursuant to this Section 7.8 may be relied upon by any prospective purchaser or mortgagee of the Owner's Building Lot. Reliance on such certificate may not extend to any default of which the signor of such certificate had no actual knowledge.

ARTICLE VIII: ENFORCEMENT OF ASSESSMENT; LIENS

8.1 Right to Enforce. The Association has the right to collect and enforce its Assessments pursuant to the provisions hereof. Each Owner, upon becoming an Owner of a Building Lot, shall be deemed to covenant and agree to pay each and every Assessment provided for in this Declaration and agrees to the enforcement of all Assessments in the manner herein specified. In the event an attorney or attorneys are employed for the collection of any Assessment, whether by suit or otherwise, or to enforce compliance with or specific performance of the terms and conditions of this Declaration, each Owner agrees to pay reasonable attorney's fees in addition to any other relief or remedy obtained against such Owner. The Board or its authorized representative may enforce the obligations of the Owners to pay such Assessments by any and all means available to it in law and in equity, including, without limitation, commencement and maintenance of a legal action, or exercise of the power of foreclosure and sale pursuant to Section 8.3 to enforce the liens created hereby. A suit to recover a money judgment for an unpaid Assessment shall be maintainable without foreclosing or waiving the lien hereinafter provided for.

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8.2 Assessment Liens.

8.2.1 Creation. There is hereby created a claim of lien with power of sale on each and every Building Lot to secure payment of any and all Assessments levied against such Building Lot pursuant to this Declaration together with interest thereon at the maximum rate permitted by law and all costs of collection which may be paid or incurred by the Association making the Assessment in connection therewith, including reasonable attorney's fees. All sums assessed in accordance with the provisions of this Declaration shall constitute a lien on such respective Building Lot upon recordation of a claim of lien with the County Recorder. Such lien shall be prior and superior to all other liens or claims created subsequent to the recordation of the claim of lien except for tax liens for real property taxes on any Building Lot and assessments on any Building Lot in favor of any municipal or other governmental assessing body which, by law, would be superior thereto.

8.2.2 Claim of Lien. Upon default of any Owner in the payment of any Assessment issued hereunder, the Association may cause to be recorded in the office of the County Recorder a claim of lien. The claim of lien shall state the amount of such delinquent sums and other authorized charges (including the cost of recording such claim of lien), a sufficient description of the Building Lot(s) against which the same have been assessed, and the name of the record Owner thereof. Each delinquency shall constitute a separate basis for a claim of lien, but any number of defaults may be included within a single claim of lien. Upon payment to the Association of all delinquent sums and charges in any given claim of lien or other satisfaction thereof, the Association shall cause to be recorded a notice stating the satisfaction of such delinquent sums and charges. The Association may demand and receive the cost of preparing and recording such notice before recording the same.

8.3 Method of Foreclosure. Such lien may be foreclosed by appropriate action in court or by sale by the Association, its attorney or other person authorized to make the sale. Such sale shall be conducted in accordance with the provisions of the Idaho Code applicable to the exercise of powers of sale permitted by law. The Board is hereby authorized to appoint its attorney, any officer or director of the Association, or any title company authorized to do business in Idaho, as trustee for the purpose of conducting such power of sale or foreclosure.

8.4 Required Notice. Notwithstanding anything contained in this Declaration to the contrary, no action may be brought to foreclose the lien created by recordation of claim of lien, whether judicially, by power of sale or otherwise, until the expiration of thirty (30) days after a copy of such claim of lien has been deposited in the United States mail, certified or registered, postage prepaid, to the Owner of the Building Lot(s) described in such claim of lien, and to the person in possession of such Building Lot(s) and a copy thereof is recorded by the Association in the office of the County Recorder.

8.5 Subordination to Certain Trust Deeds. The lien for the Assessments provided for herein in connection with a given Building Lot shall not be subordinate to the lien of any deed of trust or mortgage except the lien of a first deed of trust or first mortgage given and made in good faith and for value that is of record as an encumbrance against such Building Lot prior to the recordation of a claim of lien for the Assessments. Except as expressly provided in Section 8.6 with respect to a first mortgagee who acquires title to a Building Lot, the sale or transfer of any Building Lot shall not affect the Assessment lien provided for herein, nor the creation thereof by the recordation of a claim of lien, on account of the Assessments becoming due whether before, on, or after the date of such sale or transfer, nor shall such sale or transfer diminish or defeat the personal obligation of any Owner for delinquent Assessments as provided for in this Declaration.

8.6 Rights of Mortgagees. Notwithstanding any other provision of this Declaration, no amendment of this Declaration shall operate to defeat the rights of the beneficiary under any deed of trust, or a mortgagee under a mortgage, upon a Building Lot made in good faith and for value, and recorded prior to the recordation of such amendment, provided that after the foreclosure of any such deed of trust or mortgage such Building Lot shall remain subject to this Declaration as amended.

ARTICLE IX: INSPECTION OF ASSOCIATION'S BOOKS AND RECORDS

9.1 Member's Right of Inspection. The membership register, books of account and minutes of meetings of the Board and any committees of the Association shall be made available at the office of the Association or at such other place as the Board of such Association shall prescribe, for inspection and copying by any Member of the Association or by such Member's duly appointed representatives, upon reasonable notice, at any reasonable time and for a purpose reasonably related to such Member's interest as a Member. No Member or any other person shall copy the membership register for the purposes of solicitation of or direct mailing to any Member of the Association.

9.2 Rules Regarding Inspection of Books and Records. The Board shall establish reasonable rules with respect to:

9.2.1 Notice to be given to the custodians of the records by the persons desiring to make the inspection.

9.2.2 Hours and days of the week when such an inspection may be made.

9.2.3 Payment by the requesting Member of the cost of reproducing copies of documents requested pursuant to this Article IX.

9.3 Director's Rights of Inspection. Every director shall have the absolute right at any reasonable time to inspect all books, records and documents of the Association, and the physical properties owned or controlled by the Association. The right of inspection by a director includes the right to make extracts and copies of documents at the Association's expense.

ARTICLE X: ARCHITECTURAL COMMITTEE

10.1 Creation. Within thirty (30) days of the date on which the Grantor first conveys a Building Lot to an Owner, Grantor shall appoint three (3) individuals to serve on an architectural control committee (the "Architectural Committee"). Each member of the Architectural Committee shall hold office until such time as such member has resigned or has been removed, or such member's successor has been appointed, as provided herein. A member of the Architectural Committee need not be an Owner or Member of the Association. Members of the Architectural Committee may be removed by the person or entity appointing them at any time without cause.

10.2 Rights of Appointment. After the initial appointment by Grantor as set forth in Section 10.1, the Board shall have the exclusive right, at any time, and from time to time, to appoint and remove all members of the Architectural Committee. If a vacancy on the Architectural Committee occurs and a permanent replacement has not yet been appointed, the Board may appoint a member to serve for a specified temporary period not to exceed one (1) year.

10.3 Review of Proposed Construction. The Architectural Committee shall consider and act upon any and all proposals or plans and specifications submitted for its approval pursuant to this Declaration, and perform such other duties as from time to time shall be assigned to it by the Board, including, without limitation, the inspection of construction in progress to assure its conformance with plans and specifications approved by the Architectural Committee. The Board shall have the power to determine, by rule or other written designation consistent with this Declaration, which types of Improvements shall be submitted for Architectural Committee review and approval. The Architectural Committee shall have the power to hire an architect, licensed with the State of Idaho, to assist the Architectural Committee in its review of proposals or plans and specifications submitted to the Architectural Committee. The Architectural Committee shall approve proposals or plans and specifications submitted for its approval only if it deems that the construction, alterations or additions or other Improvements contemplated thereby in the locations indicated will not be detrimental to the habitat of the Common Areas, or appearance of the Property as a whole, that the appearance of any structure affected thereby will be in harmony with the surrounding structures, and that the upkeep and maintenance thereof will not become a burden on the Association.

10.3.1 Conditions on Approval. The Architectural Committee may condition its approval of proposals or plans and specifications upon such changes thereto as it deems appropriate, and/or upon the agreement of the Owner to

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reimburse the Association for the cost of maintenance, and may require submission of additional plans and specifications or other information before approving or disapproving material submitted.

10.3.2 Architectural Committee Rules and Fees. The Architectural Committee also may establish rules and/or guidelines setting forth procedures for and the required content of the applications and other documentation submitted for approval. Such rules may require a fee to accompany each application for approvals or additional factors which it will take into consideration in reviewing submissions. The Architectural Committee shall determine the amount of such fee in a reasonable manner. Such fees shall be used to defray the costs and expenses of the Architectural Committee, including the cost and expense of hiring an architect licensed by the State of Idaho, as provided above, or for such other purposes as established by the Board, and such fee shall be refundable to the extent not expended for the purposes herein stated. If plans submitted are the same or substantially similar to plans previously approved by the Architectural Committee, at the discretion of the Architectural Committee, fees may be reduced for such application approvals.

Such rules and guidelines may establish, without limitation, specific rules and regulations regarding design and style elements, landscaping, and fences and other structures such as animal enclosures as well as special architectural guidelines applicable to Building Lots located adjacent to public open space, private open space or other Common Area.

10.3.3 Detailed Plans. The Architectural Committee may require such detail in plans and specifications submitted for its review as it deems proper, including, without limitation, floor plans, site plans, landscape plans, drainage plans, elevation drawings, and descriptions or samples of exterior material and colors. Until receipt of such details, the Architectural Committee may postpone review of any plan submitted for approval.

10.3.4 Architectural Committee Decisions. Decisions of the Architectural Committee and the reasons therefore shall be transmitted by the Architectural Committee to the Applicant at the address set forth in the application for approval within forty-five (45) days after filing all materials required by the Architectural Committee. Any materials submitted pursuant to this Article X shall be deemed approved unless written disapproval by the Architectural Committee shall have been mailed to the Applicant within forty-five (45) days after the date of filing said materials with the Architectural Committee.

10.4 Meetings of the Architectural Committee. The Architectural Committee shall meet from time to time as necessary to perform its duties hereunder. The Architectural Committee may from time to time by resolution unanimously adopted in writing, designate an Architectural Committee representative (who may, but need not be,

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one of its members) to take any action or perform any duties for and on behalf of the Architectural Committee, except the granting of variances pursuant to Section 10.9. In the absence of such designation, the vote of any two (2) members of the Architectural Committee, or the written consent of any two (2) members of the Architectural Committee taken without a meeting, shall constitute an act of the Architectural Committee.

10.5 No Waiver of Future Approvals. The approval of the Architectural Committee of any proposals or plans and specifications or drawings for any work done or proposed, or in connection with any other matter requiring the approval or consent of the Architectural Committee, shall not be deemed to constitute a waiver of any right to withhold approval or consent as to any similar proposals, plans and specifications, drawings or matter whatsoever subsequently or additionally submitted for approval or consent. Similarly, the disapproval of the Architectural Committee of any proposals or plans and specifications or drawings for any work done or proposed, or in connection with any other matter requiring the approval or consent of the Architectural Committee, shall not be deemed to constitute a waiver of any right to grant approval or consent as to any similar proposals, plans and specifications, drawings or matter whatsoever subsequently or additionally submitted for approval or consent.

10.6 Compensation of Members. The members of the Architectural Committee shall receive no compensation for services rendered, other than reimbursement for expenses incurred by them in the performance of their duties hereunder and except as otherwise agreed by the Board.

10.7 Inspection of Work. Inspection of work and correction of defects therein shall proceed as follows:

10.7.1 Upon the completion of any work for which approved plans are required under this Declaration, the Owner shall give written notice of completion to the Architectural Committee.

10.7.2 Within sixty (60) days thereafter, the Architectural Committee or its duly authorized representative may inspect such Improvement. If the Architectural Committee finds that such work was not done in substantial compliance with the plans, specifications and other documents submitted to and approved by the Architectural Committee, it shall notify the Owner in writing of such noncompliance within such sixty (60) day period, specifying the particular noncompliance issues and the Owner shall be required to remedy the same.

10.7.3 If upon the expiration of thirty (30) days from the date of such notification, or any longer time the Architectural Committee determines to be reasonable, the Owner shall have failed to remedy such noncompliance, the Architectural Committee shall notify the Board in writing of such failure. Upon receipt of such notice, the Board shall call a Special Meeting, as provided in the

Bylaws, at which it shall authorize the Architectural Committee members and the applicable Owner to be heard. Based on such special meeting, the Board shall determine whether there is a noncompliance and, if so, the nature thereof and the estimated cost of correcting or removing the same. If a noncompliance exists, the Owner shall remedy or remove the same within a period of not more than forty-five (45) days from the date of the announcement of the Board ruling unless the Board specifies a longer time as reasonable. If the Owner does not comply with Board ruling within such period, the Board, at its option, may either remove the non-complying improvement or remedy the noncompliance, and the Owner shall reimburse the Association, upon demand, for all expenses incurred in connection therewith. If such expenses are not promptly repaid by the Owner to the Association, the Board shall levy a Limited Assessment against such Owner for reimbursement pursuant to this Declaration.

10.7.4 If for any reason the Architectural Committee fails to notify the Owner of any noncompliance with sixty (60) days after receipt of the written notice of completion from the Owner, the work shall be deemed to be in accordance with the approved plans.

10.8 Non-Liability of Architectural Committee Members. Neither the Architectural Committee nor any member thereof, nor any duly authorized Architectural Committee representative, shall be liable to the Association, any Owner, Grantor, or any other individual or entity, for any loss, damage, or injury arising out of or in any way connected with the performance of the Architectural Committee's duties hereunder, unless due to the willful misconduct or bad faith of the Architectural Committee. The Architectural Committee shall review and approve or disapprove all plans submitted to it for any proposed improvement, alteration or addition, solely on the basis of aesthetic considerations and the overall benefit or detriment which would result to the immediate vicinity and to the Property generally. The Architectural Committee shall take into consideration the aesthetic aspects of the architectural designs, placement of building, landscaping, color schemes, exterior finishes and materials and similar features, but shall not be responsible for reviewing, nor shall its approval of any plan or design be deemed approval of, any plan or design from the standpoint of structural safety or conformance with building or other codes, laws or regulations.

10.9 Variances. With respect to the approval and construction of Improvements, the Architectural Committee may authorize variances from provisions of this Declaration and any other rules and guidelines created by the Architectural Committee, including restrictions upon height, size, floor area, or placement of structures, or similar restrictions, when circumstances such as topography, natural obstructions, hardship, aesthetic, or environmental considerations may require. However, no variances will be granted allowing for construction of structures or Improvements by Owners in the Common Areas. All authorized variances must be evidenced in writing and must be signed by at least two (2) members of the Architectural Committee. If such variances are granted, no violation of the covenants, conditions or restrictions contained in this

Declaration shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such a variance shall not operate to waive any of the terms and provisions of this Declaration for any purpose except as to the particular Building Lot and particular provision hereof covered by the variance, nor shall it affect any way the Owners obligation to comply with all governmental laws and regulations affecting such Owners use of the Building Lot, including but not limited to zoning ordinances or requirements imposed by any governmental or municipal authority.

ARTICLE XI: ANNEXATION OF ADDITIONAL PROPERTIES

11.1 By Grantor. Should Grantor own any property that is contiguous to the Property and, in Grantor's sole discretion, Grantor deems it desirable to annex some or all of such properties into the Subdivision (an "Annexed Tract"), such property may be annexed into the Subdivision and brought within the provisions of this Declaration as provided herein by Grantor at any time, and from time to time, without the approval of any Owner or the Association. The use and development of an Annexed Tract shall conform to all applicable land use regulations as such regulations are modified by variances.

11.2 Rights and Obligations of Owners of an Annexed Tract. Subject to the provisions hereof, upon the recording of a Supplemental Declaration as to any Annexed Tract, all provisions contained in the Declaration shall apply to the Annexed Tract in the same manner as if it were originally covered by this Declaration, subject to such modifications, changes and deletions as are specifically provided in such Supplemental Declaration, such Annexed Tract shall be treated for all purposes as part of the Property as defined above. Without limiting the generality of the immediately preceding sentence, if an Annexed Track becomes part of the Property, all Building Lots in the Annexed Tract shall be included for the purposes of the calculation set forth in Section 5.3.2 of this Declaration and such calculation shall be redone based on the inclusion of such Building Lots and Class B membership reinstated based on such recalculation. The Owners of lots located any Annexed Tract shall become members of the Association and shall become liable for their appropriate share of Assessments. Title to the Common Areas which are to be owned and managed by the Association within any Annexed Tract shall be conveyed to the Association, free and clear of any and all encumbrances and liens, subject to reservations, easements, covenants, conditions and restrictions then of record including those set forth in this Declaration or any Supplemental Declaration applicable to such Annexed Tracts.

11.3 Method of Annexation. The addition of an Annexed Tract to the Property authorized under sections 11.1 and 11.2 shall be made by filing of record a Supplemental Declaration or other similar instrument with respect to the Annexed Tract, which shall be executed by Grantor or the owner of the Annexed Tract, and which shall cause the annexation of the Annexed Tract into the Subdivision. Thereupon each Annexed Tract shall be part of the Property, shall be subject to this Declaration and encompassed within the general plan and scheme hereof as modified by such Supplemental Declaration, and

shall be subject to the functions, powers, and jurisdiction of the Association, or, at the election of the Grantor, of a new Association established for the area encompassing the Annexed Tract. Such Supplemental Declaration or other appropriate document may contain such additions, modifications or deletions as may be deemed by Grantor or the owner of the Annexed Tract desirable to reflect the different character, if any, of the Annexed Tract, or as Grantor or such owner may deem appropriate in the development of the Annexed Tract. If any Annexed Tract is created, the Association shall have the authority to levy Assessments against the Owners located within such Annexed Tract, and the Association shall have the duty to maintain additional Common Area located within the Annexed Tract if so specified in any Supplemental Declaration.

11.4 De-annexation. Grantor may delete all or a portion of the Property, including, without limitation, previously Annexed Tracts, from the Property and from coverage of this Declaration and the jurisdiction of the Association so long as Grantor is the owner of all such de-annexed Property and provided that a Supplemental Declaration of Deletion of Property is recorded in the office of the County Recorder. Members other than Grantor as described above shall not be entitled to de-annex all or any portion of the Property.

ARTICLE XII: EASEMENTS

12.1 Easements of Encroachment. There shall be reciprocal appurtenant easements of encroachment as between each Building Lot and such portion or portions of the Common Area adjacent thereto or as between adjacent Building Lots due to the un-willful placement or settling or shifting of the sidewalks and driveways constructed, reconstructed or altered thereon in accordance with the terms of this Declaration. Easements of encroachment shall be valid only so long as they exist, and the rights and obligations of Owners shall not be altered in any way because of encroachments, settling or shifting of the Improvements; provided, however, that in no event shall a valid easement for encroachment occur due to the willful act or acts of an Owner. In the event a structure on any Building Lot is partially or totally destroyed, and then repaired or rebuilt, the owners of each Building Lot agree that minor encroachments over adjoining Building Lots that existed prior to the encroachment may be reconstructed pursuant to the easement granted by this Section 12.1

12.2 Easements of Access. All Owners of Building Lots will have a perpetual easement for access, ingress and egress over the Common Area, including but not limited to the private streets, cul-de-sacs and walkways; provided, however, this shall not be a limitation of the Association's right to restrict or suspend use of other portions of the Common Area pursuant to the terms of this Declaration. These easements shall run with the land. Such easements may be used by Grantor, and by all Owners, their guests, tenants and invitees, residing on or temporarily visiting the property, for pedestrian walkways, vehicular access and such other purposes reasonably necessary for the use and enjoyment of a Building Lot or Common Area.

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12.3 Drainage and Utility Easements. Grantor expressly reserves for the benefit of all the Property reciprocal easements of access, ingress and egress for all Owners to and from their respective Building Lots for installation and repair of utility services, for drainage of water over, across and upon adjacent Building Lots, and Common Areas, resulting from the normal use of adjoining Building Lots or Common Areas, and for necessary maintenance and repair for any Improvement including, without limitation, fencing, retaining walls, lighting facilities, mailboxes and sidewalk abutments, trees, and landscaping. Notwithstanding anything expressly or impliedly contained herein to the contrary, this Declaration shall be subject to all easements heretofore or hereafter granted by Grantor for the installation and maintenance of utilities and drainage facilities that are required for the development of the Property. In addition, Grantor hereby reserves for the benefit of the Association the right to grant additional easements and rights-of-way over any portion of the Property until close of escrow for the sale of the last Building Lot in the property to a purchaser. The Owners are hereby restricted and enjoined from constructing any Improvements upon any drainage or utility easement areas as shown on the Plat of the Subdivision or otherwise designated in any recorded document which would interfere with or prevent the easement from being used for such purpose; provided, however, that the Owner and the Grantor, Association or designated entity with regard to the landscaping easement described in this Article XII, shall be entitled to install and maintain landscaping on such easement areas, and also shall be entitled to build and maintain fencing on such easement areas subject to approval by the Architectural Committee, so long as the same would not interfere with or prevent the easement areas from being used for their intended purposes; provided, that any damage sustained to Improvements on the easement areas as a result of legitimate use of the easement areas shall be the sole and exclusive obligation of the Owner whose Improvements were so damaged.

12.4 Rights and Duties Concerning Utility Easements. The rights and duties of the Owners with respect to utilities shall be governed by the following:

12.4.1 Wherever utility house connections are installed within the Property, which connections or any portions thereof lie in or upon Building Lots owned by an Owner other than the Owner of the Building Lot served by the connections, the Owner of the Building Lot served by the connections shall have the right, and is hereby granted an easement to the full extent necessary therefore, to enter upon any Building Lot or to have their agent enter upon any Building Lot within the Property in or upon which said connections or any portion thereof lie, to repair, replace and generally maintain the connections as and when it may be necessary.

12.4.2 Whenever utility house connections are installed within the Property, which connections serve more than one Building Lot, the Owner of each Building Lot served by the connections shall be entitled to full use and enjoyment of such portions of said connections as service to such Owner's Building Lot.

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12.5 Driveway Easements. Whenever a driveway is installed within the Property that in whole or in part lies upon a Building Lot owned by an Owner other than the Owner of the Building Lot served, or a driveway is installed to serve more than one Building Lot, the Owner of each Building Lot served or to be served by such driveway shall be entitled to full use and enjoyment of the Building Lot upon which the driveway is installed as is required to service such Owner's Building Lot or to repair, replace, or maintain such driveway.

12.6 Disputes as to Sharing of Costs. In the event of a dispute between Owners with respect to the repair or rebuilding of utility connections or driveways, or with respect to the sharing of the cost therefore, upon written request of one of such Owners addressed to the Association, the matter shall be submitted to the Board which shall decide the dispute and, if appropriate, make an appropriate Assessment against any or all of the Owners involved, which Assessment shall be collected and enforced in the manner provided by this Declaration for Limited Assessments.

12.7 General Easement for Corrective Action. An easement is hereby reserved to the Association, its contractors and agents, to enter those portions of Building Lots, for the purpose of performing any and all corrective and other action that it is entitled to take pursuant to the terms of this Declaration and any rules or regulations adopted by the Board or the Architectural Committee.

12.8 Overhang Easement. There shall be an exclusive easement appurtenant to each Building Lot over the Common Areas for overhanging eaves, and for any projections from the buildings, which projections shall not extend beyond the save line and shall be consistent with all building codes and all Architectural Committee approval requirements.

12.9 Maintenance and Use Easement Between Walls and Lot Lines. Whenever the wall of a structure, or a fence or retaining wall legitimately constructed on a Building Lot under plans and specifications approved by the Architectural Committee is located within five (5) feet of the lot line of such Building Lot, the Owner of such Building Lot is hereby granted an easement over and on the adjoining Building Lot (not to exceed five (5) feet from the Building Lot line) for purposes of maintaining and repairing such wall or fence and eaves or other overhangs, and the Owner of such adjoining Building Lot is hereby granted an easement for landscaping purposes over and on the area lying between the lot line and such structure or fence so long as such use does not cause damage to the structure or fence.

12.10 Waterway Easements. Grantor hereby reserves for the benefit of the Association an easement for all Waterways and related pipes, pumps and other equipment over, across and under all Building Lots and Common Areas, to the extent reasonably required to maintain any water system installed by Grantor or the Association on the Property or pursuant to plans and specifications approved by the Architectural Committee. Any relocation of the water lines installed as a part of such system shall not

be undertaken in any way which interrupts the flow of water through the system or damages the system in any other fashion. Grantor reserves the right for Grantor and for the Association, to make any reconfiguration of any Waterway which it determines, in its own discretion, to be necessary, expedient or desirable, provided, however, that nothing herein shall reserve unto Grantor the right to take any action which would disturb, encroach upon, or endanger the foundation of any building, nor shall Grantor take any action which would materially alter any Waterway's proximity to improved property abutting such Waterways.

12.11 Specific Landscape Easement. Grantor hereby reserves for the benefit of the Association a perpetual Landscape Easement. Such easement shall allow the Association to install and maintain the berms, retaining walls, fences, and landscaping within the area defined as the Landscape Easement.

12.12 Specific Easements Designated in Plat. Notwithstanding any provisions heretofore, the Grantor reserves, for the benefit of the Association, the specific easements for utility, drainage, irrigation and access as set forth on the recorded Plat for the Subdivision.

ARTICLE XIII: MISCELLANEOUS

13.1 Term. The easements created hereunder shall be perpetual, subject only to extinguishment by the holders of such easements as provided by law. The covenants, conditions, restrictions, and equitable servitudes of this Declaration shall run until December 31, 2023, unless amended as herein provided. After such date, such covenants, conditions, and restrictions shall be automatically extended for successive periods of ten (10) years each, unless amended or extinguished by a written instrument executed by Members holding at least three-fourths (3/4) of the voting power of the Association and such written instrument is recorded with the County Recorder. If the consent of any governmental entity is required prior to dissolution of the Association, then the Association may not dissolve without first obtaining such consent.

13.2 Amendment.

13.2.1 By Grantor. Until the recordation of the first deed conveying a Building Lot to a party other than Grantor, the provisions of this Declaration may be amended, modified, clarified, supplemented, added to (collectively, "amendment") or terminated by Grantor by recordation of a written instrument setting forth such amendment or termination, provided, however, the effect of such amendment shall be subject to the limitation set forth in Section 13.3. Any amendment affecting a particular Annexed Tract may be made by Grantor by an amendment to this Declaration at any time up to the recordation of the first deed conveying a Building Lot in such Annexed Tract to a party other than Grantor or the owner of such Annexed Tract.

13.2.2 By Owners. Except where a greater percentage is expressly required in this Declaration, the provisions of this Declaration, other than this Article XIII, may be amended only by the vote or written consent of Owners representing more than fifty percent (50%) of the votes in the Association. Any such amendment must be by an instrument in writing signed and acknowledged by the president and secretary of the Association certifying and attesting that such amendment has been approved as set forth above and such amendment shall be effective upon its recordation with the County Recorder. Any amendment to this Article XIII shall require the vote or written consent of Members holding ninety-five percent (95%) of the voting power of the Association and must meet the requirements in the immediately preceding sentence to be effective.

13.2.3 Effect of Amendment. Any amendment of this Declaration approved in the manner specified above shall be binding on and effective as to all Owners and their respective properties notwithstanding that such Owners may not have voted for or consented to such amendment. Such amendments may add to and increase the covenants, conditions, restrictions, and easements applicable to the Property but shall not prohibit or unreasonably interfere with the allowed uses of such Owner's Building Lot that existed prior to the said amendment.

13.3 Mortgage Protection. Notwithstanding any other provision of this Declaration, no amendment of this Declaration shall operate to defeat or render invalid the rights of the beneficiary under any first deed of trust, or the mortgagee on a first mortgage, upon a Building Lot made in good faith and for value, and recorded prior to the recordation of such amendment, provided that after foreclosure of any such first deed of trust or mortgage, such Building Lots shall remain subject to this Declaration, as amended.

13.4 Notices. Except as otherwise specifically set forth in this Declaration or in the Bylaws, any notices permitted or required to be delivered as provided in this Declaration shall be in writing and may be delivered either personally or by mail. If delivery is made by mail, it shall be deemed to have been delivered seventy-two (72) hours after the same has been deposited in the United States mail, postage prepaid, addressed to such person at the address appearing on the Association's records. Such address may be changed from time to time by notice in writing to the Association's registered agent and to the Association's Secretary, as provided in this Section 13.4.

13.5 Enforcement and Non-Waiver.

13.5.1 Right of Enforcement. Except as otherwise provided herein; any Owner of any Building Lot shall have the right to enforce any or all of the provisions of this Declaration.

13.5.2 Violations and Nuisances. The failure of any Owner to comply with any provision hereof, or with any provision of the Articles or Bylaws

of any Association, is hereby declared a nuisance and will give rise to a cause of action by the Grantor, the Association or any Owner within the Property for recovery of damages or for negative or affirmative injunctive relief or both. However, notwithstanding all other provisions in the Declaration to the contrary, only Grantor, the Association, the Board, or a duly authorized agent of any of them, may enforce by self-help any of the provisions hereof and only if such self-help is preceded by notice to the Owner pursuant to the terms of this Declaration, and if notice is not addressed in a particular case, reasonable notice.

13 5.3 Violation of Law. Any violation of any state, municipal, or local law, ordinance, or regulation pertaining to the ownership, occupation or use of any property within the Property is hereby declared to be a violation of this Declaration and subject to any or all of the enforcement procedures set forth in this Declaration and any or all enforcement procedures in law and equity.

13.5.4 Remedies Cumulative. Each remedy provided in this Declaration is cumulative and not exclusive.

13.5.5 Non-Waiver. The failure to enforce any of the provisions of the Declaration at any time shall not constitute a waiver of the right to enforce any such provision.

13.6 Interpretation. The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of the Property. This Declaration shall be construed and governed under the laws of the State of Idaho.

13.6.1 Restrictions Construed Together. All of the provisions of this Declaration shall be liberally construed together to promote and effectuate the fundamental concepts of the development of the Property as set forth in the recitals of this Declaration.

13.6.2 Restrictions Severable. Notwithstanding the provisions of the foregoing paragraph 13.6.1, each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision of the Declaration.

13.6.3 Singular Includes Plural. Unless the context requires a contrary construction, the singular shall include the plural and the plural singular, and the masculine, feminine, or neuter shall each include the masculine, feminine, and neuter.

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13.6.4 Captions. All captions and titles used in this Declaration are intended solely for convenience or reference and shall not affect that which is set forth in any of the provisions hereof.

13.7 Successors and Assigns. Except with respect to the terms of Section 3.14of this Declaration providing specific requirements for L assignment of the Grantor's rights, all references herein to Grantor, Owners, any Association, or person shall be construed to include all successors, assigns, partners, and authorized agents of such Grantor, Owners, Association, or person.

13.8 Mediation. Prior to the commencement of any legal or equitable proceedings with respect to the terms and provisions of this Declaration, the Articles, Bylaws or any decision by the Architectural Committee, the parties involved in the dispute are required to participate in a mediation to attempt resolution of the disputed matter, provided, however, this right to mediation shall not apply to disputes related to any Assessments. Unless the parties mutually agree otherwise, the mediation shall be non-binding, shall be held County, Idaho, and shall be performed in accordance with the then existing Idaho rule of civil procedure governing mediation (currently I.R.C.P. 16(k)). If Grantor is a party to the dispute, regardless of the identity of the opposing party, Grantor shall be entitled to payment by the opposing party of Grantor's fees and costs incurred prior to and as part of the required mediation. If the Association is a party to the dispute, so long as Grantor is not the opposing party (in which case the immediately preceding sentence shall apply), the Association shall be entitled to payment by the opposing party of the Association's fees and costs incurred prior to and as part of the required mediation. After unsuccessful, good faith, efforts to resolve claims and disputes by mediation, the parties shall have all rights and remedies otherwise available to them in law or equity.

ARTICLE XIV: ACHD STORMWATER DRAINAGE

14.1 Operation and maintenance of the storm water facilities at the Subdivision shall be governed by the operation and maintenance manual of storm drainage system for the Subdivision (the O&M Manual"), if any, which manual may only be modified at the direction of the Board of the Association, with written approval by ACHD.

14.2 ACHD Storm Water Drainage System. Lots _____ of Block ___, Lots ____ of Block ___ and Lots ____ of Block ___ are servient to and contain the Ada County Highway District ("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

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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. Said easement shall remain free of all encroachments and obstructions (including fences and trees) which may adversely affect the operation and maintenance of the storm drainage facilities.

14.3 ACHD Right to Inspect and Maintain. ACHD shall have the right at all times to inspect the storm water drainage system, and perform any required maintenance and repairs.

14.4 ACHD Approval of Amendments. Any amendment of this Declaration, the covenants, conditions and restrictions contained herein, having any direct impact or affect on the ACHD storm water drainage system shall be subject to prior review and approval by ACHD.

14. 5 ACHD Assessment of Costs. ACHD shall be entitled to pursue reimbursement for the reasonable costs of all required maintenance and repairs to the storm water drainage system that are a result of failure by the HOA or dues paying organization to properly perform the light maintenance duties as defined in the referenced O & M Manual.

14.6 Term. The easements created hereunder shall be perpetual, subject only to extinguishment by the holders of such easements as provided by law. The covenants, conditions, restrictions, and equitable servitudes of this Declaration shall be perpetual.

ARTICLE XV: PROVISIONS RELATED TO FINES

- 15.1 The Board shall have the right to adopt provisions for the imposition of fines for a violation of the provisions set forth herein and/or the violation of rules promulgated by the Board in accordance with its Articles, Bylaws, and this Declaration.

  In accordance with Idaho Code Section 55-115:

- No fine may be imposed for a violation of the covenants and restrictions pursuant to the rules or regulations of the homeowner's association unless:
- (a) A majority vote by the board shall be required prior to imposing any fine on a member for a violation of any covenants and restrictions pursuant to the rules and regulations of the homeowner's association.

- (b) Written notice by personal service or certified mail of the meeting during which such vote is to be taken shall be made to the member at least thirty (30) days prior to the meeting.
- (c) In the event the member begins resolving the violation prior to the meeting, no fine shall be imposed so long as the member continues to address the violation in good faith until fully resolved.
- (d) No portion of any fine may be used to increase the remuneration of any board member or agent of the board.

The Association shall be entitled to assess its attorney fees against an Owner who fails to comply with the provisions of this Article but attorney's fees and costs shall not accrue and shall not be assessed or collected by the homeowner's association until the Association has complied with the requirements set forth above and the Owner has failed to address the violation as prescribed in subsection in the time and manner set forth above. A court of competent jurisdiction may determine the reasonableness of attorney's fees and costs assessed against an Owner. In an action to determine the reasonableness of attorney's fees and costs assessed by the Association against a member, the court may award reasonable attorney's fees and costs to the prevailing party.

IN WITNESS WHEREOF, the Declarant has executed this Declaration effective as of the date first set forth above.

_____, an Idaho corporation

_____

By: _____
Its: President

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ACKNOWLEDGEMENT

State of Idaho)
)ss.
County of _____)

On this the ___ day of _____, 2017, before me, the undersigned Notary Public in and for said state, personally appeared _____, known by me to be the President of _____, an Idaho corporation, whose name is subscribed to the within and foregoing instrument and he acknowledged to me that he executed the same on its behalf.

_____
Notary Public
Residing At:
My Commission Expires:

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Exhibit A

The Property

Madrone Heights Subdivision
According to the plat recorded in records of Ada County, Idaho, as Instrument Number _____ in Book _____, Pages _____ - _____ on _____

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KITTELSON & ASSOCIATES

Transportation Impact Study

Madrone Heights Property

Kuna, Idaho

May 2018

PREPARED FOR:
N Star Farm, LLC
Mr. Tim Eck
6152 W Half Moon Lane
Eagle, Idaho 83616

PREPARED BY:
KITTELSON & ASSOCIATES, INC.
101 S Capitol Boulevard, Suite 301
Boise, ID 83706
208.338.2683

Transportation Impact Study

Madrone Heights Property

Kuna, Idaho

Prepared For:
N Star Farms, LLC
6152 W Half Moon Lane
Eagle, Idaho 83616

Prepared By:
Kittelson & Associates, Inc.
101 South Capitol Boulevard, Suite 301
Boise, Idaho 83702
(208) 338-2683

Project Principal: John Ringert, PE
Project Manager: Brett Korporaal

Project No. 22609

May 2018

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Note: Madrone Heights Property was originally referred to as the Urza Farms Property. Some appendices reflect the previous Urza Farms Property name.

Section 1
Executive Summary

EXECUTIVE SUMMARY

N Star Farms, LLC is in the process of entitling the Madrone Heights Property, previously known as the Urza Farms Property. The entitlement includes the plan for 205 single-family detached housing unit, situated on approximately 39 acres of land in Kuna, Idaho. The property is located on the east side of the proposed mid-mile collector street between Black Cat Road and Ten Mile Road with Kuna Road serving as its southern boundary.

The parcels of land included in the property's site are identified as Rural Urban Transition (RUT) by the City of Kuna's *City Zoning Map*. The parcels in the immediate vicinity of the site are also zoned as RUT, as well as Agriculture (A), Rural Residential (RR) and Low Density Residential (R4) by the City of Kuna. The land has recently been annexed by the City of Kuna and rezoned to Medium Density Residential (R8).

Access to the Madrone Heights Property is proposed via one new mid-mile collector street on the north side of Kuna Road between Black Cat Road and Ten Mile Road, as well as a new local street connection to Kuna Road, approximately 2,640 feet west of Ten Mile Road and 700 feet east of the new collector. The new collector street is identified on the ACHD Master Street Map. Additionally, the preliminary site plan proposes two stub street connections, one to the east and one to north for potential connections to future developments. The timeframe for the development of parcels bordering the site is unknown, however, development is not anticipated to occur until after full build-out of the Madrone Heights Property.

Currently, the proposed site is undeveloped, but consists of one single-family home which would be removed if the site is built-out. The build-out of the site would be completed in four phases, with a projected full build-out in year 2022. This TIS addresses the existing (2018) and background (2022) traffic conditions, as well as the property's impact in the build-out year 2022. Lastly, the TIS provides the approximate number of homes that can be built before proposed mitigations are necessary at any impacted study intersection, roadway and/or driveway.

FINDINGS

Existing Conditions

- The study evaluated the off-site intersection at Black Cat Road & Kuna Road during the a.m. and p.m. peak period of a typical weekday (Tuesday – Thursday).
- The study intersection was found to operate at acceptable operating standards during the existing weekday a.m. and p.m. peak hours.
- The ACHD study roadway segment of Kuna Road between Ten Mile Road and Black Cat Road operates at an acceptable level of service.

- Crash data at the study intersection for the most recent five years (2012-2016) was analyzed for any existing crash trends, below are the findings:
  - The Black Cat Road & Kuna Road intersection averaged 1.6 reported crashes per year, with 75% of crashes involving a turning vehicle onto or from Kuna Road.
  - There were eight reported crashes on the Kuna Road between Black Cat Road and Ten Mile Road. Seven of the crashes involved a single vehicle leaving the roadway.

Year 2022 Background Traffic Conditions

- Year 2022 background traffic volumes were forecasted using a 3% annual growth rate. There were no identified in-process developments within the vicinity of the site that were included in the analysis.
- Year 2022 background traffic analysis (without inclusion of site-generated traffic) found that the study intersection is expected to continue to operate at acceptable operating standards during the weekday a.m. and p.m. peak hours.
- The ACHD study roadway segment of Kuna Road between Ten Mile Road and Black Cat Road is projected to continue operating at acceptable levels of service.

Trip Generation and Distribution

- The *ITE Trip Generation Manual, 10th Edition* was used to estimate the trip generation for the proposed Madrone Heights Property.
- The proposed Madrone Heights Property, with 205 single-family homes in the build-out year of 2022, is estimated to generate a total of 2,013 daily net new trips, 150 weekday a.m. peak hour net new trips (38 inbound / 112 outbound) and 202 weekday p.m. peak hour net new trips (127 inbound / 75 outbound).
- The distribution pattern for site-generated trips was developed by evaluating existing traffic patterns and major trip origins and destinations within the study area, as well as a select zone analysis from COMPASS' regional travel demand model.

Year 2022 Total Traffic Conditions

- Year 2022 total traffic conditions found that the site-generated trips do not impact the study intersection and that the study intersection will continue to operate at acceptable levels of service during the weekday a.m. and p.m. peak hours.
- The site accessed operate acceptably during the weekday a.m. and p.m. peak hours.
- The ACHD study roadway segment of Kuna Road, between Time Mile Road and Black Cat Road is projected to continue operating at acceptable levels of service.

Turn Lane Warrant Evaluation

- The turn lane analysis using ACHD procedures resulted in turn lane warrants at the following site access street:
  - Kuna Road & Black Cat Road: A westbound right-turn lane is warranted under existing conditions, 2022 background conditions, and 2022 total traffic conditions. Following are considerations with respect to this location:
    - The intersection could be converted to an all-way-stop controlled intersection which would operate at LOS A and LOS B without turn lanes and potentially reduce the number of angle crashes at the intersection.
    - A reduction in the posted speed is likely to occur in the future as development occurs around the intersection. If the posted speed were to be reduced in the future to 35 mph (currently posted 1 mile to the east) or 40 mph, a westbound right turn lane would not be warranted at the intersection under existing, 2022 background or total traffic conditions.
    - Site traffic is projected to be approximately 11 percent of the westbound traffic movement during the weekday p.m. peak hour. Note that warrants would not be met if the posted speed limit was 40 mph.
  - South Access & Kuna Road (Site Access B): Westbound right-turn lane is warranted. A sensitivity analysis found that a westbound right-turn lane is warranted in approximately year 2021 with the build-out of approximately 161 Madrone Heights housing units. Following are considerations with respect to this location:
    - A reduction in the posted speed is likely to occur in the future as development occurs around the intersection. If the posted speed were to be reduced in the future to 35 mph (currently posted 1 mile to the east) or 40 mph, a westbound right turn lane would not be warranted at the intersection under existing, 2022 background or total traffic conditions.

Site Access Evaluation

- The results from the queuing analysis found that the 95th percentile queue lengths can be accommodated.
  - Each site accesses provides at least 100 feet of roadway length without a property driveway and/or internal street interference.
- The intersection sight distance evaluation identified that intersection sight distance can be achieved at all the site access intersections with the following actions:

- Remove miscellaneous vegetation and shrubbery, and potential obstructions along Kuna Road as necessary to obtain and maintain adequate intersection sight distance.

- Site access along Kuna Road should match the existing grade of Kuna Road at the intersection.

- Shrubbery, weeds and landscaping near the internal intersections and site access points should be maintained to ensure adequate sight distance.

- If future widening occurs along Kuna Road, care should be taken to ensure adequate intersection sight distance is maintained.

- There are two proposed local street access points to the Madrone Heights Property, as well as a new collector street at the mid-mile along Kuna Road between Black Cat Road and Ten Mile Road. Additionally, there are two proposed stub street for connections to future developments. Following is a summary of each access with respect to ACHD Policy:

  - **New Collector Street & Kuna Road (Site Access A):** This access, a proposed collector, is located on Kuna Road approximately 2,660 feet, or approximately one-half mile, east of Black Cat Road and 2,640 feet west of Ten Mile Road. While the collector meets the spacing requirements between public streets, it does not meet spacing requirements with respect to existing driveways on Kuna Road. The access should be considered by ACHD for the following reasons:

    - The proposed collector is on the ACHD Master Street Map.

    - The proposed collector meets ACHD spacing requirements for a collector street, except for two existing driveways to residential homes on the north and south side of Kuna Road approximately 300 feet west of the collector street. Given the location of the driveways it is assumed that neither of the driveways could be moved to the mid-mile collector.

    - Without the collector street access, site-generated trips would increase the ADT at the south access on Kuna Road to over the ACHD 2,000 ADT threshold for a local street.

    - This access is proposed as a collector street and will only serve residential trips, as well as provide increased accessibility for emergency response vehicles and public services vehicles.

  - **South Access & Kuna Road (Site Access B):** This access, a proposed local street, accesses Kuna Road approximately 700 feet east of the proposed mid-mile collector and approximately 620 feet west of Yankee Rock Avenue. Therefore, the proposed

access does not meet the spacing requirement for Kuna Road. The access should be considered by ACHD for the following reasons:

- Without this access, the site would only have the collector street access, located on a minor arterial street, servicing 205 residential units, which is against ACHD requirements for a development of that size. The volume would remain under the ACHD policy of 3,000 ADT for a single access on a collector, but future development could increase the ADT above 3,000.
- This access is proposed as a local street and will only serve residential trips, as well as provide increased accessibility for emergency response vehicles and public services vehicles.
- The access will function acceptably as a full access with a westbound right-turn lane.

- **West Access & New Collector Street (Site Access C):** This access, a proposed local street, accesses the new collector street approximately 710 feet north Kuna Road. This access is proposed to be full access; however, most movements will consist of right-in and left-out movements because of its connection to Kuna Road via the new collector street. The access should be considered by ACHD for the following reasons:
  - The access meets ACHD local street spacing requirements for collector streets.
  - Without this access, the site would only have one access, located on a minor arterial street, servicing 205 residential units, which is against ACHD requirements for a development of that size.
  - This access is proposed as a local street and will only serve residential trips, as well as provide increased accessibility for emergency response vehicles and public services vehicles.
  - The access will function acceptably as a full access without turn lanes.
- **Stub Streets:** The two proposed stub streets access would connect to a future development north and east of the site. These proposed stub streets are based on the *ACHD Policy Manual, Section 7207.2.4.3,* "a stub street will be required to provide circulation or to provide access to adjoining properties." Presently, the timing of a future development tying into this stub street is unknown and is not anticipated to occur until sometime after full build-out of the Madrone Heights Property. The stub streets have the following benefits:
  - The stub street would provide future access to an adjoining property east of the site and therefore reduce the need for additional access routes to Kuna Road.

- The streets adhere to ACHD stub street requirements.
- The stub streets are not the primary access to the site, with limited trips into and out of the site.
- The stub streets would only serve residential trips, reducing vehicle miles traveled and increasing access for emergency response and city services.

RECOMMENDATIONS

Based on the report's analyses and evaluation findings, recommendations were developed accordingly. There were no recommended mitigations for existing year and background year conditions.

Existing Conditions

The following mitigation is recommended under existing traffic conditions.

Kuna Road & Black Cat Road

- Consider the following options based on warrants being met for the westbound right-turn lane under existing, background, and total traffic conditions:
  - Install a westbound right-turn lane if right-of-way is available.
  - Conduct a speed study for the westbound approach after completion of the build-out of the property to evaluate whether the posted speed should be reduced to 40 mph or 35 mph. This would alleviate the need for a westbound right-turn lane.
  - Consider conversion to and all-way-stop-controlled intersection from a two-way-stop-controlled intersection.
- The site's traffic is projected to be approximately 11 percent of the westbound traffic movement under year 2022 (full build-out) p.m. peak hour (most critical time period for the right-turn lane) traffic conditions.

Mitigations Needed for Madrone Heights Property

The following mitigations are recommended due to the inclusion of Madrone Heights Property's site generated trips.

Collector Road & Kuna Road

- Construct the new collector as proposed.

South Access & Kuna Road

- Construct a westbound right-turn lane with approximately 100 feet of vehicle storage. A sensitivity analysis found that a westbound right-turn lane would be warranted in approximately year 2021 with the build-out of 161 Madrone Heights units.
    - Alternatively, a speed limit reduction in front of the site from 50 mph to 40 mph or 35 mph (consistent with the Kuna Road corridor to the east) would result in the westbound right-turn lane warrant not being met.

Site Accesses

- With approval from ACHD, construct all accesses to the property to allow full access on the public street approaches with the following designations:
    - All local streets within the property should be constructed with one travel lane in each direction.
    - Site driveways with access to public streets should provide sufficient stacking distance for four vehicles (100 feet) to ensure acceptable operation and accommodate larger vehicles, including utility service and delivery vehicles.
    - Site accesses along Kuna Road should match the existing grade of Kuna Road at the intersection to ensure the best possible sight distance.
    - All accesses and internal streets should be designed to provide adequate intersection site distance. Shrubbery, weeds and landscaping near the intersection and site access point should be maintained to ensure adequate sight distance is maintained.

City of Kuna

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P&Z Findings of Fact & Conclusions of Law

To: Planning and Zoning Commission (P & Z)

Case Numbers: 18-02-S (Pre Plat), and 18-18-DR (Design Review
Madrone Heights

Location: Near the northwest corner of Ten Mile and Kuna Roads, Kuna, Idaho 83642

Planner: Troy Behunin, Planner III

Hearing Date: August 28 2018
Tabled Until: *September 11, 2018*
Findings of Fact: *September 25, 2018*

Engineer: KM Engineering
Kirsti Grabo
9233 W. State St,
Boise, ID 83714
208.639.6930
KGrabo@kmengllp.com

Owner: *N Star Farm, LLC*
Tim Eck
6152 W. Half Moon Ln.
Eagle, ID, 83616

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A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that annexations are designated as public hearings, with the P & Z Commission as a recommending body and City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

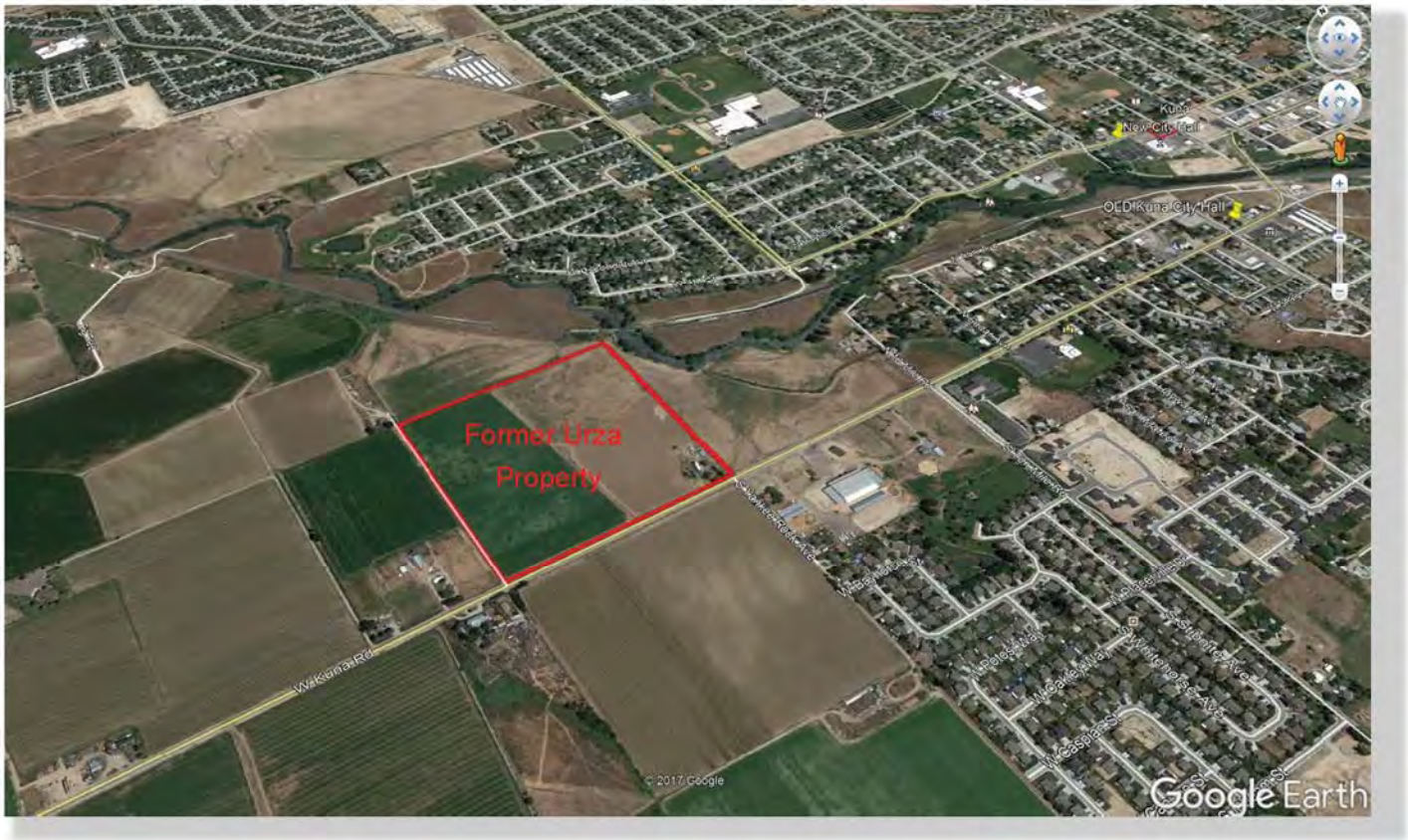
a. Notifications

i.	Neighborhood Meeting	April 11, 2018 (seven persons attended)
ii.	Agency Comment Request	June 26, 2018
iii.	375' Property Owners Notice	August 16, 2018
iv.	Kuna, Melba Newspaper	August 1, 2018
v.	Site Posted	August 8, 2018

B. Applicant's Request:

On behalf of N Star Farm, LLC (the applicant), Kirsti Grabo with KM Engineering, requests approval to subdivide approximately 39.50 acres (previously zoned R-6) into 206 single home lots, an additional 27 common lots, and one shared driveway. A Design Review application for the landscaping for the 27 common lots accompanies this application. The address is 2030 W. Kuna Road, Kuna Idaho, and is located near the NWC of Ten Mile and Kuna Roads, in Section 22, T 2N, R 1W, APN #: S1322438400. This project is known as Madrone Heights Subdivision.

C. Aerial Map:



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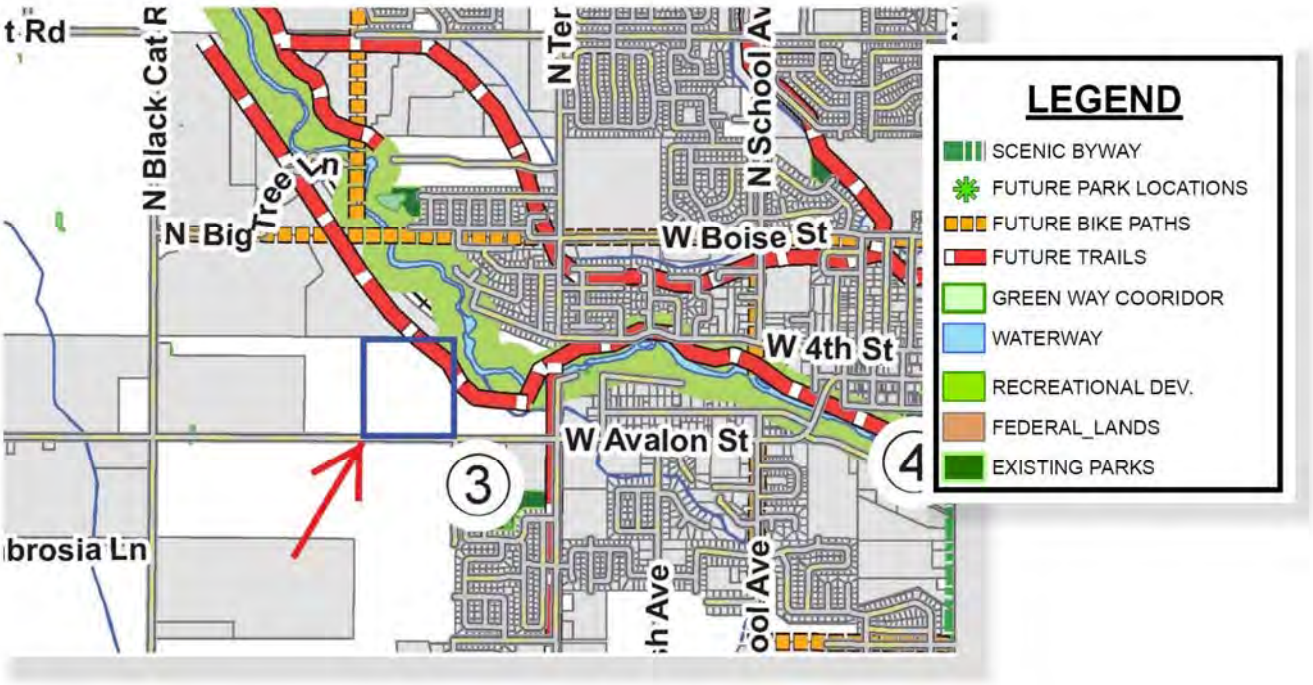
D. Site History:

This parcel is in the City of Kuna limits, with varying historical uses, ranging from residential to farming and is currently zoned R-6 (Medium Density Residential).

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. The Comp Plan map indicates land use designations generally speaking, it is not the actual zone. The Comp Plan Map calls for Medium Density Residential for this parcel.
2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail near the NEC of the site, situated along Indian Creek. Accordingly, it is the City's goal and desire to increase the number of trails and pathways in Kuna. It is necessary for each parcel to develop trails and pathways along their frontages of creeks, canals and ditches to comply with the Master Plan's goals by either starting a pathway, or extending one in that area at time of development.



3. **Surrounding Land Uses:**

North	A	Agriculture – Kuna City
South	RUT	Rural Urban Transition – Ada County
East	RUT	Rural Urban Transition – Ada County
West	RR	Rural Residential – Ada County

4. **Parcel Sizes, Current Zoning, Parcel Numbers:**

Property Owner	**Parcel Size** (Approximately)	**Current Zone: (R-6)** Medium Density Resident	**Parcel Number**
N Star Farm, LLC	39.48 acres	R-6	S1322438400

5. **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

6. **Existing Structures, Vegetation and Natural Features:**
The majority of this land is being used for agricultural purposes, a small part of the land was used for residential purposes (Approx. 1.5 ac.) Applicant anticipates that the land will continue the historic agricultural uses on the lands until development occurs. There are no outbuildings on site, or any other structures.

7. **Transportation / Connectivity:**
All access points will need to follow design standards according to City and ACHD (Ada County Highway Dist.) codes. Applicant proposes ingress/egress on Kuna Road near the middle of the site, and a new segment of a mid-mile collector on the west property line. In accordance with City Code, the applicant proposes two (2) additional connection to properties to the east and north for future connection. Current legal points of access being used at this time may remain until development requires a change.

8. **Environmental Issues:**
Beyond being within the nitrate priority area, staff is not aware of any environmental, health or safety conflicts.

9. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:
   - Kuna City Engineer (Paul Stevens) – Exhibit B-1 [*This report will be late, due to his recent* hiring].
   - Ada County Highway District (ACHD – Austin Miller) – Exhibit B-2
   - Boise-Kuna Irrigation District (Lauren Boehlke) – Exhibit B-3
   - Cable One TV (Brett Pike) – Exhibit B-4
   - Community Planning Association of Southwest Idaho (COMPASS – Carl Miller) – Exhibit B-5

F. Staff Analysis:

The applicant previously annexed the land as part of the former Urza property application and now submits an application for preliminary plat and subdivision design review approvals and entitlements.

This parcel was annexed into Kuna City limits last spring with a R-6 (Medium Density) zoning. During the public hearings for said annexation there were certain density conditions approved by the Commission and City Council. Staff finds that this proposal conforms to the condition as outlined in the Findings of Fact and Conclusions of law.

All major public utilities are approximately 1,325 feet east, at Ten Mile and Kuna Roads. Applicant has been made aware that development of this parcel will require extension of, and connection to city services. Connection fees will be required for those utilities at time a building permit is issued. It is anticipated that development will require four phases for complete build-out. Staff concurs with ACHD's recommendation (for the north-south mid-mile collector on the west side of the project) for construction of the proposed mid-mile up to the north property line. Staff concurs that all required improvements shall be installed along with a barricade to be constructed and placed just beyond the W. Park Street intersection; if development has not occurred when phase four begins (ACHD Condition 9 in section D: Site Specific Conditions of Approval).

Staff has reviewed Kuna's Comprehensive Plan (Comp Plan), and found the Comp Plan encourages a variety of housing types for all income levels numerous times throughout the document. Pertinent sections of the Comp Plan that address housing types are included below, in Section K (Comp Plan Analysis) of this report. The City attempts to balance all housing types within the City. Staff would recommend that the applicant work with Kuna City, ACHD, and Kuna Rural Fire District (KRFD) to conform to each agency's requirements.

In the northeast corner of the site is a pocket park on lot 12, block 2. The Kuna Recreation and Pathway Map indicates a trail in this area. Staff recommends that the applicant provide a public easement for a future greenbelt/pathway to be built in the future by the H.O.A. if development occurs on the east or north. While this is a very small pinch point, it could become a pivotal piece in the future. Staff recommends that plantings be arranged so that a blockade is not formed accidentally.

This application includes a request for subdivision landscape design review. In the proposed landscape plans, the buffer on Kuna Road indicates incorrectly that one shade tree is *required every 100*'. Two shade trees are required per 100' (KCC 5-17-15). The plans also state that only 2 evergreen trees are required, however, three every 100' is the required amount. It appears that the shrub amount is correct. Staff recommends the applicant add two notes to the landscape plan for planting requirements, and submit an 11 X 17 for approval bearing the requested changes that are listed in the Recommended Conditions of Approval. Design Review for a subdivision monument was not applied for the project, however it will be required to place a monument sign at the entry(ies).

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan document; and forwards a recommendation of approval for Case No's 18-02-S and 18-18-DR subject to any conditions of approval outlined by Kuna's Commission and City 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:

On September 11, 2018, the Planning and Zoning Commission considered the case, including the application, agency comments, staff's memo, the application exhibits and public testimony presented or given.

I. Factual Summary:

This parcel is located near the northwest corners of Ten Mile and Kuna Roads. The project consists of 39.48 (approx.) acres and is in Kuna City limits and zoned R-6 (Medium Density Residential). Applicant requests preliminary plat approval to subdivide said property in 206 homes, 27 common lots and one shared driveway. This parcel is adjacent to Kuna Road; a principle arterial.

J. Findings of Fact:

Based upon the record contained in Case No. 18-02-S, including the Comprehensive Plan, Kuna City Code, staff's memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby recommends **approval** of the Findings of Fact and Conclusions of Law, and the conditions of approval for Case No. 18-02-S, a request for preliminary plat, and hereby **approves** Case No. 18-18-DR, a request for subdivision design review, by the applicant follows:

The Commission concludes that the applications 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. The Kuna Commission accepts the facts as outlined in the staff memo, the public testimony and the supporting evidence list presented.

Comment: *The Kuna* Commission *held a public hearing on the subject applications on September 11, 2018, to hear from City staff, the applicant and to accept public testimony. The decision by the Commission is based on the application, staff report and public testimony, both oral and written.*

2. Based on the evidence contained in Case No. 18-02-S and 18-18-DR, this proposal **does** appear to *generally* comply with the Comprehensive Plan.

Comment: *The Comp Plan has listed numerous goals for providing single-family housing in Kuna. The Comp Plan describes this property as Medium Density. As this project proposes to accommodate single-family residential uses, the project follows the goals of the Comp Plan.*

3. The Kuna Commission has the authority to recommend **approval** for the preliminary plat application, and the authority to **approve** the design review application.

Comment: *On* September 11, 2018*, the Commission voted to recommend **approval** for Case No.* 18-02-S*, and voted to approve Case No.* 18-18-DR.

4. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Comment: *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on* September 11, 2018*.*

K. City Commissions Comprehensive Plan Analysis:

Commission determines the proposed preliminary plat and design review requests for the *site **are*** consistent with the following Comp Plan components:

Housing:

Residents expressed interest in a mix of residential type dwellings applications; including a variety of housing. 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 Comprehensive Plan [CP]).

***Comment**: The Comp Plan provides for a mix of residential uses. This project has proposed a zone that provides an opportunity for a variety of densities, therefore it generally conforms to the Comp Plan goals and policies.*

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.

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

Economic Development Goals and Objectives - Section 5 - Summary:

Promote and 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 an adequate mix of housing for all income levels and calls for increasing pedestrian connections. The requested zoning for this project provides an opportunity for a number of additional housing types to Kuna's inventory and quality housing. At time of development, this project should be conditioned to add to the City's pedestrian network for non-motorized transportation, by proposing pathway connections for future development to connect to in the future.*

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: *The requested zoning provides an opportunity for quality housing opportunities and multiple housing varieties to the City's inventory for all types of lifestyles, ages and economic groups.*

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 development while discouraging development of 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]).

Comment: *With the requested zoning, applicant proposes a future high quality development with a variety of dwelling types, densities, and price points for all income levels Kuna as encouraged by the Comp Plan. In the future, this project could add to the City's 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 could avoid 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 well planned 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 and 2.1[CP]).

Comment: *Applicant should be conditioned to offer good community and urban design principles through creation of greenspaces, add to the pedestrian pathway network and add to the City's sidewalk network. Applicant has proposed and shall improve classified roadways, which add to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). Applicant has proposed and should be conditioned to incorporate landscape buffers creating a sense of place for citizens. Applicant has proposed and should be conditioned to follow sound community design concepts and comply with the Comp Plan goals and help strengthen Kuna's image.*

L. Council's Idaho State Code Analysis:

1. **IC §67-6511 (2) C** requires that the Commission 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. 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. P & Z Commission'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 Commission feels the site ***is*** physically suitable for development in the future.

   Comment: *The 39.48 acre (approximate) proposal appears to be suitable for a subdivision, as proposed.*

2. The subdivision request ***is not*** likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

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

3. The preliminary plat application ***is not*** likely to cause adverse public health problems.

   Comment: *As proposed, the preliminary plat generally complies with the Comp Plan. The project will 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 subdivision request appears to avoid detriment to surrounding uses. Commission did consider the subdivision and landscaping 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 future residential purposes.

   Comment: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services (existing and proposed) are suitable and adequate for this subdivision, or will be as conditioned.*

6. Based on the evidence contained in Case No's 18-02-S and 18-18-DR, Commission finds Case No. 18-02-S and 18-18-DR adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No. 18-02-S and 18-18-DR, Commission finds Case No. 18-02-S and 18-18-DR generally comply with Kuna's Zoning Code.

N. Recommended Conditions of Approval:

18-02-S (Preliminary Plat), *Note*: *The proposed motion is to recommend approval, conditional approval, or denial for these requests to City Council. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

18-18-DR (Design Review), *Note: The proposed motion is to approve or deny the design review request. If the Planning and Zoning Commission wishes to approve or deny specific parts of the requests as detailed in the report, those changes must be specified.*

Based upon the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Commission, the applicant's presentation, public testimony and discussion during the September 11, 2018, public hearing, the Kuna

Commission votes to *recommend* ***approval*** for Case No. 18-02-S to Council, and votes to ***approve*** Case No. 18-18-DR, with the following conditions of approval:

Preliminary Play Specific Conditions:

- Applicant shall follow *conditions as outlined in the staff report with a revision to No. 13, a condition that the applicant shall provide a perimeter pathway around Lot 12, Block 2 (similar to the central park) in the northeast corner for future connectivity to the city greenbelt,*
- *Applicant shall install solid vinyl fencing across both stub streets at Park and Madrone Avenue to seal off the streets with the future signage as recommended in the ACHD report,*
- *Applicant shall install barricades north of the Park Street and Beadlily intersection to restrict access for the road to the north property line.*

Design Review Specific Conditions:

- *Applicant shall follow the conditions as outlined in the staff report*
- *Applicant shall install solid vinyl fencing across both stub streets at Park and Madrone Avenue,*
- *Applicant shall install barricades north of Park Street and along Beadlily,*
- *Applicant shall work with staff for the perimeter hardscaping and port and/or pathway for future access.*

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the 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 sewer hook-ups.
    b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
    c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
    d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
    e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
    2.1– With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. 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, 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. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Street lights and parking lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).

8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage/monuments within/for the project shall comply with Kuna City Code and shall be approved through the design review process with all subdivisions.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. Applicant shall add the following notes to the landscape plans and resubmit a PDF for Planning and Zoning approved plans, bearing the changes.
    11.1 – Landscape contractor shall remove *all* twine/ropes and burlap from root balls.
    11.2 – Landscape contractor shall remove the wire basket from the top 1/2 (*HALF)* of the root ball.
12. Applicant shall bring the landscape plans plant count into conformance with KCC 5-17-15 and resubmit a PDF for Planning and Zoning approved plans, bearing the changes.
13. Developer shall provide a perimeter pathway in Block 2 in the northwest corner for future connectivity to the city greenbelt
14. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
15. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
16. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED: This 25TH day of SEPT., 2018.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:
Troy Behunin, Planner III,
Kuna Planning and Zoning Department

CITY OF KUNA
PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, September 11, 2018

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	X	Jace Hellman, Planner II	X
Commissioner Stephen Damron	X	Sam Weiger, Planner I	X
Commissioner John Laraway	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Chairman Young called the meeting to order at **6:00 pm**.

Call to Order and Roll Call

1. **CONSENT AGENDA**

a. Meeting Minutes for August 28, 2018.

Commissioner Damron Motions to approve the consent agenda; Commissioner Laraway Seconds, all aye and motion carried 3-0.

2. **NEW BUSINESS**

18-22-DR (Design Review) – Walnut Creek Town Homes; The applicant, Daniel B. Zillner, seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for five quadplex buildings, which includes 20 townhomes and landscaping, parking and lighting for two commercial lots. The sites are located on W Heartland Drive, Kuna, Idaho 83634 (APN# R3023310010 & R3023310220)

C/Young: The first item up on your public hearing is 18-22-DR, Design Review for the Walnut Creek Townhomes. **Jeff Hatch**: Jeff Hatch, Hatch Design Architecture, 2126 W State Street, Boise, ID 83703. We're requesting consideration for Design Review for the Walnut Creek Subdivision. These would be two parcels that are zoned appropriately for this use. We have included a sample of the material. As a wood look, it will be fairly durable. **C/Damron**: Are you guys the same owners of the 2553 and the 2575 lots too? The ones directly east? **Jeff Hatch**: No. **C/Laraway**: The townhomes that you're proposing, are they a part of the Galiano Subdivision, or is it part of a separate HOA? **Dan Zillner**: My name is Dan Zillner, and I live at 1277 W Oak Tree, which is just down the street from these two lots. Those two lots are part of the Galiano Estates, but they are exempt from the current HOA agreement. All of the guidelines that are laid out by the HOA, all of the building materials are well with them. **C/Laraway**: It is the same Galiano, but it will have a separate HOA? **Dan Zillner**: Yes. **C/Laraway**: Will it be maintained by one owner, or is it all going to be sold off? **Dan Zillner**: Maintained by one owner. **C/Young**: Commissioner Gealy has arrived at 6:07 PM. **Sam Weiger**: Chairman and Commissioners, for the record, Sam Weiger, Planner I, Kuna Planning and Zoning Staff, 751 West 4th Street. The application before you tonight is seeking approval for five townhome quadplex buildings, 20 townhome units, accompanied with landscaping, lighting, and parking within Galiano Subdivision. There are 50 total parking spaces with 20 garage spaces, 20 driveway spaces and 10 parking lot spaces. This exceeds the requirement of 1.5 spaces per unit. The applicant has provided a material sample board and a rock sample for the Commission. The applicant has agreed to work with J&M Sanitation and install trash enclosure gates on the outside ends of enclosure side walls. All enclosure gates shall open past 120 degrees. Applicant shall provide new trash enclosure details to city staff and to J&M Sanitation for approval. Staff forwards a recommendation of approval. With that I will stand for any questions you may have. **C/Damron**: The only concern that I had was the two lots to

CITY OF KUNA
PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, September 11, 2018

applicant will permit with the city to make any recommended modifications. Property owners within 300 feet of the property were notified, a notice was printed in the Kuna Melba News and the subject property was posted with a sign. Staff has determined that this application complies with Kuna City Code, the goals and objectives of the Kuna Comprehensive plan and Idaho State Code. Staff would forward a recommendation of approval. One side note, it is a three-car garage with the three parking stalls on the driveway. There is addition room for off-street parking, and that's on your site plan. It is listed under A-4-G, and there's some pages that show additional parking for people that come at different times. I will now stand for any questions. **C/Young**: I will open the public testimony at 6:34 and close it at 6:35. **C/Damron**: It is a nice large lot and a good play area. **C/Hennis**: It seems like it's been run well for the last 12 and a half years. **C/Gealy**: There is a need.

Commissioner Hennis motions to approve Case No. 18-10-SUP with the conditions as outlined in the staff report; Commissioner Gealy Seconds; Motion carried 4-0.

18-02-S (Preliminary Plat) & 18-18-DR (Design Review) – Madrone Heights Subdivision; On behalf of N Star Farm, LLC (the applicant), Kirsti Grabo with KM Engineering, requests approval to subdivide approximately 39.48 acres (previously zoned R-6) into 206 single home lots, an additional 27 common lots, and one shared driveway. Applicant has reserved the name Madrone Heights Subdivision. A Design Review application for the landscaping for the 27 common lots accompanies this application. The address is 2030 W. Kuna Road, Kuna Idaho, and is located near the NWC of Ten Mile and Kuna Roads, in Section 22, Township 2 North, Range 1 West, B.M. (APN #: S1322438400.)

Kevin McCarthy: Chairman and Commissioners, Kevin McCarthy, 9233 W State Street. I'm here on behalf of the Madrone Heights Subdivision. The property owner is Tim Eck, and he is here to answer any questions if necessary. Madrone Heights is approximately 40 acres. The property is located on the north side of Kuna Road with an R-6 zoning. It has a maximum density of 5.2 dwelling units per acre as approved by Planning and Zoning and City Council. The preliminary plat before you has 206 single-family lots, 27 common lots and one shared driveway. This makes a total of 234 lots. This layout reflects the gross density. It also includes approximately 3.4 acres of landscape open space which is located at the center of the project. It is proposed to have soccer fields and walking paths around it. That will improve connectivity throughout the project. We reviewed the staff report from the City of Kuna and Ada County Highway District had no comments. The conditions of approval have been listed. We appreciate working with the city staff on this project. **Troy Behunin**: Good evening Commissioners, Troy Behunin, Planner III, Kuna Planning and Zoning Staff. The preliminary plat is presented for your vote to recommend to the City Council for approval, conditional approval or denial. All notes have been followed for tonight's public hearing, in fact a courtesy notice was also sent out late last week. The courtesy notice was tabled at the last meeting to be heard tonight. The applicant does seek to subdivide approximately 39.5 acres into 206 single-family homes, 27 common lots and one shared driveway. This is in the city limits like Kevin McCarthy mentioned. The project does have significant front along Kuna Road, and it is near the northwest corner of Ten Mile Road and Kuna Road. This project has provided for a mid-mile collector, Beadlily I believe is what it's called. It is on the west side of the project. There is a considerable amount of landscape buffers and internal open spaces for recreational uses. Staff mentioned that the back-T tests were approved earlier this year. One condition of approval was that it would not exceed a certain density. Staff is here to tell you that the density that was required at time of annexation and zoning does conform to that. Staff agrees with ACHD and the applicant that the mid-mile collector shall be completed from Kuna Road all the way to the northern property line. As stated in the ACHD staff report, in their conditions of approval, they suggest that a barricade be placed on the north side of Beadlily and West Park Street. The reason for that is that the improvements that the developer is going to expand to have them put in are protected. It's actually put in already and available for any additional development either to the west or to the north. Staff supports the ACHD condition that they can put that barricade there. Staff also supports the proposed shared driveway in the subdivision. As I handed out in my presentation, the applicant has also submitted an updated landscape plan. This plan does comply with Kuna City

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Code 5-17-15. Originally the first submission was just a few trees and shrubs shy, but they provided that earlier today. This new one appears to conform with that code. The applicant is aware that they will be extending and be required to extend all city and public utilities at this site. It's anticipated there will be up to four phases for the project. The applicant has provided everything that we have asked for. With that staff can answer any questions you may have. We hope that it's a new chapter for the City of Kuna. **C/Young**: In the staff report in the conditions of approval, it's listed that there be easement in the northeast corner for a future pathway and for when properties in the north and east develop. It goes on to state that the HOA will be responsible for building that pathway when the development happens. Does the applicant need to build out the city required width for a future reminder rather than putting them on an HOA? **Troy Behunin**: That is something that this body could condition, but you may also ask the applicant to do that. The reason that staff included that is that was tucked in the northeast corner of this project against the creek. It was a pinch point between two properties. One of them is to the north, and it will likely develop and there is one to the west of the Deutsch property. It will probably be some time before that develops, just because of the many constraints that are on that site. We don't want to miss that opportunity to get the greenbelt in place. **C/Gealy**: Do you feel like that the new landscape plan addresses concerns about space available in that corner for that pathway? **Troy Behunin**: I did notice in that corner that the landscaping was pulled away from that corner where the master pathway map indicates that there is a recreational path. **C/Gealy**: What about the rest of the new landscape plan? **Troy Behunin**: It is significantly different from the original. Even if there is something missing, it will still be required because it needs to conform to Kuna City Code 5-17-15. If there is a discrepancy, we can handle that afterwards. **C/Hennis**: You said the Deutsch property is to the west? **Troy Behunin**: I did say to the west, I'm sorry. I meant to the east. **C/Hennis**: Also, has there been talk between staff and the applicant regarding the issue with the sewer. The issue is that there is not enough capacity in this R-6 that they recommend in an R-4. **Troy Behunin**: Actually, that was a very significant part of the discussion. At the public hearing for the annexation, this explained why they are limited to the 5.2. I spoke to Public Works Director Bob Bachman and Paul Stevens, and they agree that would not compromise the available capacity. They also believe that there are other solutions working to provide more sewer connections in the area over the next couple years. The number of 206 homes was not a concern to them. The recommendation from Mike Borzick was that it be zoned no more than an R-4 or less. That was their recommendation before the rezone. It was discussed at length at the public hearing for the annexation. **C/Hennis**: We have nothing that states that everyone is ok with the 5.2? **Troy Behunin**: They were at the meeting stating that they were ok with the 5.2. That was actually the number that was agreed on between council, the applicant and public works. **C/Laraway:** When he's talking about it being naïve to the city engineer, is the wastewater portion of it going to be sent to the ponds or are they connected to the Ten Mile? **Troy Behunin**: This one will actually be connected to the south Swan Falls plant. **C/Laraway**: Wasn't there talk about getting rid of those? **Troy Behunin**: I don't know. **C/Young**: We will open the public testimony at 6:50 and I have listed neutral to testify Kay Albers. **Kay Albers**: I live at 8165 McDermott Road. I know I live outside city limits, but I will be passing by this development several times a day, possibly. I can't imagine what the traffic is going to be like. One of my worries is being on the outside of the tracks, adding more homes and people for fire and emergency responders. We have had to have them deal with fires on the wheat fields and if the tracks are blocked, what do we do? A month ago, both tracks are blocked and fire trucks are blazing past the post office. My other concern is that living out in the country, I would hate to see our rural feeling disappear. I'm just wondering why the developers, instead of cramming five or six homes on an acre, can't give people the option of one-third of an acre or one-fourth of an acre. This would give us a rural feel that Kuna is known for, and we moved here 30 years ago. The other thing is the schools. All the homes in this subdivision are coming in, and our schools can't handle it. If you go to the schools and walk the halls to see how crowded they are, they have to do three sections for lunch. This is because they can't fit the kids into the lunchrooms at one time. Some of these kids are going to lunch at 10:30. My concern is slowing down and keeping out rural feeling. With 206 homes and 27 common lots, how many homes is that putting on an acre? **C/Young**: 5.2. **Kay Albers**: I noticed that there is no place for the kids to play in the backyards, not even room for a swing set or a fair-sized dog to roam around because the yards are so tiny. The picture shows the common lot right in the middle. All these children have to cross these streets to get to this common lot in this development. They need a place to play or roam. I would

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think the common lots would need to be more spread out in this subdivision instead of right in the middle where all the children cross the streets. I'm concerned about going from one entry to a two-lane road. **C/Young**: Next, I have listed Tim Gordon. **Tim Gordon**: I'm ok, thank you. **Tim Eck**: Good evening Commissioners, Tim Eck, 6152 W. Half Moon Lane, Eagle, Idaho. I am the applicant. These are all single-family detached lots. They all have the ability to be fenced, they all have private yards for their kids and their dogs. We do try to provide internal connectivity with the pathways. We centrally locate a larger amenity, which is the smaller pocket parks that aren't big enough to run your dog on. We have the ability to house two of these. Since the soccer fields turn the other direction, we'll house the larger soccer fields for the teenage groups. We want them to be able to have the outdoor activities. Soccer seems to be the hot sport today, so we've got a good amount of open space in it. For questions about the back corner, we're just barely touching it, nobody knows exactly what we're going to need there. We'll gladly from the road put a pathway out to the corner at the dead end, because there's nothing on either side of it. We don't know what will come there, but we can certainly improve a pathway if Planning and Zoning would like to see that. **C/Gealy**: I think the concern is more about the area for the pathway would be kept free, the cross-through pathway. **Tim Eck**: We left it open on the corner, and we left it open in the center. If time comes that the connecting pathway along the Indian Creek is constructed, there's a space for it. If that occurs, then we can easily put a connecting path from that road to that pathway. That's why we've got everything laid out the way that it is, to accommodate all that. We do anticipate building out about 4 phases. We prefer to construct Beadlily. One of the options that ACHD put forth was that we would road trust warrants. Then, what would we do with the landscape buffer? We don't know the road, I still have the landscape buffer between the fence and where the road would be. We have a landscape buffer that goes to leaves. At least this way, the road gets built with the contiguous phase. The road really isn't open for public use beyond the park. When the neighbors come on to our west or to our north, the north is stubbed to them ready to go. You take that money, 130 percent of their anticipated costs, put it in a road trust and it sits there for 10 years. If it's not used in 10 years, I get it back and the road doesn't get built. I'd rather get it built. That would be a request of ACHD, and staff agreed with stopping the road past Park Street. Policy requires a stop street over 150 feet has an emergency vehicle turnaround, but there's no reason for a firetruck to go down there. It's a dead-end road. It will be stopped off at Park, and we read into putting a turnaround out there. It's in the abyss, and it would be a dumping ground. We see that in all of our subdivisions. People think the most beautiful thing about a new subdivision is that they can back their trucks and dump all of their garbage. We haul truck loads for every subdivision, and at least a load is dumped in our plats. I will answer any questions you may have. **C/Hennis**: What size houses are you looking to build in here? **Tim Eck**: We think that this will be a continuation of the Desert Hawk Subdivision. I think there are 1800-2400 square foot homes out there. This is one of our smaller lot projects. We're trying to hit a little more affordable product out here. As you get closer to Meridian, everything gets more expensive. We've started putting bigger homes and bigger lots out there. As we move a little bit south, south of the tracks, we try to go a little bit tighter with smaller product. The smaller product has been very successful in the Crowman Subdivision. We just started the fourth phase of Desert Hawk, it's 30-32 lots. That's the end of it. We spend $18-20,000 on traffic studies. All recommendations for traffic study are rolled into the ACHD staff report. This includes improvements that are recommended by ACHD. This is an example of ones that are not warranted. It is not warranted by the subdivision and ACHD is putting it in, because we're close. **C/Damron**: You said you're putting up two soccer fields in that center section? Tim Eck: You can see that on this landscape plan, it's laid out. The soccer fields will be sized based on the age group. We have different sized soccer fields, smaller and larger fields. We'll put two of the smaller soccer fields vertically on this layout. The larger fields would be placed horizontally on this layout. **C/Damron**: If you've got soccer fields there, it's not just going to be the residents using it. You're going to have a lot of parking overflow in there that's going to block driveways. It will block driveways at other people's houses, which will cause problems. **Tim Eck**: This is not intended to be a public use, this is for the private community. It will be an HOA-owned park amenity. If they elect to chalk out soccer fields, then their kids can go play soccer. We're providing the capacity for the kids to play soccer or softball. We're not promoting a soccer field for hire. **C/Gealy**: I think you said there's a pathway around the park? **Tim Eck**: Yes, we'll put a pathway around it. You can see on the landscape plan that to the north there is a fairly wide landscape strip in the lots that have a pathway to the north segment. **C/Laraway**: Were you made aware

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of any concerns by first responders about getting over to this section? **Tim Eck**: No, they've all gotten notification of the plat, and they would actually respond to staff. **C/Gealy**: We were just given two letters from them that I haven't read yet. Have you had a chance to read them yet? **Tim Eck**: I did receive two today, and Mr. Deutsch's letter speaks about our stub street and his property. We talked about the fact that he runs cattle, and he's very close to being 100 percent accurate. We did discuss the fact about putting a contiguous fence around there, but that would have to meet ACHD and council approval. This is where out stub street meets his property. Normally we would stop our vinyl fence and put up a barricade that says this will be extended for the future. Then whatever fence he's strung up already would remain. What he's concerned about is that the stub street would promote ingress to his property. He doesn't feel that the three-rail barbed wire fence is going to slow down or stop him. We're seeing this done more and more where instead of putting a temporary fence and the barricades across there, you just run the vinyl fence straight across. The sign on it that says to be continued in the future. We're finding that doing this provided that it meets policy with ACHD and the City of Kuna. The other letter spoke about varying the power and building the streets. It talked about bringing utilities. **C/Gealy**: Mr. Chairman, I would like to moment to read the letters that we first received. **C/Young**: We will close the public testimony at 7:07. **C/Gealy**: I'm confused by the two greenbelt access points in Mr. Deutsch's letter. **C/Young**: I think what he's referring to is in the northeast corner of the Future Land Use Map. As things develop to the north and to the east. The city has planned another continuation of the greenbelt there. For this northeast tip, it just kisses that and there's a small 20 to 30-foot section lengthwise. This would enter on the east side and from the north. **C/Gealy**: Is he calling that two access points from the east and north? **C/Young**: That's what I'm getting out of the letter. Does that seem correct, Troy? **Troy Behunin**: Troy Behunin, Planning and Zoning Staff. What Mr. Deutsch is talking about is concerning the two access points on the greenbelt out of the north boundary of the subdivision. He's talking about the two that aren't even on his property. He's talking about the one for this subdivision. It says Tim Gordon, so I'm guessing that is going into Tim Gordon's property. He's talking about offsite greenbelt access. I don't know why he's referring to them as two different ones. **C/Laraway**: Just for clarification about Mr. Gordon's property. Is this directly to the north, behind this property? **Troy Behunin**: Correct. He has a little 30-foot property line that actually overlaps the property boundary between Madrone Heights and Dick Deutsch. **C/Gealy**: His concern is that they need to maintain a barrier between people from this subdivision to keep them from wandering into the site? **Troy Behunin**: He doesn't explain that very well, it's about access to his property. He does say that we can't talk about that, because they do not adjoin our property. He's got concerns that are actually off of his property. It sounds like he needs to talk with Mr. Gordon, and I know that Tim Eck, the developer of Madrone Heights, has had a number of discussions. I think that Mr. Eck and Mr. Deutsch see eye to eye on everything. At least from what I've heard, I think he submitted this letter just to get on record. His suggestion would be to put that vinyl fence. That was the main thrust. **C/Laraway**: Earlier, we've heard a couple times that the facility director said R-4, and people said that it was discussed at the city council meeting. What was agreed upon? Troy Behunin: R-6 is what was agreed upon with the 5.2 dwelling units. R-6 actually allows six units per acre, but he's not interested in six units per acre. The developer is interested in the dimensional standards of the R-6. As you can see, he's actually below that by a pretty good chunk. **C/Gealy**: Could I ask for your opinion about the solid vinyl fence across the stub street? **Troy Behunin**: I have no opinion. As long as it says that it's blocked off and to be continued for future development, as ACHD requires, then staff has no opinion whether it's all the way across or not. **C/Gealy**: Would it be a violation of the city code to put a solid fence across there? **Troy Behunin**: They're not blocking off any of the road, it's either at the edge of road of just beyond the edge of road. **C/Gealy**: Would staff object if that was a condition? **Troy Behunin**: No. **C/Young**: I think the overall layout and access points are good. There are two access points off of Kuna Road. I think that helps with accessing the back end. As things develop, there will be other additional things to enter. **C/Hennis**: As Stephen said, I'm still concerned with parking for any usage of that park. There's just nothing there. The streets are fairly narrow. You've got a lot of people crammed into a little place. **C/Damron**: I also have concerns with, and I've addressed this before, what point in the city we start building a fire station on this side of the tracks. How many houses have to go in before we need this public safety. Wendy Howell: The city doesn't have any say in when and if they do, we would support one if they choose to do that. **C/Damron**: Is that up to the fire district? **Wendy Howell**: Yes. They are a separate taxing entity. **C/Hennis**: Did they have any

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response to this application? **Troy Behunin**: No, they did not. However, the silver lining is that they just implemented a rural fire district impact fee. This subdivision would be subject to that. **C/Damron**: Knowing fire districts, that impact fee usually goes to the district. It still doesn't show us that they're looking towards the south station. When those tracks are blocked, there is no access. We all know that fire burns rapidly and EMS calls and they're not there and people die. I'm real concerned with those aspects as we build through there. **Wendy Howell**: They are working with the Pulse Point app, and that may help with some of those issues for the emergency if it's a heart attack for example. You might want to get a hold of the fire district to chat with them about that program that they're doing. **C/Damron**: Do you have any other information besides that? Being a former paramedic, an app doesn't save people's lives. **Wendy Howell**: No, but it will get someone close to it that will sign up for it and can help. **C/Damron**: They are looking at first responder notification, so they'll be able to get there first. **Wendy Howell**: Correct. They have told me verbally that the rail has been only minimally been an issue for them. If it's a big emergency, they'll just go around to another route. I know that it makes it longer, I realize that. That's what I've been told verbally. They do have to have a capital improvement plan for their impact fees. That plan is what you could potentially review to see what they planned for the impact fees to go towards. **Troy Behunin**: I know that Commissioner Hennis had a concern just a moment ago about the park and parking. The streets are actually to Kuna City standards. Staff has actually had discussions with the developer about the soccer fields that are shown on there. The discussions were about how large they are. You may have missed it, but in his testimony, he said that if the HOA wants to chalk out soccer fields, then they can. That's really just an illustration of the size. If you ask most people how large an acre of ground is, they think that half of an acre is a full acre. People understand soccer field sizes for whatever reason, so it's just an illustration. **C/Hennis**: I understand that, but it's still going to be usage of the park. Considering you've got a lot of houses here, not all of them are going to track from the outside corner all the way out there. I was concerned a little bit more on the park. **Troy Behunin**: Traditionally speaking, with a centrally located park like this, there might be a few people that do drive. I believe I ran a measuring tool on there, and most people are going to walk less than 600 feet to get there. It's not a public park so the outside influence shouldn't be there. **C/Young**: Do we like the idea of extending Beadlily all the way to the north boundary? Do we want to install a barricade at that point, having that built out with this development? Without having to worry about if development isn't happening to the north right away, this development still gets taken care of. The barricade will keep people from the rear of the subdivision. I like the idea of extending the vinyl fencing on the east boundary from West Park Street with the Ada County signage on there. The road is going to terminate there one way or another until something develops. It could be ten years, it could be never. If the fencing's in place, I think that helps address the neighbor's concerns to the east. It doesn't affect anything. **C/Hennis**: What about the one to the north, though? Don't the cattle graze across here? I think it would have to cross both. **C/Young**: To keep consistency. **C/Gealy**: This street here, the Beadlily, that will be constructed to a full width, correct? Or is it half of a width? **C/Young**: They'll develop a street with the curb and gutter along the side they develop. The curb and gutter on the other side will be developed. Yes, full width. **C/Gealy**: Are you suggesting that they build the whole road? **C/Young**: I recommend they build it as shown in this plan and barricade it. **C/Gealy**: This would be so they don't have to build the turnaround for emergency vehicles. My only other concern I still have is with the northeast corner. I know it's all in the future and it has to align a certain way. As far as the future pathway or future greenbelt, I have a hard time saying in the future that the HOA is going to pay for something. It's either a parks improvement or something the developer should have done. We can have that easement off of the pathway, but I don't know what the verbiage would be. **C/Gealy**: It would seem that at this point, given the concerns about the stub streets there would be this same concern about open streets in the corner. It would need to be fenced in. **C/Young**: I think that it is fenced in. The concern is in the future when the north property develops, and again that northeast corner barely touches it. I'd like to see the developer do something now, rather than put those on the HOA to build out this little strip. The staff report right now indicates that the onus would be on the HOA in the future to do that. **C/Hennis**: One other way to do it is to specify something and in the future simply connect what's there. First in, first to determine it. **C/Young**: That's where I'm at. The corners would have to align that in the future. **C/Hennis**: Well just imagine something like a concrete pad back there that would allow some amenities to go in. People would picnic or something there, and there would be something in the corner

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for any pathways that would come in. You've got a half moon or half circle right there. You give them a corner of concrete and fence either side so they can bring the path in so they connect either way. **C/Young**: There's an easement here that also has to be a part of that. If we don't have a defined pathway now, then that concrete will be over that easement. It would have to get tore up in the future as things change. **C/Hennis**: Well, I think you're going to have a hard time tying the cart on the horse here. My only suggestion is to put something else here, but beyond that I don't know what it's going to look like down the road. **C/Gealy**: I agree that if we require them to construct something there and then drive that pathway at either side. It does seem premature to do that. They're holding the space open, and they're requiring it to be constructed at a future date. **C/Young**: By the HOA? That's where my hang-up is. Right now, the verbiage is that the residents will pay for that. Is there some contingency in the HOA that there's money set aside for that? Do they just get a surprise bill in the mail that says you have to spend $10,000 to get a pathway there? **C/Hennis**: That's true, but I don't think you're going to be in the realm of $10,000. I think they'll be more around $2,000. **C/Laraway**: Am I missing something, are we suggesting that the path either be built by the developer or the HOA? Does the path have to be paved, or can it be a gravel material designated as a path? **C/Young**: In the future would the pathway along that side of the greenbelt be intended to be an asphalt pathway? **Troy Behunin**: For the record, Troy Behunin. There's a high likelihood that at some point, there might need to be some kind of ACHD stormwater pond. For that little pocket park, it will be a small one. Why don't you condition that they work with staff to provide some kind of walk way? It would be an easy way to meld what they would put in with a future path in the future. They likely might put a walkway around the outside edge of that lot, so that people could walk around much like that one in the center. In the future, it would be really easy to either add to it or to extend it just a little bit so that it is included. Because this is a master path or plan, there is no definitive location that it goes. In the event that it does happen, there's something working in place that could accommodate something like that. **C/Damron**: What would the size of that storm drainage pond be? **Troy Behunin**: No more that 2-3 feet deep. The only was to know that is to go all the way through engineering. **C/Gealy**: I think the concern is that at some point we're going to have some kind of pathway connectivity through there. We're trying to figure out how to get the developer to pay for it, rather than the homeowners and the city. **Troy Behunin**: That's what the developer is suggesting. He will put a walkway in around the outside edge of that entire property. This would circle the property. In the event that Mr. Deutsch's and Mr. Gordon's property develops in this point, then there would be something to connect to a lot closer to a path than just grass. Somebody might have to expend a few more dollars to connect to it, but we can work with the developer. **C/Gealy**: The other landowners and the city would be able to resolve any issues. **Troy Behunin**: We can work with them to get it so close to that corner that it's very minimal. We're talking hundreds of dollars, not thousands of dollars. **C/Young**: This would alleviate the language in the staff report. **Troy Behunin**: You can strike that completely and say that you want to condition or read this instead. **C/Damron**: Is Beverly an existing road or just a farm access only? **Troy Behunin**: There are no roads at all existing on this property. The developer just reminded me that likely if there is subservice drainage needed, the naked eye won't see it. It would just be flat grass, not a pond. **C/Laraway**: I'm assuming the developer solved our problem if he's going to put the sidewalk around the property at the considered path.

Commissioner Hennis recommends approval for Case No. 18-02-S with the conditions as outlined in the staff report and a revision to No. 13, a condition that the applicant shall provide a perimeter pathway in Block 2 in the northwest corner for future connectivity to the city greenbelt, a condition that the applicant shall install solid vinyl fencing across both stub streets at Park and Madrone Avenue to seal off the streets with the future signage as recommended in the ACHD report, and a condition that the applicant shall install barricades north of Park Street and along Beadlily to restrict access for the road to the north. Commissioner Laraway Seconds; Motion carried 4-0.

Commissioner Hennis motions to approve 18-18-DR with the conditions as outlined in the staff report, a condition that the applicant shall install solid vinyl fencing across both stub streets at Park and Madrone Avenue; a condition that the applicant shall install barricades north of Park Street and along Beadlily; and a condition that the applicant

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shall work with staff for the perimeter hardscaping and port and/or pathway for future access; Commissioner Gealy Seconds; Motion carried 4-0.

4. **COMMISSION REPORTS**

5. **ADJOURNMENT**

Commissioner Hennis motions to adjourn; Commissioner Laraway Seconds, all aye and motion carried 4-0.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department

Statement Concerning the Annexation of the Planned Unit Development of the Falcon Crest Subdivision, Kuna Idaho

November 27, 2018

My name is John Lawson, I am a resident and land owner in Ada County in an area within less than a quarter mile from the SW boundary of the planned subdivision. I am also a board member of the Cloverdale Ridge Water Corporation an independent irrigation district that provides irrigation water to my small farm.

Concern: There are over 50 homes and farms within a half mile of the proposed site. All the homes have independent wells and the irrigation district provides water through two wells. These wells pump enough water to supply over 250 acres of irrigated pastureland during a period of seven months of the year. We as homeowners and shareholders in this irrigation district would like to address:

1) There has not a comprehensive environmental analysis to determine the impacts from the planned subdivision.
2) There are 50+ household drinking water wells that may be affected by this planned expansion.
3) The Cloverdale Ridge subdivision landowners have water rights that are senior to those of the Falcon Crest Subdivision or Golf Course; however, we as landowners do not feel that our water rights have been appropriately evaluated by the Idaho Department of Water Resources.
4) There is not an apparent evaluation of the impact of this proposed subdivision on regional groundwater quality or quantity. Especially if the quality of the groundwater is impacted by a changing water table level or the introduction of contaminants to the groundwater that are so common to concentrated impact areas (sewage, hazardous materials spills, salts and minerals from a changing water table).
5) We feel that a complete study of the wells in our subdivision is necessary to predict changing levels of water, especially if we consider diminishing water levels anticipated from climate change. While it is clear that we have senior rights we understand that once a well has dried up it will be an expensive litigation to resolve water replacement strategies. This type of a study will be part and parcel to a complete environmental analysis of the proposed impacts.
6) The residents have also expressed that we are quite concerned about changes in the water quality in our wells and the wells for the Cloverdale Ridge Water Corporation.
7) The Cloverdale Ridge Water Corporation has 2 large bore wells that have a replacement value of nearly $200,000 provided adequate water could be developed. We in the subdivision are very concerned that the City of Kuna has not taken the appropriate steps to assure the irrigation corporation that the volume of water needed to maintain the 250+ acres of irrigated land will be maintained in perpetuity for our land in which we have senior water rights.
8) The Water Corporation has a well that is about 700 ft deep and within 400 ft from the proposed subdivision. We have experience that the well is on the edge of a geothermal zone which means the water is warm (over 70 degrees F) and is heavily impacted by salts such as variable pH, sulfates and sulfides, sodium and bicarbonates such that the water must be treated extensively to be suited for drinking. It is clear that a well to provide water to a large subdivision will require a deep well with a lot of production. We know that the City of Kuna has not investigated these issues in the planning of this subdivision.

It for these reasons and more that I must insist that the City of Kuna perform a responsible water quality and quality analysis along with an environmental impact assessment of this planned subdivision. Barring these studies and an objective analysis of the data I can only vehemently oppose this poorly thought out plan.

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634

Exh. G.5

Submitted at Commission

From: Anna Barrington
To: Troy Behunin
Subject: Falcon Crest Subdivision
Date: Sunday, December 23, 2018 3:31:12 PM

I have several concerns about the Councils wait and see or wait till later then we'll act. I live in the Cloverdale estates across from Falcon Crest.

1. **Water** – without water none of us will survive so why does the Council take this resource for granted? Building the homes that have been proposed and after all the other smaller developments have been completed how much water will be left in the aquafers? I don't think you or the other Council members or the Mayor know the answer to this. To keep throwing up homes and hoping we have enough water is certainly NOT the way to go nor are you looking out for Kuna's current residents. I want to know what studies have been done on the current water situation and then what is the future water situation after each phase of Falcon Crest is completed. You must know there will be a limit to the available water, but will you stop before you exhaust it? Do you have a fund set up for all the farms, ranches and homes with private wells to either cover digging a deeper well for each or for bringing in public water into each of these properties? When I purchased my just under 5 acres with home, pastures and barn for my horses I did so with the understanding I had a well to supply my water at little to no cost and there would be plenty for at least my lifetime. Now I don't even know if there will be enough water for the next ten years. Do you have a water study and/or will there be one before any more homes are approved for construction?
2. **Roads and Traffic** – From what I've read we're taking a wait and see, then we'll widen and deal with the traffic. I wonder do you drive our roads currently? Do you wait in line on Meridian road trying to get on the freeway at rush hour or off the freeway at rush hour? Currently the Cloverdale bridge over 84 is being built but not addressing this issue so what you are doing is saying we have no control over that and more importantly we'll keep adding to the problem instead of addressing the issue. It is my understanding that Cloverdale road from Kuna road to the freeway can't be widened to completely to address the current overload of traffic not to mention the huge amount of traffic Falcon Crest will create. While Kuna road appears will be able to be widened but when and it only leads to one road Meridian Road which is already becoming a problem as stated above.
3. **Infrastructure – Police, Fire and schools**. Where on earth will you come up with enough of these NEEDED resources to cover what is coming? We don't have fire hydrants in most of Kuna that's a huge burden on the fire department. We are short on schools and currently there appears to be at least one that has huge problems. Personally I'm sick to death hearing about school issues that everyone swears the next levy will solve only to hear the following year we need another levy. How about we try something new, solve our current issues and prepare for the future BEFORE we build any more homes that surely will require the resources that we don't have enough of already.

I realize Kuna is looking for money when they approve these projects, but the builders need to contribute more to the community then just slapping up homes and leaving the community to clean up the mess. In other states builders are required to solve some of these issues before and during the construction period why don't we adopt that plan? Next you'll be telling me all the property

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

taxes will cover what we need, but if you look at Meridian you'll see property taxes did not cover enough resources like Fire, Police and Schools.

Let's make Kuna the example rather than going with the flow. Let's look out for Kuna and its CURRENT residents and make this an even great community.

Anna Barrington
Cloverdale Estates
(208)608-4534

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:29 PM
To: Chris Engels
Subject: FW: Falcon Crest Subdivision Meeting

#3

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Anna Barrington [mailto:5barringtons@gmail.com]
Sent: Friday, December 28, 2018 2:00 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Falcon Crest Subdivision Meeting

Dear Mayor Stear,

I am a neighbor to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 2019 so I can better understand the impacts to my home and life from this subdivision.

Sincerely,

Anna Barrington
Resident of Cloverdale Ridge Estates
(208) 608-4534

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:29 PM
To: Chris Engels
Subject: FW: Meeting for Falcon Crest subdivision

#2

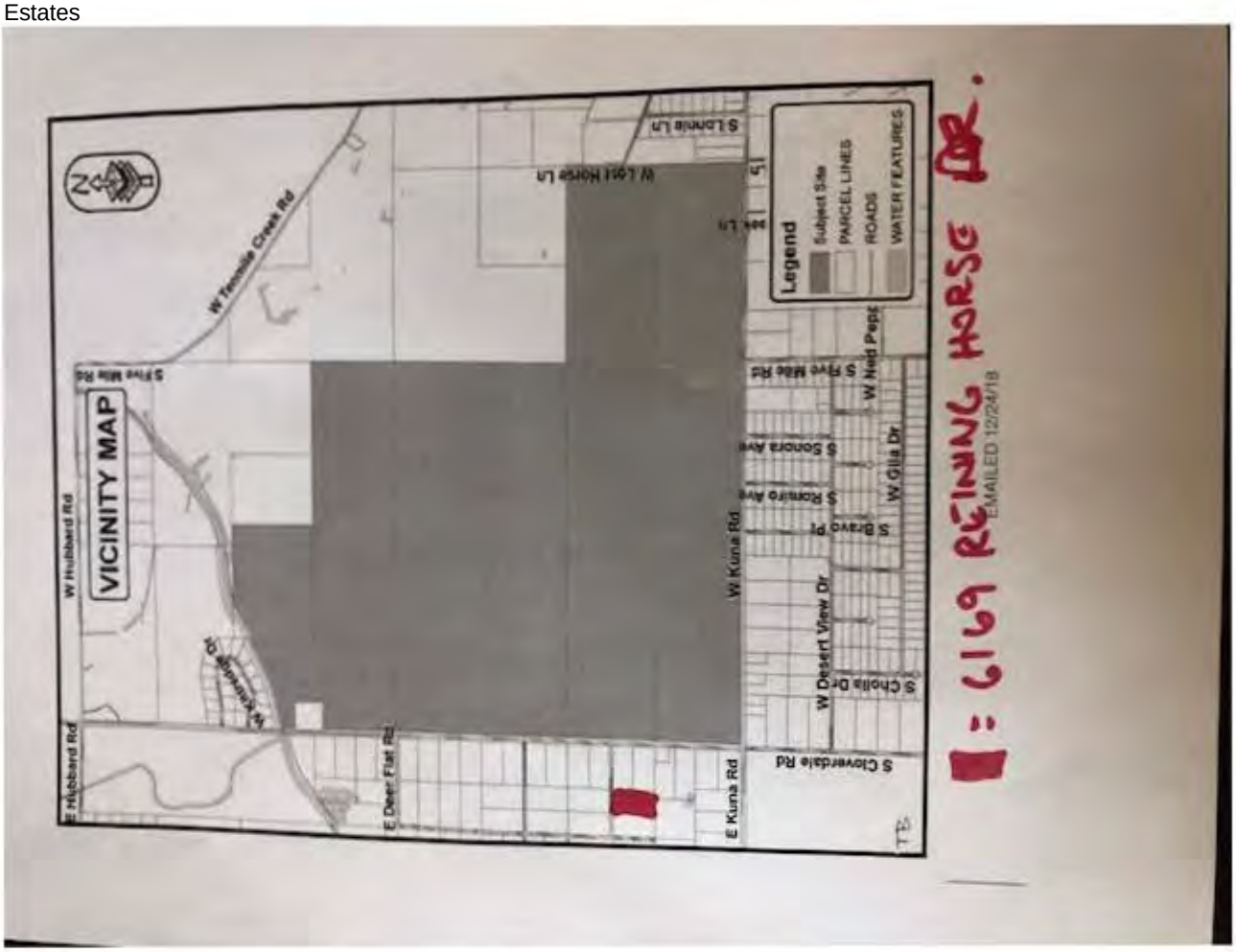
Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: bill terry [mailto:bterry51@cableone.net]
Sent: Friday, December 28, 2018 2:19 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>; Warren Christensen <wchristensen@kunaid.gov>; bill terry <bterry51@cableone.net>
Subject: Meeting for Falcon Crest subdivision

Dear Mayor Stear, and Council Members;
I am a neighbor to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 5th 2019 so I can better understand the impacts to my home and life from this subdivision. the Kuna City planner said they only mail to residents so may feet from Cloverdale, since our subdivision is all 5 acres I didn't qualify???
you can see the enclosed Map my location as second house from Cloverdale, yet I am not on the mailing list. This growth will have a huge impact on me because more traffic, my street looks selected to continue thru. I have lived there for 24 years and the falcon crest folks already can't turn correctly into the main golf entrance without stopping all southbound traffic. My water well is already 300 feet deep and I am concerned about it running dry. I also see my rural lifestyle loosing the darkness as light pollution from residential and commercial growth.
Sincerely,
Bill Terry
6169 Reining horse dr
Kuna, Idaho 83634

Resident of Cloverdale Ridge Estates



SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:30 PM
To: Chris Engels
Subject: FW:

#6

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Richard Vick [mailto:teddytuggy49@gmail.com]
Sent: Friday, December 28, 2018 12:26 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject:

Hello Mr. Mayor,
I am a resident of Cloverdale Ridge subdivision, and live directly across Cloverdale from the Falcon Crest proposed subdivision. I am also on the board of the Cloverdale Ridge Water Corporation. I am apalled that your city planner has manipulated the hearing process so that we are not involved, even though we stand to be very much harmed by this proposal. At the first hearing those of us who testified were ket to a strict 3 minutes, while the agent of the contracting firm was allowed to go on and on, and your planner went on as long as he liked in favor of this project. Now we got notice a few days ago that the hearing before the full council will be on the second of January, not giving our residents , and water customers any time to prepare for this meeting. We have our corporate attorney looking in to these ploys .
We are not simply upset that this huge proposal will destroy the rural atmosphere of our community, but that it will put us, our livestock, and our property values in jeapardy . To this date no studies of our water table have been done. The contractor wants to sink another large volume well to begin the first part of construction, and our wells are already on the decline. OUr personal well has only got 13 feet of water now. Our irrigation wells , owned by the water corporation , will be in danger if there is any drop in water level.
Also there has been no impact study of what such a huge development would do to the traffic on Cloverdale Road.
I would strongly suggest this meeting be postponed until February 5, so that we may build our case to present to the city Council.
Let me say finally as taxpayers in the Kuna impact zone we have been treated shamefully. I would suggest you investigate the interest your planner seems to have in pushing this proposal, and in cutting those who will be impacted most out of the equation.

Thank you Mr. Mayor for your cosideration.

Richard S. Vick
11457 S. Cloverdale Rd
Kuna, ID. 83634

Phone 208-608-8777

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Wendy Howell
Sent: Saturday, December 29, 2018 1:23 PM
To: Troy Behunin
Subject: Fw: Falcon Crest

Sent from my Verizon LG Smartphone

------ Original message------
From: Mayor Stear
Date: Sat, Dec 29, 2018 12:47 PM
To: Wendy Howell;Chris Engels;
Cc:
Subject: Fwd: Falcon Crest

Sent from my iPhone

Begin forwarded message:

> **Resent-From:** <MayorStear@kunaid.gov>
> **From:** Dave JOHNSON <ddjohn551@aim.com>
> **Date:** December 29, 2018 at 12:39:53 PM MST
> **To:** MayorStear@kunaid.gov
> **Subject: Falcon Crest**
>
> Dear Mr. Mayor
> Please consider changing the hearing for the Falcon Crest project to a later date beyond January. My primary concern is water supply . Thank you for your consideration.
>
> Dave Johnson
>
> Sent from my iPhone

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Elise Daniel <poppydaniel@gmail.com>
Sent: Tuesday, December 18, 2018 6:38 AM
To: Troy Behunin
Subject: Falcon Crest Developement

Dear Mr. Behunin,

I understand that as city planner you have quite a bit of power over the decision involving the large new subdivision that is planned around the Falcon Crest Golf Course. I live at 10781 S Cloverdale Rd, Kuna, ID 83634 just across from the golf course. As a matter of fact, I pick up misfired golf balls from my field on a weekly basis.

I am writing to you to encourage you to fully consider the impact that this subdivision will have on the ground water that supports my home and the homes all around me. We all depend on our wells to supply water to our homes. We also depend on large wells to irrigate our fields and pastures. If you allow the new subdivision to dig deep wells to try to support a large number of homes (800 or 1200??) it will undoubtedly put our water supply at great risk.

This is a grave concern for myself and for all of my neighbors. As you must know, access to water is a huge issue in this part of the world. By risking our access to water you adversely affect our lives, the value of our properties, and the ability to live in the area supporting our families and livestock.

I also have grave concerns about the traffic that this development will create. As it stands, traffic has dramatically worsened in the nearly 14 years that I have lived here. There is no way for Cloverdale Road to absorb the amount of traffic that this subdivision will add.

I beg of you to fully research and consider what this development will do to this side of Kuna. While I understand that the money this will bring to the town is enticing, I believe that the strength to turn it down will ultimately make Kuna a stronger and better town.

Thank you for your consideration and best wishes for a Happy Holiday Season to you and your family.

Best Always,

Elise Ann Daniel

Please leave me a 5-star review on Google and Facebook! If you appreciate the service that I provide please share my name and contact information with your friends and family!

Elise Ann Daniel, AFC ®

MFCS - Family Financial Planning
Daniel Insurance, LLC
200 N. 4th Street
Suite 101B
Boise, Idaho 83702

www.elisedaniel.com

poppydaniel@gmail.com
tel: (208)590-2606
fax:(208)297-7890

The best compliments that I receive are your referrals!

Know that I take the security of your information very seriously. Please do not email me your personal information. Fax or a secure email are the safest ways to transfer personal information.

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

To: Elise Daniel
Subject: Dear Mayor

From: Elise Daniel [mailto:poppydaniel@gmail.com]
Sent: Tuesday, December 18, 2018 7:25 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Troy Behunin <tbehunin@kunaid.gov>; Wendy Howell <whowell@kunaid.gov>
Subject: Re: Dear Mayor

Thank you for your response. Have a wonderful Holiday Season with your family and friends.
Blessings,
Elise

"Almost everything will work again if you unplug it for a few minutes, including you."
– Anne Lamott

Please leave me a 5-star review on Google and Facebook! If you appreciate the service that I provide please share my name and contact information with your friends and family!
Elise Ann Daniel, AFC ®
Daniel Insurance, LLC

On Tue, Dec 18, 2018 at 7:02 AM Mayor Stear <mayorstear@kunaid.gov> wrote:

> Elise; Discussions such as this before a public hearing are considered exparte'. That said I will have to include it into the record for the hearing. (Troy would you please see that it is?) The city is strictly regulated on any wells that are drilled or accessed. If there is not adequate water table they can not be used. We will certainly refer to the traffic experts at ACHD on that area. As far as the revenue for the city we are in good shape and I would not base any decision on that. Property rights are the main issue with things like this. Thank You and I would assume that you will be at the public hearing for this. I am not sure of the date but you can call into P&Z for that. Have a blessed Christmas!
>
> Sent from my iPhone
>
> On Dec 18, 2018, at 6:45 AM, Elise Daniel <poppydaniel@gmail.com> wrote:
>
> > Dear Joe,
> > I voted for you as Mayor because I believed that you would look after the best interests of the town of Kuna and it's residents. I live at 10781 S Cloverdale Rd, Kuna, ID 83634 just across from the golf course. As a matter of fact, I pick up misfired golf balls from my field on a weekly basis.
> >
> > I am writing to you to encourage you to fully consider the impact that the proposed subdivision at Falcon Crest will have on the ground water that supports my home and the homes all around me. We all depend on our wells to supply water to our homes. We also depend on large wells to irrigate our fields and pastures. If you allow the new subdivision to dig deep wells to try to support a large number of homes (800 or 1200??) it will

undoubtedly put our water supply at great risk. IF you do approve this subdivision, which I pray you do not, you must plan to provide city water to the subdivision to protect our ground water.

Damage to our ground water is a grave concern for myself and for all of my neighbors. As you must know, access to water is a huge issue in this part of the world. By risking our access to water you adversely affect our lives, the value of our properties, and the ability to live in the area supporting our families and livestock.

I also have real concerns about the traffic that this development will create. As it stands, traffic has dramatically worsened in the nearly 14 years that I have lived here. There is no way for Cloverdale Road to absorb the amount of traffic that this subdivision will add.

I beg of you to fully research and consider what this development will do to this side of Kuna. While I understand that the money this will bring to the town is enticing, I believe that the strength to turn it down will ultimately make Kuna a stronger and better town.

Thank you for your consideration and best wishes for a Happy Holiday Season to you and your family.

Best Always,
Elise Ann Daniel

"Almost everything will work again if you unplug it for a few minutes, including you."
– Anne Lamott

Please leave me a 5-star review on Google and Facebook! If you appreciate the service that I provide please share my name and contact information with your friends and family!

Elise Ann Daniel, AFC ®
MFCS - Family Financial Planning
Daniel Insurance, LLC
200 N. 4th Street
Suite 101B
Boise, Idaho 83702
www.elisedaniel.com
poppydaniel@gmail.com
tel: (208)590-2606
fax:(208)297-7890
The best compliments that I receive are your referrals!
Know that I take the security of your information very seriously. Please do not email me your personal information. Fax or a secure email are the safest ways to transfer personal information.

October 25 2018

City of Kuna
Planning and Zoning

To whom it may concern:

I'm writing about the proposed Falcon Crest Subdivision. I am extremely concerned about the proposal that the City of Kuna Planning and Zoning is considering. The impact it will have on our peaceful ambience in our community will be extreme.

If the City of Kuna looks at this development logically the answer to the added subdivision would be NO for the following reasons:

The biggest concerns being traffic and our water table.
What will happen with our private wells and our irrigation?
Where are you planning on getting water for all those homes and yards?
What are the specifics for the septic of each of those homes?
Where will the traffic outlets be and what is the specific plan for that?
And what specifically will be annexed by Kuna City?

I would appreciate a **specific** response to my concerns, including pros and cons of this proposed subdivision and why I and others should support it.

Sincerely,

Helyn Haase

Helyn Haase
6144 East Deer Flat Rd.
Kuna Idaho

208-631-9979
haashw@gmail.com

received
10.26.18

Troy Behunin

From: Wendy Howell
Sent: Friday, December 28, 2018 2:01 PM
To: Troy Behunin
Subject: FW: Falcon Crest Subdivision Planning Meeting

From: Chris Engels <cengels@kunaid.gov>
Sent: Friday, December 28, 2018 12:23 PM
To: Wendy Howell <whowell@kunaid.gov>
Cc: Ariana Welker <awelker@kunaid.gov>
Subject: FW: Falcon Crest Subdivision Planning Meeting

Wendy,
Packet is already done. We'll make sure to have a copy available and it can be read into the record.

Thanks
Chris

From: Greg McPherson <gmcpherson6835@gmail.com>
Sent: Friday, December 28, 2018 12:07 PM
To: Chris Engels <cengels@kunaid.gov>
Subject: Fwd: Falcon Crest Subdivision Planning Meeting

---------- Forwarded message ---------
From: **BJ H** <b.j.henningfeld@gmail.com>
Date: Fri, Dec 28, 2018 at 12:06 PM
Subject: Falcon Crest Subdivision Planning Meeting
To: <bbuban@kunaid.gov>, <rcardoza@kunaid.gov>, <gmcpherson@kunaid.gov>, <wchristensen@kunaid.gov>

Dear Kuna City Council Members,

My bride, two sons, and I live right across from the planned Falcon Crest Subdivision and we must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting. It is a busy time after the holidays from travel and spending time with family and friends. We would request that you hear the information for the subdivision until February 2019 so we can better understand the impacts to our home and life from this subdivision.

Sincerely,

The Henningfeld Family
(208) 570-3507
11893 S Cloverdale Rd Kuna

Part of file

Idaho Statesman

BUSINESS

What Kuna commission decided after neighbors objected to 2,000-home golf development

BY BRANDON RASMUSSEN
brasmussen@idahostatesman.com

November 28, 2018 07:54 AM
Updated 6 hours 47 minutes ago

About 45 people watched and murmured among themselves as six Kuna residents stepped up to the podium to oppose a golf-course development of over 2,000 homes near their property over the next two decades.

"While growth is expected, it must be controlled," said David Imhoff, a Kuna resident who lives just off Cloverdale Road near the proposed development. "Don't add [our community] to the list of extinct species in Kuna. Being a good neighbor is everything this community stands for."

Kuna's Planning and Zoning Commission passed several motions Tuesday night to advance the development of the Falcon Crest subdivision, attached to the Falcon Crest Golf Course at 11102 S. Cloverdale Road. The development would cover 1,025 acres immediately north of Kuna Road and east of File Mile Road.

The development would include lots for single families, homes targeted at people ages 55 or older, and golf villages. It would include almost 19 acres for commercial use. The proposal also includes a city park.

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Now, the development — represented on Tuesday by Mark Tate of M3 Companies, a housing developer in Idaho and Arizona — must move on to seek approval from the Kuna City Council.

The commission's decision came after hours of debate following an unbroken string of residents opposed to the project. Most of them were primarily concerned with potential water supply problems they said could affect the surrounding area if the development were to draw its water by creating wells, as is laid out in the project's development plan.

The Falcon Crest Golf Club is the main attraction for the proposed Falcon Crest Subdivision north of Kuna Road and east of Cloverdale Road.

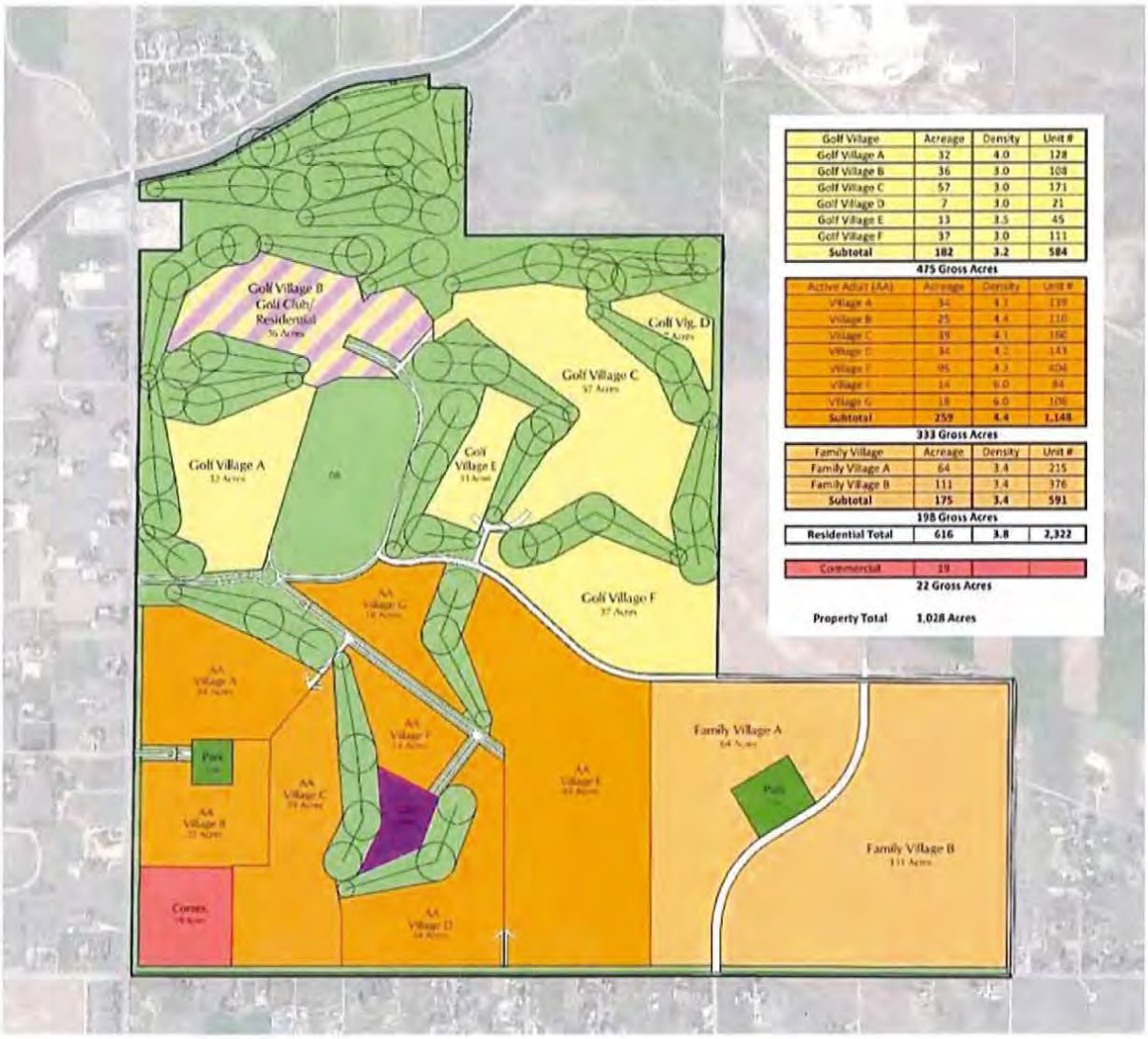
Darin Oswald - Darin Oswald/Idaho Statesman

"All we hear is that the city of Kuna is going to dig two new wells. What is that going to do to the water table?" said Richard Boardman, who lives just west of Cloverdale Road. "What's going to happen to our wells — are they going to dry up in five years? Where will the developer be at that time?"

Other themes among opponents included concerns about traffic as well as the general character of the place. Some said the gated-community-style neighborhoods wouldn't fit in with the rural cultural of the surrounding area.

The comments, especially those about water levels, sparked a series of questions and debates among members of the commission and city staffers, in which it was suggested that a study be done to assess the water levels.

Ultimately, these concerns seemed to be satisfied by the testimony of Bob Bachman, Kuna's planning and zoning and public works director, and by an existing contingency plan within the development plan, which states that if M3 is unable to obtain approval to drill new wells, the developer would instead arrange to be connected to the city water supply.



Golf Village	Acreage	Density	Unit #
Golf Village A	32	4.0	128
Golf Village B	36	3.0	108
Golf Village C	57	3.0	171
Golf Village D	7	3.0	21
Golf Village E	13	3.5	45
Golf Village F	37	3.0	111
Subtotal	**182**	**3.2**	**584**

475 Gross Acres

Active Adult (AA)	Acreage	Density	Unit #
Village A	34	4.1	139
Village B	25	4.4	110
Village C	39	4.1	160
Village D	34	4.2	143
Village E	95	4.3	404
Village F	14	6.0	84
Village G	18	6.0	108
Subtotal	**259**	**4.4**	**1,148**

333 Gross Acres

Family Village	Acreage	Density	Unit #
Family Village A	64	3.4	215
Family Village B	111	3.4	376
Subtotal	**175**	**3.4**	**591**

198 Gross Acres

Residential Total	**616**	**3.8**	**2,322**
Commercial	19		

22 Gross Acres

Property Total **1,028 Acres**

This map appears in the Ada County Highway District's analysis of the proposal for the Falcon Crest golf community in Kuna. More than 2,000 homes could be built on more than 1,000 acres.

Provided by Ada County Highway District

"All of the information we have been given through our process ... is that there should be adequate water," Bachman said. "The permits are only approved if DEQ [the Idaho Department of Environmental Quality] says the well is viable and doesn't affect the area... If DEQ says we're unable to serve the next project, there is no next project."

Bachman said the city will use test wells to determine whether the development would affect the local well water supply, though that process cannot begin until the land is annexed into the city limits. Annexation requires City Council approval.

The proposed land and golf course are owned by Terry Cook and Hansgeorge Borbonus, who also own Cloverdale Nursery at 2528 N Cloverdale Road in Kuna. A development was conceived to adjoin the golf course since before the course opened 17 years ago.

With two persons per household, the development would boost the population of the city of 19,700 by more than 20 percent. Completing the development could take 20 years, depending on market conditions.

READ NEXT

This development may bring more than 2,000 homes to Kuna

READ NEXT

Cities ask newcomers to pay for growth — but that could raise home prices for everyone

READ NEXT

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Jeff Caldwell <jmcaldwell519@gmail.com>
Sent: Friday, December 28, 2018 1:14 PM
To: Mayor Stear
Cc: Troy Behunin; Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson
Subject: Falcon Crest Golf Course City of Kuna Annexation Plan

December 28th, 2018

Troy Behunin,

Troy my name is Jeff Caldwell and my residence is 1581 Cow Horse Dr, Kuna ID which is in the Cloverdale Ridge Estates on the west side of Cloverdale Rd across from Falcon Crest Golf Course. This email is regarding your notice dated December 24, 2018. I list it below:

> **From:** Troy Behunin <tbehunin@kunaid.gov>
> **Subject: Falcon Crest public notice flyer**
> **Date:** December 24, 2018 at 10:00:31 AM MST
>
> Good afternoon,
> Please review the attached PDF of the flyer sent out to notify land owners of the upcoming public hearing for the Falcon Crest annexation, rezone, PUD, CPM change, and pre plat.
> Please let me know if you have questions, and please let me know you receive this email. The letter is also at the bottom of this email.
> Thanks so much.
> Merry Christmas to you and yours.
> Troy
>
> Troy Behunin
> Planner III
> City of Kuna
> 751 W. 4th Street
> Kuna, ID 83634
> TBehunin@KunaId.Gov

It is my opinion that the lack of notice and timing of this hearing is a major inconvenience by giving a notice of your hearing date on January 2 the day before Christmas. A grand total of 1 week, and what looks like an obvious attempt to catch residence off guard during 2 major holidays. We all have work and family commitments especially during major holidays and your decision to pick such a short period of time and and now is just not ethical or right. A proposed development of this magnitude and the lack of notice and time frame as well as during holidays is unconscionable. I am requesting that the full hearing be postponed due to lack of appropriate notice (1 week) and that we as property owners in the Cloverdale Ridge Estates have not be allowed enough time to prepare for the full City Council hearing!

On top of this, what impact will this development require and it's impact on the surrounding wells both residential and commercial(Cloverdale Ridge Water Corporation wells). We have approximately 250 acres for agricultural land that can be affected by this development's water needs let alone are personal wells. What studies have been done regarding this issue to develop this subdivision at Falcon Crest? I understand there is plans to drill a large bore well to accommodate this development Where does the city stand if the Falcon Crest well impacts not only our residential wells, but our commercial well which has water rights? Will the city pay for any impacts to our wells do too reduced water static levels in our wells?

I would like to see your traffic study and the impact of the 1300 plus homes for this development which will impact Cloverdale Rd? Current Idaho Power's easement and placement of power poles limits one side of the road for expansion and personal property on the other side does as well, unless there are plans for condemnation of those homes property rights to make an expansion. I would appreciate the opportunity to see the documentation, however this short notice doesn't allow it.

What is the impact on school requirements, police, for present and future years. Are these costs absorbed by existing residence or is the development paying for this? How does the city know that this development company has the financial means to cover these costs and liabilities? We as current residents of Kuna should absorb these impacts now or in the future, especially our water resources.

In short there are too many questions, and what seems to be not enough studies or documentation to put forth this meeting or this development on January 2nd. I again request that this meeting be postponed and or stopped until there is a fully evaluated and documented proposal be provided before any development proceeds

Sincerely,

Jeff Caldwell
1581 Cow Horse Dr
Kuna ID 83634 .

From: John Lawson
To: Troy Behunin
Cc: Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson
Subject: Falcon Crest public notice flyer - public comment
Date: Wednesday, December 26, 2018 9:53:14 PM

Mr. Behunin,
First and foremost I must object to the City of Kuna presenting the Falcon Crest Subdivision proposal at the first City Council meeting directly after the holidays. This notice allows citizens barely a week to prepare for the meeting and certainly appears to be an attempt by Planning and Zoning to diminish public input on this very controversial proposal. As a citizen of Ada County and a board member of the Cloverdale Ridge Water Corporation (which is a irrigation district of 40-50 year old multiple acre farms and home directly adjacent to this very extensive proposed subdivision); I am outraged that the City of Kuna would try to sneak this meeting through during the holidays. Consequently, Mr. Behunin, for the City to be upfront and open, I really must request that your department postpone the meeting until later in January or early February. I'm not sure how the City can plan to affect citizens of Ada County that have been a part of the Kuna community for multiple decades, without ample time to understand the full extent of impacts from this massive expansion. The City of Kuna plan for the Falcon Crest area has a potentially monumental affect on SW Ada County. As you know, the City of Kuna Engineer's office has not done any impact analysis on our area of Ada County, including and potentially and most importantly, our ground water resources. Citizen input during the Planning and Zoning meeting in November 2018, made it abundantly clear that the City has no idea of the proposed impact on ground water in the Falcon Crest area. The City has proposed to conduct a groundwater evaluation study in the area, coordinated with the State DEQ and IDWR. Before this study is complete, there is no way that the City of Kuna can plan this expansion before all the impacts have been analyzed. It was also quite clear that the traffic study does not fully address traffic impacts into the future, especially provided the limits of expansion of Cloverdale given Idaho Power's right of way on the east and the homeowners land boundaries adjacent to Cloverdale Road on the west. While you may decide to defer this to ACHD, we all know that ACHD is only a reactionary county agency, ill equipped to address excess impacts to areas that have no alternatives. In short, if this subdivision is allowed to proceed there will be extensive traffic issues into the future, with no method of alleviating the problems the subdivision has created. I am not clear as to how this can be considered as good planning.

Sir, if this plan is good enough to hear on January 2, 2019, it is clearly good enough to hear in February 2019. The City of Kuna has not done any critical impact analysis that will allow us to fully comprehend the extent of this development. Respectfully Mr. Behunin, please allow us to review this in total and don't try to push this through when people are away on holidays or are completing year end business transactions.

Lastly, I would like a to obtain a full copy of the traffic study performed for this planned subdivision. I would also like to see the water resources evaluation and the evaluation of the impacts to the City School system from the massive expansion. I will pay for a copy of the traffic study, if necessary. I am also willing to come to your office to obtain a copy or you can email a copy to me at this email address. However, I must request a copy BEFORE the scheduled meeting so that I can have adequate time to review it and provide information to other impacted citizens to understand how our life may change with this huge proposed development. Please contact me at this email or my phone number below to organize a time or method to obtain the traffic study.

Thank you

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

CC: Kuna City Council - Mayor Stear
Cloverdale Ridge Water Corp Board of Directors

On Dec 24, 2018, at 10:03 AM, Troy Behunin <tbehunin@kunaid.gov> wrote:

Good Morning,
Please review the attached PDF of the flyer sent out to notify land owners of the upcoming public hearing for the Falcon Crest annexation, rezone, PUD, CPM change, and pre plat.
Please let me know if you have questions, and please let me know you receive this email. The letter is also at the bottom of this email.
Thanks so much.
Merry Christmas to you and yours.
Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634
TBehunin@KunaId.Gov

CONFIDENTIALITY NOTICE
This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

<image009.jpg>

Dear Property Owner:

NOTICE IS HEREBY GIVEN: That the City of Kuna, **City Council** is scheduled to hold a public hearing on **January 2, 2019,** beginning at 6:00 pm concerning the following case(s):

An **Annexation, Preliminary Plat Comprehensive Plan Map Change, Rezone, Pre Annex-Development Agreement, and Planned Unit Development**request by JUB Engineers, to annex approximately 990 acres into Kuna City limits with a variety of zones throughout the project, including, R-6 (Medium Density Resident), C-2 (Commercial), and R-12 (High Density Resident) zones. This application proposes to change the Comp Plan Map for a portion of these lands from “Agricultural” use to “Mixed Use”. This is a proposed multi-phased

Master-Planned Development. Applicant requests Preliminary Plat approval in order to subdivide approximately 132 acres into 409 single family lots, 58 common lots, and one commercial lot (total of 468 lots). The un-platted lands (approximately 858 ac.) will be developed in the future using the public hearing process. The project site is in Sections 15, 22, & 23 T2N, R1E, on the hard northeast corner of Cloverdale and Kuna Roads. Contact the P & Z Dept. for the parcel numbers involved with this application.

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments at the hearing. Written testimony will be presented to the governing body at time of the hearing. Please note, oral comments made during the public hearing will be restricted to three (3) minutes per person. Mail written comments to PO Box 13, Kuna, ID 83634 or drop them off at City Hall, 751 West 4th Street, Kuna, ID.

If you have questions or need special assistance, please contact the Planning and Zoning Department at (208) 922-5274.

In all correspondence concerning this case, please refer to the case name:
18-03-AN (Annex), 18-01-CPM (Comp. Plan *MAP* Change), 18-02-ZC (Rezone), 18-01-PUD (Planned Unit Develop), 18-04-S (Pre Plat) and a Development Agreement: For the Falcon Crest Subdivision.

<image010.jpg>

EMAILED 12/24/18

<image005.png>

<image012.png>

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Suggestions For Testifying at the Public Hearing:

Be informed . . .

Review the proposal, the staff report, applicable provisions of the ordinance and comprehensive plan.

Be on time . . .

Although the item you are interested in may not be first on the agenda, you never know when it will be heard. The governing body has authority to adjust the schedule according to its discretion. Thus, anticipate attending from the beginning.

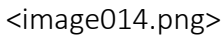
Speak to the point . . .

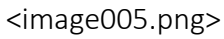
The governing body appreciates pertinent, well organized, and concise comments. Redundant testimony is prohibited and **each individual is given three (3) minutes to comment.**Long stories, abstract complaints, or generalities may not be the best use of time. Neighborhood groups are encouraged to organize testimony and have one (1) person speak on behalf of the group -- "opposition representative," like the applicant's representative, receives 10 minutes to make comments. Applicant has five (5) minutes to rebut or discuss issues raised by any opposition.

If you don't wish to speak, write . . .

At most hearings, previously submitted written testimony may be reviewed by the governing body before the meeting. It is unreasonable to submit extensive written comments or information at the hearing and expect them to be reviewed prior to a decision. All documents or written comments should be submitted to the City of Kuna at least one (1) week**prior** to the hearing.

SUBMITTED FOR 1.2.19 CC - Exhibit G-7





SUBMITTED FOR 1.2.19 CC - Exhibit G-7

<450' Mailer Flyerf for CC 01.02.19.pdf>

From: John Lawson
To: Briana Buban-Vonder Haar; Mayor Stear
Cc: Richard Cardoza; Warren Christensen; Greg McPherson; Troy Behunin
Subject: Comments on the Falcon Crest Proposal P&Z officer out of the office???
Date: Wednesday, December 26, 2018 10:31:30 PM

Dear Mayor Stear and Kuna City Council,
Tonight I sent a full set of comments on the Falcon Crest Proposal that is proposed to be heard on January 2, 2019. We (the public) received the date for the next meeting just 2 days ago, however, per his email response, your P&Z director who is asking for these comments is conveniently out of the office until January 2, 2019, the day of the meeting. Mr Mayor and Council Members, if this is true, I must object to Mr. Behunin's behavior. He as clearly eliminated any public trust we could have in the system by asking for a meeting during the holidays and then to not be available to receive public comments until the day of the meeting? I hope you can reinstall some integrity into this process and delay this meeting until the City can appropriately receive public comments.
Thank you,

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: John Lawson <jmlcattle@gmail.com>
Sent: Monday, December 31, 2018 12:19 PM
To: Mayor Stear
Cc: Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson; Troy Behunin; Tyler Dibble; Liane Kerting-Vick
Subject: Falcon Crest hearing

Hello Mayor Stear,
I appreciate your reply and understand your concern for ex-parte' comments. On behalf of many of the residents that live adjacent to the planned Falcon Crest subdivision, there have been and will be many of us that will request that the Council table the Falcon Crest hearing due to an untimely meeting notification provided both through the mail and via email during the holidays. Can you please inform me as to when and how we can make the formal request to table the hearing? Ideally, we would like to make the request before the Council meeting or possibly before Council initiates the hearing for the subdivision. We will request a month extension to the Council meeting on February 5, 2019.
Respectfully,

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

On Dec 28, 2018, at 1:44 PM, Mayor Stear <mayorstear@kunaid.gov> wrote:

Mr. Lawson I have not ignored anything. I was trying to avoid conversations that would be considered ex-parte'. Notice has been given for the meeting and it will be a public hearing. You and yours are welcome to ask council table the hearing for a date certain.

Thanks

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546
<image001.jpg>

From: John Lawson [mailto:jmlcattle@gmail.com]
Sent: Friday, December 28, 2018 11:32 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>;

Warren Christensen <wchristensen@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>; Troy Behunin <tbehunin@kunaid.gov>; Mary Jepsen <jepsenm@cableone.net>; Tyler Dibble <tyler@tadibble.com>
Subject: Re: Comments on the Falcon Crest Proposal P&Z

Dear Mr. Mayor,
Thank you for your reply. However, I believe that you have ignored the most obvious issue associated with the public notice of the Falcon Crest subdivision being heard by the City Council on January 2, 2019. That is that we (the public and adjacent landowners) did not find out about the meeting until Christmas eve or Christmas day (both holidays) which allows us precious little time to prepare for this very important meeting. This meeting has been scheduled directly after the holidays when people have holiday travel plans, or families in town or are working diligently to complete year end business. As announced this timing allows about 4 days that are not weekends or holidays to respond to the meeting schedule. Kuna is a family oriented community so we all deserve to enjoy the holidays (just as your employees have done) so to hold this meeting directly after the holidays is borderline unethical. As I said before sir, if this meeting is so critical to our region that it must be heard on January 2, it can easily be postponed for a month to allow other important input from those of us most affected by this massive planned development. Please Mr. Mayor and City Council, I have spoke to many of my neighbors and they all agreed that you should postpone this meeting to make it fair for those of us most affected. We need time to discuss this with our neighbors and with other state and possibly federal agencies (who are also out on holiday beak) so we can understand the extent of the potential impacts to our lives. Thank you for taking my/our requests seriously and allowing us time to make this a fair hearing.
Sincerely,
John Lawson
jmlcattle@gmail.com
208-651-4741

On Dec 27, 2018, at 6:51 AM, Mayor Stear <mayorstear@kunaid.gov> wrote:

Mr. Lawson good morning. Public comments are asked for ahead of time in order to allow for the City Clerks office to include them in the packet. Whether or not Mr. Behunin is in, it will need to be added. Thank you for getting that in and we will be sure to include it.

Sent from my iPhone

On Dec 26, 2018, at 10:31 PM, John Lawson <jmlcattle@gmail.com> wrote:

> Dear Mayor Stear and Kuna City Council,
> Tonight I sent a full set of comments on the Falcon Crest Proposal that is proposed to be heard on January 2, 2019. We (the public) received the date for the next meeting just 2 days ago, however, per his email response, your P&Z director who is asking for these comments is conveniently out of the office until January 2, 2019,

the day of the meeting. Mr Mayor and Council Members, if this is true, I must object to Mr. Behunin's behavior. He as clearly eliminated any public trust we could have in the system by asking for a meeting during the holidays and then to not be available to receive public comments until the day of the meeting? I hope you can reinstall some integrity into this process and delay this meeting until the City can appropriately receive public comments.

Thank you,

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Mayor Stear
Sent: Wednesday, December 26, 2018 10:19 AM
To: Matt Taplin
Cc: Troy Behunin; Wendy Howell; Jace Hellman
Subject: RE: Highly Concerned about proposed development at Falcon Crest golf course

Matt Good Morning.

As this is up for public hearing, it is considered ex-parte' communications for myself or council to discuss ahead of time. I would urge you to attend the public hearing for this project if you are able. If you are not, you can send in a written statement to be in the packet on the project.

I will say that our hands are somewhat tied when it comes to property owners rights. When people testify at these public hearings, it might not go the way that they want it to but council is listening and we have made some changes to make projects better. I will also say that this rapid growth across the Treasure Valley is quite concerning to me on a personal level and is effecting every city in our reign.

I will be sending this to the planning and zoning department to add to the record so that we are not in violation of law.

Thank You so much!

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

-----Original Message-----
From: Matt Taplin [mailto:taplin@rocketmail.com]
Sent: Monday, December 24, 2018 3:22 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Highly Concerned about proposed development at Falcon Crest golf course

Dear Mayor Stear,
As our mayor and longtime Kuna resident, we know that you are fully versed on the proposed changes to the Falcon Crest area and the annexation of over 1000 acres of land for development. The City of Kuna has annexed more land that it has ever annexed before with little to no evaluation of environmental impacts or impacts to adjacent landowners. Our house was built in 1985 by my father in law and has been owned by my wife and I for 12 years and has always been in the family. We are concerned that this development will adversely affect our ability live in our homes without a large economic, environmental and social impact to us as individuals (land values, water well impacts, increased traffic, even more crowded schools and crime). Please Mayor Stear, we urge you to stop this process and allow the City of Kuna and us as residents to fully evaluate this proposal before it is fully approved.
Sincerely,
Matthew Taplin

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Wendy Howell
Sent: Friday, December 28, 2018 2:01 PM
To: Troy Behunin
Subject: FW: Postponement of meeting

-----Original Message-----
From: Mayor Stear <mayorstear@kunaid.gov>
Sent: Friday, December 28, 2018 1:38 PM
To: Wendy Howell <whowell@kunaid.gov>
Subject: FW: Postponement of meeting

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

-----Original Message-----
From: Matt Taplin [mailto:taplin@rocketmail.com]
Sent: Friday, December 28, 2018 1:18 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Postponement of meeting

Dear Mayor Stear,
I am a neighbor to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 2019 so I can better understand the impacts to my home and life from this subdivision.
Sincerely,
Matthew Taplin
Resident of Cloverdale Ridge Estates

Sent from my iPhone

11/13/18
City Hall
PO Box 13
Kuna, ID 83634
Regarding: Annexation of land for Falcon Crest development

RECEIVED
NOV 16 2018
CITY OF KUNA

At this time the Falcon Crest proposed sub division should not be annexed into the City of Kuna. According to the attached City of Kuna - City limits map the proposed area on the corner of Cloverdale Rd & Kuna Rd do not meet the requirement of the Planning and Zoning Commission Case number 15-01-AN page 3 paragraph F "stating that the parcel must touch existing City Limits". The enclosed map was printed on 11/13/18 from the Kuna Idaho Planning & Zoning Map website.

There is a new article from KTVB date July 7 2017 that 8 housing developments are currently underway. How many of those are completed? Kuna currently doesn't have the infrastructure to support more people moving in? I hear from neighbors the schools are crowded. Do we have enough police and fire equipment and staff to support the current developments let alone Falcon Crest?

How will first responders be increased and who is paying for that increase in staff and equipment? How much financial responsibility will Falcon Crest take on?

Will Falcon Crest develop and staff the small fire station currently not in use on the corner of Kuna Rd & Five Mile Rd?

Cloverdale road is already congested with commuter traffic heading back into Meridian and Boise. Falcon Crest original proposal was to build a total of 1200 homes between single family & apartments. The existing roads of Cloverdale Rd and Kuna Rd can't support another 1200-2200 cars (1-2 cars per family) coming into the subdivision. Which roads will the Falcon Crest Development exit onto, Kuna Rd or Cloverdale? Will there be turn lanes and traffic lights? Who is paying for the road improvements?

Is Kuna Rd going to be extended over Federal and State land to extend Kuna Rd to Cole Rd to help with road congestion?

Are existing houses around the proposed annexation going to be annexed into the City limits?

My husband and I moved to Kuna because it's a small town with a lot of charm. We wanted to be out of the city and not have houses and neighbors stacked on top of use. From my house I can look west at the beautiful sunset and enjoy the peace and quiet. On Falcon Crest's original proposal they want to build a section of apartments buildings. If allowed to build apartment buildings I will no longer get my view of the setting sun on the horizon. I consider the proposed site a rural community and apartments have no business being out there obstructing the sky line. The original proposal from Falcon Crest was to put six single family homes per acre, People move out into this area for larger parcels and more space.

I urge the Planning & Zoning Commission to slow down on housing developments. Develop the cities infrastructure (roads, schools, restaurant that are not fast-food) and finish the housing developments that currently have approval before moving forward with Falcon Crest or any other proposed development.

Thank you

Natalie Henderson

Natalie Henderson

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

COURTESY NOTICE

Dear Property Owner:

NOTICE IS HEREBY GIVEN: That the City of Kuna **Planning & Zoning Commission** was scheduled to hold a public hearing on October 23 2018. However, staff is requesting that this be tabled (delayed) again, *until* ***November 27, 2018***, beginning **at 6:00 pm** concerning the following case(s):

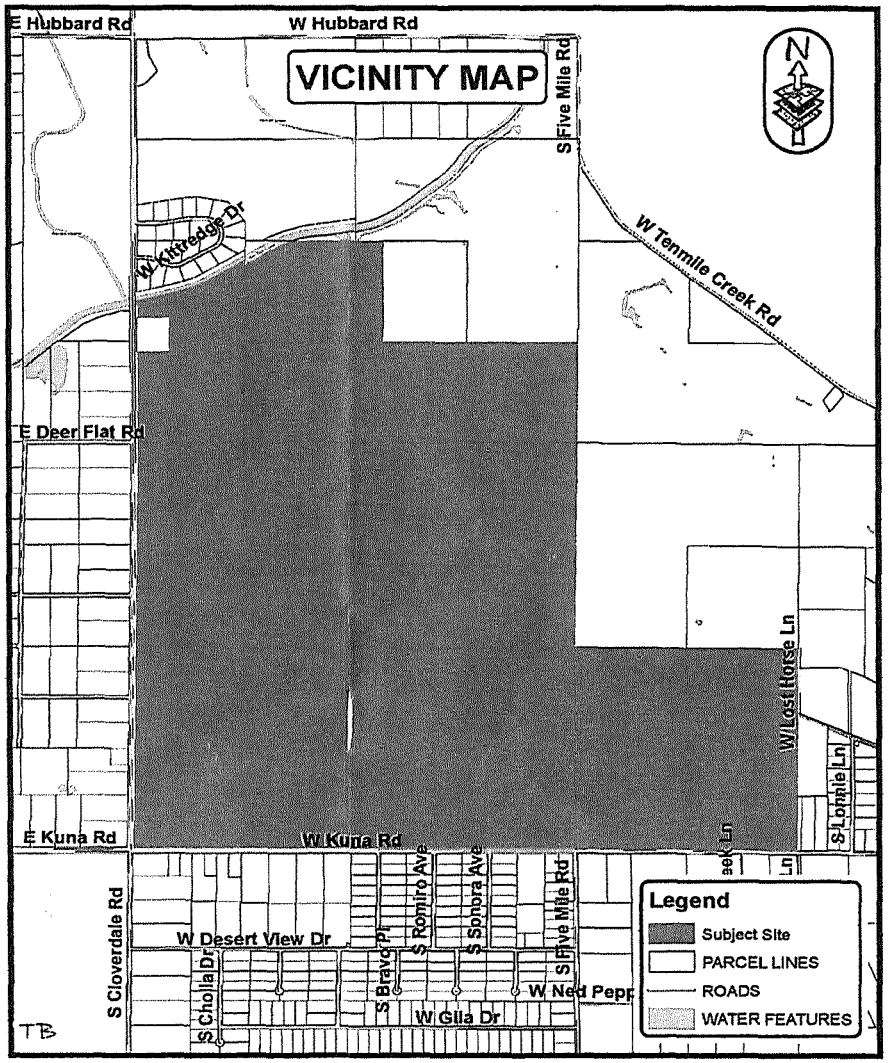
An **Annexation, Preliminary Plat Comprehensive Plan Map Change, Rezone, Pre Annex-Development Agreement, and Planned Unit Development** request by Scott Wonders with JUB Engineers, to annex approximately 990 acres into Kuna City limits with a variety of zones throughout the project, including, R-6 (Medium Density Resident), C-2 (Commercial), and R-12 (High Density Resident) zones. This application proposes to change the Comp Plan Map for a portion of these lands from "Agricultural" use to "Mixed Use". This is a proposed multi-phased Master-Planned Development. Applicant requests Preliminary Plat approval in order to subdivide approximately 132 acres into 409 single family lots, 58 common lots, and one commercial lot (total of 468 lots). The un-platted lands (approximately 858 ac.) will be developed in the future using the public hearing process. The project site is in Sections 15, 22, & 23 T2N, R1E, on the hard northeast corner of Cloverdale and Kuna Roads. Contact the P&Z Dept. for the parcel numbers involved with this application.

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments at the hearing. Written testimony will be presented to the governing body at time of the hearing. Please note, oral comments made during the public hearing will be restricted to three (3) minutes per person. Mail written comments to PO Box 13, Kuna, ID 83634 or drop them off at City Hall, 751 West 4th Street, Kuna, ID.

If you have questions or need special assistance, please contact the Planning and Zoning Department at (208) 922-5274.

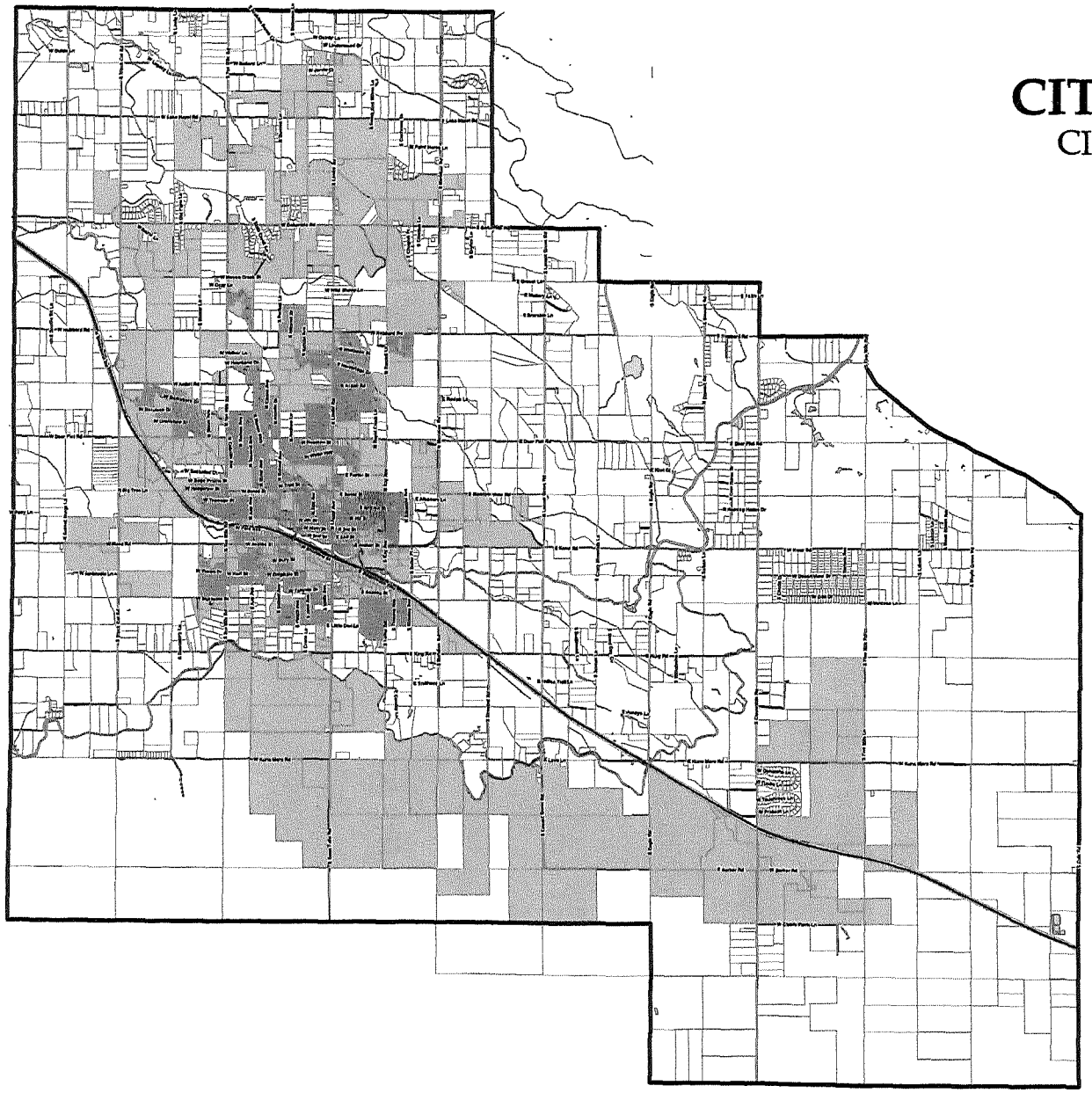
In all correspondence concerning this case, please refer to the case name: 18-03-AN (Annex), 18-01-CPM (Comp. Plan *MAP* Change), 18-02-ZC (Rezone), 18-01-PUD (Planned Unit Develop), 18-04-S (Pre Plat) and a Pre Annex/Development Agreement: Falcon Crest Subdivision.



MAILED 10/18/18

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

CITY OF KUNA
CITY LIMITS MAP



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LEGEND

- CITY LIMITS
- ROADS
- RAILROAD
- WATERBODIES

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Rebecca Goodner <rgoodner@cableone.net>
Sent: Tuesday, December 18, 2018 8:52 AM
To: Troy Behunin
Subject: Falcon Crest perposed 1000 new homes/water rights

Mr. Behunin,

My name is Rebecca Goodner, I live across the street from the purposed Falcon Crest home project. I am extremely concerned about this project and how it will not only impact the traffic on Cloverdale Rd.
but the WATER they will need to feed the purpose 1000 homes.

City Council needs to consider our water use in their plans, we need a full and objective evaluation of the impact on our wells. Many years ago the Idaho Dept of Water Resources over appropriated water for our area and that could cause us issues in the future. Our Water Corporation has Senior water rights but the City may use politics to take our water rights out of the equation.

I am asking you to please keep this in mind when voting on this, and please keep us informed moving forward.

Respectfully,

Rebecca L Goodner

12555 S. Cloverdale RD.
Kuna, Idaho 83634

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Casey Hiatt <rchvandal@gmail.com>
Sent: Thursday, December 20, 2018 11:55 AM
To: Troy Behunin
Subject: Falcon Crest Developement

Mr Behunin,

I own a home and acreage on Cloverdale road across from Falcon Ridge golf course.
As I am sure you are aware, a large bore well is being proposed for potentially 1000's of new homes for the Falcon Ridge Project. The surrounding homes and land owners have already lost wells over the past few years. I am very concerned that the proper studies of this new mega wells impact on existing wells and the water tables are being overlooked by the developer, and or the governing body responsible for approving such a development.

If the proposed mega-well is drilled, by the time it is realized it was a mistake it will be too late, and more wells could undoubtedly dry up. Many of the water rights potentially affected date back to the 1960's and 70's, and in an era of water being such a valued commodity I think it is evident how important it is to protect what already exists ahead of what might be. Land that once had a value because it was irrigated becomes burnt and dry, making it next to worthless.

I am an Idaho native, knowing that growth is a great thing for this community, as long as the existing population and their basic needs and lives are not ignored to make room for progress.

I respectfully request that before our community swallows this pill, that a more recent and accurate assessment of the water table is done, as well as a traffic impact analysis. This will certainly provide the information needed to make all impacted sleep at night. The additional several thousand cars down this two lane road could prove to be a nasty and dangerous venture to pull out on if a plan is not implemented.

So that I may continue to keep myself abreast of any new information available, I would like to enter my request to please be kept up to date on all communications and meetings that arise regarding this project. I assume a list of emails are kept for such communications.

Thank you for your help Troy,
Rex Hiatt

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:29 PM
To: Chris Engels
Subject: FW: Falcon Crest subdivision postponement

#1

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Casey Hiatt [mailto:rchvandal@gmail.com]
Sent: Friday, December 28, 2018 2:50 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Falcon Crest subdivision postponement

Mayor Stear,
I am a resident across Cloverdale from the Falcon Crest golf course and proposed subdivision. I am writing to please request a postponement of the January 2 meeting as the short lead time has put me out of town on that date. It seems as though there is a true lack of concern for the issues brought up by the neighboring property owners and feels as though this thing is being pushed through no matter what the case may be.
The major concerns are the demand a huge megawell will put on the water table, and the traffic pattern changes neither which are being addressed by a proactive process. Please Mayor, help the governing powers see that the existing community and their well being is as important as growth and make an otherwise sour experience more palatable. I would hate to lose a whole handful of wells because a recent analysis of the water demand was not done by the developer and this city. Growth is inevitable but doesn't have to be uncomfortable.
Thank you for your help,
Rex Hiatt

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Scott Erickson <swerickson7@gmail.com>
Sent: Thursday, December 20, 2018 1:14 PM
To: Troy Behunin
Subject: evaluating proposed development cloverdale and kuna road

Mr. Behunin,

Please add me to your distribution list regarding current and future information related to the proposed development of the land around Falcon Crest golf course. I am a home owner directly west of the proposed development and have some concerns about traffic implications, water rights, and other considerations such as schools, police and fire,

thank you,

Scott Erickson
6350 Reining Horse Dr
Kuna, ID
83634
208-949-9722
swerickson7@gmail.com

Scott Erickon
6350 Reining Horse Drive
Kuna, ID 83634

12/30/2018

Kuna Planning and Zoning Commission, Kuna City Council, and Mayor Stear

Reference: Case 18-03-AN, 18-01-CPM, 18-02-ZC, 18-01-PUD, 18-04-S and a Development Agreement: For the Falcon Crest Subdivision

Dear Kuna Planning and Zoning Commission, Kuna City Council, and Mayor Stear:

Please consider the following points regarding the proposed annexation of approximately 990 acres on the northeast corner of Cloverdale and Kuna Roads. As a property owner fronting Cloverdale directly across from the proposed annexation, I am strongly advocating for reasonable, carefully planned steps such that any development in this area provides continued quality of life, and safeguards our finite resources, especially fresh air and water.

- What plans are in place to build the infrastructure necessary to support and sustain 400+ homes, literally thousands of new residents in this area?
    - Specifically, what is the timing plan/forecast for widening Cloverdale?
    - Sewer system plan?
    - Surface water run-off plan? Significant water drains from East to West into Cloverdale Ridge Estates. Assurances or plans to understand and manage the impact to surface water quality or volume?
    - Police/Fire/School plan?
    - Environmental impact of large bore well? Who has studied this and what data suggests the impact to the ground water table? I have a private well and am concerned that my well could literally dry up
- As development of some sort is expected, please consider the long-term value of these items:
    - Gather data, and make decisions based on that data—how many cars per road, houses per well, people/acre, etc.
    - Build only low density subdivisions. R-12, for example, would provide immediate and lasting problems that simply cannot be reversed
    - Avoid large private lawns that would require water; instead, plan small to zero-scape style yards (Arizona desert style vs. traditional Meridian, Idaho)
    - Include shared public green space in an effort to be significantly less wasteful and foster a greater sense of community over dense subdivision "feel"
    - Think about and plan for the wildlife in this area. I feel that the true value in living in the country is critically lost without natural habitat—Idaho native plants and grasses are awesome, and take no costly maintenance. How hard would it be to build natural-scapes into the plan?

Sincerely,

Scott Erickson

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

received
12.31.2018

Scott Erickson
6350 Reining Horse Dr.
Kuna, ID 83634

Kuna Planning & Zoning
Reference: 18-03-AN
Falcon Crest Subdivision

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Personal Gmail <sphaase1@gmail.com>
Sent: Wednesday, December 26, 2018 7:33 PM
To: Troy Behunin
Subject: Meeting Jan 2 2019–Falcon Crest Development / Cloverdale

First, send me copies of All notices—your last email was confusing—either I have been added or I have not to the list of Kuna citizens.

It is unbelievable that a pubic hearing of this magnitude effecting 50 families was not scheduled and all of those concerned notified 30 days not 5 days of the meeting.
Please explain what the meeting on 1-2-2019 is scheduled for and if it is a vote to approve the development at Falcon Crest Golf coarse I do not believe you have given sufficient notice nor do I believe the date you selected was appropriate or legal—

Regards

Steven Haase

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Personal Gmail <sphaase1@gmail.com>
Sent: Wednesday, December 19, 2018 5:12 PM
To: Troy Behunin
Subject: Cloverdale/ Falcon crest development

I would like to request information and added to the list of people that you will notify when there is new information and when there are public meetings.
It appears the city council has already favored the proposal by the developer but as I am sure know those of us that live near by are or can be affected by the councils decisions. Please add me to the list of concerned land owners.
My name is Steven Haase and I live at 6144 E. Deer Flat rd. I have water rights to irrigate my 5 acres and I have a domestic well.
Thank you.

Regards

Steven Haase

Troy Behunin

From: Troy Behunin
Sent: Wednesday, January 02, 2019 12:48 PM
To: 'Terri Hisel'
Subject: Falcon Crest Development

Terri,
I will make sure the Council receives a copy of your letter.
Thank you,
Troy

From: Terri Hisel [mailto:tlnhisel@gmail.com]
Sent: Tuesday, January 01, 2019 12:54 PM
To: Troy Behunin <tbehunin@kunaid.gov>
Subject: Falcon Crest Development

Dear Sirs and the honorable Mayor of Kuna:

I am a property owner in Cloverdale Ridge Subdivision just West of Falcon Crest Golf Course. I would like to express concerns regarding the proposed development surrounding the golf course and it's potential negative impact on surrounding neighborhoods and our water source. Proper water studies have not been completed to determine the impact on our current water sources and the meetings held have not been favorable to property owners. All property owner's deserve complete understanding of how this development will affect our homes and property's.

Please reschedule this meeting so that proper studies can be done and more folks can attend to receive this very important information. It important to us as land and home owners and this meeting is being held at a very inopportune time due to the holidays.Many of us are out of town and there was very little notice regarding this meeting!

When golf course representatives presented a development many years ago, it was based on large rural lots and only a few homes around the course. This new proposed development will have a huge impact on our water, traffic and the country lifestyle we have all worked very hard to maintain. While we understand our city is growing, a development of this magnitude deserves a great deal more research and consideration than we feel it has received.

Please consider moving this meeting to early February to allow for more home owner's to attend and proper time for more research to be done.

Sincerely,
Terri Hisel
Treasurer, Cloverdale Ridge Water Corporation

SUBMITTED FOR 1.2.19 CC - Exhibit G-7

Troy Behunin

From: Tyler Dibble <tyler@tadibble.com>
Sent: Monday, December 31, 2018 1:35 PM
To: Mayor Stear
Cc: Warren Christensen; Briana Buban-Vonder Haar; Richard Cardoza; Greg McPherson; Troy Behunin
Subject: Falcon Crest Hearing

Dear Mayor Stear,

I am the acting President of the Cloverdale Ridge Water Corporation that provides irrigation water services to the Cloverdale Ridge Estates Subdivision as well as other properties that neighbor the subdivision. The short notice that was given to the public especially the properties that neighbor the proposed Falcon Crest Subdivision for this hearing is totally insane, especially since it was sent out via email on Christmas Eve and or received in the mail on Friday or Saturday of last week. During the holidays, many people were out of town or businesses were not open. It sure makes the City of Kuna appear to be trying to push something through when few people would notice especially since there are huge issues at hand for this subdivision if it were to go through at this point.

I am asking as the acting president of the Cloverdale Water Corporation that this hearing for the Falcon Crest subdivision be postponed until the February 5th 2019 hearing. It is important that our corporation and aligning neighbors have adequate time to put together files and concerns that need to be brought to the Council's attention before a decision is made on this development.

I would also like to stress that no studies have been done for the short and long term impact to ground water for this area, school overcrowding impacts, and municipal impacts to the surrounding properties. It is my opinion as a representative of our corporation and our neighbors that it's very imperative for the people elected to public offices do their due diligence before making a decision of this size, and not just rely on the developer to present all the positive options. None of these studies have been done to date and after being present at the Planning and Zoning council meeting I can see that there are no experts on the City staff that can address these impacts objectively.

Sincerely,
Tyler Dibble

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:30 PM
To: Chris Engels
Subject: FW: Falcon Crest Subdivision

#7

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

-----Original Message-----
From: BJ H [mailto:b.j.henningfeld@gmail.com]
Sent: Friday, December 28, 2018 11:57 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Falcon Crest Subdivision

Dear Mayor Stear,

I live right across to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 2019 so I can better understand the impacts to my home and life from this subdivision.

Sincerely,

B.J. Henningfeld
(208) 570-3507
11893 S Cloverdale Rd

Troy Behunin

To: Wendy Howell
Subject: Falcon Crest Development

------ Original message------
From: Mayor Stear
Date: Wed, Jan 9, 2019 9:06 PM
To: Chris Engels;Wendy Howell;
Cc:
Subject: Fwd: Falcon Crest Development

Another Falcon Crest communication

Sent from my iPhone

Begin forwarded message:

Resent-From: <MayorStear@kunaID.gov>
From: Nicole Armenta <nmarmenta1@yahoo.com>
Date: January 9, 2019 at 9:02:50 PM MST
To: MayorStear@kunaID.gov, BBuban@kunaID.gov, RCardoza@kunaID.gov, WChristensen@kunaID.gov, GMcpherson@kunaID.gov
Cc: Lee <Armentalj@gmail.com>
Subject: Falcon Crest Development

Mayor Stear and Kuna City Council members,

We are concerned about the development planned at the Falcon Crest Golf Course and how it will impact our water supply. We live on Kuna Rd west of the Cloverdale Rd. and Kuna Rd. intersection and have a private well that supplies all the water for our house. We believe that by allowing this development to tap in the aquifer, if will potentially negatively affect our water supply. We would like the development to be required to hook up to city water. That many houses and commercial properties will greatly impact our water resource. How can a developer be able to accurately gauge and estimate the amount of water used in a subdivision that large with so many variables? What recourse will we have if our well runs dry? Our family, animals and home rely on our well.

We don't have an opposition to the subdivision as a whole and are not trying to stand in the way of progress, but we do have an opposition to them tapping into the aquifer.

Thank you for your time and consideration for our concerns.

Sincerely,
Lee and Nicole Armenta

Late Submission By Email for 1.15.19 CC

Late Submission By Email for 1.15.19 CC

Troy Behunin

Subject: Falcon Crest Subdivision

From: Anna Barrington [mailto:5barringtons@gmail.com]
Sent: Thursday, January 10, 2019 3:48 PM
To: Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>; Warren Christensen <wchristensen@kunaid.gov>; Mayor Stear <mayorstear@kunaid.gov>
Subject: FW: Falcon Crest Subdivision

As of the last meeting January 2, 2019 we still do not have any firm answers to the following subjects for Falcon Crest Subdivision. I believe it is a complete waste of time to keep having meetings when the City of Kuna, County of Ada, Falcon Crest and M3 Developers do not have any concrete answers to all the subjects below. I move to have the hearings/meetings stopped until complete and actable answers are had for ALL of the items outlined below:

Water – If you are already going to use the Kuna sewer system then you might as well use the city water to eliminate the water table issue.

Water trust fund for all neighbors to Falcon Crest

Road widening and traffic control – The first being slotted for "active retirees" will most definitely cause traffic issues, maybe you need to consult with cities/developments which have numerous "active retiree developments" and hear the impact they have on traffic at all hours of the day. Every home built will have a minimum of two cars do the math that adds up quickly. "traffic impacts won't be felt overnight is an outright lie. With every new development along Cloverdale and Meridian road we have felt the impact – we're already behind the traffic curve. Have any of you driven at rush hour? Then you know. You can't even help what will happen at the interstate 84 on and off ramps but all of us will feel it, even now ACHD has failed to add an on or off ramp at Cloverdale during the current bridge construction. When Mr. Inselman says "there really isn't an issue today" he forgets that we all moved into rural areas like Kuna to avoid the Meridian traffic situations.

Infrastructure including but not limited to Police, Fire and Schools – the tax payers are stuck with paying for all of this when the developers and Falcon Crest should be responsible for at least half of the costs.

These issues MUST be addressed before anymore ruling can be made on this huge development. You cannot say they will be addressed after the first phase or two because then it will be too late and who knows where our economy will be then or where M3 or even Falcon Crest ownership will be financially. They could be gone like a lot of the Developers ended up in 2008/2009.

Anna Barrington
Cloverdale Estates
(208)608-4534

From: Anna Barrington [mailto:5barringtons@gmail.com]
Sent: Sunday, December 23, 2018 3:31 PM
To: 'tbehunin@kunaid.gov'
Subject: Falcon Crest Subdivision

I have several concerns about the Councils wait and see or wait till later then we'll act. I live in the Cloverdale estates across from Falcon Crest.

1. **Water** – without water none of us will survive so why does the Council take this resource for granted? Building the homes that have been proposed and after all the other smaller developments have been completed how

Late Submission By Email for 1.15.19 CC

much water will be left in the aquafers? I don't think you or the other Council members or the Mayor know the answer to this. To keep throwing up homes and hoping we have enough water is certainly NOT the way to go nor are you looking out for Kuna's current residents. I want to know what studies have been done on the current water situation and then what is the future water situation after each phase of Falcon Crest is completed. You must know there will be a limit to the available water, but will you stop before you exhaust it? Do you have a fund set up for all the farms, ranches and homes with private wells to either cover digging a deeper well for each or for bringing in public water into each of these properties? When I purchased my just under 5 acres with home, pastures and barn for my horses I did so with the understanding I had a well to supply my water at little to no cost and there would be plenty for at least my lifetime. Now I don't even know if there will be enough water for the next ten years. Do you have a water study and/or will there be one before any more homes are approved for construction?

2. **Roads and Traffic** – From what I've read we're taking a wait and see, then we'll widen and deal with the traffic. I wonder do you drive our roads currently? Do you wait in line on Meridian road trying to get on the freeway at rush hour or off the freeway at rush hour? Currently the Cloverdale bridge over 84 is being built but not addressing this issue so what you are doing is saying we have no control over that and more importantly we'll keep adding to the problem instead of addressing the issue. It is my understanding that Cloverdale road from Kuna road to the freeway can't be widened to completely to address the current overload of traffic not to mention the huge amount of traffic Falcon Crest will create. While Kuna road appears will be able to be widened but when and it only leads to one road Meridian Road which is already becoming a problem as stated above.
3. **Infrastructure – Police, Fire and schools**. Where on earth will you come up with enough of these NEEDED resources to cover what is coming? We don't have fire hydrants in most of Kuna that's a huge burden on the fire department. We are short on schools and currently there appears to be at least one that has huge problems. Personally I'm sick to death hearing about school issues that everyone swears the next levy will solve only to hear the following year we need another levy. How about we try something new, solve our current issues and prepare for the future BEFORE we build any more homes that surely will require the resources that we don't have enough of already.

I realize Kuna is looking for money when they approve these projects, but the builders need to contribute more to the community then just slapping up homes and leaving the community to clean up the mess. In other states builders are required to solve some of these issues before and during the construction period why don't we adopt that plan? Next you'll be telling me all the property taxes will cover what we need, but if you look at Meridian you'll see property taxes did not cover enough resources like Fire, Police and Schools.

Let's make Kuna the example rather than going with the flow. Let's look out for Kuna and its CURRENT residents and make this an even great community.

Anna Barrington
Cloverdale Estates
(208)608-4534

Late Submission By Email for 1.15.19 CC

Development Agreement as of 12.21.2018 Clean

Recording Requested By and
When Recorded Return to:

City of Kuna
Attn: City Clerk
751 W. 4th Street
Kuna, Idaho 83634

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

City of Kuna / M3 Builders, LLC/ Falcon Crest, LLC

DEVELOPMENT AGREEMENT

[Idaho Code § 67-6511A and Chapter 14 of Title 5 Kuna City Code]

Parties to the Agreement:

City of Kuna	"**City**"	City Hall 751 W. 4th Street Kuna, ID 83634
M3 Builders, LLC	"**Developer**"	Attn: William I. Brownlee M3 Companies 4222 E. Camelback Rd, Ste H 100 Phoenix, AZ 85018
Falcon Crest, LLC	"**Owner**"	2528 N. Cloverdale Road Boise, ID 83713

Development Agreement as of 12.21.2018 Clean

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EXHIBIT A:	ANNEXATION ORDINANCE
EXHIBIT B:	MASTER PLAN
EXHIBIT C:	OFFSITE SEWERAGE
EXHIBIT D:	OFFSITE POTABLE WATER
EXHIBIT E:	PUD MODIFICATIONS
EXHIBIT F:	SUBJECT REAL PROPERTY LEGAL DESCRIPTION
EXHIBIT G:	PUBLIC PARKS & TRAILS PLAN

Development Agreement as of 12.21.2018 Clean

DEVELOPMENT AGREEMENT
City of Kuna/M3 Builders, LLC/Falcon Crest, LLC

THIS DEVELOPMENT AGREEMENT (this "**Agreement**") is entered into by and between the CITY OF KUNA, a municipal corporation organized and existing under the laws of the state of Idaho, by and through its Mayor ("**City**") and Falcon Crest, LLC, an Idaho limited liability company ("**Owner**") and M3 Builders, LLC, an Arizona limited liability company ("**Developer**") and its successors and/or assigns.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, and in consideration of the Recitals and Definitions, and in consideration of the premises and the mutual representations, covenants and agreements hereinafter contained, City, Developer and Owner represent, covenant and agree as follows:

SECTION 1
DEFINITIONS

For all purposes of this Agreement, the following words in **bold** print that appear in this Agreement have the definitions as herein provided in this Section unless the context of the term clearly requires otherwise and is not capitalized:

1.1 **ACHD:** Means and refers to the Ada County Highway District, a countywide highway district organized and existing pursuant to Chapter 14 of Title 40, Idaho Code.

1.2 **Act:** Means and refers to the Local Land Use Planning Act as codified in Chapter 65 of Title 67, Idaho Code**.**

1.3 **Active Adult Community:** Means and refers to a designated area within the Subject Real Property, which may include age ownership requirements that may be modified by Developer in the PUD permitting process.

1.4 **Ada County:** Means and refers to Ada County, Idaho**.**

1.5 **Additional Property:** Means and refers to real property, not within the Subject Real Property on the Effective Date, that lies adjacent to the Subject Real Property.

1.6 **Agreement:** Means and refers to this "***City of Kuna/M3 Builders, LLC/Falcon Crest, LLC Development Agreement***," which may be referred to and cited as the "**Falcon Crest Development Agreement**."

1.7 **Annexation Application:** Means and refers to Developer's application to the City regarding the Subject Real Property requesting its annexation into the City**.**

Development Agreement as of 12.21.2018 Clean

1.8 Annexation Ordinance: Means and refers to the annexation ordinance of the City which annexes the Subject Real Property into the City, a true and correct copy of which is attached marked ***Exhibit A***.

1.9 Applications: Means and refers collectively to all of Developer's applications to the City regarding the Subject Real Property inclusive of: Annexation Application, Zoning Application, Planned Unit Development Application, Subdivision Application, Special Use Permit and Design Review Application**.**

1.10 CC&Rs: Means and refers to the written and recorded covenants, conditions and restrictions that shall encumber portions of the Subject Real Property through one or more Owners' Associations that establish quality control, operation and maintenance both during development and during maturing of the Project**.**

1.11 City: Means and refers to the City of Kuna, an Idaho Municipal Corporation and Party to this Agreement**.**

1.12 City Council: Means and refers to the City Council of the City**.**

1.13 City Fees: Means and refers to the fees for services as established and charged by the City.

1.14 Comprehensive Plan: Means and refers to the City of Kuna Comprehensive Plan, as it exists on the Effective Date**.**

1.15 Design Review Application: Means and refers to any application by the Developer for any development of the Subject Real Property requiring Design Review by the City.

1.16 Design Review Ordinance: Means and refers to the planning, design guidelines and regulations of the Design Review Overlay District of the City as set forth in Chapter 4 of the Zoning Ordinance**.**

1.17 Developed: Means and refers to the completion of development of the Project or phases of the Project by the Developer, including the establishment of the Owners' Association and the CC&Rs associated therewith, and including the acceptance by the City or ACHD of any part of the Project in accordance with the provisions of this Agreement**.**

1.18 Developer: Means and refers to M3 Builders, LLC, an Arizona limited liability company, authorized to do business in the state of Idaho as a foreign limited liability company, which is developing the Project with the permission of the Owner and is a Party to this Agreement**.**

1.19 Developer's Representative: Means and refers to the representative for the Developer, which is originally William I. Brownlee and is inclusive of any designee appointed by Developer as provided herein.

Development Agreement as of 12.21.2018 Clean

1.20 Development Rights: Means and refers to the Subject Real Property land use and development rights in connection with entitlements as provided in this Agreement and as provided in the Permits issued by the City in the process of the Applications.

1.21 Drainage System: Means and refers to a drainage and flood control system and facilities for collection, diversion, detention, retention, dispersal, use and discharge of drain water.

1.22 Effective Date: Means and refers to the date upon which this Agreement takes effect, which is the same date that the City's Annexation Ordinance and Rezone Ordinance take effect.

1.23 Existing Uses: Means and refers to the existing uses of the Subject Real Property on the Effective Date, which is as follows: golf course and ancillary related uses, agriculture and ancillary related use, turf farm, nursery, offices, and equipment storage.

1.24 Falcon Crest: Means and refers to the name of the Project, which is constructed and used pursuant to the Development Rights and which may subsequently include some or all of the Additional Property.

1.25 Fire District: Means and refers to the Kuna Rural Fire District (formerly known as the Kuna Rural Fire Protection District).

1.26 Green Space: Means and refers to real property Developed within the Project that is partly or completely covered with grass, trees, shrubs, or other vegetation and may include buildings, equipment, pathways and trails for recreational use and is only accessible to the residents, guests and property owners within a designated Village within the Project. This term may appear in this Agreement in the singular or the plural.

1.27 Impact Area: Means and refers to the impact area of the City, as of the Effective Date, which lies outside of the City limits and within the unincorporated area of Ada County, as established with Ada County pursuant to the Act.

1.28 Infrastructure Master Plan: Means and refers to any of the Infrastructure Master Plans as provided in Section 5 of this Agreement. This term may appear in this Agreement in the singular or the plural.

1.29 Infrastructure Systems: Means and refers collectively to Public Streets, Travel Appurtenances, Developer Potable Water System Improvements, Pressure Irrigation System, Sewerage System Improvements, Drainage Systems, Green Space, Public Green Space and Public Park as provided for in this Agreement.

1.30 Master Plan: Means and refers to the Master Plan for the Project and the use of the Subject Real Property by the Developer and the Owner in accordance with the Applications attached hereto as ***Exhibit B***.

1.31 Maximum Density: Means and refers to the maximum number of residential units within designated areas of the Subject Real Property as stated in the Master Plan which Maximum Density is approximately 2.25 dwelling units/acre or a total of 2,322 dwelling units (excluding RV units, hotel units, nursing home units, or any other units associated with commercial/mixed use development, if applicable).

1.32 Maximum Village Density: Means and refers to a maximum gross residential density for each Village subject to the limitation on the Maximum Density allowed within each Village as set forth in the Master Plan and subject to reallocation of density as allowed in this Agreement.

1.33 Mortgage: Means and refers to any lien placed upon the Subject Real Property, or any portion thereof, including the lien of any mortgage or deed of trust, as a pledge of real property to a creditor as security for performance of an obligation or repayment of a debt.

1.34 Offsite Sewerage: Means and refers to any sewer improvements, including, without limitation, gravity lines, pressure lines, lift station, borings, manholes, and engineering, to connect the Subject Real Property to the existing terminus of the City's sewer system, the alignment of which is shown on ***Exhibit C***.

1.35 Offsite Potable Water: Means and refers to any potable water supply network, located outside the boundary of the Subject Real Property, to connect the Project Potable Water System to the existing terminus of the City's Potable Water System, the alignment of which is shown on ***Exhibit D***.

1.36 Open Space: Means and refers to any portion of the Subject Real Property that is designated for recreation, agriculture, habitat, scenic or similar uses and inclusive of, without limitation, developed or natural areas; Open Space must be usable space as reasonably determined at the time of preliminary plat by the City planning and zoning director, and may include:

- Green Space, Public Green Space and Public Parks;
- sports fields, and trails;
- golf course(s);
- landscape easements or common areas inside or outside of public rights-of-way;
- floodplains and floodways;
- wetlands, wildlife habitat, stream corridors, and
- conservation easements or permanent open space on private lands or lots. Open Space may be publicly or privately owned and may be accessible or inaccessible to the public and as identified on the final plat.

1.37 Ordinances: Means and refers to an ordinance passed by the City Council in accordance with the provisions of this Agreement. This term may appear in this Agreement in the singular or the plural.

Development Agreement as of 12.21.2018 Clean

1.38 Owner: Means and refers to Falcon Crest, LLC, an Idaho limited liability company who is the owner of the Subject Real Property on the Effective Date and Party to this Agreement, and after the Effective Date of this Agreement shall refer to the owner or owners of the Subject Real Property.

1.39 Owners' Association: Means and refers to any non-profit entity created or to be created by Developer, to be responsible for the perpetual maintenance and operation and management of Private Roads, Green Space, Public Green Space, Pressure Irrigation System, and Common Areas as such are set forth in the CC&Rs.

1.40 Parcel: Means and refers to tract or parcel of distinctly legally described real property located within the Subject Real Property. This term may appear in this Agreement in the singular or the plural.

1.41 Party or Parties: Means and refers to the City and/or the Owner and/or the Developer, as the Parties to this Agreement, depending upon the context of the term as used in this Agreement.

1.42 Planned Unit Development Application: Means and refers to the Developer's application to the City regarding Developed phases of the Project requesting a Planned Unit Development Permit.

1.43 Planning & Zoning Commission: Means and refers to the City's Planning & Zoning Commission.

1.44 Potable Water Provider: Means and refers to the City providing potable water through the Potable Water System.

1.45 Potable Water System: Means and refers to the City's domestic potable water system which includes, without limitation, all wells, storage tanks, distribution mains and pump stations necessary to provide Potable Water to users of the City's Potable Water System.

1.46 Pressure Irrigation System: Means and refers to the pressure irrigation system designed and built by the Developer, and owned and maintained by the Owners' Association as set forth in the CC&Rs.

1.47 Private Road: Means and refers to any road to be Developed as a part of the Project that will remain private and not be dedicated to ACHD and is intended for perpetual maintenance by the Developer or an Owners' Association. This term may appear in this Agreement in the singular or the plural.

1.48 Project: Means and refers to the intended development of the Subject Real Property in accordance with the Master Plan and as governed by this Agreement.

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1.49 Project Potable Water System: Means and refers to the wells, storage tanks and distribution lines, offsite main lines and pumps planned, designed and constructed by the Developer and/or the City to serve the Project with potable water.

1.50 Project Sewerage System: Means and refers to the Sewerage System [not including Offsite Sewerage] designed and constructed by the Developer to serve the Project.

1.51 Public Green Space: Means and refers to Green Space that is accessible to the public. This term may appear in this Agreement in the singular or the plural.

1.52 Public Infrastructure: Means and refers to the infrastructure facilities and services improvements, including, without limitation, underlying lands and improvements that are owned or to be conveyed to and owned by the City or a third-party public service provider.

1.53 Public Park: Means and refers to real property that is partly or completely covered with grass, trees, shrubs, or other vegetation, and may include buildings, equipment pathways and trails used for recreation and accessible to the public and owned and maintained by the City. This term may appear in this Agreement in the singular or the plural.

1.54 Public Street: Means and refers to any street to be developed as a part of the Project that will be dedicated to and intended for acceptance for perpetual maintenance by ACHD. This term may appear in this Agreement in the singular or the plural.

1.55 PUD: Means and refers to a planned unit development as defined and by the PUD Ordinance.

1.56 PUD Modifications: Those portions of the Subdivision Ordinance and Zoning Ordinance that are being modified as allowed pursuant to the City's Subdivision Ordinance and are attached as ***Exhibit E***.

1.57 PUD Ordinance: Means and refers to the planned unit development regulations of the City as a part of the Zoning Ordinance codified in Chapter 7 of Title 5 of Kuna City Code as it exists on the Effective Date.

1.58 PUD Standards: Means and refers to the standards in the PUD Ordinance as amended by the PUD Modifications as of the Effective Date.

1.59 Rezone Ordinance: Means and refers to a zoning ordinance which rezones the Subject Real Property as C-2, R-6 and R-12 City zones (as amended by the PUD) in accordance with the provisions of this Agreement.

1.60 Sewer Provider: Means and refers to City providing sewerage service through the Wastewater System.

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1.61 Sewerage System: Means and refers to any or all or any combination of the following depending upon the context of this term in the Agreement including, without limitation: intercepting sewers, outfall sewers, force mains, collecting sewers, pumping stations, ejector stations, structures, buildings, machinery, equipment connections and all other appurtenances used for the collection, and transportation to the City's Wastewater System treatment facilities for the treatment and disposal of sewage.

1.62 Special Use Permit: Means and refers to a permit granting a special or conditional use by the City pursuant to the Special Uses Ordinance.

1.63 Special Uses Ordinance: Means and refers to Chapter 6 of Title 5 of Kuna City Code, as it exists on the Effective Date, which provides for the processing of application for special or conditional use permits.

1.64 Subdivision Application: Means and refers to the Developer's application to the City regarding the subdivision of the Subject Real Property.

1.65 Subdivision Ordinance: Means and refers to the subdivision regulations of the City codified in Title 6 Kuna City Code, as it exists on the Effective Date.

1.66 Subject Real Property: Means and refers to 1,034 acres more or less located in Ada County, Idaho, legally described and depicted in ***Exhibit F***.

1.67 Term: Means and refers to the duration of this Agreement as set forth herein unless the word 'term" is not capitalized.

1.68 Village: Means and refers to a portion of the Subject Real Property, as so identified and designated on the Master Plan as a "**Village**." This term may appear in this Agreement in the singular or the plural.

1.69 Wastewater System: Means and refers to the City's Sewerage System including, without limitation, all collection lines, lift stations, treatment plants and all appurtenances thereto necessary to provide sewerage service to users of the City's Sewerage System.

1.70 Zoning Administrator: Means and refers to the planning & zoning director of the City.

1.71 Zoning Application: Means and refers to the Developer's application to the City regarding the rezoning of Subject Real Property upon the Subject Real Property's annexation into the City.

1.72 Zoning Ordinance: Means and refers to the zoning regulations of the City codified in Title 5 Kuna City Code, as amended by the PUD Modifications, as it exists on the Effective Date.

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SECTION 2
RECITALS

The Parties recite and declare:

2.1 **Municipal Corporation.** City is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code; and

2.2 **Authority.** City is authorized, under the Act [I.C. § 67-6503], to exercise the powers conferred by the Act; and

2.3 **Comprehensive Plan.** City has the power and duty under the Act [I.C. § 67-6508] to conduct a comprehensive planning process, and to prepare, implement, review and update a comprehensive plan and is exercising its power and duties under the Act and has established a Comprehensive Plan; and

2.4 **Zoning Ordinance.** City has enacted its Zoning Ordinance, pursuant to its power and duty under the Act [I.C. § 67-6511]; and has established within its boundaries one (1) or more zones or zoning districts with established standards of land use regulation in conformance with its Comprehensive Plan; and

2.5 **PUD Ordinance.** City, pursuant to its authority under the Act [I.C. § 67-6515], has enacted as a part of its Zoning Ordinance, the PUD Ordinance, providing for the regulation and processing of applications for planned unit development permits for an area of land under a single ownership or control, which a variety of residential, commercial, industrial, and other land uses may be provided with requirements for minimum area, permitted uses, ownership, common open space, utilities, density, arrangements of land uses on a site; and

2.6 **Development Agreement.** City has the power under the Act [I.C. § 67-6511A], by ordinance, to require or permit as a condition of rezoning of real property that Owner or Developer make written commitment concerning the use or development of the Subject Real Property; and

2.7 **Subdivision.** City has power and duty under the Act [I.C. § 67-6513] and has enacted the Subdivision Ordinance, which provides for standards and processing of the subdivision of real property under Idaho Code Sections 50-1301 - 50-1329; and

2.8 **Water and Sewer.** City, has and is exercising its power to construct reconstruct, improve, better and extend within and partially outside of the City and operate pursuant to Idaho Code Sections 50-1028 - 50-1040 a domestic water system and sewerage system; and

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2.9 **Ownership.** Owner owns the Subject Real Property to which the Developer has an option to purchase and which the Developer seeks to develop in accordance with the Master Plan; and

2.10 **Impact Area.** The Subject Real Property is within the Impact Area; and

2.11 **Development.** Developer seeks to develop and annex the Subject Real Property into the City in accordance with the Master Plan; and

2.12 **Planning Benefits.** The development of the Subject Real Property pursuant to this Agreement shall result in significant planning and economic benefits to the City and the Developer by, without limitation:

- encouraging investment in and commitment to comprehensive planning for efficient utilization of the City and other public resources to secure quality planning, growth and protection of the environment;
- requiring development of the Subject Real Property consistent with the Comprehensive Plan, the Master Plan, the Kuna City Code, and this Agreement;
- providing for the planning, design, engineering, construction, acquisition, and/or installation of Public Infrastructure in order to support anticipated development of the Subject Real Property and Additional Property;
- increasing tax and other revenues to the City based on a strengthened tax base of improvements to be constructed on and in reasonable proximity to the Subject Real Property;
- creating employment through development of the Subject Real Property consistent with this Agreement; and
- creating quality housing, employment, recreation and other land uses on the Subject Real Property for the residents of the City.

2.13 **Assurances.** This Agreement promotes and encourages the development of the Subject Real Property by providing Developer and Developer's creditors with general permitting assurances of Developer's intentions to develop the Subject Real Property in accordance with the Master Plan; and

2.14 **Exisiting Uses.** Substantial improvements have been made to the Subject Real Property as of the Effective Date which include without limitation, landscape, Private Roads, Public Streets, underground utilities, drainage, golf courses, golf club facilities, restaurant, cocktail lounge, cart barn, farming, nursery, offices and ancillary uses, which provide regional as well as local benefits and it is the mutual intention of the Parties that the Existing Uses and improvements as of the Effective Date are allowed to continue their use subject to conformance with the Master Plan.

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2.15 **Master Plan.** It is the intention of the Parties that the Developer develop the Subject Real Property in accordance with the Master Plan and the Infrastructure Master Plans; and

2.16 **Annexation.** In order for the Developer to develop the Subject Real Property in accordance with the Master Plan, the Subject Real Property must be annexed into the corporate limits of the City; and

2.17 **Applications.** Developer with the Owner's consent has filed the Annexation Application and the Applications for approval of its development and use of the Subject Real Property in accordance with the Master Plan; and

2.18 **City Process.** City will process all of the Applications in accordance with its Zoning Ordinance, Subdivision Ordinance, PUD Ordinance, Special Uses Ordinance and the Act; and

2.19 **Zoning Designations.** The zoning designations contained in the Master Plan are the appropriate City zoning designations for the Subject Real Property and are consistent with the Comprehensive Plan; and

2.20 **Written Commitment.** It is the intention and purpose of the Parties by entering into this Agreement to establish the requirements and conditions as a condition of rezoning the Subject Real Property that the Developer and the Owner are making a written commitment to improve, develop and use the Subject Real Property in accordance with zoning designations of the Rezone Ordinance, the PUD permit, Special Use Permit and Final Plat Approvals by the City in accordance with the Master Plan all of which are intended to establish proper and beneficial land use designations and regulations, densities, provisions for Public Infrastructure, design regulations, procedures for administration and implementation and other matters related to the development of the Subject Real Property in accordance with the Master Plan; and

2.21 **Mutual Benefits.** The Parties agree that the mutual benefits received pursuant to the terms of this Agreement and the rights granted by the City and secured to and required of the Developer and the Owner hereunder constitute sufficient consideration to support the covenants and agreements of the City, the Developer, and the Owner.

SECTION 3
ANNEXATION

3.1 **Annexation Application.** Developer, with the Owner's consent, has filed an Annexation Application, which the City has processed.

3.2 **Annexation Approval.** City Council, together with approving this Agreement, has approved the Annexation Ordinance of the Subject Real Property.

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3.3 **Annexation Ordinance.** The Annexation Ordinance, approved by the City Council, takes effect on the Effective Date.

SECTION 4
PROJECT ZONING AND LAND USE APPROVALS

4.1 **Zoning Application.** Developer, with the Owner's consent, has filed Applications for R-6, R-12, and C-2 zoning of the Subject Real Property, in accordance with the Zoning Application, which the City has processed together with the Annexation Ordinance.

4.2 **Rezone Approval.** City Council approved Rezone Ordinance.

4.3 **Rezone Ordinance.** The Rezone Ordinance, approved by the City Council, will take effect on the Effective Date.

4.4 **General Terms.** The following terms and conditions apply to the use and development of the Subject Real Property in accordance with the designations on the Master Plan:

4.4.1 **Existing Uses.** The Existing Uses are allowed and may continue unless there is a change in use by the Developer in accordance with this Agreement.

4.4.2 **No Change to Existing Uses.** Developer/Owner shall not change any Existing Uses unless the Developer/Owner files the appropriate Applications with the City in accordance with the Developer/Owner's ability to proceed with its phases of development of the Property in accordance with the Master Plan and in that regard:

4.4.2.1 File a Planned Unit Development Application for those areas within the Subject Real Property which are identified on the Master Plan with the word "**Village**" which the City shall process in accordance with and under the provisions of the PUD Ordinance; and

4.4.2.2 File a Subdivision Application for plats which the City shall process in accordance with and under the provisions of the Subdivision Ordinance; and

4.4.2.3 File Applications for any needed Special Use Permits which the City shall process in accordance with and under the provisions of the Special Uses Ordinance; and

4.4.2.4 File a Design Review Application which the City shall process in accordance with and under the provisions of the Design Review Ordinance.

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4.5 Development Densities. Subject only to the Maximum Density, the following applies to the terms and conditions of any permitting to be issued by the City as those permits are required by Section 4.4.2 of this Agreement:

4.5.1 Allocation of Density. Developer shall have the right to allocate residential density, and the Development Rights associated with such residential density, from Parcels or Villages as shown on the Master Plan to other Villages as shown on the Master Plan at any time, and Developer may reallocate any unused residential density originally allocated to a Village in the event that the preliminary or final platting of a Village results in unused residential density, provided such allocation:

4.5.1.1 does not exceed the Maximum Density for the entire Subject Real Property; and

4.5.1.2 does not allow a use otherwise prohibited; or

4.5.1.3 does not cause a material change to this Agreement without prior amendment to this Agreement as required by City Code and compliance with the notice and hearing requirements thereof.

4.5.2 Allocation Between Villages. Any allocation of residential density between Villages must be consistent with the planning efforts to encourage planning flexibility based on physical and market conditions while protecting private property rights and changing market conditions in accordance with the Master Plan.

4.5.3 No Formal Amendment. Developer shall deliver notice to the City that an allocation of residential density shall be made from one Village to another Village and shall provide the City with a statement of the number of residential units per gross acre being allocated and to which Village. Any allocation in compliance with this Section does not necessitate a formal amendment to this Agreement and shall be retained in the City's official file for the Project.

4.5.4 No Reduction of Maximum Density. The approval of any Village that contains less density than is allocated to that area on the Master Plan shall not have the effect of reducing the Project's overall Maximum Density.

4.6 PUD Modifications. Modifications of the requirements of the City's development density, lot size and setback standards, as set forth in the Zoning Ordinance and/or the Subdivision Ordinance, as PUD Modifications, are attached as ***Exhibit E***.

4.7 Conveyance Subject to this Agreement. Conveyances from the Developer/Owner of any real property and/or easement together with any improvements thereon shall be subject to the development of the same in accordance with this Agreement.

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4.8 City Cooperation. City shall cooperate with the Developer, as is reasonably necessary for the Developer to construct any improvements upon the Subject Real Property as permitted by the City, to provide temporary encroachment permits and or temporary construction easements for the City real property or right-of-way so long as the same is not an unreasonable interference with the City's use thereof and only to the extent reasonably necessary.

4.8.1 Temporary Permits. Temporary encroachment permits and temporary construction easements shall identify the term, describe the use and provide that the Developer shall substantially restore such easements and rights-of-way to their condition prior to the Developer's entry upon and completion of such construction, repair or maintenance.

4.9 Prior Easement Dedication. To the extent permitted by law and subject to obtaining an encroachment permit from the City (or other applicable governmental jurisdiction), the prior dedication of any easements or rights-of-way shall not affect or limit the Developer's right to construct, install, and/or provide Public Infrastructure thereon or there over.

4.10 Land Uses. The uses of the Subject Real Property shall be in accordance with the Existing Uses and/or uses permitted by the City pursuant to this Agreement and the following uses will be allowed as conditions of the City permitting as is applicable to the Project to be governed by the permit:

4.10.1 Sales Offices. Sales offices, including marketing trailers, model home complexes and construction trailers shall be allowed during the marketing phase of the Project Development.

4.10.2 Model Homes. Upon Developer's notice of approval from the Fire District, City Public Works and ACHD of the all-weather access and fire protection, the City will issue building permits for the construction of model homes and community facilities in compliance with Kuna City Code. Developer shall be allowed up to ten (10) building permits for model homes prior to the recordation of the Final Plat of a subdivision within the Project. Developer and the City agree that the model homes and community facilities cannot be operated as model homes and/or community facilities until Developer completes the Public Infrastructure and the City issues a certificate of occupancy for the model homes and/or community facilities. During the construction of the model homes and/or community facilities, Developer shall provide to the Fire District, the City, and ACHD access in accordance with their standards.

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SECTION 5
PROJECT INFRASTRUCTURE SYSTEMS AND SERVICES

5.1 Private Roads and Public Streets.

5.1.1 Developer Responsibility. Developer shall:

5.1.1.1 Include in the Master Plan for approval, a Developer Private Roads and Public Streets System Infrastructure Master Plan, defined below, designating the location of the Private Roads (in the Active Adult area) and Public Streets that will serve the Project, as it is fully Developed including considerations that Additional Property may, in the future, be added to the Project (the "**Developer Private Roads and Public Streets System Infrastructure Master Plan**"). Developer Private Roads and Public Streets System Infrastructure Master Plan is satisfied by the inclusion of the attached ***Exhibit F***.

5.1.1.2 The location of Private Roads and Public Streets depicted on the Master Plan is conceptual and may be subject to change during the subdivision approval process by the City and ACHD, as the Project is developed. The Project will include two Public Streets serving as residential collectors, the first will run east and west through the Subject Real Property and the second will be an extension of Five Mile Road in the approximate locations shown on the Master Plan.

5.1.1.3 The final designation of the Project's Public Streets and Private Roads will be determined in the Subdivision permitting process by the City and ACHD, as the Project is developed.

5.1.1.4 Public Streets shall be designed and constructed to meet ACHD standards for acceptance and in accordance with the approved Developer Private Roads and Public Streets Infrastructure Master Plan and as approved in the subdivision approval process.

5.1.1.5 Private Roads shall be designed and constructed as approved in the subdivision approval process subject to the following:

5.1.1.5.1 Constructed by the Developer to the City and ACHD applicable engineering standards. Private Roads may modify curb, drainage, widths, parking and other standards in accordance with the PUD Modifications and the City's Subdivision Ordinance.

5.1.1.5.2 Maintained by Developer and/or an Owners' Association; and

5.1.1.5.3 Constructed with limited access, through access control structures, to the Active Adult Community portion of the Master Plan, and any expansions of the Active Adult Community, and with gated accesses at Cloverdale Road, Kuna Road, and on the north and east side of the Active Adult Community portion of the Master Plan subject to review and approval of the City, ACHD, Fire District and Ada County Ambulance District; and

5.1.1.5.4 Owned by the Developer until Developed and may subsequently be conveyed to one or more Owners' Associations as designated in each Developed phase of the Project; and

5.1.1.5.5 Identified on the preliminary and final plats of the Subject Real Property; and

5.1.1.5.6 Accessible to public service agency providers including, without limitation, police, fire, ambulance, garbage collection, electrical, cable and telephone line installation and repair, domestic and irrigation water or sewer line installation and repair, and other similar public purposes.

5.1.1.6 Parking, pedestrian, bicycle, sidewalks and/or other facilities intended to be used for non-motorized vehicular traffic and/or for e-bicycles and scooters used for ingress and egress to and from or within the Project ("**Travel Appurtenances**"), not included in Private Roads or Public Streets, and Developed within a phase of the Project, shall include, as is relevant and as required by the City, the following:

5.1.1.6.1 Public Street and Private Road lighting shall be served with underground electric service distribution; all Private Roads and Street striping, traffic signals, sign posts, name signs, stop signs, speed limit signs, and all other directional/warning/advisory traffic signage in accordance with the Manual on Uniform Traffic Control Devices.

5.2 Potable Water. In the permitting process of the development of the Project, it is intended that the Project, as permitted and developed, will be served by the City's Potable Water System by the Potable Water Provider in accordance with the provisions of this Section via an Offsite Potable Water Line or the Project will be served by wells with a Project Potable Water System. In the event the City is unable to provide Potable Water to all or a portion of the Property, Developer may seek alternative potable water service.

5.2.1 Developer Responsibility. Developer shall:

5.2.1.1 prepare and submit to the City, for its approval, a Project Potable Water System Infrastructure Master Plan, defined below, designating the location of wells, the number of wells, water storage tanks (if necessary as required by the City in its discretion), and the general location of the water transmission and distribution system, including any that are offsite that will serve the Project as the Project is fully Developed including considerations that Additional Property may, in the future, be added to the Project as required by the City in order for potable water to be provided by the Potable Water Provider to the Project (which may be constructed on the same site) and meet redundancy requirements and provide for its interconnectivity to the Potable Water System (the "**Project Potable Water System Infrastructure Master Plan**"). It is anticipated that the Project Potable Water System Infrastructure Master Plan will include two (2) municipal wells to serve the Project and will identify the phases of Project development which will provide that necessary well or wells and/or the construction of an offsite line as part of the Project Potable Water System.

5.2.1.2 In the event the City does not secure the necessary water rights and well permits to serve the Project via new wells, prepare and submit to the City an offsite potable water plan that would connect the Subject Real Property to the City's Potable Water System via the Offsite Potable Water Line (the "**Offsite Water Plan**").

5.2.1.3 shall convey, at no cost to the City, all potable well sites as identified in the Project Potable Water System Infrastructure Master Plan and grant access easements to such sites prior to the City commencing construction of the Phase One Wells (the "**Well Sites**").

5.2.1.4 shall be responsible to install all distribution lines, pressure reducing valves and booster stations and other aspects of the Project Potable Water System Infrastructure Master Plan to serve the residential and commercial uses within the Project, excluding the costs for any wells, storage tanks or Offsite Potable Water system to supply potable water to the Project that may be the responsibility of the City, at the Developer's sole cost and expense (the "**Developer Potable Water System Improvements**").

5.2.2 City Responsibility. City shall:

5.2.2.1 Provide all Potable Water Rights to serve the Project and reserve those rights to the extent allowable by law, in the event water is limited.

5.2.2.2 Upon the Developer's conveyance of the Well Sites, construct potable water wells necessary to serve the development of the Project as shown in ***Exhibit B***.

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5.2.2.3 It is anticipated that two (2) municipal wells will be needed to serve the Project. One or two well(s) will be constructed with the first phase of development ("**Phase One Wells**") or the construction of an offsite water main, depending upon the City's ability to obtain the necessary permits from IDWR to construct the wells in a timely manner. After the Effective Date, the City shall either (i) obtain the approvals from IDWR for the construction of the Phase One Wells and/or (ii) design and construct the offsite water main so as to provide potable water to the Project, by using all reasonable efforts to complete the same within a twelve (12) month period following the Effective Date.

5.2.2.4 If the City determines it needs a storage tank to meet either fire flow or storage requirements, the City will be responsible for the construction of any storage and the Owner shall provide a site suitable for the construction of the storage tank not to exceed twenty thousand (20,000) square feet.

5.2.2.5 Upon conveyance of Developer's Potable Water System Improvements to the City, the City shall be the Potable Water Provider to the Developed Project and shall continue to own and maintain the Water System Improvements, and Wells as a part of the Potable Water System.

5.2.2.6 Upon completion by the Developer of each Developed phase within the Project, the City shall then be the Potable Water Provider to that Developed phase of the Project.

5.2.2.7 City will provide a "**Will-Serve**" letter for each phase of the Project as it is Developed.

5.2.2.8 Developer shall be eligible for reimbursement of any portion of the cost of the Project Potable Water System Improvements and Offsite Potable Water System constructed by the Developer that are over-sized to provide potable water service to property outside of the Subject Real Property in accordance with the reimbursement policy of the City in effect when Developer Potable Water System Improvements are connected to the Potable Water System.

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5.2.2.8.1 In the event that the Developer constructs any portion of the Project Potable Water System or Offsite Potable Water System that are eligible for reimbursement, prior to construction of the Project Water System Improvements and Offsite Potable Water System and after the Developer has received bids to construct, the City and the Developer shall document the final amount to be reimbursed in accordance with the City's reimbursement policy then in effect and the City shall approve the amount with the requirement to provide actual costs after completion. A late-comer agreement will be a stand-alone document and/or agreement.

5.3 Irrigation. In the permitting process of the development of the Project, it is intended that each phase of the Project, as permitted and developed, will be served by a Developer Pressure Irrigation System in accordance with the provisions of this Section.

5.3.1 Developer Responsibility. Developer shall:

5.3.1.1 Prepare and submit to the City, for its approval, a Developer Pressure Irrigation System Infrastructure Master Plan, defined below, designating the location of Developer Pressure Irrigation System Improvements that will service the Project, as it is fully developed including considerations that Additional Property may, in the future, be added to the Project (the "**Developer Pressure Irrigation System Infrastructure Master Plan**").

5.3.1.2 The Developer/Owner shall retain all irrigation water rights related to irrigation of the Subject Real Property and those water rights shall continue to be utilized for irrigation of Existing Uses and Green Spaces and Public Green Spaces and Public Parks and shall not be used to serve any other properties not within the Subject Real Property or Additional Property, without demonstrating that there are adequate irrigation rights to serve the Subject Real Property.

5.3.1.3 The City shall pay the reasonable assessment rates, as set by Developer or Owners' Association, for irrigation water provided to any Public Park conveyed to and accepted by the City pursuant to this Agreement.

5.4 Wastewater Treatment. In the permitting process of the development of the Project, it is intended that the Project as permitted and developed will be served by the Wastewater System in accordance with the provisions of this Section.

5.4.1 Developer Responsibility. Developer shall:

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5.4.1.1 Prepare and submit to the City, for its approval, a Wastewater System Infrastructure Master Plan designating the approximate location of the Sewerage System main lines, including Offsite sewer lines and lift stations, that will service the Project, as required by the City in order for the City to be the Sewer Provider to the Project as it is fully Developed including considerations that Additional Property may, in the future, be added to the Project (the "**Sewer Master Plan**").

5.4.1.2 Developer, at Developer's expense, shall construct the City-approved ("**Project Sewerage System**") within the Project and shall construct Offsite Sewerage depicted on ***Exhibit D*** from the City-constructed Orchard Lift Station to the Subject Real Property to serve the Project.

5.4.1.2.1 The Offsite Sewerage, provided by Developer, may follow the Kuna Road alignment or traverse private property, provided that easements, in a form satisfactory to the City, are provided by the owners of any such private properties.

5.4.1.3 The design of Developer-constructed Offsite Sewerage must ensure that, upon completion of the Offsite Sewerage, the Subject Real Property will be served by the Sewer Provider with a capacity to serve the Maximum Density of the approved Project.

5.4.2 City Responsibility. City shall:

5.4.2.1 Following the Developer's construction and installation of the Developer Sewerage System Improvements in accordance with the Sewer Master Plan including easements and acceptance by the City, the City will become the Sewer Provider for the Project as it is developed.

5.4.2.2 City shall be the Sewer Provider as the Project is developed in accordance with the following:

5.4.2.2.1 City will provide a "**Will-Serve**" letter for each phase of the Project as it is developed.

5.4.2.2.2 City has recorded easements for the portion of Offsite Sewerage between the Orchard Lift Station and Stroebel Road.

5.4.2.2.3 For the portion of the Offsite Sewerage on Kuna Road from Locust Grove to the Property, Developer shall be eligible for reimbursement of the portion of the cost of the Offsite Sewerage in excess of the capacity needed to serve the Developed Project. Reimbursement amounts shall be

calculated and paid in accordance with the applicable City reimbursement policy in effect when construction commences. A late-comer agreement will be a stand-alone document and/or agreement.

5.4.2.2.4 For a portion of the Offsite Sewerage from the Orchard Lift Station to the intersection of Kuna Road and Locust Grove Roads, Developer shall be eligible for the reimbursement of 100% of the cost(s) including engineering and a management fee of 5% of the cost(s). The reimbursement shall come from Capital Improvement Plan Funds and be paid back to the Developer within five (5) years of completion of such portion of Offsite Sewerage. City will also adopt a latecomer provision that will be adapted as a separate document and/or agreement.

5.5 Drainage System. Developer shall:

5.5.1 Drainage Master Plan. Prepare and submit to the City, for its approval, a Drainage System Infrastructure Master Plan designating the location of the "**Developer Drainage System Improvements**" that will service the Project, as it is fully developed including considerations that Additional Property may, in the future, be added to the Project (the "**Drainage Master Plan**").

5.5.2 Private Drainage. The Drainage Master Plan shall designate areas with private Drainage Systems to be conveyed to and accepted by and maintained by Developer or a designated Owners' Association.

5.5.3 ACHD Standards. Developer Drainage System Improvements shall be designed and constructed, as the Project phases are developed, to meet ACHD standards on Public Streets, City and any applicable State standards as is relevant to the intended ownership and maintenance of the constructed Developer Drainage System Improvements.

5.6 Project Public Park(s), Green Space and Public Green Space Infrastructure Master Plan. The Project shall contain Green Space, Public Green Space, and Public Park areas totaling a minimum of 10% of the gross Project acreage in accordance with the following:

5.6.1 Platting. Each plat within the Project shall contain a minimum of 5% of its total gross acres as Green Space, Public Green Space and/or Public Park(s).

5.6.2 Master Plan. The Project Public Park(s), Green Space and Public Green Space Infrastructure Master Plan for the Project, attached as ***Exhibit G***, depicts the intent of Project development to link Villages to various common areas and recreational uses.

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5.6.3 Pathways. The pathways and trails shall be located along the Public Park(s), Green Space and/or Public Green Space corridors.

5.6.4 Developer to Designate. Developer shall specifically designate Public Parks, Green Spaces and Public Green Spaces upon submission of each preliminary and final plat in accordance with the Project Public Park(s), Green Space and Public Green Space Infrastructure Master Plan.

5.6.5 Ownership. The ownership of the Public Parks, Green Spaces, and Public Green Spaces shall be owned and maintained as follows:

5.6.5.1 Public Parks by the City;

5.6.5.2 Green Spaces and Public Green Spaces by Developer/Owners' Association.

5.6.6 Pathways. Project Public Park(s), Green Space and Public Green Space Infrastructure Master Plan (***Exhibit G***) shows a pathway network to be constructed with the Project. The pathways and trails on ***Exhibit G*** are all depicted within Green Space and/or Public Green Space and shall be constructed in phases.

5.6.7 Isolated Trails. In locations where pathways and trails are isolated and not connected to any other development trail or pathway or detached from development areas ("**Isolated Trails**"), such Isolated Trails shall be constructed by Developer and approved by the City as each Project phase is permitted and completed.

5.6.7.1 Isolated Trails shall be a minimum of 500 feet per each approved phase. In any circumstance where a pathway or trail is unable to be constructed due to safety, topography, or easement/ownership conflicts, then the Developer shall either re-route such pathways or trails or replace them with additional pathways or trails elsewhere or reach a written agreement with the City to construct those pathways or trails in the reasonable foreseeable future when the circumstances are expected to be resolved.

5.6.7.2 Developer may construct larger portions of the Isolated Trails at a rate faster than 500 feet per Phase, in which case the cumulative total of the Isolated Trails would count toward the 500 foot minimum requirement.

5.6.8 Project Public Parks. The Master Plan calls for a minimum of one Public Park to be a minimum of ten [10] acres in size and dedicated to the City.

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5.6.8.1 The location of the Public Park(s) may be modified from the location shown on the Master Plan, but shall be located adjacent to a main Public Road in a central location to maximize public access and be compatible with the intent of the Project Public Park(s), Green Space and Public Green Space Infrastructure Master Plan.

5.6.8.2 The Public Park shall include at least three (3) active amenities such as by way of example:

- Playing fields, playground, basketball court, volleyball court, tennis court, pickle ball courts, a picnic shelter, etc.

5.6.8.3 Developer and the City will work together on the final design of any Public Park(s).

5.6.9 Public Park Impact Fee Credits and Reimbursement. If Developer, at no cost or expense to the City, develops and conveys to the City any Public Park within the Subject Real Property, upon approval from City Administrator of the Public Park improvement costs, including the current fair market value of the land ("**Approved Public Park Costs**"), the Developer or the owner of any real property within the Subject Real Property shall be entitled to the issuance of a credit against the City's Public Park impact fee or reimbursement from Project impact fees or a combination thereof, as will be negotiated with the City Administrator in accordance with the provisions of Kuna City Code Section 12-1-6 including any other applicable provisions of Chapter 1 of Title 12 Kuna City Code.

5.6.10 Green Space and Public Green Space Ownership. Developer shall identify, as phases of the Project are Developed, an Owners' Association or other entity that will own and maintain each Green Space and each Public Green Space and all improvements within the phase of the Project then being Developed.

SECTION 6
INFRASTRUCTURE SYSTEMS DEVELOPMENT CONSTRUCTION STANDARDS

6.1 Infrastructure Systems Development Standards. Developer/Owner will, in the course of development of each phase of the Project, construct and install all Infrastructure Systems, including any portion thereof that is Offsite, in accordance with the then current relevant engineering and City, ACHD, Ada County, state of Idaho and Federal agency standards.

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SECTION 7
INFRASTRUCTURE SYSTEMS CONSTRUCTION ACCESS AND OPERATIONS

7.1 **City Easements.** Developer shall have the right, upon application and issuance of a license or permit from the City (or other applicable governmental jurisdiction, subject to their approval), to enter and remain upon and cross over any City-held (or other applicable governmental jurisdiction, if they approve) easements or rights-of-way, to the extent reasonably necessary to facilitate Infrastructure Systems construction, or to perform necessary maintenance or repairs of such Infrastructure Systems subject to:

7.1.1 **No Adverse Effect.** Developer's use of such license or permit in a manner that will not impede or adversely affect the City's (or other applicable governmental jurisdiction's) use and enjoyment thereof, and

7.1.2 **Restoration.** Developer shall substantially restore such easements and rights-of-way to their condition prior to the Developer's entry upon and completion of such Infrastructure Systems construction, repair or maintenance.

7.2 **City Cooperation.** City, as is necessary for the Developer to construct and install Infrastructure Systems, shall cooperate as is reasonably necessary and as the City is legally able, in compliance with City's approval of the applicable Infrastructure Systems plan, as follows:

7.2.1 **Unnecessary Easements.** Abandon any unnecessary City public rights-of-way or easements currently located on the Subject Real Property and not otherwise used or required by the City.

7.3 **Operations During Construction.** Owner's and Developer's mineral and/or royalty rights on minerals located on or under the Subject Real Property are reserved and the Developer, may as reasonably needed, conduct mining (for purposes of on-site material usage), blasting and batch plant operations on site during each developing phase of the Project in accordance with the procedures of Kuna City Code and this Agreement.

7.3.1 **Review of Construction Operations.** The location of construction operations shall be subject to reasonable review and approval by the appropriate governmental agencies that have jurisdiction over such operations.

SECTION 8
ADDITIONAL PROPERTY

8.1 **Additional Property.** In the event the Developer acquires any real property within the Additional Property (the "**Acquired Additional Property**") and desires to subject such Acquired Additional Property to the benefits and obligations of this Agreement,

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Developer may request that the City annex the Acquired Additional Property into the corporate boundaries of the City (if such Acquired Additional Property is not already within City limits) and may seek amendment of this Agreement to include such Acquired Additional Property.

8.2 **Revised Master Plan.** Upon such request, the City shall process the annexation of the Acquired Additional Property, after payment of the City Fees for annexation, zoning, PUD and any other relevant fees, in accordance with the requirements of the City and the state of Idaho. Any such request by the Developer must include a revision of the Master Plan and Infrastructure Master Plans which are consistent with and a continuation of the Master Plan and the City approved Infrastructure Master Plans for the Subject Real Property.

8.3 **Amendment to Agreement.** In connection with annexation of any such Acquired Additional Property, the amendment to this Agreement shall reflect either the then-existing residential density and/or commercial uses and intensities of such Acquired Additional Property, or, if requested by the Developer, additional residential density and/or commercial uses and intensities consistent with any zoning or plan approvals for the Acquired Additional Property.

8.4 **Increased Density.** The annexation of the Acquired Additional Property may increase the Maximum Density (including that of the Acquired Additional Property) and alter other development parameters in connection with the Subject Real Property by the number of dwelling units and commercial acreage allowed in connection with the Acquired Additional Property.

8.5 **Alternative Plans.** An amendment to this Agreement in connection with the annexation of Acquired Additional Property may include alternative plans and land use designations or other planning or entitlement documents. Developer shall have the right to allocate residential density and/or commercial acreage, and the Development Rights associated with such residential density and/or commercial acreage, from existing Parcels or Villages to the Acquired Additional Property in accordance with the revised proposed Master Plan.

SECTION 9
TERM

9.1 **Term.** The Term of this Agreement shall commence on the Effective Date and shall automatically terminate on the 30th anniversary of the Effective Date.

9.1.1 **Additional Property.** The annexation of any Additional Property shall not extend the Term of this Agreement unless the Agreement is amended to extend the Term.

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9.1.2 Automatic Extension. If more than 75% of the residential units or acres within the Master Plan have been built by the 30th Anniversary of the Effective Date, this Agreement shall automatically extend, without necessary notice, agreement, or recording by or between the Parties, by an additional ten (10) years, for a total of forty (40) years, at which time this Agreement shall automatically terminate as to the Project.

9.1.3 Partial Termination upon Dedication and Acceptance by Public Agency. Upon completion of Developed Phases of the Project, which include dedications and or conveyance to and acceptance by the City, ACHD or any other public agency, the Developer may then submit to the City an Application for Partial Termination of provisions of this Agreement ("**Application for Partial Termination**") as they apply to certain legally described real property within a Developed phases of the Project dedicated, conveyed and accepted by the City, ACHD or by any other public agency.

9.1.3.1 City Council shall grant an Application for Partial Termination of some of the relevant provisions of this Agreement, only when a phase of the Project has been completely developed and the Developer shall specifically identify the provisions of the Agreement to be terminated in this regard and the real property to which it applies. Notwithstanding the foregoing, any such Partial Termination shall not have any effect on the obligations of the City or the Developer with respect to the any Reimbursement Agreements or obligations of the City to reimburse any fee or costs to the Developer in accordance with this Agreement.

9.1.3.2 A completed Developer Application for Partial Termination shall be reviewed by the Planning and Zoning Director, Public Works Director and the Parks and Recreation Director for approval by the City Council.

9.1.3.3 A City Council approved Developer Application for Partial Termination shall be by an order which shall specify:

- The legal description of the portion of the Subject Real Property to which it applies; and
- The provisions of the Agreement which are terminated.

9.1.3.4 City Clerk shall certify and acknowledge a copy of the order and provide the same to the Developer for purposes of recording the same with the Ada County Recorder's Office.

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SECTION 10
AGREEMENT MODIFICATIONS

10.1 Effect of New Laws. In the event State or federal laws or regulations are enacted and/or there is a decision issued by a court of competent jurisdiction which prevents or precludes a Party's compliance with one or more provisions of this Agreement (individually or collectively, "**New Law**"), the provisions, in whole or in part, as applicable, of this Agreement shall be modified or suspended as may be necessary to comply with such New Law.

10.1.1 Reasonable Action. During the time that the Parties are conferring on such modification or suspension of this Agreement or challenge to the New Law, the Parties may take reasonable action to comply with such New Law.

10.1.2 Declaration. Should the Parties be unable to agree to a modification or suspension of this Agreement, either may petition a court of competent jurisdiction for an appropriate declaratory judgment for modification or suspension of this Agreement.

10.1.3 Ability to Challenge. Developer and the City each or together shall have the right to challenge the New Law which prevents their compliance with the terms of this Agreement. In the event that such challenge is successful, this Agreement shall remain unmodified and in full force and effect.

10.2 Technical Amendments. Technical amendments of this Agreement may be necessary or appropriate from time to time limited to and in accordance with the following:

10.2.1 Minor Alteration. Technical amendments are those which only involve minor alteration to the Master Plan such as circulation, Parcel or Village area boundaries, Green Space and Public Green Space boundaries, pathway or trail alignments, etc.; and/or reallocation of residential density between Parcels or Villages so long as the Maximum Density allowed per this Agreement is not exceeded.

10.2.2 In Writing. Technical amendments must be in writing and may be approved by the City Council upon recommendation of the Zoning Administrator, Public Works Director and the Parks and Recreation Director without prior or further review by the Planning & Zoning Commission or other public hearings unless such review and public hearings are required by law or by the provisions of any permit issued for the development of any phase of the Project.

10.2.3 May Be Recorded. At the election of Developer, such technical amendments may be recorded through a memorandum so as to show of record on the Subject Real Property.

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10.2.4 Diligence. The Parties will diligently pursue efforts to process any proposed technical amendments to this Agreement.

10.3 Limited Termination Amendments. Any amendment to this Agreement involving a limited termination of the Agreement is governed under Section 9.1.2.

SECTION 11
ZONING AND PUD STANDARDS

11.1 Applicable to Subject Real Property. Zoning Ordinance, which includes PUD Standards, as they exist on the Effective Date, shall apply to the Subject Real Property for the Term of this Agreement except as modified by those PUD Modifications shown on ***Exhibit E***.

11.2 Not Applicable to Additional Property. This Section does not apply to the Additional Property.

SECTION 12
VESTED RIGHTS

12.1 Vested Rights. Upon the Effective Date, the Developer/Owner shall have vested rights to develop and use the Subject Real Property consistent with this Agreement.

12.2 Consideration. The determinations of the City memorialized in this Agreement, together with the assurances provided to the Developer in this Agreement, including this Section, are bargained for and is a consideration for the undertakings of the Developer as set forth herein and contemplated by this Agreement, and are intended to be and have been relied upon by the Developer.

SECTION 13
INFRASTRUCTURE SYSTEMS OWNERSHIP AND MAINTENANCE

13.1 Ownership. The Infrastructure Systems, provided for in this Agreement, upon their construction, installation, approval and acceptance shall be owned and maintained as follows:

13.1.1 ***By ACHD:***

- Public Streets; and
- Drainage associated with Public Streets.

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13.1.2 ***By City:***

- Wells and Offsite Water Lines, and
- Developer Water System Improvements; and
- Developer Sewerage System Improvements; and
- As designated in the Drainage Infrastructure Master Plan, Developer Drainage System Improvements accepted and approved by the City; and
- Public Parks.

13.1.3 ***By Developer and/or Owners' Association:***

- Private Roads; and
- Drainage associated with Private Roads; and
- Developer Pressure Irrigation System Improvements; and
- Green Spaces; and
- Public Green Spaces.

13.2 **Owners Associations.** Developer, in the process of each Developed phase of the Project, shall create, establish, staff and register with the Secretary of State of the state of Idaho a legal entity under Idaho Law ("**Owners' Association**") and prepare and record with the Ada County Recorder's office appropriate CC&Rs which are consistent with the approved Master Plans.

13.2.1 **Binding on Owners.** The CC&Rs, for each Developed phase of the Project, shall bind all present and future owners of real property within each Developed phase of the Project in order to provide for the perpetual support and maintenance of each of the common improvements within the Developed phase as provided in this Agreement.

13.2.2 **Quality Control.** Each Owners' Association shall establish and perform quality control, maintenance and operation throughout their Developed phase of the Project during development and during maturing of the Developed phase of the Project and continuing in perpetuity.

13.2.3 **Developer Discretion.** Developer shall have the sole and absolute discretion over the content, approval and enforcement rights of the Declarant or other governing agent or agency, formation and adoption of the CC&Rs so long as the same is consistent with the provisions of this Agreement.

SECTION 14
DEFAULT

14.1 **Enforcement of Terms and Conditions of the Agreement.** The enforcement of the terms and conditions of this Agreement and any permits issued by the City pursuant to this Agreement are as follows:

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14.1.1 **Default.** The failure of the Developer, Owner, Owners' Association, or the failure of the City to comply or perform, in accordance with the terms and conditions of this Agreement or the terms and conditions of any permit issued by the City, pursuant to this Agreement, shall be a default of this Agreement and processed as follows:

14.1.2 **City Default Claims.** A claim of default by the City may be made against the Developer, Owner, Owners' Association by the City's Director of Public Works, Zoning Administrator or Parks and Recreation Director, ("**City Director**"), depending upon the default.

14.1.3 **Developer, Owner or Owners' Association Default Claims:** A claim of default may be made by the Developer, Owner, Owners' Association against the City, depending upon the default.

14.1.4 **Claimant and Accused.** For purposes of this Section of the Agreement, a claim of default is made by a ("**Claimant**") against an ("**Accused**").

14.1.5 **Default Written Notice of Intent.** The Claimant shall serve the Accused with a Default Written Notice of Intent ("**Notice of Intent**").

14.1.5.1 The written Notice of Intent shall include the matters and facts which form the basis for the notice and a stated reasonable time within which the Accused is to correct and remedy the default. Such reasonable time frame shall depend upon the exigencies surrounding the matters and facts set forth in said Notice.

14.1.5.2 The written Notice of Intent shall state the factual and legal reasons for the claim of default, the actions to be taken by the Accused to cure the claim of default and a demand that the Accused respond in writing, within a reasonable stated time, as to whether or not the Accused consents to comply with the Notice of Intent of denies the claim of default.

14.1.5.3 The Accused shall have a minimum of thirty (30) days to remedy any default. If the default is such that more than thirty (30) days would reasonably be required to cure default, then the Accused shall have such additional time as may be necessary to perform or comply so long as the Accused commences performance within such thirty (30) day period and diligently proceeds to complete such performance and timely cures any exigent circumstance of the claim of default that affects public health and safety.

14.1.5.4 The Notice of Intent shall be served as follows upon:

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- *Developer:* by U.S. Mail to the address herein designated by Developer; and

- *Owners' Association:* by U.S. Mail to the address of its registered agent; and

- *Real Property Owner:* By U.S. Mail at their address as listed by the Ada County Assessor's office; and

- *City:* by U.S. Mail to the address herein designated by the City.

14.1.6 Notice to Show Cause. In the event the Accused fails to correct and remedy a default or noncompliance, within the reasonable time designated in the Notice of Intent, to the satisfaction of the Claimant, the Claimant shall then request the City Council [or the Planning & Zoning Commission only in the event the Commission has original jurisdiction by reason of a permit which is at issue in the matter] or otherwise request the City Council to proceed to set a hearing and provide written notice of the hearing to show cause to the Accused of the request to take action as identified in the Notice of Intent and to enforce the terms of this Agreement.

14.1.6.1 The written notice of the hearing to show cause shall be served upon the Claimant and the Accused at least twenty-eight (28) days in advance of the hearing.

14.1.6.2 At the hearing to show cause, the Accused may present evidence as to why it or they are not in default.

14.1.6.3 Following any presentation of evidence by the Accused and any rebuttal by the Claimant and any other interested persons, the Planning & Zoning Commission and/or the City Council, as the case may be, shall determine the matter and issue Findings of Fact, Conclusions of Law and an Order of Decision in accordance with the evidence presented at the Show Cause hearing.

14.1.6.4 Any determination made by the Planning & Zoning Commission may be appealed to the City Council. A notice of appeal must be filed within fourteen (14) days of the final decision of the Planning & Zoning Commission.

14.1.6.5 The Findings of Fact, Conclusions of Law and Order of Decision issued by the City Council shall be the final administrative remedy of any claim of default under this Agreement and the Parties may thereafter seek legal action in a court of competent jurisdiction for any legal or equitable remedy, including, without limitation, declaratory

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relief and or specific performance of this Agreement as the case may be, but the Parties shall not be entitled to consequential damages in any such action.

14.1.7 Prevailing Party. In the event any Party shall file suit or action at law or equity to interpret or enforce this Agreement, the provisions of Idaho Code Section 12-117, or any subsequent amendment or recodification of the same, shall apply to the determination of the prevailing Party and the award of reasonable attorney's fees, witness fees and other reasonable expenses.

SECTION 15
MORTGAGES

15.1 Senior to Mortgage. This Agreement shall be superior and senior to any Mortgage of the interests of the Developer or property owner of any real property within the Subject Real Property of record recorded subsequent to this Agreement.

15.1.1 No Impairment. No default of this Agreement by the Developer or property owner shall invalidate or impair a Mortgage made in good faith and for value; and

15.1.2 Subject to Agreement. Any acquisition or acceptance of title or any right or interest in or with respect to the Subject Real Property, or any portion thereof, by a mortgagee (herein defined to include a beneficiary under a deed of trust), whether under or pursuant to a mortgage foreclosure, trustee's sale or deed in lieu of foreclosure or trustee's sale, or otherwise, except that the same shall be subject to all of the terms and conditions contained in this Agreement.

15.2 No Mortgage Obligation. No mortgagee shall have an obligation or duty under this Agreement to perform the Developer's obligations or other affirmative covenants of the Developer hereunder, or to guarantee such performance; except that to the extent that any covenant to be performed by the Developer is a condition to the performance of a covenant by the City, the performance thereof shall continue to be a condition precedent to the City's performance hereunder.

SECTION 16
SHARED LEGAL DEFENSE OF THIS AGREEMENT

16.1 Shared Agreement Legal Defense Costs. In the event that any legal or equitable action or other proceeding is instituted by a third-party challenging the validity of any provision of this Agreement, the Parties will cooperate in defense of such action or proceeding. The City and the Developer may agree to select mutually agreeable legal counsel to defend such action or proceeding with the Parties sharing equally in the cost of such joint legal counsel, or each Party may select its own legal counsel at each Party's expense. All

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other costs of such defense(s) shall be shared equally by the Parties. Each Party retains the right to pursue its own independent legal defense.

SECTION 17
NOTICES AND FILINGS

17.1 Manner of Serving. All notices, filings, consents, approvals and other communications provided for herein or delivered in connection herewith shall be validly delivered, filed, made, or served if in writing and delivered personally or delivered by a nationally recognized overnight courier or sent by certified United States Mail, postage prepaid, return receipt requested, if to:

City:

City of Kuna
Attn: Mayor
751 W. 4th Street
Kuna, ID 83634

With a copy to:

William F. Gigray, III
WHITE PETERSON
5700 E. Franklin Rd., Suite 200
Nampa, ID 83687

Developer:

M3 Builders, LLC
Attn: Developer Representative, William I. Brownlee
4222 E Camelback Road, Suite H100
Phoenix, AZ 85018

With a copy to:

Spink Butler, LLP
Attn: JoAnn C. Butler
251 E. Front Street, Suite 200
Boise, ID 83702

Owner:

Falcon Crest, LLC
2528 N. Cloverdale Road
Boise, ID 83713

With a copy to:

William J. McKlveen
EBERLE BERLIN
1111 W. Jefferson, Suite 530
Boise, ID 83702

or to such other addresses as either Party hereto may from time to time designate in writing and delivery in a like manner.

17.2 Mailing Effective. Notices, filings, consents, approvals and communication given by mail shall be deemed delivered immediately if personally delivered, 24 hours following deposit with a nationally recognized courier, or 72 hours following deposit in the U.S. mail, postage prepaid and addressed as set forth above.

SECTION 18
DEVELOPER ASSIGNMENT OF AGREEMENT RIGHTS

18.1 Developer Assignment: The assignment of any of the Developer's rights and obligations of this Agreement shall in accordance with the following:

18.1.1 Complete Assignment of Developer's rights. A total assignment of the Developer's rights and obligations under this Agreement in connection with all undeveloped portions of the Subject Real Property shall be assigned upon written consent of the City Council which shall not be unreasonably withheld, conditioned or delayed subject only to the following conditions:

18.1.1.1 Prior written notice from the Developer to the City Council together with the identification of the proposed assignee together with the proposed assignee's written affirmation of their intentions and ability to perform the conditions of this Agreement; and

18.1.1.2 Developer is not in default of this Agreement or the Assignee tenders to the City a guarantee of the Assignee's performance of the Developer's default upon assignment; and

18.1.1.3 The total assignment by the Developer shall be by a written instrument including the acceptance of the assignee to the terms and conditions of this Agreement, and the City Council's written consent and shall then be recorded in the official records of Ada County, Idaho, expressly assigning such rights and obligations.

18.1.1.4 In the event of such total assignment of the Developer's rights and obligations hereunder, the Developer's liability under this Agreement shall then terminate.

18.1.2 Successors and Assigns. Notwithstanding any other provisions of this Agreement, the Developer many assign all or part of the Developer's rights and duties under this Agreement as collateral to any financial institution from which the Developer has borrowed funds for use in developing the Property. Such an assignment shall not relieve the Developer from any obligations of this Agreement.

SECTION 19
MISCELLANEOUS

19.1 Agreement runs with the Subject Real Property. The burdens of this Agreement are binding upon, and the benefits inure to, all successors in interest of the Parties to this Agreement and constitute covenants that run with the Subject Real Property. Each commitment and restriction of this Agreement on the Subject Real Property shall be a burden on the Subject Real Property and shall be appurtenant to and for the benefit of the Subject Real Property and shall run with the land.

19.1.1 This Agreement shall be binding on the Developer and the Owner, and their respective heirs, administrators, executors, agents, legal representatives, successors, and assigns; provided, however, that the purchasers, from the Owner and/or Developer, of individual lots within Developed phases of the Project are not subject to the obligations arising under this Agreement except for any obligations of the Owners' Association to which they are a member.

19.2 Choice of Law. This Agreement shall be construed in accordance with the laws of the state of Idaho in effect on the Effective Date. Any action brought in connection with this Agreement shall be brought in a court of competent jurisdiction located in Ada County, Idaho.

19.3 Construction. All Parties hereto have either been represented by separate legal counsel or have had the opportunity to be so represented. Thus, in all cases, the language herein shall be constructed simply in accord with its fair meaning and not strictly for or against a Party, regardless of whether such Party prepared or caused the preparation of this Agreement.

19.4 Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such counterparts and such signature pages all attached to a single document so that the signatures of all Parties may be physically attached to a single document.

19.5 Entire Agreement. This Agreement constitutes the entire agreement between the Parties, except for any permits and or approvals issued pursuant to this Agreement, pertaining to the subject matter hereof. All prior and contemporaneous agreements, representations and understandings of the Parties, oral or written, are hereby superseded and merged herein. No modification or amendment to this Agreement of any kind whatsoever shall be made or claimed by Developer or City shall have any force or effect whatsoever unless the same shall be endorsed in writing and signed by the Party against which the enforcement of such modification or amendment is sought, and then only to the extent set forth in such instrument. Such approved amendment shall be recorded in the Official Records of Ada County, Idaho.

19.6 Exhibits and Recitals. Any exhibit attached hereto shall be deemed to have been incorporated herein with the same force and effect as if fully set forth in the body hereof. The Recitals set forth at the beginning of this Agreement are hereby acknowledged and incorporated herein and the Parties hereby confirm the accuracy thereof. The Definitions set forth prior to the Recitals are hereby acknowledged and incorporated herein.

19.7 Further Acts. Each of the Parties shall promptly execute and deliver all such documents and perform all such acts as reasonably necessary, from time to time, to carry out the matters contemplated by this Agreement.

19.8 Good Standing; Authority. Each of the Parties represents to the other as follows:

19.8.1 Developer. Developer represents that it is an Arizona limited liability company duly qualified to do business in Idaho; and

19.8.2 City. City represents that it is an Idaho municipal corporation in the state of Idaho; and

19.8.3 Owner. Owner represents that it is an Idaho limited liability company.

19.8.4 Authority. Each Party represents to the other that the individual(s) executing this Agreement on behalf of the Parties are authorized and empowered to bind the Party on whose behalf each such individual is signing.

19.9 Headings. This Agreement shall be construed according to its fair meaning and as if prepared by both Parties hereto. Table of Contents, titles and captions are for convenience only and shall not constitute a portion of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

19.10 Names and Plans. Developer shall be the sole owner of all names, titles, plans, drawings, specifications, ideas, programs, designs and work products of every nature at any time developed, formulated or prepared by or at the request of the Developer in connection with the Property and the Project; provided, however, that in connection with any conveyance of portions of the Subject Real Property to the City, such rights pertaining to the portions of the Subject Real Property so conveyed shall be assigned to the City to the extent that such rights are assignable.

19.11 No Developer Preliminary Representations. Nothing contained herein shall be deemed to initially obligate the Developer to complete any part or all of the development of the Project within a specific time line, phasing schedule or other schedules, or any other plan, and this Agreement shall not be deemed a representation unless required as a condition of any permit issued pursuant to this Agreement or required by any Master Plan approved by the City pursuant to this Agreement.

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19.12 No Partnership; Third-Parties. It is hereby specifically understood, acknowledged and agreed that neither the City nor the Developer shall be deemed to be an agent of the other for any purpose whatsoever. It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other arrangement between the Developer and the City. No term or provision of this Agreement is intended to, or shall, be for the benefit of any third-party, person, firm, organization or legal entity not a Party hereto, and no such other third-party, person, firm, organization or legal entity shall have any right to cause of action hereunder.

19.13 Parties' Intent. It is the Parties' express intention that the terms and conditions be construed and applied as provided herein, to the fullest extent possible. It is the Parties' further intention that, to the extent any such term or condition is found to constitute an impermissible restriction of the police power of the City, such term or condition shall be construed and applied in such lesser fashion as may be necessary to not restrict the police power of the City.

19.14 Recordation. After its execution, this Agreement shall be recorded in the real property records of Ada County, Idaho by the City.

19.15 Severability. If any provision of this Agreement is declared void or unenforceable, such provision shall be severed from this Agreement, which shall otherwise remain in full force and effect.

19.16 Time of Essence. Time is of the essence in implementing the terms of this Agreement.

19.17 Waiver. No delay in exercising any right or remedy shall constitute a waiver by either Party thereof, and no waiver by the City or the Developer of the breach of any covenant or condition of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other covenant or condition of this Agreement.

[signatures on following page]

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IN WITNESS WHEREOF, the Parties hereto, having been duly authorized, have executed this Development Agreement to be effective on the Effective Date.

CITY:

CITY OF KUNA, Idaho, a municipal corporation organized and existing under the laws of the State of Idaho

By:_____
Joe Stear, Mayor

Attest:

By: _____
Chris Engels, City Clerk

CITY ATTORNEY APPROVAL AS TO FORM AND AUTHORITY

The foregoing Agreement has been received by the undersigned attorney, who has opined that it is in proper form and within the power and authority granted under the laws of the State of Idaho to the City of Kuna

_____
Wm. F. Gigray, III, City Attorney

DEVELOPER:

M3 Builders, L.L.C., an Arizona limited liability company

By: The M3 Companies, L.L.C., an Arizona limited liability company, its Sole Member

By: _____
William I. Brownlee, Manager

OWNER:

FALCON CREST, LLC, an Idaho limited liability company

By: _____
Terry Cook, Manager

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STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **Joe Stear**, known or identified to me to be the Mayor of the City of Kuna, the municipal corporation that executed the instrument or the person who executed the instrument on behalf of said municipal corporation, and acknowledged to me that such municipal corporation 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.

_____
Notary Public for Idaho
[seal] My Commission expires: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **William I. Brownlee**, Manager of The M3 Companies, L.L.C., an Arizona limited liability company, the Sole Member of M3 Builders, L.L.C., an Arizona limited liability company, an Arizona limited liability company, 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 such 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.

_____
Notary Public for _____
[seal] My Commission expires: _____

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **Terry Cook**, known or identified to me to be the Manager of Falcon Crest, LLC, the Idaho 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 such 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.

_____
Notary Public for Idaho
[seal] My Commission expires: _____

W:\Work\K\Kuna, City of 25721\Planning & Zoning Matters .002\Development Agreements\Falcon Crest Development - CLEAN 12-21-18 lh.doc

EXHIBIT A
Annexation Ordinance

Development Agreement as of 12.21.2018 Clean

EXHIBIT B
Master Plan

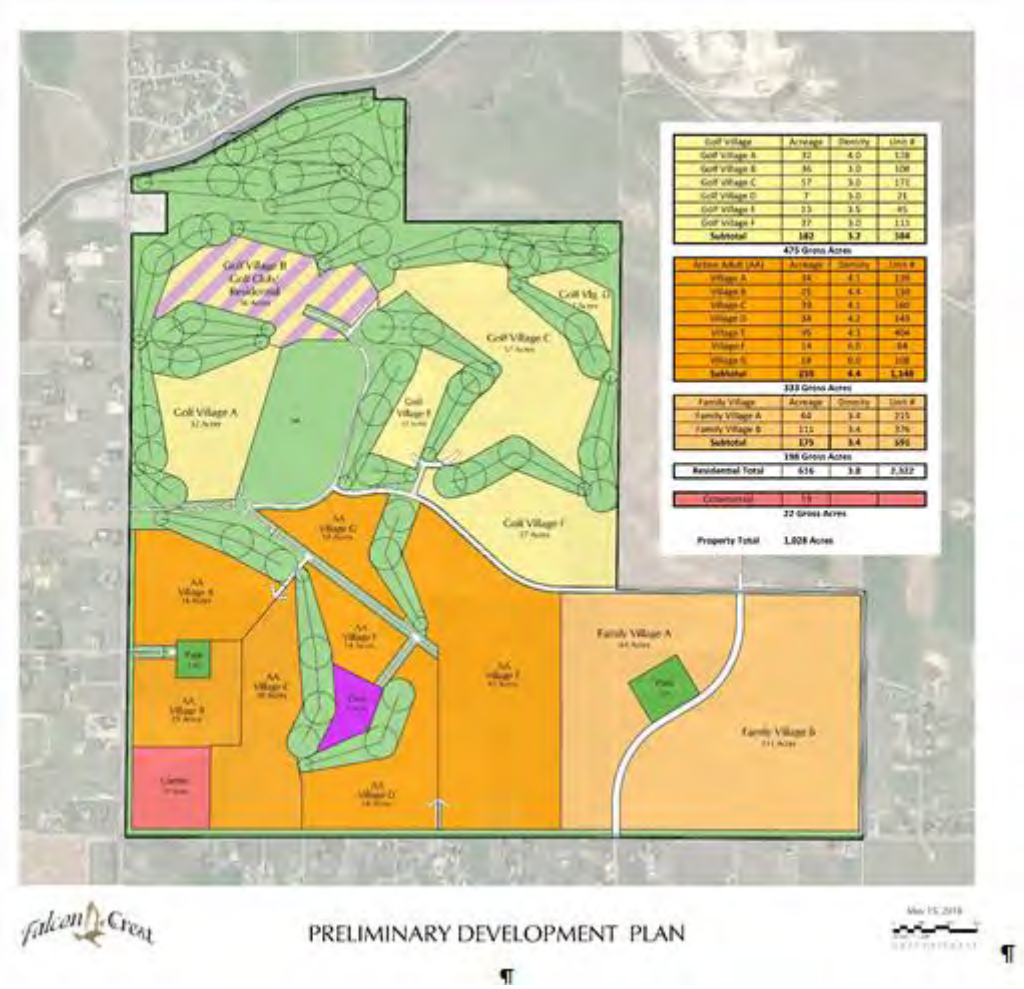
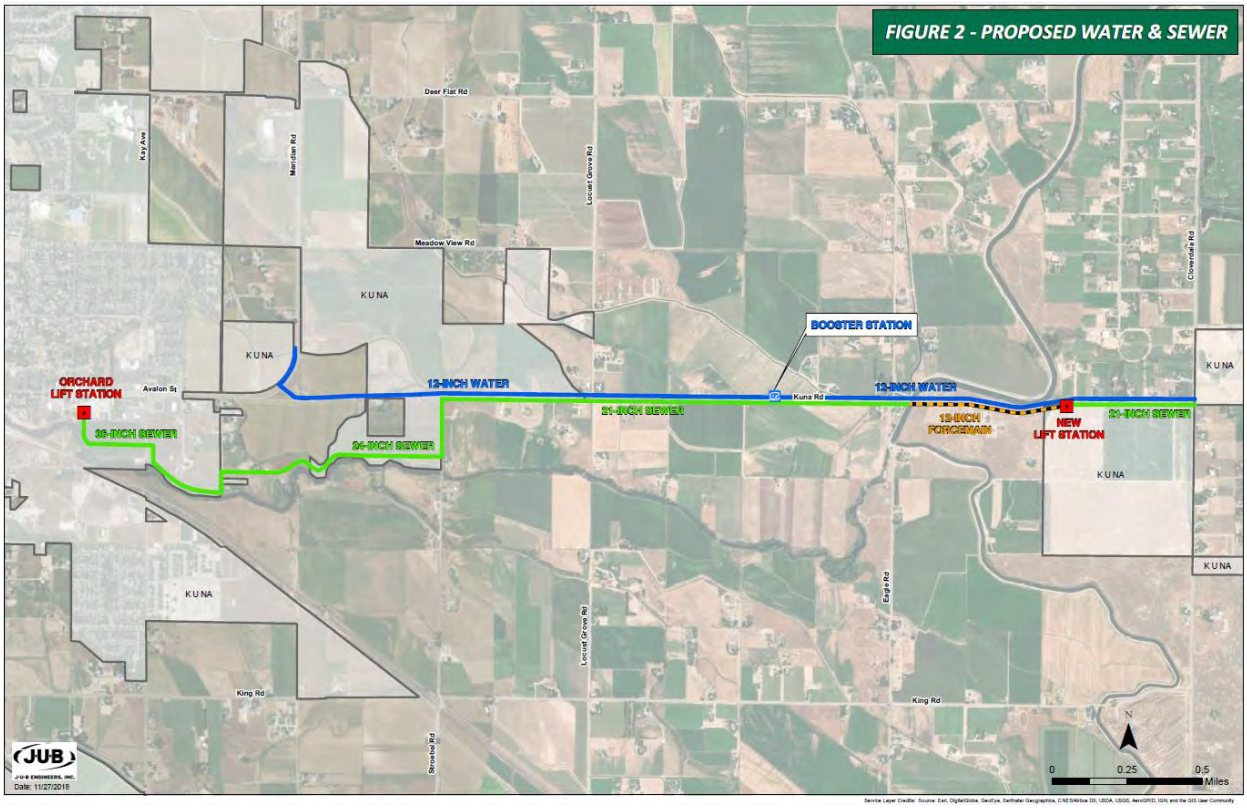


EXHIBIT B

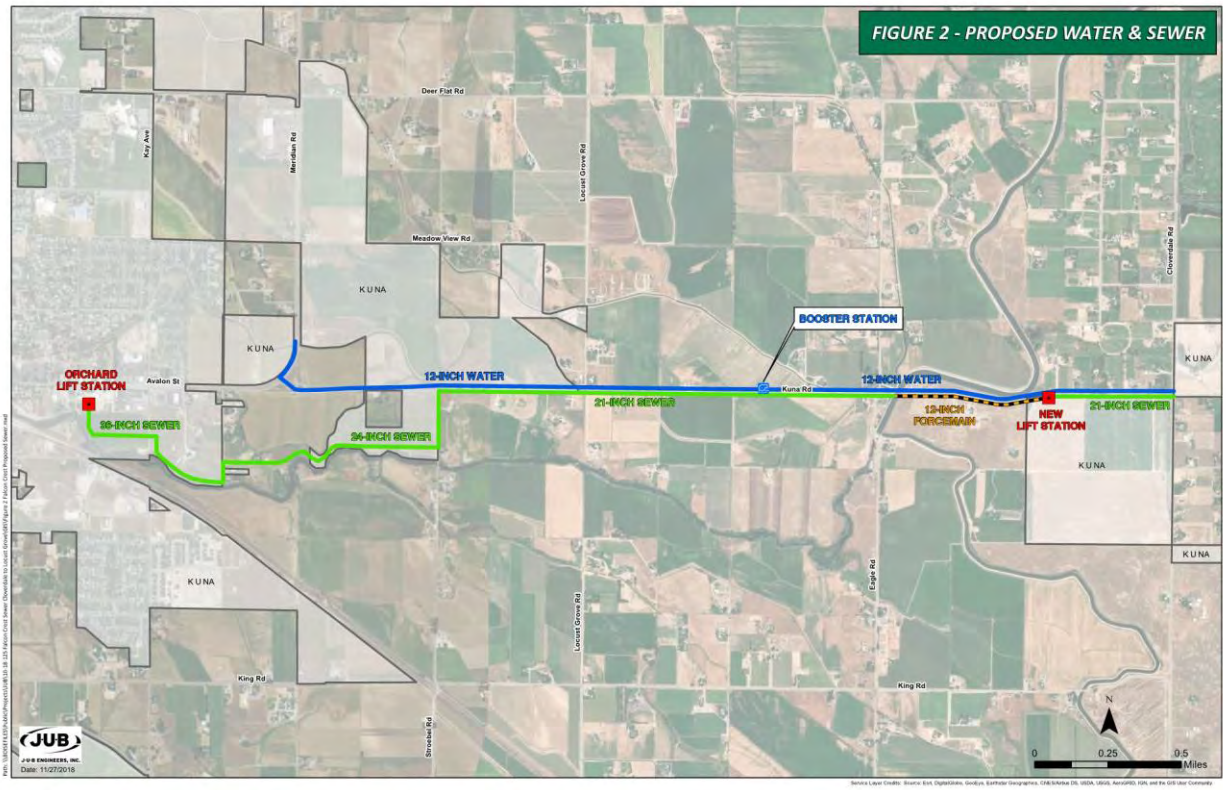
Development Agreement as of 12.21.2018 Clean

EXHIBIT C
Offsite Sewerage



Development Agreement as of 12.21.2018 Clean

EXHIBIT D
Offsite Potable Water



Development Agreement as of 12.21.2018 Clean

EXHIBIT E
PUD Modifications

5-3-2: - OFFICIAL SCHEDULE OF DISTRICT REGULATIONS:

The official schedule of district regulations is divided into six (6) land use group types: Agriculture, residential, commercial, office, industrial and public. These categories have been established and distinguished from one another for the purposes of determining which district is most compatible with a given land use category; however, this assignment does not necessarily preclude placement of a land usage in another land use group.

A. *How to use the city's land use table to find land use application:*

1. Find the land use sought in one of the six (6) general land use types.
2. Read across the land use table on the line corresponding to the identified land use type and determine its use status in relation to each of the fifteen (15) identified land use zones located on the land use table by observance of the symbol "P", which represents uses outright permitted in a zoning district or the symbol "S", which represents uses that must be conditionally approved in a zone district through acquisition of a special use permit. The absence of a letter symbol within a zoning field means the use is not permitted in that zone.
3. Even though the land use table identifies approximately two hundred twenty-five (225) different types of land use, it does not reflect all known land use types that may wish to locate within the City of Kuna and therefore may not identify a use sought. The director or assign shall interpret the appropriate zoning district for land uses not specifically described in the land use table and determine their placement status in a particular zone by comparing the requested land use to similar type uses identified on the land use table through an administrative determination process. When several land uses are proposed to be combined together on a land use parcel or need to be reconciled to determine their placement in a zone, the most intensive of the land uses shall be considered as the primary activity and relied upon for establishing zoning placement status. Appeal of the director's land designation determination is to the city council through an appeals process.
4. Many of the land uses identified in the land use table are defined at KCC 5-1-6-2. In the event the definition is not listed there, please refer to staff's copy of, "The Latest Edition of the Illustrated Book of Development Definitions" by Moskowitz and Lindbloom for land use definition. If the term sought is not found in either location, the city staff will typically refer to another Treasure Valley jurisdiction's terminology for land use definition.

(Ord. No. 2011-07, § 1, 12-20-2011)

LAND USE TABLE

Land Uses	Districts														
	A	R-2	R-4	R-6	R-8	R-12	R-20	O	C-1	C-2	C-3	CBD	M-1	M-2	P
Agriculture, General 1-26	P	P											S	S	P
Accessory Dwelling Unit (aka mother in-law quarters/Carriage House) 52	P	P	P	P	S										
Accessory Use 7-26	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Development Agreement as of 12.21.2018 Clean

Adult Bookstore 7-15-16										S				
Agri-tainment 15	P	P												P
Agritourism	S	S												S
Airport, Landing Strip 15-26	S											S	S	S
Alcohol Consumption on-site/off-site 15-27		P 38	P 38	P 38	P 38	P 38	P 38	S	S	S	S	S	S 48		P 38
Amusement Center (indoor) 7-15									S	S	S	S			
Amusement Center (outdoor) 7-15									P	S	S		S		S
Animal Hospital 7-15-26	S	S									P		P	P	S
Animal Shelter 7-15-26	S												S		S
Appliance Repair 7-15		S	S	S	S	S	S	P	P	P	P	P	P		
Aquaculture	S												S	S	S
Aquarium 7-15								S	P	P	P	P	S		P
Arboretum 15	P	P	P	P	P	P	P	P	P	P	P	P			P
Archery Range 7-15-37	P	S							P 45	P 45	P		P		
Art Gallery/Studio 7-15-31		S	S	S	S	S	S	P	P	P	P	P	P		
Asphalt Plant 7-15														S	
Assisted Living 7-15-53		S	S	S	S	S	S		P	P					
Auction Sales 7-15-43	S 41	S 41							S	S	P		P		
Auditorium 7-15								S	P	P	P	P	S		P

Development Agreement as of 12.21.2018 Clean

Automobile Body, Paint Shop 7-15										S		P	P	
Automobile Detailing 7-15							S	P	P	P	S	P	P	
Automobile Rental/Sales 15								S	P	P	P	P		
Automobile Repair 7-15								S	P	P	S	P	P	
Bakery or Baked Goods Store 7-15		S	S	S	S	S	S	S	P	P	P	P		
Bank, Credit Union, Savings and Loan 7-15		S	S	S	S	S	S	P	P	P	P	P		
Banquet Facility 7-15-27		S	S	S	S	S	S	P	P	P	P			
Barber Shop/Beauty Salon 7-15		S	S	S	S	S	S	P	P	P	P	P		
Batch Plant 7-15-26													S	
Bed and Breakfast 15	S	S	S	S	S				S			S		
Beekeeping (Hives)	P	P												
Beer and Wine Production 7-15-27	P	S	P 11	P 11						P		P		
Berry and Bush Crop/Vineyard	P	P										P		P
Beverage Bottling Plant 7-15-26-53									S	S		S	S	
Bicycle Shop 7-15		S	S	S	S	S	S	P	P	P	P	P	P	
Billboard Manufacturing 7-15-53												P	P	
Billboards 7-35	S												S	
Biomass	S												P	
Boarding/[Rooming] House 7-15-53		S			S	S	S		P 6		P 6			
Bookstore 7-15		S	S	S	S	S	S	P	P	P	P	P	P	

Development Agreement as of 12.21.2018 Clean

Botanical Garden 15	P	P	P	P	P	P	P	P	P	P	P	P	S		P
Bowling Alley 7-15								S	P	P	P	P			
Cabinet Shop—Manufacturing 7-15									S	S	S		P	P	
Call Center 7-15										S	P	P	P		
Car Wash 7-15								P	P	P	P	P	P		
Caretaker 13	P	P							P	P		S	S		
Carnival/Circus 15-23									P	P	P	P			P
Catering 7-15		S	S	S	S	S	S	P	P	P	P	P	P		
Cell Tower/Telecommunication 7-12-15	S	S								S	S	S	S	S	S
Cement or Clay Products Manufacturing 7-15-26-53														S	
Cemetery or Mausoleum 15-30	P	S			S	S	S		S	S					S
Chemical Storage and Manufacturing 7-15-26-53														S	
Child Care, Center (13+ children) 7-15-49-51		S	S	S	S	S	S	S	S	S	S				
Child Care, Group (7—12 children) 49		S	S	S	S				S	S	S	S			
Child Care, Home (1—6 children) 49-51		S	S	S	S										
Church or Place of Worship 7-15-36	S	P	P	P	P	S	S	S	S			S			
Community Center/Grange/Assembly Use 7-15	S	S	S	S	S	S	S	P	P	P			P		P
Community/Urban Garden 1-7-15	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Contractor's Storage Yard 7-26	S												S	P	

Development Agreement as of 12.21.2018 Clean

Convenience Store (not including fuel sales) 7-15								P	P	P	P	P	P	
Dairy Product Processing 7-15-53	S											S	S	
Digital/Electronic Verbiage Signage 7-15								S	S	S	S	S	S	S
Dispatch Center 7-15-34-47								P	P	P	P	S		
Distillery Production	P							S	S	S		S	P	
Distributing Center 7-15-26-53												S	S	
Dog Grooming 7-15	P	P	S	S	S			P	P	P	P	P	P		
Drive-in Restaurant 7-15-26-46								P	P	P	P	P	P		
Drive-in Theater 7-15	S	S							S	S	S				
Drive-through Business 7-15-34			S	S	S	S	S	S	P	P	S	S	S		
Driving School									P	P	P	P	P		P
Dry Cleaners 7-15								S	S	S	S	S	S		
Dry-Cleaning Plant 7-15-53													S	S	
Dwelling, Condominium/Townhouse/Garden Apartment 5-7-15-53				~~S~~ P 7	P 7	P 7	P 7		P 7			P 7			
Dwelling, duplex 5		S	P	P	P	P	P								
Dwelling, multifamily/Apartments (3 or more units under one roof) 5-15-53		S 7	S 7	~~S~~ P 7	P 7	P 7	P 7		P 7						
Dwelling, single-family 5	P	P	P	P	P	P	P		P 6			P 6			

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Emergency Care Facility/Clinic 7-15		S	S	S	S	S	S	P	P	P	P	P	P		
Energy System, production through renewable sources	S												S	S	
Equipment Sales and Rental (Light Equipment) 7-15-21		S	S	S	S	S	S	S	P	P	P	S	P		
Equipment Sales (Large and Heavy Equipment) 7-15-26-43													S	S	
Exhibition Hall 7-15								P	P	P	P	P	S		P
Explosive/Chemical Manufacturing and Storage														S	
Fairground 7-15	S	S											S		S
Farm Animals (Domestic) 2, 4	P	P	S										S	P	P
Farm Implement, Trailer and Manufactured Home Repair 7-15	S									P	P		P	P	
Farm Implement, Trailer, Manufactured Home and Sales Yard 7	S									P	P		P	P	
Farmer's Market 15-23	S								P	P		P			P
Feed Store 15-26	S								P	P	P	S	P		
Feedlot or Dairy 26	S														
Financial Services 7-15		S	S	S	S	S	S	P	P		P	P	P		
Fish Farm 15	S												S		S
Flea Market/Swap Meet 15-23									S	S	S	S	S	S	S
Florist 7-15		S	S	S	S	S	S	P	P	P	P	P	S		

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Flower Gardening	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Food Processing Plant over 5,000 sq. ft. building 7-15-26-53										S			S	P	
Food Processing under 5,000 sq. ft. building 7-15-26										S	S	S	P	P	
Fraternity/Sorority/Dormitory/Residential Hall 5, 7		S	S						S	S	S	S			S
Freight Terminal 7-15-26-53													S	S	
Fuel Sales									S	S		S	S	S	S
Fuel Yard (Explosive, Storage, Manufacturing) 7-15-26														S	
Fuel Yard (Nonexplosive, Storage and Retail) 7-15-26														S	
Funeral Home/Mortuary 7-15								S	S	S	S	S	S		
Furniture Restoration/Refinishing 7-15									P	P	P	S	P	P	
Furniture Shop Retail 7-15								P	P	P	P	P	S		
Gardening (for home consumption on-site) 1	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Gift Shop 7-15		S	S	S	S	S	S	P	P	P	P	P			
Golf Course and Country Club 7-15		P	P	P	P	P	P	P	P						P
Grain (Feed and Seed Processing and Sales) 7-15	P												S	S	
Grain Storage—Bulk 7-15	P												S	S	
Grazing/Raising Domestic Farm Animals 2	P	P													

Greenhouse/Nursery 7-15	P	P		P		P		P	P	P	P	P	S		
Grocery Store/Delicatessen 7-15		S	S	S	S	S	S	P	P	P	P	P	P		
Group Home 5-7-15-53		S	S	S	S	S	S		S						
Halfway House 5-7-15-53		S	S	S	S	S			S						S
Handicraft 7-15-31		S 55	P/S 55	P/S 55	P/S 55	S	S	S	P	P	P	P			
Hatcheries 7-15	P												S	S	S
Health Club 7-15		S	S	S	S	S	S	P	P	P	P	P	P		
Home Improvement Center 7-15								S	P	P	P	S			
Home Occupation 26-28	P	P	P	P	P	P	P	P	P	P	P	P	P		
Hospital 7-15						S	S	S	S	S	S	S			S
Hotel/Motel 7-15								S	S	S	S	S	S		
Ice Manufacture—Cold Storage Plant 7-15													S	S	
Impound/Storage Yard (vehicle) 7-26-43														S	
Incineration (Garbage, Animal Remains or Refuse) 7-15-25-26-43	S													S	S
Junkyard/Wrecking Yard 7-15-26-43														S	
Kennel, Commercial 7-15-26	S										S				
Laboratory (Medical, Dental, Optical) 5, 7, 33		S	S	S	S	S			P	P		S	P	P	
Laundromat 7-15		S	S	S	S	S	S	S	P	S	S	S	S		
Laundry, Commercial Plant 5, 7, 33														P	

Development Agreement as of 12.21.2018 Clean

Library [5, 7, 33]			P	P	P	P	P		P	P		P			P
Liquor Store [5, 33]								S	P	P	P	P	P		
Livestock Sales [15]	S	S												S	
Locksmith [5, 7]		S	S	S	S	S		S	P	P		P	P		
Lumberyard (Retail/Wholesale) [7-15-26-53-43]										S	P		P	P	
Machine or Welding Shop [7-15]										S	P		P	P	
Manufacturing, General [5, 7]											S		P	P	
Manufactured Home Class A	P	P	P	P	P	P	P								
Manufactured Home Park [7, 8]				S		S	S								
Manufactured Home Sales [5, 7]										S	P		P		
Marine Sales/Rentals [7]										S	P		P		
Massage Therapy [7-15]		S	S	S	S	S	S	P	P	P	P	P	P		
Meat Market [7-15]									P	P	P	S	P		
Meatpacking Plant/Slaughterhouse (enclosed within building) [7-15-25-26-53]														S	
Meatpacking (Wild game) (No-kill) [5, 7]	S									S	P		P		
Monument Works, Stone [7-15]									S	S	S		P	S	
Museum or Planetarium [5, 7]	S							P	P	P	P	P			P
Non-Profit Organization [5, 7]								P	P	P	P	P			P
Nursing Home [5-7-15-53]		P	P	P	P	P	P	P	S	P					
Office (Home Occupation)	P	P	P	P	P	P	P	P							

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Office (Medical, Professional) 7-15		S	S	S	S	S	S	P	P	P	P	P	P		S
Office (Temporary Real Estate Subdivision Sales) 15		S	S	~~S~~ P	S	~~S~~ P	S								
Orchards, Tree Crops	P	P	P	P									P		S
Parking Lot or Facility, Park and Ride 7-15-47	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Pawnshop 7-15									S	P	P	P			
Payday Lending Operation/Non-chartered Institution 7-15													S	S	
Pharmacy 7-15								P	P	P	P	P	P		
Planned Unit Development 5-15		S	S	S	S	S	S	S	S	S	S	S	S	S	
Plant Nursery 15	P	P		S		S			S	S			P		P
Plant or Tree Farm	P	P		P		P				P			P		P
Post Office 7-15								P	P	P	P	P			P
Poultry, Fowl, Rabbits	P	P	P 4	P 4									P		
Power Plant 5, 7													S	S	
Preschool		S	S	S	S	S	S	S	S	S	S				
Printing, Blueprinting, Copy Center and Cartography 7-15								P	P	P	P	P	P	P	
Prison, Jail, etc. 7-15-33									S	S					S
Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Service Facility 7-15-18-19	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S

Publishing 7-15		P	P	P	P	P	P	P	P	P	P	P	P		
Quasi-public	P							P	P	P	P	P	P	P	P
Radio and TV Stations 7-15-18-19								S	P	P	P	S	P	S	
Railroad Buildings, Yard and Equipment 7-43-53	S												P	P	
Recreational Vehicle, Trailer or Camping Park 5, 7				S		~~S~~ P	S		S						P
Recycle/Collection Bins									P	P	P		P	P	
Recycle Center/Recycle Staging Area 7-34-43										S	S		P	P	
Recycling Plant 7-15-43													S	P	
Regional Sewage and Waste Treatment Plant 7-24-33-43	S	S												S	S
Rendering Plant 7-25-26-53														S	
Restaurant 7-15-20-26		S	S	S	S	~~S~~ P	S	P	P	P	P	P	P		
Restaurant with Bar 7-15-27								S	S	S	S	S	S		
Retail Stores/Services 7-15-28		S	S	S	S	S	S	P	P	P	P	P	P		
Riding Arenas/Stables/Schools 15-26	P	S													
Roadside Stands, Seasonal 3-15	P	P							P	P	P	P			S
Sales, Wholesale 7-15									S	S	S	S	P		
Sandwich Shop/Deli 7-15-22		S	S	S	S	~~S~~ P	S	P	P	P	P	P	S		

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Sanitary Landfill 7-26-33-43														S
School (College/University/Trade) 7-15								S	S	S	S	S		S
School (Elementary, Middle and High School) 7-15		S	S	S	S	S	S		S	S	S				S
School (Trade)									P	S	S	S	S		
Senior Housing 5-15-53		P	P	P	P	P	P		P						
Service Station/Garage 7-15-34								S	S	S	S	S	P		
Sexual Oriented Business 7-15-16											S				
Shelter or Temp. Home 5-7-15-53					S	S	S		S						S
Shoe Repair 7-15		S	S	S	S	S	S	P	P	P	P	P	P	P	
Shooting Range (Indoor) 7-15-26	S	S							P 45	S 45	P 45		P 45	P	
Shooting Range (Outdoor) 7-15-26	S												S	S	S
Shop for Building Contractor 7-15	S								P	P	P		P	P	
Shopping Center 7-15									S	S	S	S			
Sign Shop 7-15									P	P	P	P	P	P	
Sports Arena 7-15									S	S	S	S	S		S
Storage Facility (public/private) • 10 acres or more 7-54										S	S		S		
Storage Facility (public/private) • 5 to 10 acres 7-54										~~S~~ P	S		S	S	
Storage Facility (public/private)								S	S	~~S~~			S		

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• 2 to 5 acres 7-54										P				
Storage Facility (public/private) • Up to 2 acres 7-54						S	S	S	S	~~S~~ P			S		
Studio (Art, Dance, Music, Voice) 15-31		S	S	S	S	S	S	P	P	P	P	P			
Studio (Artist, Interior Decorators, Photographer, etc.) 15-31		S	S	S	S	S	S	P	P	P	P	P			
Supply Yard 7-26-43									S	S	P		P	P	
Swimming Pool 15	P	P	P	P	P	P	P	P	P	S	S	S	P		P
Tattoo Parlors/Studios/Body Piercing Establishment 7-15									S	S	S	S			
Tavern/Bar/Nightclub/Lounge 7-15-27						S		S	S	S	S	S	S		
Taxidermy 7-15									S	S	P		P	P	
Temporary Tent 15-23-42	P								P	P	P		P		P
Terminal Yard Trucking 7-15-43-53													S	S	
Theater 7-15								S	P	P	P	P			
Tire Recapping 7-15-53										S	S		S	S	
Tire Shop (not recapping) 7-15									P	P	P	S	S		
Training Facility													S	S	
Travel Agency 7-15		S	S	S	S	S	S	P	P	P	P	P			
Truck and Tractor Repair 7-15-53	S										S		P	P	
Truck Maintenance 7-15													S	S	

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Truck Stop 7-15-53									S	S		S		
Truck Wash 7-53										S		P	P	
Upholstery Shop 7-15								P	P	P		P	P	
Utility-Owned Building (public/private) 7-15-18-19	S	S	S	S	S	S	S	S	S	S	S	S	P	P	S
Vehicle Emission Testing Facility 7-15-34	S							P	P	P	P	P	P		P
Veterinary Clinic 7-15-26	S	S						P	P	P	P		P		
Warehousing—Wholesale 7-15-53	S 41												S	P	
Wedding Chapel 7-15	P	S				S	S	P	P	P	P	P			
Wind Turbines/Farms/Mills 15-40	S	S											S	S	S
Wood Processing Plant (including firewood) 7-15-26									S				S	S	
Zoo 7-15	S								S	S	S				P

LAND USE TABLE FOOTNOTES:

The following footnotes are intended as helpful reminders rather than representing an all inclusive list of requirements relative to a given land use; additionally, a footnote may not apply to a particular land use in every circumstance or an obligation may apply to a land use not covered by a footnote.

1. Any enterprise customarily carried on in the field of general agriculture, which is not obnoxious or detrimental to the public welfare. A commercial slaughterhouse or concentrated animal feeding operation [CAFO] is not allowed in the agricultural zone.
2. A limited number of cows, horses, sheep, goats and pot belly pigs may be kept on the premises as determined by the director in consultation with a licensed veterinarian, provided individual lots have an area of at least 33,000 square feet [.75 acre] and meet other requirements including those outlined KCC 10-3-5.
3. For the display and sale of agriculture products. A roadside stand requires a minimum of four (4) off-street parking spaces; however, the parking spaces do not need to be covered with an impervious parking surface because of the temporal nature of the business. The applicant is required to procure a business license from the city clerk prior to business usage and acquire a special use permit in certain zones. The site will also be evaluated for road access and circulation concerns.

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4. Up to five (5) animals allowed; however, no roosters are permitted.
5. Parking shall be provided as follows: Single-family - two (2) spaces per dwelling unit to include duplexes; multifamily - one and one-half (1½) space per dwelling unit.
6. The upper and lower floors are available for residential living purposes but not at ground level.
7. Subject to design review.
8. For manufactured home subdivision, see KCC 6-5-3.
9. The fraternity or sorority must be affiliated with an institution of higher education and maintain a good standing with its parent organization.
10. The use must be contained within the structure.
11. Home consumption only; however, should the beer or wine be sold it is subject to KCC 3-1-1.
12. Height of a cell/communication tower is subject to height regulations found in KCC 5-4-6:B:5 and 5-5-2:F.
13. Security need only - not intended for residential use; family members are not to reside in the security dwelling.
14. Deleted by Ord. No. 2012-18.
15. The use requires adequate off-street parking and is subject to parking standards regulations found at KCC 5-9-1 through 5-9-5. Community gardens/urban gardens shall rely upon on-street parking and/or off-street parking on a case-by-case basis determined by site-specific characteristics.
16. See "sexual oriented business" regulations found at KCC 5-1-6-2 and 3-6. A sexually oriented business requires a city license, which is subject to annual renewal and the use is required to be separated a certain distance from other uses.
17. Deleted by Ord. No. 2012-18.
18. Cell towers or other telecommunication devices are subject to the zone's height regulations and the height provisions noted in KCC 5-4-6:B:5 and KCC 5-5-2:F.
19. The use is subject to height regulations.
20. The proprietor may serve alcoholic beverages at a table or booth with appropriate permits and licenses (see KCC 3-1-1).
21. The rental business may not store large or heavy equipment pieces on-site - those types of rental items are to be placed in the industrial zone.
22. No alcohol sales allowed.
23. Temporary vender permit required.
24. Package treatment plants, lift stations, lagoon systems, etc., may be installed in all zoning districts through a public works review process.
25. The site requires proper health permits and air quality evaluation.
26. The use is subject to the city's performance standards found at KCC 5-5.
27. Alcoholic beverages require city licensure according to the provisions of KCC 3-1-1. Consumption of alcohol on-premises is prohibited within 300 feet of a school or place of worship as measured from the primary entrance, unless the city council provides relief from that distance requirement. The three hundred-foot distance separation requirement does not apply to temporary beer and wine licenses procured by way of catering license.
28. For hardship cases see KCC 5-6-10.
29. Recreational vehicle park or campground development; see KCC 4-2B-1.
30. For a cemetery subdivision requirements; see KCC 6-5-6.
31. The use may qualify as a home occupation; see KCC 5-5-4.

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32. This is an M-3 land use category that has been placed with M-2 category uses. Natural resource activities are subject to state laws.
33. The use is subject to any number of local, state and federal requirements.
34. The use is subject to transportation analysis.
35. Billboards are limited to certain land use zones and permitted there by way of a special use permit.
36. A church may provide for child care, food service, shelter or school facilities within the zoning districts where these uses are allowed, unless the director determines the use to be incidental to church related function in which circumstance these noted uses will be allowed in all zones where a church is permitted.
37. The use is subject to the rifle and pistol range performance standards; see KCC 5-5-4.
38. Temporary beer and wine licenses are permitted in these zones by way of a catering license approved by the city council. The three hundred-foot distance separation requirement does not apply to temporary beer and wine licenses procured by way of catering license.
39. The city has constructed a storage facility check list to assist the applicant develop this type of land use.
40. The placement of a windmill or wind turbine is subject to certain height and setback provisions that are determined on a case by case basis through the special use permitting process. The placement of these structures in proximity to Kuna Butte is discouraged.
41. Must be agriculturally related.
42. The use not to exceed sixty (60) days at the location.
43. The following uses are declared to require sight obstruction type fencing: Junkyards, wrecking yards, equipment or vehicle salvage storage yards, trailer parks, auction blocks, lumberyards, RV parks, sanitary landfills, recycling collection stations and temporary recycling collection stations, and any other similar type uses; see 5-5-5:G:3 for details.
44. Deleted by Ord. No. 2012-18.
45. Indoor range.
46. Drive-in restaurant subject to performance standards found at KCC 5-5-4
47. A taxi dispatch operation shall be conducted from a physical location that meets applicable zoning standards. A dispatch operation shall not be conducted by way of a home occupation permit. A taxi operator living within the City of Kuna is allowed to have one vehicle at their residence when not in use; however, a taxicab dispatch operation cannot be conducted from a city residence or in a city residential zoning district. Kuna-based taxicab dispatch centers shall be subject to the city's zoning standards. Taxi vehicles shall be stored on property zoned for their accommodation. Any parking area established for taxicab operation, and related storage, shall be subject to the city's design review prior to its usage.
48. For special events only.
49. Preschools that are not state accredited are designated as a child care facility and require a special use permit. Preschools that are accredited fall within the elementary school category.
50. Deleted by Ord. No. 2012-18.
51. Child care facilities require a minimum of forty (40) square feet of usable indoor space per child and eighty (80) square feet of usable outdoor space per child.
52. An ordinance needs to be approved adopting this accessory dwelling unit land use.
53. The use is subject to individualized EDU evaluation.
54. Any large vehicle, motorhome, 5th-wheel trailer, boat, etc., will be subject to special buffering requirements. The developer will need to provide the city with a binding site plan reflecting how they intend to develop the storage facility site. The developer shall follow the prescriptions laid out in the city's storage facility development guide.

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55. Handicraft is permitted as a home occupation, where goods are sold elsewhere. A special use permit is required when goods are requested to be sold from the site.

(Ord. No. 2011-07, § 1, 12-20-2011; Ord. No. 2012-18, § 1, 11-6-2012; Ord. No. 2015-01, § 3, 2-3-2015; Ord. No. 2015-11, § 3, 9-15-2015; Ord. No. 2016-28, § 3, 9-6-2016)

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5-3-3: - OFFICIAL HEIGHT AND AREA STANDARDS:

MINIMUM YARD AND SQUARE FOOTAGE REQUIREMENTS

Zoning District	Maximum Height	Recommended Minimum Street Frontage*	Front Yard Setback On A Local Road	Front Yard Setback on a Local Road to residence or Side Load Garage	Front Yard Setback On An Arterial Or Collector Street	Rear Yard Setback	Interior Side Yard Setback	Street Side Yard Setback	Maximum Lot Coverage	Minimum Lot Size
A	45'	0'**	20' from lot line	20' from lot line	30'	30'	10' from lot line	15'	90%	5 acres
R-2	35'	120'	20'	15'	30'****	15'	5'	20'	40%	20,000 sq ft
R-4	35'	66'	20'	12' ^***	30'****	15'	5'	20'	40%	6,600 sq ft*
R-6	35'	~~45'~~ 40'	20'	12' ^***	30'****	~~15'~~ 10'	5'*****	20'	~~40%~~ N/A	~~4,500 sq ft*~~ N/A
R-8	35'	40'	20'	12' ^***	30'****	15'	5'	20'	40%	3,300 sq ft
R-12	40'	40'	20'	5'	30'****	~~15'~~ 10'	5' *****	20'	~~60%~~ N/A	~~2,200 sq ft~~ N/A
R-20	40'	40'	20'	20'	30'****	15'	5'	20'	60%	1,300 sq ft
O	35'	0**	20'	20'	0	30'	5'	20'	80% DR	2,000 sq ft

C-1	35'	0**	15'	15^	0	5'	0	10'	100% DR	2,000 sq ft
C-2	60'	0**	0	0	0	0	0	0	100% DR	1,300 sq ft
C-3	60'	0**	0	0	0	0	0	0	100% DR	1,300 sq ft
CBD	80'**	0**	0	0	0	0	0	0	100% DR	1,000 sq ft
M-1	100 '	0**	0	0	0	0	0	0	100% DR	5,000 sq ft
M-2/M-3	100'	0**	0	0	0	0	0	0	100% DR	5,000 sq ft
P	60'	0**	0	0	0	0	0	0	100% DR	400 sq ft

The city has discontinued the R-1, R-3, and R-5 zones and converted these discontinued zones to the following: R-1 see R-2; R-3 see R-4; and R-5 see R-6. The M-3 zone, which is limited to mining uses, has been consolidated with the M-2 zone.

The terms property owner, applicant, controller and developer are used interchangeably.

* The city encourages creativity in the design of its subdivisions; the Planning and Zoning Director may allow the reduction of the street frontage and minimum lot size recommendation after reviewing the entire subdivision plat, which shall consider the overall layout of streets and lots.

** It is presumed the parcel's street frontage will be of a sufficient width to accommodate the placement of a driveway entrance for those uses fronting on a street where they have driveway access.

*** Building heights above sixty (60) feet, and especially habitable spaces located above that height, may require the procuring of special safety equipment or fire apparatus.

**** Residential access to a functionally classified roadway is limited.

^ Front setbacks that are less than fifteen feet (15') when on a radius corner lot will need approval from the city to confirm that there is not a site distance issue

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Original Code	Redline Changes to Code
5.3.3: OFFICIAL HEIGHT AND AREA STANDARDS: NOTES A.11	5.3.3: OFFICIAL HEIGHT AND AREA STANDARDS: NOTES A.11 Side yard setbacks may be reduced to zero (0') feet as long as there is a ten (10') distance between structures and no utility easements along the side yard that has a zero setback. When a structure is built on a zero (0) lot line, if the side yard has a utility easement, there shall be a ten (10) foot separation between any portion of the structures or utility easements shall be removed. Structures may also be attached in the R-6 and R-12 zone and have zero setback to property lines with fire rated walls.
5-7-3: - PLANNED UNIT DEVELOPMENT STANDARDS: M. *Structures:* Attached and detached dwelling units are permitted in PUD's in accordance with the city's adopted Uniform Building Code (UBC) requirements. The minimum separation distance between detached dwelling units shall be ten (10) feet, unless fire or building codes required greater separation distances. The separation distance of uninhabitable accessory buildings (from dwelling units, lot lines and easements) will be according to city and fire district requirements (see KCC 5-3-4-5:I).	5-7-3: - PLANNED UNIT DEVELOPMENT STANDARDS: M. *Structures:* Attached and detached dwelling units are permitted in PUD's in accordance with the city's adopted ~~Uniform~~ International Building Code (~~U~~IBC) requirements. The minimum separation distance between detached dwelling units shall be ten (10) feet, unless fire or building codes required greater separation distances. The separation distance of uninhabitable accessory buildings (from dwelling units, lot lines and easements) will be according to city and fire district requirements (see KCC 5-3-4-5:I). (Ord. No. 2011-10, § 1, 12-20-2011; Ord. No. 2018-08, § 2, 3-6-2018)

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5-7-24: - IMPROVEMENT GUARANTEES: D. The applicant shall file with the agreement one (1) of the following to assure their full and faithful performance: 1.Certified check; 2.An irrevocable letter of credit issued by a financial institution authorized to do business in the State of Idaho;	5-7-24: - IMPROVEMENT GUARANTEES: D. The applicant shall file with the agreement one (1) of the following to assure their full and faithful performance: 1.Certified check; 2.An irrevocable letter of credit issued by a financial institution authorized to do business in the State of Idaho; 3. Other surety acceptable to the city. (Ord. No. 2011-10, § 1, 12-20-2011)
5-10-4: - GENERAL REQUIREMENTS FOR ALL SIGNS AND DISTRICTS: O. Subdivision signs: 2. Subdivision signs shall not exceed six (6) feet in height and the sign area shall not exceed forty (40) square feet per side.	5-10-4: - GENERAL REQUIREMENTS FOR ALL SIGNS AND DISTRICTS: O. *Subdivision signs:* 2. Subdivision signs shall not exceed ~~six (6)~~ eight (8) feet in height and the sign area shall not exceed forty-six (~~40~~46) square feet per side unless approved by the planning department. Subdivision signs shall also not be placed in the vision triangle. Any denial from the planning department may be appealed to the city council.
4. Subdivision advertising: Any sign advertising a commercial enterprise, including real estate developers or subdividers, in a district zoned residential shall not exceed twelve (12) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located. Signage installed along a residential subdivision's street frontage for advertising purposes shall be limited to the installation of two (2) in ground signs that do not exceed twelve (12) square feet in area or ten (10) feet in height. The signs shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located. The signs shall be maintained in good condition and removed when ninety-five	4. Subdivision advertising: Any sign advertising a commercial enterprise, including real estate developers or subdividers, in a district zoned residential shall not exceed ~~twelve~~ forty (~~12~~40) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located. Signage installed along a residential subdivision's street frontage for advertising purposes shall be limited to the installation of ~~two~~ four (~~2~~4) in ground signs per street frontage that do not exceed twelve (12) square feet in area or ten (10) feet in height. The signs shall advertise only the names of the owners, trade names, products ~~sold~~sold, and/or the business or activity conducted on the premises where such sign is located. The signs shall be maintained in good condition and removed when ninety-five (95) percent of the subdivision's lots have been sold.

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(95) percent of the subdivision's lots have been sold.	
5-17-12: - BUFFER AREAS; COMMON LOTS: C. *Common area landscapes:* New residential subdivision common area landscapes shall be comprised of the following: 2. A minimum of one (1) deciduous shade tree per one thousand (1,000) square feet of site.	5-17-12: - BUFFER AREAS; COMMON LOTS: C. *Common area landscapes:* New residential subdivision common area landscapes shall be comprised of the following: 2. A minimum of one (1) deciduous shade tree per one thousand (1,000) square feet of site except in park areas where there are turf play fields or other activities that may not warrant densely planted areas.
5-17-13: - LANDSCAPE BUFFER WIDTH BASED ON ROADWAY CLASSIFICATION: B. *The landscape buffer requirements for these noted road classifications and the accompanying land uses are as follows:* 3. *Mobility arterial, residential arterial, residential neighborhood arterial and section line road—Landscape buffer requirements:* The landscape buffer width shall be twenty (20) to thirty (30) feet from the property line for these type of roadways as determined by the director, design review committee, or planning and zoning commission based upon land use action, development intensity, visual impacts, surrounding conditions and topography. A person initiating development or redevelopment adjacent to these types of roadways shall install an eight-foot wide detached sidewalk along the accompanying property frontage. The sidewalk shall be located within the public right-of-way and separated by a four- to eight foot wide irrigated and landscaped planter strip. The requirement for a planter strip is in addition to the installation of the landscape buffer.	5-17-13: - LANDSCAPE BUFFER WIDTH BASED ON ROADWAY CLASSIFICATION: B. *The landscape buffer requirements for these noted road classifications and the accompanying land uses are as follows:* 3. *Mobility arterial, residential arterial, residential neighborhood arterial and section line road—Landscape buffer requirements:* The landscape buffer width shall be twenty (20) to thirty (30) feet from the property line for these type of roadways as determined by the director, design review committee, or planning and zoning commission based upon land use action, development intensity, visual impacts, surrounding conditions and topography. A person initiating development or redevelopment adjacent to these types of roadways shall install an eight-foot wide detached sidewalk along the accompanying property frontage. The sidewalk shall be located within the public right-of-way and separated by a four- to ~~eight~~ twelve-foot wide irrigated and landscaped planter strip. The requirement for a planter strip is in addition to the installation of the landscape buffer.
6. Residential collector and quarter section road—Landscape buffer requirements: The	*6. Residential collector and quarter section road—Landscape buffer requirements:* The

landscape buffer width shall be fifteen (15) feet along the residential collector and quarter section road frontage. A person initiating development or redevelopment along these types of roadways shall install a five-foot wide detached sidewalk along the accompanying property frontage. The sidewalk shall be located within the public right-of-way and separated from the public vertical curb (or its alignment) by a four- to eight-foot wide irrigated and landscaped planter strip. The requirement for a planter strip is in addition to the installation of the landscape buffer.	landscape buffer width shall be fifteen (15) feet along the residential collector and quarter section road frontage. A person initiating development or redevelopment along these types of roadways shall install a minimum five-foot wide detached sidewalk along the accompanying property frontage. The sidewalk shall be located within the public right-of-way and separated from the public vertical curb (or its alignment) by a four- to eight-foot wide irrigated and landscaped planter strip. The requirement for a planter strip is in addition to the installation of the landscape buffer.
C. *Related transportation considerations:* 2. *Stormwater considerations:* Vertical curb and gutter shall be installed on all functionally classified streets. Rolled curbing and gutter, shall be installed on all nonfunctionally classified streets. The use of drainage swales for stormwater conveyance purposes in lieu of curb and gutter is prohibited within the Kuna city limits, unless necessary to preserve a historical drainage right that would be impeded by the swale's removal as determined by the city engineer- see KCC 6-4-2:C. (Ord. No. 2011-15, § 1, 12-20-2011; Ord. No. 2012-22, § 7, 11-6-2012)	C. *Related transportation considerations:* 2. *Stormwater considerations:* Vertical curb and gutter shall be installed on all functionally classified streets. Rolled curbing and gutter or an equivalent approved by the city. shall be installed on all nonfunctionally classified streets. The use of drainage swales for stormwater conveyance purposes in lieu of curb and gutter is prohibited within the Kuna city limits, unless necessary to preserve a historical drainage right that would be impeded by the swale's removal as determined by the city engineer or in areas with private streets or on a case by case basis as determined by the city engineer, the public works director, and/or the planning and zoning director - see KCC 6-4-2:C. (Ord. No. 2011-15, § 1, 12-20-2011; Ord. No. 2012-22, § 7, 11-6-2012)

5-17-14: - LANDSCAPED BUFFER WIDTHS FOR PATHWAYS, WALKWAYS, BUILDINGS AND PARKING LOTS: A. *Pathway or pedestrian walkway—Landscape buffer requirements:* Residential and commercial development pathways and pedestrian walkways shall be centered in a public easement, which is at least ten (10) feet in width. The pathway surface shall be a minimum five (5) feet in width and constructed of an	5-17-14: - LANDSCAPED BUFFER WIDTHS FOR PATHWAYS, WALKWAYS, BUILDINGS AND PARKING LOTS: A. *Pathway or pedestrian walkway—Landscape buffer requirements:* Residential and commercial development pathways and pedestrian walkways shall be centered in a public easement, which is at least ~~ten (10)~~ fifteen (15') feet in width. The pathway surface shall be a minimum five (5) feet in width and

impervious surface that is acceptable to the city engineer and in compliance with Americans with Disabilities Act (ADA) accessibility guidelines found in Section 504 of the Rehabilitation Act.	constructed of an impervious surface that is acceptable to the city engineer and in compliance with Americans with Disabilities Act (ADA) accessibility guidelines found in Section 504 of the Rehabilitation Act.
5-18-1: - PRIVATE ROADS: B. *Construction and design standards:* Private roads shall conform to the following construction and design requirements: 6. Except as may be otherwise set forth in this section, private roads shall meet design and dimensional requirements as the city council deems appropriate considering the proposed use, and the site where the private roads are to be located. All private roads shall have a paved travel lane of not less than twenty-eight (28) feet in width. (Ord. No. 2018-08, § 1, 3-6-2018)	5-18-1: - PRIVATE ROADS: B. *Construction and design standards:* Private roads shall conform to the following construction and design requirements: 6. Except as may be otherwise set forth in this section, private roads shall meet design and dimensional requirements as the city council deems appropriate considering the proposed use, and the site where the private roads are to be located. All private roads shall have a paved travel lane of not less than twenty-eight (28) feet in width, unless an alternative is approved by the city engineer, public works director and/or planning and zoning director. (Ord. No. 2018-08, § 1, 3-6-2018)
6-2-3: - PRELIMINARY PLAT: *Note:* Subdivider and developer are intended to be interchangeable terms. J. *Approval period, phased development, time extension, and expiration:* 1. A preliminary plat approval shall be valid for two (2) years from the date of approval of the findings of facts and conclusions of law by city council, unless extended as provided for herein.	6-2-3: - PRELIMINARY PLAT: *Note:* Subdivider and developer are intended to be interchangeable terms. J. *Approval period, phased development, time extension, and expiration:* 1. A preliminary plat approval shall be valid for ~~two (2)~~ three (3) years from the date of approval of the findings of facts and conclusions of law by city council, unless extended as provided for herein.
2. In the event that the preliminary plat is approved in construction phases (more than one (1) phase), the subdivider shall have two (2) years to complete the plat's first phase from the time the council approves the plat's findings of fact. When the preliminary plat includes phases, each successive phase is to be completed within one (1) year of the preceding phase's recording	~~2. In the event that the preliminary plat is approved in construction phases (more than one (1) phase), the subdivider shall have two (2) years to complete the plat's first phase from the time the council approves the plat's findings of fact. When the preliminary plat includes phases, each successive phase is to be completed within one (1) year of the preceding phase's recording~~

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date.	~~date.~~ In the event that the preliminary plat is approved in construction phases (more than one (1) phase), the sub-divider shall have two (2) years to complete a phase from the time the council approves the plat's findings of fact. When the preliminary plat includes phases, a phase must be completed within three (3) years of a preceding phase's recording date. When a project or master planned community contains multiple preliminary plats, a phase must be completed within three (3) years of a preceding phase's recording date within the entire project for all preliminary plats within the project to not expire.
6-3-3: - LOCATION: Street and road location shall conform to the following: G. *Cul-de-sac streets:* Cul-de-sac streets shall not be more than five hundred (500) feet in length and shall terminate with an adequate turnaround having a minimum radius of fifty (50) feet for right-of-way (Ord. 231, 12-7-1977; Ord. 439, 2-20-1996; Ord. No. 2018-08, § 3, 3-6-2018)	6-3-3: - LOCATION: Street and road location shall conform to the following: G. *Cul-de-sac streets:* Cul-de-sac streets shall not be more than ~~five hundreds~~seven hundred (~~5~~700) feet in length and shall terminate with an adequate turnaround having a minimum radius of fifty (50) feet for right-of-way; cul-de-sacs may be extended further with approval from Kuna Rural Fire Department and emergency access. (Ord. 231, 12-7-1977; Ord. 439, 2-20-1996; Ord. No. 2018-08, § 3, 3-6-2018)
6-3-4: - SPECIFICATIONS: A. *Street right-of-way widths:* 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: (Ord. 231, 12-7-1977; Ord. 439, 2-20-1996; Ord. 639, 5-28-2003; Ord. 2007-02, 2-20-2007; Ord. No. 2012-24, § 1, 11-6-2012; Ord. No.	6-3-4: - SPECIFICATIONS: A. *Street right-of-way widths:* Public 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: D. *Minimum road width:* The minimum road width within the Kuna city limits on public roads and shall be thirty-three (33) feet back of curb to back of curb for parking on both sides of the street and twenty-seven (27') feet for parking on one side, in all zoning districts. Exceptions may be considered by the public works director, city engineer and/or the planning and zoning director on a case-by-case basis. (Ord. 231, 12-7-1977; Ord. 439, 2-20-1996;

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2017-01, § 1, 1-17-2017)	Ord. 639, 5-28-2003; Ord. 2007-02, 2-20-2007; Ord. No. 2012-24, § 1, 11-6-2012; Ord. No. 2017-01, § 1, 1-17-2017)
6-3-9: - BLOCKS: Every block shall be so designed as to provide two (2) tiers of lots, except where lots back onto an arterial street, natural feature or subdivision boundary. (Ord. 414, 2-1-1994)	6-3-9: - BLOCKS: Every block shall be so designed as to provide two (2) tiers of lots, except where lots back onto an arterial street, collector street, natural feature, open space or subdivision boundary. (Ord. 414, 2-1-1994)
6-4-2: - REQUIRED PUBLIC IMPROVEMENTS: The use of drainage swales for stormwater conveyance in lieu of curb and gutter is prohibited unless necessary to preserve a historical drainage right that would be impeded by the swale's removal as determined by the city engineer. There shall be no mixing of irrigation drainage water and road runoff water. All construction shall be in accordance with Idaho Standards for Public Construction Work [ISPCW] or other standards established by the city engineer.	6-4-2: - REQUIRED PUBLIC IMPROVEMENTS: The use of drainage swales for stormwater conveyance in lieu of curb and gutter is prohibited unless necessary to preserve a historical drainage right that would be impeded by the swale's removal as determined by the city engineer or if requested by sub-divider and approved by the city engineer and public works director in other cases. There shall be no mixing of irrigation drainage water and road runoff water. All construction shall be in accordance with Idaho Standards for Public Construction Work [ISPCW] or other standards established by the city engineer.
E. *Fencing:* Fencing shall be installed according to the approved fencing plan. The subdivision shall feature permanent fencing along its outer perimeter with the exception of those portions of its perimeter that feature common open space or park area accessible from the street. The fencing that is placed next to an arterial or collector road shall be punctuated with a minimum three (3) feet of parallel fencing offset, every two hundred fifty (250) linear feet [maximum] to minimize the monotony of the fence's facade. Fences shall be a maximum six (6) feet in height (measured from the crest of the road), permanent in nature and maintenance free. Fencing shall be constructed of metal, rock or vinyl materials with an approved post hole footing. Wood and chainlink fencing is not permitted in a	E. *Fencing:* Fencing shall be installed according to the approved fencing plan. The subdivision shall feature permanent fencing along its outer perimeter with the exception of those portions of its perimeter that feature common open space or park area accessible from the street. The fencing that is placed next to an arterial or collector road shall be punctuated with a minimum three (3) feet of parallel fencing offset, every ~~two~~ five hundred(~~2~~500) linear feet [maximum] to minimize the monotony of the fence's facade. Fences shall be a maximum six (6) feet in height ~~(measured from the crest of the road),~~ permanent in nature and maintenance free. Fencing shall be constructed of metal, rock or vinyl materials with an approved post hole footing. Wood and chainlink fencing is not permitted in a

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subdivision, except for school related purposes. The school authority may rely upon a powder coated or vinyl coated chainlink type fencing for security related purposes. Ditch or irrigation fencing shall be determined with input from the irrigation purveyor. Fencing placed along a subdivision's internal pathways shall be of a see-though type construction to minimize tunneling effects and provide for pedestrian safety. If fencing is used in combination with a landscaped berm, the fence shall be placed behind the berm, and under no circumstances, placed on the berm.	subdivision, except for school related purposes. The school authority may rely upon a powder coated or vinyl coated chainlink type fencing for security related purposes. Ditch or irrigation fencing shall be determined with input from the irrigation purveyor. Fencing placed along a subdivision's internal pathways shall be of a see-though type construction to minimize tunneling effects and provide for pedestrian safety. If fencing is used in combination with a landscaped berm, the fence shall be placed behind the berm, and under no circumstances, placed on the berm.
G. *Flag lot:* Residential subdivision flag lots shall be developed via a common private driveway access that connects with a public street. The driveway shall not extend more than one hundred fifty (150) feet from the public street right-of-way. A common [or shared] driveway shall be relied upon to access the lots contained within the flag lot configuration, with a maximum of three (3) contiguous lots contained within a flag lot. A cross-access driveway agreement qualifying the methods of common driveway care and maintenance responsibility shall be recorded with each lot of the flag lot. The pole portion of the flag lot shall front on the street a minimum thirty (30) feet. The driveway access shall be centered on the pole portion of the flag lot and designed and constructed with a minimum twenty-foot-wide curb cut to include a concrete apron. The common driveway shall be constructed of a material approved by the city engineer. The flag lot is subject to street frontage improvements. The area of the flag lot pole is exclusive of each lot's minimum square footage. Each flag lot shall meet the zoning conditions of the underlying zone. Structure(s) placed on the flag lot shall face the public street and be setback a minimum of twenty (20) feet from edge of driveway. Commercial flag lots shall be evaluated on a case by case basis.	G. *Flag lot:* Residential subdivision flag lots shall be developed via a common private driveway access that connects with a public street. The driveway shall not extend more than one hundred fifty (150) feet from the public street right-of-way. A common [or shared] driveway shall be relied upon to access the lots contained within the ~~flag~~ a common lot configuration, with a maximum of ~~three (3)~~ six (6) contiguous lots accessed by a single common driveway that shall not extend more than two hundred (200) feet ~~contained within a flag lot.~~ A cross-access driveway agreement qualifying the methods of common driveway care and maintenance responsibility shall be recorded with each lot accessing via the common driveway. ~~of the flag lot.~~ The pole portion of any the flag lot shall front on the street a minimum thirty (30) feet. The driveway access shall be centered on the pole portion of the flag lot and designed and constructed with a minimum twenty-foot-wide curb cut to include a concrete apron. The common driveway shall be constructed of a material approved by the city engineer. The flag lot and common drive is subject to street frontage improvements. The area of the flag lot pole is exclusive of each lot's minimum square footage. Each flag lot shall meet the zoning conditions of the underlying zone. Structure(s) placed on the flag lot shall face the public street and be setback a minimum of twenty (20) feet from edge of driveway. Commercial flag lots shall be evaluated on a case by case basis.

I. *Irrigation system:* The city engineer is authorized to establish rules, regulations and standards for pressurized irrigation systems and these systems shall comply with those standards, rules and regulations. Pressure irrigation systems shall be constructed in accordance with the specifications of the city's adopted pressure irrigation plan. The subdivider, is obligated to annex the subdivision's lands into the Kuna Municipal Irrigation District [KMID]. Pressure irrigation facilities shall be constructed and dedicated to the city, in compliance with KMID standards and requirements. The irrigation system's design and functionality shall follow the requirements of the irrigation entity that will own, operate and maintain the system. Subdivisions shall rely upon a nonpotable water source for all irrigation and watering purposes. The subdivider shall provide an underground conduit to provide pressurized irrigation water to every lot within the subdivision. Potable municipal water may not be used for subdivision irrigation purposes.	I. *Irrigation system:* The city engineer is authorized to establish rules, regulations and standards for pressurized irrigation systems and these systems shall comply with those standards, rules and regulations. Pressure irrigation systems shall be constructed in accordance with the specifications of the city's adopted pressure irrigation plan. The subdivider may at subdivider's discretion, ~~is obligated to~~ annex the subdivision's lands into the Kuna Municipal Irrigation District [KMID]. If not annexed, no portion of the subdivision shall be annexed. If annexed, the p~~P~~ressure irrigation facilities shall be constructed and dedicated to the city~~,~~. All irrigation facilities shall be designed and constructed in compliance with KMID standards and requirements. The irrigation system's design and functionality shall follow the requirements of the irrigation entity that will own, operate and maintain the system. Subdivisions shall rely upon a nonpotable water source for all irrigation and watering purposes. The subdivider shall provide an underground conduit to provide pressurized irrigation water to every lot within the subdivision. Potable municipal water may not be used for subdivision irrigation purposes.
J. *Irrigation ditches:* The subdivision's irrigation ditches and laterals shall be tiled with the exception of major canals and natural waterways. The city engineer, in consultation with the irrigation water provider, shall determine if an irrigation ditch or lateral needs to be tiled. Irrigation conveyances shall be placed in a public easement. Major canals and natural waterways located within or adjacent to the development boundaries that are not tiled shall be appropriately fenced. Improvements involving the irrigation distribution system shall have the affected irrigation water provider's approval.	J. *Irrigation ditches:* The subdivision's irrigation ditches and laterals shall be tiled with the exception of major canals and natural waterways. The city engineer, in consultation with the irrigation water provider, shall determine if an irrigation ditch or lateral needs to be tiled. Irrigation conveyances shall be placed in a public or private easement. Major canals and natural waterways located within or adjacent to the development boundaries that are not tiled shall be appropriately fenced. Improvements involving the irrigation distribution system shall have the affected irrigation water provider's approval.
N. *Pathways:* A pathway is intended to connect people to and through a subdivision as opposed to a sidewalk that is intended to protect people from the adjoining roadway. Pathways shall be centered in a public easement and be at least ten (10) feet in width. The pathway surface shall be a minimum five (5) feet in width and	N. *Pathways:* A pathway is intended to connect people to and through a subdivision as opposed to a sidewalk that is intended to protect people from the adjoining roadway. Pathways shall be centered in a public easement and be at least ~~ten~~ fifteen (1~~0~~5) feet in width or in a public or private right-of-way with a minimum of twenty

Development Agreement as of 12.21.2018 Clean

constructed of an impervious surface that is acceptable to the city engineer and in compliance with Americans with Disabilities Act [ADA] accessibility guidelines.	(20) feet of landscaping on both sides combined. The pathway surface shall be a minimum five (5) feet in width and constructed of an impervious surface that is acceptable to the city engineer and in compliance with Americans with Disabilities Act [ADA] accessibility guidelines.
Q. *Sidewalk:* Attached or detached sidewalks shall be constructed on both sides of the subdivision's streets except where its average street lot frontage is more than one hundred (100) feet in width. In this circumstance, a sidewalk is only required on one (1) side of the street, unless there is an overriding health or safety concern that would dictate sidewalk placement on both sides of the street. Additionally, ACHD has a minor local street section whose usage affords the placement of a sidewalk on one (1) side of the street, unless there is an overriding consideration requiring sidewalk placement on both sides of the street. Sidewalks shall be designed and built to Americans with Disabilities Act [ADA] accessibility guidelines, and in accordance with ACHD and city engineer standards and specifications. The minimum width of any city sidewalk shall be five (5) feet. Arterial or collector streets shall feature eight-foot detached sidewalks on both sides of the street frontage regardless of subdivision lot widths. The accompanying parking strip shall also be eight (8) feet wide and landscaped with an irrigation system. A public easement shall accompany any sidewalk placed outside a public right-of-way. The placement of a sidewalk outside the right-of-way requires city approval. Sidewalks constructed as part of a curb cut installation shall be designed to accommodate the additional loading requirements placed upon it.	Q. *Sidewalk:* Attached or detached sidewalks shall be constructed on both sides of the subdivision's streets except where its average street lot frontage is more than one hundred (100) feet in width. In this circumstance, a sidewalk is only required on one (1) side of the street, unless there is an overriding health or safety concern that would dictate sidewalk placement on both sides of the street. Additionally, ACHD has a minor local street section whose usage affords the placement of a sidewalk on one (1) side of the street, unless there is an overriding consideration requiring sidewalk placement on both sides of the street. Sidewalks shall be designed and built to Americans with Disabilities Act [ADA] accessibility guidelines, and in accordance with ACHD and city engineer standards and specifications. The minimum width of any city sidewalk shall be five (5) feet. Arterial or collector streets shall feature eight-foot detached sidewalks on both sides of the street frontage or five (5) feet on one side and ten (10) feet on the other side regardless of subdivision lot widths. The accompanying parking strip shall also be eight (8) feet wide and landscaped with an irrigation system. A public easement shall accompany any sidewalk placed outside a public right-of-way. The placement of a sidewalk outside the right-of-way requires city approval. Sidewalks constructed as part of a curb cut installation shall be designed to accommodate the additional loading requirements placed upon it.
S. *Street and alleys:* All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the City of Kuna [city], Ada County Highway District [ACHD] and Idaho Transportation Department [ITD]. Street functionality shall be determined	S. *Street and alleys:* All Public streets and alleys shall be constructed in accordance with the standards and specifications adopted by the City of Kuna [city], Ada County Highway District [ACHD] and Idaho Transportation Department [ITD]. Street functionality shall be determined

according to the city's adopted "2030 Functional Classified Road Map". The street right-of-way widths shall be according to the street typologies identified in Kuna City Code section 6-3-4. The distance separation from the edge of the street pavement to the developer's right-of-way requires a landscape treatment. For distance separation distances of less than ten (10) feet, provide a city approved landscape treatment to include a nonpotable underground irrigation source. For distance separations of greater than ten (10) feet, provide the remainder of the area separation with a rock application treatment acceptable to the city and the transportation authority. The developer shall enter into a license agreement with the transportation authority for landscape maintenance within the public right-of-way. Highway treatment applications will be determined on a case by case basis. A subdivider shall provide a nonconnecting [dead end] subdivision street, whose length is longer than five hundred (500) feet, with a secondary access. If the nonconnecting street terminates in a turn around, the maximum five hundred-foot street length is to be measured from the center point of the turn around to the point where it intersects with an intersecting street. Should the fire district approve a longer roadway length, the city may defer to their judgment. The city prohibits private streets and alleys unless there is a hardship circumstance that warrants this consideration and not of the controller's making. In the limited circumstances where they are approved, private streets and alleyways shall be owned and maintained by private individuals or entities and not by government agencies.	according to the city's adopted "2030 Functional Classified Road Map". The Public street right-of-way widths shall be according to the street typologies identified in Kuna City Code section 6-3-4. The distance separation from the edge of the street pavement to the developer's right-of-way requires a landscape treatment. For distance separation distances of less than ten (10) feet, provide a city approved landscape treatment to include a nonpotable underground irrigation source. For distance separations of greater than ten (10) feet, provide the remainder of the area separation with a rock application treatment acceptable to the city and the transportation authority. The developer shall enter into a license agreement with the transportation authority for landscape maintenance within the public right-of-way. Highway treatment applications will be determined on a case by case basis. A subdivider shall provide a nonconnecting [dead end] subdivision street, whose length is longer than ~~five~~ seven hundred (~~5~~700) feet (not including any private streets), with a secondary access. If the nonconnecting street terminates in a turn around, the maximum ~~five~~ seven hundred-foot street length is to be measured from the center point of the turn around to the point where it intersects with an intersecting street. Should the fire district approve a longer roadway length, the city may defer to their judgment. ~~The city prohibits private streets and alleys unless there is a hardship circumstance that warrants this consideration and not of the controller's making. In the limited circumstances where they are approved, P~~private streets and alleyways shall be owned and maintained by private individuals or entities and not by government agencies.
T. *Street lighting:* Street lights shall be installed within the subdivision at intersections, fire hydrants, cul-de-sacs and other types of turn around, pedestrian shelters and bus stops and according to the approved lighting plan. The subdivider shall place lighting facilities a maximum spacing of two hundred fifty (250) feet and proportionately dispersed throughout the interior and exterior of the subdivision. The street lighting shall alternate along the course of the subdivision roadways from one (1) side of	T. *Street lighting:* Street lights shall be installed within the subdivision at intersections, fire hydrants, cul-de-sacs and other types of turn around, pedestrian shelters and bus stops and according to the approved lighting plan. The subdivider shall place lighting facilities a maximum spacing of ~~two~~ three hundred ~~fifty~~ twenty-five (~~250~~325) feet and proportionately dispersed throughout the interior and exterior of the subdivision. The street lighting shall alternate along the course of the subdivision

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the road to the other at maximum two hundred fifty-foot intervals. The subdivider shall conform to street lighting standards, as adopted by resolution of the city council. Lighting facilities shall be designed and installed according to "Dark Skies" standards. Lighting facilities will be reviewed by city staff to assure they are energy efficient, and if not, the subdivider shall provide an alternative lighting product acceptable to the city. The street lighting facilities shall be of a design standard that makes them easily exchangeable with minimal replacement cost outlay.	roadways from one (1) side of the road to the other at maximum two hundred fifty-foot intervals. The subdivider shall conform to street lighting standards, as adopted by resolution of the city council. Lighting facilities shall be designed and installed according to "Dark Skies" standards. Lighting facilities will be reviewed by city staff to assure they are energy efficient, and if not, the subdivider shall provide an alternative lighting product acceptable to the city. The street lighting facilities shall be of a design standard that makes them easily exchangeable with minimal replacement cost outlay.
X. *Water supply system:* The city engineer is authorized to establish rules, regulations and standards for water supply systems and these systems shall comply with those standards rules and regulations. Each public water supply systems shall be constructed in accordance with the specifications of the city's adopted water plan. Subdivision water supply systems shall be installed as an extension of the city's public system. Buildable subdivision lots shall have a water service capable of supplying the site with potable water in sufficient volume and pressure for domestic use, and fire protection in accordance with City Code and Kuna Fire District requirements. Water supply shall meet the International Fire Code's minimum fire flow requirements. The water rights appurtenant to a tract of land, subject to subdivision, shall be dedicated to the city in sufficient water quantities to offset the subdivision's potential water demands as determined by the city engineer. The subdivision's water rights shall not be sold, abandoned, or transferred outside the city or its area of city impact. Condominium units shall have individual water meters. Planned unit development [PUD] and master planned communities require a master utility plan that addresses potable water issues. IC § 50-1326 requires all water plans to be submitted to the Idaho State Department of Environmental and Community Services or its authorized agent for approval. The city engineer, or their designate, shall serve as the Idaho State's qualified licensed professional engineer [QLPE] for purposes of reviewing the city's water plan submittals.	X. *Water supply system:* The city engineer is authorized to establish rules, regulations and standards for water supply systems and these systems shall comply with those standards rules and regulations. Each public water supply systems shall be constructed in accordance with the specifications of the city's adopted water plan. Subdivision water supply systems shall be installed as an extension of the city's public system. Buildable subdivision lots shall have a water service capable of supplying the site with potable water in sufficient volume and pressure for domestic use, and fire protection in accordance with City Code and Kuna Fire District requirements. Water supply shall meet the International Fire Code's minimum fire flow requirements. ~~The water rights appurtenant to a tract of land, subject to subdivision, shall be dedicated to the city in sufficient water quantities to offset the subdivision's potential water demands as determined by the city engineer.~~ The subdivision's water rights shall not be sold, abandoned, or transferred outside the city or its area of city impact. Condominium units shall have individual water meters. Planned unit development [PUD] and master planned communities require a master utility plan that addresses potable water issues. IC § 50-1326 requires all water plans to be submitted to the Idaho State Department of Environmental and Community Services or its authorized agent for approval. The city engineer, or their designate, shall serve as the Idaho State's qualified licensed professional engineer [QLPE] for purposes of reviewing the city's water plan submittals.

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(Ord. 231, 12-7-1977; amd. 1985 Code; Ord. 359, 9-3-1991; Ord. 439, 2-20-1996; Ord. 550, 8-28-2000; Ord. 553, 1-22-2001; Ord. 2006-100, 12-19-2006; amd. Ord. 2007-03, 2-6-2007; Ord. 2007-02, 2-20-2007; Ord. No. 2010-15, § 1, 8-3-2010; Ord. No. 2014-20, § 1, 10-21-2014; Ord. No. 2016-08, § 1, 4-5-2016)	(Ord. 231, 12-7-1977; amd. 1985 Code; Ord. 359, 9-3-1991; Ord. 439, 2-20-1996; Ord. 550, 8-28-2000; Ord. 553, 1-22-2001; Ord. 2006-100, 12-19-2006; amd. Ord. 2007-03, 2-6-2007; Ord. 2007-02, 2-20-2007; Ord. No. 2010-15, § 1, 8-3-2010; Ord. No. 2014-20, § 1, 10-21-2014; Ord. No. 2016-08, § 1, 4-5-2016)
6-4-3: - FINANCIAL GUARANTEE RELATING TO COMPLETION OF SUBDIVISION IMPROVEMENTS: C. *Method of financial guarantee:* Financial guarantees shall be submitted to and accepted by the city engineer prior to any city signatures on the final plat according to the following protocol: 2. The city engineer's estimated cost of the remaining work shall be determined, in part, from the detailed bids provided by the subdivider's contractors on contractor's letterhead. To the initial one hundred ten (110) percent estimated cost may be added sums for the following considerations: Three (3) to ten (10) percent for inflation; ten (10) to fifteen (15) percent for the city's bidding disadvantage; and twelve (12) percent to twenty (20) percent for city project management as determined by the city engineer. (Ord. 231, 12-7-1977; Ord. 2007-02, 2-20-2007; Ord. No. 2010-14, § 1, 8-3-2010)	6-4-3: - FINANCIAL GUARANTEE RELATING TO COMPLETION OF SUBDIVISION IMPROVEMENTS: C. *Method of financial guarantee:* Financial guarantees shall be submitted to and accepted by the city engineer prior to any city signatures on the final plat according to the following protocol: 2. The city engineer's estimated cost of the remaining work shall be determined, in part, from the detailed bids provided by the subdivider's contractors on contractor's letterhead. To the initial one hundred ten (110) percent estimated cost may be added sums for the following considerations: Three (3) to ten (10) percent for inflation; ten (10) to fifteen (15) percent for the city's bidding disadvantage; and twelve (12) percent to twenty (20) percent for city project management as determined by the city engineer. In no event shall the final amount be more than one hundred twenty (120) percent of the detailed bids provided by the sub-divider. (Ord. 231, 12-7-1977; Ord. 2007-02, 2-20-2007; Ord. No. 2010-14, § 1, 8-3-2010)

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EXHIBIT F
Subject Real Property Legal Description

J-U-B ENGINEERS, INC.

FALCON CREST PROPERTY
PLANNED UNIT DEVELOPMENT BOUNDARY
LEGAL DESCRIPTION

The Southwest Quarter of Section 23 and those portions of Sections 22 and 15, Township 2 North, Range 1 East, Boise Meridian, in the City of Kuna, Ada County Idaho, particularly described as follows:

Commencing at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the south line of said Section 22, South 89°57'42" East, 48.00 feet to the **POINT OF BEGINNING**;

Thence, departing from said south line and along the easterly right-of-way line of South Cloverdale Road as described in that Warranty Deed to the Ada County Highway District recorded under Instrument No. 108003131, Ada County Records, North 00° 42' 47" East, 2651.04 feet to the south line of the Northwest Quarter of said Section 22;
Thence, continuing along said easterly right-of-way line, North 00° 42' 27" East, 2652.47 feet to the south line of said Section 15;
Thence, continuing along said easterly right-of-way line, North 00° 01' 55" West, 1188.45 feet to the south line of the lands of the Idaho Power Company as described in that Warranty Deed recorded under Instrument No. 522630, Ada County Records;
Thence, along the south line of said lands, North 89° 58' 05" East, 377.00 feet;
Thence, along the east line of said lands, North 00° 01' 55" West, 450.00 feet;
Thence, along the north line of said lands, South 89° 58' 05" West, 377.00 feet to said easterly right-of-way line;
Thence, departing from said north line and along said easterly right-of-way line, North 00° 01' 55" West, 168.61 feet;
Thence, along the northerly line of Parcel 1 as described in said Warranty Deed to ACHD, South 77° 30' 17" West, 49.16 feet to the west line of said Section 15;
Thence, along said west line, North 00° 01' 55" West, 53.25 feet to the centerline of the New York Canal;

Thence, departing from said west line and along said centerline the following three (3) courses:
North 77° 31' 13" East, 489.16 feet to the beginning of a curve;
Thence, along said curve to the left an arc length of 369.58 feet, having a radius of 1198.00 feet, a central angle of 17° 40' 31", a chord bearing of North 68° 40' 57" East and a chord length of 368.11 feet;
Thence, North 59° 50' 41" East, 584.99 feet to the west line of the Northeast Quarter of the Southwest Quarter of said Section 15;

Thence, departing from said centerline and along said west line, South 00° 02' 48" West, 73.31 feet;

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J-U-B ENGINEERS, INC.

Thence, departing from said west line and along the northwesterly line of the lands of Falcon Crest, LLC as described in that Grant Deed recorded under Instrument No. 100049803, Ada County Records, the following four (4) courses:

North 60° 35' 00" East, 173.99 feet;
Thence, North 54° 35' 30" East, 154.96 feet;
Thence, North 59° 04' 20" East, 141.06 feet to the beginning of a curve;
Thence, along said curve to the right an arc length of 188.28 feet, having a radius of 930.00 feet, a central angle of 11° 35' 58", a chord bearing of North 64° 52' 19" East and a chord length of 187.96 feet to the north line of the Northeast Quarter of the Southwest Quarter of said Section 15;

Thence, departing from said north line and along the northwesterly line of the lands of Falcon Crest, LLC as described in that Grant Deed recorded under Instrument No. 100049801, Ada County Records, the following four (4) courses:

Along a curve to the right an arc length of 222.86 feet, having a radius of 930.00 feet, a central angle of 13° 43' 49", a chord bearing of North 77° 31' 55" East and a chord length of 222.33 feet;
Thence, North 84° 23' 50" East, 201.72 feet;
Thence, North 82° 24' 56" East, 132.20 feet;
Thence, North 80° 20' 01" East, 212.66 feet to the east line of the Northwest Quarter of said Section 15;

Thence, along said east line, South 00° 07' 26" West, 120.88 feet to the center quarter corner of said Section 15;
Thence, along the north line of the South Half of said Section 15, South 89° 59' 39" East, 332.96 feet to the northeast corner of the West Half of the West Half of the Northwest Quarter of the Southeast Quarter of said Section 15;
Thence, along the east line of said W1/2 W1/2 NW1/4 SE1/4, South 00° 10' 18" West, 1319.10 feet to the southeast corner of said W1/2 W1/2 NW1/4 SE1/4;
Thence, along the north line of the South Half of the Southeast Quarter of said Section 15, South 89° 59' 18" East, 2323.44 feet to the northeast corner of said S1/2 SE1/4;
Thence, along the east line of said S1/2 SE1/4, South 00° 29' 55" West, 1319.35 feet to the northeast corner of said Section 22;
Thence, along the east line of said Section 22, South 00° 47' 22" West, 2643.07 feet;
Thence, along the north line of the Southwest Quarter of said Section 23, South 89° 35' 20" East, 2667.60 feet to the northeast corner of said Southwest Quarter;
Thence, along the east line of said Southwest Quarter, South 00° 26' 14" West, 2660.40 feet to the south quarter corner of said Section 23;
Thence, along the south line of said Southwest Quarter, North 89° 37' 13" West, 2648.97 feet to the southeast corner of said Section 22;

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JUB ENGINEERS, INC.

Thence, along the south line of said Section 22, North 89° 58' 04" West, 2660.61 feet to the south quarter corner of said Section 22;
Thence, continuing along said south line, North 89° 57' 42" West, 2612.55 feet to the **POINT OF BEGINNING**, containing 1,028.15 acres, more or less.

Robert L. Kazarinoff, PLS

05/17/2018

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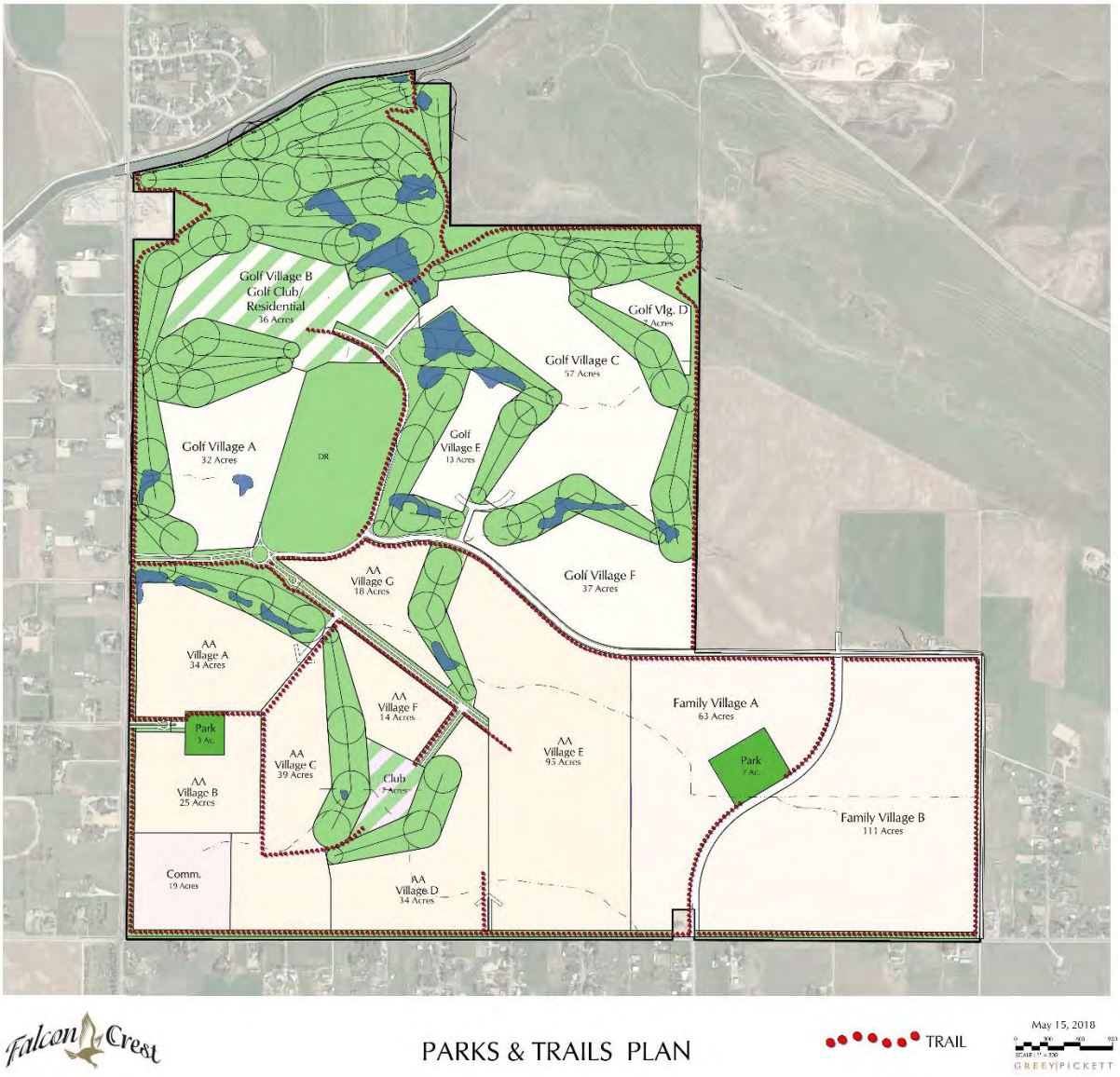
EXHIBIT G
Public Parks & Trails Plan



Falcon Crest

PARKS & TRAILS PLAN

TRAIL

May 15, 2018

GREEY|PICKETT

City of Kuna

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
www.Kunacity.id.gov

City Council – Staff Memo

To: **City Council**

Case No's: **18-03-AN** (Annexation)
18-01-CPM (Comp Map Change)
18-04-ZC (rezone)
18-02-PUD (Planned Unit Develop)
18-04-S (Preliminary Plat) and
And (Development Agreement)

Location: Northeast Corner of Cloverdale and Kuna Roads, Kuna, ID

Planner: Troy Behunin, Planner III

Hearing date: January 2, 2019
Tabled Until: January 15, 2019

Owner: **M3 Companies** - *Mark Tate*
1087 W. River Street, Ste. 310
Boise, ID 83702
208.939.6263
MTate@m3companiesllc.com

Engineer: **J-U-B Engineers** – *Kristi Watkins*
250 S. Beechwood Ave. S. 201
Boise, ID 83709
208.323.9336
kwatkins@jub.com

Table of Contents:

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B. Applicants Request
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I. Proposed Factual Summary
J. Proposed Comprehensive Plan Analysis
K. Proposed Kuna City Code Analysis
L. Commission's Recommendation to Council
M. Proposed Council's Order of Decision

A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), Title 1, Chapter 14, Section 3, states that Annexation, Comprehensive Plan Map Changes, P.U.D.'s, Rezones and Preliminary Plats are designated as public hearings, with the Commission as the recommending body, and City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

i.	Neighborhood Meeting	May 9, 2018 (fifty four (54) persons attended)
ii.	Agency Comment Request	July 13, 2018
iii.	450' Property Owners	December 21, 2018 (plus Emails)
iv.	Kuna, Melba Newspaper	December 12, 2018 and December 19, 2018
v.	Site Posted	December 22, 2018

B. Applicants Request:

1. **Request:**

Applicant, J-U-B Engineers, on behalf of Mark Tate, with M3 Companies (Owner), requests approval to Annex approximately 990 acres into Kuna City limits, Change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres (net), to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and private roads. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho. Please see the application for a list of parcel numbers affected by this application.

C. Aerial Map:

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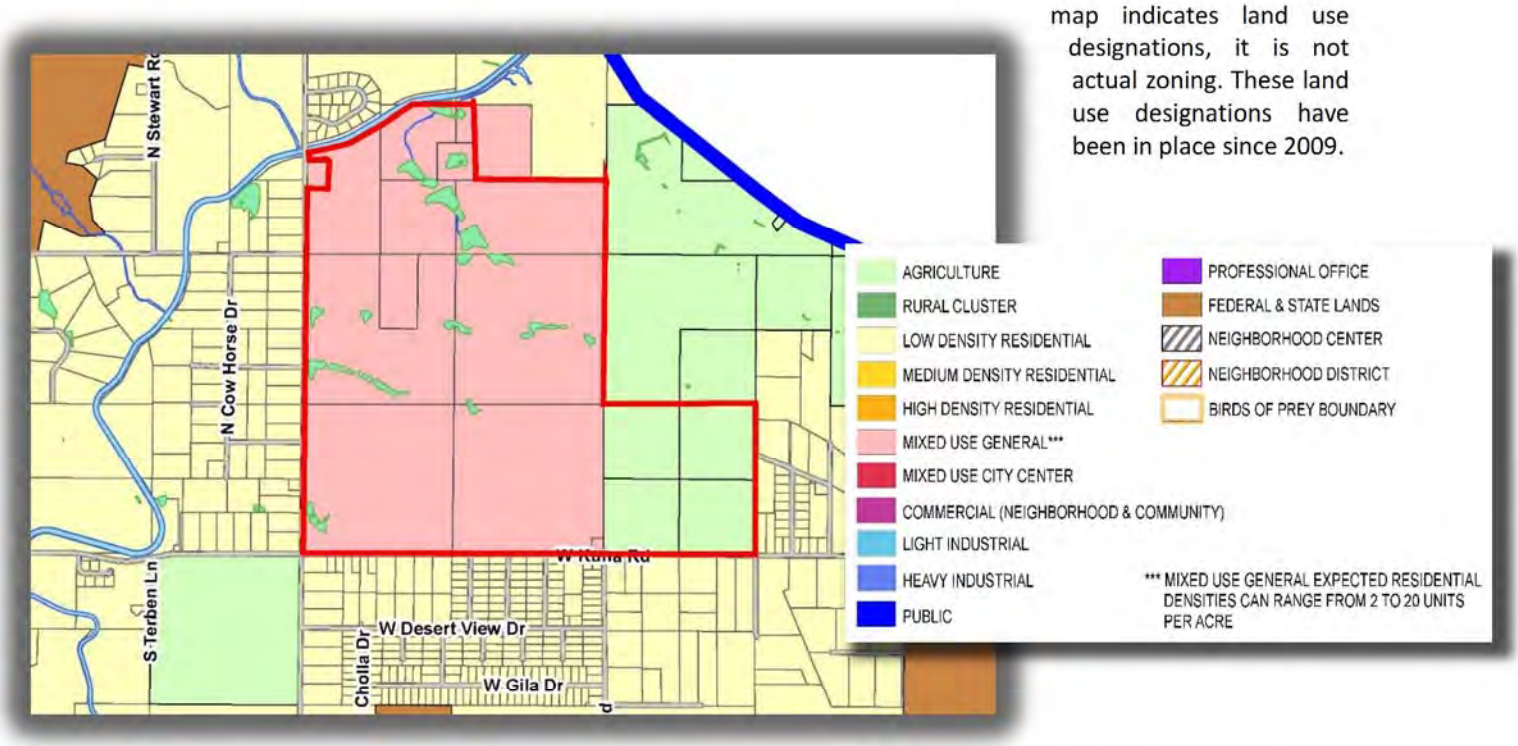
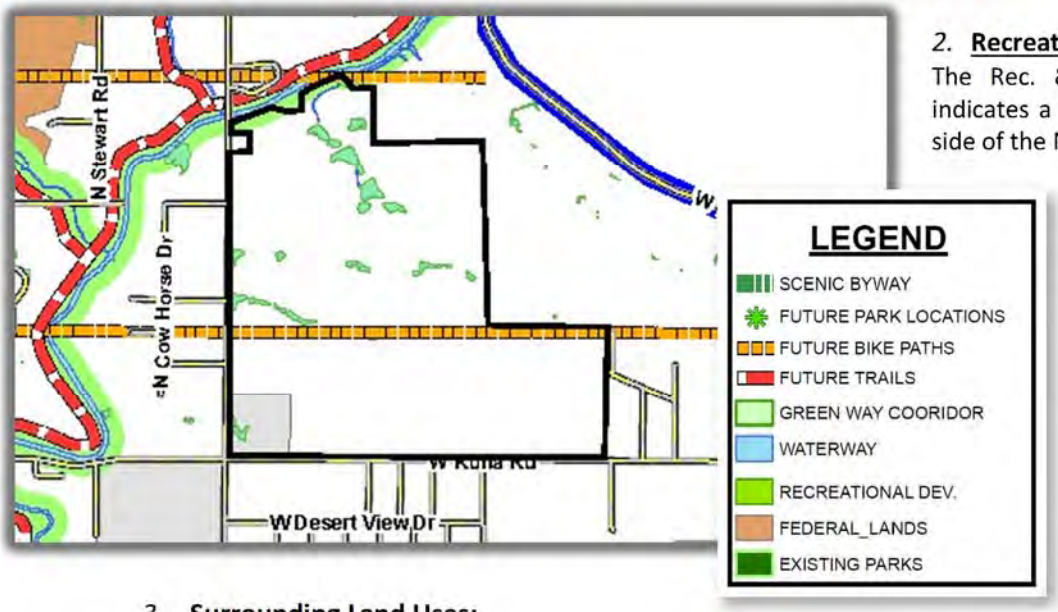
D. Site History:

These lands historically have been used for golf course and agricultural purposes for many years. Approximately 40 acres on the northeast corner of Cloverdale and Kuna Roads were annexed into Kuna, on November 4, 2015, (Case No. 15-01-AN), providing the pathway for annexation for the rest of the golf course as previously planned for future development.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Comp Plan Map designation for this site is Mixed-Use for most of the site (approximately 865 acres). The remaining 160 acres on the east side are designated as agriculture. The Future Land Use Map (Comprehensive Plan Map) is intended to serve as a guide for the decision making body. This map indicates land use designations, it is not actual zoning. These land use designations have been in place since 2009.





2. **Recreation and Pathways Map:** The Rec. & Path Master Plan Map indicates a future trail along the north side of the New York Canal, which is off-site. With this application, staff recommends that the applicant incorporate green and open spaces throughout the project.

3. **Surrounding Land Uses:**

North	R-1, RR	1 acre Residential & Rural Residential - Ada County
South	Ag, RR	Agriculture – Kuna City and Rural Residential – Ada County
East	RR	Rural Residential – Ada County
West	RR	Rural Residential – Ada County

4. **Lot Sizes, Current Zoning, Parcel No's, and L & B No's:**

Lot Size (Approximately)	Current Zone:	Parcel Number(s)
5 acres	RR - Rural Residential	S1415424915
10 acres	RR - Rural Residential	S1415315300
32.97 acres	RR - Rural Residential	S1415314810
56.46 acres	RR - Rural Residential	S1415336000
40 acres	RR - Rural Residential	S1415341100
80 acres	RR - Rural Residential	S1415430000
160 acres	RR - Rural Residential	S1422110050
138.16 acres	RR - Rural Residential	S1422212400
20 acres	RR - Rural Residential	S1422212000
40 acres	RR - Rural Residential	S1423314800
40 acres	RR - Rural Residential	S1423325400
40 acres	RR - Rural Residential	S1423346600
40 acres	RR - Rural Residential	S1423336000
1.31 acres	RR - Rural Residential	S1422449820
158.65 acres	RR - Rural Residential	S1422417300
119.90 acres	RR - Rural Residential	S1422314810
1.13 acres	RR - Rural Residential	R3297260265
39.01 acres	Agriculture - Kuna City	S1422336000

5. **Services (at time of development):**

Sanitary Sewer– City of Kuna
Potable Water – City of Kuna
Pressurized Irrigation – Developer Built and Owned/Maintained
Fire Protection – Kuna Rural Fire District
Police Protection – Ada County Sheriff's office; Kuna Police
Sanitation Services – J & M Sanitation

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

The site has multiple structures that typically are associated with a golf course and maintenance facilities and vegetation that is generally associated with a golf course and other Agricultural uses.

7. **Transportation / Connectivity:**

The site has significant Cloverdale and Kuna Road frontages. The applicant proposes one point of ingress/egress on Cloverdale Road for phase one, approximately 2,000 feet north of Kuna Road to line up with Reining Horse Drive. It is anticipated that the commercial projects proposed for the NEC of Cloverdale and Kuna Road will also seek entrances with future preliminary plat applications. All points of access must follow City & ACHD standards.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts. Most of the sites' topography is generally flat with less than 3 percent slope. However, in the north part of the site, there are rolling hills and some grades greater than 3 percent, which provide for bluffs, and overlooks, these are areas within the existing golf course. This site is not within the Nitrate Priority Area (NPA), however, the project will be required to connect to Kuna City sanitary sewer, potable water and provide for a pressure irrigation water system to the project as a whole.

9. **Agency Responses:**

The following agencies returned comments and are included with this case file:

- City Engineer *Exhibit B 1*
- *Ada County Highway District (ACHD)* *Exhibit B 2*
- *Ada County Highway District (ACHD Pre Plat* *Exhibit B 2 a*
- *Boise Project Board of Control* *Exhibit B 3*
- *COMPASS* *Exhibit B 4*
- *Dept. of Environmental Quality (DEQ)* *Exhibit B 5*
- *ID Transportation Dept. (ITD)* *Exhibit B 6*

F. Staff Analysis:

The subject site is at the northeast corner (NEC) of Cloverdale and Kuna Roads. The applicant requests a Comprehensive Plan Map (CPM) change from Agriculture to Mixed-Use for approximately 163 acres on the east side of the subject site. This request will match the current designation of the golf course parcels and will provide continuity for the entire project as a multi-phased, Planned Unit Development (PUD), consisting of approximately 1,028 acres.

The applicant requests annexation into Kuna City limits applying the Category "A" process. The lands in this application touch City limits in the southwest corner of the site and are therefore eligible for annexation, due to a previous annexation approval (15-01-AN). Applicant has submitted an application for annexation of the remaining 990 acres (approximately) and is seeking for two different zones for these proposed annexing parcels. The applicant is seeking the following jurisdiction and zone changes if the annexation is approved:

- Approximately 807 acres are proposed to be annexed with a zone change from Rural Residential (RR) *TO* R-6 Medium Density Residential (MDR),
- Approximately 184 acres from RR, *TO* R-12, High Density Residential (HDR).

The applicant seeks to rezone approximately 20.89 acres of the 39 acres already annexed into Kuna and zoned Agriculture, *TO* C-2 (Area Commercial District), and the remaining 19.60 acres to be zoned R-6 Medium Density Residential (MDR). While the Commercial lot is included in the Preliminary plat, development of the commercial corner will take place separately in the future; a time line for the commercial development is unknown at this time.

Applying the PUD process, the applicant proposes a mix of various uses throughout the project to include; commercial, recreational activities, medium and high density residential uses, to include single family lots, active adult communities, age targeted living, a community center, updated club house (with full food and beverage service and dinner and event space), several private parks, a City park, a considerable open space and pathway network (*13.41 acres in the first preliminary plat alone, or 10.2% of that area*), and the golf courses. The applicant proposes a master-planned active resort-style community for all ages. The applicant is proposing private streets for certain areas that will be built to Kuna and ACHD standards (curb, gutters & sidewalks) and meet Kuna Fire Department requirements. All private roads will be built and maintained by the Home Owners Association (HOA), and anticipates providing a golf cart community (in part), which, when combined with a large network of biking and walking pathways, will help reduce vehicle trips for basic needs, recreation and even food services. Using the PUD process and exceeding the required 10% usable open space, the applicant is eligible to request relief from certain development standards to accommodate mixed-uses and design criteria to create a unique and different development not seen in Kuna before. The applicant has provided a list of standards and requirements they seek relief from and those requested changes are listed in the exhibits of the Development Agreement included for Council's review. The requested changes are presented side-by-side to show current code, compared with the *requested* changes.

Staff notes that proposed phase one requests four shared driveways, provides for two potable well sites (PP note #3) and just two cul-de-sacs. This plat is planned to be an age restricted community and as long as the

CC&R's provide for permanent maintenance, care and responsibility of the shared driveways, staff supports their use for this preliminary plat. Staff also notes that just one permanent entrance off Cloverdale is shown for phase one. The Kuna Rural Fire District (KRFD) has requirements for providing a secondary emergency access (either temporary or permanent) as does the City. Applicant has proposed a temporary secondary access within Block 1, near lot 347. Staff will support a secondary access that is approved by the KRFD. Staff also notes that the applicant is proposing swales with no curb/gutter along Cloverdale, or Kuna Roads. This is contrary to KCC. Along arterial roads, KCC calls for full roadway improvements, including curb/gutter, road widening, and sidewalks at eight feet (either separated or attached). Staff recommends that the applicant be conditioned to demonstrate shared driveway responsibility as explained, secondary emergency access as explained and to follow City standards for full arterial roadway improvements as explained. Otherwise, the proposed preliminary plat appears to be in substantial compliance with KCC.

Staff has determined this application generally complies, or as conditioned, will follow Idaho Statutes §50-222 (Annex) and §65-67 (LLUPA–Subs); Title 5 and title 6 of the Kuna City Code; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's stated above, subject to the recommended conditions of approval listed within this report and in Section 'N' of this report.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5,
2. City of Kuna Subdivision Ordinance Title 6,
3. City of Kuna Comprehensive Plan and Map, adopted September 1, 2009,
4. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Proposed Procedural Background:

On January 2, 2019, the Council will consider the Falcon Crest project; Case No's: 18-03-AN, 18-01-CPM, 18-04-S, 18-02-PUD, 18-02-ZC, and proposed Development Agreement, including the applications, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Proposed Factual Summary:

This project approximately 1,028 acre site, is adjacent to Kuna City limits and is located at the northeast corner (NEC) of Cloverdale and Kuna Roads and part is zoned Agriculture (Ag.) in the City and the remaining part as RR in the County. 40 acres of the approximate 1,028 acres (net) is in Kuna City and zoned Ag.. The site has varying historical uses, including a golf course, club house, cart barn, agriculture uses and other ancillary subordinate uses. Applicant proposes a Comprehensive Plan Map Change from Ag. to Mixed-Use for part of the site, annexation for approx. 988 acres, a rezone for approx. 40 acres from Ag. to R-6 and C-2 zones, a PUD, a Preliminary Plat for approx. 132 acres, to subdivide said property into 409 buildable lots and 51 common lots and four shared driveways (over common lots), and a subdivision design review for the landscaping of the common lots. This project is adjacent to Cloverdale Road and Kuna Road, both are principle arterial roads.

J. Proposed Comprehensive Plan Analysis:

The Kuna Council accepts the Comprehensive Plan components as described below:

The designations of Mixed-Use shown on the Planning Map (See Map above) for these lots were approved by Council. The proposed change from Agriculture to Mixed-Use is supported by way of the application and supporting materials and plans provided and staff views this request to be consistent with the following Comprehensive 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. (Page 21).

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 prices 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).

Comment: *The proposed rezone follows the community vision and provides a way to achieve the housing goals as stated and adopted, by supplementing other existing large lot subdivisions nearby.*

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.

Comment: *Utilizing the Idaho Attorney Generals 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).

Comment: *The proposed application complies with these elements of the comprehensive plan by providing an opportunity to supply varied housing types and provide pedestrian connections, thereby meeting this goal.*

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).

Medium Density Residential:
This designation describes areas where residential development densities generally range from four to eight units per acre. These areas will be made up of single-family homes, but may include townhomes, row houses duplexes and other types of multi-family land uses. Areas featuring these densities are generally located within the City Center and around Neighborhood Centers (Page 88).

Comment: *The proposed rezone requests an R-6 and R-12 zone, for residential uses, conforming to the Comprehensive Plan and Planning Map approved by Council in August of 2015.*

Mixed-Uses:
The mixed use general land use designation pertains to a land parcel or combination of parcels that are planned and developed together. This comprehensive land use category may contain residential, commercial, office and technical uses, a variety of building types and densities, common open space variations, clustered development and recreational facilities (Page 105).

Comment: *The proposed application requests a PUD to include mixed-uses including C-2, R-6 and R-12 zones, for commercial and residential uses, conforming to the Comprehensive Plan and Planning Map approved by Council in August of 2015.*

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 – 1.2, Pg. 163 12.4 and Pg. 165 – 2.1).

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).

Comment: *Applicant proposes a resort style community to include commercial uses, varied housing densities/types including medium and high density residential elements that will contribute to availability of varied types and home sizes in a logical and orderly manner (Master Planned Community) with an opportunity to provide a quality development.*

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.

Comment: *Applicant proposes a master planned resort-style community that will include a considerable network of green spaces, trails, golf course, and other amenities that will include some public and some private facilities, this is a community designed to be an all-ages development.*

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. (Page 179).

Comment: *With this development, the applicant will provide an extension of the sidewalk and roadway system which must comply with the Master Street Plan adopted by Kuna. Applicant has proposed extensive pathways and sidewalks for pedestrian and non-motorized transportation, daily services, and adding connecting stub streets. Applicant appears prepared to propose a variety of housing densities thereby complying with approved land use designation outlined within the Comp Plan and Planning Map.*

K. Proposed Kuna City Code Analysis:

1. This request appears to be consistent and in compliance with all Kuna City Codes (KCC).

   Comment: *The proposed project meets the land use and area standards in Chapter 3, Title 5 of the Kuna City Code (KCC). Staff also finds that the proposed project meets all applicable requirements of Title 5 and Title 6 of the KCC.*

2. The site is physically suitable for the proposed new subdivision and site development.

   Comment: *The 1,028 acre (approximate) project includes a request for subdividing a portion of the lands into 409 buildable lots and 51 common lots. The site appears to be compatible with the proposal.*

3. The Applications **are / are not** likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

   Comment: *The land to be annexed, rezoned and subdivided is not used as wildlife habitat. Future roads, dwelling units and open spaces must be designed and planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

4. The development proposal **is / is not** likely to cause adverse public health problems.

   Comment: *The proposed subdivision of the property appears to follows Kuna City Codes. All development requires connection to public sewer and potable water systems, therefore eliminating the occurrence of 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.

   Comment: *The Council did consider the location of the property and adjacent uses. The subject property (if approved for annexation) will be in Kuna City and will be required to connect to the Kuna City central sewer and potable water systems, and create their own Pressure Irrigation System. The current adjacent uses are large lots in the County, and agricultural in nature and the site it adjacent to two Principle arterial roads.*

6. Based on the evidence contained in Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and Development Agreement (DA), **do/do not** adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and Development Agreement (D.A.), generally **do/do not** comply with Kuna's Zoning Code.

L. Commission's Recommendation to Council:

On November 27, 2018, the Commission voted to recommend approval for Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and D.A., based on the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Council, the applicant's presentation, public testimony and discussion during the public hearing by the Commission of Kuna, Idaho, the Commission hereby recommends approval for Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and D.A., an Annexation, CPM, PUD, Rezone, Preliminary Plat and D.A. request by J-U-B- Engineers on behalf of M3 Companies, with the following conditions of approval:

- *Applicant shall follow conditions as outlined within the staff report,*
- *Applicant shall work with staff to refine and finalize the development agreement and include potable water, the default clause, and to submit a clean development agreement to the City Council,*
- *Applicant shall work with staff to include recommendations from ACHD's report to mitigate the traffic of the first preliminary plat,*
- *Applicant shall include the irrigation text from the City Engineer's letter, as appropriate,*
- *Applicant shall include curb, gutter and sidewalks on Cloverdale and Kuna Road if they're not included in the ACHD five-year work plan,*
- *Applicant shall work with staff and ACHD on the alignment of Five Mile Road.*

M. Proposed Order of Decision by the Council:

18-03-AN (Annexation), 18-01-CPM (Comp Plan Map), 18-02-ZC (Rezone), 18-04-S (Preliminary Plat), 18-02-PUD (PUD), and a **D.A.**, *Note: This proposed motion is for **approval, conditional approval, or denial** for this request. If the Council wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

Based on the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Council, the applicant's presentation, public testimony and discussion during the public hearing by the City Council of Kuna, Idaho, the Council hereby **approves / conditionally approves / denies** Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, an Annexation, CPM, PUD, Rezone, Preliminary Plat and D.A. request by J-U-B- Engineers on behalf of M3 Companies, with the following conditions of approval *at time of development*:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the 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 all sewer connections.
    b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
    c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
    d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
    e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
    2.1– At time of development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths, *except as otherwise approved through the PUD process.*
3. 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, 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. When required, submit a petition to the City (as necessary, 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 over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. All street lighting within and for the site shall be LED lighting and must comply with Kuna City Code, *except as otherwise approved through the PUD process.*
7. Parking within the site shall comply with Kuna City Code, *except as otherwise approved through the PUD process.*
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code and go through Design Review for those approvals.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.

11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
12. The applicant's proposed landscape plan (dated 10.30.2018) shall be considered binding site plans, or as modified and approved through the proper process.
13. The applicant's proposed preliminary plat (dated 5.18.2018) shall be considered binding site plans, or as modified and approved through the public hearing process
14. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
15. Developer/owner/applicant shall comply with all local, state and federal laws.

City of Kuna
P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
www.Kunacity.id.gov

City Council
Proposed Findings of Fact and Conclusions of Law

Based upon the record contained in Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, a D.A., and 18-20-DR, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Council hereby ***approves*/conditionally approve/*denies*** the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, a DA, and 18-20-DR, a request for annexation, Comp plan map change, rezone, preliminary plat, PUD, and D.A. approval by J-U-B Engineers, on behalf of M3 Companies, LLC:

1. *The Kuna City* Council ***approves/conditionally approves/denies*** *the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.*

   Comment: *The Kuna City* Council *held a public hearing on the subject applications on January 2, 2019, to hear from City staff, the applicant and to accept public testimony. The decision by the Council is based on the application, staff report and public testimony, both oral and written.*

2. *Based on the evidence contained in Case No's* 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and D.A.*, this proposal* ***does/does not*** *generally comply with the Comprehensive Plan and City Code.*

   Comment: *The Comp Plan has listed numerous goals for promoting and supporting a diverse and sustainable economy that will allow more Kuna residents to work in their community and encouraging a balance of land uses to ensure that Kuna remains desirable, stable and a self-sufficient community.*

3. *Based on the evidence contained in Case No's* 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and D.A.*, this proposal* ***does/does*** *not generally comply with the City Code.*

   Comment: *The applicant has submitted a complete application, and following staff review the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

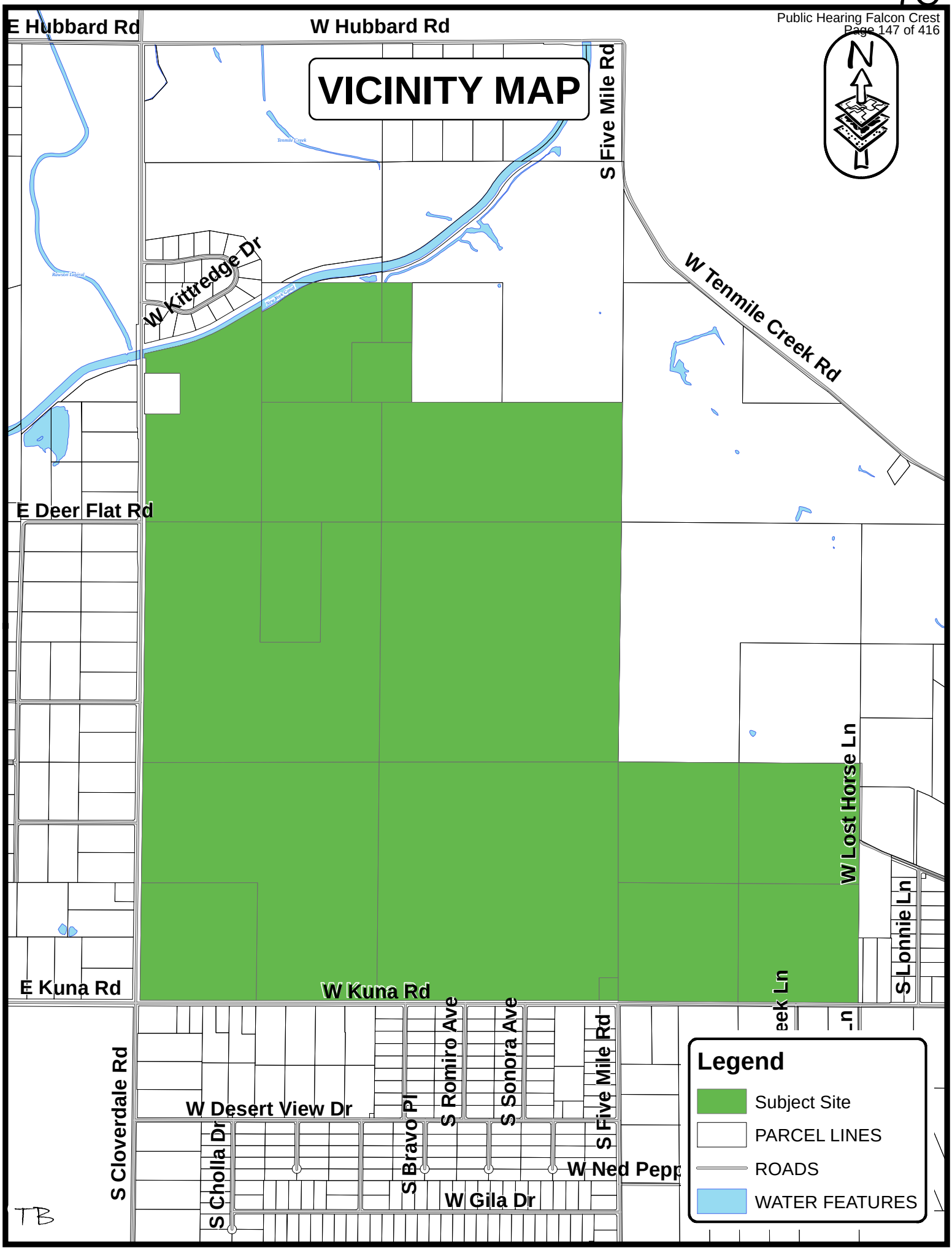
4. *Kuna's City* Council *has the authority to approve or deny Case No's* 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and a DA*.*

   Comment: *On January 2, 2019, Council voted to* ***approve/conditionally approve/deny*** *Case No's* 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and a DA

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

   Comment: *Neighborhood Notices were mailed out to residents within 450 FT of the proposed project site on December 21, 2018, and a legal notice was published in the Kuna Melba Newspaper on December 12th and 19th, 2018. The applicant placed a sign on the property on December 22, 2018.*

   DATED this ___, day of _____, 2019


VICINITY MAP
E Hubbard Rd
W Hubbard Rd
S Five Mile Rd
W Tenmile Creek Rd
W Kittredge Dr
E Deer Flat Rd
W Lost Horse Ln
S Lonnie Ln
E Kuna Rd
W Kuna Rd
S Cloverdale Rd
W Desert View Dr
S Romiro Ave
S Sonora Ave
S Five Mile Rd
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ROADS
WATER FEATURES
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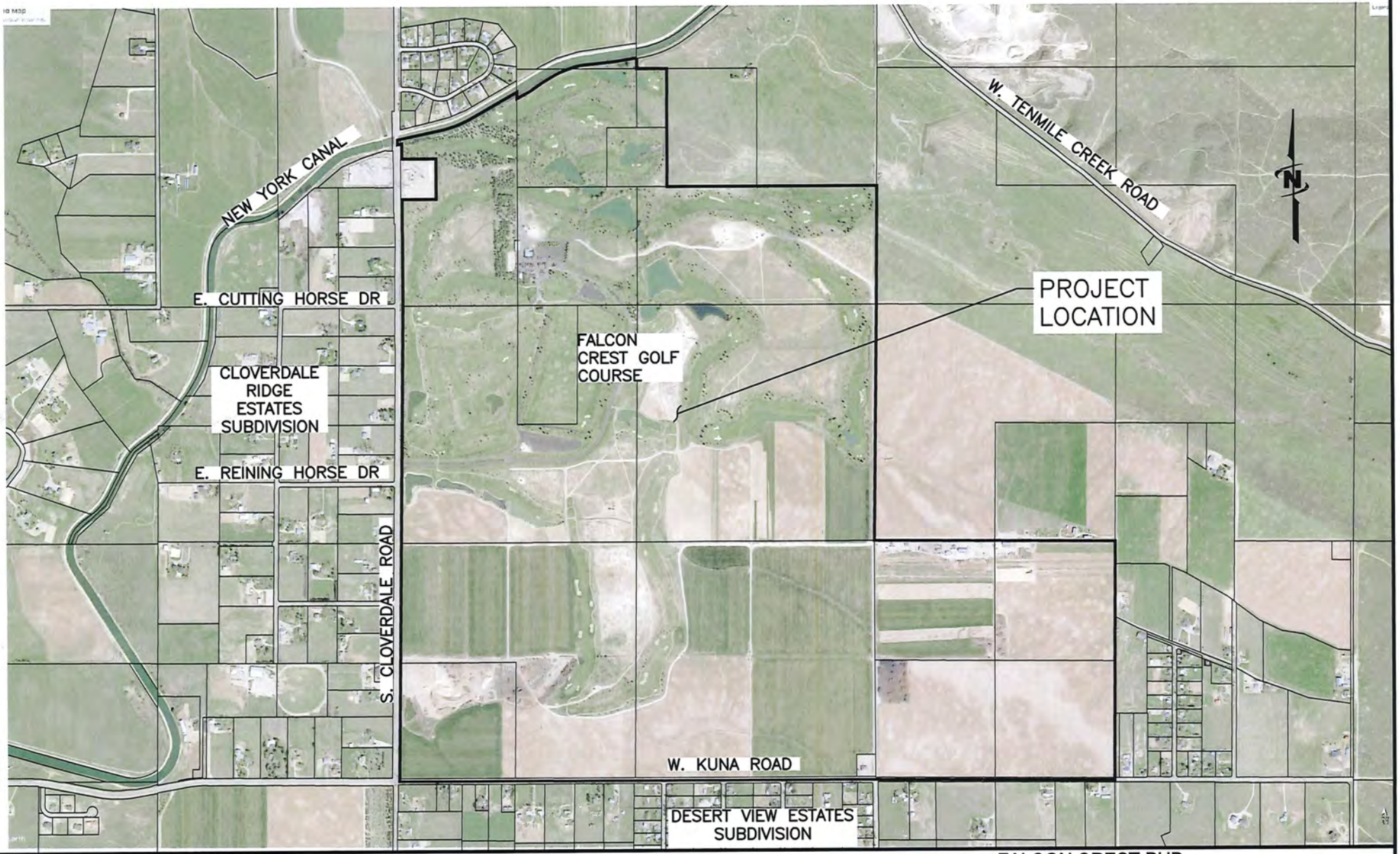

J-U-B ENGINEERS, INC.

LAST UPDATE: 5/17/2018
PLOT DATE: 5/17/2018
FILE: 10-17-141_PRE-VICINITY

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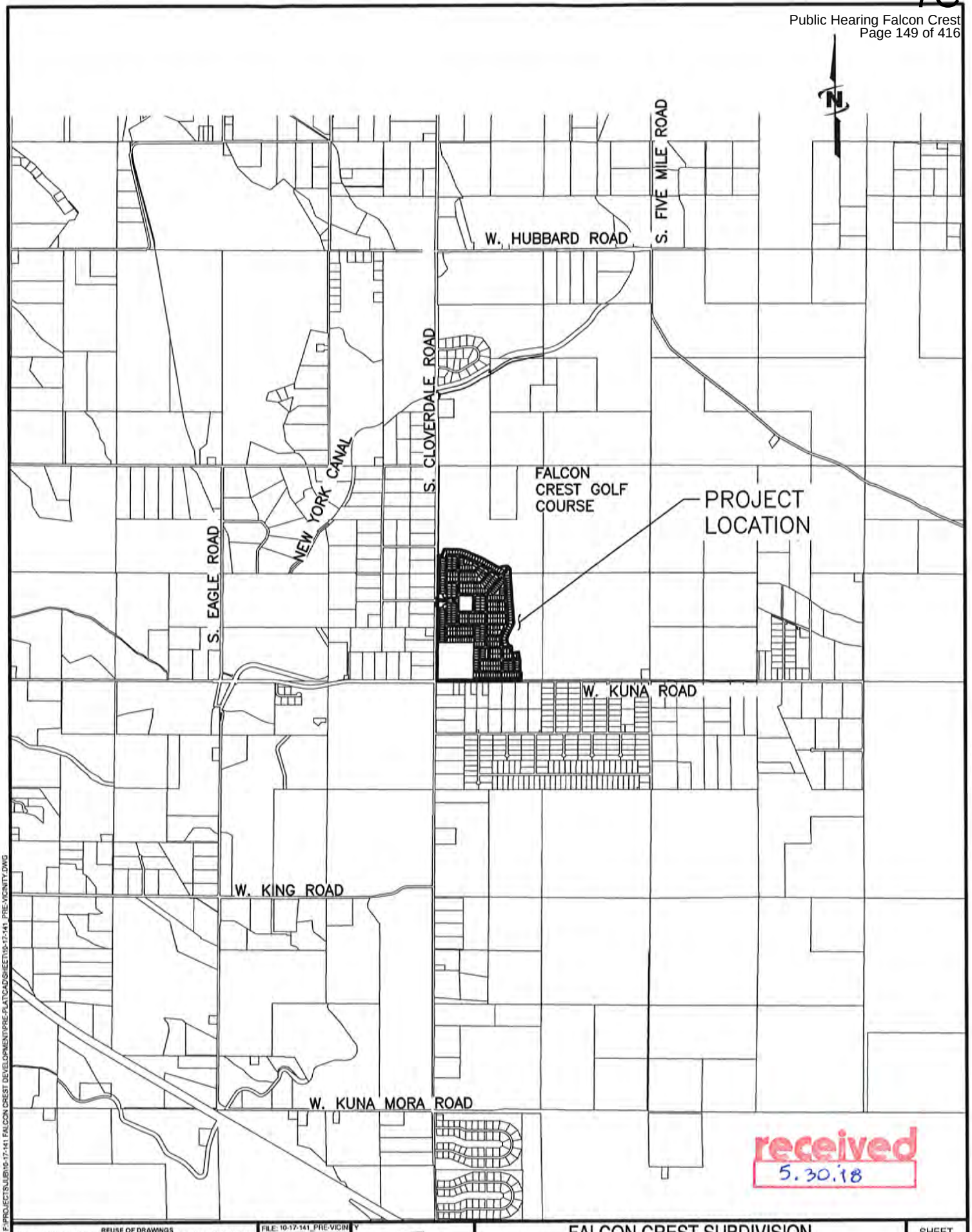
FALCON CREST PUD
KUNA, IDAHO
AERIAL VICINITY MAP



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JUB PROJ. #: 10-17-141
DRAWN BY: ####
DESIGN BY: ####
CHECKED BY: ####
LAST UPDATED: 5/17/2018

J-U-B ENGINEERS, INC.

FALCON CREST SUBDIVISION
KUNA, IDAHO

2 MILE VICINITY MAP

SHEET 1

Plot Date:5/17/2018 3:34 PM Plotted By: Everett Earnest
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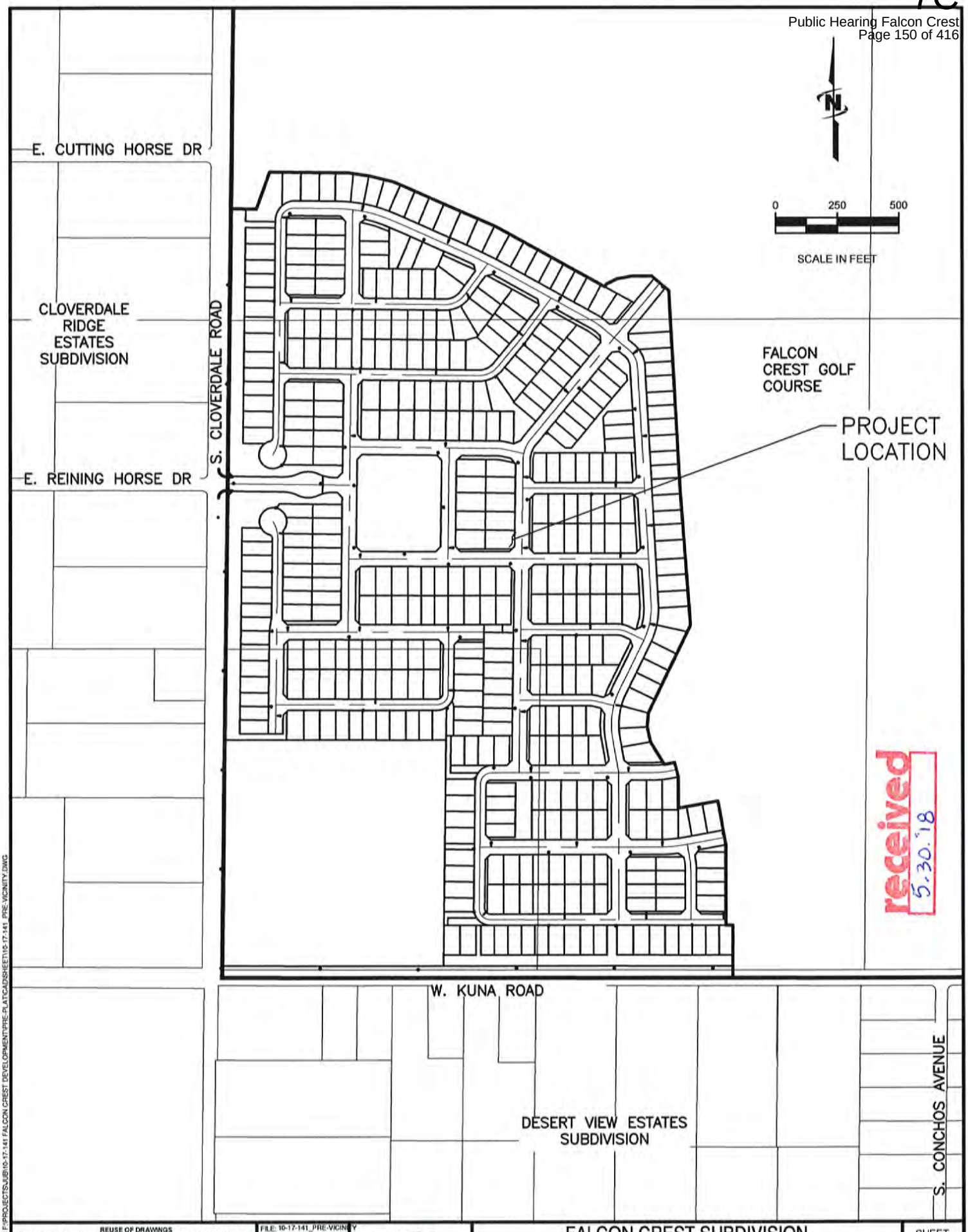

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FILE: 10-17-141_PRE-VICINITY
JUB PROJ. #:10-17-141
DRAWN BY: ####
DESIGN BY: ####
CHECKED BY: ####
LAST UPDATED: 5/17/2018

J-U-B ENGINEERS, INC.

FALCON CREST SUBDIVISION
KUNA, IDAHO
300 FOOT VICINITY MAP

SHEET 1

Plot Date:5/17/2018 3:38 PM Plotted By: Everett Earnest
Date Created:5/14/2018 F:\PROJECTS\JUB\10-17-141 FALCON CREST DEVELOPMENT\PRE-PLAT\CAD\SHEET\10-17-141_PRE-VICINITY.DWG

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

May 30, 2018

City of Kuna
751 W. 4th Street
Kuna, Idaho 83634

RE: FALCON CREST SUBDIVISION – COMPREHENSIVE PLAN AMENDMENT, ANNEXATION, REZONE, DEVELOPMENT AGREEMENT, PLANNED UNIT DEVELOPMENT AND PRELIMINARY PLAT

To Whom It May Concern:

On behalf of our client, M3 ID Falcon Crest, LLC, please accept this request for Comprehensive Plan Amendment, Annexation, Rezone, Development Agreement, Planned Unit Development and Preliminary Plat for the Falcon Crest Subdivision located on the northeast corner of S Cloverdale Rd and Kuna Road, in Kuna, Idaho. The address for the subject property is 11102 S Cloverdale Rd, Kuna, Idaho. The overall development includes 1,028.15 acres.

Comprehensive Plan Amendment

A comprehensive plan amendment is requested to change the future land use designation from Agriculture to Mixed Use General for parcel #'s S1423325400, S1423314800, S1423336000 and S1423346600 located at 9805 W Kuna Rd (162.4 acres total of the total 1,028 acres).

The land immediately adjacent to and including the Falcon Crest Golf Course is designated as Mixed Use General in the City of Kuna Comprehensive Plan. The eastern most 162.4 acres of this development request, made up of the parcels listed previously, is designated as Agriculture. The entire 1,028.15 acres is owned by Falcon Crest, LLC and will be combined into one planned unit development. Therefore, changing the future land use designation for the easterly 162.4 acres, to match the adjacent property, will help facilitate the overall development plan.

Including this additional 162.4 acres into the Mixed Use General designation will move this development along and provide for continuous frontage and utility improvements along Kuna Rd, Five Mile Rd and throughout the proposed development. It will also ensure that utilities are provided to and through the property to reach more of the Kuna community to the east and north.

Annexation

The current city limits of Kuna encompass a 39 acre parcel on the northwest corner of S Cloverdale Rd and Kuna Rd that is part of this overall development plan. This parcel creates a contiguous annexation path for the remainder of the proposed project.

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a 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709-0944 p 208-376-7330 f 208-323-9336 w www.jub.com

This portion of the request is to annex the remaining 995.01 acres into the incorporated city limits of Kuna, Idaho and to zone 806.92 acres from RR (Ada County Zone, Rural Residential) to R-6 (Medium Density Residential) and 188.09 acres from RR (Ada County Zone, Rural Residential) to R-12 (High Density Residential). The annexation application will incorporate all the property in and around the Falcon Crest Golf Course area and provide entitlements for a multi-phase residential and mixed-use development.

The developer will extend sewer services from its current location along Kuna Road to the proposed site. The City of Kuna has budgeted for two new wells to be drilled within the proposed development to provide water service to this project and for expansion of services to surrounding properties. Developer will be required to install all other water infrastructure throughout the community. Emergency services will be available through the Kuna Police Department and Kuna Fire District. A pressurized irrigation system will be provided by onsite irrigation wells currently being used for agricultural use and golf course irrigation and would irrigate common areas and continue to irrigate golf courses throughout the community. Because there is limited surface water available, residential pressurized irrigation service will be provided by the City of Kuna domestic water system. Storm water will be retained on site and designed by a civil engineer in accordance with City of Kuna and ACHD requirements.

Rezone

The rezone request is for parcel #S1422336000 which is currently located within the city limits of Kuna and zoned A (Agriculture District). We are requesting that 20.89 acres be rezoned to C-2 (Area Commercial District) and 19.58 acres be rezoned to R-6 (Medium Density Residential).

The area to be rezoned to R-6 will be included within the proposed single-family preliminary plat boundary and the proposed C-2 area will be held for future commercial development.

Development Agreement

A draft development agreement has been submitted with this application in accordance with Title 5, Chapter 14 of the Kuna City Code. Upon approval of the these applications, this development agreement will be updated with the conditions of development determined by Kuna City Council and ACHD and will include an updated concept plan that reflects those requirements. It will also include a statement by the developer that "upon failure to comply with the commitments in the development agreement shall be deemed consent to rezone the use to the preexisting zone or in the case of initial zone at annexation, a zone deemed appropriate by council."

Attachments in the development agreement include the overall master plan, annexation request, offsite sewer alignment, parks & pathways master plan, dimensional requirements and specific allowable uses.

Planned Unit Development

The planned unit development proposes a mix of uses including commercial, residential and recreational uses.

The design of the project is intended to complement the existing golf course and ancillary uses including limited food service. The overall 1,028.15 acres will be divided into various development areas and phases as defined by the enclosed master plan. These different areas will include active adult, age targeted living, single-family residential, recreation, a community center, an upgraded clubhouse with full food and beverage service, private parks, a public city park, pathways and vast open space, including the golf course. The open space is designed to exceed the minimum requirements set forth in the Kuna City Code 5-7-11 and the landscaping will be in compliance with the provisions listed in Kuna City Code 5-17 and will be subject to Design Review. The parks and pathways will include combinations of active and passive amenities. The designated club section in the active adult area will include a clubhouse and swimming pool along with both indoor and outdoor active amenities. There is a proposed city park that will be dedicated to the City of Kuna, and pathways that will be open to the public even though the active adult portion of the community is private. The existing golf course is part of the overall development, and a new golf clubhouse with dining and event space will be built in the future.

The overall development plan categorizes the areas as follows:

Area Description	Gross Acres	Buildable Acres	Density	Lot Count
Commercial	18.84	18.84		1
Golf Village	475	182	3.2 (1.23 w golf)	584
Active Adult	333	259	4.4 (3.47 w golf)	1,148
Family Village	198	175	3.4 (3.00 w golf)	591
Totals	**1024.84**	**634.84**	**3.8 (2.26 w golf)**	**2,324**

Access to the development will be provided at various points along Kuna Rd and S Cloverdale Rd with a residential collector road running east-west through the center to provide connectivity within the project and to filter traffic throughout, rather than guide all traffic out to the main roads. Many of the trips for food service, recreation, and basic commercial services will be within walking, biking, or a golf cart ride from the residences in the community.

The proposed development is designed to meet all requirements outlined in Kuna City Code Title 5, Chapter 7 in regards to Planned Unit Developments. Amenities to be provided are; a clubhouse with a pool and walking paths throughout, all of which will be constructed to accommodate all age groups and will meet ADA accessibility standards. The project will contain open space totaling a minimum of 10% of the gross project acreage. In addition, each plat will contain a minimum of 5% of its total gross acres as open space. Private streets within the Active Adult sections will be designed on a single common lot to provide access to all lots they are intended to serve, will be constructed with curb, gutter and sidewalk per city and ACHD standards and will also meet fire department requirements. Amenities, open space and private streets will all be owned and maintained by the Homeowner's Association as outlined in the Development Agreement and Covenants, Conditions and Restrictions that will be recorded with this development and each phase as it progresses.

A traffic impact study by Kittelson & Associates has been submitted to ACHD for review. Upon completion of their review ACHD will provide a final staff report to the city to be considered during the application review and hearing process.

PUD – Code Change Request

The developer is also requesting certain code changes to Kuna City Code Title 5, Chapter 7, Chapter 10 and Chapter 17 and Title 6, Chapter 2, Chapter 3, and Chapter 4. The code changes are outlined in Exhibit F of the Development Agreement. The changes requested refer to private streets and alleyways, structure separation, performance bonding, subdivision signage, landscaping, allowable uses, and various subdivision requirements. These changes will accommodate the proposed mixed-use layout.

Preliminary Plat

The first preliminary plat proposed within this Planned Unit Development consists of 131.32 acres, includes the C-2 and R-6 zoning designations and will be divided into 468 lots. This will include 1 commercial lot, 409 residential lots, 51 Common lots, 4 common driveway lots, 2 well lots, and 1 private road lot. The common area will incorporate 13.41 acres, which is 10.2% of the platted area. The average lot size is 7,443 square feet for a density of 3.64 dwelling units per acre.

Private Streets will be gated and provide access through the subdivision. This preliminary plat will occur in approximately 9 phases and will begin with phase 1 taking access from S Cloverdale Rd, construct the park space and install the gated entrance. This preliminary plat area is intended for active adult living that will be marketed to the 55 and older population that desires a smaller floor plan, smaller yard and more recreation geared towards healthy and social living.

Overall Development Schedule

Development is planned to proceed immediately following project and engineering approvals. Development of the first plat will occur in phases over the course of 5-10 years depending on market conditions. We anticipate developing 1-2 phases per year in the first preliminary plat and continuing to develop various portions of the property over the course of 20+ years at a pace the is determined by the market.

The enclosed applications have been submitted in accordance with the requirements of the City of Kuna and will comply with all applicable local, state and federal requirements. The development has been designed in accordance with the City of Kuna's Code and Comprehensive Plan. Please contact me at 376-7330 if you have any questions regarding this application.

Sincerely,
J-U-B ENGINEERS, Inc.

Kristi Watkins

Kristi Watkins, Planner
Land Development Group

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)	18-03-AN 18-01-CPM 18-02-PUD 18-02-DRC 18-02-ZC 18-04-S
Project name	FALCON CREST SUB
Date Received	5.30.18
Date Accepted/ Complete	7.13.18
Cross Reference Files	
Commission Hearing Date	OCT. 9, 2018
City Council Hearing Date	

Type of Review (check all that apply):

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

Contact/Applicant Information

Owners of Record: Falcon Crest, LLC	Phone Number:
Address: 2528 N Cloverdale Rd	E-Mail:
City, State, Zip: Boise, ID 83713	Fax #:
Applicant (Developer): M3 Companies	Phone Number: 939-6263
Address: 1087 W River Street, Suite 310	E-Mail: mtate@m3companiesllc.com
City, State, Zip: Boise, ID 83702	Fax #:
Engineer/Representative: JUB Engineers, Scott Wonders	Phone Number: 376-7330
Address: 250 S Beechwood Ave, Suite 201	E-Mail: swonders@jub.com
City, State, Zip: Boise, ID 83709	Fax #: 323-9336

Subject Property Information

Site Address: 11102 S Cloverdale Rd, Kuna, ID	
Site Location (Cross Streets): Kuna Rd and Five Mile Rd	
Parcel Number (s): See Attached List (18 parcels)	
Section, Township, Range: Section 22, T2N, R1E, BM	
Property size : 1028.15 Acres	
Current land use: Golf Course and Vacant Properties	Proposed land use: Residential
Current zoning district: A, RR (Ada County)	Proposed zoning district: C-2, R-6 & R-12

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Project Description

Project / subdivision name: Falcon Crest Subdivision (PUD)

General description of proposed project / request: Single-Family Residential Subdivision

Type of use proposed (check all that apply):

- [X] Residential Single-Family
- [ ] Commercial
- [ ] Office
- [ ] Industrial
- [ ] Other

Amenities provided with this development (if applicable): Clubhouse, Pool, Playground, gazebo, pathways

Residential Project Summary (if applicable)

Are there existing buildings? [ ] Yes [X] No

Please describe the existing buildings:

Any existing buildings to remain? [ ] Yes [X] No

Number of residential units: 409 Number of building lots: 410

Number of common and/or other lots: 58

Type of dwellings proposed:

- [X] Single-Family
- [ ] Townhouses
- [ ] Duplexes
- [ ] Multi-Family
- [ ] Other

Minimum Square footage of structure (s): Unknown at this time

Gross density (DU/acre-total property): 3.64 Net density (DU/acre-excluding roads): 5.11

Percentage of open space provided: 10.2% Acreage of open space: 13.41 acres

Type of open space provided (i.e. landscaping, public, common, etc.): Landscaping buffers along collector and arterial streets, public pathway, common areas with landscaping and amenities.

Non-Residential Project Summary (if applicable)

Number of building lots: N/A Other lots: N/A

Gross floor area square footage: N/A Existing (if applicable): N/A

Hours of operation (days & hours): N/A Building height: N/A

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): N/A

Proposed Parking: N/A

a. Handicapped spaces: Dimensions:
b. Total Parking spaces: Dimensions:
c. Width of driveway aisle:

Proposed Lighting: N/A

Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): N/A

Applicant's Signature: Kristi Watkins Date: May 29, 2018

City of Kuna

Planned Unit Development (PUD) Application

P.O. Box 13
Kuna, Id 83634
(208) 922-5274
Fax: (208) 922-5989
Website: www.kunacity.id.gov

File No. : _____

Cross Ref. : _____

File Name: _____

The City of Kuna has adopted a Planned Unit Development (PUD) process whose purpose is to make Kuna a pleasant and comfortable place to live and work. This PUD process is based on standards and guidelines found in PUD Ordinance No. 2008-15. This document can be found online (www.cityofkuna.com) or can be picked up in the City's Planning and Zoning department is located at 763 W Avalon, Kuna ID. Staff is glad to assist you with your application form.

The Planned Unit Development application applies to the following land use actions:

- ▶Multi- family dwellings (3 or more)
- ▶Commercial
- ▶Technical Uses
- ▶Office
- ▶Common Area
- ▶Subdivision
- ▶Variety of Building Types and Densities
- ▶Common Open Space Variations
- ▶Clustered Development and Recreational Facilities

Application Submittal Requirements

Applicant Use		Staff Use
X	Date of pre-application meeting: October 11, 2017 & May 30, 2018 *Note: Pre-Applications are valid for a period of three (3) months.*	☐
X	A complete Planned Unit Development Application form *Note: It is the applicant's responsibility to use a current application.*	☐
X	Detailed letter of explanation or justification for the application, describing the project and design elements, and how the project complies with the Planned Unit Development.	☐
X	One (1) Vicinity Map (8 ½" x 11") at 1" = 300' scale (or similar), label the location of the property and adjacent streets. Show all relevant current conditions (no older than one (1) year)	☐
X	One 8 ½" x 11" colored aerial photo depicting proposed site, street names, and surrounding area within five-hundred feet (500'). The purpose of this photo is to view the site for existing features and adjacent sites.	☐
X	Copy of Deed; **and an original** notarized Affidavit of Legal Interest for all parties involved	☐

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[X] **Preliminary Development Plan**; which shall include drawings and supplementary written narrative materials to include: [ ]

- [X] Sketches or illustrations portraying the proposed character of the development; and sketches or illustrations of items subject to design review [ ]
- [X] Description of how the PUD relates to surrounding land uses [ ]
- [X] Vicinity map identifying neighborhood features within ½ mile of the location [ ]
- [X] The nature of other land use actions requested [ ]
- [X] If the PUD involves a preliminary plat, ***include the number of phases and a description of each one*** [ ]
- [X] A narrative identifying and addressing the following: [ ]
  - X Land use allocation by type ___
  - X Percentage ___
  - X Density ___
  - X Open Space ___
  - X Roads ___
  - N/A Parking ___
  - X Housing ___
  - N/A Commercial ___
  - X Services provided and public or private ownership and other information that may be pertinent and or material. ___

[X] **Preliminary Drawings**; at a minimum scale of 1" = 100' displaying the following: [ ]

- [X] The name of the proposed PUD [ ]
- [X] Date, north point and scale of drawing and identity of the person(s) preparing the drawing [ ]
- [X] A boundary survey legal description of the PUD [ ]
- [X] Names, addresses and telephone numbers of the controller and any of the following involved in the project: architect, landscape architect, designer, engineer, planner and nurseryman [ ]
- [X] Date of survey and name of surveyor [ ]
- Appropriate identification of the drawing(s) as a preliminary plan

[X] **Natural Features Map**; showing an inventory of existing site features including: [ ]

- [X] Ground elevation shown by contour lines at two foot (2') intervals or less – five foot (5') intervals may be accepted for slopes greater than ten percent (10%) [ ]
- [X] General soil types as documented by a soils engineer or engineering geologist [ ]
- [X] **Hydrology;** Analysis of natural drainage patterns and water resources including an analysis of streams, natural drainage swales, wetlands, floodplain areas or other areas subject to flooding, poorly drained areas, permanent high ground water areas and seasonally high ground water areas as they may be located on site or be affected by on-site activity: [ ]
  - X Proposed and existing storm water facilities ___
  - X Water conveyance facilities ___
  - X Water features, such as ponds, wetlands and permanent or intermittent watercourses ___
  - X Areas subject to flooding ___
- [X] Natural features, such as trees, vegetation and ground cover, historic sites, major rock outcroppings, and similar type amenities. [ ]
- [X] Sanitary sewer, storm drainage and water supply facilities. ***If such facilities are not on or abutting the site, indicate the direction and distance to the nearest such facilities.*** [ ]
- [X] Width, location and purpose of all existing easements of record on/and abutting the site. [ ]
- [X] A map describing land areas contiguous within three hundred feet (300') and adjacent to the proposed PUD, including zoning classifications, land uses, densities, circulation systems, public facilities, unique natural features, and approximate locations of nearby structures. [ ]

[X] **Site Plan**; which shall include: [ ]

- [X] North arrow [ ]
- [X] To scale drawing (minimum 1" = 100') [ ]
- [X] All drawings need to be signed and stamped by a licensed engineer; and dated with contact information. ***With the exception of concept drawings and residential structures that do not require a licensed engineer's review.*** [ ]
- [X] Name of project [ ]
- [X] The locations of all existing and proposed dwelling units and/or individual lots [ ]
- [X] Location of major streets [ ]
- [X] The proposed yard requirements or locations of single family homes for individual lots [ ]
- [X] The existing and proposed traffic circulation system serving the PUD including: [ ]
  - N/A Off-street parking and maneuvering ____
  - X Points of access to existing public rights-of-way ____
  - X A plan notation or description narrative outlining ownership of streets ____
  - N/A Parking areas ____
- [X] The existing and proposed pedestrian and bicycle circulation system [ ]
- [X] Conceptual plans for all services including their location and whether the services will be publicly or privately owned and maintained including location of utility connections. ***Note: Any services intended to be privately owned (sewer, water, street, etc.) requires the City Engineer's prior review and approval*** [ ]
- [X] Proposed location and treatment of any public or private common areas or structures including open spaces, park or recreation areas, and school sites [ ]
- [X] The general landscape treatment proposed along the site's periphery and in accordance with provisions of the City's landscape ordinance [ ]
- [X] The approximate amount, location and type of buffering and/or landscaping [ ]
- [X] Proposed architectural styles [ ]
- [X] The subdivider may be required to submit proposed restrictive covenants, in outline form [ ]

[X] Environmental assessment, traffic study, grading plan or other studies as may be appropriate for the proposed site as determined by the Commission or Director. [ ]

[X] If the applicant is requesting preliminary subdivision plat approval concurrent with the preliminary PUD approval, a **Preliminary Subdivision Plat** shall be submitted along with the PUD conceptual site plan. [ ]

[X] Development Schedule: A development schedule indicating the approximate date on which construction of all phases of the entire project can be expected to begin. If the schedule is approved by the Commission it shall become a part of the final development plan. [ ]

[X] Additional Information as may be required by City staff or deciding bodies. [ ]

Planned Unit Development Application

Applicant: M3 Companies, LLC Phone: 208-939-6263

[ ] Owner [X] Purchaser [ ] Lessee Fax/Email: mtate@m3companiesllc.com

Applicant's Address: 1087 W River Street, Suite 310

Boise, Idaho Zip: 83702

Owner: Falcon Crest, LLC (Hansgeorg Borbonus) Phone:

Owner's Address: 2528 N Cloverdale Rd Email:

Boise, Idaho Zip: 83713

Represented By: *(if different from above)* JUB Engineers, Inc. (Scott Wonders) Phone: 208-376-7330

Address: 250 S Beechwood Ave, Suite 201 Email: swonders@jub.com

Boise, Idaho Zip: 83709

Address of Property: E Kuna Rd, 18 parcels (see list of parcel numbers)

Distance from Major Cross Street: adjacent to S Cloverdale & Kuna Roads Street Name(s): S Cloverdale & Kuna Roads

Please Check the box that reflects the amenities used :

Active recreational amenities such as playgrounds; basketball or tennis courts; baseball, soccer or rugby fields; swimming pools; natatoriums; walking/ running paths; clubhouse; school sites; etc.

Other amenities appropriate to the size and uses intended in the PUD

Pedestrian and bicycle pathway systems within and through the project (exclusive of required sidewalks adjacent to public right-of-way) and designed to connect into existing or planned pedestrian or bicycle routes outside the PUD.

This Planned Unit Development application is a request to construct, add or change the following: *(Briefly explain the nature of the request.)*

This will be a mixed use development that incorporates commercial and various levels of single family residences. There is also a few requested code changes in reference to private streets, structure separation, bonding, signage, landscaping and some subdivision requirements.

1. Dimension of Property: 1028.15 acres total
2. Current Land Use(s): Agriculture zoning - Golf Course
3. What are the land uses of the adjoining properties?
   - North: Residential, Ag
   - South: Residential
   - East: Residential, Ag
   - West: Residential
4. Is the project intended to be phased, if so what is the phasing time period? Yes
   Please explain: Overall 25 - 30 years. First Preliminary Plat, Phase 1-11 - 2019-2023
5. Are there any irrigation ditches/canals on or adjacent to the property? Yes
   If yes, do you know the name of the irrigation or drainage provider? Boise Project Board of Controls, Kuna Irrig.
6. Fencing: *(Please provide information about new fencing material as well as any existing fencing material)*
   Mixture of wrought iron and solid privacy fencing.
   Type: Open wrought iron and solid privacy
   Size: 4'- 5' and 6'
   Location: Wrought iron around common areas and golf course and solid privacy between residences and along streets
   (Please note that the City has height limitations for fencing material and requires a fence permit to be obtained prior to installation)
7. Storm Drainage:
   Proposed Method of On-site Drainage Retention/Detention:
   On-site drainage will be in seepage beds and ponds
8. Percentage of Site Devoted to Building Coverage: N/A - Overall Master Plan extends beyond current plat request
   % of Site Devoted to Landscaping: Greater than 10% Square Footage: TBD
   % of Site that is hard Surfaces *(paving, driveways, walkways, etc.)*: TBD Square Footage: TBD
   % of Site Devoted to Other Uses: TBD
   Describe: 19 acres of commercial, Golf Course & Clubhouse, Community Clubhouse & Parks
   % of landscaping within the parking lot (landscaped islands, etc.): *(Please see Kuna City Ordinance 2006-100)*
   TBD
9. For details, please provide dimensions of landscaped areas within public right-of-way:
   N/A
10. Are there any existing trees of 4" or greater in caliper on the property? *(Please provide the information on the site plans.)*
    If yes, what type, size and the general location? *(The City's goal is to preserve existing trees with greater than a four inch (4") caliper whenever possible):*
    Yes, the property includes multiple golf courses and thousands of existing trees. Tree species vary and include both deciduous and evergreen trees. The project plans to make some modifications to the golf course, but retain the vast majority of existing trees. Existing trees also exist lining the existing access road to the current clubhouse. Those trees will also remain in place.
11. Pedestrian Amenities: *(bike racks, receptacles, drinking fountains, benches, etc.)*
    Walking paths will be included around the perimeter and throughout the community. Trash recepticles and benches, picnic areas and other amenities will be located in the community parks.
12. Parking requirements: N/A
    Total Number of Parking Spaces: N/A Width and Length of Spaces: N/A
    Total Number of Compact Spaces (8'x17'): N/A
13. Is any portion of the property subject to flooding conditions? Yes _____ No X
    (If yes, you must submit a Floodplain Development Permit Application with this Design Review application.)

IF THE PLANNING DIRECTOR OR DESIGNEE, THE COMMISSION AND/OR THE CITY COUNCIL DETERMINE THAT ADDITIONAL AND/OR REVISED INFORMATION IS NEEDED, AND/OR IF OTHER UNFORESEEN CIRCUMSTANCES ARISE, ANY DATES OUTLINED FOR PROCESSING MAY BE RESCHEDULED BY THE CITY. APPLICANT/REPRESENTATIVE MUST ATTEND ALL SCHEDULED MEETINGS.

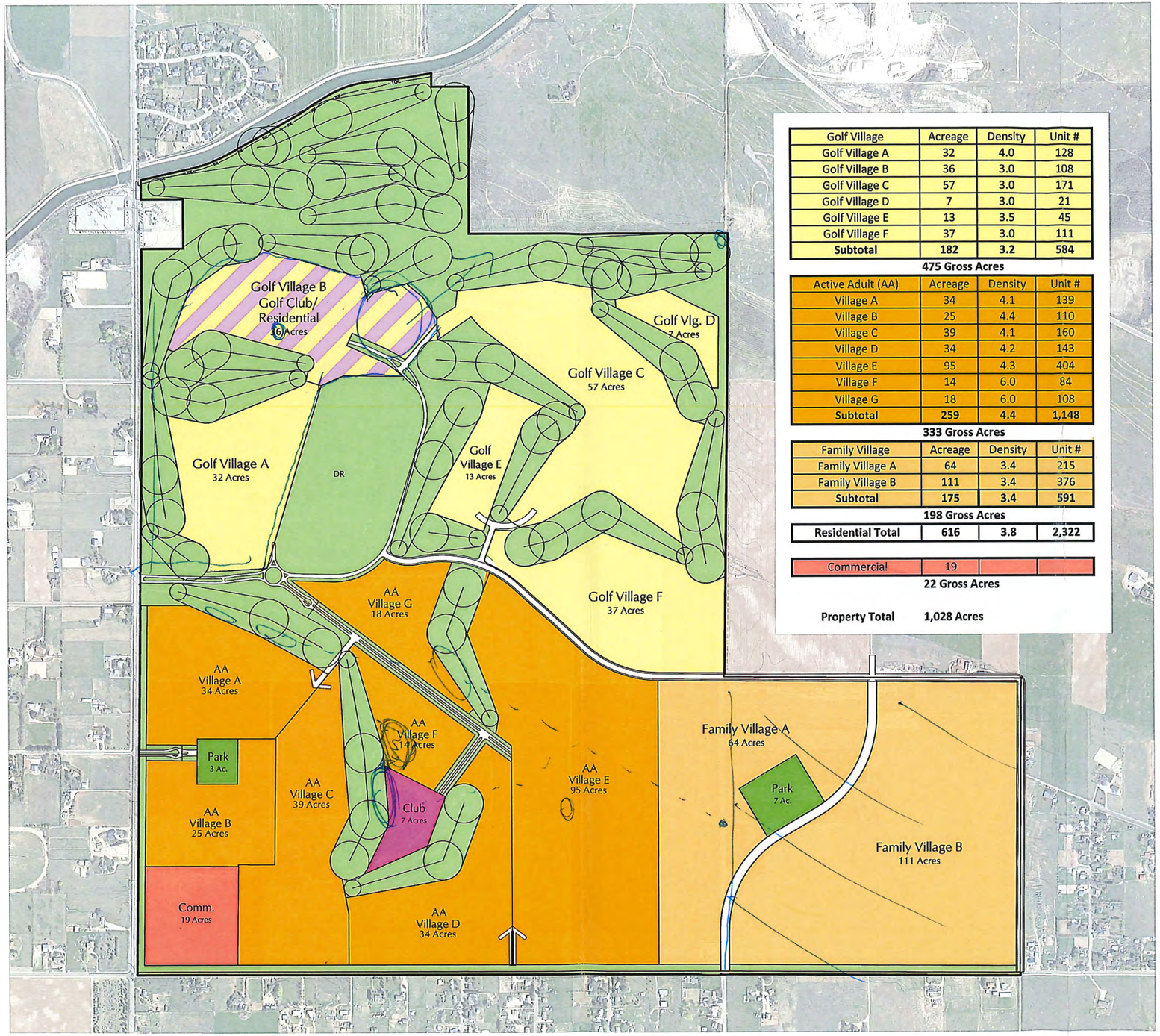
The Ada County Highway District may also conduct public meetings regarding this application. If you have questions about the meeting date or the traffic that this development may generate or the impact of that traffic on streets in the area, please contact the Ada County Highway District at 387-6170. In order to expedite your request, please have ready the file number indicated in this notice.

Signature of Applicant Kristi Watkins Date May 30, 2018
City staff comments:

Signature of receipt by City Staff_____ Date_____

FOR ADDITIONAL INFORMATION:
(Please list page number and item in reference)

Please see the narrative and development agreement document for more detailed information.



Golf Village	Acreage	Density	Unit #
Golf Village A	32	4.0	128
Golf Village B	36	3.0	108
Golf Village C	57	3.0	171
Golf Village D	7	3.0	21
Golf Village E	13	3.5	45
Golf Village F	37	3.0	111
Subtotal	**182**	**3.2**	**584**

475 Gross Acres

Active Adult (AA)	Acreage	Density	Unit #
Village A	34	4.1	139
Village B	25	4.4	110
Village C	39	4.1	160
Village D	34	4.2	143
Village E	95	4.3	404
Village F	14	6.0	84
Village G	18	6.0	108
Subtotal	**259**	**4.4**	**1,148**

333 Gross Acres

Family Village	Acreage	Density	Unit #
Family Village A	64	3.4	215
Family Village B	111	3.4	376
Subtotal	**175**	**3.4**	**591**

198 Gross Acres

Residential Total	**616**	**3.8**	**2,322**
Commercial	19		

22 Gross Acres

Property Total **1,028 Acres**

Falcon Crest

PRELIMINARY DEVELOPMENT PLAN

May 15, 2018

SCALE: 1" = 300'

GREEY|PICKETT

received
5.30.18

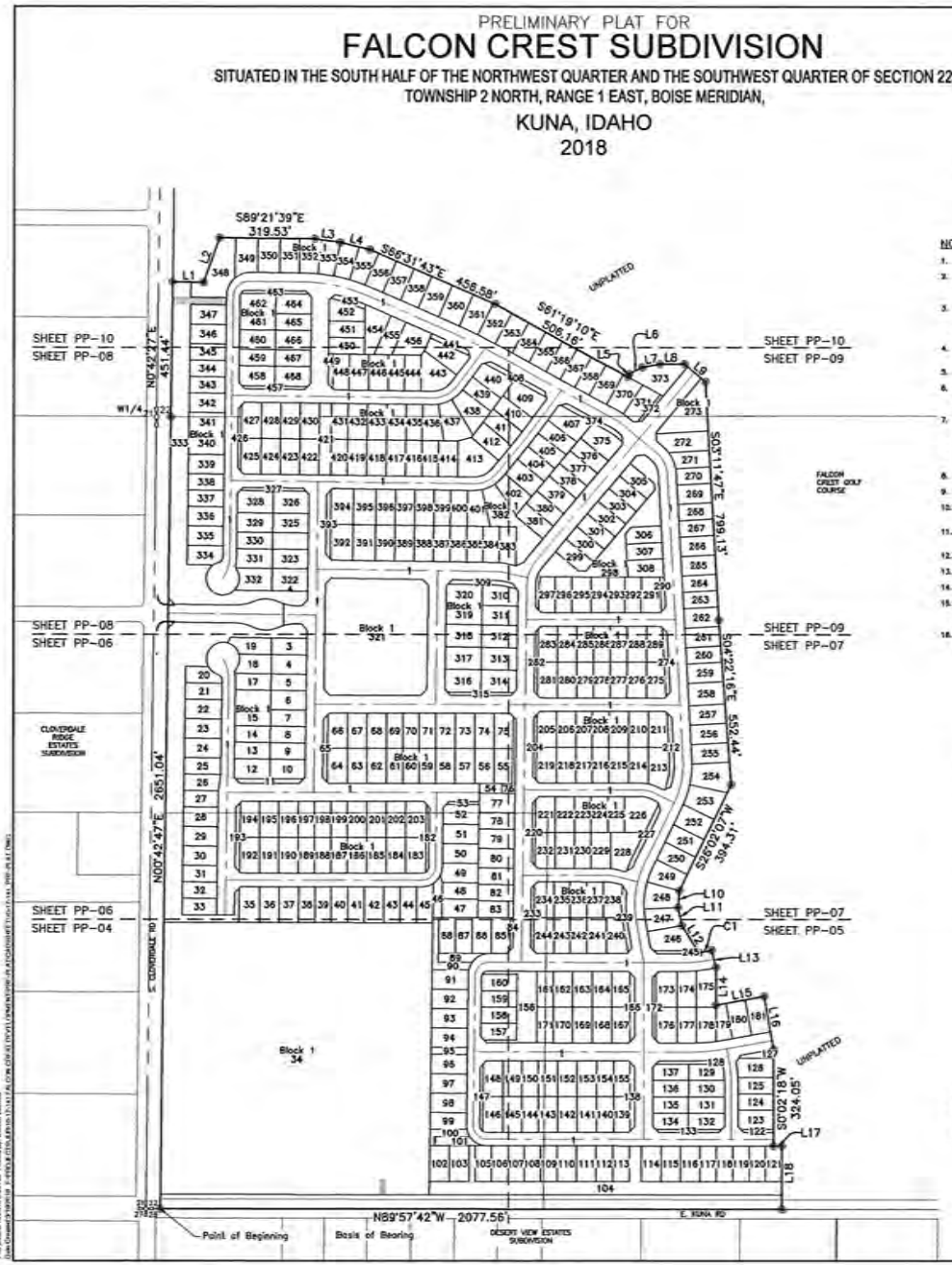
PRELIMINARY PLAT FOR

FALCON CREST SUBDIVISION

SITUATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN,

KUNA, IDAHO

2018

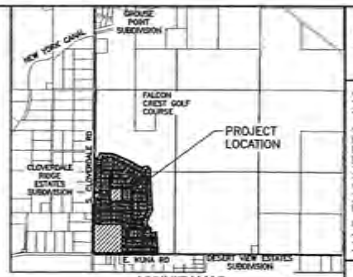


BOUNDARY LEGEND

- Subdivision Boundary Line
- Section Line
- Center Line
- Right-of-way Line
- Existing Parcel Line
- Section Corner
- Quarter-Section Corner
- Property Corner

0 200 400

SCALE IN FEET



VICINITY MAP

SCALE: 1"=2000'

NOTES:

1. CONTOUR AND SPOT ELEVATION DATA IS REFERENCED TO NAVD '88 DATUM.
2. THE STREETS WITHIN THIS DEVELOPMENT ARE A COMBINATION OF PUBLIC AND PRIVATE STREETS. THE PUBLIC STREET SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADA COUNTY HIGHWAY DISTRICT (ACHD) STANDARDS FOR PUBLIC STREETS WITH A MINIMUM GRADIENT OF 0.40%. THE PRIVATE STREETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF KUNA SPECIFICATIONS.
3. ALL LOTS ARE RESIDENTIAL BUILDING LOTS EXCEPT LOTS 2, 11, 53, 76, 77, 84, 90, 95, 100, 104, 122, 127, 128, 133, 138, 147, 156, 166, 172, 179, 182, 183, 204, 212, 220, 227, 233, 238, 245, 273, 274, 282, 290, 298, 306, 315, 321, 327, 333, 372, 374, 382, 393, 408, 421, 426, 441, 449, 453, 457 & 483, BLOCK 1, WHICH ARE COMMON AREA/DRAINAGE STORAGE LOTS, LOT 1, BLOCK 1 IS A PRIVATE ROAD LOT. LOTS 48, 54, 86, & 101, BLOCK 1 ARE COMMON DRIVEWAY LOTS. LOTS 348 & 373, BLOCK 1 ARE WELL LOTS.
4. STORMWATER RUN-OFF GENERATED ON THIS SITE SHALL HAVE A QUALITY CONTROL TREATMENT PRIOR TO BEING CONVEYED TO ONSITE STORAGE FACILITIES.
5. PUBLIC UTILITIES SHALL INCLUDE WATER, SEWER, ELECTRIC POWER, NATURAL GAS, TELEPHONE, AND CABLE TELEVISION.
6. THIS SUBDIVISION WILL RECEIVE PRESSURIZED IRRIGATION FOR COMMON LOTS AND THE GOLF COURSE FROM EXISTING IRRIGATION WELLS. THE INDIVIDUAL LOTS WILL RECEIVE PRESSURE IRRIGATION FROM THE DOMESTIC WATER SUPPLY WELLS ON SITE. THE CONSTRUCTED PRESSURE IRRIGATION SYSTEM SHALL BE MAINTAINED AND OPERATED BY THE HOME OWNERS ASSOCIATION AND GOLF COURSE.
7. THIS DEVELOPMENT RECOGNIZES SECTION 22-4505 OF IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES, "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."
8. DOMESTIC AND FIRE PROTECTION WATER SHALL BE PROVIDED BY THE CITY OF KUNA.
9. SANITARY SEWER COLLECTION SHALL BE PROVIDED BY THE CITY OF KUNA.
10. IRRIGATION DITCHES THROUGH THE PROJECT SHALL BE PIPED WHERE THEY CROSS ROADWAYS WITH ALL STRUCTURES LOCATED BEYOND ANY PUBLIC RIGHT-OF-WAY.
11. LANDSCAPED COMMON LOTS ARE LOCATED THROUGHOUT THE PROJECT AND ARE IDENTIFIED ON THE PLAN. THESE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
12. BUILDING SETBACKS AND DIMENSIONAL STANDARDS SHALL BE IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT WITH THE CITY OF KUNA.
13. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN AFFECT AT THE TIME OF THE RE-SUBDIVISION.
14. THE OWNER SHALL COMPLY WITH IDAHO CODE, SECTION 31-3805 OR ITS PROVISIONS THAT MAY APPLY TO IRRIGATION RIGHTS.
15. A STORMWATER DRAINAGE EASEMENT SHALL BE RESERVED ON THE DRAINAGE LOTS FOR THE BENEFIT OF ACHD. LANDSCAPING OVER SAID LOTS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND ACHD SHALL PROVIDE HEAVY MAINTENANCE OF THE STORM DRAINAGE FACILITIES AS DEFINED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR SILVERWATER SUBDIVISION.
16. THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP NO. 16001C0425 H, COMMUNITY PANEL NO. 0425, WHICH BEARS AN EFFECTIVE DATE OF OCTOBER 2, 2003 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

FIRE DISTRICT:
KUNA FIRE DISTRICT
150 W. BOISE STREET
KUNA, ID 83634
PHONE : (208) 922-1144

SCHOOL DISTRICT:
KUNA SCHOOL DISTRICT
711 E. PORTER STREET
KUNA, ID 83634
PHONE : (208) 922-1000

IRRIGATION DISTRICT:
BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND ROAD
BOISE, ID 83705
PHONE : (208) 344-1141

OWNER
FALCON CREST LLC
2528 N. CLOVERDALE RD.
BOISE, ID 83713

DEVELOPER
M3 COMPANIES
1087 W. RIVER STREET
SUITE #310
BOISE, IDAHO 83702
MARK TATE 208-939-6263

SEWER & WATER:
CITY OF KUNA
6950 S TEN MILE RD
MERIDIAN, ID. 83634
PHONE : (208) 287-1729 (SEW)
PHONE : (208) 287-1725 (WAT)

PRESSURE IRRIGATION:
CITY OF KUNA
6950 S TEN MILE RD
MERIDIAN, ID. 83634
PHONE : (208) 287-1725

LAND SURVEYOR
ROBERT L. KAZARINOFF, P.L.S.
J-U-B ENGINEERS
250 S. BEECHWOOD AVE.
STE. 201
BOISE, ID 83709
208-376-7330

CIVIL ENGINEER
SCOTT WONDERS, P.E.
J-U-B ENGINEERS
250 S. BEECHWOOD AVE.
STE. 201
BOISE, ID 83709
208-376-7330

POWER:
IDAHO POWER
VIC STEELMAN
1221 W. IDAHO STREET
BOISE, ID. 83702
PHONE : (208) 388-2323

ROADWAYS
ADA COUNTY HIGHWAY DISTRICT
3775 ADAMS STREET
GARDEN CITY, ID. 83714
PHONE : (208) 387-6100

Line Table		
Line #	Direction	Length
L1	S89°11'33"E	102.22'
L2	N19°46'53"E	158.62'
L3	S87°41'43"E	88.24'
L4	S78°41'28"E	101.65'
L5	N58°49'50"E	11.20'
L6	N63°26'06"E	48.80'
L7	N19°22'49"E	59.02'
L8	N00°00'00"E	83.01'
L9	S55°05'28"E	91.35'
L10	S04°41'13"W	56.05'
L11	S12°19'25"E	61.94'
L12	S32°02'12"E	107.30'
L13	S14°16'23"E	60.00'
L14	S00°02'18"W	126.30'
L15	N79°48'39"E	164.53'
L16	S10°11'21"E	160.00'
L17	S82°57'42"E	27.54'
L18	S00°02'18"W	212.50'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	42.74'	370.00'	6°37'09"	N78°02'12"E	42.72'

LAND USE SUMMARY

TOTAL AREA:	131.32 AC.
COMMERCIAL AREA:	18.84 AC.
RESIDENTIAL AREA:	112.48 AC.
TOTAL LOTS:	468 LOTS
COMMERCIAL LOT:	1 LOT
RESIDENTIAL LOTS:	409 LOTS
COMMON AREA LOTS:	51 LOTS
COMMON DRIVEWAY LOTS:	4 LOTS
WELL LOTS:	2 LOTS
PRIVATE ROAD LOT:	1 LOT
RESIDENTIAL DENSITY:	3.64 DU/AC
RESIDENTIAL COMMON AREA:	13.41 AC. (10.2%)
AVERAGE LOT SIZE:	7,443 S.F.
SMALLEST LOT:	6,463 S.F.
EXISTING ZONES:	COUNTY RR, KUNA A
PROPOSED ZONE:	R-6, C-2

LEGEND

EXISTING		PROPOSED
	SANITARY SEWER LINE	
	WATER LINE	
	GRAVITY IRRIGATION PIPE	
	PRESSURE IRRIGATION LINE	
	STORM DRAIN LINE	
	CENTERLINE	
	LOT LINE	
	6" VERTICAL CURB & GUTTER	
	ROLLED CURB & GUTTER	
	5' SIDEWALK	
	SEWER MANHOLE	
	DITCH FLOW LINE	
	IRRIGATION MANHOLE	
	STREET LIGHT	
	TREE DECIDUOUS	
	TREE CONIFER	
	EDGE OF PAVEMENT	
	GAS LINE	
	FENCE LINE	
	FIRE HYDRANT	
	5' CONTOUR LINE	
	1' CONTOUR LINE	

PROFESSIONAL LAND SURVEYOR REGISTERED 18542 STATE OF IDAHO ROBERT L. KAZARINOFF

BOUNDARY CERTIFICATION

J-U-B ENGINEERS, INC.
250 S. Beechwood Ave.
Suite 201
Boise, ID 83709-0944
Phone: 208.376.7330
www.jub.com

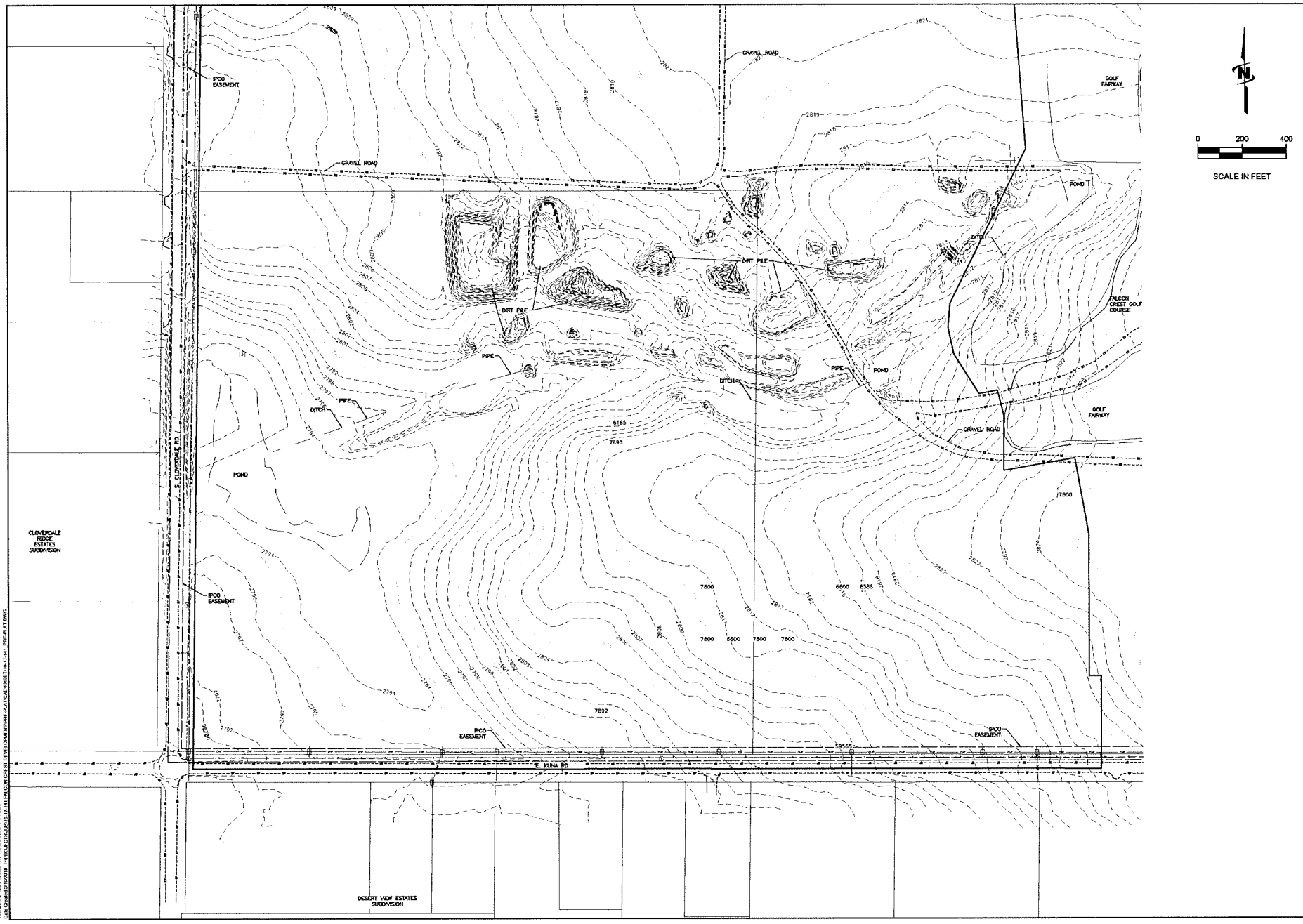
PROFESSIONAL ENGINEER REGISTERED 10833 STATE OF IDAHO SCOTT WONDERS

FALCON CREST SUBDIVISION
KUNA, IDAHO

BOUNDARY AND PROJECT INFORMATION

SHEET NUMBER:
PP-01

received
5.30.18



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NO	DESCRIPTION	1ST ISSUE	DATE
	REVISION		

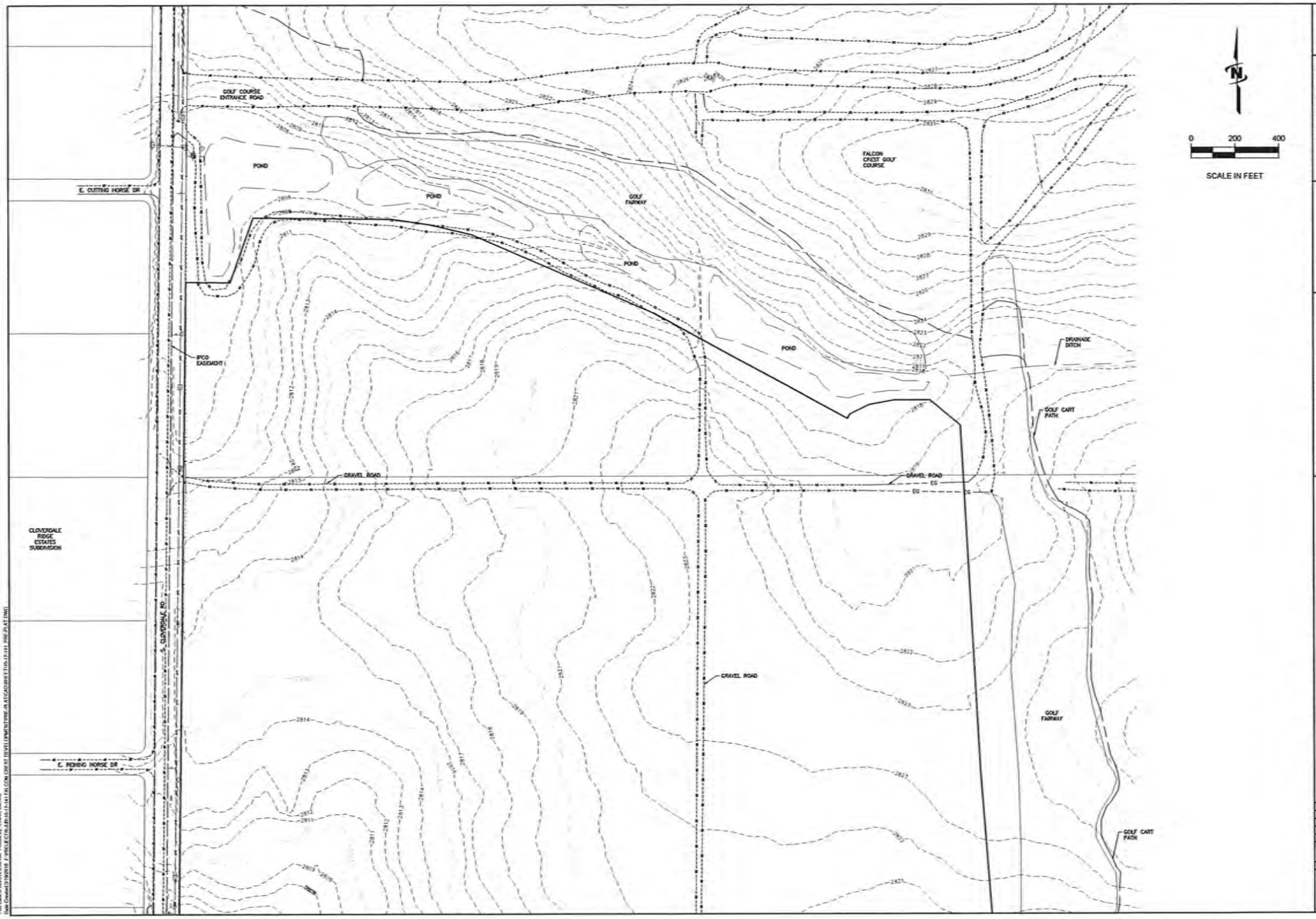
FALCON CREST SUBDIVISION
KUNA, IDAHO

EXISTING CONDITIONS

FILE: 10-17-141 PRE-PLAT
JUB PROJ # : 10-17-141
DRAWN BY: ---
DESIGN BY: ---
CHECKED BY: ---
ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY
LAST UPDATED: 5-18-2018

SHEET NUMBER:
PP-02

Plot Date: 5/18/2018 8:08 AM Plotted By: Everett Earnest
Date Created: 2/19/2018 J:\PROJECTS\JUB\10-17-141 FALCON CREST EST\PLOT DOWN\PRE-PLAT\CADD\SHEET\10-17-141 PRE-PLAT.DWG



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FALCON CREST SUBDIVISION
KUNA, IDAHO

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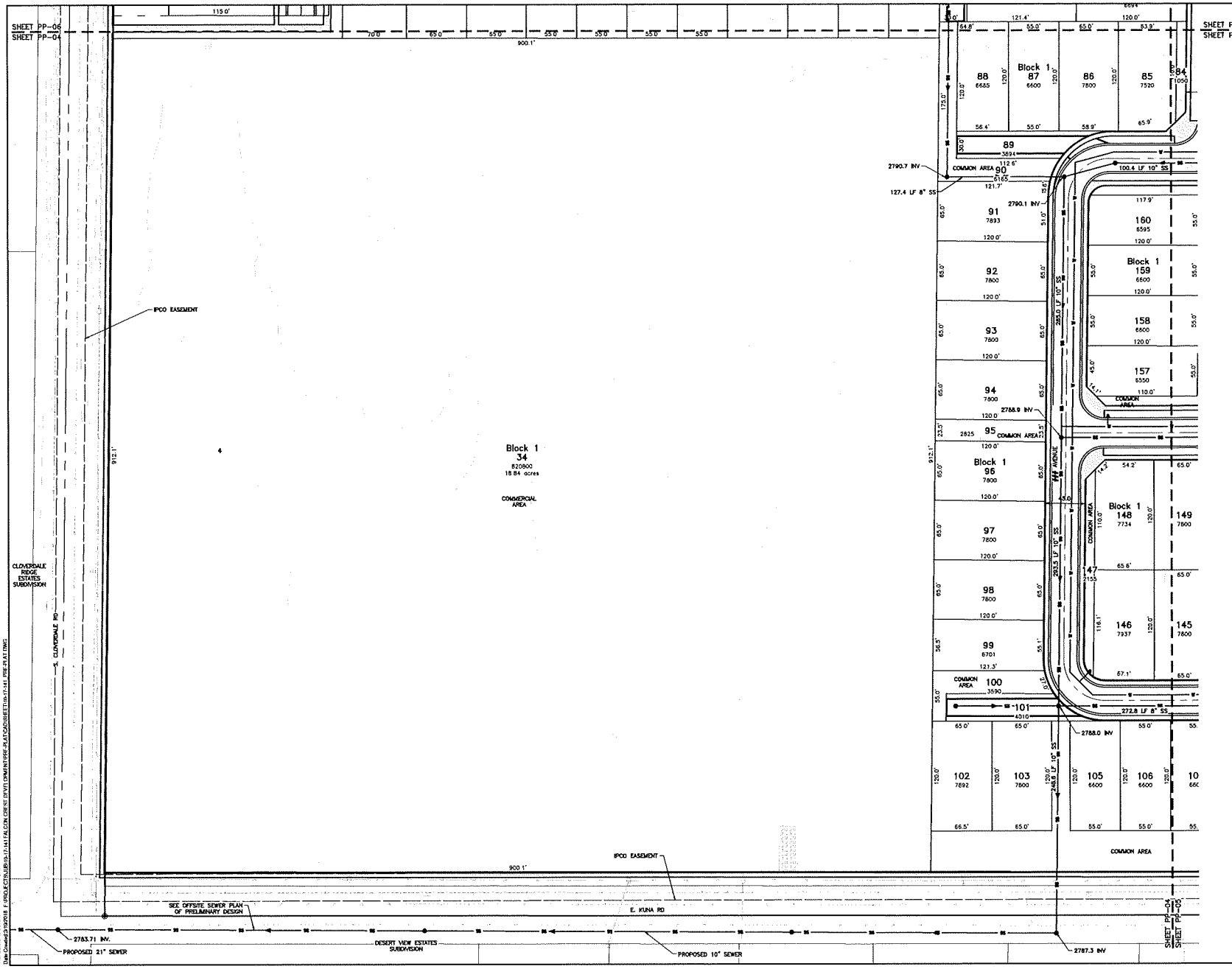
SHEET NUMBER:
PP-03

received
5.30.18



NOTE:
SEWER INVERTS ARE ESTABLISHED USING MIN. SLOPES OF 0.3% FOR 10", 0.42% FOR 8" AND 0.62% FOR END RUNS WITH 8" PIPE. THESE INVERTS ARE NOT FINAL DESIGN ELEVATIONS BUT ARE FOR INFORMATION PURPOSES.

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KUNA, IDAHO

PROPOSED CONDITIONS

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LAST UPDATED: 5/18/2018

SHEET NUMBER:
PP-04

Plot Date: 5/18/2018 8:29 AM Plotted By: Everett Emmett
Date Created: 3/19/2018 F:\PROJECTS\JUB\10-17-141\FALCON CREST SFV\1 COMPANY\PRE-PLAT\CAD\SHEET\10-17-141 PRE-PLAT.DWG

0 50 100
SCALE IN FEET

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FALCON CREST SUBDIVISION
KUNA, IDAHO

PROPOSED CONDITIONS

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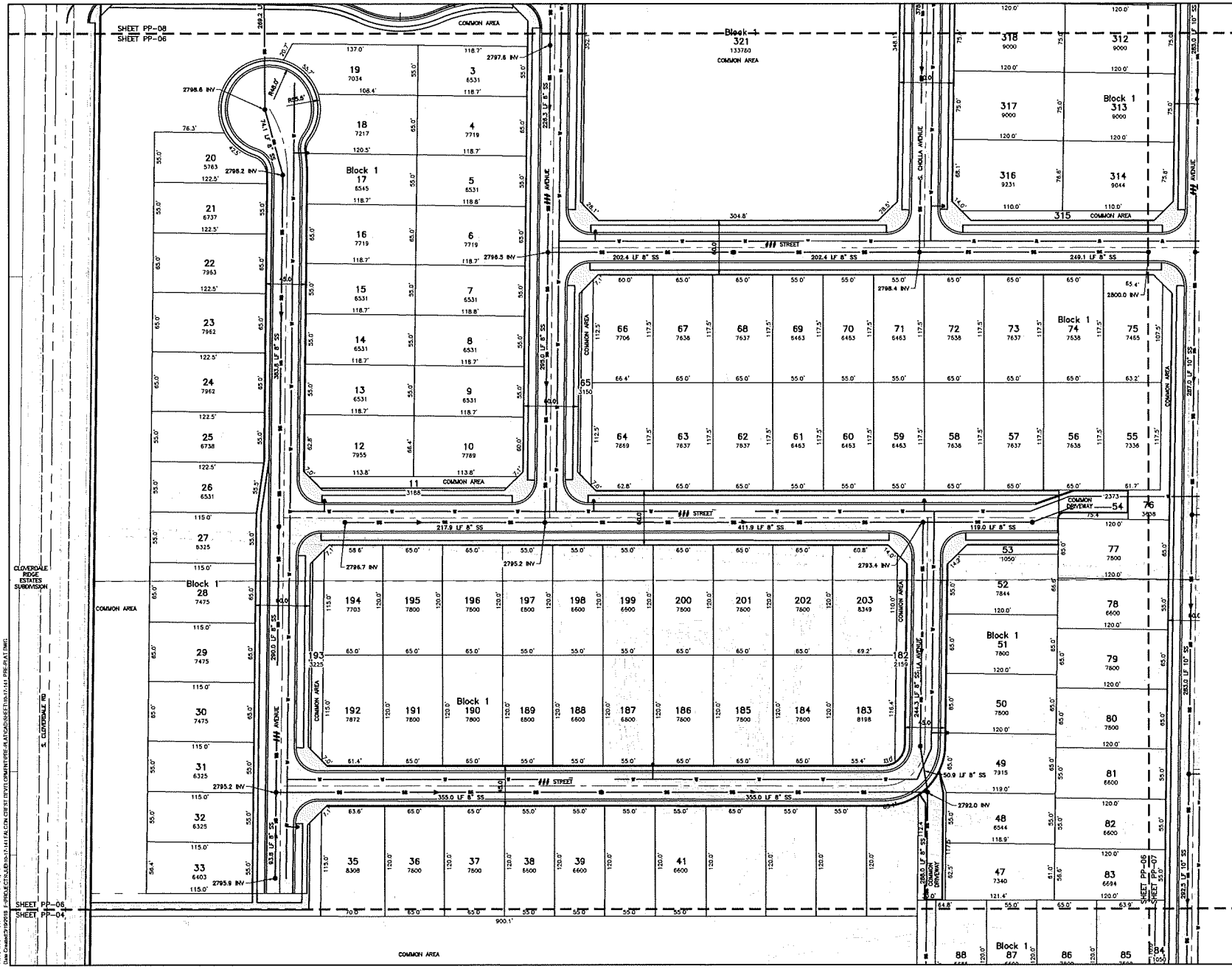

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REGISTERED
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STATE OF IDAHO
SCOTT WOMOCOS

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FALCON CREST SUBDIVISION
KUNA, IDAHO

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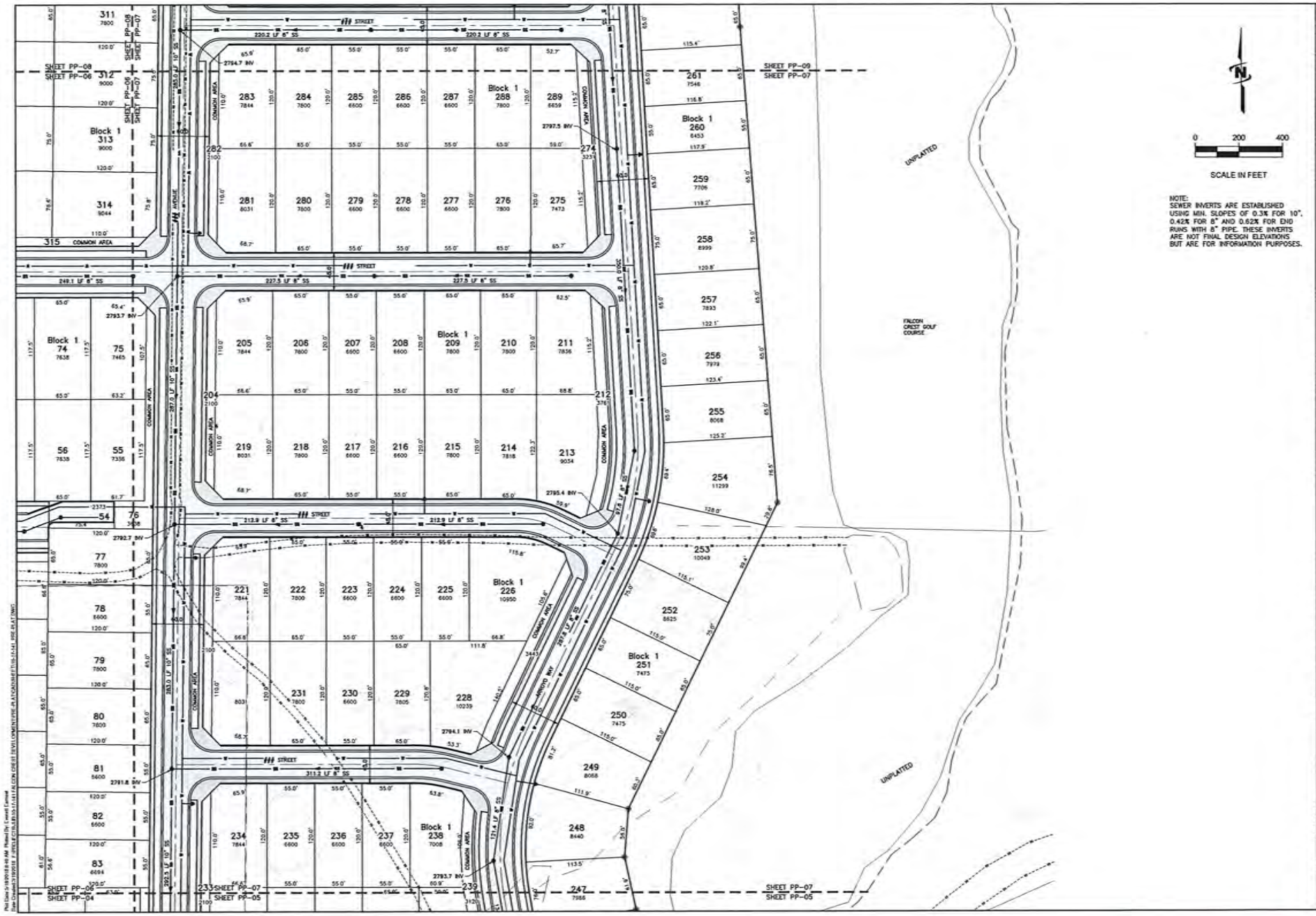

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	REVISIONS		

FALCON CREST SUBDIVISION
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LAST UPDATED: 5/18/2018

SHEET NUMBER:
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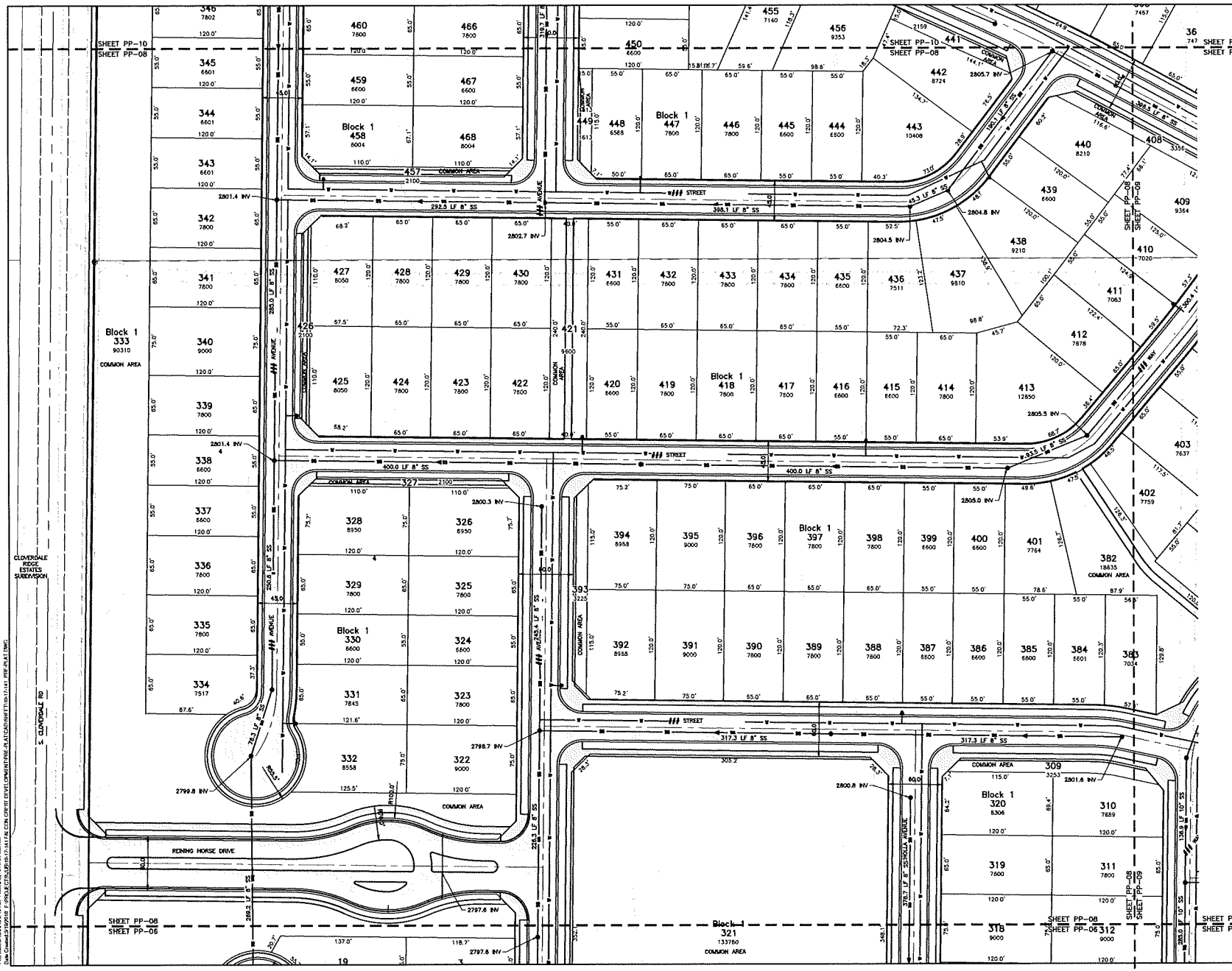
received
5.30.18



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STATE OF IDAHO
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KUNA, IDAHO

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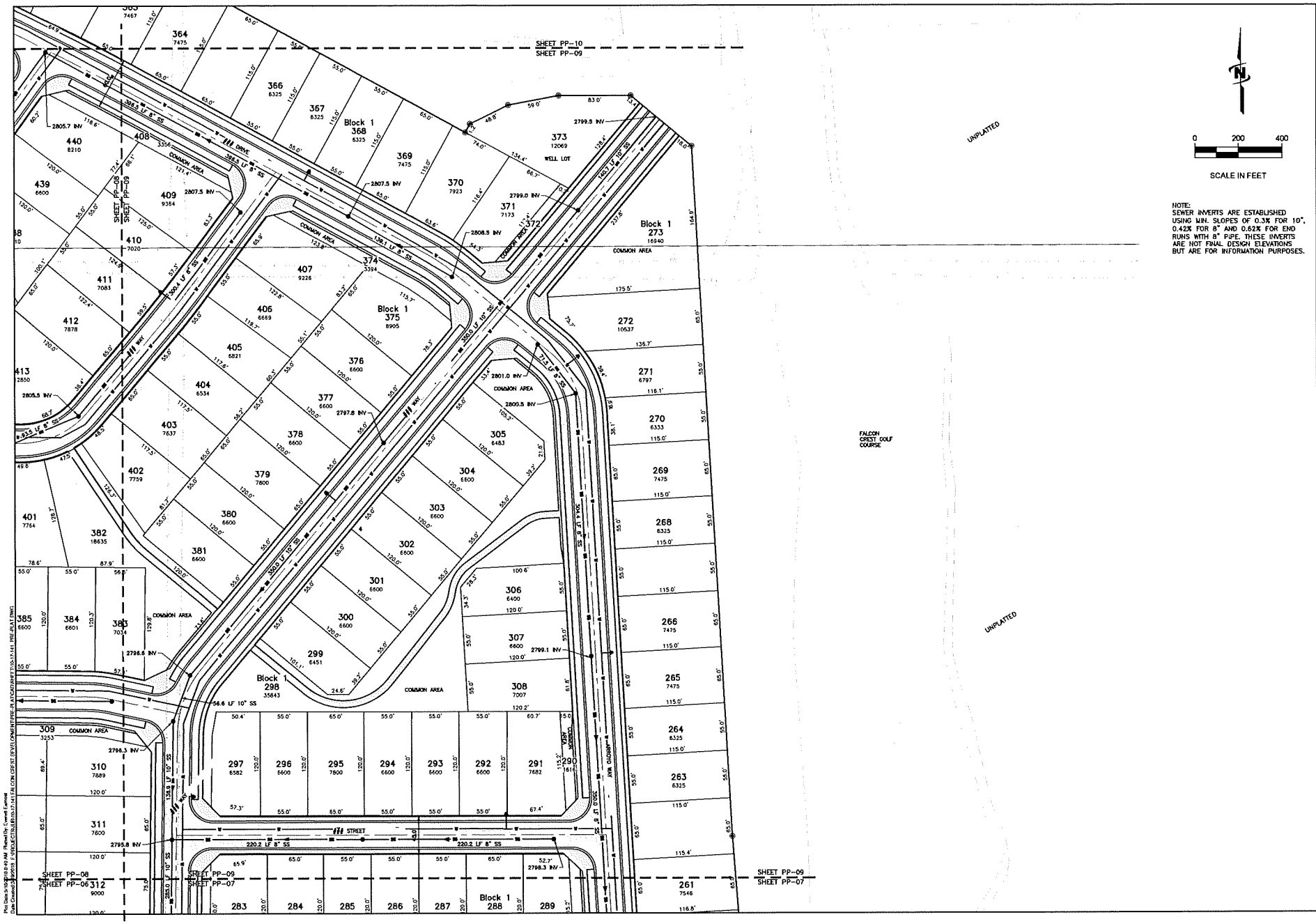

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FALCON CREST SUBDIVISION
KUNA, IDAHO

PROPOSED CONDITIONS

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SHEET NUMBER:
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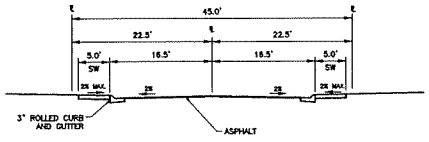
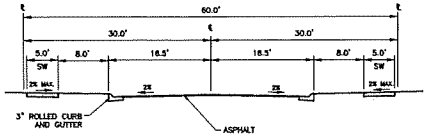
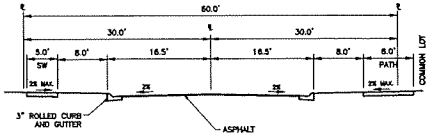


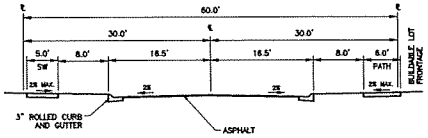
TYPICAL 33' STREET SECTION ATACTHED
SCALE N.T.S



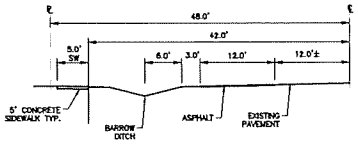
TYPICAL 33' STREET SECTION DETACTHED
SCALE N.T.S



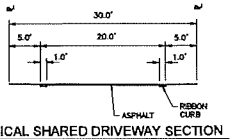
TYPICAL 33' STREET SECTION
DETACTHED WITH PATHWAY
SCALE N.T.S



TYPICAL 33' STREET SECTION
DETACTHED PATH WITH LOT FRONTAGE
SCALE N.T.S



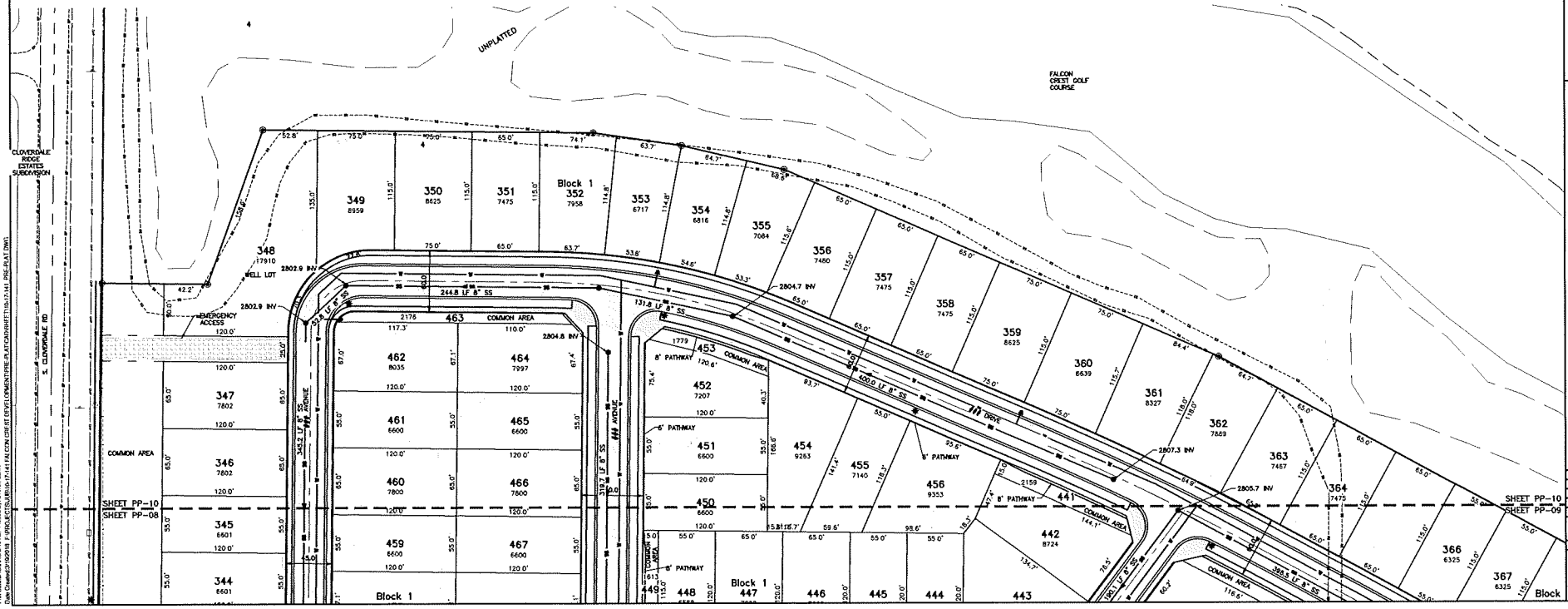
KUNA ROAD SECTION
CLOVERDALE ROAD SECTION
SCALE N.T.S



TYPICAL SHARED DRIVEWAY SECTION
SCALE N.T.S

SCALE IN FEET

NOTE:
SEWER INVERTS ARE ESTABLISHED USING MIN. SLOPES OF 0.3% FOR 10", 0.42% FOR 8" AND 0.62% FOR END RUNS WITH 8" PIPE. THESE INVERTS ARE NOT FINAL DESIGN ELEVATIONS BUT ARE FOR INFORMATION PURPOSES.



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REGISTERED
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PRESCOTT WOMACK
STATE OF IDAHO

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NO.	DESCRIPTION	BY	APP'D	DATE
	REVISIONS			

FALCON CREST SUBDIVISION
KUNA, IDAHO

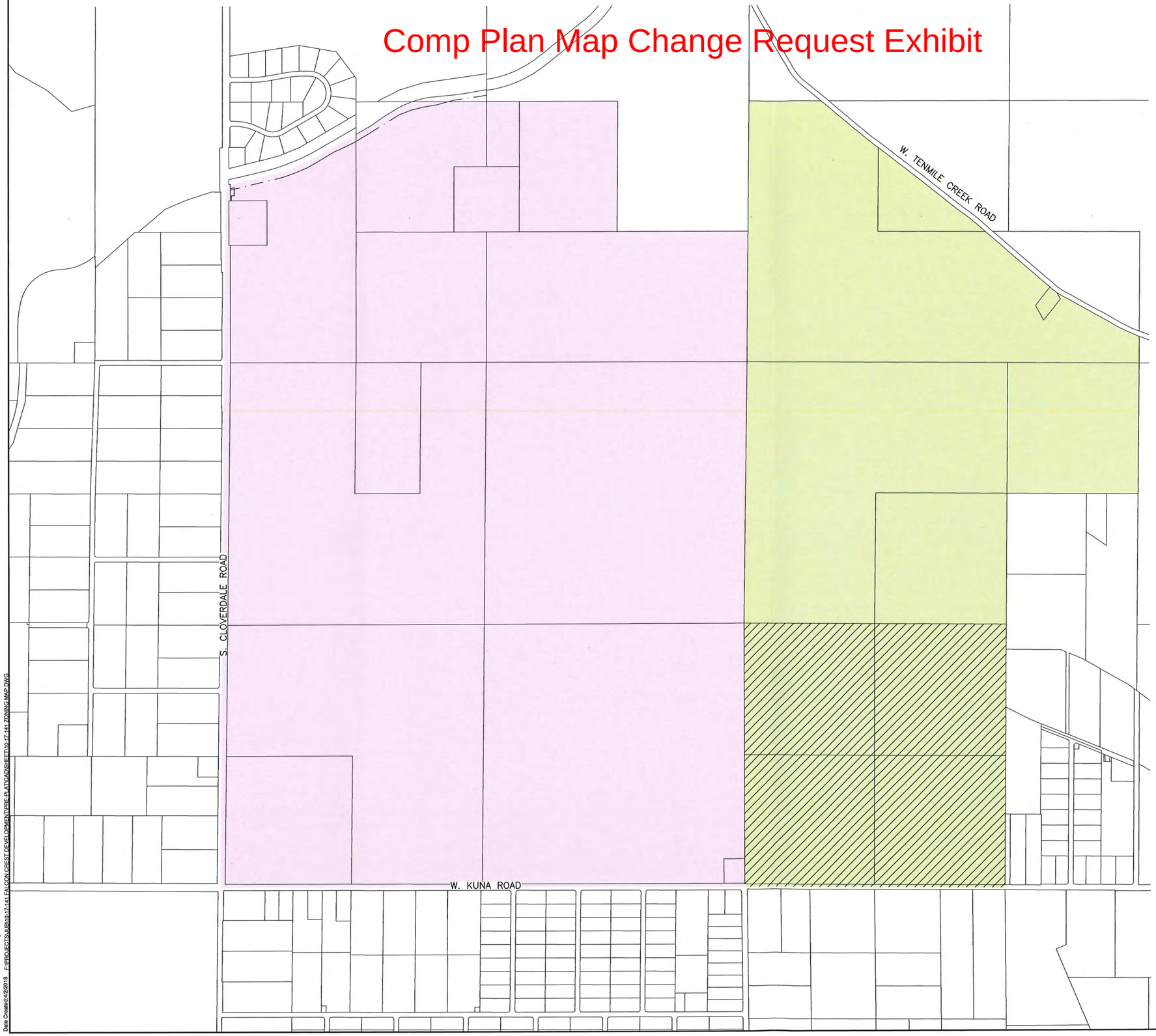
PROPOSED CONDITIONS

FILE: 10-17-141_PRE-PLAT
JUB PROJ. #: 10-17-141
DRAWN BY: ---
DESIGN BY: ---
CHECKED BY: ---
ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY
LAST UPDATED: 5/18/2018

SHEET NUMBER:
PP-10

Plot Date: 5/18/2018 8:49 AM Plotted By: Everett Cummins
Date Created: 2/19/2018 F:\PROJECTS\JUB\10-17-141 FALCON CREST DEVELOPMENT\PRE-PLAT\DWG\PP-10-17-141_PRE-PLAT.DWG

Comp Plan Map Change Request Exhibit



N

0 500 1,000

SCALE IN FEET

LEGEND

- KUNA – COMP AGRICULTURE
- KUNA – COMP MIXED USE GENERAL
- KUNA – COMP AMENDMENT TO MU – 162.4 Ac.

received
5.30.'18

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	REVISION			

FALCON CREST SUBDIVISION
KUNA, IDAHO

COMP PLAN AMENDMENT MAP

FILE: 10-17-141 ZONING MAP
JUB PROJ. # : 10-17-141
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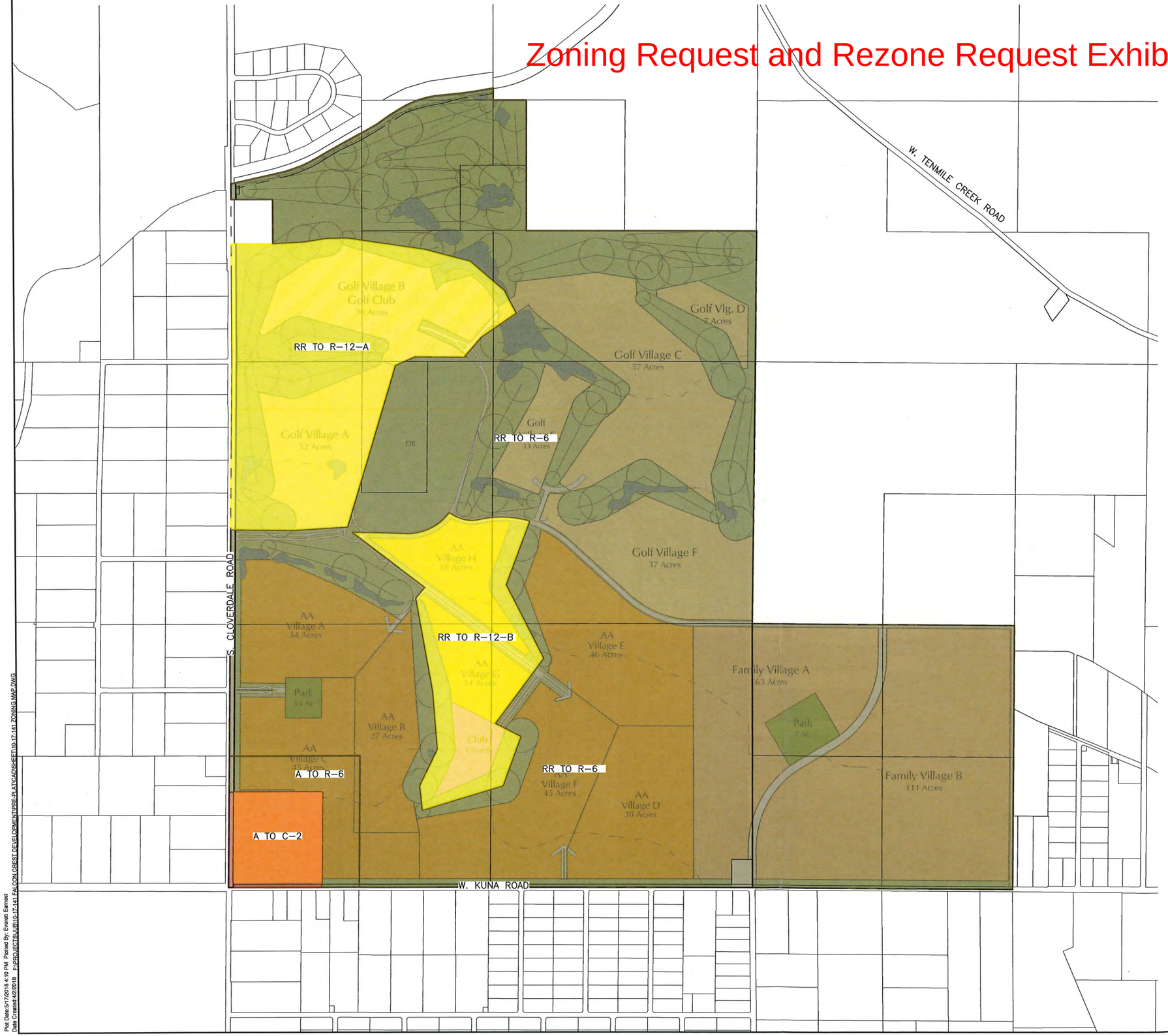
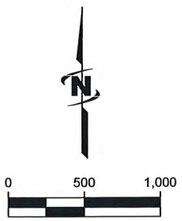
LAST UPDATED: 5/17/2018

SHEET NUMBER:
1

Plot Date:5/18/2018 7:13 AM Plotted By: Everett Earnest
Date Created:4/2/2018 F:\PROJECTS\SUB\10-17-141 FALCON CREST DEVELOPMENT\PRE-PLAT\CAD\SHEET\10-17-141 ZONING MAP.DWG

Zoning Request and Rezone Request Exhibit





SCALE IN FEET

LEGEND

- ZONE C-2
- ZONE R-6
- ZONE R-12

TOTAL ZONING BOUNDARY AREA	1033.47 Ac.
ZONE RR TO R-6	806.92 Ac.
ZONE A TO R-6	19.58 Ac.
ZONE RR TO R-12	188.09 Ac.
R-12-A	124.61 Ac.
R-12-B	63.48 Ac.
ZONE A TO C-2	20.89 Ac.
AREA TO BE ANNEXED	995.01 Ac.

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KUNA, IDAHO

ZONING MAP

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Plot Date:5/17/2018 4:10 PM Plotted By: Everett Earnest
Date Created:4/2/2018 F:\PROJECTS\JUB\10-17-141 FALCON CREST DEVELOPMENT\PREPLAT\CADNSHEET\10-17-141 ZONING MAP.DWG

PHASING INFORMATION

PHASE	PROPOSED CONSTRUCTION	PHASE AREA	TOTAL LOTS	RESIDENTIAL LOTS	COMMON LOTS	DENSITY
1	2019	18.30 Ac.	51 LOTS	39 LOTS	12 LOTS	2.13 DU/Ac
2	2019	11.81 Ac.	53 LOTS	46 LOTS	7 LOTS	3.89 DU/Ac
3	2020	8.85 Ac.	39 LOTS	36 LOTS	3 LOTS	4.07 DU/Ac
4	2020	13.73 Ac.	55 LOTS	36 LOTS	9 LOTS	2.62 DU/Ac
5	2021	8.36 Ac.	41 LOTS	35 LOTS	6 LOTS	4.18 DU/Ac
6	2021	5.93 Ac.	27 LOTS	25 LOTS	2 LOTS	4.22 DU/Ac
7	2021	12.16 Ac.	58 LOTS	49 LOTS	9 LOTS	4.03 DU/Ac
8	2022	11.66 Ac.	58 LOTS	44 LOTS	14 LOTS	3.77 DU/Ac
9	2022	7.92 Ac.	32 LOTS	28 LOTS	4 LOTS	3.54 DU/Ac
10	2023	6.31 Ac.	35 LOTS	27 LOTS	8 LOTS	4.28 DU/Ac
11	2023	10.70 Ac.	47 LOTS	44 LOTS	3 LOTS	4.11 DU/AC

CONSTRUCT NORTH COLLECTOR ACCESS AND PHASE 1 OF THE CLUB WITH PHASES 3 & 4. CONSTRUCT BUILDING WITH PHASES 5, 6, & 7.

received
5.30.18

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PHASING PLAN

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DESIGN BY: ----
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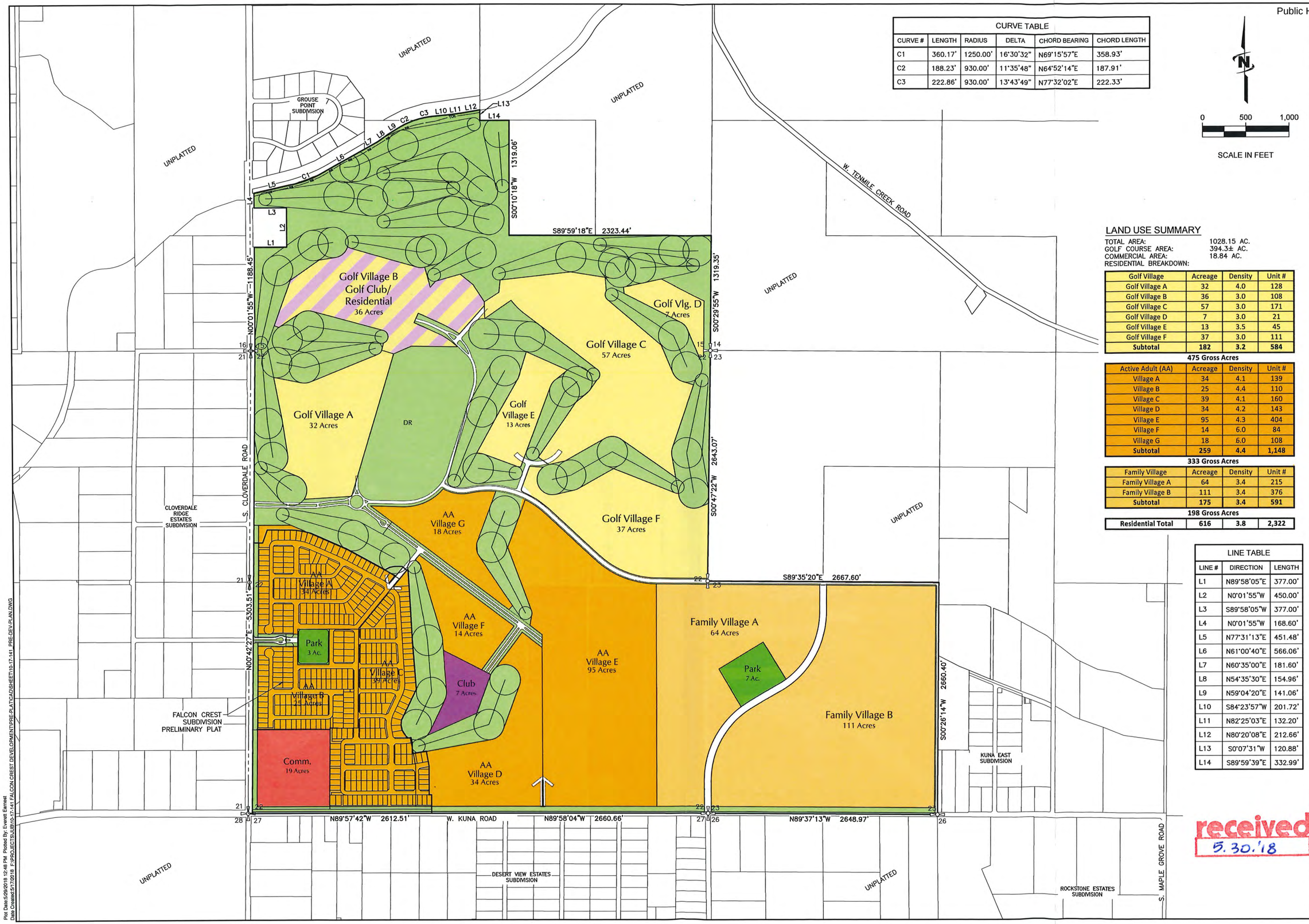
LAST UPDATED: 5/29/2018

SHEET NUMBER:
1

Plot Date:5/29/2018 2:49 PM Plotted By: Everett Earnest
Date Created:3/19/2018 F:\PROJECTS\JUB\10-17-141 FALCON CREST DEVELOPMENT\PRE-PLAT\CAD\SHEET\10-17-141_PRE-PLAT.DWG



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	360.17'	1250.00'	16°30'32"	N69°15'57"E	358.93'
C2	188.23'	930.00'	11°35'48"	N64°52'14"E	187.91'
C3	222.86'	930.00'	13°43'49"	N77°32'02"E	222.33'

LAND USE SUMMARY

TOTAL AREA: 1028.15 AC.
GOLF COURSE AREA: 394.3± AC.
COMMERCIAL AREA: 18.84 AC.
RESIDENTIAL BREAKDOWN:

Golf Village	Acreage	Density	Unit #
Golf Village A	32	4.0	128
Golf Village B	36	3.0	108
Golf Village C	57	3.0	171
Golf Village D	7	3.0	21
Golf Village E	13	3.5	45
Golf Village F	37	3.0	111
Subtotal	**182**	**3.2**	**584**

475 Gross Acres

Active Adult (AA)	Acreage	Density	Unit #
Village A	34	4.1	139
Village B	25	4.4	110
Village C	39	4.1	160
Village D	34	4.2	143
Village E	95	4.3	404
Village F	14	6.0	84
Village G	18	6.0	108
Subtotal	**259**	**4.4**	**1,148**

333 Gross Acres

Family Village	Acreage	Density	Unit #
Family Village A	64	3.4	215
Family Village B	111	3.4	376
Subtotal	**175**	**3.4**	**591**

198 Gross Acres

Residential Total	**616**	**3.8**	**2,322**

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N89°58'05"E	377.00'
L2	N0°01'55"W	450.00'
L3	S89°58'05"W	377.00'
L4	N0°01'55"W	168.60'
L5	N77°31'13"E	451.48'
L6	N61°00'40"E	566.06'
L7	N60°35'00"E	181.60'
L8	N54°35'30"E	154.96'
L9	N59°04'20"E	141.06'
L10	S84°23'57"W	201.72'
L11	N82°25'03"E	132.20'
L12	N80°20'08"E	212.66'
L13	S0°07'31"W	120.88'
L14	S89°59'39"E	332.99'

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FALCON CREST SUBDIVISION
KUNA, IDAHO

PUD
PRELIMINARY DEVELOPMENT PLAN

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JUB PROJ. # : 10-17-141
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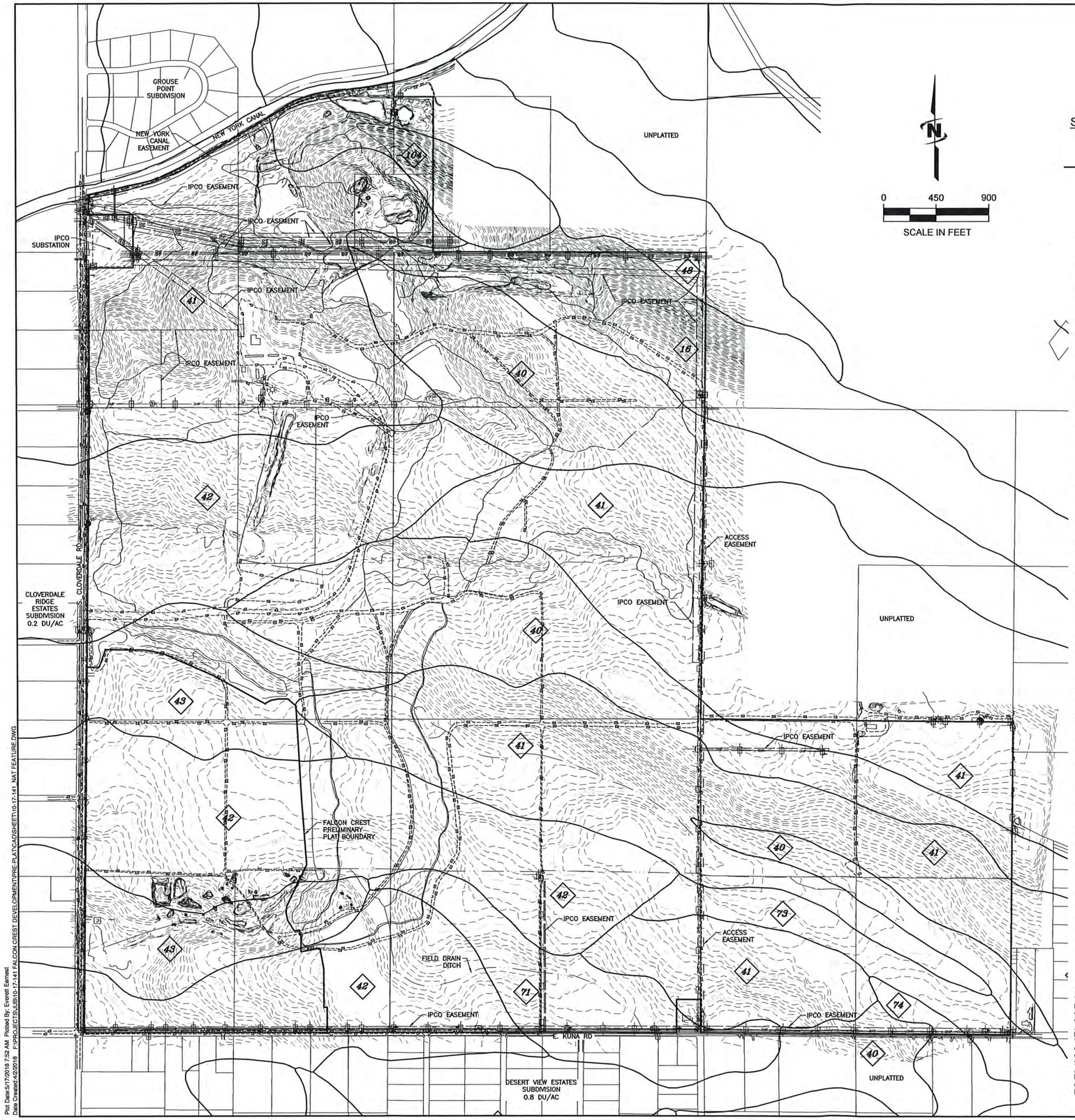
LAST UPDATED: 5/17/2018

SHEET NUMBER:
PDP-01

Plot Date:5/29/2018 12:48 PM Plotted By: Everett Earnest
Date Created:5/17/2018 F:\PROJECTS\JUB\10-17-141 FALCON CREST DEVELOPMENT\PRE-PLAT\CAD\SHEET\10-17-141_PRE-DEV-PLAN.DWG



SOILS LEGEND

141 — SOILS DELINEATION

SOIL TYPE

SOILS DATA:

16 — IIIe – BRENT LOAM, 8–12%

40 — IV – COLTHORP SILT LOAM, 0%–2%

41 — IVe – COLTHORP SILT LOAM, 2%–4%

42 — IVs – COLTHORP COBBLY LOAM, 0%–2%

43 — IVe – COLTHORP COBBLY LOAM, 2%–4%

48 — IIs – ELIJAH SILT LOAM, 0%–2%

71 — I – JENNESS FINE SANDY LOAM, 0%–2%

73 — IVs – KUNATON SILTY CLAY LOAM, 0%–2%

74 — IVe – KUNATON SILTY CLAY LOAM, 2%–4%

104 — VIIs – McCAIN EXTREMELY STONY SILT LOAM, 0%–2%

SOILS:

ADA COUNTY SOIL SURVEY:

SOIL TYPE 16 BRENT LOAM. THIS SOIL IS VERY DEEP AND IT IS WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS VERY SLOW. RUNOFF IS RAPID, AND THE HAZARD OF EROSION IS MODERATE. THE USE OF THIS SOIL FOR RESIDENTIAL DEVELOPMENT IS LIMITED MAINLY BY THE LOW STRENGTH, SHRINK–SWELL POTENTIAL, VERY SLOW PERMEABILITY, AND SLOPE. SOIL TYPE 40 COLTHORP SILT LOAM. THIS SOIL IS SHALLOW TO A HARDPAN AND IT IS WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS MODERATELY SLOW. RUNOFF IS VERY SLOW, AND THE HAZARD OF EROSION IS SLIGHT. THE SHALLOWNESS OF THE ROOT ZONE IS THE MAJOR LIMITATIONS TO AGRICULTURE. SOIL TYPE 41 COLTHORP SILT LOAM. THIS SOIL IS SHALLOW TO A HARDPAN AND IT IS WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS MODERATELY SLOW. RUNOFF IS SLOW, AND THE HAZARD OF EROSION IS SLIGHT. THE SHALLOWNESS OF THE ROOT ZONE IS THE MAJOR LIMITATIONS TO AGRICULTURE. SOIL TYPE 42 COLTHROP COBBLY LOAM. THIS SOIL IS SHALLOW TO A HARDPAN AND IT IS WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS MODERATELY SLOW. RUNOFF IS VERY SLOW, AND THE HAZARD OF EROSION IS SLIGHT. THE SHALLOWNESS OF THE ROOT ZONE, THE LOW AVAILABLE WATER CAPACITY, AND THE COBBLES AND STONES ARE THE MAJOR LIMITATIONS TO CULTIVATION. SOIL TYPE 43 COLTHORP COBBLY LOAM. THIS SOIL IS SHALLOW TO A HARDPAN AND IT IS WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS MODERATELY SLOW. RUNOFF IS SLOW, AND THE HAZARD OF EROSION IS SLIGHT. THE SHALLOWNESS TO THE ROOT ZONE, THE HAZARD OF EROSION, THE LOW AVAILABLE WATER CAPACITY, AND THE COBBLES AND STONES ARE THE MAJOR LIMITATIONS TO CULTIVATION. SOIL TYPE 48 ELIJAH SILT LOAM. THIS SOIL IS MODERATELY DEEP TO A HARDPAN AND IT IS WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS MODERATELY SLOW ABOVE THE HARDPAN AND VERY SLOW THROUGH FRACTURES IN THE HARDPAN. RUNOFF IS SLOW, AND THE HAZARD OF EROSION IS SLIGHT. THE DEPTH OF THE ROOT IS THE MAJOR LIMITATION TO AGRICULTURE. SOIL TYPE 71 JENNESS FINE SANDY LOAM. THIS SOIL IS VERY DEEP AND WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS MODERATE. RUNOFF IS SLOW, AND THE HAZARD OF EROSION IS SLIGHT. THIS SOIL IS WELL SUITED TO AGRICULTURE. SOIL TYPE 73 KUNATON SILTY CLAY LOAM. THIS SOIL IS SHALLOW TO A HARDPAN AND IT IS WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS SLOW ABOVE THE HARDPAN AND VERY SLOW THROUGH FRACTURES IN THE HARDPAN. RUNOFF IS SLOW, AND THE HAZARD OF EROSION IS SLIGHT. THE SHALLOWNESS OF THE ROOT ZONE, THE LOW AVAILABLE WATER CAPACITY, AND THE SLOW INTAKE OF IRRIGATION WATER ARE THE MAJOR LIMITATIONS TO AGRICULTURE. SOIL TYPE 74 KUNATON SILTY CLAY LOAM. THIS SOIL IS SHALLOW TO A HARDPAN AND IT IS WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS SLOW ABOVE THE HARDPAN AND VERY SLOW THROUGH FRACTURES IN THE HARDPAN. RUNOFF IS MEDIUM, AND THE HAZARD OF EROSION IS MODERATE. THE SHALLOWNESS OF THE ROOT ZONE, LOW AVAILABLE WATER CAPACITY, AND SLOW INTAKE OF IRRIGATION WATER ARE THE MAJOR LIMITATIONS TO AGRICULTURE. SOIL TYPE 104 MCCAIN SILT LOAM. THIS SOIL IS MODERATELY DEEP AND WELL DRAINED. PERMEABILITY FOR AQUIFER RECHARGE IS MODERATELY SLOW. RUNOFF IS MEDIUM, AND THE HAZARD OF EROSION IS MODERATE. THE DEPTH OF THE ROOT ZONE AND THE HAZARD OF EROSION ARE THE MAJOR LIMITATIONS TO AGRICULTURE. RANGE FROM 0–12.0% SLOPES.

GEOLOGY:

THE SUBJECT SITE IS LOCATED WITHIN THE BOISE VALLEY THAT IS DIRECTLY UNDERLAIN BY THICK SEQUENCE OF ALLUVIAL SANDS AND GRAVELS. THESE SEDIMENTS ARE GENERALLY NAMED THE BOISE RIVER GRAVELS WHICH CONSIST OF UNCONSOLIDATED CLAY, SAND, GRAVEL, AND COBBLES. THE BOISE RIVER GRAVELS TEND TO BE POORLY SORTED, HAVE IMBRICATED, WELL ROUNDED CLASTS WITH CRUDE STRATIFICATION. THE DEPOSITS ARE MADE UP OF BEDS OF GRAVEL AND LENSES OF CROSS–BEDED SAND SUGGESTING DEPOSITION IN BRAIDED RIVER CHANNELS. THE BOISE RIVER GRAVELS HAVE BEEN SUBDIVIDED INTO SMALLER UNITS BASED ON THEIR AGE AND ARE EXPOSED AS DISTINCT ALLUVIAL TERRACES. FIVE OF THE TERRACES ARE WELL EXPOSED IN THE BOISE AREA AND RANGE IN AGE FROM MIDDLE PLEISTOCENE TO RECENT (0–0.9 MILLION YEARS AGO). THESE GRAVELLY TERRACES ARE USUALLY MANTLED WITH SILTY LOESS.

LEGEND

- PROPERTY BOUNDARY
- GRAVITY IRRIGATION PIPE
- PRESSURE IRRIGATION LINE
- DITCH FLOW LINE
- TREE DECIDUOUS
- TREE CONIFER
- OVERHEAD POWER LINE
- POWER POLE
- IRRIGATION WELL
- IRRIGATION PUMP
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- FENCE LINE
- POND LINE
- 5' CONTOUR LINE
- 2651 — 1' CONTOUR LINE

received
5,3,18

HYDROLOGY:

THE SUBJECT PROPERTY HAS NATURAL DRAINAGE SWALES RUNNING FROM THE SOUTHEAST TO THE NORTHWEST CARRYING THE RUNOFF WATER TO THE WASTE WATER DITCHES. THE GOLF COURSE WAS DEVELOPED IN CONSIDERATION OF THE NATURAL DRAINAGE WITH SEVERAL PONDS AND WATER FEATURES USED FOR SITE DRAINAGE AND AS WATER FEATURES FOR THE GOLF COURSE. A DRAINAGE PLAN WAS APPROVED BY ADA COUNTY FOR THE DEVELOPMENT OF THE GOLF COURSE (SEE ADA COUNTY FILE NO. 97–39–CU & 97–81–CU). THE NATURAL DRAINAGE WILL BE MAINTAINED IN DEVELOPING THE FINAL HOLES. BASED ON A SITE VISIT CONDUCTED IN MARCH, 2018, THERE ARE NO KNOW STREAMS OR WETLANDS LOCATED WITHIN THE PROJECT BOUNDARY. GROUNDWATER WITHIN THE SITE AREA IS AT AN AVERAGE DEPTH OF 6 FEET. THERE IS NO PERMANENT OR SEASONAL HIGH WATER ON THIS SITE. WE HAVE BEEN UNABLE TO OBSERVE OR IDENTIFY ANY ESTABLISHED WETLAND AREAS WITHIN THE PROJECT AREA. THIS PROPERTY FALLS OUTSIDE OF THE 100 YEAR FLOODPLAIN. SEE FLOOD INSURANCE RATE MAP (FIRM) ADA COUNTY, IDAHO PANEL 265 OF 875, COMMUNITY–PANEL NUMBER 16001C0265H, FEB. 19, 2003.

TOPOGRAPHY:

SLOPE OF PROJECT SITE IS 0%–6%

VEGETATION:

THE FALCON CREST GOLF COURSE WAS CONSTRUCTED OVER AN AREA WITH NATIVE SAGEBRUSH AND DESERT PLANTS. IN ORDER TO ACCOMPLISH A FINISHED LANDSCAPED GOLF COURSE, HOWEVER, SEVERAL VARIETIES OF CONIFERS, DECIDUOUS TREES, SHRUBS, AND TURF GRASS WERE INTRODUCED TO THE SITE.

CONIFER VARIETIES COMPRISE OF SCOTCH PINE, GIANT SEQUOIA, AUSTRIAN PINE, ARBORVITAE, COLORADO SPRUCE, AND NORWAY SPRUCE. DECIDUOUS TREES PLANTED WERE HONEYLOCUST, CANADA RED CHOKECHERRY, ASH (MARSHALL SEEDLESS, PATMORE, AND SUMMIT), CRABAPPLE (SPRING SNOW, CORAL BURST, SNOWDRIFT, PROFUSION, AND FLORIBUNDA), ASPEN, POPLARS, AND RUSSIAN OLIVE. THE DOMINATE SHRUB TYPE INCLUDES, BUT ARE NOT LIMITED TO, CARPET ROSE, SPIREA, RED TWIG DOGWOOD, AND CISTENA PLUM. THERE ARE THREE VARIETIES OF TURF GRASS GROWING ON THE GOLF COURSE; KENTUCKY BLUE AND PERENNIAL RYE IN THE FAIRWAYS AND BENT GRASS ON THE GREENS.

SENSITIVE PLANT AND WILDLIFE SPECIES:

BASED ON A REVIEW OF INFORMATION MAINTAINED IN THE IDAHO CONSERVATION DATA CENTER THERE ARE NO KNOWN SENSITIVE PLANT AND WILDLIFE SPECIES WITHIN THE PROVECT AREA. THE PROJECT AREA IS SURROUNDED BY AN EXISTING GOLF COURSE PREVIOUSLY APPROVED BY ADA COUNTY. THE BALD EAGLE AND THE YELLO–BILLED CUCKOO ARE THE ONLY TWO SPECIES ON THE IDAHO'S FEDERALLY–LISTED THREATENED AND ENDANGERED SPECIES AND CANDIDATE SPECIES LIST, WHICH ARE IDENTIFIED WITHIN ADA COUNTY. NEITHER OF THESE SPECIES IS KNOWN TO FREQUENT THE SITE OR BE DISPLACED BECAUSE OF THE PROPOSED FACILITY. THE DATA CENTER DOES NOT IDENTIFY ANY THREATENED OR ENDANGERED PLANT SPECIES OR CANDIDATE PLANT SPECIES WITHIN THE PROJECT AREA. THE PROPOSED STRUCTURE WILL BE LOCATED AWAY FROM ANY NATURAL WATERWAYS AND IRRIGATION FACILITIES AND WILL THEREFORE NOT HAVE AN IMPACT ON ANY KNOWN SENSITIVE PLANT AND WILDLIFE SPECIES ASSOCIATE WITH THESE WATERWAYS.

HISTORIC RESOURCES:

THE ADA COUNTY HISTORIC SITE INVENTORY INDICATES NO HISTORIC STRUCTURES ARE LOCATED ON THE PROJECT SITE.

HAZARDOUS AREAS:

BASED ON THE SURVEYOR'S ON–SITE OBSERVATION, THERE ARE NO NOTED AREAS OF GEOLOGICAL OR OTHER HAZARDS PRESENT WITHIN THE PROJECT AREA. THERE ARE STEEPER SLOPES LOCATED ALONG THE NORTHERN BOUNDARY OF THE PROPERTY AS DELINEATED WITH THE SLOPE ANALYSIS. NO ADDITIONAL DEVELOPMENT IS ANTICIPATED WHERE STEEP SLOPES MAY EXIST. THE SITE DOES NOT CONTAIN ANY FLOOD THREATS, POORLY DRAINED AREAS, HIGH GROUNDWATER, OR ROCK FORMATIONS THAT WOULD PRESENT A HAZARD TO DEVELOPMENT. THE PROPERTY WAS PREVIOUSLY APPROVED FOR A GOLF COURSE BY ADA COUNTY, WHICH WOULD HAVE ADDRESSED ANY CONCERNS WITH HAZARDOUS AREAS OF THE SITE. THE EXISTING AND PROPOSED STRUCTURES ARE LOCATED IN AREA THAT IS CONDUCIVE TO DEVELOPMENT. THERE ARE NO BURIED PIPELINES WITHIN THE PROJECT AREA.

IMPACT ON NATURAL FEATURES:

THE LOCATION OF EXISTING AND PROPOSED FACILITIES WILL HAVE NO IMPACT ON NATURAL FEATURES OF THE SITE. THE PROPOSED FACILITIES ARE LOCATED ADJACENT TO AN EXISTING PARKING AREA AND EXISTING STRUCTURES ASSOCIATED WITH THE PREVIOUSLY APPROVED FALCON CREST GOLF COURSE. PROPOSED STRUCTURES WILL BE LOCATED AWAY FROM ANY KNOWN MANMADE WATERWAYS DEVELOPED IN ASSOCIATION WITH THE GOLF COURSE. THE LOCATION OF STRUCTURES WILL NOT REQUIRE DISTURBANCE OF ANY SIGNIFICANT TOPOGRAPHIC FEATURES OR REQUIRE THE ALTERATION OR RELOCATION OF ANY WATERWAYS WHETHER MANMADE OR NATURAL. LOCATING STRUCTURES ADJACENT TO THE EXISTING PARKING AREA AND OTHER FACILITIES WILL MINIMIZE THE NEED FOR EXTENSIVE SITE WORK TO PREPARE THE SITE FOR CONSTRUCTION. THERE IS AN EXISTING ACCESS ROAD TO THE SITE AND NO ADDITIONAL WORK IS REQUIRED FOR ADDITIONAL PARKING OR ROADWAY ACCESS.

J-U-B ENGINEERS, INC.
J-U-B ENGINEERS, INC.
250 S. Beechwood Ave.
Suite 201
Boise, ID 83709-0944
Phone: 208.376.7330
www.jub.com

REUSE OF DRAWINGS
J-U-B SHALL RETAIN ALL COMMON LAW, STATUTORY, COPYRIGHT AND OTHER RESERVED RIGHTS OF THESE DRAWINGS, AND THE SAME MAY NOT BE REUSED WITHOUT THE WRITTEN CONSENT OF J-U-B. ANY REUSE WITHOUT WRITTEN CONSENT SHALL BE AT USER'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO J-U-B.

NO.	DESCRIPTION	BY	APPR.	DATE
	REVISION			

FALCON CREST SUBDIVISION
KUNA, IDAHO

NATURAL FEATURES

FILE: 10-17-141_NAT FEATURE
JUB PROJ. # : 10-17-141
DRAWN BY: ----
DESIGN BY: ----
CHECKED BY: ----
ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY
LAST UPDATED: 5/17/2018

SHEET NUMBER:
NF-01

Plot Date:5/17/2018 7:52 AM Plotted By: Everett Earnest
Date Created:4/2/2018 P:\PROJECTS\JUB\10-17-141 FALCON CREST DEVELOPMENT\PRE-PLAT\CAD\SHEET\10-17-141_NAT FEATURE.DWG

Falcon Crest LLC.

	Parcel #	Acreage
#1	S1422336000	39
#2	S1422314810	119.9
#3	S1422417300	158.65
#4	S1422212400	138.16
#5	S1422110050	160
#6	S142221200	20
#7	S1415336000	56.46
#8	S1415341100	40
#9	S1415430000	80
#10	S1415314810	32.97
#11	S1415315300	10
#12	S1415424915	5
#13	R3297260265	1.13
#14	S1423325400	40
#15	S1423314800	40
#16	S1423336000	40
#17	S1423346600	40
#18	S1422449820	1.31

received
5.30.'18

Exhibit B 1

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

Paul A. Stevens, P.E.
Kuna City Engineer
208-287-1727

ANNEXATION MEMORANDUM

Date: **7 September 2018**

From: **Paul A. Stevens, P.E.**

To: **Wendy Howell, Planning and Zoning Director**

RE: **Falcon Crest Annexation, Comprehensive Plan Map Change, Rezone, And Planned Unit Development**

The City Engineer has reviewed the Falcon Crest annexation request, comprehensive plan map change, rezone, and planned unit development submittal dated 13 July 2018. It is noted that the application provides the applicant's general development intent with several specific details. Many of the variables are to be determined during the course of design and approval. The application contains C-2 Commercial, R-6 Medium Density Residential and R-12 High Density Residential zones. The application shows that city utilities are needed to complete the project. The following comments pertain to Public Works related utilities.

Recommendation: proceed with this annexation & rezone consistent with the enclosed comments but to keep in mind that these comments may be expanded or refined in connection with the future land-use actions. The following comments apply:

1. **Sanitary Sewer**

a) The applicant's property to be annexed is presently used for a golf course and agriculture. The property is not connected to City services and would be subject to connection fees for the demand of the ultimate connected load as provided in the City's Standard Table. City Code (6-4-2) requires connection to the City sewer system for all sanitary sewer needs.
b) For any connected load, it is recommended this application be conditioned to conform to the sewer master plan, particularly to the providing of sewer mains and trunk lines in the master plan.
c) The nearest Sewer Main capable of serving this property lies approximately five (5) miles away in Orchard Street. Construction of this regional trunk sewer line is expected to be a cooperative effort between multiple developers. Negotiations are ongoing regarding construction of this sewer trunk line.
d) At all reasonable locations where sewer service could be extended to adjoining properties, sewer mains should be stubbed to the property line or extended in right-of-way in or adjacent to the project – both at useable depths.

2. Water

a) The applicant's property to be annexed is not connected to City water service and would be subject to connection fees for the demand of the ultimate connected load as provided in the City's Standard Table. City Code (6-4-2X) requires connection to the City water system for all potable water needs.
b) The City anticipates construction of a new well to service this area.
c) The development shall provide adequate fire protection as required by the Kuna Fire District.
d) This application shall conform to the water master plan.
e) 8-inch diameter water mains are the minimum size water main line. Water main lines shall be sized to meet or exceed the peak day demand with fire flow. Water main lines shall be extended and connected by the developer to water trunk lines and mains through to the connection points.

3. Pressure Irrigation

a) Relying on drinking water for irrigation purposes is contrary to City Code (6-4-2). The application requests use of domestic water for limited irrigation. An irrigation water source is needed such that domestic, potable water is not utilized for drinking water.
b) It is recommended that this project be conditioned to require connection and annexation to the City Pressure Irrigation System when the City Pressurized Irrigation System becomes available. It is further recommended that annexation into the municipal irrigation district and pooling of water rights is a requirement at the time of final platting.
c) The development is subject to connection fees based on number of dwellings and lot size for the residential area as provided in City Resolutions.
d) For any connected load, it is recommended this application be conditioned to conform to the Pressure Irrigation Master Plan.

4. Grading and Storm Drainage

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

a) 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) Runoff from public right-of-way is regulated by ACHD
c) The Planned Unit Development (PUD) portion of the project must also comply with ACHD storm water runoff policy.
d) Exclusive of public right-of-way, any increase in quantity or rate of runoff or decrease in quality of runoff compared to historical conditions must be detained, treated and released at rates no greater than historical amounts. In the alternative, offsite disposal of storm water in excess of historical rates or conditions of disposal at locations different than provided historically, approval of the operating entity is required. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of any private disposal system.
e) If impervious area is increased, provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Provide detail drawings of drainage facilities for review. Drainage facilities shall be sized to adequately contain run off from the final, full, build out of the project.

5. General

a) With the addition of this property into the corporate limits of Kuna and its potential connection to water services, this property will be placing demand not only on constructed facilities but on water rights provided by others. It is the reasonable expectation, in return, that this property transfer to the City at time of

connection (development) any conveyable water rights by deed and "Change of Ownership" form from IDWR that are presently associated with the property. The domestic water right associated solely with a residence and ½ acre or less is not conveyable. The water right held in trust by an irrigation district is also not conveyable.

b) A plan approval letter will be required if this project affects any local irrigation districts.
c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
d) State the vertical datum used for elevations on all drawings.
e) 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 its west side by S. Cloverdale Road and on the south E. Kuna Road - ACHD. The following conditions are related to both roads:

a) Sufficient half right-of-way on the quarter line and section line for existing and future classified streets should be provided pursuant to City & ACHD standards.
b) Approaches onto classified streets shall comply with ACHD approach policies.
c) Sidewalk, curb and gutter, street widening and any related storm drainage facilities, shall be constructed in compliance with city code and policies. The listed improvements shall be provided within property development.

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 preliminary plat and supporting documents as part of the application.

Exhibit B 2

Sara M. Baker, President
Rebecca W. Arnold, Vice President
Jim D. Hansen, Commissioner
Kent Goldthorpe, Commissioner
Paul Woods, Commissioner

Development Services

September 26, 2018

TO: Mark Tate, M3 Companies

FROM: Mindy Wallace, AICP

SUBJECT: **Falcon Crest Master Plan Community**
Comprehensive plan amendment, annexation, zoning, and planned unit development

---

Application Information & Introduction

The applicant, M3 Companies, is requesting approval for an annexation, rezone and a comprehensive plan amendment to allow for the development of a Master Planned Community; the Falcon Crest development.

The Master Plan is for 989 acres and includes all the land that is anticipated to be incorporated into this project. The applicant has requested commercial, and medium and high-density zoning designations as part of their application. The site will be divided into various development areas. Those areas include active adult, age target living, single family residential, recreation, a community center, an updated clubhouse with full food and beverage service, private parks, a public city park, pathways and vast open space including the golf course. The site is located at the northeast corner of Cloverdale and Kuna Road and includes the existing Falcon Crest Golf Course. The applicant intends to submit preliminary plats for the individual phases of the 989 acres. As individual preliminary plats are submitted under this Plan, the Ada County Highway District (ACHD) will provide detailed analysis of impacts to the transportation system, mitigation, street layout, street design and construction, and will be a signatory on the plat.

For the current application, ACHD is a commenting agency to the City of Kuna. ACHD has no objections to the application and will review future preliminary plat applications and provide site specific conditions of approval with each future preliminary plat prior to any roadway construction, or scheduling of a final plat for signature.

Vicinity Map

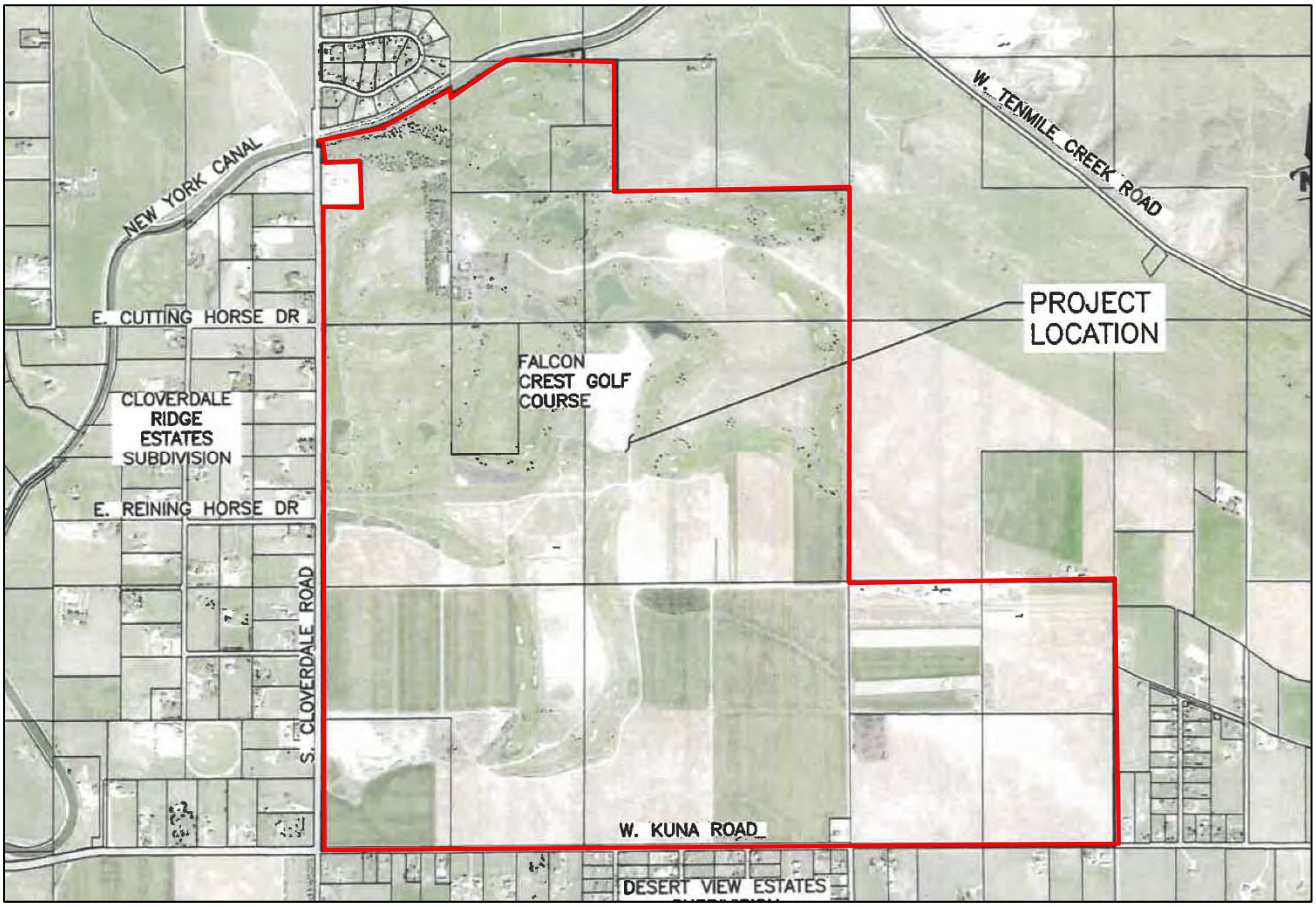
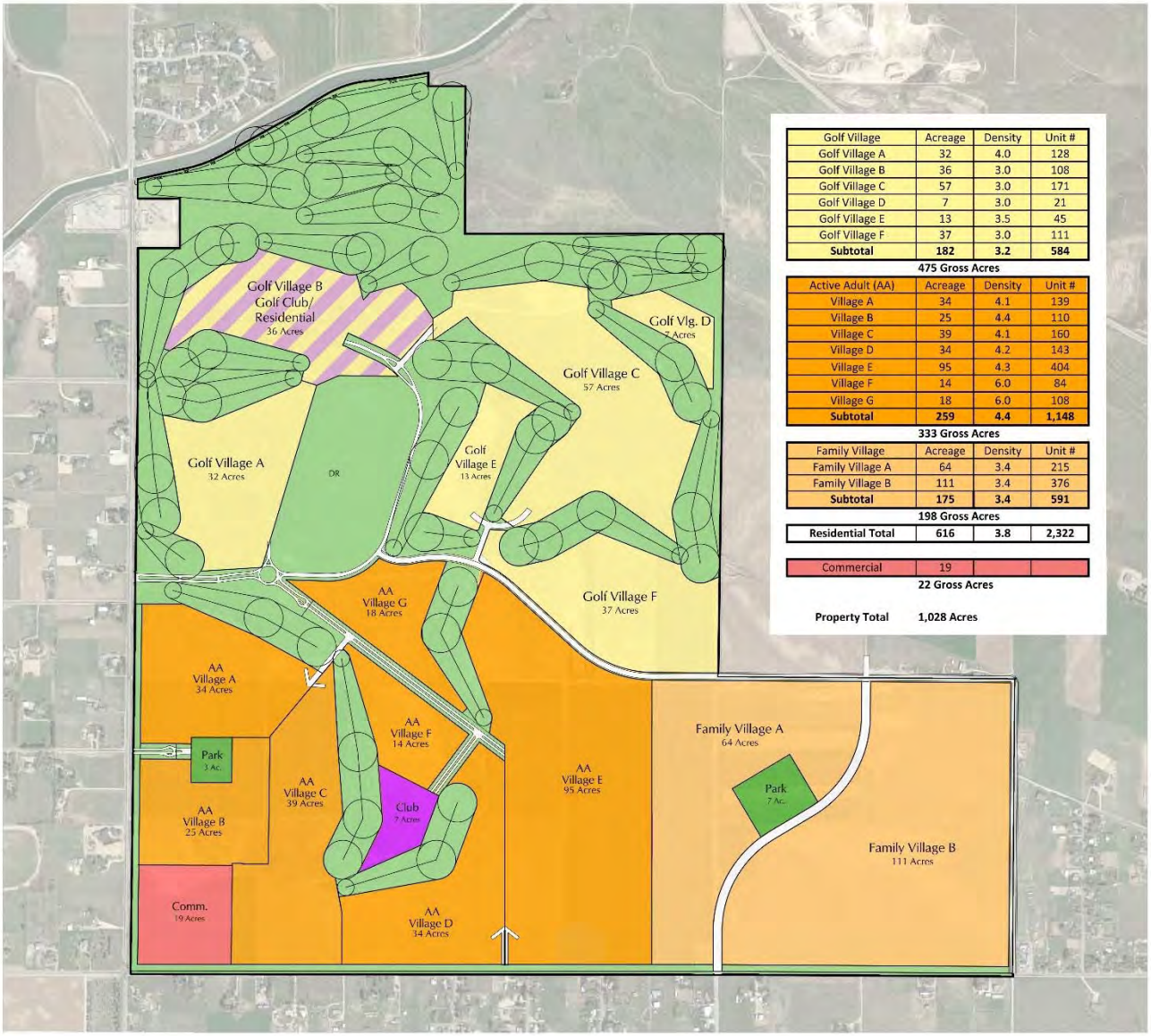


Exhibit B 2

Conceptual Site Plan



Golf Village	Acreage	Density	Unit #
Golf Village A	32	4.0	128
Golf Village B	36	3.0	108
Golf Village C	57	3.0	171
Golf Village D	7	3.0	21
Golf Village E	13	3.5	45
Golf Village F	37	3.0	111
Subtotal	**182**	**3.2**	**584**
475 Gross Acres			

Active Adult (AA)	Acreage	Density	Unit #
Village A	34	4.1	139
Village B	25	4.4	110
Village C	39	4.1	160
Village D	34	4.2	143
Village E	95	4.3	404
Village F	14	6.0	84
Village G	18	6.0	108
Subtotal	**259**	**4.4**	**1,148**
333 Gross Acres			

Family Village	Acreage	Density	Unit #
Family Village A	64	3.4	215
Family Village B	111	3.4	376
Subtotal	**175**	**3.4**	**591**
198 Gross Acres			

Residential Total	**616**	**3.8**	**2,322**
Commercial	19		
22 Gross Acres			

Property Total **1,028 Acres**

Falcon Crest

PRELIMINARY DEVELOPMENT PLAN

May 15, 2018

GREEY|PICKETT

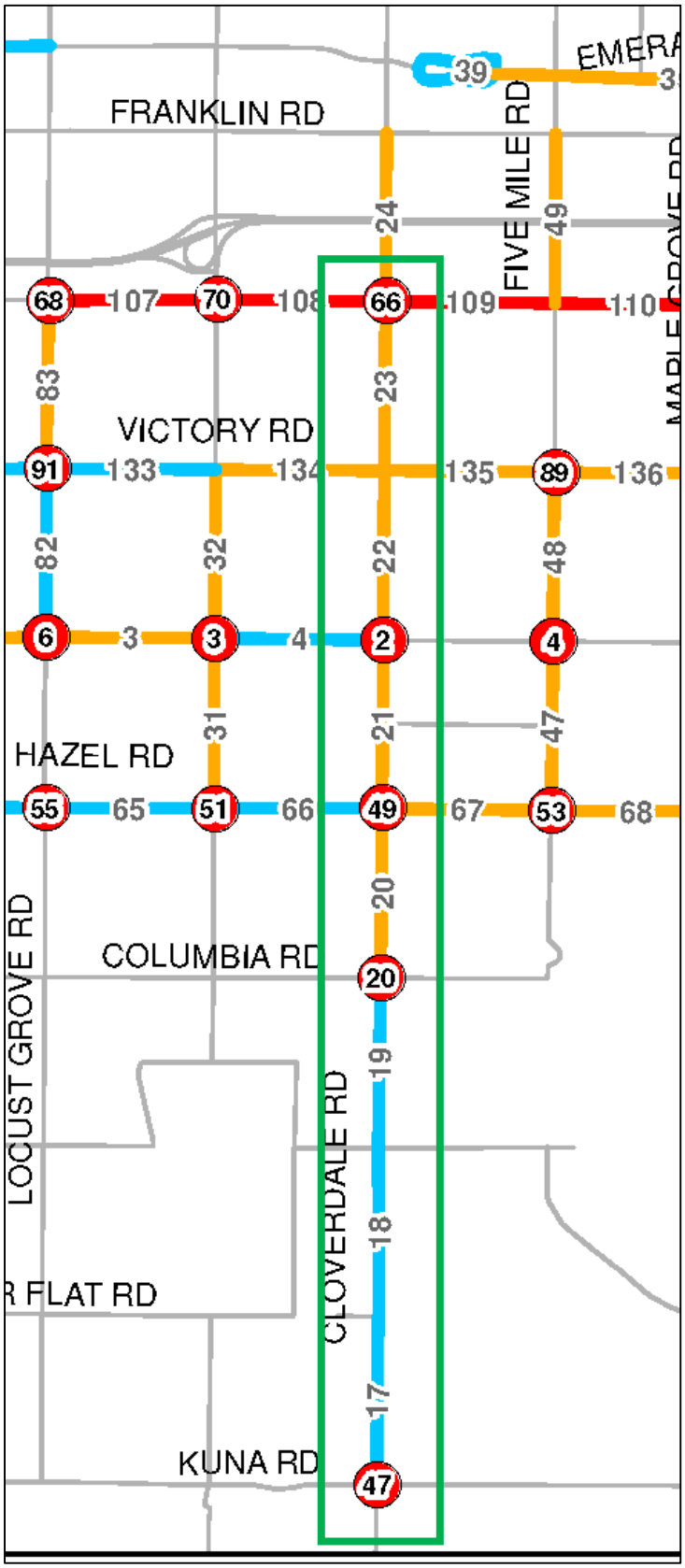
ACHD Comments to the City of Kuna

1. Capital Improvement Plan (CIP)/Integrated Five Year Work Plan (IFYWP)
The following improvements are scheduled in ACHD's IFYWP or listed in the CIP:

- Cloverdale from Lake Hazel Road to Amity Road is to be widened to 5 lanes and is listed in the IFYWP as an unfunded improvement (Project #21). *
- Cloverdale Road from Amity Road to Victory Road is to be widened to 5 lanes and is listed in the IFYWP as an unfunded improvement (Project #22). *
- Cloverdale Road from Victory Road to Overland Road is scheduled in the IFYWP to be widened to 5 lanes in 2023 (Project #23).
- The intersection of Cloverdale Road and Lake Hazel is in the IFYWP to be constructed with 5-lanes on the north leg, 5-lanes on the south, 6-lanes east, and 5-lanes on the west leg. Design for this project is scheduled for 2023. (Project #49).
- The intersection of Cloverdale Road is in to be constructed as 7-lanes on the north leg, 7-lanes on the south, 8-lanes east, and 8-lanes on the west leg, and signalized. between 2022 and 2026 (Project #66) and is listed in the IFWP as being in preliminary development.*
- Cloverdale Road is listed in the CIP to be widened to 3-lanes from Kuna Road to Deer Flat Road between 2031 and 2035 (Project #17).
- Cloverdale Road is listed in the CIP to be widened to 3-lanes from Deer Flat Road to Hubbard Road between 2031 and 2035 (Project #18).
- Cloverdale Road is listed in the CIP to be widened to 3-lanes from Hubbard Road to Columbia Road between 2031 and 2035 (Project #19).
- Cloverdale Road is listed in the CIP to be widened to 3-lanes from Columbia Road to Lake Hazel Road between 2026 and 2030 (Project #20).
- The intersection of Cloverdale Road and Kuna Road is listed in the CIP to be constructed as a single-lane roundabout, between 2031 and 2035 (Project #47).
- The intersection of Cloverdale and Columbia Road is listed in the CIP to be constructed as a single-lane roundabout between 2026-2030.
- The intersection of Amity Road and Cloverdale Road is listed in the CIP to be constructed as a multi-lane roundabout, between 2021 and 2025 (Project #2).

*Projects listed as preliminary development and unfunded are on the horizon to be moved into future IFYWP updates.

CIP Project Map



2. Traffic Impact Study

The purpose of the study was to provide a planning level roadway analysis for the full build out of the Falcon Crest Master Plan and to highlight roadway improvements due to site generated traffic at full build out of the site.

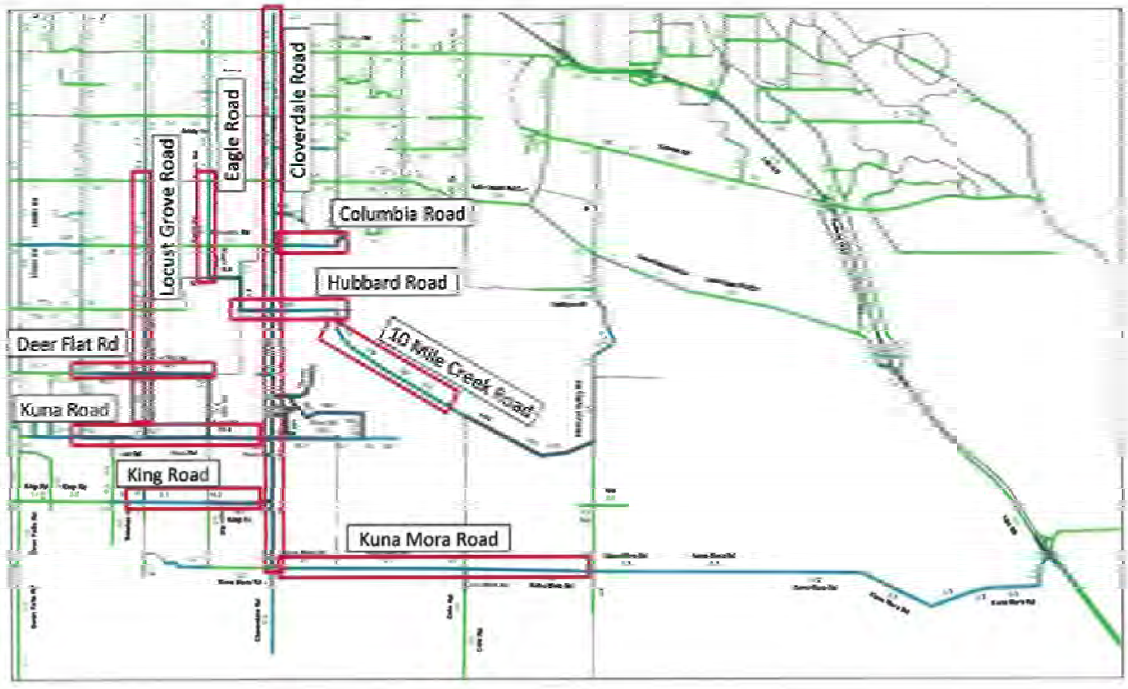
Traffic Impact Study Area

With the traffic impact study for the Falcon Crest Mater Plan the study area was extended to beyond the roadways within and adjacent to the development to allow for analysis of all the traffic impacts. The study area included the following roadway segments:

- Cloverdale Road - Kuna Mora Road to Overland Road
- Eagle Road – Hubbard to Lake Hazel Road
- Locust Grove Road – Deer Flat Road to Amity Road
- Kuna Mora Road – Cloverdale Road to Cole Road
- King Road – Locust Grove Rod to Cloverdale Road
- Kuna Road – Meridian Road to Cloverdale Road
- Deer Flat Road – Meridian Road to Eagle Road
- Hubbard Road – Eagle Road to east of Cloverdale Road
- Columbian Road – east of Cloverdale Road
- Ten Mile Creek Road – east of Hubbard Road

A planning level analysis for intersections was not recommended as part of planning level analysis for the Falcon Crest Master Plan. There are several intersections in the study area identified for improvements in ACHD's (Capital Improvement Plan) and intersections will be identified and studied as part of future traffic impact studies for individual preliminary plat phases.

Figure 15. COMPASS Area of Impact Modeling



The applicant's TIS analyzed the impacts of the subject development alone and identified the street improvements necessary to address the projected impacts. A complete executive summary of the study is included in attachment 3. Below is an identification of the scope:

- Trip Generation of the proposed developments
- Site traffic distribution and traffic assignment
- Planning level threshold roadway capacity analysis
- Recommended roadway sizes and improvements to serve the site in 2040

ACHD Comment: District Traffic Services and Planning Review staffs have reviewed the submitted traffic impact study for accuracy in results and assumptions as well as for completeness. ACHD comments and recommendations are noted below.

a. Build-Out Year and Off-Site Traffic Projections
   The projected build-out year for the Falcon Crest Master Plan developments is 2040, and the year 2040 was used as a horizon year. The study provides an analysis of the 2040 traffic conditions with and without the Falcon Crest development and provides a comparison of the improvements necessary to mitigate the site generated traffic impacts to the improvement listed in ACHD's CIP.

b. Offsite Improvements
   i. The planning level roadway analysis includes 29 roadway segments in the study area. The current CIP has roadway improvements planned through 2035 and only has planned improvements for a 6 miles of Cloverdale Road between Deer Flat Road and Overland Road. No other study area roadways are currently planned for improvements.

      The table below identifies the study roadway segments, the number of lanes the roadways are anticipated to have in 2040 based on the CIP and notes whether the roadways will be over capacity. This table is based on total traffic conditions in 2040 (background and site generated traffic).

Table 17. Year 2040 Build-Out Roadway Segment Operations - Weekday PM Peak Hour

Roadway Segment	CIP Travel Lanes[1]	ACHD Peak Hour Std. Volume (One-Way)	Weekday PM Peak Hour One-Way Volume/ Direction			
			2040 Background	Background Meets Std?	2040 with Falcon Crest	With Project Meets Std.?
Cloverdale Road						
Cloverdale Road (Victory Road to Overland Road)	5	1,540	1,720 / SB	No	1,770 / SB	No
Cloverdale Road (Amity Road to Victory Road)	5	1,540	1,720 / SB	No	1,830 / SB	No
Cloverdale Road (Lake Hazel Road to Amity Road)	5	1,540	1,330 / SB	Yes	1,460 / SB	Yes
Cloverdale Road (Columbia Road to Lake Hazel Road)	5	1,540	1,480 / SB	Yes	1,650 / SB	No
Cloverdale Road (Hubbard Road to Columbia Road)	3	720	820 / SB	No	1,080 / SB	No
Cloverdale Road (Deer Flat Road to Hubbard Road)	3	720	690 / SB	Yes	1,070 / SB	No
Cloverdale Road (Kuna Road to Deer Flat Road)	3	720	660 / SB	Yes	970 / SB	No
Cloverdale Road (King Road to Kuna Road)	2	575	370 / NB	Yes	470 / NB	Yes
Cloverdale Road (Kuna Mora Road to King Road)	2	575	470 / NB	Yes	530 / NB	Yes
Eagle Road						
Eagle Road (Columbia Road to Lake Hazel Road)	2	690	540 / SB	Yes	650 / SB	Yes
Eagle Road (Hubbard Road to Columbia Road)	2	690	290 / SB	Yes	390 / SB	Yes
Eagle Road (Kuna Road to Hubbard Road)	2	690	250 / NB	Yes	300 / NB	Yes
Locust Grove Road						
Locust Grove Road (Lake Hazel Road to Amity Road)	2	575	620 / SB	No	650 / SB	No
Locust Grove Road (Columbia Road to Lake Hazel Road)	2	575	550 / SB	Yes	580 / SB	No
Locust Grove Road (Deer Flat Road to Columbia Road)	3	575	620 / SB	No	640 / SB	No
Locust Grove Road (Hubbard Road to Deer Flat Road)	2	575	330 / SB	Yes	360 / SB	Yes
Locust Grove Road (Kuna Road to Hubbard Road)	2	575	210 / SB	Yes	250 / SB	Yes
Kuna Mora Road						
Kuna Mora Road (Cloverdale Road to Cole Road)	3	690	700 / WB	No	730 / WB	No
King Road						
King Road (Locust Grove Road to Eagle Road)	3	575	630 / WB	No	650 / WB	No
King Road (Eagle Road to Cloverdale Road)	2	575	480 / WB	Yes	510 / WB	Yes
Kuna Road						
Kuna Road (Meridian Road to Locust Grove Road)	3	575	730 / WB	No	750 / WB	No
Kuna Road (Locust Grove Road to Eagle Road)	2	575	630 / WB	No	710 / WB	No
Kuna Road (Eagle Road to Cloverdale Road)	2	575	550 / WB	Yes	700 / WB	No
Deer Flat Road						
Deer Flat Road (Meridian Road to Locust Grove Road)	3	575	685 / WB	No	740 / WB	No
Deer Flat Road (Locust Grove Road to Eagle Road)	3	575	600 / WB	No	650 / WB	No
Hubbard Road						
Hubbard Road (Eagle Road to Cloverdale Road)	2	575	400 / WB	Yes	510 / WB	Yes
Hubbard Road (East of Cloverdale Road)	2	575	460 / WB	Yes	530 / WB	Yes
Columbia Road						
Columbia Road (East of Cloverdale Road)	2	690	270 / EB	Yes	290 / EB	Yes
Ten Mile Creek Road						
Ten Mile Creek Road (East of Hubbard Road)	2	690	460 / WB	Yes	530 / WB	Yes

[1] Travel lanes include the planned total number of lanes across the roadway's respective cross section in the year 2040. Highlighted cells represent roadway segments that are anticipated to exceed ACHD directional peak hour volume thresholds due to site-generated trips.

Exhibit B 2

ii. The following table lists roadway segments anticipated to need widening beyond the CIP under 2040 total traffic conditions.

Table 18. Estimated Roadway Segments Requiring Improvements in Year 2040

Roadway	Year 2040 Number of Lanes[1]	Future Number of Lanes Needed	2040 Background or 2040 Project Need?
Cloverdale Road			
Victory Road to Overland Road	5[2]	7	Background
Amity Road to Victory Road	5[2]	7	Background
Columbia Road to Lake Hazel Road	5	5 with median	Project Need
Hubbard Road to Columbia Road	3	5	Background
Deer Flat Road to Hubbard Road	3	5	Project Need
Kuna Road to Deer Flat Road	3	5	Project Need
Locust Grove Road			
Lake Hazel Road to Amity Road	2	3	Background
Columbia Road to Lake Hazel Road	2	3	Project Need
Deer Flat Road to Columbia Road	2	3	Background
Kuna Mora Road			
Cloverdale Road to Cole Road	2	3 with median	Background
King Road			
Locust Grove Road to Eagle Road	2	3	Background
Kuna Road			
Meridian Road to Locust Grove Road	2	3	Background
Locust Grove Road to Eagle Road	2	3	Background
Eagle Road to Cloverdale Road	2	3	Project Need
Deer Flat Road			
Meridian Road to Locust Grove Road	2	3	Background
Locust Grove Road to Eagle Road	2	3	Background

Notes: [1] Either ACHD's 2016 Capital Improvement Plan (Reference 5) or ACHD's Master Street Map (Reference 8); [2] The CIP does not specify whether a median would be constructed as part of the widening from 2 to 5 lanes.

ACHD Comment: Due to the changes in land use assumptions in the City of Kuna and throughout Ada County changes to ACHD's CIP may be warranted as part of the next CIP update, planned for 2020. There are several planned improvements to Cloverdale Road within ACHD's Draft IFYWP (Integrated Five Year Work Plan). The following improvement projects are listed:

- Cloverdale from Lake Hazel Road to Amity Road is to be widened to 5 lanes and is listed as an unfunded improvement. *
- Cloverdale Road from Amity Road to Victory Road is to be widened to 5 lanes and is listed as an unfunded improvement. *
- Cloverdale Road from Victory Road to Overland Road is scheduled to be widened to 5 lanes in 2023.

*Projects listed as unfunded are on the horizon to be moved into future IFYWP updates.

The traffic impact study identifies the following roadway segments as needing improvements to accommodate the buildout of the Falcon Crest Master Plan development in 2040:

- Cloverdale Road between Kuna Road Overland Road (6 miles)

- Locust Grove Road between Deer Flat Road and Amity Road (3 miles)
- Kuna-Mora Road between Cloverdale Road and Cole Road (3 miles)
- King Road Between Locust Grove Road and Eagle Road (1 mile)
- Kuna Road between Cloverdale Road and Meridian Road/SH-69 (3miles)
- Deer Flat Road between Meridian Road/SH-69 and Eagle Road (2 miles)

If improvements are not made to impacted roadway segments and intersections the applicant may need to make improvements or wait for ACHD to make them.

All roadway improvements necessary to serve the site will be verified though traffic impact studies submitted with future preliminary plat applications.

In Table 18 above, the TIS states the future number of lanes needed on Cloverdale Road is 7. At this time ACHD has no plans to widen Cloverdale Road between Amity Road and Overland Road beyond the 5 lanes currently listed in ACHD's CIP and IFYWP.

3. Trip Generation and Trip Capture

a. Land Use Assumptions
   i. 2,323 dwellings units
      1. 591 single family dwelling units
      2. 1,732 senior adult housing detached
      3. All units are located within Falcon Crest

   ii. 96,000 square feet of commercial/office
      1. Includes 15,000 square feet of medial office uses
      2. Includes 11,0000 square feet of general office uses
      3. Includes 70,000 square feet of commercial uses

b. Total Trip Generation
   i. At the time of full build-out in 2040 the Falcon Crest Master Plan is anticipated to generate:
      1. 17,635 vehicle trips per day, and
      2. 1,488 vehicles per hour during the PM peak hour

c. Proposed Trip Capture Percentages
   i. The submitted traffic impact study estimates that approximately 15% of the site generated traffic will be retained within the development due to the proposed mix of uses.

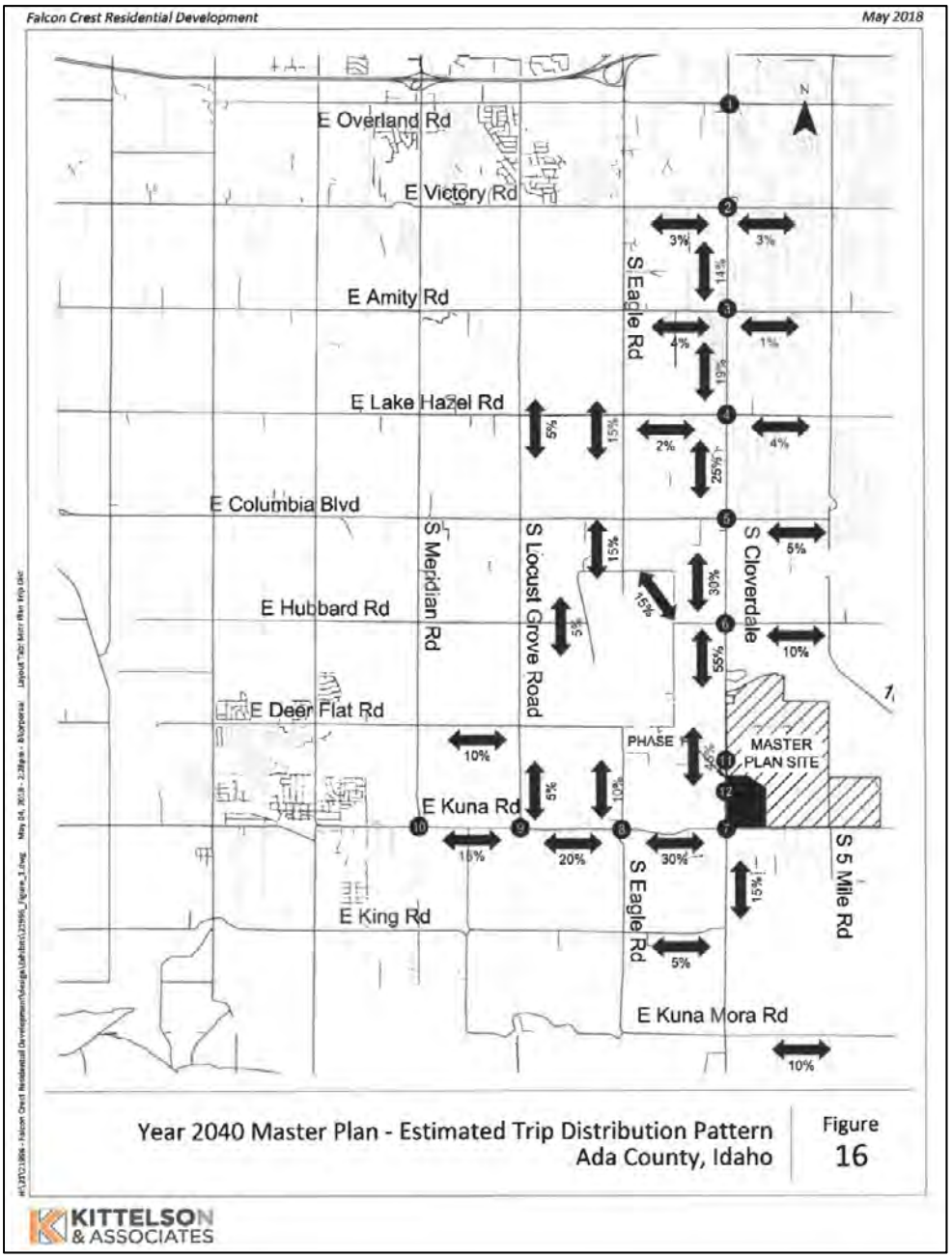
ACHD Comment: District Traffic Services staff has reviewed the methodology utilized by Kittelson & Associates, Inc for the Falcon Crest trip capture, and is supportive of the methodology utilized, as the applicant's engineer used the procedure outlined in the ITE Trip Generation Handbook for calculating the trip capture as required by ACHD. The applicant's engineer estimated 15% of the daily trips would be captured within the site. ACHD agrees with the 15% trip capture rate presented by the applicant' s engineer. The actual trip capture rate will need to be verified with each revised traffic impact study.

d. **ACHD Recommendation for Trip Capture Rates**
    i. Each preliminary plat must include actual traffic counts of all phases to date, plus the projected traffic for the proposed phase.
    ii. No assumed trip capture or reductions will be allowed at this time, only actual verified trip capture may be utilized for the existing phases at the time of the future studies. Estimated trip capture will only be allowed for the proposed future phase based on ITE standards. The future evaluation must utilize the trip capture methodology outlined in the ITE Trip Generation Handbook.
    iii. The traffic impacts will be evaluated with the updated traffic impact studies described above and the applicable street improvements will be required with each preliminary plat phase that necessitates the street improvement.

4. Trip Distribution

a. The submitted traffic impact study estimates that 55% of the site generated traffic will travel north/south on Cloverdale Road north of Kuna Road, 30% will travel east/west on Kuna Road, and 15% will travel north/south on Cloverdale Road south of Kuna Road. From those points the traffic was distributed based on COMPASS's 2040 regional travel demand model.

Exhibit B 2



b. **ACHD Comment:** ACHD will require that the site traffic distribution be reviewed with each phase and preliminary plat submittal as part of the required future traffic impact studies. This will allow ACHD to evaluate whether additional mitigation measures are necessary if site traffic distribution is not as estimated in TIS by the applicant's consultant.

5. Phasing Plan/Future Traffic Impact Studies

a. A phasing plan was not provided as part of this application; however, the application materials indicate that the Falcon Crest Master Plan is proposed to be constructed in multiple phases over the next 20+ years depending on market conditions. The first preliminary plat within the development consists of 409 residential building lots and is anticipated to be built out over the next 5 to 10 years. A traffic impact study with specific findings and recommendations for the first final plat was submitted to ACHD for review and approval.

District policy 7106.7.2 states that for large scale developments, like planned communities or specific area plans, ACHD will require that a phasing analysis be submitted with the initial TIS or with the first preliminary plat submittal. This phasing analysis shall include the size and type of the proposed land uses within each phase and the anticipated mitigation measures necessary with each phase. Prior to the approval for each subsequent phase of the development, the applicant shall submit and updated TIS. The updated TIS shall include information from the built environment to date including actual traffic counts and actual trip capture; projected traffic for the current phase and anticipated trip capture based on development of applicable land uses, and necessary mitigation measures for the current phase. In addition, the updated TIS shall include updated traffic counts for the impacted roadway segments and intersections consistent with Section 7106.6.

b. **Comments/Recommendations:** Consistent with District policy, the applicant should be required to provide an updated traffic impact study with each phase of the development. In addition, a TIS should be required with all development applications that include a change to the Planned Unit Development that may alter traffic impact projections at the sole discretion of ACHD. All TIS submittals, including updates to the TIS, must meet ACHD policy requirements at the time of submittal.

TIS Update Requirements: An update to the TIS should include the following items:

- Updated traffic counts for the impacted roadway segments and intersections listed in the previous TIS;
- Information from the built development to date including actual traffic counts and actual measured trip capture;
- Projected trip generation, trip distribution and assignment, and anticipated trip capture for the current phase under consideration (preliminary plat application), based on development of the applicable land uses;
- Necessary mitigation measures for the current phase;
- Updates to all analysis, conclusions and recommendations found to be out of date or in need of correction based on the updated information;
- Meet all ACHD policy requirements for a TIS at the time of submittal.

6. Arterial Roads – Cloverdale Road and Kuna Road

a. **Policy: Street Section and Right-of Way Width Policy:** District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-

Exhibit B 2

feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. The segments of Cloverdale Road and Kuna Road abutting the site are designated in the MSM as a Rural and Residential Arterials with 3-lanes and on-street bike lanes, a 46-foot street section within 74-feet of right-of-way.

b. **Comments/Recommendations:** ACHD's MSM identifies both Cloverdale Road and Kuna Road as future 3-lane arterial roadways. However, the submitted traffic impact study indicates that 5-lane roadways will be needed to accommodate traffic at build out of the development in 2040.

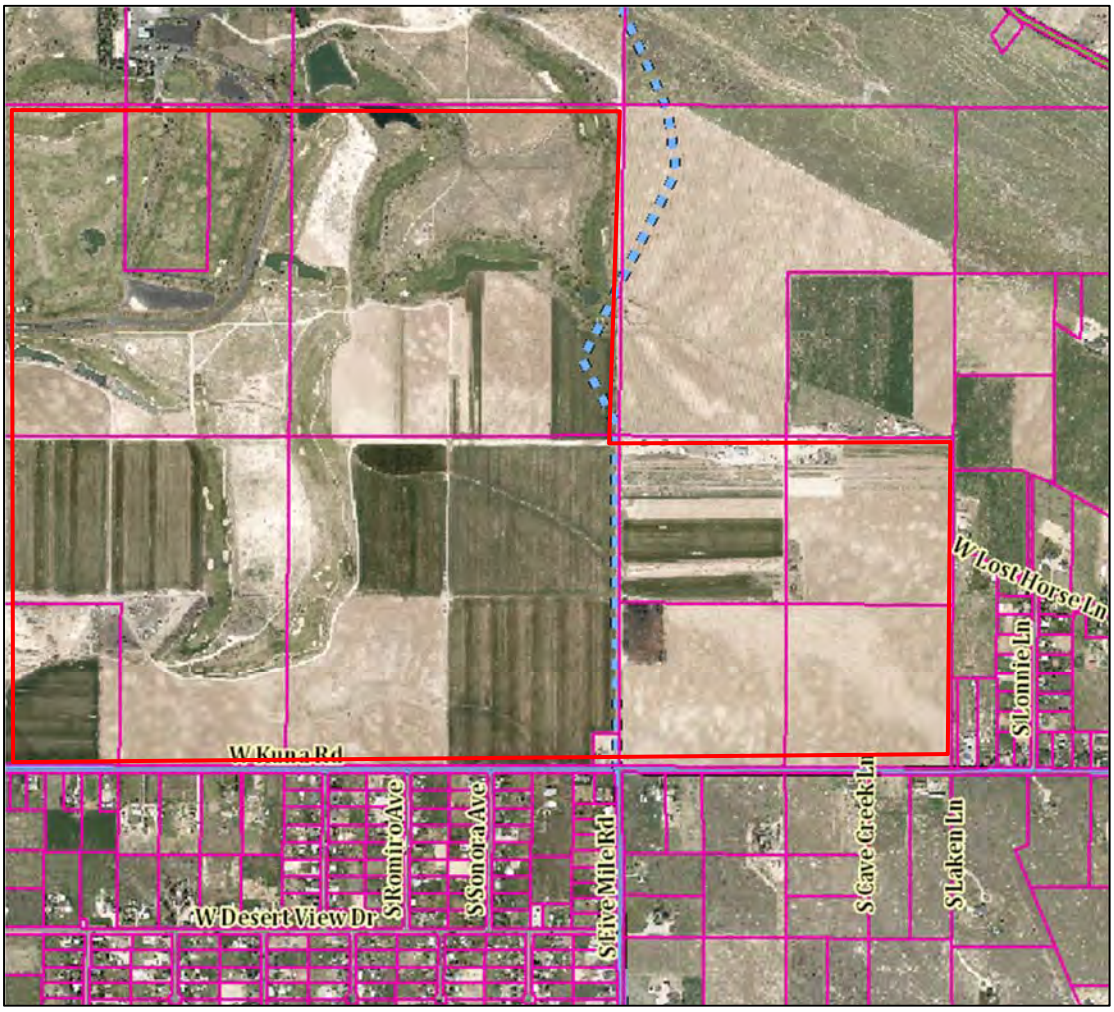
Based on information provided in the traffic impact study, if the City approves the rezone, the MSM will need to be modified with the preliminary plat to change Cloverdale Road to a future 5 lane roadway from Kuna Road north to Lake Hazel Road and change Kuna Road to a 5-lane roadway from Cloverdale Road to Five Mile Road.

To accommodate the construction of future 5 lane roadways the applicant will be required to dedicate 48-feet of right-of-way from centerline for both Cloverdale Road and Kuna Road abutting the site with the first preliminary plat. Preserving right-of-way for future roadways will ensure the roadways can will accommodate future traffic volumes and provide design options for the future roadways.

7. Five Mile Road Extension

a. The MSM and the COMPASS 2040 Function Classification Map both identify the extension of Five Mile Road from Kuna Road through the site stubbing to the north and connecting to Ten Mile Creek Road. The MSM identifies this segment of Five Mile Road as a 3-lane residential arterial roadway, a 46-foot street section with 74-feet of right-of-way.

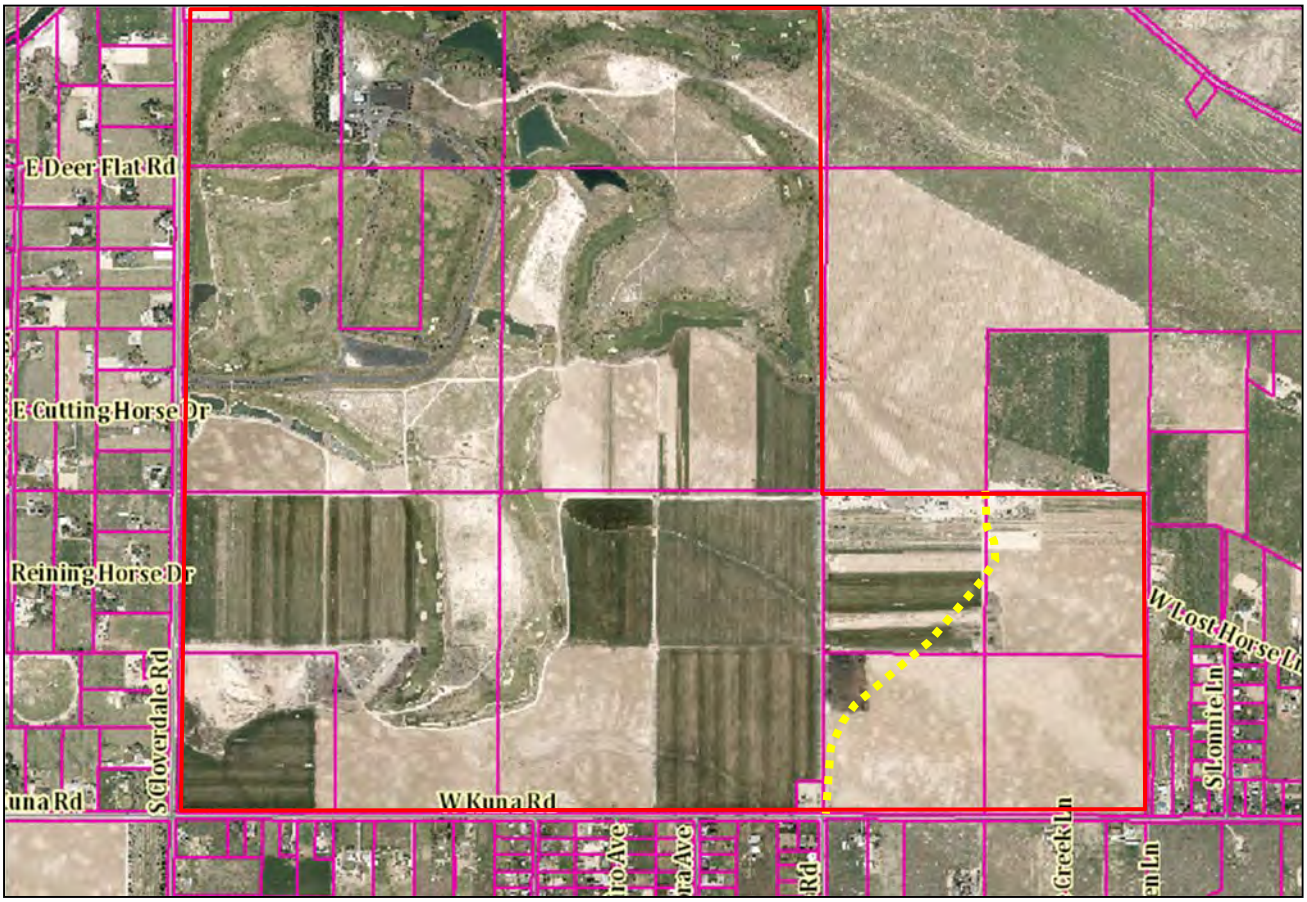
MSM Alignment



The applicant has proposed an alternative alignment for the extension of Five Mile Road noting the ability to reduce grading and roadway elevation changes, and to reduce speeds within the development.

Exhibit B 2

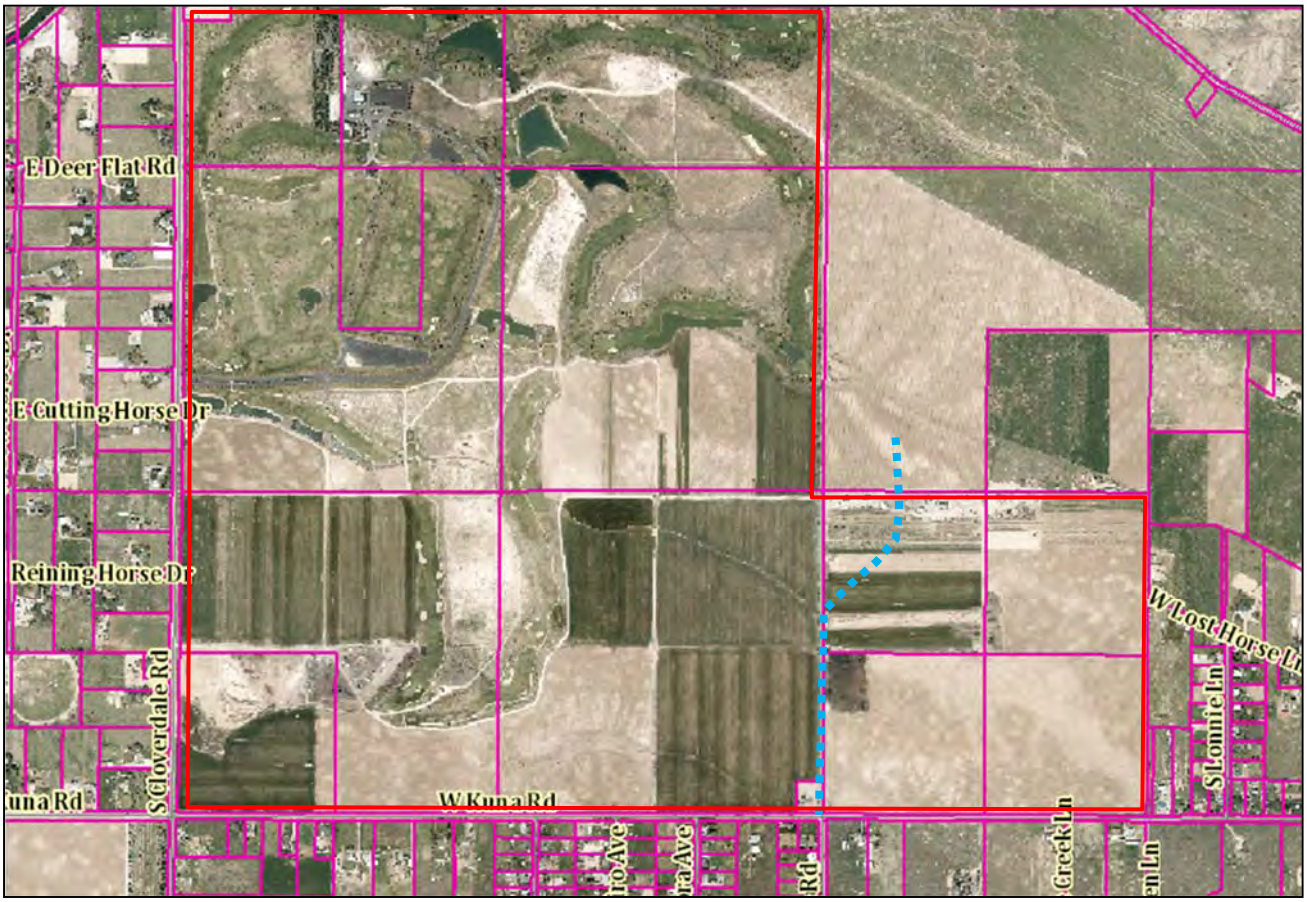
Proposed Alignment



*For illustrative purposes only.

After reviewing the proposed alignment of Five Mile Road and topography in the area there doesn't appear to be a significant benefit to changing the roadway alignment. At this time, it is recommended that Five Mile Road remain on its current alignment from Kuna Road north approximately 1,600-feet, as the roadway extends north of that point it should shift to the east approximately 660-feet to intersect the north property. This alignment reduces the impacts to the golf course and prevents a large jog in the roadway.

Recommended Alignment



*For illustrative purposes only.

When the portion of the master plan that includes the Five Mile Road extension is platted, at a minimum, ACHD will require the dedication of 74-feet of right-of-way, the construction of 5-foot wide detached concrete sidewalks, and that the roadway be improved with 30-feet of pavement with 3-foot wide gravel shoulders and barrow ditches abutting the site. The exact alignment and design of Five Mile Road will be determined with the future preliminary plat application.

8. Collector Roadways

a. The MSM identifies 2 new mid-mile collector roadways within the Falcon Crest Master Plan site. The east-west collector is proposed to be located at the half mile between Kuna Road and Deer Flat Road, between Cloverdale Road and Five Mile Road. The north-south collector is proposed to be located at the half mile between Cloverdale Road and Five Mile Road, between Kuna Road and the new east/west collector.

Exhibit B 2

MSM Collectors

Consistent with the MSM, the applicant will be required to construct the new collector roadways through the site. The exact alignment and design of the collector roadways will be determined with future preliminary plat applications.

9. Internal Street Sections

The applicant has not proposed any internal street sections as part of this application. Street sections will be reviewed with each preliminary plat to ensure compliance with District policy at that time.

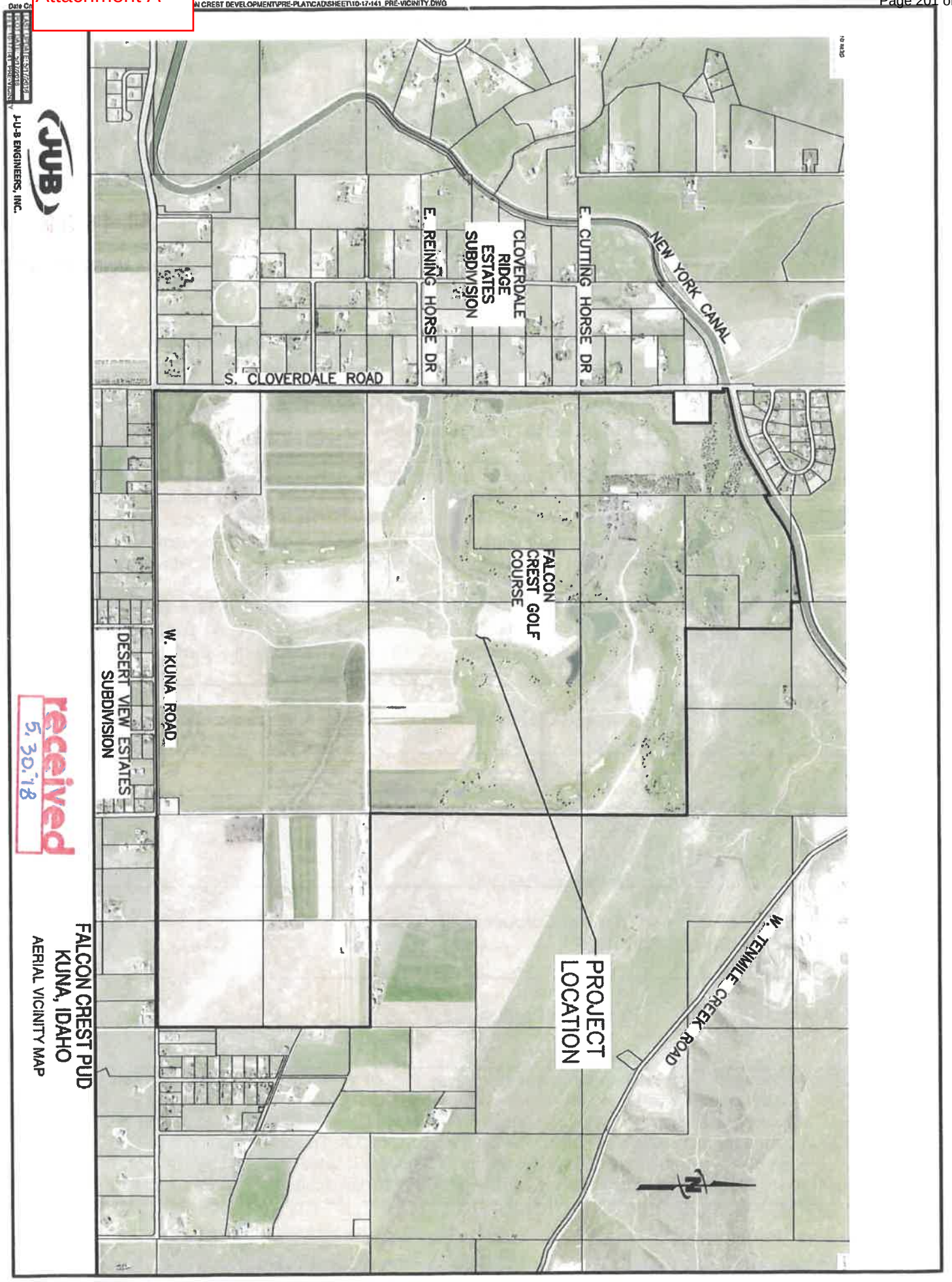
10. Summary/Disclaimer

a. Below is a summary of the primary issues that will be required to be addressed with future preliminary plats:
    i. Traffic Impact Studies—Staff recommends updated traffic impact studies be required with each phase of the development to verify assumptions.
    ii. Disclaimer: No waiver or modification of policy is approved or recommended unless specifically called out by policy section and specifically approved in this report. Additional requirements may be required at each preliminary plat phase.

Attachments

1. Vicinity Map
2. Concept Plan
3. Complete Traffic Study Summary

Attachment A



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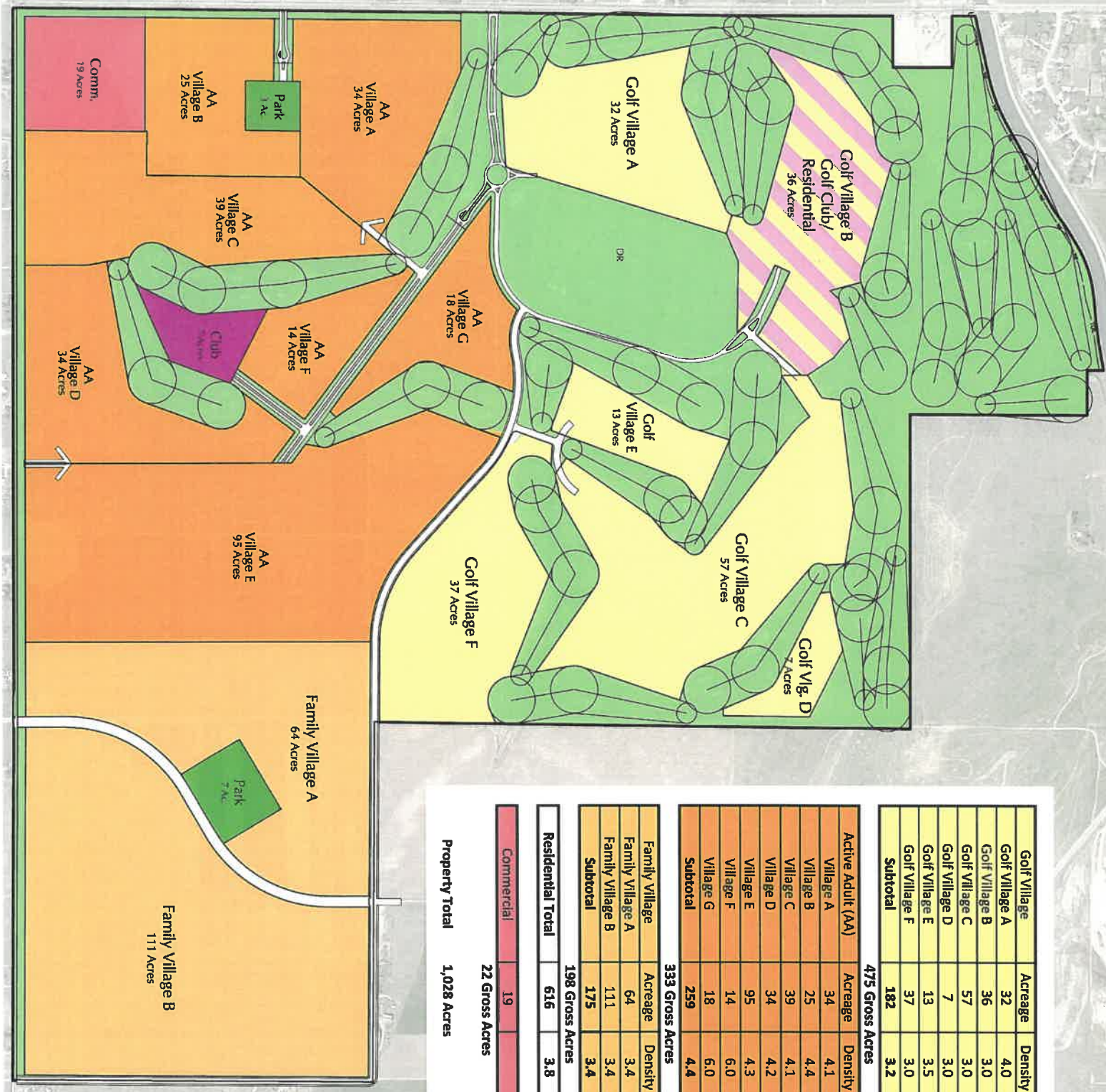
Attachment B

Exhibit B 2



Golf Village	Acreage	Density	Unit #
Golf Village A	32	4.0	128
Golf Village B	36	3.0	108
Golf Village C	57	3.0	171
Golf Village D	7	3.0	21
Golf Village E	13	3.5	45
Golf Village F	37	3.0	111
Subtotal	**182**	**3.2**	**584**
475 Gross Acres			

Active Adult (AA)	Acreage	Density	Unit #
Village A	34	4.1	139
Village B	25	4.4	110
Village C	39	4.1	160
Village D	34	4.2	143
Village E	95	4.3	404
Village F	14	6.0	84
Village G	18	6.0	108
Subtotal	**259**	**4.4**	**1,148**
333 Gross Acres			

Family Village	Acreage	Density	Unit #
Family Village A	64	3.4	215
Family Village B	111	3.4	376
Subtotal	**175**	**3.4**	**591**
198 Gross Acres			

Residential Total	**616**	**3.8**	**2,322**
Commercial	19		
22 Gross Acres			
Property Total	**1,028 Acres**		

2040 MASTER PLAN ANALYSIS

This section describes the results of the planning-level analysis completed for the full build-out of the master plan shown in Figure 2. The analysis identifies background roadway segment deficiencies in year 2040 and highlights any roadway segment impacts due to the full build-out. Based on scoping discussions with ACHD, it was determined that a TIS analysis is not required for the buildout of the master plan because ACHD will require a separate TIS for each future phase at the time it is developed. Therefore, this analysis addresses the potential impact of the master plan on future 2040 roadway network serving the area to identify potential needs not already addressed in the 2016 CIP that should be considered in future studies.

The scope of this study includes the following:

- Identification of the estimated study area for the year 2040 analysis.
- Comparison of the base 2040 weekday PM peak hour traffic projections (without the Falcon Crest development) to the ACHD segment level of service thresholds for the proposed 2016 CIP roadway size.
- Estimation of the trip generation for the master plan at buildout.
- Evaluation of the potential impact of site generated traffic on roadways within the study area.
- Identification of the primary roadway network required to serve the site.
- Preliminary recommendations on the roadway sizes and improvements required to serve the site.

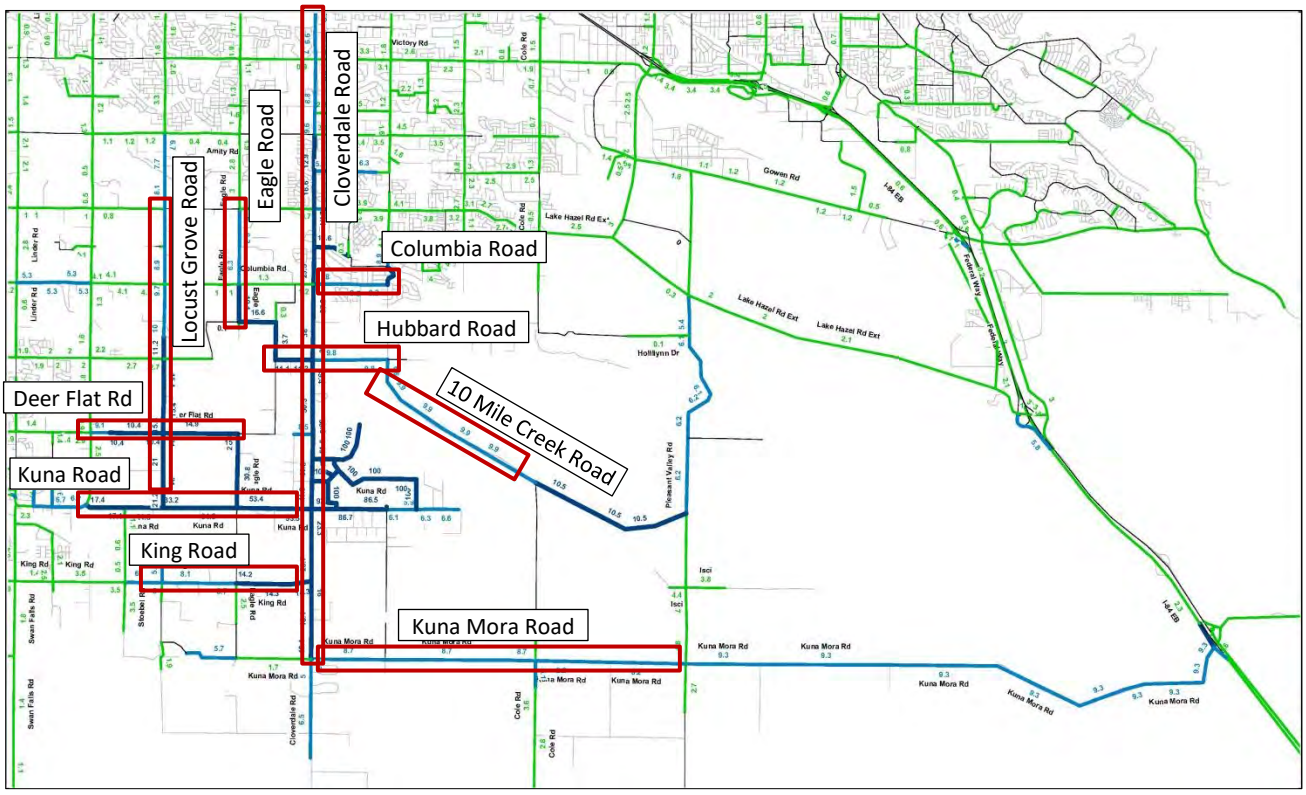
Arterial segments within the vicinity of the site were studied out to a point where the contribution of site-generated trips would be below approximately 10 percent of projected year 2040 roadway traffic.

Area of Impact Analysis

To identify the general impact of the development on existing roadways, the change in traffic volumes on the key roadways within the study area was evaluated using the regional travel demand model maintained by COMPASS. This process provides a general estimate of the changes to traffic patterns and future weekday PM peak hour traffic volumes as the result of the buildout of the master plan. The modeling was also used to identify the estimated distribution of site generated trips onto the roadway system for use in a more detailed evaluation of the traffic impacts.

Figure 15 shows the results of the COMPASS modeling. The dark blue lines represent roadways segments that are anticipated to experience traffic increases of over the threshold of 10 percent. The red boxes illustrate the key roadways evaluated for this analysis.

Figure 15. COMPASS Area of Impact Modeling



Based on the modeling shown in Figure 15 and discussions with ACHD staff, the study area roadway segments that were evaluated are outlined in red boxes.

2040 Background (Without Development) Roadway Segment Evaluation

This planning-level evaluation of the study roadways was conducted to confirm that the projected 2040 traffic volumes under the background conditions can be accommodated by the roadway sizes identified in the 2016 ACHD CIP.

Table 14 shows the 2040 background weekday PM peak directional hour traffic volumes, ACHD CIP roadway size, and ACHD segment capacity guideline for the study roadway segments without the site-generated trips of the Falcon Crest development master plan. Additionally, the table indicates whether the projected 2040 background volumes meet the applicable ACHD segment volume thresholds.

Table 14. Year 2040 Background Year Roadway Segment Operations – Weekday PM Peak Hour

Roadway Segment	CIP Travel Lanes[1]	ACHD Peak Hour Threshold Volume (One-Way)	Weekday PM Peak Hour One-Way Volume/ Direction	
			2040 Background	Meets Std.?
Cloverdale Road				
Cloverdale Road (Victory Road to Overland Road)	5	1,540	1,720 / SB	No
Cloverdale Road (Amity Road to Victory Road)	5	1,540	1,720 / SB	No
Cloverdale Road (Lake Hazel Road to Amity Road)	5	1,540	1,330 / SB	Yes
Cloverdale Road (Columbia Road to Lake Hazel Road)	5	1,540	1,480 / SB	Yes
Cloverdale Road (Hubbard Road to Columbia Road)	3	720	820 / SB	No
Cloverdale Road (Deer Flat Road to Hubbard Road)	3	720	690 / SB	Yes
Cloverdale Road (Kuna Road to Deer Flat Road)	3	720	660 / SB	Yes
Cloverdale Road (King Road to Kuna Road)	2	575	370 / NB	Yes
Cloverdale Road (Kuna Mora Road to King Road)	2	575	470 / NB	Yes
Eagle Road				
Eagle Road (Columbia Road to Lake Hazel Road)	2	690	540 / SB	Yes
Eagle Road (Hubbard Road to Columbia Road)	2	690	290 / SB	Yes
Eagle Road (Kuna Road to Hubbard Road)	2	690	250 / NB	Yes
Locust Grove Road				
Locust Grove Road (Lake Hazel Road to Amity Road)	2	575	620 / SB	No
Locust Grove Road (Columbia Road to Lake Hazel Road)	2	575	550 / SB	Yes
Locust Grove Road (Hubbard Road to Columbia Road)	2	575	610 / SB	No
Locust Grove Road (Deer Flat Road to Hubbard Road)	2	575	330 / SB	Yes
Locust Grove Road (Kuna Road to Deer Flat Road)	2	575	210 / SB	Yes
Kuna Mora Road				
Kuna Mora Road (Cloverdale Road to Cole Road)	2	690	700 / WB	No
King Road				
King Road (Locust Grove Road to Eagle Road)	2	575	630 / WB	No
King Road (Eagle Road to Cloverdale Road)	2	575	480 / WB	Yes
Kuna Road				
Kuna Road (Meridian Road to Locust Grove Road)	2	575	710 / WB	No
Kuna Road (Locust Grove Road to Eagle Road)	2	575	610 / WB	No
Kuna Road (Eagle Road to Cloverdale Road)	2	575	550 / WB	Yes
Deer Flat Road				
Deer Flat Road (Meridian Road to Locust Grove Road)	2	575	695 / WB	No
Deer Flat Road (Locust Grove Road to Eagle Road)	2	575	600 / WB	No
Hubbard Road				
Hubbard Road (Eagle Road to Cloverdale Road)	2	575	400 / WB	Yes
Hubbard Road (East of Cloverdale Road)	2	575	460 / WB	Yes
Columbia Road				
Columbia Road (East of Cloverdale Road)	2	575	270 / EB	Yes
Ten Mile Creek Road				
Ten Mile Creek Road (East of Hubbard Road)	2	575	460 / WB	Yes

[1] Travel lanes include the planned total number of lanes across the roadway's respective cross section in the year 2040.

As shown in Table 14, most of the study roadway segment have adequate planned capacity to accommodate the 2040 weekday PM peak hour directional volumes. The following segments were identified as needed additional widening beyond the 2016 CIP:

- **Cloverdale Road:**
  - **Amity Road to Victory Road –** Need for seven lanes instead of the planned five lanes.
  - **Victory Road to Overland Road –** Need for seven lanes instead of the planned five lanes.
  - **Hubbard Road to Columbia Road –** Need for five lanes instead of the planned three lanes.

Exhibit B 2

- **Locust Grove Road:**
  - **Lake Hazel Road to Amity Road –** Additional of a center turn lane.
  - **Hubbard Road to Columbia Road –** Addition of a center turn lane.
- **Kuna Mora Road (Cloverdale Road to Cole Road) -** Addition of a center turn lane is required to meet the ACHD capacity guidelines. ACHD threshold would increase to 720 vph.
- **King Road (Locust Grove to Eagle Road) –** Addition of a center turn lane.
- **Kuna Road (Meridian Road to Eagle Road)** - Addition of a center turn lane is required to meet the ACHD capacity guidelines. ACHD threshold would increase to 720 vph.
- **Deer Flat Road (Meridian Road to Eagle Road) -** Addition of a center turn lane is required to meet the ACHD capacity guidelines. ACHD threshold would increase to 720 vph.

It should be noted that most of the study roadways are classified as "Minor Arterials" and therefore have lower volume thresholds than if classified as a "Principal Arterial." By 2040, some study roadway classifications could be changed, and therefore higher volume thresholds may be acceptable.

PROJECT DESCRIPTION

The master plan for the development will encompass approximately 567 acres and is anticipated to include approximately 1,732 active adult homes, approximately 591 single-family houses, and some supporting commercial uses. Figure 1, illustrates the site's vicinity in Ada County, Idaho.

TRIP GENERATION

The projected weekday daily, AM and PM peak hour vehicle trips for the proposed master plan development were estimated based on the *Trip Generation Manual, 10th Edition.* Internal trip and pass-by trips are applicable for this development, and they have been incorporated in the trip generation estimate below using the Online Traffic Impact Study Software (OTISS) which incorporates ITE procedures to estimate internal trips. Based on data provided for single-family detached housing, senior housing – detached, shopping center, medical office, and general office, the *Trip Generation Handbook, 3rd Edition* (Reference 7) recommends the use of the fitted curve equations to determine weekday daily, AM and PM peak hour vehicle trips.

Table 15. Year 2040 Master Plan Build-out Trip Generation

Land Use	ITE Code	Units	Daily	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
Single-Family Home	210	591[1]	5,384	424	106	318	559	352	207
Less Internal Capture Trips			*(262)*	*(6)*	*(2)*	*(4)*	*(43)*	*(28)*	*(15)*
Senior Adult Housing – Detached	251	1,732[1]	6,920	357	118	239	444	271	173
Less Internal Capture Trips			*(215)*	*(5)*	*(2)*	*(3)*	*(44)*	*(29)*	*(15)*
Shopping Center	820	70,000[2]	4,717	187	116	71	418	201	217
Less Internal Capture Trips			*(585)*	*(15)*	*(9)*	*(6)*	*(90)*	*(30)*	*(60)*
Less Pass-by			*(1,405)*	*(58)*	*(29)*	*(29)*	*(111)*	*(56)*	*(55)*
Medical Office	720	15,000[2]	489	41	32	9	53	15	38
Less Internal Capture Trips			*(95)*	*(5)*	*(2)*	*(3)*	*(21)*	*(12)*	*(9)*
General Office	710	11,000[2]	125	37	32	5	14	2	12
Less Internal Capture Trips			*(25)*	*(3)*	*(2)*	*(1)*	*(4)*	*(2)*	*(2)*
Subtotal Trips			17,635	1,046	404	642	1,488	841	647
Less Internal Capture Trips			*(1,182)*	*(34)*	*(17)*	*(17)*	*(202)*	*(101)*	*(101)*
Less Pass-by Trips			*(1,405)*	*(58)*	*(29)*	*(29)*	*(111)*	*(56)*	*(55)*
Total Net New Trips			**15,048**	**954**	**358**	**596**	**1,175**	**684**	**491**

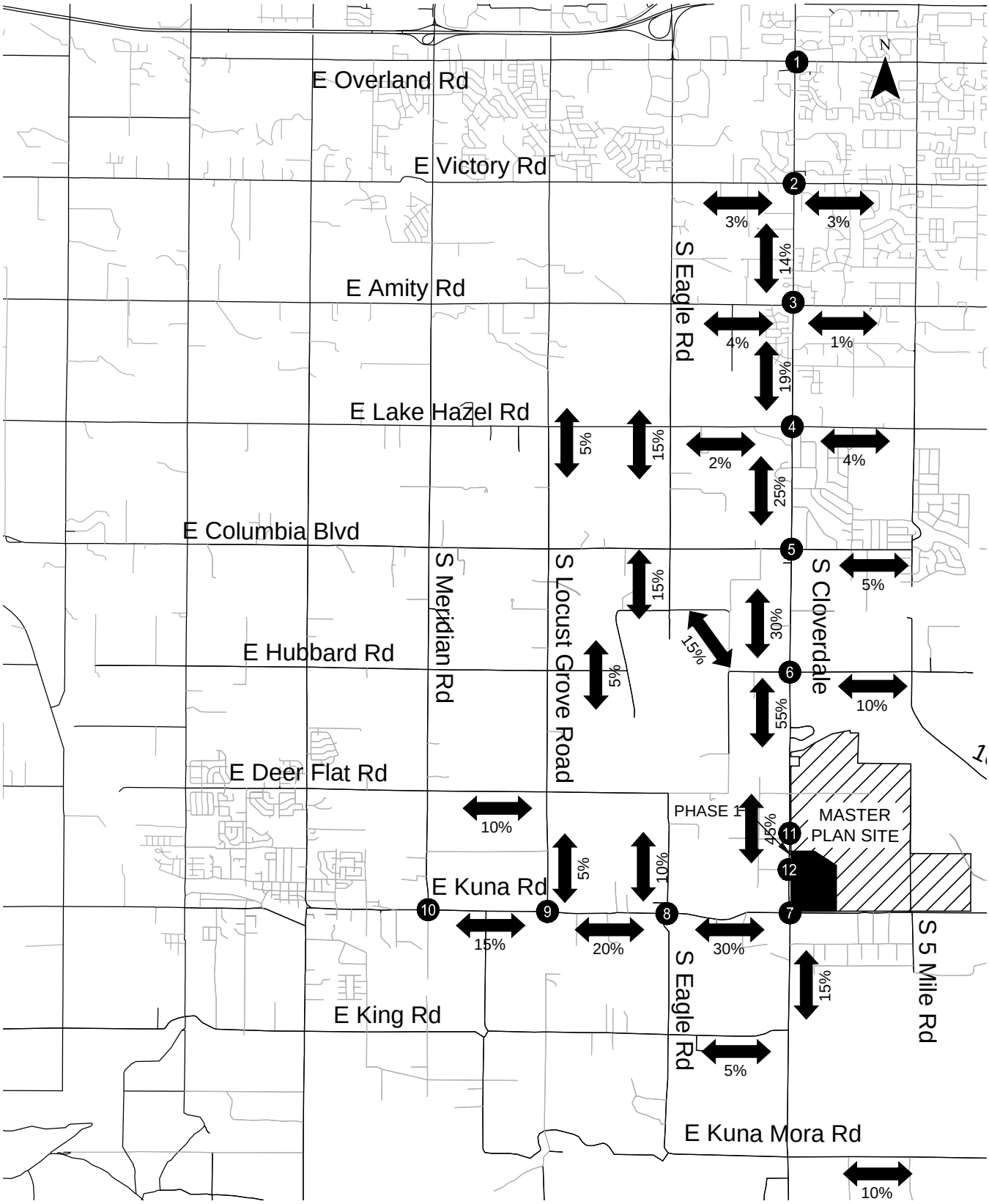
Notes: [1] Unit total includes Phase 1 development as described in the previous section. [2] Estimated for planning purposes. Actual mixture of uses may vary.

As shown in Table 15, the buildout of the master plan is projected to generate a total of 15,048 daily trips, 954 weekday AM peak hour trips (358 inbound / 596 outbound), and 1,175 weekday PM peak hour trips (684 inbound / 491 outbound).

Based on the modeling shown in Figure 15, an estimated distribution of site-generated trips was developed. Figure 16 shows the estimated distribution of site-generated trips.

Falcon Crest Residential Development

Exhibit B 2



Year 2040 Master Plan - Estimated Trip Distribution Pattern
Ada County, Idaho

Figure
16

H:\21\21996 - Falcon Crest Residential Development\design\Exhibits\21996_Figure_1.dwg May 04, 2018 - 2:28pm - bkorporaal Layout Tab: Mstr Plan Trip Dist

Year 2040 Total Roadway Segment Evaluation

The evaluation of the traffic impacts on roadways within the study area was conducted to identify potential improvements needed or possibly the *CIP* or *Master Street Map* modifications for buildout of the master plan. This planning-level evaluation of the study roadways estimates the changes in traffic demand on key roadways with the addition of build-out traffic from the master plan, compares the demand to the ACHD segment capacity guidelines for the CIP roadway sizes, and identifies roadway segments that would likely require improvements beyond the CIP by year 2040 to accommodate buildout of the master plan.

Table 16 shows the estimated percentage change in year background 2040 weekday PM peak hour traffic volumes on key roadway segments with the proposed build-out of the Falcon Crest development master plan.

As shown in Table 16, the key roadway segments in which traffic is projected to increase by over 10 percent in the peak direction during the weekday PM peak hour include:

- Cloverdale Road from north of Kuna Mora Road to north of Lake Hazel Road
- Eagle Road from north of Kuna Road to north of Columbia Road
- Locust Grove Road from north of Kuna Road to Deer Flat Road
- Kuna Mora Road between Cloverdale Road and Cole Road
- Kuna Road from east of Meridian Road to east of Eagle Road
- Hubbard Road from east of Eagle Road to east of Cloverdale Road
- Ten Mile Creek Road from east of Hubbard Road

Based the traffic projections, the sizes of the new roadways were determined and compared to the 2016 CIP roadway sizes under the year 2040 background conditions and with the buildout of the Falcon Crest master plan. Table 17 provides the year 2040 estimated background and total roadway segment volumes. The segments shown in blue indicate the segments requiring additional widening under 2040 background conditions. The segments shaded in red indicate the additional segments that are projected to require widening with the proposed buildout of the master plan in 2040.

Exhibit B 2

Table 16. 2040 Change PM Peak Hour Traffic with Master Plan Buildout

Roadway	PM Peak Hour Peak Directional Traffic Volume (vph)		Percent Change
	2040 Background	2040 with Falcon Crest Development	
Cloverdale Road			
North of Victory Road	1,720 / SB	1,770 / SB	3%
North of Amity Road	1,720 / SB	1,820 / SB	6%
North of Lake Hazel Road	1,330 / SB	1,460 / SB	10%
North of Columbia Road	1,480 / SB	1,650 / SB	11%
North of Hubbard Road	820 / SB	1,030 / SB	26%
North of Deer Flat Road	690 / SB	1,070 / SB	55%
North of Kuna Road	660 / SB	970 / SB	47%
North of King Road	370 / NB	470 / NB	27%
North of Kuna Mora Road	470 / NB	530 / NB	13%
Eagle Road			
North of Columbia Road	540 / SB	650 / SB	20%
North of Hubbard Road	290 / SB	390 / SB	34%
North of Kuna Road	250 / NB	300 / NB	20%
Locust Grove Road			
North of Lake Hazel Road	620 / SB	650 / SB	5%
North of Columbia Road	550 / SB	580 / SB	5%
North of Hubbard Road	610 / SB	640 / SB	5%
North of Deer Flat Road	330 / SB	360 / SB	9%
North of Kuna Road	210 / SB	250 / SB	19%
Kuna Mora Road			
Between Cloverdale Road and Cole Road	700 / WB	770 / WB	10%
King Road			
East of Locust Grove Road	630 / WB	650 / WB	3%
East of Eagle Road	480 / WB	510 / WB	6%
Kuna Road			
East of Meridian Road	710 / WB	790 / WB	11%
East of Locust Grove Road	610 / WB	710 / WB	16%
East of Eagle Road	550 / WB	700 / WB	27%
Deer Flat Road			
East of Meridian Road	695 / WB	740 / WB	6%
East of Locust Grove Road	600 / WB	650 / WB	8%
Hubbard Road			
East of Eagle Road	400 / WB	510 / WB	28%
East of Cloverdale Road	460 / WB	530 / WB	15%
Columbia Road			
East of Cloverdale Road	270 / EB	290 / EB	7%
Ten Mile Creek Road			
East of Hubbard Road	460 / WB	530 / WB	15%

Table 17. Year 2040 Build-Out Roadway Segment Operations - Weekday PM Peak Hour

Roadway Segment	CIP Travel Lanes[1]	ACHD Peak Hour Std. Volume (One-Way)	Weekday PM Peak Hour One-Way Volume/ Direction			
			2040 Background	Background Meets Std?	2040 with Falcon Crest	With Project Meets Std.?
Cloverdale Road						
Cloverdale Road (Victory Road to Overland Road)	5	1,540	1,720 / SB	**No**	1,770 / SB	**No**
Cloverdale Road (Amity Road to Victory Road)	5	1,540	1,720 / SB	**No**	1,820 / SB	**No**
Cloverdale Road (Lake Hazel Road to Amity Road)	5	1,540	1,330 / SB	Yes	1,460 / SB	Yes
Cloverdale Road (Columbia Road to Lake Hazel Road)	5	1,540	1,480 / SB	Yes	1,650 / SB	**No**
Cloverdale Road (Hubbard Road to Columbia Road)	3	720	820 / SB	**No**	1,030 / SB	**No**
Cloverdale Road (Deer Flat Road to Hubbard Road)	3	720	690 / SB	Yes	1,070 / SB	**No**
Cloverdale Road (Kuna Road to Deer Flat Road)	3	720	660 / SB	Yes	970 / SB	**No**
Cloverdale Road (King Road to Kuna Road)	2	575	370 / NB	Yes	470 / NB	Yes
Cloverdale Road (Kuna Mora Road to King Road)	2	575	470 / NB	Yes	530 / NB	Yes
Eagle Road						
Eagle Road (Columbia Road to Lake Hazel Road)	2	690	540 / SB	Yes	650 / SB	Yes
Eagle Road (Hubbard Road to Columbia Road)	2	690	290 / SB	Yes	390 / SB	Yes
Eagle Road (Kuna Road to Hubbard Road)	2	690	250 / NB	Yes	300 / NB	Yes
Locust Grove Road						
Locust Grove Road (Lake Hazel Road to Amity Road)	2	575	620 / SB	**No**	650 / SB	**No**
Locust Grove Road (Columbia Road to Lake Hazel Road)	2	575	550 / SB	Yes	580 / SB	**No**
Locust Grove Road (Deer Flat Road to Columbia Road)	2	575	610 / SB	**No**	640 / SB	**No**
Locust Grove Road (Hubbard Road to Deer Flat Road)	2	575	330 / SB	Yes	360 / SB	Yes
Locust Grove Road (Kuna Road to Hubbard Road)	2	575	210 / SB	Yes	250 / SB	Yes
Kuna Mora Road						
Kuna Mora Road (Cloverdale Road to Cole Road)	2	690	700 / WB	**No**	770 / WB	**No**
King Road						
King Road (Locust Grove Road to Eagle Road)	2	575	630 / WB	**No**	650 / WB	**No**
King Road (Eagle Road to Cloverdale Road)	2	575	480 / WB	Yes	510 / WB	Yes
Kuna Road						
Kuna Road (Meridian Road to Locust Grove Road)	2	575	710 / WB	**No**	790 / WB	**No**
Kuna Road (Locust Grove Road to Eagle Road)	2	575	610 / WB	**No**	710 / WB	**No**
Kuna Road (Eagle Road to Cloverdale Road)	2	575	550 / WB	Yes	700 / WB	**No**
Deer Flat Road						
Deer Flat Road (Meridian Road to Locust Grove Road)	2	575	695 / WB	**No**	740 / WB	**No**
Deer Flat Road (Locust Grove Road to Eagle Road)	2	575	600 / WB	**No**	650 / WB	**No**
Hubbard Road						
Hubbard Road (Eagle Road to Cloverdale Road)	2	575	400 / WB	Yes	510 / WB	Yes
Hubbard Road (East of Cloverdale Road)	2	575	460 / WB	Yes	530 / WB	Yes
Columbia Road						
Columbia Road (East of Cloverdale Road)	2	690	270 / EB	Yes	290 / EB	Yes
Ten Mile Creek Road						
Ten Mile Creek Road (East of Hubbard Road)	2	690	460 / WB	Yes	530 / WB	Yes

[1] Travel lanes include the planned total number of lanes across the roadway's respective cross section in the year 2040. Highlighted cells represent roadway segments that are anticipated to exceed ACHD directional peak hour volume thresholds due to site-generated trips.

As shown in Table 17, five additional roadway segments are estimated to require widening due to site-generated trips under year 2040 total traffic conditions. The following additional roadway segments are projected to need widening with buildout of the master plan (beyond the 2016 CIP and the 2040 background conditions analysis):

- **Cloverdale Road between Columbia Road and Lake Hazel Road –** Need for a median in addition to the plan five lanes.
- **Cloverdale Road between Deer Flat Road and Hubbard Road -** Need for five lanes.
- **Cloverdale Road between Kuna Road and Deer Flat Road -** Need for five lanes.

Exhibit B 2

- **Locust Grove Road between Columbia Road and Lake Hazel Road –** Need for a center turn lane.
- **Kuna Road between Eagle Road and Cloverdale Road –** Need for three lanes

Table 18 provides a list of anticipated roadway segments that are projected to require widening beyond the 2016 CIP under background and total traffic conditions in year 2040. As mentioned previously, it should be noted that most of the study roadways are classified as "Minor Arterials" and therefore have lower volume thresholds than if classified as a "Principle Arterial." By 2040, some study roadway classifications could be changed, and therefore higher volume thresholds may be acceptable.

Table 18. Estimated Roadway Segments Requiring Improvements in Year 2040

Roadway	Year 2040 Number of Lanes[1]	Future Number of Lanes Needed	2040 Background or 2040 Project Need?
Cloverdale Road			
Victory Road to Overland Road	5[2]	7	Background
Amity Road to Victory Road	5[2]	7	Background
Columbia Road to Lake Hazel Road	5	5 with median	Project Need
Hubbard Road to Columbia Road	3	5	Background
Deer Flat Road to Hubbard Road	3	5	Project Need
Kuna Road to Deer Flat Road	3	5	Project Need
Locust Grove Road			
Lake Hazel Road to Amity Road	2	3	Background
Columbia Road to Lake Hazel Road	2	3	Project Need
Deer Flat Road to Columbia Road	2	3	Background
Kuna Mora Road			
Cloverdale Road to Cole Road	2	3 with median	Background
King Road			
Locust Grove Road to Eagle Road	2	3	Background
Kuna Road			
Meridian Road to Locust Grove Road	2	3	Background
Locust Grove Road to Eagle Road	2	3	Background
Eagle Road to Cloverdale Road	2	3	Project Need
Deer Flat Road			
Meridian Road to Locust Grove Road	2	3	Background
Locust Grove Road to Eagle Road	2	3	Background

Notes: [1] Either ACHD's 2016 Capital Improvement Plan (Reference 5) or ACHD's Master Street Map (Reference 8); [2] The CIP does not specify whether a median would be constructed as part of the widening from 2 to 5 lanes.

Figure 17 illustrates the segments shown in Table 18 that were found to need widening beyond the CIP to accommodate either background conditions and/or additional traffic from the proposed development.

The primary impact of the buildout of the master plan will be the need to extend the five-lane section on Cloverdale Road from the CIP terminus at Columbia Road to Kuna Road.

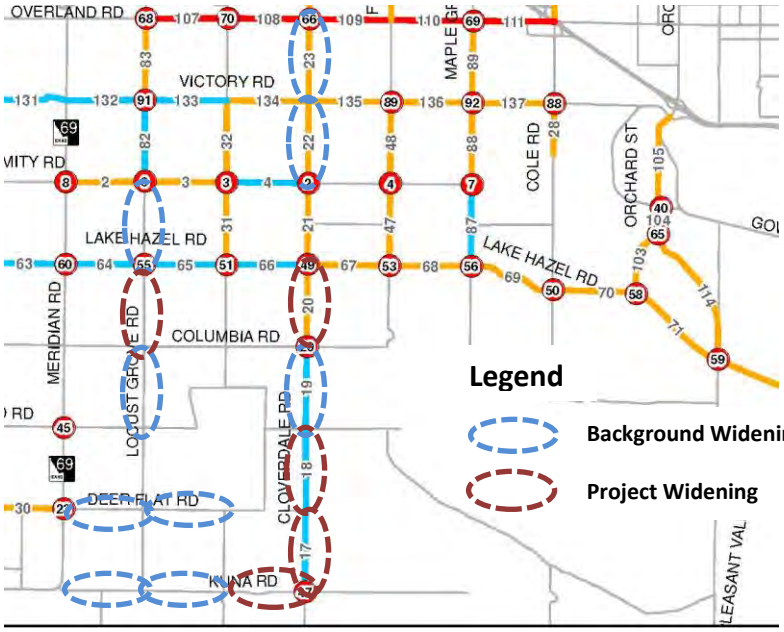


Figure 17. 2040 Additional Widening Beyond 2016 CIP

FIVE MILE ALIGNMENT

As part of the master plan a re-alignment of the future extension of Five Mile Road at the north property line is proposed. The re-alignment would be to the half mile and bisect the family village portion of the development. The roadway would be curved through the development to intersect at the existing Five Mile Road/Kuna Road intersection. Figure 18 illustrates the proposed alignment and the approximate alignment shown on the ACHD Master Street Map.

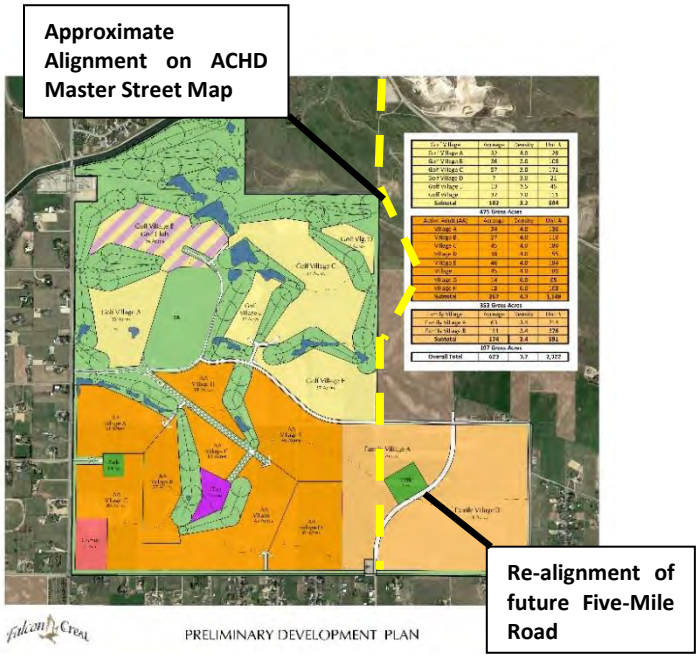


Figure 18. Long-term Future Five Mile Alignment

The re-alignment addresses some potential issues identified by the development team:

- Ability to reduce the grade and associated roadwork necessary to traverse the elevation change that occurs south of Ten Mile Creek Road.
- Reduced traffic speeds on the south end of the alignment which is beneficial to the livability of the future adjacent neighborhoods.
- Changing the character of the road to prepare vehicles to turn left or right at Kuna Road since Five Mile enters an existing neighborhood.

Exhibit B 2

While the re-alignment would require a change to the current ACHD master street map, it was determined not to impact traffic projections or the operation of the future roadway network, since the extension of Five Mile Road to Kuna Road is not included in the 2040 roadway network and the re-alignment would not significantly impact the use or function of Five Mile Road.

EXHIBIT B 2 a

Development Services Department

Project/File: **Falcon Crest Subdivision/ KPP18-0007/ 18-01-PUD**
This is a preliminary plat application to allow for the development of 409 single family building lots, 1 commercial lot, and 58 common lots on 131 acres. The site is located at the northeast corner of Cloverdale and Kuna Roads.

Lead Agency: City of Kuna

Site address: NEC Cloverdale and Kuna Roads

Staff Approval: December 20, 2018

Applicant: Mark Tate
M3 Companies
1087 W. River Street, STE 310
Boise, ID 83702

Representative: Scott Wonders
JUB Engineers
250 S. Beechwood Avenue, STE 201
Boise, ID 83709

Staff Contact: Mindy Wallace, AICP
Phone: 387-6178
E-mail: mwallace@achdidaho.org

A. Findings of Fact

1. **Description of Application:** This is a preliminary plat application to allow for the development of 409 single family building lots (senior detached housing units), 1 commercial lot, and 58 common lots on 131 acres. The development is proposed to be gated and age-restricted. This is the first phase of a multi-phase development anticipated to be constructed over the next 20 + years.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Falcon Crest Golf Course	RR
South	Single family residential	RR
East	Falcon Crest Golf Course	RR
West	Single family residential	RR

3. **Transit:** Transit services are not available to serve this site.

4. **New Center Lane Miles:** The proposed development includes 0 centerline miles of new public road.

5. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

6. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
   - Cloverdale Road is scheduled in the CIP to be widened to 3-lanes from Kuna Road to Deer Flat Road in 2031-2035.
   - Cloverdale Road is scheduled in the CIP to be widened to 3-lanes from Deer Flat to Hubbard Road in 2031-2035.
   - Cloverdale Road is scheduled in the CIP to be widened to 3-lanes from Hubbard Road to Columbia Road in 2031-2035.
   - Cloverdale Road is scheduled in the CIP to be widened to 3-lanes from Columbia Road to Lake Hazel Road in 2026-2030.
   - Cloverdale Road is scheduled in the IFYWP to be widened to 5-lanes from Lake Hazel Road to Amity Road. This project is listed as unfunded.
   - Cloverdale Road is scheduled in the IFYWP to be widened to 5-lanes from Amity Road to Victory Road. This project is listed as unfunded.
   - The intersection of Cloverdale Road and Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 5-lanes on the south, 6-lanes east, and 5-lanes on the west leg, and signalized. Design is scheduled for 2023 with Construction in Preliminary Development.

B. Traffic Findings for Consideration

1. **Trip Generation:** This phase of the development is estimated to generate 1,943 vehicle trips per day; 144 additional vehicle trips per hour in the PM peak hour, based on the traffic impact study.

2. **Traffic Impact Study**
   Kittelson & Associates prepared a traffic impact study for the proposed Falcon Crest Subdivision. An executive summary of the findings as presented by Kittelson & Associates can be found below. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices, and may have additional requirements beyond what is noted in the summary.

   a. **Executive Summary:** Under existing conditions all study area intersections are anticipated to operate at an acceptable level of service planning threshold with the exception of the following:
      - Kuna Road/SH-69-Meridian Road - westbound left turn movement operates at LOS F during the AM and PM peak hours.
        - A planning level signal warrant analysis indicated that the intersection meets warrants.

      Under existing conditions all study roadway segments operate at an acceptable level of service planning threshold with the exception of the following:

      - Cloverdale Road between Lake Hazel Road and Amity Road.
        - The study notes that the intersections on either end of the roadway segment operate acceptably and that this roadway segment is listed in ACHD CIP for widening between 2021 to 2026.

EXHIBIT B 2 a

Under 2022 background conditions all study area intersections are anticipated to operate at an acceptable level of service planning threshold with the exception of the following:

- Kuna Road/SH-69-Meridian Road - westbound left turn movement is anticipated to operate at LOS F during the AM and PM peak hours.
    - A planning level signal warrant analysis indicated that the intersection meets warrants.

Under 2022 background conditions all study roadway segments operate at an acceptable level of service planning threshold with the exception of the following:

- Cloverdale Road between Lake Hazel Road and Amity Road.
    - The study notes that the intersections on either end of the roadway segment operate acceptably and that this roadway segment is listed in ACHD's CIP for widening between 2021 to 2026.

Under 2022 total traffic conditions all study intersections are anticipated to operate at an acceptable level of service planning threshold with the exception of the following:

- Cloverdale Road/Lake Hazel Road – westbound through movement is anticipated to operate at LOS F during the AM peak hour.
    - Minor signal timing adjustments are recommended to mitigate the LOS at the intersection. The study also notes that the site traffic is approximately 3.2% of the total traffic entering this intersection during the peak hour, the site traffic does not contribute to the westbound through movement, and that this intersection is listed in ACHD's CIP for widening between 2021 to 2025.
- Kuna Road/SH-69-Meridian Road - westbound left turn movement is anticipated to operate at LOS F during the AM and PM peak hours.
    - A planning level signal warrant analysis indicated that the intersection meets warrants. However, signalization of the intersection isn't necessary as overall the intersection is anticipated to operate at LOS D and E during the peak hours and can accommodate the project traffic. The study also notes that the site traffic is approximately 0.5% of the total traffic entering the intersection.

Under 2022 total traffic conditions all study roadways are anticipated to operate at an acceptable level of service planning threshold with the exception of the following:

- Cloverdale Road between Lake Hazel Road and Amity Road.
    - The study recommends the widening of Cloverland Road to 5 lanes from Lake Hazel Road to Amity Road to mitigate the traffic impacts. This section of Cloverdale Road is scheduled in ACHD's CIP to be widened to 5 lanes between 2021 and 2026. The study also notes that the site traffic is approximately 2.9% of the total traffic on the roadway segment.

The construction of a center left turn lane is recommended on Cloverdale Road at site access/Reining Horse Drive intersection.

b. Policy:

Alternative Mitigation Measures: 7106.7.3 states that if traditional mitigation measures such as roadway widening and intersection improvements are infeasible as determined by ACHD, the TIS may recommend alternative mitigation measures. Alternative mitigation measures shall demonstrate that impacts from the project will be offset.

- If the impacted roadway segments and/or intersections are programmed as funded in the Integrated Five Year Work Plan (IFYWP) or the Capital Improvements Plan (CIP); no alternative mitigation is required.

- If the impacted roadway segments and/or intersections are not programmed in either the IFYWP or the CIP; the applicant may (i) analyze the shoulder hour and (ii) provide a safety analysis to determine alternative mitigation requirements.

    - If the impacted roadway segments and intersections meet the minimum acceptable level of service planning thresholds in the shoulder hour the applicant may suggest feasible alternative mitigation such as: sidewalks, bike facilities, connectivity, safety improvements, etc. within 1.5 miles of the proposed development.

    - If the shoulder hour planning thresholds are exceeded the applicant may request to enter into a Development Agreement and pay into the Priority Corridor Fund an amount determined by the ACHD to offset impacts from the project.

- Alternative Mitigation may also include:

    - Revision to the Phasing Plan to coincide with the District's future Capital Projects.

    - Reducing the scope and/or scale of the project

Level of Service Planning Thresholds: District Policy 7205.3.1 states that, Level of Service Planning Thresholds have been established for principal arterials and minor arterials within ACHD's Capital Improvement Plan and are also listed in section 7106. Unless otherwise required to provide a Traffic Impact Study under section 7106, a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds the minimum acceptable level of service planning threshold or V/C ratio.

c. Staff Comments/Recommendations: The Cloverdale Road/Lake Hazel Road intersection and the roadway segment of Cloverdale Road between Lake Hazel Road and Amity Road are listed as PD (preliminary development) and UF (unfunded) in ACHD's IFYWP but are listed as funded projects in ACHD's CIP. Therefore, consistent with District policy 7106.7.3 Alternative Mitigation Measures, which states, if an impacted roadway segment or intersection are programmed as funded in the IFYWP, or the CIP; no mitigation is required; no improvements are required at the Cloverdale Road/Lake Hazel Road intersection and on segment of Cloverdale Road between Lake Hazel Road and Amity Road.

The traffic impact study notes that the site traffic is approximately 0.5% of the total traffic entering the Kuna Road/SH-69-Meridian Road intersection. Therefore, consistent with District policy 7205.3.1 Lever of Service Planning Threshold, which states, a proposed development

with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation; no improvements are required at this intersection.

The applicant should be required to install the center left turn lane on Cloverdale Road at the site access/Reining Horse Drive intersection, as recommended in the TIS.

This is the first phase of a multi-phase development. An updated traffic impact study will be required with the next preliminary plat application within the Falcon Crest Master Plan planning area.

3. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Cloverdale Road (Kuna to Hubbard)	3,025-feet	Minor Arterial	186	Better than "E"
Cloverdale Road (Hubbard to Columbia)	N/A	Minor Arterial	241	Better than "E"
Cloverdale Road (Columbia to Lake Hazel)	N/A	Minor Arterial	466	Better than "E"
Cloverdale Road (Lake Hazel to Amity)	N/A	Minor Arterial	789	"F"
Kuna Road (Cloverdale to Eagle)	N/A	Minor Arterial	205	Better than "E"
Kuna Road (Eagle to Locust Grove)	N/A	Minor Arterial	233	Better than "E"
Kuna Road (Locust Grove to Meridian)	N/A	Minor Arterial	245	Better than "E"

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

4. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for Cloverdale Road north of Kuna Road was 2,918 on 6/29/2016.
- The average daily traffic count for Cloverdale Road north of Hubbard Road was 4,915 on 6/29/16.
- The average daily traffic count for Cloverdale Road north of Columbia Road was 5,700 on 5/4/17.
- The average daily traffic count for Cloverdale Road north of Lake Hazel was 8,586 on 6/29/16.
- The average daily traffic count for Kuna Road west of Cloverdale Road was 2,788 on 8/17/16.
- The average daily traffic count for Kuna Road west of Eagle Road was 3,756 on 11/9/17.
- The average daily traffic count for Kuna Road west of Locust Grove was 4,400 on 5/10/17.

C. Findings for Consideration

1. Cloverdale Road

a. Existing Conditions: Cloverdale Road is improved with 2-travel lanes, and no curb, gutter or sidewalk abutting the site. There is 83-feet of right-of-way for Cloverdale Road (48-feet from centerline).

b. Policy:

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Cloverdale Road is designated in the MSM as a Rural Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 74-feet of right-of-way.

d. Applicant Proposal: The applicant has proposed to construct a 5-foot wide detached concrete sidewalk located 42-feet from the centerline of the roadway within the existing 48-feet of right-of-way.

e. Staff Comments/Recommendations: The existing right-of-way exceeds the recommended right-of-way dedication listed in the MSM, however staff recommends approval of the applicant's proposal to preserve 48-feet of right-of-way from the centerline of Cloverdale Road abutting the site based on information provided in the submitted traffic impact study.

The applicant's proposal to construct a 5-foot wide detached concrete sidewalk located 42-feet from the centerline of Cloverdale Road abutting the site should be approved, as proposed. The applicant should be required to provide a permanent right-of-way easement for detached sidewalks located outside of the dedicated right-of-way.

Additionally, the applicant should be required to widen the pavement on Cloverdale Road to 17-feet from centerline with a 3-foot wide gravel shoulder adjacent to the entire site.

Consistent with the findings and recommendations of the traffic impact study, the applicant should be required to construct a southbound center left turn lane on Cloverdale Road at the site access located approximately 1,990-feet north of Kuna Road.

2. Kuna Road

a. Existing Conditions: Kuna Road is improved with 2-travel lanes, and no curb, gutter or sidewalk abutting the site. There is 64-feet of right-of-way for Kuna Road (32-feet from centerline).

b. Policy:

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Kuna Road is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 74-feet of right-of-way.

c. Applicant Proposal: The applicant has proposed to dedicate additional right-of-way to total 48-feet from the centerline of Kuna Road abutting the site and to construct a 5-foot wide detached concrete sidewalk located 42-feet from the centerline of the roadway.

d. Staff Comments/Recommendations: The applicant's proposal exceeds the recommended right-of-way dedication listed in the MSM, however staff recommends approval of the applicant's proposal to dedicate 48-feet of right-of-way from the centerline of Kuna Road abutting the site based on information provided in the submitted traffic impact study. The applicant will not be compensated for this right-of-way dedication, as this segment of Kuna Road is not listed as impact fee eligible in the CIP.

The applicant's proposal to construct a 5-foot wide detached concrete sidewalk located 42-feet from the centerline of Kuna Road abutting the site should be approved, as proposed. The applicant should be required to provide a permanent right-of-way easement for detached sidewalks located outside of the dedicated right-of-way.

Additionally, the applicant should be required to widen the pavement on Kuna Road to 17-feet from centerline with a 3-foot wide gravel shoulder adjacent to the entire site.

EXHIBIT B 2 a

3. Cloverdale Road/Kuna Road Intersection

a. Policy:

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, roundabout requirements, and specific roadway features required through development. A new roundabout was identified on the MSM. The new single lane roundabout is planned at the at the Cloverdale Road/Kuna Road intersection.

b. Staff Comments/Recommendations: As noted above, the intersection of Cloverdale Road and Kuna Road is shown as a single lane roundabout on the MSM. To allow for the future construction of a multi-lane roundabout at the intersection consistent with the requirements of the TIS, the applicant should be required to dedicate right-of-way at the Cloverdale Road/Kuna Road intersection consistent with the template shown on attachment 3.

4. Private Roads

a. Private Road Policy: District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:

- Designed to discourage through traffic between two public streets,
- Graded to drain away from the public street intersection, and
- If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 35 MPH (Kuna Road) to align or offset a minimum of 330-feet (Cloverdale Road) and a speed limit of 50 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a

maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

Landscape Medians Policy: District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

b. Applicant Proposal: The applicant has proposed to construct 1 60-foot wide (2- travel lanes and a center landscape island) gated private road to intersect Cloverdale Road located approximately 1,990-feet north of Kuna Road. The private road is proposed to align with Reining Horse Drive on the west side of Cloverdale Road across from the site.

The applicant has proposed to construct private roads throughout the entire subdivision.

The applicant has proposed to construct 1 25-foot wide emergency access only driveway onto Cloverdale Road located approximately 1,040-feet north of Reining Horse Drive.

c. Staff Comments/Recommendations: The applicant's proposal to construct 1 gated private road to intersect Cloverdale Road meets District policy and should be approved as proposed. The gate or keypad for the private road should be located a minimum of 50-feet from the near edge of the intersection and a turnaround should be provided.

Any islands located within the right-of-way shall be restricted to a maximum width of 12-feet and shall be platted as right-of-way owned by ACHD. Islands outside of the right-of-way near the intersection with Cloverdale Road shall be restricted to a maximum width of 12-feet for a minimum distance of 150-feet from Cloverdale Road.

The applicant's proposal to construct a 25-foot wide emergency access only driveway onto Cloverdale Road located approximately 1,990-feet north of Kuna Road should be approved, as proposed. The driveway should be restricted to emergency access only with the gates or bollards as determined by the fire agency with jurisdiction over the site.

If the City of Kuna approves the private road, the applicant shall be required to pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Kuna, the applicant will

be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

5. Commercial Lot

Block 1 lot 34 is identified as a future commercial lot. There is 1 private road on the north and 2 driveways on the east side of the parcel that are not proposed to extend to the property line to provide access to the commercial lot. To reduce the number of trips onto the arterial roadway system and to provide direct access to the future commercial uses, staff recommends that the City of Kuna require vehicular access between the private road/driveways and the commercial lot.

Direct lot access to Cloverdale and Kuna Roads to the commercial lot will be determined as part of a future development application for that parcel and should be in conformance with ACHD policy in affect at the time of development.

6. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

7. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

8. Other Access

Cloverdale Road and Kuna Road are classified as minor arterial roadways. Direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Construct a 5-foot wide detached concrete sidewalk located 42-feet from the centerline of Cloverdale Road abutting the site. Provide a permanent right-of-way easement for detached sidewalk located outside of the dedicated right-of-way.

2. Widen the pavement on Cloverdale Road to 17-feet from centerline with a 3-foot wide gravel shoulder adjacent to the entire site.

3. Construct a southbound center left turn lane on Cloverdale Road at the site access located 1,990-feet north of Kuna Road.

4. Dedicate additional right-of-way to total 48-feet from the centerline of Kuna Road abutting the site, as proposed. The applicant will not be compensated for this right-of-way dedication. Construct a 5-foot wide detached concrete sidewalk located 42-feet from the centerline of Kuna Road abutting the site. Provide a permanent right-of-way easement for detached sidewalk located outside of the dedicated right-of-way.

5. Widen the pavement on Kuna Road to 17-feet from centerline with a 3-foot wide gravel shoulder adjacent to the entire site.

6. Dedicated additional right-of-way to accommodate the future construction of a multi-lane roundabout at the Cloverdale Road/Kuna Road intersection consistent with the template shown on attachment 3.

7. Construct 1 60-foot wide (2- travel lanes and a center landscape island) gated private road to intersect Cloverdale Road located approximately 1,990-feet north of Kuna Road, aligned centerline to centerline with Reining Horse Drive on the west side of Cloverdale Road across from the site. The gate or keypad for the private road shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

Any islands located within the right-of-way shall be restricted to a maximum width of 12-feet and shall be platted as right-of-way owned by ACHD. Islands outside of the right-of-way near the intersection with Cloverdale Road shall be restricted to a maximum width of 12-feet for a minimum distance of 150-feet from Cloverdale Road.

8. Construct one 25-foot wide emergency access only driveway onto Cloverdale Road located approximately 1,990-feet north of Kuna Road, as proposed. The driveway shall be restricted to emergency access only with the gates or bollards as determined by the fire agency with jurisdiction over the site.

9. Direct lot access to Cloverdale Road and Kuna Road is prohibited and shall be noted on the final plat.

10. Direct lot access to Cloverdale and Kuna Roads to the commercial lot will be determined as part of a future development application for that parcel and should be in conformance with ACHD policy in affect at the time of development.

11. This is the first phase of a multi-phase development. An updated traffic impact study will be required with the next preliminary plat application.

12. Payment of impact fees is due prior to issuance of a building permit.

13. Comply with all Standard Conditions of Approval.

EXHIBIT B 2 a

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

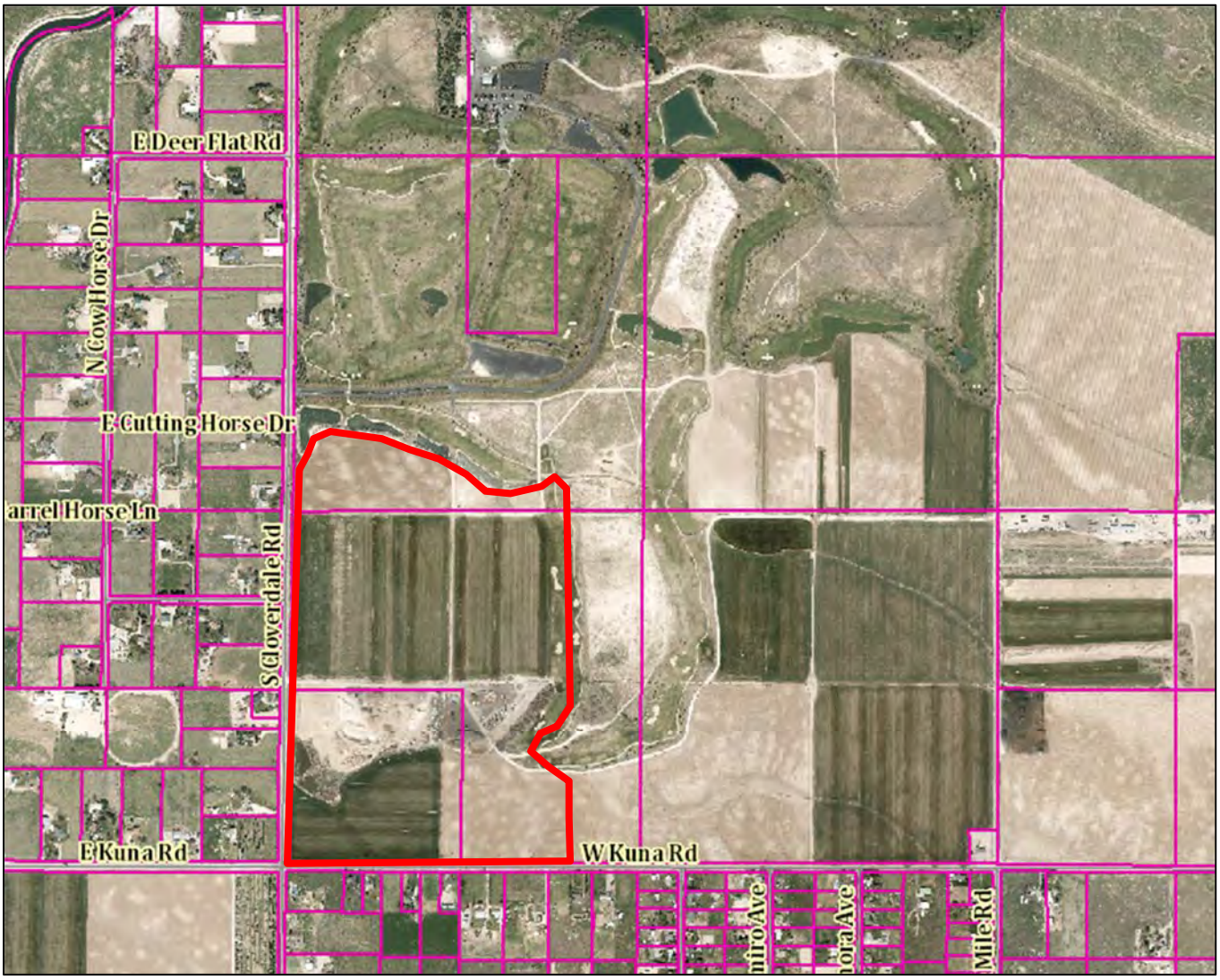
1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

G. Attachments

1. Vicinity Map
2. Site Plan
3. Roundabout Template
4. Utility Coordinating Council
5. Development Process Checklist
6. Request for Reconsideration Guidelines

EXHIBIT B 2 a

VICINITY MAP



SITE PLAN

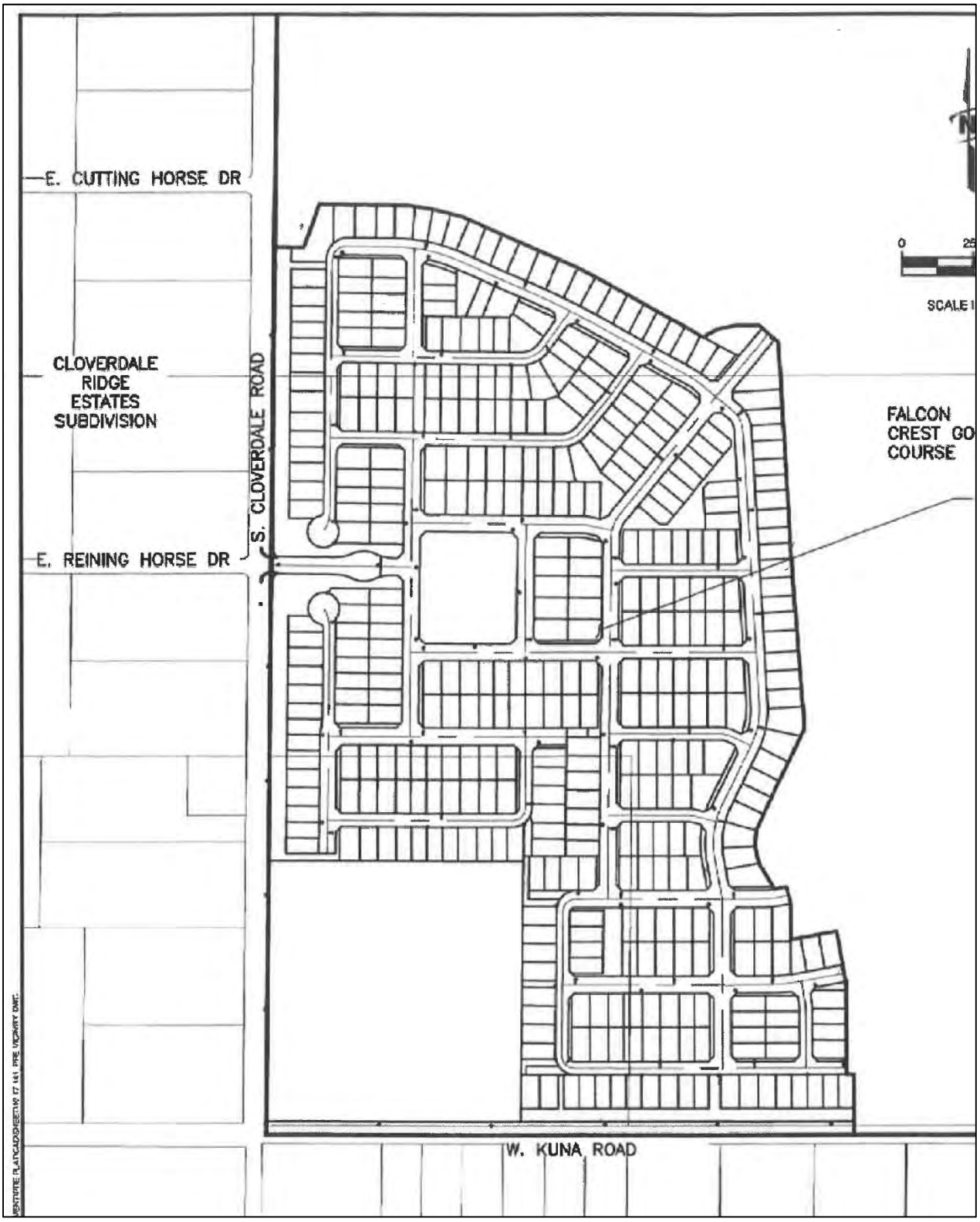
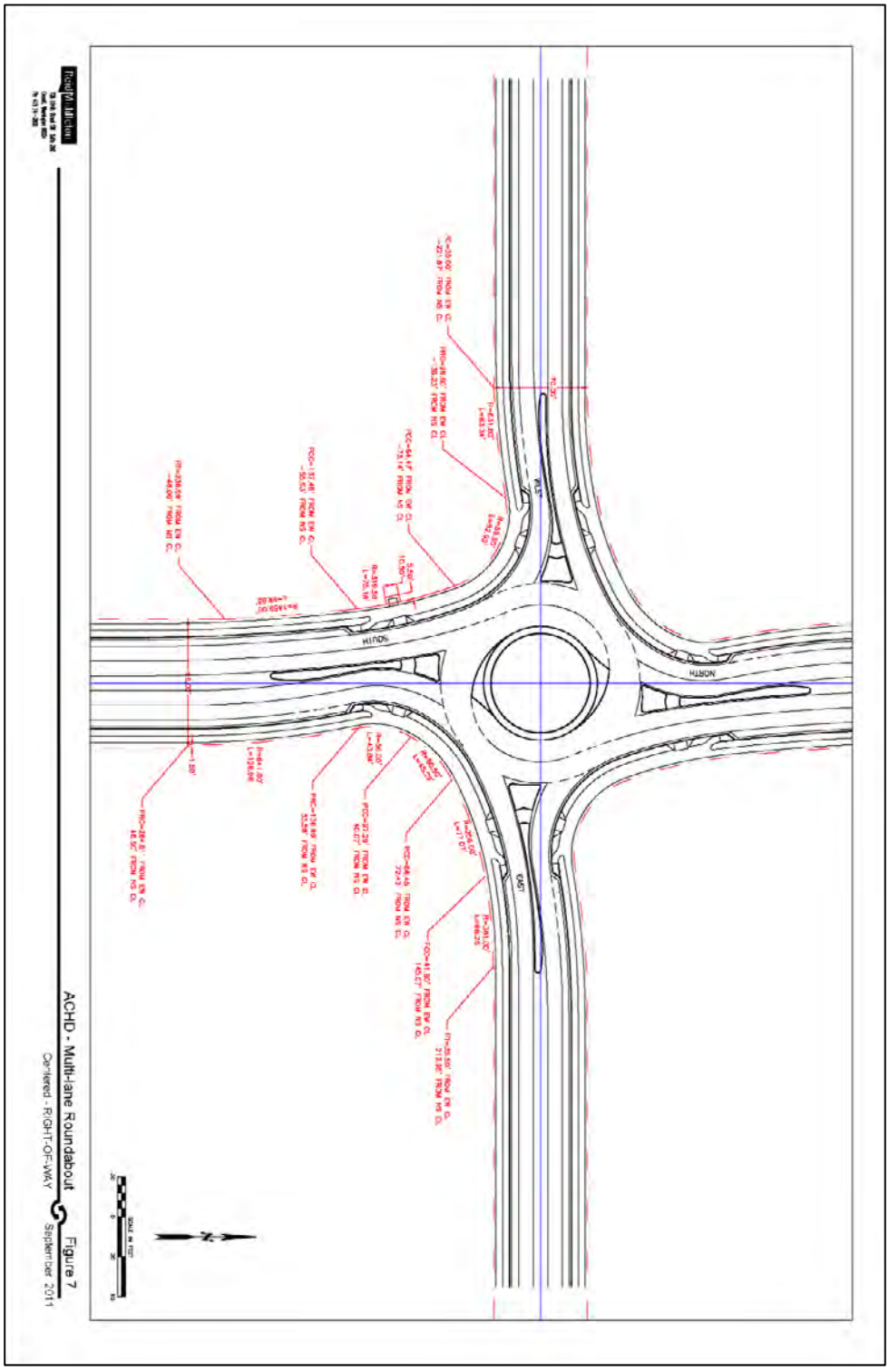

E. CUTTING HORSE DR
CLOVERDALE RIDGE ESTATES SUBDIVISION
S. CLOVERDALE ROAD
E. REINING HORSE DR
FALCON CREST GO COURSE
W. KUNA ROAD
SCALE 1

EXHIBIT B 2 a

Roundabout Template



Ada County Utility Coordinating Council

Developer/Local Improvement District
Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.

2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.

3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.

4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

EXHIBIT B 2 a

Development Process Checklist

Items Completed to Date:

☒Submit a development application to a City or to Ada County

☒The City or the County will transmit the development application to ACHD

☒The ACHD **Planning Review Section** will receive the development application to review

☒The **Planning Review Section** will do one of the following:

☐Send a **"No Review"** letter to the applicant stating that there are no site specific conditions of approval at this time.

☒Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

☐Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

☐For **ALL** development applications, including those receiving a **"No Review"** letter:

- The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
- The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.

☐Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:
Construction (Non-Subdivisions)
☐ **Driveway or Property Approach(s)**

- Submit a "Driveway Approach Request" form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

☐ **Working in the ACHD Right-of-Way**

- Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with:
  a) Traffic Control Plan
  b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)
☐ **Sediment & Erosion Submittal**

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

☐ **Idaho Power Company**

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

☐ **Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.

    a. Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.

    b. Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.

    c. Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.

    d. Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.

    e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Exhibit B 3

Troy Behunin

From: Lauren Boehlke <laurenboehlke@yahoo.com>
Sent: Monday, July 16, 2018 7:50 AM
To: Troy Behunin
Subject: Re: Falcon Crest Annex, Pre Plat Etc.. - M3 ID Falcon Crest, LLC

Categories: Agency Comments

Good Morning Troy,

This is to let you know that this property has no surface water rights as it is outside of the Boise-Kuna Irrigation District boundaries as well as the Boise Project Board of Control delivery boundaries.

Respectfully,

Lauren S Boehlke
Sec.-Treasurer
Boise-Kuna Irrigation District
Phone# 922-5608
Fax# 922-5659

On Friday, 13 July 2018, 6:42:00 PM MDT, Troy Behunin <tbehunin@kunaid.gov> wrote:

Good Evening Everyone,

Please review the packet included with this email and return relevant comments about the services your agency provides to Kuna's Planning and Zoning office, to be used in the public hearings scheduled for this project. Please submit comments to our office on or before ***August 24, 2018.*** This project is very comprehensive and our office would appreciate your comments.

This project will be scheduled for public hearing with our Commission on ***October 9, 2018***. If you need additional information or additional time to provide comments, please let our office know ASAP.

Thanks,
Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634

TBehunin@KunaId.Gov

Exhibit B 3

RICHARD DURRANT
CHAIRMAN OF THE BOARD

CLINTON PLINE
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000 ACRES FOR THE FOLLOWING IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

RECEIVED
JUL 23 2018
CITY OF KUNA

16 July 2018

City of Kuna
751 W. 4th Street
Kuna, Idaho 83634

RE: Falconcrest Subdivision **18-03-AN, 18-01-CPM, 18-02-ZC, 18-01-PUD**
NEC Cloverdale and Kuna Roads
New York Irrigation District **NY-660-002-00 (50 acre water right for Falcon Crest Golf Course)**

Main Canal 1069+00
Sec. 01, T2N, R1W, BM.

Troy Behunin, Planner III:

There are no Project facilities located on the above-mentioned property.

Storm Drainage and/or Street Runoff must be retained on site.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by appropriate easements.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,

Thomas Ritthaler
Management/GIS

tbr/tr
cc: Clint McCormick Watermaster, Div; 2 BPBC
Terri Hasson Secretary-Treasurer, NYID
File

Exhibit B 4

Communities in Motion 2040 Development Review

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040 (CIM 2040)*, the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 goals.

Development Name: Falcon Crest (18-01-CPM) Agency: Kuna

CIM Vision Category: Future Neighborhoods

New households: 206 New jobs: 280 Exceeds CIM forecast: YES

CIM Corridor: N/A Pedestrian level of stress: R--Cloverdale Bicycle level of stress: R-- Cloverdale	Level of Stress considers facility type, number of vehicle lanes, and speed. Roads with G or PG ratings better support bicyclists and pedestrians of all ages and comfort levels.
Housing within 1 mile: 103 Jobs within 1 mile: 99 Jobs/Housing Ratio: 1.0	A good jobs/housing balance – a ratio between 1 and 1.5 – reduces traffic congestion. Higher numbers indicate the need for more housing and lower numbers indicate an employment need.
Nearest police station: >4 miles Nearest fire station: >4 miles	Developments within 1.5 miles of police and fire stations ensure that emergency services are more efficient and reduce the cost of these important public services.
Farmland consumed: No Farmland within 1 mile: 1,341 acres	Farmland contributes to the local economy, creates additional jobs, and provides food security to the region. Development in farm areas decreases the productivity and sustainability of farmland.
Nearest bus stop: >4 miles Nearest public school: 3.0 miles Nearest public park: >4 miles Nearest grocery store: >4 miles	Residents who live or work less than ½ mile from critical services have more transportation choices. Walking and biking reduces congestion by taking cars off the road, while supporting a healthy and active lifestyle.

Recommendations

The first phase of 409 single-family and one commercial lot would not exceed the Communities in Motion 2040 forecast, however the full master plan would exceed growth forecasted for this area. Transportation infrastructure may not be able to support the new transportation demands. This location is still in a largely farmland area. Nearby services, such as schools, parks, emergency services, grocery, and other stores are likely accessed only by vehicle and there are no plans for public transportation to this location. However, the proposal is a mix of residential and retail, which can encourage non-motorized travel. The site plan shows pedestrian pathways and pocket parks within the subdivision. Consider providing an improved path along the New York Canal in future phases.

More information about COMPASS and *Communities in Motion 2040*:

Web: www.compassidaho.org
Email info@compassidaho.org
More information about the development review process:
http://www.compassidaho.org/dashboard/devreview.htm

COMPASS
COMMUNITY PLANNING ASSOCIATION
of Southwest Idaho

Exhibit B 5

STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOISE REGIONAL OFFICE
1445 North Orchard Street•Boise, ID 83706-2239•(208) 373-0550

DEQ Response to Request for Environmental Comment

Date:	*July 20, 2018*
Agency Requesting Comments:	*City of Kuna*
Date Request Received:	*July 16, 2018*
Applicant/Description:	*Falcon Crest Subdivision 18-03AN, 18-01-CPM, 18-02-ZC, 18-01-PUD*

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at http://www.deq.idaho.gov/ieg/.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- *Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).*

  The property owner, developer, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.

  Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

  For questions, contact David Luft, Air Quality Manager, at 373-0550.

2. Wastewater and Recycled Water

- *DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.*

- *IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.*

  All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects

require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

3. Drinking Water

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

  All projects for construction or modification of public drinking water systems require preconstruction approval.
- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at http://www.deq.idaho.gov/water-quality/drinking-water.aspx). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

  For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*
- *Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. If this project disturbs more than one*

Exhibit B 5

acre, a stormwater permit from EPA may be required.

- *If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.*
- *The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at:* http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm
- *The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.*

For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- ***Hazardous Waste.*** *The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.*
- *No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.*
- ***Water Quality Standards.*** *Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).*

  Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- ***Ground Water Contamination.*** *DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in*

accordance with a permit, consent order or applicable best management practice, best available method or best practical method."
For questions, contact Albert Crawshaw, Waste & Remediation Manager, at 373-0550.

6. Additional Notes

- *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx) for assistance.*

- *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any our technical staff at 208-373-0550.

Sincerely,

Aaron Scheff
aaron.scheff@deq.idaho.gov
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

ec: TRIM 2018AEK97

Exhibit B 6

August 22, 2018

Troy Behuin, Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634

VIA EMAIL

RE: Falcon Crest Subdivision – ITD Traffic Impact Study Comments

Dear Mr. Behuin,

The Idaho Transportation Department (ITD) has reviewed the Falcon Crest Subdivision (TIS) submitted on July 13, 2018. The development is located at the northeast corner of Cloverdale Road and Kuna Road. The development does not abut the state highway system.

ITD has the following comments related to the TIS that will require a revision to the document.

General Comment

1.) ITD has had several meetings in years prior with the city of Kuna and ACHD regarding the intersection of SH-69 (Meridian Road) and Kuna Road. Signalizing an intersection on a curve results in safety concerns and ITD does not find this to be an acceptable intersection recommendation. The analysis as presented in the current TIS shows that the Total 2022 PM Traffic results in westbound leg (WBL) turning movement of LOS E with an overall intersection LOS D. This is an acceptable LOS per ITD's criteria and would not require any improvements to mitigate impacts.

Page 43, Figure 10

1.) The estimated trip distribution pattern for intersection #10 (Kuna Road / SH-69) describes 15% of the site traffic entering this intersection. There is a total estimated 119 trips generated in the AM Peak. 15% of 119 is approximately 18 trips. Figure 10 only shows 6 trips passing through intersection #10. Please revise.

Page 44, Figure 11

1.) The estimated trip distribution pattern for intersection #10 (Kuna Road / Sh-69) describes 15% of the site traffic entering this intersection. There is a total estimated 144 trips generated in the PM Peak. 15% of 144 is approximately 22 trips. Figure 11 only shows 7 trips passing through intersection #10. Please revise.

Maintaining safety and mobility for Idaho's motorists is of the utmost importance to ITD. ITD would appreciate the City including ITD's comments to be addressed in the revision of the Falcon Ridge Subdivision TIS. ITD may have

additional comments upon review of the revised TIS. If you have any further questions or would like to discuss this more, please do not hesitate to contact me at erika.bowen@itd.idaho.gov or 208-265-4312 extension #7.

Sincerely,

Erika R. Bowen, P.E.
ITD – District 3
Traffic Engineer

Cc:
Mindy Wallace – ACHD

J-U-B ENGINEERS, INC.

J-U-B COMPANIES THE LANGDON GROUP GATEWAY MAPPING INC.

FALCON CREST PROPERTY
AGRICULTURE TO MIXED USE GENERAL
LEGAL DESCRIPTION

The Southwest Quarter of Section 23, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

BEGINNING at the southwest corner of said Section 23, from which the south quarter corner of said Section 23 bears South 89°37'13" East, 2648.97 feet;
Thence, along the west line of said Section 23, North 00° 02' 10" East, 2661.90 feet to the northwest corner of said Southwest Quarter;
Thence, along the north line of said Southwest Quarter, South 89°35'20" East, 2667.60 feet to the northeast corner of said Southwest Quarter;
Thence, along the east line of said Southwest Quarter, South 00° 26' 14" West, 2660.40 feet to said south quarter corner;
Thence, along the south line of said Section 23, North 89° 37' 13" West, 2648.97 feet to the **POINT OF BEGINNING**, containing 162.40 acres, more or less.

Robert L. Kazarinoff, PLS

05/17/2018

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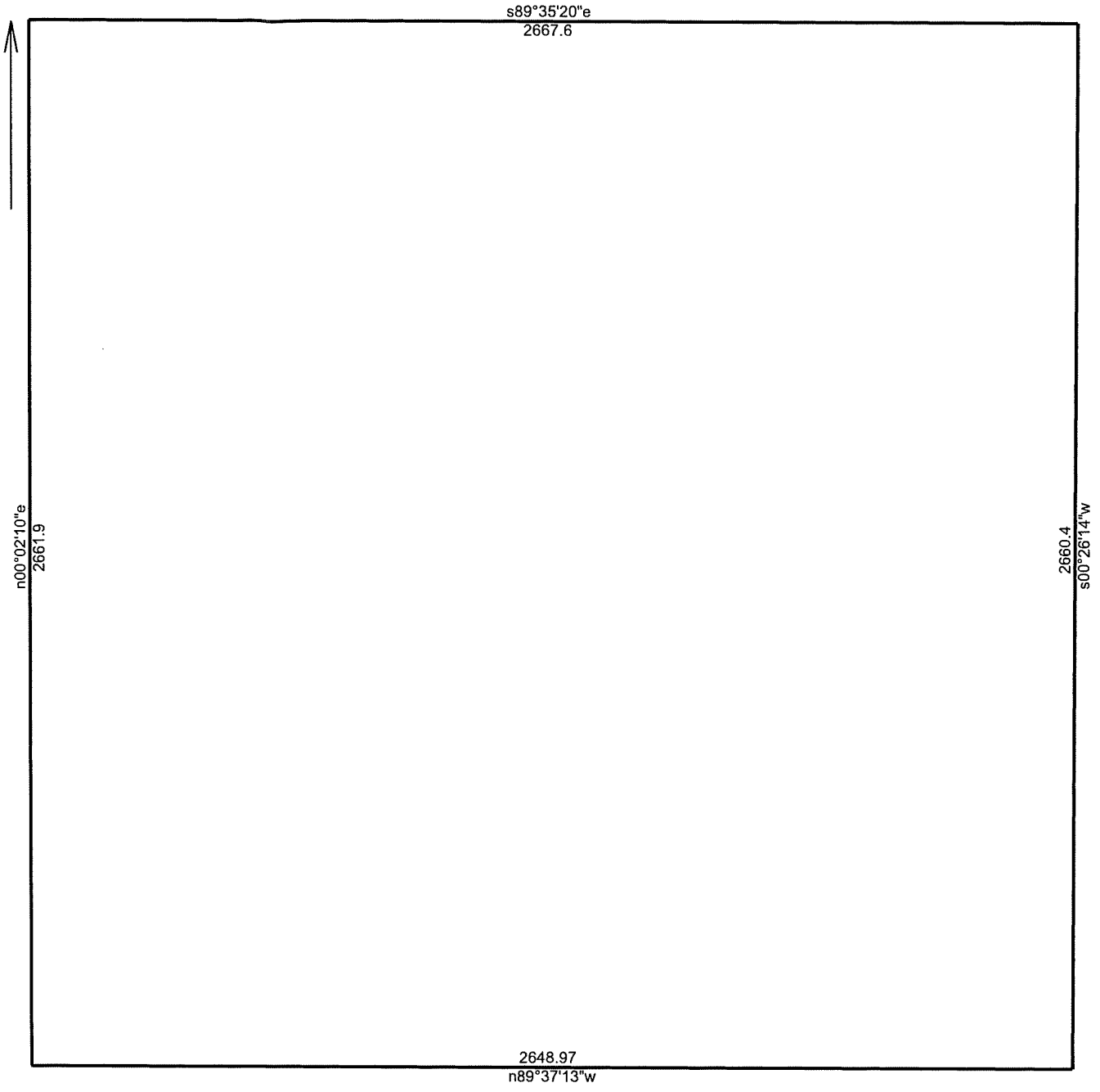
5.30.18



	5/17/2018
Scale: 1 inch= 400 feet	File: Falcon Crest FLUM CLOSURE.ndp

Tract 1: 162.3973 Acres, Closure: n27.0152e 0.01 ft. (1/999999), Perimeter=10639 ft.

01 n00.0210e 2661.9
02 s89.3520e 2667.6
03 s00.2614w 2660.4
04 n89.3713w 2648.97

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

FALCON CREST PROPERTY
ANNEXATION TO THE CITY OF KUNA
LEGAL DESCRIPTION

The Southwest Quarter of Section 23 and those portions of Sections 22 and 15, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

Commencing at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the south line of said Section 22, South 89°57'42" East, 1330.28 feet to the southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 22 and the **POINT OF BEGINNING**;

Thence, departing from said south line and along the east line of said SW1/4 SW1/4, North 00° 38' 13" East, 1326.89 feet to the northeast corner of said SW1/4 SW1/4;
Thence, along the north line of said SW1/4 SW1/4, South 89°58'36" West, 1328.54 feet to the west line of said Section 22;
Thence, along said west line, North 00° 42' 47" East, 1325.46 feet to the west quarter corner of said Section 22;
Thence, continuing along said west line, North 00° 42' 27" East, 2652.56 feet to the southwest corner of said Section 15;
Thence, along the west line of said Section 15, North 00°01'55" West, 1188.41 feet to the westerly prolongation of the south line of the lands of the Idaho Power Company as described in that Warranty Deed recorded under Instrument No. 522630, Ada County Records;
Thence, departing from said west line and along said westerly prolongation and said south line, North 89°58'05" East, 425.00 feet;
Thence, along the east line of said lands, North 00° 01' 55" West, 450.00 feet;
Thence, along the north line of said lands and its westerly prolongation, South 89°58'05" West, 425.00 feet to the west line of said Section 15;
Thence, along said west line, North 00° 01' 55" West, 211.25 feet to the centerline of the New York Canal;

Thence, departing from said west line and along said centerline the following three (3) courses:
North 77° 31' 13" East, 489.16 feet to the beginning of a curve;
Thence, along said curve to the left an arc length of 369.58 feet, having a radius of 1198.00 feet, a central angle of 17° 40' 31", a chord bearing of North 68° 40' 57" East and a chord length of 368.11 feet;
Thence, North 59° 50' 41" East, 584.99 feet to the west line of the Northeast Quarter of the Southwest Quarter of said Section 15;

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Thence, departing from said centerline and along said west line, South 00° 02' 48" West, 73.31 feet;
Thence, departing from said west line and along the northwesterly line of the lands of Falcon Crest, LLC as described in that Grant Deed recorded under Instrument No. 100049803, Ada County Records, the following four (4) courses:

North 60° 35' 00" East, 173.99 feet;
Thence, North 54° 35' 30" East, 154.96 feet;
Thence, North 59° 04' 20" East, 141.06 feet to the beginning of a curve;
Thence, along said curve to the right an arc length of 188.28 feet, having a radius of 930.00 feet, a central angle of 11° 35' 58", a chord bearing of North 64° 52' 19" East and a chord length of 187.96 feet to the north line of the Northeast Quarter of the Southwest Quarter of said Section 15;

Thence, departing from said north line and along the northwesterly line of the lands of Falcon Crest, LLC as described in that Grant Deed recorded under Instrument No. 100049801, Ada County Records, the following four (4) courses:

Along a curve to the right an arc length of 222.86 feet, having a radius of 930.00 feet, a central angle of 13° 43' 49", a chord bearing of North 77° 31' 55" East and a chord length of 222.33 feet;
Thence, North 84° 23' 50" East, 201.72 feet;
Thence, North 82° 24' 56" East, 132.20 feet;
Thence, North 80° 20' 01" East, 212.66 feet to the east line of the Northwest Quarter of said Section 15;

Thence, along said east line, South 00° 07' 26" West, 120.88 feet to the center quarter corner of said Section 15;
Thence, along the north line of the South Half of said Section 15, South 89° 59' 39" East, 332.96 feet to the northeast corner of the West Half of the West Half of the Northwest Quarter of the Southeast Quarter of said Section 15;
Thence, along the east line of said W1/2 W1/2 NW1/4 SE1/4, South 00° 10' 18" West, 1319.10 feet to the southeast corner of said W1/2 W1/2 NW1/4 SE1/4;
Thence, along the north line of the South Half of the Southeast Quarter of said Section 15, South 89° 59' 18" East, 2323.44 feet to the northeast corner of said S1/2 SE1/4;
Thence, along the east line of said S1/2 SE1/4, South 00° 29' 55" West, 1319.35 feet to the northeast corner of said Section 22;
Thence, along the east line of said Section 22, South 00° 47' 22" West, 2643.07 feet;
Thence, along the north line of the Southwest Quarter of said Section 23, South 89° 35' 20" East, 2667.60 feet to the northeast corner of said Southwest Quarter;
Thence, along the east line of said Southwest Quarter, South 00° 26' 14" West, 2660.40 feet to the south quarter corner of said Section 23;

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Thence, along the south line of said Southwest Quarter, North 89° 37' 13" West, 2648.97 feet to the southeast corner of said Section 22;

Thence, along the south line of said Section 22, North 89° 58' 04" West, 2660.61 feet to the south quarter corner of said Section 22;

Thence, continuing along said south line, North 89° 57' 42" West, 1330.27 feet to the **POINT OF BEGINNING**, containing 995.01 acres, more or less.

Robert L. Kazarinoff, PLS

05/17/2018

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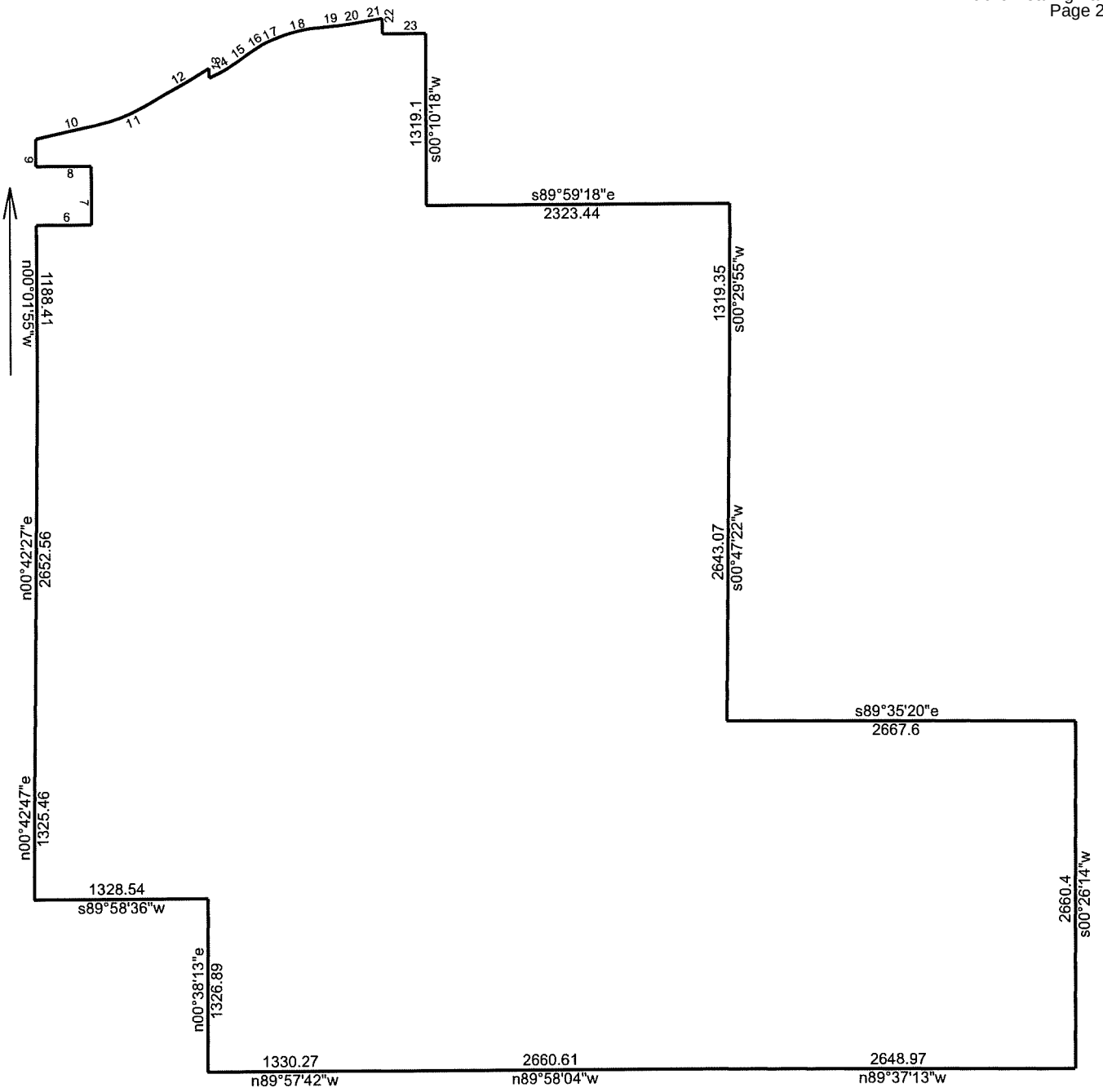

5/16/2018

Scale: 1 inch= 1200 feet | File: Falcon Crest ANNEX CLOSURE.ndp

Tract 1: 995.0123 Acres, Closure: s01.4342e 0.01 ft. (1/999999), Perimeter=32305 ft.

01 n00.3813e 1326.89
02 s89.5836w 1328.54
03 n00.4247e 1325.46
04 n00.4227e 2652.56
05 n00.0155w 1188.41
06 n89.5805e 425
07 n00.0155w 450
08 s89.5805w 425
09 n00.0155w 211.25
10 n77.3113e 489.16
11 Lt, r=1198.00, delta=017.4031, arc=369.58, chord=n68.4057e 368.11
12 n59.5041e 584.99
13 s00.0248w 73.31
14 n60.3500e 173.99
15 n54.3530e 154.96
16 n59.0420e 141.06
17 Rt, r=930.00, delta=011.3558, arc=188.28, chord=n64.5219e 187.96
18 Rt, r=930.00, delta=013.4349, arc=222.86, chord=n77.3155e 222.33
19 n84.2350e 201.72
20 n82.2456e 132.2
21 n80.2001e 212.66
22 s00.0726w 120.88
23 s89.5939e 332.96
24 s00.1018w 1319.1
25 s89.5918e 2323.44
26 s00.2955w 1319.35
27 s00.4722w 2643.07
28 s89.3520e 2667.6
29 s00.2614w 2660.4
30 n89.3713w 2648.97
31 n89.5804w 2660.61
32 n89.5742w 1330.27

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

FALCON CREST PROPERTY
PLANNED UNIT DEVELOPMENT BOUNDARY
LEGAL DESCRIPTION

The Southwest Quarter of Section 23 and those portions of Sections 22 and 15, Township 2 North, Range 1 East, Boise Meridian, in the City of Kuna, Ada County Idaho, particularly described as follows:

Commencing at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the south line of said Section 22, South 89°57'42" East, 48.00 feet to the **POINT OF BEGINNING**;

Thence, departing from said south line and along the easterly right-of-way line of South Cloverdale Road as described in that Warranty Deed to the Ada County Highway District recorded under Instrument No. 108003131, Ada County Records, North 00° 42' 47" East, 2651.04 feet to the south line of the Northwest Quarter of said Section 22;
Thence, continuing along said easterly right-of-way line, North 00° 42' 27" East, 2652.47 feet to the south line of said Section 15;
Thence, continuing along said easterly right-of-way line, North 00° 01' 55" West, 1188.45 feet to the south line of the lands of the Idaho Power Company as described in that Warranty Deed recorded under Instrument No. 522630, Ada County Records;
Thence, along the south line of said lands, North 89° 58' 05" East, 377.00 feet;
Thence, along the east line of said lands, North 00° 01' 55" West, 450.00 feet;
Thence, along the north line of said lands, South 89° 58' 05" West, 377.00 feet to said easterly right-of-way line;
Thence, departing from said north line and along said easterly right-of-way line, North 00° 01' 55" West, 168.61 feet;
Thence, along the northerly line of Parcel 1 as described in said Warranty Deed to ACHD, South 77° 30' 17" West, 49.16 feet to the west line of said Section 15;
Thence, along said west line, North 00° 01' 55" West, 53.25 feet to the centerline of the New York Canal;

Thence, departing from said west line and along said centerline the following three (3) courses:
North 77° 31' 13" East, 489.16 feet to the beginning of a curve;
Thence, along said curve to the left an arc length of 369.58 feet, having a radius of 1198.00 feet, a central angle of 17° 40' 31", a chord bearing of North 68° 40' 57" East and a chord length of 368.11 feet;
Thence, North 59° 50' 41" East, 584.99 feet to the west line of the Northeast Quarter of the Southwest Quarter of said Section 15;

Thence, departing from said centerline and along said west line, South 00° 02' 48" West, 73.31 feet;

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Thence, departing from said west line and along the northwesterly line of the lands of Falcon Crest, LLC as described in that Grant Deed recorded under Instrument No. 100049803, Ada County Records, the following four (4) courses:

North 60° 35' 00" East, 173.99 feet;
Thence, North 54° 35' 30" East, 154.96 feet;
Thence, North 59° 04' 20" East, 141.06 feet to the beginning of a curve;
Thence, along said curve to the right an arc length of 188.28 feet, having a radius of 930.00 feet, a central angle of 11° 35' 58", a chord bearing of North 64° 52' 19" East and a chord length of 187.96 feet to the north line of the Northeast Quarter of the Southwest Quarter of said Section 15;

Thence, departing from said north line and along the northwesterly line of the lands of Falcon Crest, LLC as described in that Grant Deed recorded under Instrument No. 100049801, Ada County Records, the following four (4) courses:

Along a curve to the right an arc length of 222.86 feet, having a radius of 930.00 feet, a central angle of 13° 43' 49", a chord bearing of North 77° 31' 55" East and a chord length of 222.33 feet;
Thence, North 84° 23' 50" East, 201.72 feet;
Thence, North 82° 24' 56" East, 132.20 feet;
Thence, North 80° 20' 01" East, 212.66 feet to the east line of the Northwest Quarter of said Section 15;

Thence, along said east line, South 00° 07' 26" West, 120.88 feet to the center quarter corner of said Section 15;
Thence, along the north line of the South Half of said Section 15, South 89° 59' 39" East, 332.96 feet to the northeast corner of the West Half of the West Half of the Northwest Quarter of the Southeast Quarter of said Section 15;
Thence, along the east line of said W1/2 W1/2 NW1/4 SE1/4, South 00° 10' 18" West, 1319.10 feet to the southeast corner of said W1/2 W1/2 NW1/4 SE1/4;
Thence, along the north line of the South Half of the Southeast Quarter of said Section 15, South 89° 59' 18" East, 2323.44 feet to the northeast corner of said S1/2 SE1/4;
Thence, along the east line of said S1/2 SE1/4, South 00° 29' 55" West, 1319.35 feet to the northeast corner of said Section 22;
Thence, along the east line of said Section 22, South 00° 47' 22" West, 2643.07 feet;
Thence, along the north line of the Southwest Quarter of said Section 23, South 89° 35' 20" East, 2667.60 feet to the northeast corner of said Southwest Quarter;
Thence, along the east line of said Southwest Quarter, South 00° 26' 14" West, 2660.40 feet to the south quarter corner of said Section 23;
Thence, along the south line of said Southwest Quarter, North 89° 37' 13" West, 2648.97 feet to the southeast corner of said Section 22;

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J-U-B COMPANIES THE LANGDON GROUP GATEWAY MAPPING INC.

Thence, along the south line of said Section 22, North 89° 58' 04" West, 2660.61 feet to the south quarter corner of said Section 22;

Thence, continuing along said south line, North 89° 57' 42" West, 2612.55 feet to the **POINT OF BEGINNING**, containing 1,028.15 acres, more or less.

Robert L. Kazarinoff, PLS

05/17/2018

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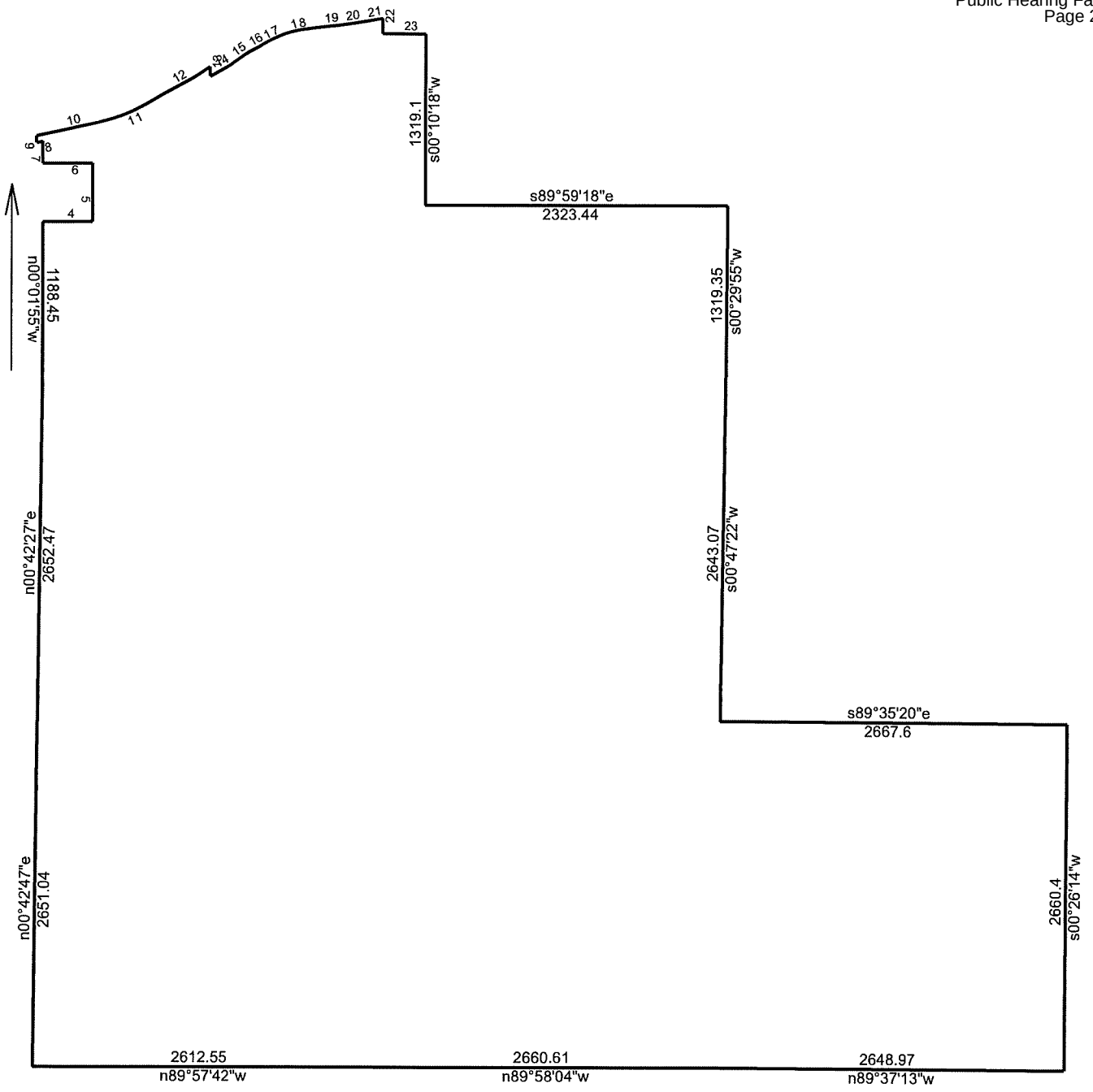

5/16/2018

Scale: 1 inch= 1200 feet | File: Falcon Crest PUD CLOSURE.ndp

Tract 1: 1028.1492 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=32221 ft.

01 n00.4247e 2651.04
02 n00.4227e 2652.47
03 n00.0155w 1188.45
04 n89.5805e 377
05 n00.0155w 450
06 s89.5805w 377
07 n00.0155w 168.61
08 s77.3017w 49.16
09 n00.0155w 53.25
10 n77.3113e 489.16
11 Lt, r=1198.00, delta=017.4031, arc=369.58, chord=n68.4057e 368.11
12 n59.5041e 584.99
13 s00.0248w 73.31
14 n60.3500e 173.99
15 n54.3530e 154.96
16 n59.0420e 141.06
17 Rt, r=930.00, delta=011.3558, arc=188.28, chord=n64.5219e 187.96
18 Rt, r=930.00, delta=013.4349, arc=222.86, chord=n77.3155e 222.33
19 n84.2350e 201.72
20 n82.2456e 132.2
21 n80.2001e 212.66
22 s00.0726w 120.88
23 s89.5939e 332.96
24 s00.1018w 1319.1
25 s89.5918e 2323.44
26 s00.2955w 1319.35
27 s00.4722w 2643.07
28 s89.3520e 2667.6
29 s00.2614w 2660.4
30 n89.3713w 2648.97
31 n89.5804w 2660.61
32 n89.5742w 2612.55

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

FALCON CREST PROPERTY
REZONE A TO C-2
LEGAL DESCRIPTION

That portion of the Southwest Quarter of the Southwest Quarter of Section 22, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

BEGINNING at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet;

Thence, along the west line of said Section 22, North 00°42'47" East, 960.07 feet;
Thence, departing from said west line, South 89°57'42" East, 948.00 feet;
Thence, South 00°42'47" West, 960.07 feet to the south line of said Section 22;
Thence, along said south line, North 89°57'42" West, 948.00 feet to the **POINT OF BEGINNING**, containing 20.89 acres, more or less.

Robert L. Kazarinoff, PLS

05/16/2018

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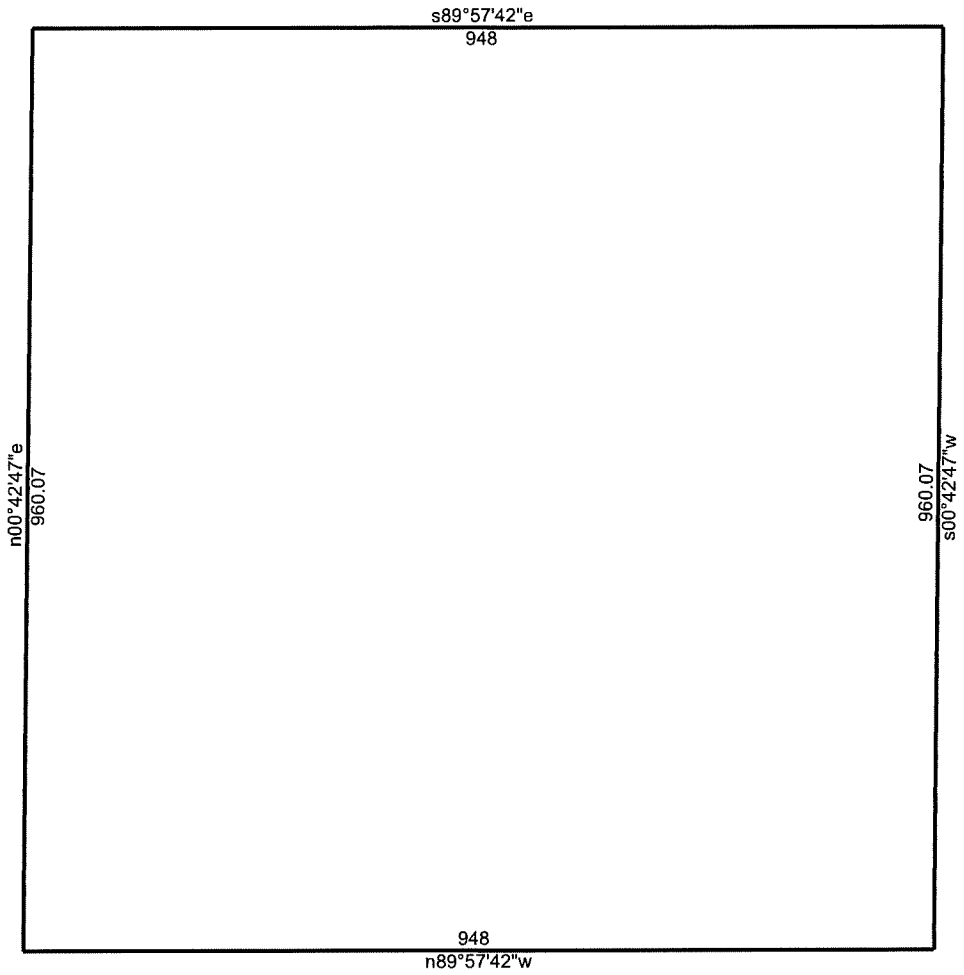

	5/17/2018
Scale: 1 inch= 200 feet	File: Falcon Crest REZONE A to C-2 CLOSURE.ndp

Tract 1: 20.8926 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=3816 ft.

01 n00.4247e 960.07
02 s89.5742e 948
03 s00.4247w 960.07
04 n89.5742w 948

J-U-B ENGINEERS, INC.

J-U-B COMPANIES THE LANGDON GROUP GATEWAY MAPPING INC.

FALCON CREST PROPERTY
REZONE A TO R-6
LEGAL DESCRIPTION

That portion of the Southwest Quarter of the Southwest Quarter of Section 22, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

COMMENCING at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the south line of said Section 22, South 89°57'42" East, 948.00 feet to the **POINT OF BEGINNING;**

Thence, departing from said south line, North 00° 42' 47" East, 960.07 feet;
Thence, North 89° 57' 42" West, 948.00 feet to the west line of said Section 22;
Thence, along said west line, North 00° 42' 47" East, 365.41 feet;
Thence, departing from said west line, North 89° 58' 36" East, 1328.54 feet;
Thence, South 00° 38' 13" West, 1326.89 feet to said south line;
Thence, along said south line, North 89° 57' 42" West, 382.28 feet to the **POINT OF BEGINNING**, containing 19.58 acres, more or less.

Robert L. Kazarinoff, PLS

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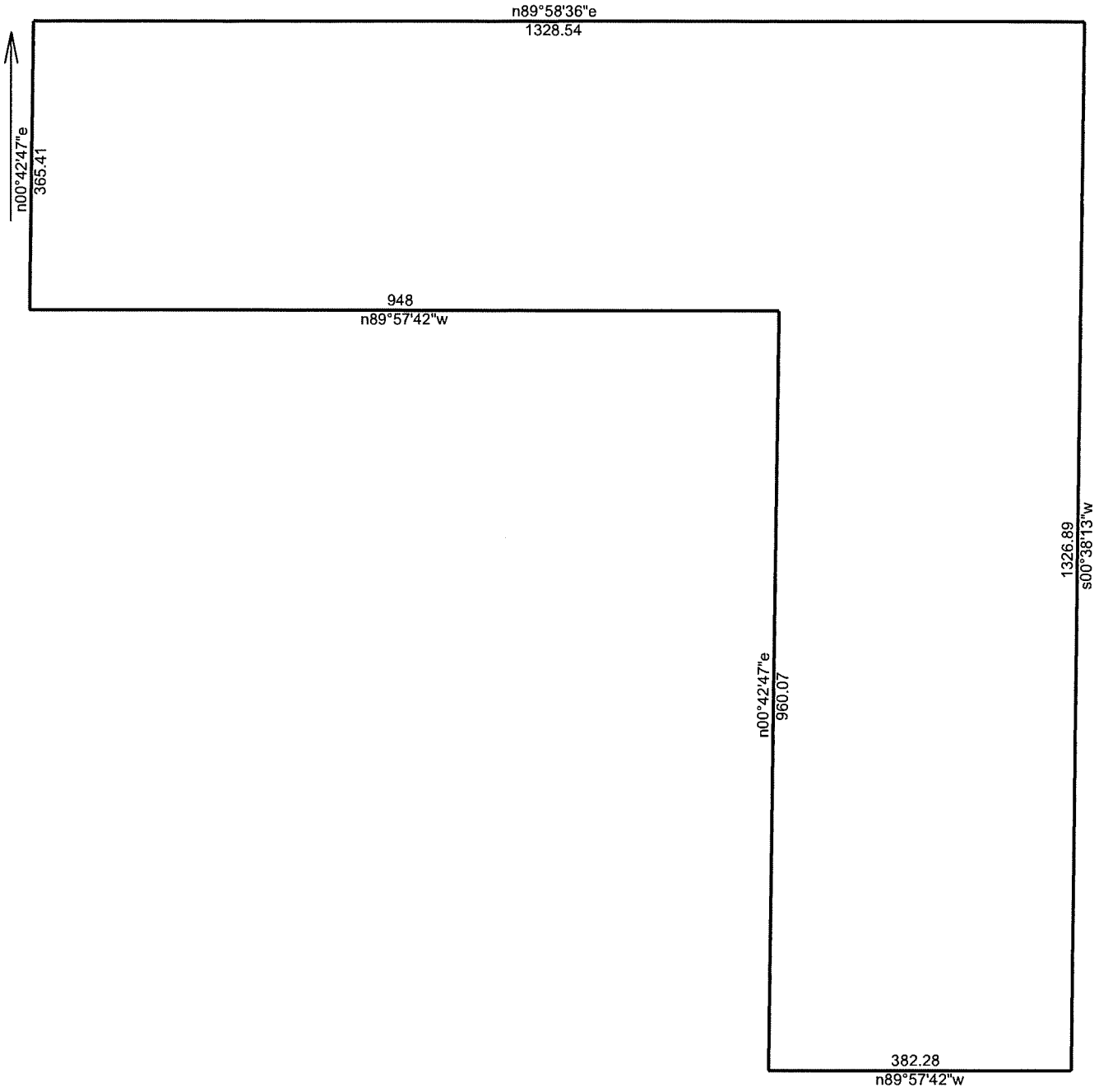

	5/17/2018
Scale: 1 inch= 200 feet	File: Falcon Crest REZONE A to R-6 CLOSURE.ndp

Tract 1: 19.5785 Acres, Closure: s85.3444w 0.01 ft. (1/999999), Perimeter=5311 ft.

01 n00.4247e 960.07
02 n89.5742w 948
03 n00.4247e 365.41
04 n89.5836e 1328.54
05 s00.3813w 1326.89
06 n89.5742w 382.28

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

PRELIMINARY PLAT BOUNDARY
FALCON CREST SUBDIVISION
LEGAL DESCRIPTION

Those portions of the South Half of the Northwest Quarter and of the Southwest Quarter of Section 22, Township 2 North, Range 1 East, Boise Meridian, in the City of Kuna, Ada County Idaho, particularly described as follows:

Commencing at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the south line of said Section 22, South 89°57'42" East, 48.00 feet to the **POINT OF BEGINNING**;

Thence, departing from said south line and along the easterly right-of-way line of South Cloverdale Road as described in that Warranty Deed to the Ada County Highway District recorded under Instrument No. 108003131, Ada County Records, North 00° 42' 47" East, 2651.04 feet to the south line of the Northwest Quarter of said Section 22;
Thence, continuing along said easterly right-of-way line, North 00° 42' 27" East, 451.44 feet;
Thence, departing from said easterly right-of-way line and along the following twenty-four (24) courses:

Thence, South 89° 17' 33" East, 102.22 feet;
Thence, North 19° 46' 57" East, 158.63 feet;
Thence, South 89° 21' 39" East, 319.53 feet;
Thence, South 81° 41' 42" East, 86.24 feet;
Thence, South 76° 41' 20" East, 101.65 feet;
Thence, South 66° 31' 43" East, 456.58 feet;
Thence, South 61° 19' 10" East, 506.16 feet;
Thence, North 28° 40' 50" East, 11.20 feet;
Thence, North 63° 26' 06" East, 48.80 feet;
Thence, North 79° 22' 49" East, 59.02 feet;
Thence, North 90° 00' 00" East, 83.01 feet;
Thence, South 50° 05' 28" East, 91.35 feet;
Thence, South 03° 11' 47" East, 799.13 feet;
Thence, South 04° 22' 16" East, 552.44 feet;
Thence, South 26° 02' 07" West, 394.31 feet;
Thence, South 04° 41' 13" West, 56.05 feet;
Thence, South 12° 19' 26" East, 61.94 feet;
Thence, South 32° 02' 12" East, 107.30 feet to the beginning of a non-tangent curve;
Thence, along said curve to the left an arc length of 42.74 feet, having a radius of 370.00 feet, a central angle of 06° 37' 09", a chord bearing of North 79° 02' 12" East and a chord length of 42.72 feet;

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Thence, South 14° 16' 23" East, 60.00 feet;
Thence, South 00° 02' 18" West, 126.30 feet;
Thence, North 79° 48' 39" East, 164.13 feet;
Thence, South 10° 11' 21" East, 180.00 feet;
Thence, South 00° 02' 18" West, 324.05 feet;
Thence, South 89° 57' 42" East, 27.54 feet;
Thence, South 00° 02' 18" West, 212.50 feet to the south line of said Section 22;
Thence, along said south line, North 89° 57' 42" West, 2077.56 feet to the **POINT OF BEGINNING**,
Containing 131.32 acres, more or less.

Robert L. Kazarinoff, PLS

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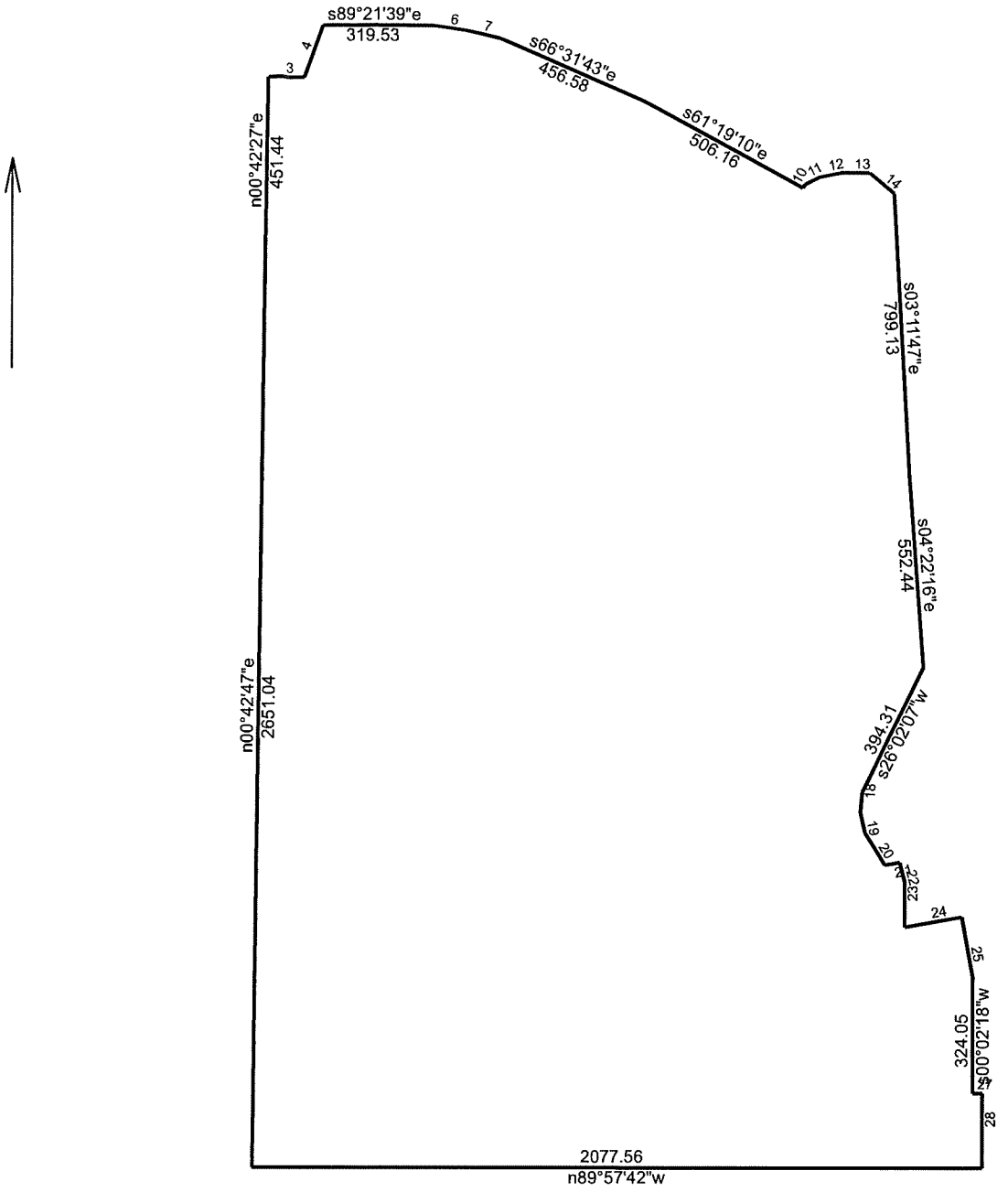

	5/16/2018
Scale: 1 inch= 500 feet	File: Falcon Crest SUB Pre Plat Bndry CLOSURE.ndp

Tract 1: 131.3185 Acres, Closure: n46.2045w 0.01 ft. (1/723303), Perimeter=10313 ft.

01 n00.4247e 2651.04
02 n00.4227e 451.44
03 s89.1733e 102.22
04 n19.4657e 158.63
05 s89.2139e 319.53
06 s81.4142e 86.24
07 s76.4120e 101.65
08 s66.3143e 456.58
09 s61.1910e 506.16
10 n28.4050e 11.2
11 n63.2606e 48.8
12 n79.2249e 59.02
13 n90.0000e 83.01
14 s50.0528e 91.35
15 s03.1147e 799.13
16 s04.2216e 552.44
17 s26.0207w 394.31
18 s04.4113w 56.05
19 s12.1926e 61.94
20 s32.0212e 107.3
21 Lt, r=370.00, delta=006.3709, arc=42.74, chord=n79.0212e 42.72
22 s14.1623e 60
23 s00.0218w 126.3
24 n79.4839e 164.13
25 s10.1121e 180
26 s00.0218w 324.05
27 s89.5742e 27.54
28 s00.0218w 212.5
29 n89.5742w 2077.56

J-U-B ENGINEERS, INC.

J-U-B COMPANIES THE LANGDON GROUP GATEWAY MAPPING INC.

FALCON CREST PROPERTY
RR TO R6
LEGAL DESCRIPTION

The Southwest Quarter of Section 23 and those portions of Sections 22 and 15, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

Commencing at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the south line of said Section 22, South 89°57'42" East, 1330.28 feet to the southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 22 and the **POINT OF BEGINNING**;

Thence, departing from said south line and along the east line of said SW1/4 SW1/4, North 00° 38' 13" East, 1326.89 feet to the northeast corner of said SW1/4 SW1/4;
Thence, along the north line of said SW1/4 SW1/4, South 89°58'36" West, 1328.54 feet to the west line of said Section 22;
Thence, along said west line, North 00° 42' 47" East, 1325.46 feet to the west quarter corner of said Section 22;
Thence, continuing along said west line, North 00° 42' 27" East, 2652.56 feet to the southwest corner of said Section 15;
Thence, along the west line of said Section 15, North 00°01'55" West, 1188.41 feet to the westerly prolongation of the south line of the lands of the Idaho Power Company as described in that Warranty Deed recorded under Instrument No. 522630, Ada County Records;
Thence, departing from said west line and along said westerly prolongation and said south line, North 89°58'05" East, 425.00 feet;
Thence, along the east line of said lands, North 00° 01' 55" West, 450.00 feet;
Thence, along the north line of said lands and its westerly prolongation, South 89°58'05" West, 425.00 feet to the west line of said Section 15;
Thence, along said west line, North 00° 01' 55" West, 211.25 feet to the centerline of the New York Canal;

Thence, departing from said west line and along said centerline the following three (3) courses:
North 77° 31' 13" East, 489.16 feet to the beginning of a curve;
Thence, along said curve to the left an arc length of 369.58 feet, having a radius of 1198.00 feet, a central angle of 17° 40' 31", a chord bearing of North 68° 40' 57" East and a chord length of 368.11 feet;
Thence, North 59° 50' 41" East, 584.99 feet to the west line of the Northeast Quarter of the Southwest Quarter of said Section 15;

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Thence, departing from said centerline and along said west line, South 00° 02' 48" West, 73.31 feet;
Thence, departing from said west line and along the northwesterly line of the lands of Falcon Crest, LLC as described in that Grant Deed recorded under Instrument No. 100049803, Ada County Records, the following four (4) courses:

North 60° 35' 00" East, 173.99 feet;
Thence, North 54° 35' 30" East, 154.96 feet;
Thence, North 59° 04' 20" East, 141.06 feet to the beginning of a curve;
Thence, along said curve to the right an arc length of 188.28 feet, having a radius of 930.00 feet, a central angle of 11° 35' 58", a chord bearing of North 64° 52' 19" East and a chord length of 187.96 feet to the north line of the Northeast Quarter of the Southwest Quarter of said Section 15;

Thence, departing from said north line and along the northwesterly line of the lands of Falcon Crest, LLC as described in that Grant Deed recorded under Instrument No. 100049801, Ada County Records, the following four (4) courses:

Along a curve to the right an arc length of 222.86 feet, having a radius of 930.00 feet, a central angle of 13° 43' 49", a chord bearing of North 77° 31' 55" East and a chord length of 222.33 feet;
Thence, North 84° 23' 50" East, 201.72 feet;
Thence, North 82° 24' 56" East, 132.20 feet;
Thence, North 80° 20' 01" East, 212.66 feet to the east line of the Northwest Quarter of said Section 15;

Thence, along said east line, South 00° 07' 26" West, 120.88 feet to the center quarter corner of said Section 15;
Thence, along the north line of the South Half of said Section 15, South 89° 59' 39" East, 332.96 feet to the northeast corner of the West Half of the West Half of the Northwest Quarter of the Southeast Quarter of said Section 15;
Thence, along the east line of said W1/2 W1/2 NW1/4 SE1/4, South 00° 10' 18" West, 1319.10 feet to the southeast corner of said W1/2 W1/2 NW1/4 SE1/4;
Thence, along the north line of the South Half of the Southeast Quarter of said Section 15, South 89° 59' 18" East, 2323.44 feet to the northeast corner of said S1/2 SE1/4;
Thence, along the east line of said S1/2 SE1/4, South 00° 29' 55" West, 1319.35 feet to the northeast corner of said Section 22;
Thence, along the east line of said Section 22, South 00° 47' 22" West, 2643.07 feet;
Thence, along the north line of the Southwest Quarter of said Section 23, South 89° 35' 20" East, 2667.60 feet to the northeast corner of said Southwest Quarter;
Thence, along the east line of said Southwest Quarter, South 00° 26' 14" West, 2660.40 feet to the south quarter corner of said Section 23;

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Thence, along the south line of said Southwest Quarter, North 89° 37' 13" West, 2648.97 feet to the southeast corner of said Section 22;
Thence, along the south line of said Section 22, North 89° 58' 04" West, 2660.61 feet to the south quarter corner of said Section 22;
Thence, continuing along said south line, North 89° 57' 42" West, 1330.27 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM those portions of the South Half of the South Half of Section 15 and of the Northwest Quarter of Section 22, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

Commencing at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the west line of said Section 22, North 00°42'47" East, 2650.93 feet to the west quarter corner of said Section 22; Thence, continuing along said west line, North 00° 42' 27" East, 959.69 feet to the **POINT OF BEGINNING**;

Thence, continuing along said west line, North 00° 42' 27" East, 1692.87 feet to the northwest corner of said Section 22;
Thence, along the west line of said Section 15, North 00° 01' 55" West, 1188.41 feet to the westerly prolongation of the south line of the lands of the Idaho Power Company as described in that Warranty Deed recorded under Instrument No. 522630, Ada County Records;
Thence, departing from said west line and along said westerly prolongation and said south line, North 89°58'05" East, 425.00 feet to the southeast corner of said lands of the Idaho Power Company;

Thence, departing from said southeast corner and said lands the following fourteen (14) courses:
North 86° 56' 05" East, 311.49 feet;
Thence, North 81° 25' 52" East, 233.56 feet;
Thence, North 89° 06' 12" East, 212.43 feet;
Thence, South 81° 34' 52" East, 796.24 feet;
Thence, South 75° 03' 10" East, 465.58 feet;
Thence, South 49° 10' 31" East, 447.99 feet;
Thence, South 27° 39' 50" East, 256.64 feet;
Thence, South 55° 33' 12" West, 425.53 feet;
Thence, South 40° 44' 44" West, 267.25 feet;
Thence, North 89° 22' 03" West, 493.06 feet;
Thence, South 66° 39' 32" West, 219.27 feet;
Thence, South 16° 42' 00" West, 1702.10 feet;
Thence, South 86° 39' 34" West, 553.29 feet;
Thence, North 89° 17' 33" West, 634.16 feet to the **POINT OF BEGINNING.**

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ALSO EXCEPTING THEREFROM that portion of Section 22, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

Commencing at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the west line of said Section 22, North 00°42'47" East, 2650.93 feet to the west quarter corner of said Section 22; Thence, continuing along said west line, North 00° 42' 27" East, 959.69 feet; Thence, departing from said west line, South 89°17'33" East, 634.16 feet; Thence, North 86°39'34" East, 553.29 feet; Thence, South 43°15'36" East, 78.87 feet to the **POINT OF BEGINNING;**

Thence, the following seventeen (17) courses:

South 88° 30' 22" East, 542.55 feet to the beginning of a curve;
Thence, along said curve to the left an arc length of 501.24 feet, having a radius of 530.00 feet, a central angle of 54° 11' 13", a chord bearing of North 64° 24' 02" East and a chord length of 482.77 feet;
Thence, South 59° 43' 45" East, 58.15 feet to the beginning of a curve;
Thence, along said curve to the left an arc length of 263.61 feet, having a radius of 350.00 feet, a central angle of 43° 09' 14", a chord bearing of South 81° 18' 22" East and a chord length of 257.43 feet to the beginning of a reverse curve;
Thence, along said curve to the right an arc length of 508.73 feet, having a radius of 1000.00 feet, a central angle of 29° 08' 52", a chord bearing of South 88° 18' 33" East and a chord length of 503.26 feet;
Thence, South 20° 34' 24" West, 683.77 feet;
Thence, South 27° 00' 48" East, 831.35 feet;
Thence, South 36° 54' 31" West, 824.19 feet;
Thence, South 63° 08' 21" East, 291.18 feet;
Thence, South 20° 10' 03" West, 525.54 feet;
Thence, South 73° 06' 00" West, 849.25 feet;
Thence, North 05° 53' 49" West, 244.57 feet;
Thence, North 25° 55' 05" East, 412.39 feet;
Thence, North 04° 23' 37" West, 577.04 feet;
Thence, North 09° 59' 10" West, 961.29 feet;
Thence, North 39° 41' 58" East, 143.75 feet;
Thence, North 52° 49' 55" West, 915.93 feet to the **POINT OF BEGINNING**.

Containing 806.92 acres, more or less.

Robert L. Kazarinoff, PLS 05/18/2018

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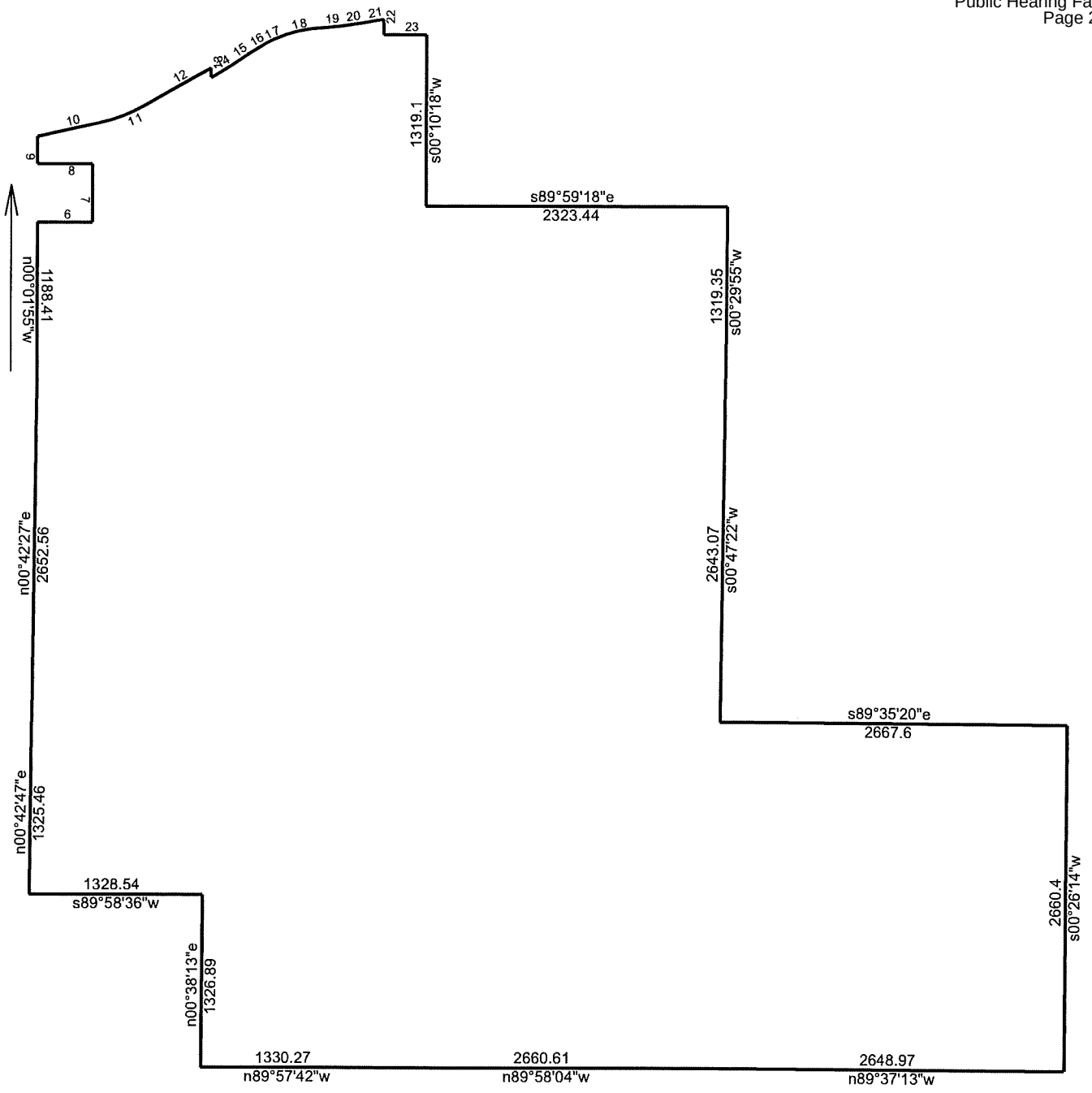
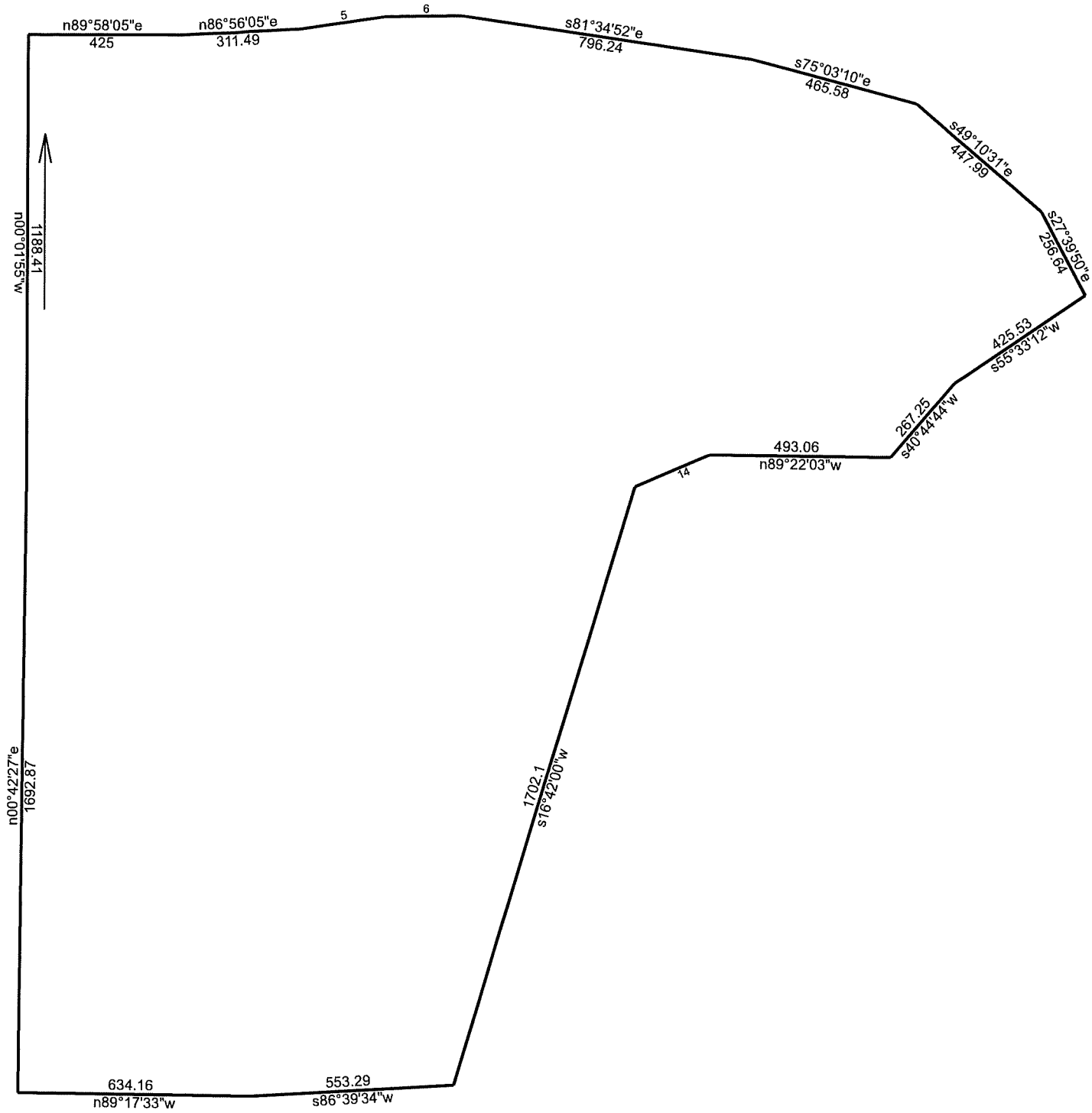


	5/16/2018
Scale: 1 inch= 1200 feet	File: Falcon Crest ANNEX CLOSURE.ndp

Tract 1: 995.0123 Acres, Closure: s01.4342e 0.01 ft. (1/999999), Perimeter=32305 ft.

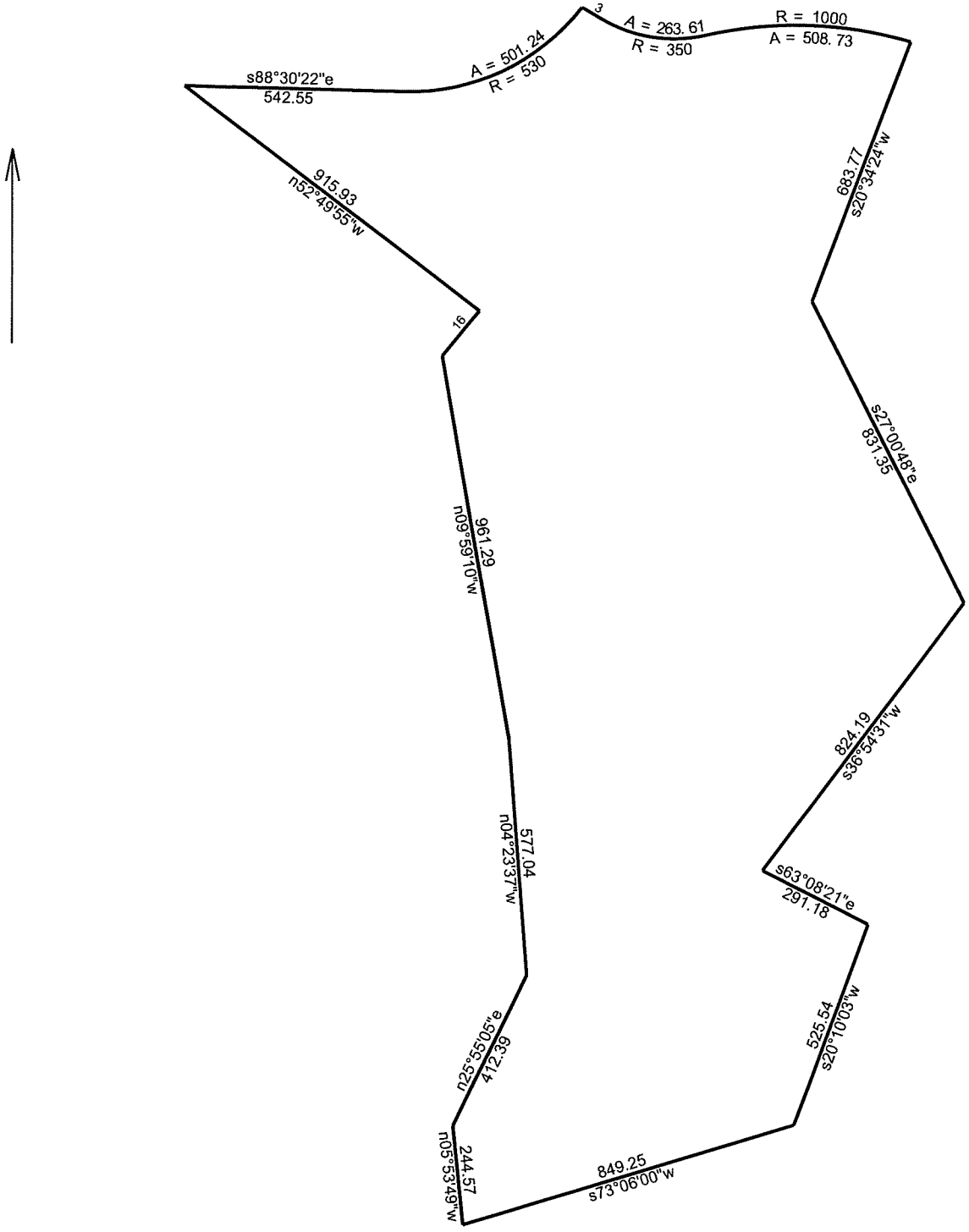
01 n00.3813e 1326.89
02 s89.5836w 1328.54
03 n00.4247e 1325.46
04 n00.4227e 2652.56
05 n00.0155w 1188.41
06 n89.5805e 425
07 n00.0155w 450
08 s89.5805w 425
09 n00.0155w 211.25
10 n77.3113e 489.16
11 Lt, r=1198.00, delta=017.4031, arc=369.58, chord=n68.4057e 368.11
12 n59.5041e 584.99
13 s00.0248w 73.31
14 n60.3500e 173.99
15 n54.3530e 154.96
16 n59.0420e 141.06
17 Rt, r=930.00, delta=011.3558, arc=188.28, chord=n64.5219e 187.96
18 Rt, r=930.00, delta=013.4349, arc=222.86, chord=n77.3155e 222.33
19 n84.2350e 201.72
20 n82.2456e 132.2
21 n80.2001e 212.66
22 s00.0726w 120.88
23 s89.5939e 332.96
24 s00.1018w 1319.1
25 s89.5918e 2323.44
26 s00.2955w 1319.35
27 s00.4722w 2643.07
28 s89.3520e 2667.6
29 s00.2614w 2660.4
30 n89.3713w 2648.97
31 n89.5804w 2660.61
32 n89.5742w 1330.27



	5/17/2018
Scale: 1 inch= 400 feet	File: Falcon Crest RR to R-12 A CLOSURE.ndp

Tract 1: 124.6100 Acres, Closure: s01.3036e 0.01 ft. (1/999999), Perimeter=10325 ft.

01 n00.4227e 1692.87
02 n00.0155w 1188.41
03 n89.5805e 425
04 n86.5605e 311.49
05 n81.2552e 233.56
06 n89.0612e 212.43
07 s81.3452e 796.24
08 s75.0310e 465.58
09 s49.1031e 447.99
10 s27.3950e 256.64
11 s55.3312w 425.53
12 s40.4444w 267.25
13 n89.2203w 493.06
14 s66.3932w 219.27
15 s16.4200w 1702.1
16 s86.3934w 553.29
17 n89.1733w 634.16



	5/17/2018
Scale: 1 inch= 400 feet	File: Falcon Crest RR to R-12 B CLOSURE.ndp

Tract 1: 63.4846 Acres, Closure: s11.0417e 0.01 ft. (1/821325), Perimeter=9135 ft.

01 s88.3022e 542.55
02 Lt, r=530.00, delta=054.1113, arc=501.24, chord=n64.2402e 482.77
03 s59.4345e 58.15
04 Lt, r=350.00, delta=043.0914, arc=263.61, chord=s81.1822e 257.43
05 Rt, r=1000.00, delta=029.0852, arc=508.73, chord=s88.1833e 503.26
06 s20.3424w 683.77
07 s27.0048e 831.35
08 s36.5431w 824.19
09 s63.0821e 291.18
10 s20.1003w 525.54
11 s73.0600w 849.25
12 n05.5349w 244.57
13 n25.5505e 412.39
14 n04.2337w 577.04
15 n09.5910w 961.29
16 n39.4158e 143.75
17 n52.4955w 915.93

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

FALCON CREST PROPERTY
RR TO R12 B
LEGAL DESCRIPTION

That portion of Section 22, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

Commencing at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the west line of said Section 22, North 00°42'47" East, 2650.93 feet to the west quarter corner of said Section 22; Thence, continuing along said west line, North 00° 42' 27" East, 959.69 feet; Thence, departing from said west line, South 89°17'33" East, 634.16 feet; Thence, North 86°39'34" East, 553.29 feet; Thence, South 43°15'36" East, 78.87 feet to the **POINT OF BEGINNING;**

Thence, the following seventeen (17) courses:

South 88° 30' 22" East, 542.55 feet to the beginning of a curve;
Thence, along said curve to the left an arc length of 501.24 feet, having a radius of 530.00 feet, a central angle of 54° 11' 13", a chord bearing of North 64° 24' 02" East and a chord length of 482.77 feet;
Thence, South 59° 43' 45" East, 58.15 feet to the beginning of a curve;
Thence, along said curve to the left an arc length of 263.61 feet, having a radius of 350.00 feet, a central angle of 43° 09' 14", a chord bearing of South 81° 18' 22" East and a chord length of 257.43 feet to the beginning of a reverse curve;
Thence, along said curve to the right an arc length of 508.73 feet, having a radius of 1000.00 feet, a central angle of 29° 08' 52", a chord bearing of South 88° 18' 33" East and a chord length of 503.26 feet;
Thence, South 20° 34' 24" West, 683.77 feet;
Thence, South 27° 00' 48" East, 831.35 feet;
Thence, South 36° 54' 31" West, 824.19 feet;
Thence, South 63° 08' 21" East, 291.18 feet;
Thence, South 20° 10' 03" West, 525.54 feet;
Thence, South 73° 06' 00" West, 849.25 feet;
Thence, North 05° 53' 49" West, 244.57 feet;
Thence, North 25° 55' 05" East, 412.39 feet;
Thence, North 04° 23' 37" West, 577.04 feet;
Thence, North 09° 59' 10" West, 961.29 feet;

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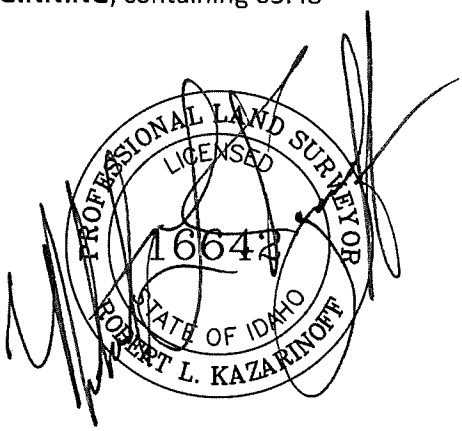
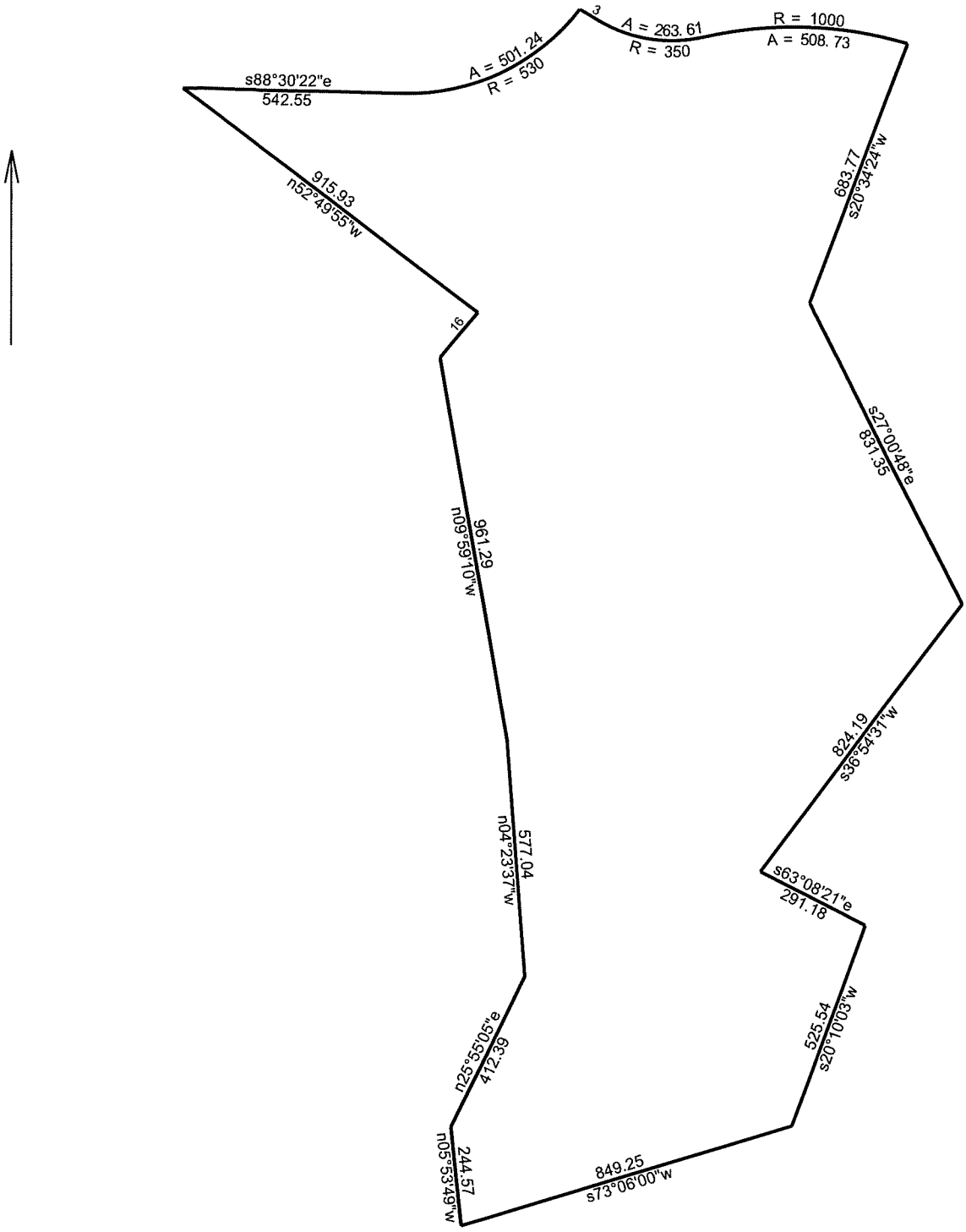
Thence, North 39° 41' 58" East, 143.75 feet;
Thence, North 52° 49' 55" West, 915.93 feet to the **POINT OF BEGINNING**, containing 63.48 acres, more or less.

Robert L. Kazarinoff, PLS



05/17/2018

a 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709 p 208-376-7330 w: www.jub.com



	5/17/2018
Scale: 1 inch= 400 feet	File: Falcon Crest RR to R-12 B CLOSURE.ndp

Tract 1: 63.4846 Acres, Closure: s11.0417e 0.01 ft. (1/821325), Perimeter=9135 ft.

01 s88.3022e 542.55
02 Lt, r=530.00, delta=054.1113, arc=501.24, chord=n64.2402e 482.77
03 s59.4345e 58.15
04 Lt, r=350.00, delta=043.0914, arc=263.61, chord=s81.1822e 257.43
05 Rt, r=1000.00, delta=029.0852, arc=508.73, chord=s88.1833e 503.26
06 s20.3424w 683.77
07 s27.0048e 831.35
08 s36.5431w 824.19
09 s63.0821e 291.18
10 s20.1003w 525.54
11 s73.0600w 849.25
12 n05.5349w 244.57
13 n25.5505e 412.39
14 n04.2337w 577.04
15 n09.5910w 961.29
16 n39.4158e 143.75
17 n52.4955w 915.93

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

FALCON CREST PROPERTY
RR TO R12 A
LEGAL DESCRIPTION

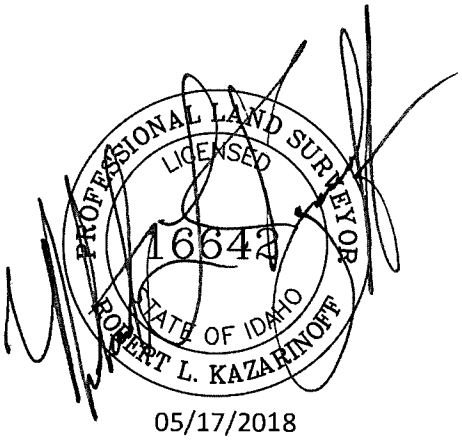
Those portions of the South Half of the South Half of Section 15 and of the Northwest Quarter of Section 22, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

Commencing at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the west line of said Section 22, North 00°42'47" East, 2650.93 feet to the west quarter corner of said Section 22; Thence, continuing along said west line, North 00° 42' 27" East, 959.69 feet to the **POINT OF BEGINNING**;

Thence, continuing along said west line, North 00° 42' 27" East, 1692.87 feet to the northwest corner of said Section 22;
Thence, along the west line of said Section 15, North 00° 01' 55" West, 1188.41 feet to the westerly prolongation of the south line of the lands of the Idaho Power Company as described in that Warranty Deed recorded under Instrument No. 522630, Ada County Records;
Thence, departing from said west line and along said westerly prolongation and said south line, North 89°58'05" East, 425.00 feet to the southeast corner of said lands of the Idaho Power Company;

Thence, departing from said southeast corner and said lands the following fourteen (14) courses:
North 86° 56' 05" East, 311.49 feet;
Thence, North 81° 25' 52" East, 233.56 feet;
Thence, North 89° 06' 12" East, 212.43 feet;
Thence, South 81° 34' 52" East, 796.24 feet;
Thence, South 75° 03' 10" East, 465.58 feet;
Thence, South 49° 10' 31" East, 447.99 feet;
Thence, South 27° 39' 50" East, 256.64 feet;
Thence, South 55° 33' 12" West, 425.53 feet;
Thence, South 40° 44' 44" West, 267.25 feet;
Thence, North 89° 22' 03" West, 493.06 feet;
Thence, South 66° 39' 32" West, 219.27 feet;
Thence, South 16° 42' 00" West, 1702.10 feet;
Thence, South 86° 39' 34" West, 553.29 feet;
Thence, North 89° 17' 33" West, 634.16 feet to the **POINT OF BEGINNING**, containing 124.61 acres, more or less.

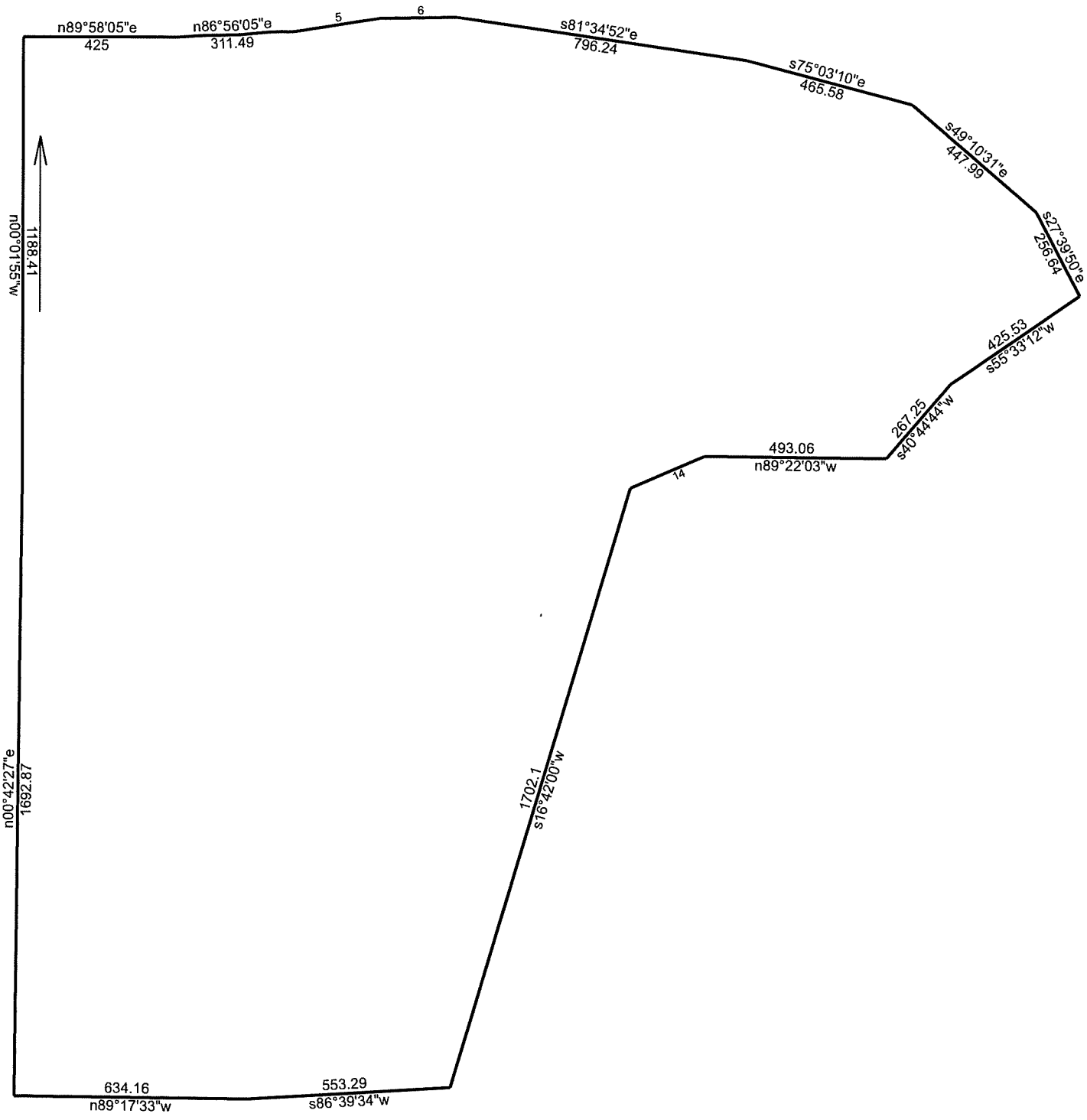
Robert L. Kazarinoff, PLS



05/17/2018

a 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709 p 208-376-7330 w www.jub.com

received
5.30.18



	5/17/2018
Scale: 1 inch= 400 feet	File: Falcon Crest RR to R-12 A CLOSURE.ndp

Tract 1: 124.6100 Acres, Closure: s01.3036e 0.01 ft. (1/999999), Perimeter=10325 ft.

01 n00.4227e 1692.87
02 n00.0155w 1188.41
03 n89.5805e 425
04 n86.5605e 311.49
05 n81.2552e 233.56
06 n89.0612e 212.43
07 s81.3452e 796.24
08 s75.0310e 465.58
09 s49.1031e 447.99
10 s27.3950e 256.64
11 s55.3312w 425.53
12 s40.4444w 267.25
13 n89.2203w 493.06
14 s66.3932w 219.27
15 s16.4200w 1702.1
16 s86.3934w 553.29
17 n89.1733w 634.16

Kristi Watkins

From: Sub Name Mail <subnamemail@adaweb.net>
Sent: Friday, January 12, 2018 4:46 PM
To: Kristi Watkins
Cc: Michael Byrns
Subject: Falcon Crest Subdivision Name Reservation

January 12, 2018

Kristy Watkins, J-U-B Engineers
Michael Byrns, J-U-B Engineers

RE: Subdivision Name Reservation: **FALCON CREST SUBDIVISION**

At your request, I will reserve the name **Falcon Crest 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: Kristi Watkins [mailto:kwatkins@jub.com]
Sent: Friday, January 12, 2018 8:42 AM
To: Sub Name Mail
Subject: [EXTERNAL] Subdivision Name Reservation

We would like to request the name FALCON CREST SUBDIVISION for the following property(ies):

DEVELOPER: M3 Companies Mark Tate
1087 W River Street, Suite 310
Boise, ID 83702 939-6263
mtate@m3companiesllc.com

OWNER: Falcon Crest LLC
Hansgeorg Borbonus
2528 N Cloverdale Rd
Boise, ID 83713-4988

Section 22, T2N, R1E, E Kuna Road

received
5.30.18

	Parcel #	Acreage
#1	S1422336000	39
#2	S1422314810	119.9
#3	S1422417300	158.65
#4	S1422212400	138.16
#5	S1422110050	160
#6	S142221200	20
#7	S1415336000	56.46
#8	S1415341100	40
#9	S1415430000	80
#10	S1415314810	32.97
#11	S1415315300	10
#12	S1415424915	5
#13	R3297260265	1.13
#14	S1423325400	40
#15	S1423314800	40
#16	S1423336000	40
#17	S1423346600	40

Thank you,

HAVE A GREAT DAY!

Kristi Watkins

Planner

J-U-B ENGINEERS, Inc.

250 S. Beechwood Ave, Suite 201, Boise, ID 83709

p | 208 376 7330 *c* | 208 957 3295 *e* | kwatkins@jub.com

THE J-U-B FAMILY OF COMPANIES:

www.jub.com

www.gatewaymapping.com

www.langdongroupinc.com

This e-mail and any attachments involving J-U-B or a subsidiary business may contain information that is confidential and/or proprietary. Prior to use, you agree to the provisions found at edocs.jub.com. If you believe you received this email in error, please reply to that effect and then delete all copies.

MH SSWR-97
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MH SSWR-95
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MH SSWR-146
MH SSWR-92
MH SSWR-91
MH SSWR-145
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MH SSWR-89
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MH SSWR-88
MH SSWR-87
MH SSWR-82
MH SSWR-86
MH SSWR-137A
MH SSWR-141
MH SSWR-140
MH SSWR-139
MH SSWR-142
MH SSWR-138
MH SSWR-81
MH SSWR-137
MH SSWR-143
MH SSWR-80
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SEWER LINE 6
SEWER LINE F
SEWER LINE B
SEWER LINE E
SEWER LINE D
SEWER LINE C
SEWER LINE B
SEWER LINE B
SEWER LINE C
SEWER LINE B
SEWER LINE D

S. CLOVERDALE ROAD
E. KUNA ROAD

N

0 200 400
SCALE IN FEET

received
5.30.18

J-U-B ENGINEERS, INC.

J-U-B ENGINEERS, INC.
250 S. Beechwood Ave.
Suite 201
Boise, ID 83709-0944
Phone: 208.376.7330
Fax: 208.323.9336
www.jub.com

PROFESSIONAL ENGINEER
REGISTERED
10665
STATE OF IDAHO
PRESCOTT WONDERS

REUSE OF DRAWINGS
THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF J-U-B ENGINEERS, INC. AND SHALL NOT BE USED IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF J-U-B ENGINEERS, Inc.

NO.	DESCRIPTION	BY	APP.	DATE
	REVISION			

KUNA SEWER EXTENTION
KUNA, IDAHO

SEWER LINE LOCATION PLAN

FILE: 10-17-028 C-409
JUB PROJ. #: 10-17-028
DRAWN BY: ----
DESIGN BY: ----
CHECKED BY: ----

ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY

LAST UPDATED: 3/9/2017

SHEET NUMBER:
C-409

Plot Date:3/9/2017 10:57 AM, Plotted By: Everett Earnest
Data Created:3/1/2017 F:\PROJECTS\JUB\10-17-028 FALCON CREST SEWER\CAD\SHEET\10-17-028 C-409.DWG

Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: Annexation, Comp Plan, Rezone & Preliminary Plat for a PUD & Single Family Subdivision

Date and time of neighborhood meeting: Wednesday, May 9, 2018, 6pm

Location of neighborhood meeting: Falcon Crest Golf Club, Cloverdale Rd, Kuna ID

SITE INFORMATION:

Location: Quarter: NW & SW Section: 22 Township: 2N Range: 1E Total Acres: 1028.15

Subdivision Name: Lot: Block:

Site Address: 11102 S Cloverdale Rd Kuna, ID Tax Parcel Number(s): See List of 18 properties

Please make sure to include **all** parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: Falcon Crest, LLC - Hansgeorg Borbonus

Address: 2528 N Cloverdale Rd City: Boise State: ID Zip: 83713

CONTACT PERSON (Mail recipient and person to call with questions):

Name: Kristi Watkins - 208-376-7330 Business (if applicable): JUB Engineers, Inc. - 376-7330

Address: 250 S Beechwood, Suite 201 City: Boise State: ID Zip: 83709

received 5.30.'18

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type	***Brief Description***
Annexation	Annex into Kuna City Limits and request R-6 & R-12 zoning
Re-zone	Rezone 20.89 acres from A to C-2 and 19.28 acres from A to R-6
Subdivision (Sketch Plat and/or Prelim. Plat)	PUD for 1028.15 acres and Preliminary Plat 131.32 acres of the overall
Special Use	
Variance	
Expansion of Extension of a Nonconforming Use	
Zoning Ordinance Map Amendment	Comprehensive Plan Amendment for 160 acres to be designated as Mixed Use

APPLICANT:

Name: JUB Engineers, Inc.

Address: 250 Beechwood Ave, Suite 201

City: Boise State: ID Zip: 83709

Telephone: 376-7330 Fax: 323-9336

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Kuna City Code

Signature: (Applicant) K Watkins Date 9.4.18

SIGN IN SHEET

PROJECT NAME: Falcon Crest Subdivision

Date: 5/9/18

	Name	Address	Zip	Phone
1	Nate Clark	9443 Kentucky	~~83704~~	~~208-850-1736~~
2	Curt Clark			
3	Jen Grant	12165 Lonnie Lane	83634	208.919.1112
4	Katie Meier	12165 Lonnie Lane	83634	208.919.1112
5	Dianne Anderson	1253 Cow Horse Dr	83634	208-362-0730
6	NORMAN ANDERSON	"	"	"
7	Bryan Mogel	13100 Calum Ln.	83634	/
8	Larry Roper	12783 S. Romino Ave	83634	208-362-6074
9	Don, Brenda Shawver	11991 W. Kittredge Dr.	83635	208-861-4028
10	Dave + Vicki Imhoff	9901 W. Kuna Rd	83634	208-954-9199
11	John Hagel	6875 E Deer Flat	83634	208 362 0650
12	Arlene Gibbons	32305 Jenni Dr	83642	208 362 2395
13	Buck Gibbons	9588 Last Horse	83654	208 362 8962
14	LUCAS O'NEILL	11870 W TIDEWATER DR	83713	208-859-6854
15	Mike Rapp	326 S Terna Ln	83642	208-861-2755
16	Justin Northway	13341 S Cholla Dr	83634	208-922-9196
17	TONY CHADWICK	12633 CONCHOS AVE	83634	208-362-8805
18	KATHY SAWIN	13119 S FIVE MILE	83634	208-861-4086
19	Linda Falkner	11459 Kuna Rd	83634	208 921-6162
20	Emily Kersting	9732 Kuna Rd	83634	208 999 6286
21	BRENDA MITTELDER	400 Cow Horse Dr	83634	208-870-1856
22	Dave & Nancy Johnson	1400 Cow Horse Dr.	83634	208.412.3554
23	mary martinez	13199 Ocotillo Dr	"	208 440 8626
24	Nicole White	12625 S. Five Mile Rd	83634	208 995 0695
25	Gladys Clubtree	12220 S Hawk Haven	83634	208-866-2208
26	PATTY HAMM	12689 So 5 Mile	83634	208-362-1907
27	Betsy Winkler	11621 Kuna Rd	83634	208-484-6084
28	Jason Kempe-	9733 W. Last Horse Ln	83634	208 631 8851
29	Cheryl Gibbons			
30	DARREN PAIGE	11957 Kittredge	83634	208-573-9627

SIGN IN SHEET

PROJECT NAME: Falcon Crest Subdivision

Date: 5/9/18

	Name	Address	Zip	Phone
1	Rod & Christy Warfield	11733 Kuna Rd	83634	208-571-3996
2	Brent & Amber Higbee	12741 S. Romero Ave	83634	208-841-5794
3	Kandi Karnath/Dave Maison	13159 S Ocotillo Dr	83634	208-283-8133
4	Steve Posey	13400 S. Five Mile	83634	—
5	Elise Daniel	10781 S Cloverdale	83634	(208) 590-2600
6	DALLAS HULSEY	11985 S CLOVERDALE RD	83634	"
7	Dominique Zdebko	12622 S Cloverdale	83634	
8	Trevin & Jen Wilson	12313 Lonnie Ln	83634	
9	Michael Romo	12201 Lonnie Lane	83634	
10	Randy Wood	4545 E Hubbard	83634	
11	KATHY MEZIN	11325 S CLOVERDALE	83634	
12	Randy Parker	12717 Sonora	83634	208 362-0983
13	Mark Jepsen	13010 Madera	83634	
14	Tom ATwood	12793 S. SONORA	83634	208-362-5754
15	RICH & KATHY ERICKSON	4545 E. HUBBARD	83634	208-866-8209
16	Cherie BARTON	11589 S Cloverdale	83634	208-890-0211
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PLANT MATERIALS LEGEND

Sym.	Plant Name	Size
Class I Trees		
	Cercis canadensis Eastern Redbud	3" B&B
	Cornus florida Flowering Dogwood	3" B&B
	Malus 'Profusion' Profusion Crabapple	3" B&B
	Prunus cerasifera 'Newport' Newport Purple Leaf Plum	3" B&B
	Pyrus calleryana 'Chanticleer' Callery Pear	3" B&B
Class II Trees		
	Acer platatoides Norway Maple	3" B&B
	Acer platanoides 'Crimson King' Crimson King Maple	3" B&B
	Acer x fremanii 'October Glory' October Glory Maple	3" B&B
	Ginko biloba 'Autumn Gold' Autumn Gold Ginko	3" B&B
	Gleditsia triancanthos var. inermis 'Shademaster' Shademaster Honey Locust	3" B&B
	Prunus virginiana 'Canada Red' Canada Red Select Cherry	3" B&B
	Tilia americana 'Little Leaf Little leaf Linden	3" B&B
Conifer Trees		
	Picea abies 'Cupressina' Columnar Norway Spruce	8' Ht. B&B
	Picea glauca v. 'Densata' Densata Spruce	8' HT. B&B
	Pinus flexilis 'Vanderwolfs' Vanderwolfs Pine	8' HT. B&B
	Pinus nigra Austrian Pine	8' Ht. B&B
Shrubs		
	Berberis thunbergii v. atropurpurea 'Crimson Pygmy' Crimson Pygmy Barberry	
	Buddleja davidii 'Black Knight' Black Knight Butterfly Bush	
	Buddleja x flutterby 'Blueberry Cobbler' Blueberry Cobbler Butterfly Bush	
	Cornus sericea 'Kelseyi' Kelsey's Dwarf Red-Osier Dogwood	5 gal. 174
	Euonymus japonicus microphyllus Boxleaf Euonymus	
	Euonymus japonicus v. microphyllus 'Sunny Delight' Sunny Delight Euonymus	
	Euonymus kiautschovicus 'Manhattan' Manhatten Euonymus	
	Hydrangea arborescens 'Annabelle' Annabelle Hydranga	
	Hydrangea paniculata 'Lime Light' Lime Light Hydranga	
	Hydrangea paniculata 'Ruby' Ruby Hydranga	
	Juniperus Chinensis 'Kallay's Compact' Kallay's Compact Pfitzer	
	Juniperus chinensis 'Mint Julep' Sea Green Juniper	
	Mahonia aquifolium 'Compacta' Compact Oregon Grape Holly	
	Perovskia atriplicifolia Russian Sage	
	Photinia x fraseri Photinia Fraseri	
	Physocarpus opulifolius 'Snowfall' Snowfall Ninebark	
	Pinus mugo pumilio Mugo Pine'	
	Potentilla fruticosa 'Abbotswood' Abbotswood Potentilla	
	Rosa x 'Noare' Flower Carpet TM Red Rose	
	Syringa vulgaris Common Lilac	
Groundcovers		
	Ceratostigma plumbago Dwarf Plumbago	
	Erica x darleyensis 'Kramer's Rote' Kramers Red	
	Juniperus horizontalis 'Youngstown' Spreading Juniper	
Grasses		
	Calamagrostis x acutiflora 'Overdam' Overdam Feather Reed Grass	
	Helictotrichon sempervirens Blue Oat grass	
	Miscanthus sinensis Maiden Grass	
	Pennisetum alopecuroides 'Little Bunny' Little Bunny Fountain Grass	
Perennials		
	Coreopsis 'Zagreb' Zagreb Coreopsis	
	Echinacea purpurea 'Magnus' 'Magnus' Purple Coneflower	
	Geum 'Mango Lassi' Mango Lassi Geum	
	Geum flore plena 'Blazing Sunset' Blazing Sunset Geum	
	Hemerocallis 'Happy Returns' Daylily Happy Returns	
	Rudbeckia fulgid var. sullivantii 'Goldsturm' Goldsturm Black Eyed Susan	
	Sedum spectabile 'Autumn Fire' Autumn Fire Stonecrop	
	Veronica spicata 'Red Fox' Red Fox Veronica	

LAND USE SUMMARY:
TOTAL AREA: 131.21 AC
RESIDENTIAL COMMON AREA: 13.41 AC (10.2%)

LANDSCAPE ARCHITECT:
GREEY PICKETT
7144 E. STETSON DR. STE. 205
SCOTTSDALE, AZ 85251
PH. (480)-609-0009

Falcon by Crest

CONCEPTUAL LANDSCAPE PLAN

GREEY | PICKETT
landscape architecture | community design

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Greey | Pickett Professional Corp.

DESIGN IS FOR CONCEPT PURPOSES ONLY.
NOT TO BE USED FOR CONSTRUCTION

0 100' 200' 300'
Scale: 1" = 100'-0"

WFG DRAFT DATED 11/20/18

Recording Requested By and
When Recorded Return to:

City of Kuna
Attn: City Clerk
751 W. 4th Street
Kuna, Idaho 83634

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

City of Kuna / M3 ID Falcon Crest, LLC / Falcon Crest, LLC

DEVELOPMENT AGREEMENT

[Idaho Code § 67-6511A and Chapter 14 of Title 5 Kuna City Code]

Parties to the Agreement:

City of Kuna	"City"	City Hall 751 W. 4th Street Kuna, Idaho 83634
M3 ID Falcon Crest, LLC	"Developer"	Attn: William I. Brownlee 4222 E Canelback Road Suite H 100 Phoenix AZ 85018
Falcon Crest, LLC	"Owner"	2528 N. Cloverdale Road Boise, ID 83713

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EXHIBIT E PARKS & TRAILS PLAN **1**
EXHIBIT F EXCEPTIONS – KUNA CITY CODE CHAPTERS 5 & 6 ..... **1**

THIS DEVELOPMENT AGREEMENT (this "**Agreement**") is entered into by and between the CITY OF KUNA, a municipal corporation organized and existing under the laws of the state of Idaho, by and through its Mayor ("**City**") and Falcon Crest, LLC, an Idaho limited liability company ("**Owner**") and M3 ID Falcon Crest, LLC, an Arizona limited liability company ("**Developer**") and its successors and/or assigns.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, and in consideration of the Recitals and Definitions, and in consideration of the premises and the mutual representations, covenants and agreements hereinafter contained, City, Developer and the Owner represent, covenant and agree as follows:

SECTION 1
DEFINITIONS

For all purposes of this Agreement, the following words in bold print which appear in this Agreement have the definitions as herein provided in this Section unless the context of the term clearly requires otherwise and is not capitalized:

1.1 **ACHD:** Means and refers to the Ada County Highway District a countywide highway district organized and existing pursuant to Chapter 14 of Title 40 Idaho Code.

1.2 **Act:** Means and refers to the Local Land Use Planning Act as codified in Chapter 65 of Title 67 Idaho Code**.**

1.3 **Active Adult Community:** Means and refers to a designated area within the Subject Real Property which may include age ownership requirements**.**

1.4 **Ada County:** Means and refers to Ada County, Idaho**.**

1.5 **Additional Property:** Means and refers to real property, not within the Subject Real Property on the Effective Date, that lies to the north and/or to the east of Parcel No. 3 and Parcel No. 4, Parcel No. 6, Parcel No. 9, Parcel No. 12, and north of Parcel No. 13 and Parcel No. 15 and west of the eastern boundary of Parcel No. 15 inclusive of any existing parcel which includes real property on the west side of W Ten Mile Road and south of W Hubbard Road and east of the New York Canal.

1.6 **Agreement:** Means and refers to this "City of Kuna/M3 ID Falcon Crest, LLC Development Agreement," which may be referred to and cited as the "Falcon Crest Development Agreement**."**

1.7 **Annexation Application:** Means and refers to the Developers application to the City regarding the Subject Real Property requesting its annexation into the City**.**

1.8 **Annexation Ordinance:** Means and refers to the annexation ordinance of the City which annexes the Subject Real Property into the City a true and correct copy of which is attached marked Exhibit ____**.**

1.9 Applications: Means and refers collectively to all of the Developers applications to the City regarding the Subject Real Property inclusive of: Annexation Application, Zoning Application, Planned Unit Development Application, Subdivision Application, Special Use Permit and Design Review Application.

1.10 C-1 Subject Real Property: Means and refers to that portion of the Subject Real Property City zoned C-1 and legally described in Exhibit _____ attached to this Agreement.

1.11 CC&Rs: Means and refers to the written and recorded covenants, conditions and restrictions that shall encumber portions of the Subject Real Property through one or more Owners' Associations that establish quality control operation and maintenance both during development and during maturing of the Project.

1.12 City: Means and refers to the City of Kuna an Idaho Municipal Corporation and Party to this Agreement.

1.13 City Council: Means and refers to the City Council of the City.

1.14 City Fees: Means and refers to the fees for services as established and charged by the City

1.15 Comprehensive Plan: Means and refers to the City of Kuna Comprehensive Plan as it exists on the Effective Date a true and correct copy of which is attached to this Agreement marked Exhibit ___.

1.16 Date of Application: Means and refers individually to the date each Developer application, governed under this Agreement, was completed together with the payment of the City Fees as accepted by the City.

1.17 Design Review Application: Means and refers to any application by the Developer for any development of the Subject Real Property requiring Design Review by the City.

1.18 Design Review Ordinance: Means and refers to the planning, design guidelines and regulations of the Design Review Overlay District of the City as set forth in Chapter 4 of the Zoning Ordinance.

1.19 Developed: Means and refers to the completion of development of the Project or phases of the Project by the Developer including the establishment of the Owners' Association and the CC&Rs associated therewith and including the acceptance by the City or ACHD of any part thereof in accordance with the provisions of this Agreement.

1.20 Developer: Means and refers to M3 ID Falcon Crest, LLC an Arizona Limited Liability authorized to do business in the state of Idaho as a foreign limited liability company who has an option to purchase the Subject Real Property and is developing the Project with the permission of and as an agent of the Owner and is a Party to this Agreement.

1.21 Developer's Representative: Means and refers to the representative for Developer which is originally William I. Brownlee and is inclusive of any designee appointed by Developer with written prior notice to the City.

1.22 Development Rights: Means and refers to the land use and development rights provided to the Developer for the Subject Real Property as provided in this Agreement and as provided in the Permits issued by the City in the process of the Applications.

1.23 Drainage System: Means and refers to a drainage and flood control system and facilities for collection, diversion, detention, retention, dispersal, use and discharge of drain water.

1.24 Effective Date: Means and refers to the date upon which this Agreement takes effect which is the same date that City's Annexation Ordinance and the Rezone Ordinance take effect.

1.25 Existing Uses: Means and refers to the existing uses of the Subject Real Property on the Effective Date which is as follows:

- Golf Course and ancillary related use: Parcel No. 1, Parcel No. 2, Parcel No. 3, Parcel No. 4; Parcel No. 5, Parcel No. 6, Parcel No. 7, Parcel No. 8,
- Golf Course, agricultural and ancillary related use: Parcel No. 9, Parcel No. 10, Parcel No. 11, and Parcel No. 12.
- Turf farm, nursery, agricultural and ancillary related use: Parcel No. 13, Parcel No. 14, Parcel No. 15 and Parcel No. 16.

1.26 Falcon Crest: Means and refers to the name of the Project which is constructed and used pursuant to the Development Rights and which may subsequently include some or all of the Additional Property.

1.27 Fire District: Means and refers to the Kuna Rural Fire District (formerly known as the Kuna Rural Fire Protection District).

1.28 Green Space: Means and refers to real property Developed within the Project that is partly or completely covered with grass, trees, shrubs, or other vegetation and may include buildings, equipment, pathways and trails for recreational use and is only accessible to the residents, guests and property owners within a designated Village within the Project. This term may appear in this Agreement in the singular or the plural.

1.29 Impact Area: Means and refers to the impact area of the City, as the Effective Date, which lies outside of the City limits and within the unincorporated area of Ada County, as established with Ada County pursuant to the Act and the Comprehensive Plan.

1.30 Infrastructure Master Plan: Means and refers to any of the Infrastructure Master Plans as provided in Section 5 of this Agreement. This term may appear in this Agreement in the singular or the plural.

1.31 Infrastructure Systems: Means and refers collectively to the roads and streets system identified in the Developer Roads and Streets System Infrastructure Master Plan, the potable water system identified in the Potable Water System Infrastructure Master Plan, the irrigation system identified in the Developer Pressure Irrigation System Infrastructure Master Plan, the wastewater system identified in the Wastewater System Infrastructure Master Plan, the drainage system identified in the Drainage System Infrastructure Master Plan and the Open Space identified in the Project Park, Green Space and Public Green Space Infrastructure Master Plan as provided for in this Agreement.

1.32 Master Plan: Means and refers to the master plan for the Project and the use of the Subject Real Property by the Developer and the Owner in accordance with the Applications entitled Falcon Crest Subdivision Kuna, Idaho PUD Preliminary Development Plan by J-U-B Engineers, Inc. JUB PROJ. # 10-17-141 attached hereto and marked Exhibit B.

1.33 Maximum Density: Means and refers to the maximum number of residential units within designated areas of the Subject Real Property as stated in the Master Plan which Maximum Density is approximately 2.25 dwelling units/acre or a total of 2,322 dwelling units (excluding RV units, hotel units, nursing home units, or any other units associated with commercial/mixed use development, if applicable).

1.34 Maximum Parcel Density: Means and refers to a maximum gross residential density for each Parcel subject to the limitation on the Maximum Density allowed within each Parcel as set forth in the Master Plan and subject to reallocation of density as allowed in this Agreement. The Maximum Parcel Density is the maximum gross residential density for each Parcel subject to the limitation on the Maximum Density allowed within each Parcel as set forth in the Master Plan.

1.35 Mortgage: Means and refers to any lien placed upon the Subject Real Property, or any portion thereof, including the lien of any mortgage or deed of trust, as a pledge of real property to a creditor as security for performance of an obligation or repayment of a debt.

1.36 Offsite Sewerage: Means and refers to any sewer improvements, including, without limitation, gravity lines, pressure lines, lift station, borings, manholes, and engineering, to connect the Subject Real Property to the existing terminus of City's sewer system the alignment of which is shown on Exhibit __.

1.37 Offsite Potable Water: Means and refers to any potable water supply network, to connect the Project Potable Water System to the existing terminus of City's Potable Water System the alignment of which is shown on Exhibit __.

1.38 Open Space: Means and refers to any portion of the Subject Real Property that is designated for recreation, agriculture, habitat, scenic or similar uses and inclusive of developed or natural areas and without limitation:

- Green Space, Public Green Space and Parks;
- sports fields, and trails;

- golf course(s);
- landscape easements or common areas inside or outside of public rights-of-way;
- floodplains and floodways;
- wetlands, wildlife habitat, stream corridors, and
- conservation easements or permanent open space on private lands or lots. Open Space may be publicly or privately owned and may be accessible or inaccessible to the public and as identified on the final plat.

1.39 Ordinances: Means and refers to an ordinance passed by the City Council in accordance with the provisions of this Agreement. This term may appear in this Agreement in the singular or the plural.

1.40 Owner: Means and refers to Falcon Crest, LLC, an Idaho limited liability company who is the owner of the Subject Real Property on the Effective Date and Party to this Agreement and after the Effective Date of this Agreement shall refer to the owner or owners of the Subject Real Property.

1.41 Owners' Association: Means and refers to any non-profit entity created or to be created by Developer, to be responsible for the perpetual maintenance and operation and management of Roads, Green Space, Public Green Space, and Pressure Irrigation System, as such are set forth in the CC&Rs.

1.42 Parcel: Means and refers to tract or parcel of distinctly legally described Real Property. This term may appear in this Agreement in the singular or the plural.

1.43 Parcel No. 1: Means and refers to a parcel real property owned by the Owner which is 56.7 acres more or less and legally described on Exhibit _____ to this Agreement.

1.44 Parcel No. 2: Means and refers to a parcel of real property owned by the Owner which is 33.1 acres more or less and legally described on Exhibit _____ to this Agreement.

1.45 Parcel No. 3: Means and refers to a parcel of real property owned by the Owner which is 5 acres more or less and legally described on Exhibit _____ to this Agreement.

1.46 Parcel No. 4: Means and refers to a parcel of real property owned by the Owner which is 10.1 acres more or less and legally described on Exhibit _____ to this Agreement.

1.47 Parcel No. 5: Means and refers to a parcel of real property owned by the Owner which is 40.1 acres more or less and legally described on Exhibit _____ to this **Agreement.**

1.48 Parcel No. 6: Means and refers to a parcel of real property owned by the Owner which is 80.3 acres more or less and legally described on Exhibit _____ to this Agreement.

1.49 Parcel No. 7: Means and refers to a parcel of real property owned by the Owner which is 138.2 acres more or less and legally described on Exhibit ____ to this Agreement.

1.50 Parcel No. 8: Means and refers to a parcel of real property owned by the Owner which is 20.1 acres more or less and legally described on Exhibit ____ to this Agreement.

1.51 Parcel No. 9: Means and refers to a parcel of real property owned by the Owner which is 160.4 acres more or less and legally described on Exhibit ____ to this Agreement.

1.52 Parcel No. 10: Means and refers to a parcel of real property owned by the Owner which is 119.0 acres more or less and legally described on Exhibit ____ to this Agreement.

1.53 Parcel No. 11: Means and refers to a parcel of real property owned by the Owner which is 38.1 acres more or less and legally described on Exhibit ____ to this Agreement.

1.54 Parcel No. 12: Means and refers to a parcel of real property owned by the Owner which is 158.5 acres more or less and legally described on Exhibit ____ to this Agreement.

1.55 Parcel No. 13: Means and refers to a parcel of real property owned by the Owner which is 40.6 acres more or less and legally described on Exhibit ____ to this Agreement.

1.56 Parcel No. 14: Means and refers to a parcel of real property owned by the Owner which is 39.8 acres more or less and legally described on Exhibit ____ to this Agreement.

1.57 Parcel No. 15: Means and refers to a parcel of real property owned by the Owner which is 40.7 acres more or less and legally described on Exhibit ____ to this Agreement.

1.58 Parcel No. 16: Means and refers to a parcel of real property owned by the Owner which is 39.7 acres more or less and legally described on Exhibit ____ to this Agreement.

1.59 Park: Means and refers to real property that is partly or completely covered with grass, trees, shrubs, or other vegetation, and may include buildings, equipment pathways and trails used for recreation and accessible to the public and owned and maintained by the City. This term may appear in this Agreement in the singular or the plural.

1.60 Party or Parties: Means and refers to the City, Owner and/or the Developer, as the Parties to this Agreement, depending upon the context of the term as used in this Agreement.

1.61 Planned Unit Development Application: Means and refers to the Developers application to the City regarding Developed phases of the Project requesting a Planned Unit Development Permit.

1.62 **Planning & Zoning Commission:** Means and refers to the City Planning & Zoning Commission.

1.63 **Potable Water Provider:** Means and refers to the City providing potable water through the Potable Water System.

1.64 **Potable Water System:** Means and refers to City's domestic potable water system which includes all wells, storage tanks, distribution mains and pump stations necessary to provide Potable Water to users of the City's Potable Water System.

1.65 Pressure Irrigation System: Means and refers to the pressure irrigation system designed and built, by Developer, and owned and maintained by the Owners' Association as set forth in the CC&Rs'

1.66 Project: Means and refers to the intended development of the Subject Real Property in accordance with the Master Plan and approved Infrastructure Master Plans as governed by this Agreement.

1.67 Project Potable Water System: Means and refers to the wells, storage tanks and distribution lines and pumps planned, [not including Offsite Potable Water] designed and constructed by the Developer to serve the Project with potable water.

1.68 Project Sewerage System: Means and refers to Sewerage System [not including Offsite Sewerage] designed and constructed by the Developer to serve the Project.

1.69 Public Infrastructure: Means and refers to the infrastructure facilities and services improvements, including, without limitation, underlying lands and improvements that are owned or to be conveyed to and owned by City or a third-party public service provider.

1.70 PUD: Means and refers to a planned unit development as defined and by the PUD Ordinance.

1.71 PUD Ordinance: Means and refers to the planned unit development regulations of the City as a part of the Zoning Ordinance codified in Chapter 7 of Title 5 Kuna City Code as it exists on the Effective Date a true and correct copy of which is attached to this Agreement marked Exhibit ____.

1.72 PUD Standards: Means and refers to the standards in the PUD Ordinance as of the Effective Date.

1.73 Public Green Space: Means and refers to Green Space that is accessible to the public. This term may appear in this Agreement in the singular or the plural.

1.74 R-8 Subject Real Property: Means and refers to that portion of the Subject Real Property City zoned R-8 and legally described in Exhibit _____ attached to this Agreement.

1.75 Rezone Ordinance: Means and refers to a zoning ordinance which rezones the Subject Real Property as C-1 Subject Real Property and R-8 City zones in accordance with the provisions of this Agreement.

1.76 Road: Means and refers to any road or street to be Developed as a part of the Project that will remain private and not be dedicated to ACHD and is intended for perpetual maintenance by the Developer or an Owner's Association. This term may appear in this Agreement in the singular or the plural.

1.77 Sewer Provider: Means and refers to the City providing sewerage service through the Wastewater System.

1.78 Sewerage System: Means and refers to any or all or any combination of the following depending upon the context of this term in the Agreement to wit: intercepting sewers, outfall sewers, force mains, collecting sewers, pumping stations, ejector stations, structures, buildings, machinery, equipment connections and all other appurtenances used for the collection, and transportation to the City's Wastewater Treatment Facilities for the treatment and disposal of sewage

1.79 Special Use Permit: Means and refers to a permit granting a special or conditional use by the City pursuant to the Special Uses Ordinance.

1.80 Special Uses Ordinance: Means and refers to Chapter 6 of the Zoning Ordinance which provides for the processing of application for special or conditional use permits.

1.81 Street: Means and refers to any street to be developed as a part of the Project that will be dedicated to and intended for acceptance for perpetual maintenance by ACHD. This term may appear in this Agreement in the singular or the plural.

1.82 Subdivision Application: Means and refers to the Developers application to the City regarding the subdivision of the Subject Real Property.

1.83 Subdivision Ordinance: Means and refers to the subdivision regulations of the City codified in Title 6 Kuna City Code as it exists on the Effective Date a true and correct copy of which is attached to this Agreement marked Exhibit ____.

1.84 Subject Real Property: Means and refers to all the parcels of real property owned by the Developer inclusive of Parcel Nos. 1 through Parcel No. 16 which is a total of 1020.4 acres more or less as identified Ada County Assessor's Office.

1.85 Term: Means and refers to the duration of this Agreement as set forth herein unless the word is not capitalized.

1.86 Village: Means and refers to a Parcel, or combination of Parcels, within the Subject Real Property, as so identified and designated on the Master Plan as a "Village." This term may appear in this Agreement in the singular or the plural.

1.87 Wastewater System: Means and refers to the City's Sewerage System including all collection lines, lift stations, treatment plants and all appurtenances thereto necessary to provide sewerage service to users of the City's Sewerage System.

1.88 Zoning Administrator: Means and refers to the planning & zoning director of the City.

1.89 Zoning Application: Means and refers to the Developer's application to the City regarding the Rezoning of Subject Real Property upon its annexation into the City.

1.90 Zoning Ordinance: Means and refers to the zoning regulations of the City codified in Title 5 Kuna City Code as it exists on the Effective Date a true and correct copy of which is attached to this Agreement marked Exhibit ___.

SECTION 2
RECITALS

The Parties recite and declare:

2.1 The City is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code; and

2.2 The City is authorized, under the Act [I.C. § 67-6503], to exercise the powers conferred by the Act; and

2.3 The City has power and duty under the Act [I.C. § 67-6508] to conduct a comprehensive planning process, and to prepare, implement, review and update a comprehensive plan and is exercising its power and duties under the Act and has established a Comprehensive Plan; and

2.4 The City has enacted its Zoning Ordinance, pursuant to its power and duty under the Act [I.C. § 67-6511]; and has established within its boundaries one (1) or more zones or zoning districts with established standards of land use regulation in conformance with its Comprehensive Plan; and

2.5 The City, pursuant to its authority under the Act [I.C. § 67-6515], has enacted as a part of its Zoning Ordinance the PUD Ordinance provided for the regulation and processing of applications for planned unit development permits for an area of land under a single ownership or control which a variety of residential, commercial, industrial, and other land uses may be provided with requirements for minimum area, permitted uses, ownership, common open space, utilities, density, arrangements of land uses on a site; and

2.6 The City has the power under the Act [I.C. § 67-6511A], by ordinance, to require or permit as a condition of rezoning of real property that the owner or developer make written commitment concerning the use or development of the Subject Real Property; and

2.7 The City has power and duty under the Act [I.C. § 67-6513] and has enacted the Subdivision Ordinance which provides for standards and processing of the subdivision of real property under I.C. §§ 50-1301-50-1329; and

2.8 The City, has and is exercising its power to construct reconstruct, improve, better and extend within and partially without the City and operate pursuant to I.C. §§ 50-1028- 50-1040 a domestic water system and Sewerage system; and

2.9 The Owner owns the Subject Real Property to which the Developer has an option to purchase and which the Developer seeks to develop in accordance with the Master Plan; and

2.10 The Subject Real Property is within the Impact Area; and

2.11 The Owner seeks to develop and annex the subject of Real Property into the City in accordance with the Master Plan; and

2.12 The development of the Subject Property pursuant to this Agreement shall result in significant planning and economic benefits to City and Developer by, without limitation:

- encouraging investment in and commitment to comprehensive planning for efficient utilization of City and other public resources to secure quality planning, growth and protection of the environment;
- requiring development of the Subject Real Property consistent with the Kuna Comprehensive Plan, the Master Plan, the Kuna City Code, as it may be amended from time to time through the public hearing process, and this Agreement;
- providing for the planning, design, engineering, construction, acquisition, and/or installation of Public Infrastructure in order to support anticipated development of the Subject Real Property and Additional Property;
- increasing tax and other revenues to City based on a strengthened tax base of improvements to be constructed on and in reasonable proximity to the Subject Real Property;
- creating employment through development of the Subject Real Property consistent with this Agreement; and
- creating quality housing, employment, recreation and other land uses on the Subject Real Property for the residents of the City; and

2.13 This Agreement promotes and encourages the development of the Subject Real Property by providing Developer and Developer's creditors with general permitting assurances of Developer's intentions to develop the Subject Real Property in accordance with the Master Plan; and

2.14 There will be substantial improvements made to the Subject Real Property as of the Effective Date which include without limitation, landscape, Roads, Streets, underground utilities, drainage, golf courses, golf club facilities, restaurant, cocktail lounge, cart barn, farming, nursery, offices and ancillary uses, which provide regional as well as local benefits and it is the mutual intention of the Parties that the Existing Uses and improvements as of the Effective Date are allowed continued uses subject to conformance with the Master Plan.

2.15 It is the intention of the Parties that the Developer develop the Subject Real Property in accordance with the Master Plan and the Infrastructure Master Plans; and

2.16 In order for the Developer to develop the Subject Real Property in accordance with the Master Plan the Subject Real Property must be annexed into the corporate limits of City;

2.17 The Developer with the Owner's consent has filed the Annexation Application and the Applications for annexation and approval of its improvement, development and use of the Subject Real Property in accordance with the Master Plan; and

2.18 The City will process all of the Applications in accordance with its Zoning Ordinance, Subdivision Ordinance, PUD Ordinance, Special Uses Ordinance and the Act; and

2.19 The zoning designations contained in the Master Plan are the appropriate City zoning designations for the Subject Real Property and are consistent with the Comprehensive Plan, and the Master Plan and,

2.20 It is the intention and purpose of the Parties by entering into this Agreement to establish the requirements and conditions as a condition of the rezoning of the Subject Real Property that the Developer and Owner are making a written commitment to improve, develop and use the Subject Real Property in accordance with zoning designations of the Rezone Ordinance, the PUD permit, Special Use Permit and Final Plat Approvals by the City in accordance with the Master Plan all of which are intended to establish proper and beneficial land use designations and regulations, densities, provisions for Public Infrastructure, design regulations, procedures for administration and implementation and other matters related to the development of the Subject Real Property in accordance with the Master Plan; and

2.21 The Parties agree that the mutual benefits received pursuant to the terms of this Agreement and the rights granted by City and secured to and required of the Developer and the Owner hereunder constitute sufficient consideration to support the covenants and agreements of City, Developer and the Owner.

SECTION 3
ANNEXATION

3.1 Developer, with Owner's consent, has filed an application for the annexation of the Subject Real Property into the City which the City has processed.

3.2 The City Council together with approving this Agreement has approved the Annexation Ordinance of the Subject Real Property.

3.3 The Annexation Ordinance, approved by the City Council takes effect on the Effective Date.

SECTION 4
PROJECT ZONING AND LAND USE APPROVALS

4.1 Zoning: Developer, with the Owner's consent, has filed Applications R-8 and C-1 zoning of the Subject Real Property which the City has processed together with the Annexation Ordinance.

4.2 The City Council approved Rezone Ordinance.

4.3 The Rezone Ordinance, approved by the City Council will take effect on the Effective Date.

4.4 The following terms and conditions apply to the use and development of the Subject Real Property in accordance with the designations on the Master Plan:

4.4.1 The Existing Uses are allowed and may continue unless there is a change in use by the Developer in accordance with this Agreement.

4.4.2 The Developer/ Owner shall not change any Existing Uses unless the Developer/ Owner files the appropriate Applications with the City in accordance with the Developer/ Owners ability to proceed with its phases of development of the Property in accordance with the Master Plan and in that regard:

4.4.2.1 File a Planned Unit Development Application for those areas within Subject Real Property which are identified on the Master Plan with the word "Village" which the City shall process in accordance with and under the provisions of the PUD Ordinance; and

4.4.2.2 File a Subdivision Application for plats which the City shall process in accordance with and under the provisions of the Subdivision Ordinance; and

4.4.2.3 File Applications for any needed Special Use Permits which the City shall process in accordance with and under the provisions of the Special Uses Ordinance; and

4.4.2.4 File a Design Review Application which the City shall process in accordance with and under the provisions of the Design Review Ordinance; and

4.5 Development Densities: Subject only to the Maximum Density, the following applies to the terms and conditions of any permitting to be issued by the City as those permits are required by Section 4.4.2 of this Agreement:

4.5.1 Developer shall have the right to allocate residential density, and the Development Rights associated with such residential density, from Parcels or Villages as shown on the Master Plan to other Parcels or Villages as shown on the Master Plan at any time, and Developer may reallocate any unused residential density originally allocated to a Parcel or Village in the event that the preliminary or final platting of a Parcel or Village results in unused residential density provided such allocation:

4.5.1.1 does not exceed the Maximum Density for the entire Subject Real Property; and

4.5.1.2 does not allow a use otherwise prohibited; or

4.5.1.3 does not cause a material change to this Agreement without prior amendment to this Agreement as required by the City Code and compliance with the notice and hearing requirements thereof.

4.5.2 Any allocation of residential density between a Parcel or Village must be consistent with the planning efforts to encourage planning flexibility based on physical and market conditions while protecting private property rights and changing market conditions in accordance with the Master Plan.

4.5.3 Developer shall deliver notice to City that an allocation of residential density shall be made from one Parcel or Village to another Parcel or Village and shall provide City with a statement of the number of residential units per gross acre being allocated and to which Parcel or Village. Any allocation in compliance with this Section does not necessitate a formal amendment to this Agreement and shall be retained in City's official file for the Project.

4.5.4 The approval of any Parcel or Village that contains less density than is allocated to that area on the Master Plan shall not have the effect of reducing the Project's overall Maximum Density.

4.6 Any modifications of the requirements of the City's development density, lot size and setback standards, as set forth in the Zoning Ordinance and/or the Subdivision Ordinance, shall be set forth as the conditions of Planned Unit Development Permitting process.

4.7 Conveyances from the Developer/ Owner of any real property and or easement together with any improvements thereon shall be subject to the development of the same in accordance with this Agreement and which conveyance is subject to the acceptance of the same by the City which acceptance shall be included on the deed of conveyance.

4.8 The City shall cooperate with the Developer, as is reasonably necessary for the Developer to construct any improvements upon the Subject Real Property as permitted by the City, to provide temporary encroachment permits and or temporary construction easements for City real property or right-of-way so long as the same is not an unreasonable interference with the City's use thereof and only to the extent reasonably necessary

4.8.1 Temporary encroachment permits and temporary construction easements shall identify the term, describe the use and provide that the Developer shall substantially restore such easements and rights-of-way to their condition prior to Developer's entry upon and completion of such construction, repair or maintenance.

4.9 To the extent permitted by law and subject to obtaining an encroachment permit from City (or other applicable governmental jurisdiction), the prior dedication of any easements or rights-of-way shall not affect or limit the Developer's right to construct, install, and/or provide Public Infrastructure thereon or there over.

4.10 The uses of the Subject Real Property shall be in accordance with the Existing Uses and/or uses permitted by the City pursuant to this Agreement and the following uses will be allowed as conditions of City Project Development permitting as is applicable to the Project to be governed by the Permit:

4.10.1 Sales Offices. Sales offices, including marketing trailers, model home complexes and construction trailers shall be allowed during the marketing phase of any Project Development so long as the same are otherwise in accordance with the applicable provisions of the Kuna City Code.

4.10.2 Model Homes. Upon Developer's notice of approval from the Fire District, City Public Works and ACHD of the all-weather access and fire protection, City will issue building permits for the construction of model homes and community facilities in compliance with Kuna City Code. Developer and City agree that the model homes and community facilities cannot be operated as model homes and/or community facilities until Developer completes the Public Infrastructure and City issues a certificate of occupancy for the model homes and/or community facilities. During the construction of the model homes and/or community facilities, Developer shall provide to the Fire District, City, ACHD access in accordance with their standards.

SECTION 5
PROJECT INFRASTRUCTURE SYSTEMS AND SERVICES

5.1 Roads and Streets:

5.1.1 Developer Responsibility: The Developer shall:

5.1.1.1 Prepare and submit to the City, and ACHD for approval, a Developer Roads and Streets System Infrastructure Master Plan designating the location of the Roads and Streets that will serve the Project, as it is fully Developed including considerations that Additional Property may, in the future, be added to the Project (the "Developer Roads and Streets System Infrastructure Master Plan").

5.1.1.2 The location of Roads and Streets depicted on the Master Plan is conceptual, may be subject to change in the Developer Roads and Streets System Infrastructure Master Plan and in the Subdivision approval process by the City and ACHD, as the Project is developed.

5.1.1.3 The final designation of the Project's Streets and Roads will be determined in the Subdivision approval process by the City and ACHD, as phases of the Project are being proposed for development.

5.1.1.4 Roads and Streets shall be part of the Roads and Streets System Infrastructure Master Plan, to be submitted for approval by the City and ACHD, for the Project as planned for specific neighborhoods or master planned for areas within the Project.

5.1.1.4 Streets shall be designed and constructed to meet ACHD standards for acceptance and in accordance with the approved Roads and Streets Infrastructure Master Plan and as approved in the Subdivision permitting process.

5.1.1.5 Roads shall be designed and constructed in accordance with the approved Roads and Streets System Infrastructure Master Plan and as approved in the Subdivision approval process subject to the following:

5.1.1.5.1 Constructed by Developer to City and ACHD applicable engineering and design standards except for _____; and

5.1.1 5.2 Maintained by Developer and/or an Owners' Association; and

5.1.1.5.3 Constructed with limited access, through access control structures, to the Active Adult Community portion of the Master Plan, and with gated accesses at Cloverdale Road, Kuna Road, and on the north side of the Active Adult Community portion of the Master Plan subject to review and approval of the City, ACHD, Fire District and Ada County Ambulance District; and

5.1.1.5.4 Owned by the Developer until Developed and may subsequently be conveyed to one or more Owners' Associations as designated in each Developed phase of the Project; and

5.1.1.5.5 Identified on the preliminary and final plats of the Subject Real Property; and

5.1.1.5.6 Accessible to public service agency providers inclusive, without limitation, police, fire, ambulance, garbage collection, electrical, cable and telephone line installation and repair, domestic and irrigation water or sewer line installation and repair, and other similar public purposes.

5.1.1.6 Parking/ Pedestrian/ Bicycle and Other transportation related facilities: Parking, pedestrian, bicycle, sidewalks and/or other facilities intended to be used for non-motorized vehicular traffic and/or for e-bicycles and scooters used for ingress and egress to and from or within the Project ("Travel Appurtenances"), not included in Roads or Streets, and Developed within a phase of the Project, shall include, as is relevant and as required by the City, the following:

5.1.1.6.1 Street and Road lighting shall be served with underground electric service distribution; all Road and Street striping, traffic signals, sign posts, name signs, stop signs, speed limit signs, and all other directional/warning/advisory traffic signage in accordance with the Manual on Uniform Traffic Control Devices.

5.2 Potable Water: In the permitting process of the development of the Project it is intended that Project, as permitted and developed, will be served by the Potable Water System by the Potable Water Provider in accordance with the provisions of this section.

5.2.1 Developer Responsibility: The Developer shall:

5.2.1.1 prepare and submit to the City, for its approval, a Potable Water System Infrastructure Master Plan designating the location of wells, the number of wells, water storage tanks (if necessary as required by the City in its discretion), and the general location of the water transmission and distribution system, including any that are offsite, that will serve the Project, as it is fully Developed including considerations that Additional Property may, in the future, be added to the Project as required by the City in order for potable water to be provided by the Potable Water Provider to the Project and provide for its interconnectivity to the Potable Water System (the "Water Master Plan"). It is anticipated that the Potable Water Infrastructure Master Plan will include two (2) municipal wells to serve the Project and will identify the phases of Project development which will provide that one well will be constructed with the first phase of Project development ("Phase One Wells").

5.2.1.2 shall convey, at no cost to the City, all potable well sites as identified in the Potable Water System Infrastructure Master Plan and grant access easements to such sites prior to City commencing construction of the Phase One Wells (the "Well Sites").

5.2.1.3 shall be responsible to install all distribution lines, pressure reducing valves and booster stations and other aspects of the Potable Water Infrastructure Master Plan, at Developer's sole cost and expense (the "Developer Potable Water System Improvements").

5.2.2 City Responsibility: The City shall:

5.2.2.1 Upon the Developer's conveyance of the well sites, construct potable water wells necessary to serve the development of the Project Property as shown in Exhibit B.

5.2.2.1.1 It is anticipated that two (2) municipal wells will be needed to serve the Project, one will be constructed with the first phase of development ("Phase One Wells"). Upon approval of Developer's first set of improvement plans, City shall in a timely manner construct the Phase One Wells and well related improvements and allow the Developer to connect the Developer Potable Water System Improvements. This connection shall be facilitated, as is reasonable under the circumstances, within 12 to 18 months following City's approval of the phase one improvement plans.

5.2.2.2 Upon conveyance of the Developer Potable Water System Improvements to City, City shall be the Potable Water Provider to the Developed Project and shall continue to own and maintain the Water System Improvements and Wells as a part of the Potable Water System.

5.2.2.3 Upon completion by the Developer of each Developed phase within the Project, the City shall then be the Potable Water Provider to that Developed phase of the Project.

5.2.2.4 Reimbursement. Developer shall be eligible for reimbursement of any portion of the cost of the Developer Potable Water System Improvements and Offsite Potable Water that are over-sized to provide potable water service to property outside of the Subject Real Property in accordance with the reimbursement policy of the City in affect when the Developer Potable Water System Improvements are connected to the Potable Water System.

5.2.2.4.1 Prior to construction of the Developer Water System Improvements and Offsite Potable Water and after Developer has received bids to construct the City and Developer shall document the final amount to be reimbursed in accordance with the City's reimbursement policy then in effect.

5.3 Irrigation: In the permitting process of the development of the Project, it is intended that each phase of the Project, as permitted and developed, will be served by a Developer Pressure Irrigation System in accordance with the provisions of this section.

5.3.1 Developer Responsibility: The Developer shall:

5.3.1.1 Prepare and submit to the City, for its approval, a Developer Pressure Irrigation System Infrastructure Master Plan designating the location of the Developer Pressure Irrigation System Improvements that will service the Project, as it is fully Developed including considerations that Additional Property may, in the future, be added to the Project (the "Developer Pressure Irrigation System Master Plan").

5.3.1.2 The Developer/Owner shall retain all irrigation water rights related to irrigation of the Subject Real Property and those water rights shall continue to be utilized for irrigation of Existing Uses and Green Spaces and Public Green Spaces and Parks.

5.3.1.3 The City shall pay the reasonable assessment rates, as set by the Developer or the Owner's Association, for irrigation water provided to any Park conveyed to and accepted by the City pursuant to this Agreement,

5.4 Wastewater Treatment: In the permitting process of the development of the Project it is intended that Project as permitted and developed will be served by the Wastewater System in accordance with the provisions of this section.

5.4.1 Developer Responsibility: The Developer shall:

5.4.1.1 Prepare and submit to the City, for its approval, a Wastewater System Infrastructure Master Plan designating the location of the Sewerage System, including Offsite, that will service the Project, as required by the City in order for City to be the Sewer Provider to the Project as it is fully Developed including considerations that Additional Property may, in the future, be added to the Project (the "Sewer Master Plan").

5.4.1.2 Developer, at Developer's expense, shall construct the City approved ("Project Sewerage System") within the Project and shall construct Offsite Sewerage depicted on Exhibit D from the City-constructed gravity sewer line in Stroebel Road to the Property to serve the Property.

5.4.1.2.1 The Offsite Sewerage, provided by Developer, may follow the Kuna Road alignment or traverse private property, provided that easements, in a form satisfactory to City, are provided by the owners of any such private properties.

5.4.1.3 The design of the Developer-constructed Offsite sewerage must ensure that, upon completion of the Offsite Sewerage, the Subject Real Property will be served by the Sewer Provider with a capacity to serve the Maximum Density of the approved Project.

5.4.2 City Responsibility: The City shall:

5.4.2.1 Following the Developer's construction and installation of the Developer Sewerage System Improvements in accordance with the Sewer Master Plan [including easements] and acceptance by the City, the City will become the Sewer Provider for the Project as it is Developed.

5.4.2.2 City shall be the Sewer Provider as each phase of the Project is Developed in accordance with the following:

5.4.2.2.1 City will provide a "Will-Serve" letter for the Project phase as it is Developed.

5.4.2.2.2 Developer shall be eligible for reimbursement of the portion of the cost of the Offsite Sewerage in excess of the capacity needed to serve the Developed Project. Reimbursement amounts shall be calculated and paid in accordance with the applicable City reimbursement policy in effect when construction commences. The late-comer agreement will be a stand-alone document and/or agreement.

5.5 Drainage System: The Developer shall:

5.5.1 Prepare and submit to the City and ACHD, for their approvals, a Drainage System Infrastructure Master Plan designating the location of the ("Developer Drainage System Improvements") that will service the Project, as it is fully Developed including considerations that Additional Property may, in the future, be added to the Project (the "Drainage Master Plan").

5.5.2 The Drainage System Infrastructure Master Plan shall designate Drainage System to be conveyed to and accepted by ACHD, and those to the City, if any, and those to remain private and owned and maintained by the Developer or a designated Owner's Association.

5.5.3 Developer Drainage System Improvements shall be designed and constructed, as the Project phases are Developed, to meet ACHD, City and any applicable State standards as is relevant to the intended ownership and maintenance of the constructed Developer Drainage System Improvements.

5.6 Project Park, Green Space and Public Green Space Infrastructure Master Plan: The Project shall contain Green Space, Public Green Space, and Park areas totaling a minimum of 10% of the gross Project acreage in accordance with the following:

5.6.1 Each plat within the Project shall contain a minimum of 5% of its total gross acres as either Green Space, Public Green Space or Park.

5.6.2 The Project Park, Green Space and Public Green Space Infrastructure Master Plan for the Project, attached as Exhibit E, depicts the intent of Project development to link Villages to various common areas and recreational uses.

5.6.3 The pathways and trails shall be located along Park, Green Space and Public Green Space corridors.

5.6.4 The Developer shall specifically designate Parks, Green Spaces and Public Green Spaces upon submission of each preliminary and final plat in accordance with the Project Park, Green Space and Public Green Space Infrastructure Master Plan.

5.6.5 The ownership of Parks, Green Spaces, and Public Green Spaces shall be owned and maintained as follows:

5.6.5.1 Parks by the City

5.6.5.2 Green Spaces and Public Green Spaces by Developer/ Owners' Association

5.6.6 Project Park, Green Space and Public Green Space Infrastructure Master Plan Exhibit E shows a pathway network to be constructed with the Project. The pathways and trails on this plan are all depicted within Green Space and or Public Green Space and shall be constructed in phases.

5.6.7 Isolated Trails: In locations where pathways and trails are isolated and not connected to any other development trail or pathway ("Isolated Trails"), such Isolated Trails shall be constructed and approved by the City as each Project Development phase is permitted and completed.

5.6.7.1 Isolated Trails shall be a minimum of 500 feet per each approved phase. In any circumstance where a pathway or trail is unable to be constructed due to safety, topography, or easement/ownership conflicts, then the Developer shall either re-route such pathways or trails or replace them with additional pathways or trails elsewhere or reach written agreement with the City to construct those pathways or trails in the reasonable foreseeable future when the circumstances are expected to resolve.

5.6.8 Project Parks. The Master Plan (Exhibit B) calls for a minimum of one Park to be a minimum of 10 acres in size and dedicated to the City.

5.6.8.1 The location of the Park may be modified from the location shown on Exhibit E, but shall be located adjacent in a central location to maximize public access and be compatible with the intent of the Project Park, Green Space and Public Green Space Infrastructure Master Plan.

5.6.8.2 Each Park shall include at least 3 active amenities such as by way of example:

- Playing fields, playground, basketball court, volleyball court, tennis court, pickle ball courts, a picnic shelter, etc.

5.6.8.3 Developer and the City will work together on the final design of any Park.

5.6.9 Park Impact Fee Credits and Reimbursement. If Developer, at no cost or expense to the City, develops and conveys any Park within the Subject Real Property to the City, upon approval from the City Administrator of the Park improvement costs ("Approved Park Costs"), the Developer or the owner of any real property within the Subject Real Property shall be entitled to the issuance of a credit against the City's park impact fee as will be negotiated with the City Administrator in accordance with the provisions of Kuna City Code Section 12-1-6 including any other applicable provisions of Chapter 1 of Title 12 Kuna City Code.

5.6.10 Green Space and Public Green Space Ownership: Developer shall identify, as phases of the Project are Developed, the Owners' Association or other entity who will own and maintain each Green Space and each Public Green Space and all improvements within the phase of the Project then being Developed.

SECTION 6
INFRASTRUCTURE SYSTEMS DEVELOPMENT CONSTRUCTION STANDARDS

6.1 Infrastructure Systems Development Standards: The Developer/Owner will, in the course of their development of each phase of the Project, construct and install all Infrastructure Systems, including any portion thereof that is Offsite, in accordance with the then current relevant engineering and City, ACHD, Ada County, state of Idaho and Federal agency standards.

SECTION 7
INFRASTRUCTURE SYSTEMS CONSTRUCTION ACCESS AND OPERATIONS

7.1 Developer shall have the right, upon application and issuance of a permit from City (or other applicable governmental jurisdiction, subject to their approval), to enter and remain upon and cross over any City-held (or other applicable governmental jurisdiction, if they approve) easements or rights-of-way, to the extent reasonably necessary to facilitate Infrastructure Systems construction, or to perform necessary maintenance or repairs of such Systems subject to:

7.1.1 The Developer's use of such license or permit in a manner that will not impede or adversely affect City's (or other applicable governmental jurisdiction's) use and enjoyment thereof, and

7.1.2 The Developer shall substantially restore such easements and rights-of-way to their condition prior to Developer's entry upon and completion of such System construction, repair or maintenance.

7.2 The City, as is necessary for the Developer to construct and install Infrastructure Systems, shall cooperate as is reasonably necessary and as the City is legally able, in compliance with the City's approval of the applicable Systems plan, as follows:

7.2.1 Abandon any unnecessary City public rights-of-way or easements currently located on the Subject Real Property and not otherwise used or required by the City.

7.3 Operations During Infrastructure Construction. Developer's mineral and/or royalty rights on minerals located on or under the Subject Real Property are reserved and the Developer, may as reasonably needed, conduct mining (for purposes of on-site material usage), blasting and batch plant operations on site during each the construction of each Developed phase on of the Project in accordance with the procedures of City Code and this Agreement.

7.3.1 The location of construction operations shall be subject to reasonable review and approval by the appropriate governmental agencies that have jurisdiction over such operations.

SECTION 8
ADDITIONAL PROPERTY

8.1 Additional Property. In the event Developer acquires any real property within the Additional Property (the "Acquired Additional Property") and desires to subject such Acquired Additional Property to the benefits and obligations of this Agreement, Developer may request that City annex the Acquired Additional Property into the corporate boundaries of City (if such Acquired Additional Property is not already within the City limits) and may seek amendment of this Agreement to include such Acquired Additional Property.

8.2 Upon such request, City shall process the annexation of the Acquired Additional Property, after payment by Developer City Fees for annexation, zoning, PUD and any other relevant fees, in accordance with the requirements of City and the state of Idaho. Any such request by the Developer must include a revision of the Master Plan and Infrastructure Master Plans which are consistent with and a continuation of the Master Plan and City approved Infrastructure Master Plans for the Subject Real Property.

8.3 In connection with annexation of any such Acquired Additional Property, the amendment to this Agreement shall reflect either the then-existing residential density and/or commercial uses and intensities of such Acquired Additional Property, or, if requested by Developer, additional residential density and/or commercial uses and intensities consistent with any zoning or plan approvals for the Acquired Additional Property.

8.4 The annexation of the Acquired Additional Property may increase the Maximum Density (including that of the Acquired Additional Property) and alter other development parameters in connection with the Subject Real Property by the number of dwelling units and commercial acreage allowed in connection with the Acquired Additional Property.

8.5 An amendment to this Agreement in connection with the annexation of Acquired Additional Property may include alternative plans and land use designations or other planning or entitlement documents. Developer shall have the right to allocate residential density and/or commercial acreage, and the Development Rights associated with such residential density and/or commercial acreage, from existing Parcels or Villages to the Acquired Additional Property in accordance with the revised proposed Master Plan.

SECTION 9
TERM

9.1 Term. The Term of this Agreement shall commence on the Effective Date and shall automatically terminate on the 30th anniversary of the first day of the commencement of the Effective Date.

9.1.1 The inclusion of any Acquired Additional Property shall not extend the Term of this Agreement unless the Agreement is amended.

9.1.2 **Limited Termination Upon Completion of Developed Phases of the Project.**

The Developer may submit an application to the City Council for a limited termination of some of the provisions of this Agreement ("Application for Partial Termination") to certain legally described real property within Developed phases of the Project and any relevant amendments of this Agreement.

9.1.2.1 The City Council shall grant an Application for a limited termination of some of the provisions of this Agreement only when a phase of the Project has been Developed and shall specifically identify what provisions of the Agreement are terminated but shall not include any termination of any provision of this Agreement that requires perpetual operation, maintenance of any Infrastructure required of a Party or an Owners' Association.

9.1.2.2 An order of the City Council, granting an Application for limited termination, shall include the legal description of the real property and the specific provisions of this Agreement which are the subject of the order.

9.1.2.3 The City Clerk shall certify and acknowledge a copy of the order and provide the same to the Developer for purposes of recording the same with the Ada County Recorder's Office.

SECTION 10
AGREEMENT MODIFICATIONS

10.1 Effect of New Laws. In the event State or federal laws or regulations are enacted and/or there is a decision issued by a court of competent jurisdiction which prevents or precludes a Party's compliance with one or more provisions of this Agreement (individually or collectively, "New Law"), the provisions, in whole or in part, as applicable, of this Agreement shall be modified or suspended as may be necessary to comply with such New Law.

10.1.1 During the time that the Parties are conferring on such modification or suspension of this Agreement or challenge to the New Law, the Parties may take reasonable action to comply with such New Law.

10.1.2 Should the Parties be unable to agree to a modification or suspension of this Agreement, either may petition a court of competent jurisdiction for an appropriate declaratory judgment for modification or suspension of this Agreement.

10.1.3 The Developer and the City each or together shall have the right to challenge the New Law which prevents their compliance with the terms of this Agreement. In the event that such challenge is successful, this Agreement shall remain unmodified and in full force and effect.

10.2 Technical Amendments. Technical amendments of this Agreement may be necessary or appropriate from time to time limited to and in accordance with the following:

10.2.1 Technical amendments are those which only involve minor alteration to the Master Plan such as circulation, Parcel or Village area boundaries, Green Space and Public Green Space boundaries, pathway or trail alignments, etc.; and/or reallocation of residential density between Parcels or Villages so long as the Maximum Density allowed per this Agreement is not exceeded.

10.2.2 Technical amendments must be in writing and may be approved by the City Council upon recommendation of the Zoning Administrator, Public Works Director and the Parks and Recreation Director without prior review by the Planning & Zoning Commission or public hearings unless such review and public hearings are required by law or by the provisions of any permit issued for the development of any phase of the Project.

10.2.3 At the election of Developer such technical amendments may be recorded through a memorandum so as to show of record on the Subject Real Property.

10.2.4 The Parties will diligently pursue efforts to process any proposed technical amendments to this Agreement.

10.3 Limited Termination Amendments: Any amendment to this Agreement involving a limited termination of the Agreement is governed under Section 9.1.2.

SECTION 11
ZONING AND PUD STANDARDS

11.1 The City's Zoning Ordinance standards which includes PUD Standards as they exist on the Effective Date shall apply to the Subject Real Property for the Term of this Agreement.

11.2 This Section does not apply to the Additional Property.

SECTION 12
VESTED RIGHTS

12.1 Upon the Effective Date, the Developer/ Owner shall have vested rights to develop and use the Subject Real Property consistent with this Agreement.

12.2 The determinations of City memorialized in this Agreement, together with the assurances provided to Developer in this Agreement, including this Section, are bargained for and is a consideration for the undertakings of Developer as set forth herein and contemplated by this Agreement, and are intended to be and have been relied upon by Developer.

SECTION 13
SYSTEMS OWNERSHIP AND MAINTENANCE

13.1 The Systems, provided for in this Agreement, upon their construction, installation, approval and acceptance shall be owned and maintained as follows:

13.1.1 By ACHD:

- Streets; and
- As designated in the Drainage Infrastructure Master Plan, Developer Drainage System Improvements

13.1.2 By City:

- Wells, and
- Developer Water System Improvements; and
- Developer Sewerage System Improvements; and
- As designated in the Drainage Infrastructure Master Plan, Developer Drainage System Improvements [it is the intent of the City to not accept any Drainage System; and
- Parks.

13.1.3 By Developer and/or Owners' Association:

- Roads
- Developer Pressure Irrigations System Improvements; and
- Green Spaces; and
- Public Green Spaces; and
- As designated in the Drainage Infrastructure Master Plan, Developer Drainage System Improvements

13.2 The Developer, in the process of each Developed phase of the Project, shall create, establish, staff and register with the Secretary of State of the state of Idaho a legal entity under Idaho Law ("Owners' Association") and prepare and record with the Ada County Recorder's office appropriate CC&Rs which are consistent with the approved Master Plans.

13.2.1 The CC&Rs, for each Developed phase of the Project, shall bind all present and future owners of real property within each Developed phase of the Project in order to provide for the perpetual support and maintenance of the each of the Systems within the Developed phase as provided in this Agreement.

13.2.2 Each Owners' Association shall establish and perform quality control, maintenance and operation throughout their Developed phase of the Project during development and during maturing of the Developed phase of the Project and continuing after the last house is built.

13.2.3 Developer shall have the sole and absolute discretion over the content, approval and enforcement rights of the Declarant or other governing agent or agency, formation and adoption of the CC&Rs so long as the same is consistent with the provisions of this Agreement.

SECTION 14
DEFAULT

14.1 The enforcement of the terms and conditions of this Agreement and any permits issued by the City pursuant to this Agreement are as follows:

14.1.1 The failure of the Developer, Owner, Owners' Association, or the owner of real property within the Subject Real Property or the failure of the City to comply or perform, in accordance with the terms and conditions of this Agreement or the terms and conditions of any permit issued by the City, pursuant to this Agreement, shall be a default of this Agreement and processed as follows:

14.1.1.1 A claim of default may be made against the Developer, Owner, Owners' Association or Property Owner by the City's Director of Public Works, Zoning Administrator or Parks and Recreation Director, ("City Director"), depending upon the default.

14.1.1.2 A claim of default may be made against the City by the Developer, Owner, Owners' Association or Property Owner of any real property within the Subject Real Property, depending upon the default.

14.1.1.3 For purposes of this Section of the Agreement a claim of default is made by a ("Claimant") against an ("Accused").

14.1.2 Prior Written Notice of Intent: If the Claimant is the City, depending upon the default, it may seek to terminate and cancel, amend or amplify any permit or seek specific performance of this Agreement, and if the Claimant is a Developer, Owner, Owners' Association or Property Owner, it may seek specific performance by the City of this Agreement each in accordance with the following process:

14.1.2.1 The Claimant shall serve the Accused with a written notice of default and/or intent to terminate and/or to cancel, and/or to amend, and/or to amplify, or seek specific performance (as the case may be) of a permit and/or this Agreement ("Notice of Intent")

14.1.2.1.1 The written Notice of Intent shall include the matters and facts which form the basis for the notice and a stated reasonable time within which the Accused is to correct and remedy the default. Such reasonable time frame shall depend upon the exigencies surrounding the matters and facts set forth in said Notice.

14.1.2.1.2 Or in the case the City is the Claimant, the written Notice of Intent shall state the factual and legal reasons to cancel, amend or amplify permit issued pursuant to this Agreement or seek specific performance of this Agreement and request that the Accused respond in writing, within a reasonable stated time, as to whether or not the Accused consents to comply with the Notice of Intent of denies the claim of default.

14.1.2.2 The Notice of Intent shall be served as follows upon:

- Developer: by U.S. Mail to the address herein designated by the Developer; and
- Owners' Association: by U.S. Mail to the address of its registered agent; and
- Real Property Owner: By U.S. Mail at their address as listed by the Ada County Assessor's office.
- City: by U.S. Mail to the address herein designated by the City.

14.1.3 Notice to Show Cause: In the event the Accused fails to correct and remedy a default or noncompliance, within the reasonable time designated in the Notice of Intent, to the satisfaction of the Claimant, the Claimant shall then request the Planning & Zoning Commission [only in the event the Commission has original jurisdiction by reason of a permit which is at issue in the matter] or otherwise the City Council to proceed to set a hearing and provide written notice of the hearing to show cause to the Accused of the request to take action as identified in the Notice of Intent and to enforce the terms of this Agreement.

14.1.3.1 The written notice of the hearing to show cause shall be served upon the Claimant and the Accused at least twenty-eight (28) days in advance of the hearing.

14.1.3.2 At the hearing to show cause, the Accused may present evidence as to why it or they are not in default.

14.1.3.3 Following any presentation of evidence by the Accused and any rebuttal by the Claimant and any other interested Persons the Planning & Zoning Commission and or the City Council, as the case may be, shall determine and issue Findings of Fact, Conclusions of Law and an Order of Decision in accordance with the evidence presented at the Show Cause hearing.

14.1.3.4 The Findings of Fact, Conclusions of Law and Order of Decision issued by the City Council shall be the final administrative remedy of any claim of default under this Agreement and the Parties may thereafter seek legal action in a court of competent jurisdiction for declaratory relief and or specific performance of this Agreement as the case may be, but the Parties shall not be entitled to consequential damages in any such action.

SECTION 15
MORTGAGES

15.1 This Agreement shall be superior and senior to any Mortgage of the interests of the Developer or property owner of any real property within the Subject Real Property of record recorded subsequent to this Agreement.

15.1.1 No default of this Agreement by the Developer or property owner shall invalidate or impair a Mortgage or any Mortgage made in good faith and for value; and

15.1.2 Any acquisition or acceptance of title or any right or interest in or with respect to the Subject Real Property, or any portion thereof, by a mortgagee (herein defined to include a beneficiary under a deed of trust), whether under or pursuant to a mortgage foreclosure, trustee's sale or deed in lieu of foreclosure or trustee's sale, or otherwise, except that the same shall be subject to all of the terms and conditions contained in this Agreement.

15.2 No mortgagee shall have an obligation or duty under this Agreement to perform Developer's obligations or other affirmative covenants of Developer hereunder, or to guarantee such performance; except that to the extent that any covenant to be performed by Developer is a condition to the performance of a covenant by City, the performance thereof shall continue to be a condition precedent to City's performance hereunder.

SECTION 16
SHARED LEGAL DEFENSE OF THIS AGREEMENT

16.1 Shared Agreement Legal Defense Costs: In the event that any legal or equitable action or other proceeding is instituted by a third-party challenging the validity of any provision of this Agreement, the Parties will cooperate in defense of such action or proceeding. The City and the Developer may agree to select mutually agreeable legal counsel to defend such action or proceeding with the Parties sharing equally in the cost of such joint legal counsel, or each Party may select its own legal counsel at each Party's expense. All other costs of such defense(s) shall be shared equally by the Parties. Each Party retains the right to pursue its own independent legal defense.

SECTION 17
NOTICES AND FILINGS

17.1 Manner of Serving. All notices, filings, consents, approvals and other communications provided for herein or delivered in connection herewith shall be validly delivered, filed, made, or served if in writing and delivered personally or delivered by a nationally recognized overnight courier or sent by certified United States Mail, postage prepaid, return receipt requested, if to:

City:
City of Kuna
Attn: Mayor
751 W. 4th Street
Kuna, Idaho 83634

With a copy to:
William F. Gigray, III
5700 E. Franklin Rd.
Nampa, Idaho 83687

Developer:
M3 ID Falcon Crest, LLC
Attn: Developer Representative,
William I. Brownlee
4222 E Camelback Road Suite H100
Phoenix AZ 85018

With a copy to:
Spink Butler, LLP
Attn: JoAnn C. Butler
251 E Front Street, Suite 200
Boise, Idaho 83702

Owner:
Falcon Crest, LLC
2528 N. Cloverdale Road
Boise, ID 83713

With a copy to:
Eberle Berlin
William J. McKlveen
1111 W. Jefferson, Suite 530
Boise, ID 83702

or to such other addresses as either Party hereto may from time to time designate in writing and delivery in a like manner.

17.2 Mailing Effective. Notices, filings, consents, approvals and communication given by mail shall be deemed delivered immediately if personally delivered, 24 hours following deposit with a nationally recognized courier, or 72 hours following deposit in the U.S. mail, postage prepaid and addressed as set forth above.

SECTION 18
MISCELLANEOUS

18.1 Waiver. No delay in exercising any right or remedy shall constitute a waiver by either Party thereof, and no waiver by City or Developer of the breach of any covenant or condition of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other covenant or condition of this Agreement.

18.2 Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such counterparts and such signature pages all attached to a single document so that the signatures of all Parties may be physically attached to a single document.

18.3 Headings. This Agreement shall be construed according to its fair meaning and as if prepared by both Parties hereto. Table of Contents, titles and captions are for convenience only and shall not constitute a portion of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

18.4 Exhibits and Recitals. Any exhibit attached hereto shall be deemed to have been incorporated herein with the same force and effect as if fully set forth in the body hereof. The Recitals set forth at the beginning of this Agreement are hereby acknowledged and incorporated herein and the Parties hereby confirm the accuracy thereof. The Definitions set forth prior to the Recitals are hereby acknowledged and incorporated herein.

18.5 Further Acts. Each of the Parties shall promptly execute and deliver all such documents and perform all such acts as reasonably necessary, from time to time, to carry out the matters contemplated by this Agreement.

18.6 Time of Essence. Time is of the essence in implementing the terms of this Agreement.

18.7 Successors and Assigns. The burdens of this Agreement are binding upon, and the benefits inure to, all successors in interest of the Parties to this Agreement and constitute covenants that run with the land.

18.7.1 Developer's rights and obligations hereunder shall only be assigned upon written consent of the City Council which shall not be unreasonably withheld subject to the following conditions:

18.7.1.1 Prior written notice from the Developer to the City Council together with the identification of the proposed assignee and reliable information of the proposed assignee's intentions and ability to perform the conditions of this Agreement; and

18.7.1.2 the Developer is not in default of this Agreement or the Assignee tenders to the City a guarantee of the Assignee's performance of the Developer's default upon assignment; and

18.7.1.3 Any assignment by the Developer, approved by the City Council, shall be by a written instrument, including the City's consent and recorded in the official records of Ada County, Idaho, expressly assigning such rights and obligations.

18.7.1.4 In the event of a complete or partial assignment of Developer's rights and obligations hereunder, except an assignment for collateral purposes only, Developer's liability under this Agreement shall terminate.

18.7.2 The ongoing ownership, operation and maintenance obligations in connection with this Agreement may be assigned to an Owners' Association. Developer shall provide City with written notice of any assignment of Developer's rights or obligations to such Owners' Association within a 30 day period of time following such assignment.

18.7.3 Notwithstanding any other provisions of this Agreement and subject to prior notice to the City, the Developer may assign all or part of Developer's rights and duties under this Agreement as collateral to any financial institution from which Developer has borrowed funds for use in developing the Property.

18.8 No Partnership; Third-Parties. It is hereby specifically understood, acknowledged and agreed that neither City nor Developer shall be deemed to be an agent of the other for any purpose whatsoever. It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other arrangement between Developer and City. No term or provision of this Agreement is intended to, or shall, be for the benefit of any third-party, person, firm, organization or legal entity not a Party hereto, and no such other third-party, person, firm, organization or legal entity shall have any right to cause of action hereunder.

18.9 Entire Agreement. This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter hereof. All prior and contemporaneous agreements, representations and understandings of the Parties, oral or written, are hereby superseded and merged herein. No modification or amendment to this Agreement of any kind whatsoever shall be made or claimed by Developer or City shall have any force or effect whatsoever unless the same shall be endorsed in writing and signed by the Party against which the enforcement of such modification or amendment is sought, and then only to the extent set forth in such instrument. Such approved amendment shall be recorded in the Official Records of Ada County, Idaho.

18.10 Construction. All Parties hereto have either been represented by separate legal counsel or have had the opportunity to be so represented. Thus, in all cases, the language herein shall be constructed simply in accord with its fair meaning and not strictly for or against a Party, regardless of whether such Party prepared or caused the preparation of this Agreement.

18.11 Names and Plans. Developer shall be the sole owner of all names, titles, plans, drawings, specifications, ideas, programs, designs and work products of every nature at any time Developed, formulated or prepared by or at the request of Developer in connection with the Property and the Project; provided, however, that in connection with any conveyance of portions of the Subject Real Property to City, such rights pertaining to the portions of the Subject Real Property so conveyed shall be assigned to City to the extent that such rights are assignable.

18.12 Severability. If any provision of this Agreement is declared void or unenforceable, such provision shall be severed from this Agreement, which shall otherwise remain in full force and effect.

18.13 Parties' Intent. It is the Parties' express intention that the terms and conditions be construed and applied as provided herein, to the fullest extent possible. It is the Parties' further intention that, to the extent any such term or condition is found to constitute an impermissible restriction of the police power of City, such term or condition shall be construed and applied in such lesser fashion as may be necessary to not restrict the police power of City.

18.14 Choice of Law. This Agreement shall be construed in accordance with the laws of the state of Idaho in effect on the Effective Date. Any action brought in connection with this Agreement shall be brought in a court of competent jurisdiction located in Ada County, Idaho.

18.15 Recordation. After its execution, this Agreement shall be recorded in the real property records of Ada County, Idaho by the City.

18.16 Agreement Runs with the Land: Each commitment and restriction of this Agreement on the Subject Real Property shall be a burden on the Subject Real Property and shall be appurtenant to and for the benefit of the Subject Real Property and shall run with the land. This Agreement shall be binding on Developer and Owner, and their respective heirs, administrators, executors, agents, legal representatives, successors, and assigns; provided, however, that if all or any portion of the Project is sold, the sellers shall thereupon be released and discharged from any and all obligations arising under this Agreement in connection with the portion of the real property sold. The new owner of the real property or any portion thereof (including, without limitation, any owner who acquires its interest by foreclosure, trustee's sale or otherwise) shall be liable for all commitments and other obligations arising under this Agreement with respect to the real property or portion thereof.

18.17 No Developer Preliminary Representations. Nothing contained herein shall be deemed to initially obligate Developer to complete any part or all of the development of the Project within a specific time line, phasing schedule or other schedules, or any other plan, and this Agreement shall not be deemed a representation unless required as a condition of any permit issued pursuant to this Agreement or required by any Master Plan approved by the City pursuant to this Agreement

18.18 Good Standing; Authority. Each of the Parties represents to the other as follows:

18.18.1 The Developer represents that it is an Arizona limited liability company duly qualified to do business in Idaho; and

18.18.2 The City represents that it is an Idaho municipal corporation in the state of Idaho; and

18.18.3 Each Party represents to the other that the individual(s) executing this Agreement on behalf of the Parties are authorized and empowered to bind the Party on whose behalf each such individual is signing.

IN WITNESS WHEREOF, the Parties hereto, having been duly authorized, have executed this Development Agreement to be effective on the Effective Date.

CITY:

CITY OF KUNA, Idaho, a municipal corporation organized and existing under the laws of the
State of Idaho

By: _____
Joe Stear, Mayor

Attest:

_____
Chris Engels, City Clerk

CITY ATTORNEY APPROVAL AS TO FORM AND AUTHORITY

The foregoing Agreement has been received by the undersigned attorney, who has opined that it is in proper form and within the power and authority granted under the laws of the State of Idaho to the City of Kuna

_____
Wm. F. Gigray, III, City Attorney

DEVELOPER:

M3 ID FALCON CREST, LLC, an Arizona limited liability company

By: M3 Builders, L.L.C., an Arizona limited liability company, its Manager

By: The M3 Companies, L.L.C., an Arizona limited liability company, its Member

By: _____
William I. Brownlee, Manager

OWNER:

FALCON CREST, LLC, an Idaho
limited liability company

By: _____
Terry Cook, Manager

WFG DRAFT DATED 11/20/18

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this ___ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Joe Stear, known or identified to me to be the Mayor of the City of Kuna, the municipal corporation that executed the instrument or the person who executed the instrument on behalf of said municipal corporation, and acknowledged to me that such municipal corporation 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.

_____
Notary Public for Idaho

Residing at _____

My commission expires _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this ___ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared William I. Brownlee, Manager of The M3 Companies, L.L.C., an Arizona limited liability company, the Member of M3 Builders, L.L.C., an Arizona limited liability company, the Manager of M3 ID Falcon Crest, LLC, an Arizona limited liability company, 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 such 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.

_____
Notary Public for Arizona

Residing at _____

My commission expires _____

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this ___ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Terry Cook, known or identified to me to be the Manager of Falcon Crest, LLC, the Idaho 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 such 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.

_____
Notary Public for Idaho

Residing at _____

My commission expires _____

W:\Work\K\Kuna, City of 25721\Planning and Zoning Matters\Development Agreements\Falcon Crest Development Agreementn 11-20-18 lh.docx

EXHIBIT A Legal Description of the Property

WFG DRAFT DATED 11/20/18

EXHIBIT B Master Plan

I made these smaller so the file was a size that could be emailed.

WFG DRAFT DATED 11/20/18

EXHIBIT C Annexation Application

WFG DRAFT DATED 11/20/18

EXHIBIT D Offsite Sewerage

EXHIBIT E Parks & Trails Plan

I made these smaller so the file was a size that could be emailed.

EXHIBIT F Exceptions – Kuna City Code Chapters 5 & 6

TITLE 5 – ZONING REGULATIONS
CHAPTER 1 - GENERAL ZONING PROVISIONS
SECTION:

...

5-3-2: - OFFICIAL SCHEDULE OF DISTRICT REGULATIONS:

...

LAND USE TABLE

Land Uses	Districts														
	A	R-2	R-4	R-6	R-8	R-12	R-20	O	C-1	C-2	C-3	CBD	M-1	M-2	P
Agriculture, General 1-26	P	P											S	S	P
Accessory Dwelling Unit (aka mother in-law quarters/Carriage House) 52	P	P	P	P	S										
Accessory Use 7-26	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Adult Bookstore 7-15-16											S				
Agri-tainment 15	P	P													P
Agritourism	S	S													S
Airport, Landing Strip 15-26	S												S	S	S
Alcohol Consumption on-site/off-site 15-27		P 38	P 38	P 38	P 38	P 38	P 38	S	S	S	S	S	S 48		P 38
Amusement Center (indoor) 7-15									S	S	S	S			
Amusement Center (outdoor) 7-15									P	S	S		S		S
Animal Hospital 7-15-26	S	S									P		P	P	S
Animal Shelter 7-15-26	S												S		S
Appliance Repair 7-15		S	S	S	S	S	S	P	P	P	P	P	P		
Aquaculture	S												S	S	S
Aquarium 7-15								S	P	P	P	P	S		P
Arboretum 15	P	P	P	P	P	P	P	P	P	P	P	P			P
Archery Range 7-15-37	P	S							P 45	P 45	P		P		
Art Gallery/Studio 7-15-31		S	S	S	S	S	S	P	P	P	P	P	P		
Asphalt Plant 7-15														S	
Assisted Living 7-15-53		S	S	S	S	S	S		P	P					
Auction Sales 7-15-43	S 41	S 41							S	S	P		P		
Auditorium 7-15								S	P	P	P	P	S		P

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Automobile Body, Paint Shop 7-15										S		P	P	
Automobile Detailing 7-15							S	P	P	P	S	P	P	
Automobile Rental/Sales 15								S	P	P	P	P		
Automobile Repair 7-15								S	P	P	S	P	P	
Bakery or Baked Goods Store 7-15		S	S	S	S	S	S	P	P	P	P	P		
Bank, Credit Union, Savings and Loan 7-15		S	S	S	S	S	S	P	P	P	P	P		
Banquet Facility 7-15-27		S	S	S	S	S	S	P	P	P	P			
Barber Shop/Beauty Salon 7-15		S	S	S	S	S	S	P	P	P	P	P		
Batch Plant 7-15-26													S	
Bed and Breakfast 15	S	S	S	S	S			S			S			
Beekeeping (Hives)	P	P												
Beer and Wine Production 7-15-27	P	S	P 11	P 11						P		P		
Berry and Bush Crop/Vineyard	P	P										P		P
Beverage Bottling Plant 7-15-26-53									S	S		S	S	
Bicycle Shop 7-15		S	S	S	S	S	S	P	P	P	P	P		
Billboard Manufacturing 7-15-53												P	P	
Billboards 7-35	S												S	
Biomass	S												P	
Boarding/[Rooming] House 7-15-53		S			S	S	S		P 6		P 6			
Bookstore 7-15		S	S	S	S	S	S	P	P	P	P	P		
Botanical Garden 15	P	P	P	P	P	P	P	P	P	P	P	S		P
Bowling Alley 7-15							S	P	P	P	P			
Cabinet Shop—Manufacturing 7-15								S	S	S		P	P	
Call Center 7-15									S	P	P	P		
Car Wash 7-15							P	P	P	P	P	P		
Caretaker 13	P	P						P	P		S	S		
Carnival/Circus 15-23								P	P	P	P			P
Catering 7-15		S	S	S	S	S	S	P	P	P	P	P		
Cell Tower/Telecommunication 7-12-15	S	S							S	S	S	S	S	S
Cement or Clay Products Manufacturing 7-15-26-53													S	
Cemetery or Mausoleum 15-30	P	S			S	S	S		S	S				S
Chemical Storage and Manufacturing 7-15-26-53													S	
Child Care, Center (13+ children) 7-15-49-51		S	S	S	S	S	S	S	S	S	S			
Child Care, Group (7—12 children) 49		S	S	S	S				S	S	S	S		

Child Care, Home (1—6 children) 49-51		S	S	S	S									
Church or Place of Worship 7-15-36	S	P	P	P	P	S	S	S	S		S			
Community Center/Grange/Assembly Use 7-15	S	S	S	S	S	S	S	P	P	P		P		P
Community/Urban Garden 1-7-15	P	P	P	P	P	P	P	P	P	P	P	P		P
Contractor's Storage Yard 7-26	S											S	P	
Convenience Store (not including fuel sales) 7-15								P	P	P	P	P	P	
Dairy Product Processing 7-15-53	S											S	S	
Digital/Electronic Verbiage Signage 7-15							S	S	S	S		S	S	S
Dispatch Center 7-15-34-47								P	P	P	P	S		
Distillery Production	P							S	S	S		S	P	
Distributing Center 7-15-26-53												S	S	
Dog Grooming 7-15	P	P	S	S	S			P	P	P	P	P		
Drive-in Restaurant 7-15-26-46							P	P	P	P	P	P		
Drive-in Theater 7-15	S	S						S	S	S				
Drive-through Business 7-15-34			S	S	S	S	S	S	P	P	S	S	S	
Driving School								P	P	P	P	P		P
Dry Cleaners 7-15							S	S	S	S	S	S		
Dry-Cleaning Plant 7-15-53												S	S	
Dwelling, Condominium/Townhouse/Garden Apartment 5-7-15-53				~~S~~ P 7	P 7	P 7	P 7		P 7		P 7			
Dwelling, duplex 5		S	P	P	P	P	P							
Dwelling, multifamily/Apartments (3 or more units under one roof) 5-15-53		S 7	S 7	~~S~~P 7	P 7	P 7	P 7		P 7					
Dwelling, single-family 5	P	P	P	P	P	P	P		P 6		P 6			
Emergency Care Facility/Clinic 7-15		S	S	S	S	S	S	P	P	P	P	P		
Energy System, production through renewable sources	S											S	S	
Equipment Sales and Rental (Light Equipment) 7-15-21		S	S	S	S	S	S	S	P	P	P	S	P	
Equipment Sales (Large and Heavy Equipment) 7-15-26-43												S	S	
Exhibition Hall 7-15							P	P	P	P	P	S		P
Explosive/Chemical Manufacturing and Storage													S	
Fairground 7-15	S	S										S		S
Farm Animals (Domestic) 2, 4	P	P	S									S	P	P

Farm Implement, Trailer and Manufactured Home Repair 7-15	S								P	P		P	P		
Farm Implement, Trailer, Manufactured Home and Sales Yard 7	S								P	P		P	P		
Farmer's Market 15-23	S							P	P		P			P	
Feed Store 15-26	S							P	P	P	S	P			
Feedlot or Dairy 26	S														
Financial Services 7-15		S	S	S	S	S	S	P	P		P	P	P		
Fish Farm 15	S											S		S	
Flea Market/Swap Meet 15-23								S	S	S	S	S	S	S	
Florist 7-15		S	S	S	S	S	S	P	P	P	P	S			
Flower Gardening	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Food Processing Plant over 5,000 sq. ft. building 7-15-26-53									S			S	P		
Food Processing under 5,000 sq. ft. building 7-15-26									S	S	S	P	P		
Fraternity/Sorority/Dormitory/Residential Hall 5, 7		S	S					S	S	S	S			S	
Freight Terminal 7-15-26-53												S	S		
Fuel Sales								S	S		S	S	S	S	
Fuel Yard (Explosive, Storage, Manufacturing) 7-15-26													S		
Fuel Yard (Nonexplosive, Storage and Retail) 7-15-26													S		
Funeral Home/Mortuary 7-15							S	S	S	S	S	S			
Furniture Restoration/Refinishing 7-15								P	P	P	S	P	P		
Furniture Shop Retail 7-15							P	P	P	P	P	S			
Gardening (for home consumption on-site) 1	P	P	P	P	P	P	P	P	P	P	P	P		P	
Gift Shop 7-15		S	S	S	S	S	S	P	P	P	P				
Golf Course and Country Club 7-15		P	P	P	P	P	P	P	P					P	
Grain (Feed and Seed Processing and Sales) 7-15	P											S	S		
Grain Storage—Bulk 7-15	P											S	S		
Grazing/Raising Domestic Farm Animals 2	P	P													
Greenhouse/Nursery 7-15	P	P		P		P		P	P	P	P	P	S		
Grocery Store/Delicatessen 7-15		S	S	S	S	S	S	P	P	P	P	P	P		
Group Home 5-7-15-53		S	S	S	S	S	S		S						
Halfway House 5-7-15-53		S	S	S	S	S			S						S
Handicraft 7-15-31		S	P/S	P/S	P/S	S	S	S	P	P	P	P			

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		55	55	55	55									
Hatcheries 7-15	P											S	S	S
Health Club 7-15		S	S	S	S	S	S	P	P	P	P	P		
Home Improvement Center 7-15								S	P	P	P	S		
Home Occupation 26-28	P	P	P	P	P	P	P	P	P	P	P	P		
Hospital 7-15						S	S	S	S	S	S	S		S
Hotel/Motel 7-15								S	S	S	S	S	S	
Ice Manufacture—Cold Storage Plant 7-15												S	S	
Impound/Storage Yard (vehicle) 7-26-43													S	
Incineration (Garbage, Animal Remains or Refuse) 7-15-25-26-43	S												S	S
Junkyard/Wrecking Yard 7-15-26-43													S	
Kennel, Commercial 7-15-26	S										S			
Laboratory (Medical, Dental, Optical) 5, 7, 33		S	S	S	S	S			P	P		S	P	P
Laundromat 7-15		S	S	S	S	S	S	S	P	S	S	S	S	
Laundry, Commercial Plant 5, 7, 33													P	
Library 5, 7, 33			P	P	P	P	P		P	P		P			P
Liquor Store 5, 33								S	P	P	P	P	P	
Livestock Sales 15	S	S											S	
Locksmith 5, 7		S	S	S	S	S		S	P	P		P	P	
Lumberyard (Retail/Wholesale) 7-15-26-53-43										S	P		P	P
Machine or Welding Shop 7-15										S	P		P	P
Manufacturing, General 5, 7											S		P	P
Manufactured Home Class A	P	P	P	P	P	P	P							
Manufactured Home Park 7, 8				S		S	S							
Manufactured Home Sales 5, 7										S	P		P	
Marine Sales/Rentals 7										S	P		P	
Massage Therapy 7-15		S	S	S	S	S	S	P	P	P	P	P	P	
Meat Market 7-15									P	P	P	S	P	
Meatpacking Plant/Slaughterhouse (enclosed within building) 7-15-25-26-53													S	
Meatpacking (Wild game) (No-kill) 5, 7	S									S	P		P	
Monument Works, Stone 7-15									S	S	S		P	S
Museum or Planetarium 5, 7	S							P	P	P	P	P		P
Non-Profit Organization 5, 7								P	P	P	P	P		P
Nursing Home 5-7-15-53		P	P	P	P	P	P	P	S	P				
Office (Home Occupation)	P	P	P	P	P	P	P	P						

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Office (Medical, Professional) 7-15		S	S	S	S	S	S	P	P	P	P	P	P	S
Office (Temporary Real Estate Subdivision Sales) 15		S	S	SP	S	SP	S							
Orchards, Tree Crops	P	P	P	P								P		S
Parking Lot or Facility, Park and Ride 7-15-47	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Pawnshop 7-15									S	P	P	P		
Payday Lending Operation/Non-chartered Institution 7-15												S	S	
Pharmacy 7-15								P	P	P	P	P		
Planned Unit Development 5-15		S	S	S	S	S	S	S	S	S	S	S	S	
Plant Nursery 15	P	P		S		S			S	S		P		P
Plant or Tree Farm	P	P		P		P				P		P		P
Post Office 7-15								P	P	P	P	P		P
Poultry, Fowl, Rabbits	P	P	P 4	P 4								P		
Power Plant 5, 7												S	S	
Preschool		S	S	S	S	S	S	S	S	S	S			
Printing, Blueprinting, Copy Center and Cartography 7-15								P	P	P	P	P	P	
Prison, Jail, etc. 7-15-33									S	S				S
Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Service Facility 7-15-18-19	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Publishing 7-15		P	P	P	P	P	P	P	P	P	P	P		
Quasi-public	P							P	P	P	P	P	P	P
Radio and TV Stations 7-15-18-19								S	P	P	P	P	S	
Railroad Buildings, Yard and Equipment 7-43-53	S											P	P	
Recreational Vehicle, Trailer or Camping Park 5, 7				S		S P	S		S					P
Recycle/Collection Bins									P	P	P	P	P	
Recycle Center/Recycle Staging Area 7-34-43										S	S	P	P	
Recycling Plant 7-15-43												S	P	
Regional Sewage and Waste Treatment Plant 7-24-33-43	S	S											S	S
Rendering Plant 7-25-26-53													S	
Restaurant 7-15-20-26		S	S	S	S	SP	S	P	P	P	P	P	P	
Restaurant with Bar 7-15-27								S	S	S	S	S	S	
Retail Stores/Services 7-15-28		S	S	S	S	S	S	P	P	P	P	P	P	

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Riding Arenas/Stables/Schools 15-26	P	S												
Roadside Stands, Seasonal 3-15	P	P						P	P	P	P			S
Sales, Wholesale 7-15								S	S	S	S	P		
Sandwich Shop/Deli 7-15-22		S	S	S	S	SP	S	P	P	P	P	S		
Sanitary Landfill 7-26-33-43														S
School (College/University/Trade) 7-15							S	S	S	S	S			S
School (Elementary, Middle and High School) 7-15		S	S	S	S	S	S		S	S	S				S
School (Trade)								P	S	S	S	S		
Senior Housing 5-15-53		P	P	P	P	P	P		P					
Service Station/Garage 7-15-34							S	S	S	S	S	P		
Sexual Oriented Business 7-15-16										S				
Shelter or Temp. Home 5-7-15-53					S	S	S		S					S
Shoe Repair 7-15		S	S	S	S	S	S	P	P	P	P	P	P	P	
Shooting Range (Indoor) 7-15-26	S	S							P 45	S 45	P 45		P 45	P	
Shooting Range (Outdoor) 7-15-26	S												S	S	S
Shop for Building Contractor 7-15	S								P	P	P		P	P	
Shopping Center 7-15									S	S	S	S			
Sign Shop 7-15									P	P	P	P	P	P	
Sports Arena 7-15									S	S	S	S	S		S
Storage Facility (public/private) • 10 acres or more 7-54				S		S					S		S		
Storage Facility (public/private) • 5 to 10 acres 7-54				S		S				S	S		S	S	
Storage Facility (public/private) • 2 to 5 acres 7-54				S		S		S	S	S			S		
Storage Facility (public/private) • Up to 2 acres 7-54				S		S	S	S	S	S			S		
Studio (Art, Dance, Music, Voice) 15-31		S	S	S	S	S	S	P	P	P	P	P			
Studio (Artist, Interior Decorators, Photographer, etc.) 15-31		S	S	S	S	S	S	P	P	P	P	P			
Supply Yard 7-26-43									S	S	P		P	P	
Swimming Pool 15	P	P	P	P	P	P	P	P	P	S	S	S	P		P
Tattoo Parlors/Studios/Body Piercing Establishment 7-15									S	S	S	S			
Tavern/Bar/Nightclub/Lounge 7-15-27						S		S	S	S	S	S	S		
Taxidermy 7-15									S	S	P		P	P	
Temporary Tent 15-23-42	P								P	P	P		P		P

Terminal Yard Trucking 7-15-43-53												S	S	
Theater 7-15							S	P	P	P	P			
Tire Recapping 7-15-53									S	S		S	S	
Tire Shop (not recapping) 7-15								P	P	P	S	S		
Training Facility												S	S	
Travel Agency 7-15		S	S	S	S	S	S	P	P	P	P	P		
Truck and Tractor Repair 7-15-53	S									S		P	P	
Truck Maintenance 7-15												S	S	
Truck Stop 7-15-53									S	S		S		
Truck Wash 7-53										S		P	P	
Upholstery Shop 7-15								P	P	P		P	P	
Utility-Owned Building (public/private) 7-15-18-19	S	S	S	S	S	S	S	S	S	S	S	P	P	S
Vehicle Emission Testing Facility 7-15-34	S						P	P	P	P	P	P		P
Veterinary Clinic 7-15-26	S	S					P	P	P	P		P		
Warehousing—Wholesale 7-15-53	S 41											S	P	
Wedding Chapel 7-15	P	S				S	S	P	P	P	P	P		
Wind Turbines/Farms/Mills 15-40	S	S										S	S	S
Wood Processing Plant (including firewood) 7-15-26									S			S	S	
Zoo 7-15	S								S	S	S			P

...

5-3-3: - OFFICIAL HEIGHT AND AREA STANDARDS:
MINIMUM YARD AND SQUARE FOOTAGE REQUIREMENTS

Zoning District	Maximum Height	Recommended Minimum Street Frontage*	Front Yard Setback On A Local Road (to garage)	Front Yard Setback on a Local Road to Residence or Side Load Garage	Front Yard Setback On An Arterial Or Collector Street	Rear Yard Setback	Interior Side Yard Setback	Street Side Yard Setback	Maximum Lot Coverage	Minimum Lot Size
A	45'	0'**	20' from lot line	20' from lot line	30'	30'	10' from lot line	15'	90%	5 acres
R-2	35'	120'	20'	15'	30'****	15'	5'	20'	40%	20,000 sq ft
R-4	35'	66'	20'	10'	30'****	15'	5'	20'	40%	6,600 sq ft*

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R-6	35'	~~45~~'0**	20'	10'	30'****	1~~5~~0'	5'*****	20'	~~40%~~N/A	~~4,500 sq ft*~~N/A
R-8	35'	40'	20'	10'	30'****	15'	5'	20'	40%	3,300 sq ft
R-12	4~~5~~'	~~40~~'0**	20'	5'	30'****	1~~5~~0'	5'*****	20'	~~60%~~N/A	~~2,200 sq ft~~N/A
R-20	40'	40'	20'	20'	30'****	15'	5'	20'	60%	1,300 sq ft
O	35'	0**	20'	20'	0	30'	5'	20'	80% DR	2,000 sq ft
C-1	35'	0**	15'	15'	0	5'	0	10'	100% DR	2,000 sq ft
C-2	60'	0**	0	0	0	0	0	0	100% DR	1,300 sq ft
C-3	60'	0**	0	0	0	0	0	0	100% DR	1,300 sq ft
CBD	80'**	0**	0	0	0	0	0	0	100% DR	1,000 sq ft
M-1	100 '	0**	0	0	0	0	0	0	100% DR	5,000 sq ft
M-2/M-3	100'	0**	0	0	0	0	0	0	100% DR	5,000 sq ft
P	60'	0**	0	0	0	0	0	0	100% DR	400 sq ft

Notes:

...

*****Side yard setbacks may be reduced to zero feet on the property line as long as the adjacent home is at least 10' from that shared property line. Side yard setbacks may be reduced to zero feet as long as there is a 10' distance between structures. Structures may also be attached and have zero setback with fire rated walls.

A. *For all residential districts:*

~~1. The developer shall provide an additional two (2) feet of distance separation from the designated interior yard setback for each additional story above the second level floor.~~

....

5. Certain structures and projections are permitted within the required yard setback area, unless their placement there would interfere with building code provisions. Items permitted there include: Cornices, canopies, eaves or other like projections, which do not increase the volume of space enclosed by the building as determined by the director, in consultation with the building official. None of these items shall project into a designated side yard more than two (2) feet or extend to within ~~three~~ two (~~3~~2) feet of a property line. It should be noted, that even though certain structures or projections are permitted within the yard setback, they are likely not permitted within an easement or right-of-way. The developer

should be aware not to encroach upon these property demarcations when extending or projecting the building's footprint.

...

5-5-5: - REGULATIONS FOR FENCES, WALLS AND HEDGES:

...

F. *Pathway/greenbelt fencing:*

...

2. In order to design for crime prevention, the following design standards will be followed:

...

b. All pathway fencing shall be constructed or a surety must be posted prior to the issuance of building permits for the subdivision.

5-7-3: - PLANNED UNIT DEVELOPMENT STANDARDS:

...

I. *Private streets and alleyways:* ~~The City of Kuna prohibits private streets and alleys unless there is a hardship circumstance that warrants this consideration and not of the controllers making. In the limited circumstances where they are approved, p~~Private streets and alleyways shall be owned and maintained by private individuals or entities and not by government agencies. The controller shall provide documentation of a binding contract or recorded CCR's that establishes who will be responsible for the repair and maintenance of the private street or alleyway, including revenue sources for their long-term sustainment. Private streets and alleyways shall be constructed on a perpetual ingress/egress easement and/or a separate and independent parcel(s) that provides access to applicable properties. The private street shall be constructed within fifty-foot easement and shall have a minimum travel lane width of twenty-seven (27) feet. The street shall feature curb, gutter and five-foot attached or detached sidewalks, unless the city or ACHD require wider sidewalks placed on both sides of the street. Private alleyways shall have a minimum travel lane width of sixteen (16) feet and be directionally signed one-way. Private alleys should connect to streets at both ends, but may terminate with a fire district approved turnaround, and provided the alley length does not to exceed five hundred (500) feet as measured from the closest connecting street edge.

Private street and alleyway construction shall be in accordance with ACHD structural standards for roadways, including base course, asphalt, concrete mat thickness, and utilizing the appropriate traffic index. The private street or alleyway design shall be prepared and certified by a registered professional engineer. The private street or alleyway shall be constructed in accordance with the roadway surface and storm drainage standards of ACHD, or as approved by the City of Kuna Engineer, based on plans submitted by a certified engineer. Private streets shall connect to a local (public) road with a minimum standard thirty-six-foot street section within a fifty-foot right-of-way. The private street should connect with other public or private streets to create a grid system where possible. A private street shall have a block length no longer than ~~five~~ eight hundred (~~5~~800) feet unless necessary to ameliorate a topographical or infrastructure constraint(s). Block length may be extended if an open space connection is made and intersections are provided on one side of the street. Private streets should connect to other streets but may terminate with a fire district approved turnaround and provided the length does not exceed ~~five~~ eight hundred (~~5~~800) feet as measured from the closest connecting street edge. The private street shall have street lighting in accordance with the regulations of KCC 6-4-2:N. The private streets shall provide sufficient maneuvering area for emergency vehicles as determined by the Kuna Fire Department. ~~Gated entryways are prohibited in Kuna because they interfere with the concept of a barrier-free community.~~

...

M. *Structures:* Attached and detached dwelling units are permitted in PUD's in accordance with the city's adopted Uniform Building Code (UBC) requirements. The minimum separation distance between detached dwelling units shall be ten (10) feet, unless fire or building codes required greater separation distances. The minimum separation distance may be reduced by utilizing fire resistant walls. The separation distance of uninhabitable accessory buildings (from dwelling units, lot lines and easements) will be according to city and fire district requirements (see KCC 5-3-4-5:I).

...

5-7-24: - IMPROVEMENT GUARANTEES:

...

D. The applicant shall file with the agreement one (1) of the following to assure their full and faithful performance:

...

3. Other surety, including a performance bond, acceptable to the city.

CHAPTER 10 - SIGNS[9]
SECTION:

...

5-10-4: - GENERAL REQUIREMENTS FOR ALL SIGNS AND DISTRICTS:
The regulations contained in this section shall apply to all signs and all use districts:

...

O. *Subdivision signs:*

...

2. Subdivision signs shall not exceed ~~six~~ eight (~~6~~8) feet in height and the sign area shall not exceed ~~forty~~ sixty (~~4~~60) square feet per side unless approved by the planning department. Any denial from the planning department may be appealed to the city council.

...

4. Subdivision advertising: Any sign advertising a commercial enterprise, including real estate developers or subdividers, in a district zoned residential shall not exceed ~~twelve~~ forty (~~12~~40) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located. Signage installed along a residential subdivision's street frontage for advertizing purposes shall be limited to the installation of ~~two~~ four (~~2~~4) in ground signs per street frontage that do not exceed ~~twelve~~ twenty-four (~~12~~24) square feet in area or ten (10) feet in height. The signs shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located. The signs shall be maintained in good condition and removed when ninety-five (95) percent of the subdivision's lots have been sold.

...

CHAPTER 17 - LANDSCAPING REQUIREMENTS[13]

...

SECTION:

...

5-17-12: - BUFFER AREAS; COMMON LOTS:

...

C. *Common area landscapes:* New residential subdivision common area landscapes shall be comprised of the following:

...

2. A minimum of one (1) deciduous shade tree per one thousand (1,000) square feet of site, except in park areas where there may be turf play fields and other activities that may not warrant densely planted trees.

...

5-17-13: - LANDSCAPE BUFFER WIDTH BASED ON ROADWAY CLASSIFICATION:

...

B. *The landscape buffer requirements for these noted road classifications and the accompanying land uses are as follows:*

...

3. *Mobility arterial, residential arterial, residential neighborhood arterial and section line road—Landscape buffer requirements:* The landscape buffer width shall be twenty (20) to thirty (30) feet from the property line for these type of roadways as determined by the director, design review committee, or planning and zoning commission based upon land use action, development intensity, visual impacts, surrounding conditions and topography. A person initiating development or redevelopment adjacent to these types of roadways shall install an eight-foot wide detached sidewalk along the accompanying property frontage. The sidewalk shall be located within the public right-of-way and separated by a four- to ~~eight~~twelve-foot wide irrigated and landscaped planter strip. The requirement for a planter strip is in addition to the installation of the landscape buffer.

...

6. *Residential collector and quarter section road—Landscape buffer requirements:* The landscape buffer width shall be fifteen (15) feet along the residential collector and quarter section road frontage. A person initiating development or redevelopment along these types of roadways shall install a minimum five-foot wide detached sidewalk along the accompanying property frontage. The sidewalk shall be located within the public right-of-way and separated from the public vertical curb (or its alignment) by a ~~four~~six- to ~~eight~~ten-foot wide irrigated and landscaped planter strip. The requirement for a planter strip is in addition to the installation of the landscape buffer.

...

C. *Related transportation considerations:*

2. *Stormwater considerations:* Vertical curb and gutter shall be installed on all functionally classified streets. Rolled curbing and gutter or an equivalent approved by the city shall be installed on all nonfunctionally classified streets. The use of drainage swales for stormwater conveyance purposes in lieu of curb and gutter is prohibited within the Kuna city limits, unless necessary to preserve a historical drainage right that would be impeded by the swale's removal as determined by the city engineer or in areas with private streets or on a case by case basis as determined by the city engineer- see KCC 6-4-2:C.

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5-17-14: - LANDSCAPED BUFFER WIDTHS FOR PATHWAYS, WALKWAYS, BUILDINGS AND PARKING LOTS:

A. *Pathway or pedestrian walkway—Landscape buffer requirements:* Residential and commercial development pathways and pedestrian walkways shall be ~~centered~~ in a public easement, which is at least ~~ten~~ fifteen (~~1~~50) feet in width or in a public or private right-of-way with a minimum of twenty (20) of landscaping on both sides combined. The pathway surface shall be a minimum ~~five~~ six (~~6~~5) feet in width and constructed of an impervious surface that is acceptable to the city engineer and in compliance with Americans with Disabilities Act (ADA) accessibility guidelines found in Section 504 of the Rehabilitation Act.

B. *Greenbelt pathway—Landscape buffer requirements:* Greenbelt pathways shall be a minimum ~~ten~~ eight (~~1~~80) feet wide and located within a thirty-foot wide public easement. The city council may accept a pathway that is ~~nine~~ six (~~9~~6) feet wide, upon making findings that this width is not a safety hazard, topography may preclude a wider path, and it is in the interests of the city to allow the narrower width. These pathways shall be constructed of a material in keeping with the Americans with Disabilities Act (ADA) accessibility guidelines found in Section 504 of the Rehabilitation Act. Greenbelt pathways located along waterbodies shall be placed on one side or the other of the water feature in such a fashion as to provide an uninterrupted pathway alignment and be separated from the waterbody by the installation of fencing constructed consistent with the fencing standards found in KCC 6-4-2:E. Where possible, the greenbelt pathway shall connect with other pathways.

TITLE 6 - SUBDIVISION REGULATIONS

CHAPTER 1 - GENERAL SUBDIVISION PROVISIONS
SECTION:

CHAPTER 2 - SUBDIVISION APPROVAL PROCEDURE
SECTION:

...

6-2-3: - PRELIMINARY PLAT:

Note: Subdivider and developer are intended to be interchangeable terms.

....

J. *Approval period, phased development, time extension, and expiration:*

1. A preliminary plat approval shall be valid for ~~two~~ three (~~2~~3) years from the date of approval of the findings of facts and conclusions of law by city council, unless extended as provided for herein.

2. In the event that the preliminary plat is approved in construction phases (more than one (1) phase), the subdivider shall have two (2) years to complete the plat's first phase from the time the council approves the plat's findings of fact. When the preliminary plat includes phases, each successive phase is to be completed within ~~one~~ three (~~1~~3) years of the preceding phase's recording date.

...

6-2-5: - CONDITIONS FOR ISSUANCE OF BUILDING PERMIT:

No lots shall be sold, transferred or constructed upon until the plat has been recorded in the office of the county recorder and a certified copy thereof has been returned to the city.

In addition, no building permit will be issued until the following conditions are met:

...

G. In the event the subdivider has posted financial assurances in the form of a letter of credit or bond acceptable to the city or other government agency for the improvements listed above, then the city will allow building permits to be issued for model homes in a subdivision, so long as there are all weather surfaces to drive on and water service and hydrants have been pressure tested and are active. Certificates of occupancy would not be granted until all of the improvements listed above are completed.

...

6-3-3: - LOCATION:

Street and road location shall conform to the following:

...

G. *Cul-de-sac streets:* Cul-de-sac streets shall not be more than ~~five~~ seven hundred (~~5~~700) feet in length and shall terminate with an adequate turnaround having a minimum radius of fifty (50) feet for right-of-way;

...

6-3-4: - SPECIFICATIONS:

A. *Street right-of-way widths:* Public ~~S~~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:

....

D. *Minimum road width:* The minimum road width within the Kuna city limits shall be thirty-three~~six~~ (3~~6~~) feet back of curb to back of curb in all zoning districts. Exceptions may be considered by the council on a case-by-case basis.

...

6-3-7: - PEDESTRIAN WALKWAYS:

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~~ twenty (~~1~~20) feet wide.

...

6-3-9: - BLOCKS:

Every block shall be so designed as to provide two (2) tiers of lots, except where lots back onto an arterial street, collector street, natural feature, open space, or subdivision boundary.

...

6-4-2: - REQUIRED PUBLIC IMPROVEMENTS:

...

C. *Curb and gutter:* Vertical curb and gutter shall be installed on functionally classified collector and arterial streets. The street's functionality shall be determined based on the city's adopted functionally classified roadmap. Other street classifications may feature rolled or vertical curbs, and supporting stormwater devices.

The use of drainage swales for stormwater conveyance in lieu of curb and gutter is prohibited unless ~~necessary to preserve a historical drainage right that would be impeded by the swale's removal as~~ determined by the city engineer. There shall be no mixing of irrigation drainage water and road runoff

water. All construction shall be in accordance with Idaho Standards for Public Construction Work [ISPCW] or other standards established by the city engineer.

...

E. *Fencing:* Fencing shall be installed according to the approved fencing plan. The subdivision shall feature permanent fencing along its outer perimeter with the exception of those portions of its perimeter that feature common open space or park area accessible from the street. The fencing that is placed next to an arterial or collector road shall be punctuated with a minimum three (3) feet of parallel fencing offset, every ~~two~~ five hundred ~~fifty~~ (~~25~~00) linear feet [maximum] to minimize the monotony of the fence's facade. Fences shall be a maximum six (6) feet in height (measured from the crest of the road), permanent in nature and maintenance free. Fencing shall be constructed of metal, rock or vinyl materials with an approved post hole footing. Wood and chainlink fencing is not permitted in a subdivision, except for school related purposes. The school authority may rely upon a powder coated or vinyl coated chainlink type fencing for security related purposes. Ditch or irrigation fencing shall be determined with input from the irrigation purveyor. Fencing placed along a subdivision's internal pathways shall be of a see-though type construction to minimize tunneling effects and provide for pedestrian safety. If fencing is used in combination with a landscaped berm, the fence shall be placed behind the berm, and under no circumstances, placed on the berm.

...

G. *Flag lot:* Residential subdivision flag lots shall be developed via a common private driveway access that connects with a public street. The driveway shall not extend more than one hundred fifty (150) feet from the public street right-of-way. A common [or shared] driveway shall be relied upon to access the lots contained within the flag lot configuration, with a maximum of ~~three~~ six (~~3~~6) contiguous lots contained within a flag lot. A cross-access driveway agreement qualifying the methods of common driveway care and maintenance responsibility shall be recorded with each lot of the flag lot. The pole portion of the flag lot shall front on the street a minimum thirty (30) feet. The driveway access shall be centered on the pole portion of the flag lot and designed and constructed with a minimum twenty-foot-wide curb cut to include a concrete apron. The common driveway shall be constructed of a material approved by the city engineer. The flag lot is subject to street frontage improvements. The area of the flag lot pole is exclusive of each lot's minimum square footage. Each flag lot shall meet the zoning conditions of the underlying zone. Structure(s) placed on the flag lot shall face the public street and be setback a minimum of twenty (20) feet from edge of driveway. Commercial flag lots shall be evaluated on a case by case basis.

H. *Greenbelt pathways:* Greenbelts pathways are required to be installed at developer's expense within the subdivision to: mitigate land incompatibilities that arise between the subdivision property and the adjoining highways, waterbodies, railroad rights-of-way, transmission lines and other like features; or as shown on the recreation and pathways master plan, as adopted by the city council. Greenbelt pathways are subject to design review. Subdivision plats shall show the location of greenbelt pathways. These pathways shall be a minimum ~~ten~~ eight (~~10~~8) feet wide and located within a thirty-foot wide public easement. The city council may accept a pathway that is ~~nine~~ six (~~9~~6) feet wide, upon making findings that this width is not a safety hazard, topography may preclude a wider path, and it is in the interests of the city to allow the narrower pathway width. The greenbelt pathway ~~shall~~ may feature lighting bollards at appropriate distances, and shall feature directional signage and landscape consisting of trees, bushes and other organic materials to include an irrigation source. The greenbelt pathway shall feature park benches, vistas at appropriate locations and be marked with mileage indicators for sport and safety purposes. These pathways shall be constructed of a material in keeping with the Americans with Disabilities Act (ADA) accessibility guidelines. Greenbelt pathways located along waterbodies shall be placed on one (1) side or the other of the water feature in such a fashion as to provide an uninterrupted pathway alignment and be separated from the waterbody by the installation of fencing constructed consistent with the fencing standards found in Kuna City Code subsection 6-4-2:E. If there are trees located along the waterbody, these shall be

reviewed by the city forester for preservation purpose. Where possible, the greenbelt pathway shall connect with other pathways.

I. *Irrigation system:* The city engineer is authorized to establish rules, regulations and standards for pressurized irrigation systems and these systems shall comply with those standards, rules and regulations. Pressure irrigation systems shall be constructed in accordance with the specifications of the city's adopted pressure irrigation plan. The subdivider ~~is obligated to~~may annex the subdivision's lands into the Kuna Municipal Irrigation District [KMID] at subdivider's discretion. In the event of annexation, ~~P~~pressure irrigation facilities shall be constructed and dedicated to the city, in compliance with KMID standards and requirements. The irrigation system's design and functionality shall follow the requirements of the irrigation entity that will own, operate and maintain the system. Subdivision~~s~~ common areas shall rely upon a nonpotable water source for all irrigation and watering purposes. ~~The subdivider shall provide an underground conduit to provide pressurized irrigation water to every lot within the subdivision.~~ Potable municipal water may ~~not~~ be used for subdivision irrigation purposes.

J. *Irrigation ditches:* The subdivision's irrigation ditches and laterals shall be tiled with the exception of major canals and natural waterways. The city engineer, in consultation with the irrigation water provider, shall determine if an irrigation ditch or lateral needs to be tiled. Irrigation conveyances shall be placed in a public or private easement. Major canals and natural waterways located within or adjacent to the development boundaries that are not tiled shall be appropriately fenced. Improvements involving the irrigation distribution system shall have the affected irrigation water provider's approval.

....

N. *Pathways:* A pathway is intended to connect people to and through a subdivision as opposed to a sidewalk that is intended to protect people from the adjoining roadway. Pathways shall be centered in a public easement and be at least ~~ten~~ fifteen (1~~0~~5) feet in width or in a public or private right-of-way with a minimum of twenty (20) of landscaping on both sides combined. The pathway surface shall be a minimum ~~five~~ six (~~5~~6) feet in width and constructed of an impervious surface that is acceptable to the city engineer and in compliance with Americans with Disabilities Act [ADA] accessibility guidelines.

....

Q. Sidewalk: Attached or detached sidewalks shall be constructed on both sides of the subdivision's streets except where its average street lot frontage is more than one hundred (100) feet in width. In this circumstance, a sidewalk is only required on one (1) side of the street, unless there is an overriding health or safety concern that would dictate sidewalk placement on both sides of the street. Additionally, ACHD has a minor local street section whose usage affords the placement of a sidewalk on one (1) side of the street, unless there is an overriding consideration requiring sidewalk placement on both sides of the street. Sidewalks shall be designed and built to Americans with Disabilities Act [ADA] accessibility guidelines, and in accordance with ACHD and city engineer standards and specifications. The minimum width of any city sidewalk shall be five (5) feet. Arterial or collector streets shall feature eight-foot detached sidewalks on both sides of the street frontage or five (5) feet on one side and ten (10) feet on the other side regardless of subdivision lot widths. The accompanying parking strip shall also be eight (8) feet wide and landscaped with an irrigation system. A public easement shall accompany any sidewalk placed outside a public right-of-way. The placement of a sidewalk outside the right-of-way requires city approval. Sidewalks constructed as part of a curb cut installation shall be designed to accommodate the additional loading requirements placed upon it.

....

S. *Street and alleys:* All public streets and alleys shall be constructed in accordance with the standards and specifications adopted by the City of Kuna [city], Ada County Highway District [ACHD] and Idaho Transportation Department [ITD]. Street functionality shall be determined according to the city's adopted "2030 Functional Classified Road Map". The public street right-

of-way widths shall be according to the street typologies identified in Kuna City Code section 6-3-4. The distance separation from the edge of the street pavement to the developer's right-of-way requires a landscape treatment. For distance separation distances of less than ten (10) feet, provide a city approved landscape treatment to include a nonpotable underground irrigation source. For distance separations of greater than ten (10) feet, provide the remainder of the area separation with a rock application treatment acceptable to the city and the transportation authority. The developer shall enter into a license agreement with the transportation authority for landscape maintenance within the public right-of-way. Highway treatment applications will be determined on a case by case basis. A subdivider shall provide a nonconnecting [dead end] subdivision street, whose length is longer than ~~five~~ seven hundred (~~5~~700) feet (not including any private drives), with a secondary access. If the nonconnecting street terminates in a turn around, the maximum ~~five~~ seven hundred-foot street length is to be measured from the center point of the turn around to the point where it intersects with an intersecting street. Should the fire district approve a longer roadway length, the city may defer to their judgment. ~~The city prohibits private streets and alleys unless there is a hardship circumstance that warrants this consideration and not of the controller's making. In the limited circumstances where they are approved, p~~ Private streets and alleyways shall be owned and maintained by private individuals or entities and not by government agencies.

T. *Street lighting:* Street lights shall be installed within the subdivision at intersections, fire hydrants, cul-de-sacs and other types of turn around, pedestrian shelters and bus stops and according to the approved lighting plan. The subdivider shall place lighting facilities a maximum spacing of ~~two hundred fifty~~four hundred (~~250~~400) feet along local streets and proportionately dispersed throughout the interior and exterior of the subdivision. The street lighting shall alternate along the course of the subdivision roadways from one (1) side of the road to the other at maximum two hundred fifty foot intervals. The subdivider shall conform to street lighting standards, as adopted by resolution of the city council. Lighting facilities shall be designed and installed according to "Dark Skies" standards. Lighting facilities will be reviewed by city staff to assure they are energy efficient, and if not, the subdivider shall provide an alternative lighting product acceptable to the city. The street lighting facilities shall be of a design standard that makes them easily exchangeable with minimal replacement cost outlay.

...

X. *Water supply system:* The city engineer is authorized to establish rules, regulations and standards for water supply systems and these systems shall comply with those standards rules and regulations. Each public water supply systems shall be constructed in accordance with the specifications of the city's adopted water plan. Subdivision water supply systems shall be installed as an extension of the city's public system. Buildable subdivision lots shall have a water service capable of supplying the site with potable water in sufficient volume and pressure for domestic use, and fire protection in accordance with City Code and Kuna Fire District requirements. Water supply shall meet the International Fire Code's minimum fire flow requirements. ~~The water rights appurtenant to a tract of land, subject to subdivision, shall be dedicated to the city in sufficient water quantities to offset the subdivision's potential water demands as determined by the city engineer. The subdivision's water rights shall not be sold, abandoned, or transferred outside the city or its area of city impact.~~ Condominium units shall have individual water meters. Planned unit development [PUD] and master planned communities require a master utility plan that addresses potable water issues. IC § 50-1326 requires all water plans to be submitted to the Idaho State Department of Environmental and Community Services or its authorized agent for approval. The city engineer, or their designate, shall serve as the Idaho State's qualified licensed professional engineer [QLPE] for purposes of reviewing the city's water plan submittals.

...

6-4-3: - FINANCIAL GUARANTEE RELATING TO COMPLETION OF SUBDIVISION IMPROVEMENTS:

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Kuna, Idaho
May 2018

TRAFFIC IMPACT STUDY

Transportation Impact Study

FALCON CREST SUBDIVISION

m3companies®

KITTELSON & ASSOCIATES

Prepared For:
M3 Companies
1087 W. River Street, Suite 310
Boise, Idaho 83702

Prepared By:
Kittelson & Associates, Inc.
101 South Capitol Boulevard, Suite 301
Boise, Idaho 83702
(208) 338-2683

Project Principal: Andy Daleiden, PE
Project Manager: John Ringert, PE
Project No. 21966

received
5.30.18

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Section 1
Executive Summary

EXECUTIVE SUMMARY

M3 Companies is proposing to develop the Falcon Crest Subdivision, located on the east side of Cloverdale Road and on the north side of Kuna Road, in Kuna, Idaho. The initial development will begin with a 409-unit active-adult residential development situated on the northeast quadrant of Cloverdale Road/Kuna Road intersection. The development is proposed to be gated and age-restricted. In the long-term, the master plan for the development will encompass approximately 567 acres and is anticipated to include approximately 1,732 active adult homes, approximately 591 single-family houses, and some supporting commercial uses. Figure 1, illustrates the site's vicinity in Ada County, Idaho. The initial development of 409 units will include Village A, Village B, and Village C as shown the dark shading in Figure 1.

Access to the first development phase is proposed on Cloverdale Road via a new private street. The primary collector access is proposed to be opposite Reining Horse Drive, approximately 1,560 feet south of the existing Falcon Crest Golf Course access and approximately 1,990 feet north of Kuna Road. The private street will have an automatic gate. located approximately 350 feet west of Cloverdale Road. Additionally, two emergency vehicle accesses are proposed, which would include bollards and serve as a multi-use path for pedestrians and bicyclists. The emergency vehicle accesses are proposed to be located on Cloverdale Road approximately 1,040 feet north and 970 feet south of the primary access. The use of the emergency vehicle accesses would cease when future site development adds additional connections to the Falcon Crest Golf Course access road and to Kuna Road.

Currently the site is undeveloped. The initial development is planned to be completed in approximately 2022, but could extend out to 2024 or 2025 depending on market conditions. The overall development is planned to be completed in future phases, with a projected full build-out in approximately year 2040. The preliminary site plan is shown in Figure 2. The TIS will address the development's impacts in the initial buildout year 2022. In addition, the TIS includes a planning-level analysis of the potential roadway impacts for the full buildout in the year 2040 to identify potential changes to future roadway sizes that may be necessary beyond the 2016 ACHD Capital Improvement Plan (CIP). Separate TIS's will be prepared in the future that will address the impacts of individual development impacts of each phase/application.

FINDINGS

Existing Conditions

- The study evaluated twelve off-site intersections during the AM and PM peak hour of a typical weekday (Tuesday – Thursday).
- All study intersections were found to operate at acceptable operating standards during the existing weekday AM and PM peak hours with the exception of:
    - **Cloverdale Road & Overland Road (PM Peak Hour) –** During the weekday PM peak hour, the intersection volume-to-capacity ratio is 0.93, which is above the ACHD threshold of 0.90. Additionally, the southbound approach (or the north leg)

operates with a volume-to-capacity ratio of 1.08, resulting in LOS "F", which does not meet ACHD's minimum standard of a lane group volume-to-capacity ratio of ≤ 1.00 at this intersection.

- An evaluation of mitigations identified that a minor adjustment to signal timing would mitigate the volume-to-capacity ratio.

- The westbound left-turn movement at the intersection of Kuna Road & Meridian Road meets the ACHD LOS and volume-to-capacity criteria, but is projected to operate at LOS "D" during the weekday AM and PM peak hours. Therefore, signal warrants were evaluated per ACHD policy for unsignalized intersections with LOS D or worse.
  - A planning-level signal warrant analysis based on ACHD and ITD 24-hr counts indicated that the intersection meets volume warrants #1, #2, and #3.
- All ACHD study roadway segments operate at acceptable levels of service with the exception of:
  - **Cloverdale Road between Lake Hazel Road and Amity Road (AM & PM Peak Hours) -** This widening is included in the 2016 CIP (CIP# RD2016-21) for 2021-2026. A more detailed analysis at each study intersection found that the intersections operate acceptably and therefore, widening could be delayed until intersection operations are found to require additional through lanes on Cloverdale Road.
  - **Cloverdale Road between Amity Road and Victory Road (AM & PM Peak Hours) -** This widening is included in the 2016 CIP (RD2016-22) for 2021-2026. A more detailed analysis at each study intersection found that the intersections operate acceptably and therefore, widening could be delayed until intersection operations are found to require additional through lanes on Cloverdale Road.
  - **Cloverdale Road between Victory Road and Overland Road (AM & PM Peak Hours)** - This widening is included in the 2016 CIP (RD2016-23) for 2021-2026. A more detailed analysis at each study intersection found that the intersections can operate acceptably with minor mitigation and therefore, widening could be delayed until intersection operations are found to require additional through lanes on Cloverdale Road. Due to the intersection of Cloverdale Road and Overland Road operating at the ACHD volume-to-capacity threshold of 0.90 during the weekday p.m. peak hour, this segment should be the highest priority for widening.
- Crash data at the study intersections for the most recent five years (2011-2015) was analyzed for any existing crash trends, below are the findings:
  - Rear-end and angle crashes were the most common reported crash type, each accounting for approximately 31 percent of all crashes.
  - The signalized intersection of Cloverdale Road & Overland Road reported an average of eight crashes per year since 2011, of which 38 percent were angle

crashes. That intersection has a substantially higher traffic volume than the other intersections and therefore, a higher number of crashes would be expected.

- During the five-year study, no fatal crashes occurred at the study intersections, and approximately 42 percent of crashes resulted in an injury.

Year 2022 Background Traffic Conditions

- Year 2022 background traffic volumes were forecasted using a 2.5 percent annual growth rate.
- Year 2022 background traffic analysis (without inclusion of site-generated traffic) found that all the study intersections are forecast to operate at acceptable levels of service and volume-to-capacity ratios with the exception of:
  - **Cloverdale Road & Overland Road (AM & PM Peak Hour) –** The overall intersection is projected to operate with a volume-to-capacity ratio of 1.06 during the weekday PM peak hour, which does not meet ACHD's minimum threshold standard of ≤ 0.90. Additionally, the southbound through movement operates over capacity with volume-to-capacity ratio of 1.22 during the weekday PM peak hour and the northbound through operates with a volume-to-capacity ratio of 1.02 during the weekday AM peak hour. These ratios exceed the ACHD threshold of ≤ 1.00 for the lane group volume-to-capacity ratio. The following mitigations were identified to be necessary to meet ACHD thresholds under background traffic conditions:
    - Addition of dual eastbound and westbound left-turn lanes;
    - Restriping of the northbound and southbound approaches to accommodate two through lanes using the existing right-turn lanes; and
    - Widening of Cloverdale Road to add an additional southbound travel between Overland Road and Victory Road to serve as a continuous receiving lane for the additional southbound lane through the intersection.

    Note that this intersection is in ACHD's *2016 Capital Improvement Plan* (CIP# IN2016-66) for completion in the year 2026-2030 timeframe.
  - **Cloverdale Road & Lake Hazel Road Overland Road (AM Peak Hour)** – During the weekday AM peak hour, the westbound through movement operates with a volume-to-capacity ratio of 1.02, resulting in LOS "F", which does not meet ACHD's minimum threshold for a lane group volume-to-capacity ratio of ≤ 1.00 at this intersection.
    - Minor signal timing adjustments were found to mitigate the volume-to-capacity ratio.

Additionally, ACHD's *2016 Capital Improvement Plan* (Reference 5) identifies improvements (CIP# IN2016-49) for completion in the year 2021-2025 timeframe.

- The westbound left-turn movement at the intersection of Kuna Road & Meridian Road meets the ACHD LOS and volume-to-capacity criteria, but is projected to operate at LOS "D" and LOS "E" during the weekday AM and PM peak hours, respectively. Therefore, signal warrants were evaluated per ACHD policy for unsignalized intersections with LOS D or worse.
    - A planning-level signal warrant analysis indicates that the intersection would meet volume warrants #1, #2, and #3.
- All ACHD study roadway segments will operate at acceptable levels of service, except for the following:
    - **Cloverdale Road between Lake Hazel Road and Amity Road (AM & PM Peak Hours)** - This widening is included in the 2016 CIP (CIP# RD2016-21) for 2021-2026.
        - The more detailed analysis at each intersection found that the intersections will operate acceptably, and therefore widening could be delayed until intersection operations are found to require additional through lanes on Cloverdale Road.
    - **Cloverdale Road between Lake Hazel Road and Victory Road (AM & PM Peak Hours)** - This widening is included in the 2016 CIP (CIP# RD2016-21 and RD2016-22) for 2021-2026.
        - The more detailed analysis at each intersection found that the intersections can operate acceptably with minor mitigation, and therefore widening could be delayed until intersection operations are found to require additional through lanes on Cloverdale Road.
    - **Cloverdale Road between Victory Road and Overland Road (AM & PM Peak Hours)-** This widening is included in the 2016 CIP (RD2016-23) for 2021-2026.
        - This segment requires widening to five lanes to accommodate the recommended mitigation at the Cloverdale Road & Overland Road intersection. Therefore, widening is necessary under 2022 background traffic conditions.

Trip Generation and Distribution

- The *ITE Trip Generation Manual, 10th Edition* was used to estimate the trip generation for the proposed Falcon Crest Subdivision.
- The proposed development (Phase 1 of the proposed Falcon Crest Subdivision) will include approximately 409 active-adult (senior adult detached housing) units.

- In the buildout year of 2022, the development is estimated to generate a total of 1,943 daily new trips, 119 weekday AM peak hour new trips (39 inbound / 80 outbound), and 144 weekday PM peak hour new trips (88 inbound / 56 outbound).
- The distribution pattern for site-generated trips was based on a review of the roadway system, trip destinations, and the COMPASS 2040 regional travel demand model area of impact modeling results.

Year 2022 Total Traffic Conditions

- Year 2022 total traffic conditions found that the issues and mitigations identified in background conditions remained the same for total traffic conditions. All study intersections will continue to operate at acceptable levels of service, except for:
  - **Cloverdale Road & Overland Road (AM & PM Peak Hour) –** The overall intersection is projected to operate with a volume-to-capacity ratio of 1.07 (up from 1.06 under background traffic conditions) during the weekday PM peak hour, which will not meet ACHD's minimum standard of ≤ 0.90. Additionally, the southbound through movement is projected to operate over capacity with volume-to-capacity ratios of 1.24 (up from 1.22 under background traffic conditions) and the northbound through movement with the volume-to-capacity ratio of 1.04 (up from 1.02 under background traffic conditions). These ratios exceed ACHD's minimum threshold for a lane group volume-to-capacity ratio of ≤ 1.00. The intersection is projected to exceed the ACHD thresholds in 2018 under background and total traffic conditions. The same improvements as identified under 2022 background traffic conditions are necessary to mitigate the intersection operations. These include:
    - Addition of dual eastbound and westbound left-turn lanes;
    - Restriping of the southbound approach to accommodate two southbound through lanes; and
    - Widening of Cloverdale Road to add an additional southbound travel and between Overland Road and Victory Road to serve as a continuous receiving lane for the additional southbound lane through the intersection.

    The percentage of site traffic is approximately 0.6 percent of the intersection peak hour entering volume. Additionally, this intersection is in ACHD's *2016 Capital Improvement Plan* (CIP# IN2016-66) for completion in the year 2026-2030 timeframe.
  - **Cloverdale Road & Lake Hazel Road (AM Peak Hour)** – During the weekday AM peak hour, the westbound through movement operates with a volume-to-capacity

ratio of 1.05, resulting in LOS "F", which does not meet ACHD's minimum standard of a lane group volume-to-capacity ratio of ≤ 1.00 at this intersection.

- Minor signal timing adjustments were found to mitigate the volume-to-capacity ratio.

The percentage of site traffic is approximately 3.2 percent of the intersection peak hour entering volume. Additionally, ACHD's *2016 Capital Improvement Plan* (Reference 5) identifies improvements (CIP# IN2016-49) for completion in the year 2021-2025 timeframe.

- **Kuna Road & Meridian Road -** The westbound left-turn movement at the intersection of Kuna Road & Meridian Road meets the ACHD LOS and volume-to-capacity criteria, but is projected to operate at LOS "D" and LOS "E" during the weekday AM and PM peak hours, respectively. Therefore, signal warrants were evaluated per ACHD policy for unsignalized intersections with LOS D or worse.
  - A planning-level signal warrant analysis indicates that the intersection would meet volume warrants #1, #2, and #3. Due to the intersection operating acceptably based on ACHD criteria, signalization is not necessary to accommodate the projected traffic.
  - The percentage of site traffic is 0.5 percent of the intersection entering volume.

- All ACHD study roadway segments are projected to operate at acceptable levels of service except for:
  - **Cloverdale Road between Lake Hazel Road and Amity Road (AM & PM Peak Hours)** - This widening is included in the 2016 CIP (CIP# RD2016-21) for 2021-2026.
    - The more detailed analysis at each intersection found that the intersections can operate acceptably with minor mitigation. Therefore, widening could be delayed until intersection operations are found to require additional through lanes on Cloverdale Road.
    - The percentage of site traffic during the peak hour is estimated to be approximately 2.9 percent.
  - **Cloverdale Road between Lake Hazel Road and Victory Road (AM & PM Peak Hours)** - This widening is included in the 2016 CIP (CIP# RD2016-21 and RD2016-22) for 2021-2026.
    - The more detailed analysis at each intersection found that the intersections would operate acceptably with minor signal timing adjustments at the Cloverdale Road/Victory Road intersection. Therefore, widening could be delayed until intersection operations are found to require additional through lanes on Cloverdale Road.

- The percentage of site traffic during the peak hour is estimated to be approximately 2.4 percent.

- **Cloverdale Road between Victory Road and Overland Road (AM & PM Peak Hours) -** This widening is included in the 2016 CIP (RD2016-23) for 2021-2026.
    - This segment requires widening to five lanes to accommodate the recommended mitigation at the Cloverdale Road & Overland Road intersection per the background traffic conditions analysis. Therefore, widening is necessary under 2022 background and total traffic conditions.
    - The percentage of site traffic during the peak hour is estimated to be approximately 1.6 percent.

- Based on the ACHD turn lane warrant procedures, a southbound left-turn lane will be warranted at the proposed site access.
- The results from the queuing analysis found that the 95th percentile queue lengths can be accommodated at the proposed site access, including the proposed queue at the entry gate.
- The intersection sight distance evaluation identified that intersection sight distance can be achieved at the proposed site access assuming the access road approach elevation is at, or above, the edge of the existing roadway edge of travel way.
- The proposed site access on Cloverdale Road will meet the site access requirements based on ACHD criteria, except for two existing private driveways that currently don't meet ACHD criteria.

Year 2040 Master Plan Analysis

- A review of the 2040 background traffic projections identified Cloverdale Road, Locust Grove Road, Kuna Mora Road, Kuna Road, and Deer Flat Road as roadways that are projected to need widening beyond what is programmed in *ACHD's 2016 CIP.*
- The projected roadway improvement needed for build-out of the Master Plan is the widening extension of Cloverdale Road to a five lane cross section to Kuna Road by 2040.

RECOMMENDATIONS

Based on the evaluation findings and conclusions, recommendations were developed which include the following:

Existing Conditions:

- Cloverdale Road & Overland Road

- Modify the signal timing to Increase the signal phase split for the southbound through movement.

- Cloverdale Road (Lake Hazel Road to Overland Road)
  - Based on ACHD segment capacity thresholds, widening to five lanes is needed. Note that the intersection analysis found the intersections can operate acceptably. This widening is included in the 2016 CIP (CIP# RD2016-21, RD2016-22, and RD2016-23 for 2021-2025).

Year 2022 Background Conditions

- Cloverdale Road & Overland Road
  - Option 1:
    - Add eastbound and westbound dual left-turn lanes;
    - Re-stripe the northbound outside lane from a right-turn lane to a through-right lane. This is possible due to the five-lane section on Cloverdale Road north of Overland Road which provides a continuous northbound receiving lane; and
    - Widen Cloverdale Road between Overland Road and Victory Road to accommodate a second southbound travel lane and re-stripe the southbound approach outside lane from a right-turn lane to a through-right lane.
  - Option 2:
    - Replace and modify the traffic signal and widen the approaches per CIP# IN2016-66 (2026-2030).
- Cloverdale Road & Lake Hazel Road
  - Modify the signal timing splits to Increase the signal phase split for the westbound through movement.
  - Note that ACHD's *2016 Capital Improvement Plan* (Reference 5) identifies improvements (CIP# IN2016-49) for completion in the year 2021-2025 timeframe.
- Cloverdale Road (Overland Road to Victory Road)
  - If not completed prior to the year 2022 per need identified in existing conditions, widen Cloverdale Road to five lanes between the Overland Road and Victory Road per ACHD CIP (RD2016-23) planned for the 2021-2025 timeframe. This is required for the Cloverdale Road & Overland Road intersection improvements.
- Cloverdale Road (Lake Hazel Road to Victory Road)

- Based on ACHD segment capacity thresholds, widening to five lanes is needed. Note, the intersection analysis found the intersections to operate acceptably, so widening could be delayed. This widening is included in the 2016 CIP (CIP# RD2016-21, and RD2016-22) for 2021-2026).

Year 2022 Total Conditions

- If not completed for year 2022 background conditions, the total traffic improvements at the off-site intersections are the same as the recommended background improvements described in the background conditions section. These recommended improvements are:
  - Cloverdale Road & Overland Road:
    - If not completed under year 2022 background conditions, improve the intersection per Option 1 or Option 2 as described in the 2022 background conditions. This improvement is also required under background conditions, without the proposed development.
    - The percentage of site traffic is approximately 0.6 percent of the intersection peak hour entering volume.
  - Cloverdale Road & Lake Hazel Road
    - Modify the signal timing splits to Increase the signal phase split for the westbound through movement. Note that no site traffic is added to this movement. This is projected to occur in 2021 when the site has approximately 280 units completed.
    - Note that ACHD's *2016 Capital Improvement Plan* (Reference 5) identifies improvements (CIP# IN2016-49) for completion in the year 2021-2025 timeframe.
    - The percentage of site traffic is approximately 3.2 percent of the intersection peak hour entering volume.
  - Cloverdale Road (Overland Road to Victory Road)
    - If not completed prior to the year 2022 per the 2022 background conditions, widen Cloverdale Road to five lanes between the Overland Road and Victory Road per ACHD CIP (RD2016-23) planned for the 2021-2025 timeframe.
    - The percentage of site traffic during the peak hour is estimated to be approximately 1.6 percent.
  - Cloverdale Road (Lake Hazel Road to Amity Road and Amity Road to Victory Road)
    - If not completed under background conditions, widen Cloverdale Road to five lanes based on ACHD segment capacity thresholds. Note, the

intersection analysis found the intersections will operate acceptably with the recommended improvements and therefore widening could be delayed. The widening is included in the 2016 CIP (CIP# RD2016-21, and RD2016-22) for 2021-2026)

- The percentage of site traffic during the peak hour is estimated to be approximately 2.9 percent and 2.4 percent for the Lake Hazel Road to Amity Road and the Amity Road to Victory Road segments, respectively.

- Cloverdale Road & Reining Horse Drive/Site Access
  - Install a southbound left-turn lane with 100 feet of vehicle storage.
  - Ensure intersection sight distance is accommodated at the site access with the following actions:
    - Remove miscellaneous vegetation and potential obstructions along Cloverdale Road as necessary to obtain and maintain adequate intersection sight distance.
    - Design the proposed site access to match, or be higher than, the existing elevation of the edge of the travel way on Cloverdale Road to ensure the best possible sight distance.
    - Shrubbery and landscaping near the internal intersections and the site access point should be maintained to ensure adequate sight distance.

CLOVERDALE NURSERY

December 18, 2018

City of Kuna
751 W. 4th St
Kuna, ID 83634

To Whom It May Concern:

This letter is to address the concerns that were raised at the planning and zoning meeting on November 27, 2018. One of the concerns from those who testified was that the development would threaten the aquifer that supplies water to the area. This concern was based on their belief that there would be a significant increase in water use from the current agricultural use. It is our experience that the water table has remained at nearly the same depth for the 42 years that we have been irrigating on this farm while there have been increases in pumping from the development and numerous residential wells that have been drilled around the property that we own in the area.

In 1976, we purchased 500 acres and started our sod production on a twenty acre parcel. With this farm, we acquired water right #63-7107B. This well is 400' deep and pumps from about 280'. It produced 3,000 gallons/minute when first drilled, and has maintained that flow still today. In the early 80's we purchased 300 more acres and acquired another water right #63-7107A. This well is also 400' deep and pumps from around 260', 2,000 gallons/minute, and still maintains that flow.

Over 42 years we have maintained sod production on between 600-800 acres, the balance of the land we have rotated to agriculture crop production. The wells have remained strong with more than adequate water.

In 2017, we drilled a replacement well for a well that was originally drilled in 1963 located at the south west corner of Cloverdale and Kuna Roads. This smaller well produces 1,350 gallons per minute. It is 380' deep, and the pump is set at 260'. The static water level is 200', which is very close to the static water level when the well was originally drilled over 50 years ago.

We have many years of experience with water usage in this area, and have seen through the years of usage that the water level has remained fairly consistent. We will continue to grow turf and maintain the Golf Course and as development occurs we will discontinue farm irrigation and begin to irrigate lawns and open space. We appreciated one neighbor's acknowledgement at planning and zoning that agricultural irrigation uses more water than residential irrigation demand. We will continue to monitor and conserving water where we can because water is as important to us as anyone in the area.

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12.20.2018 TR

CLOVERDALE NURSERY

Please let me know if you would like any additional information.

Sincerely,

Terry Cook
Cloverdale Nursery and Turf Farm, Inc.

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12.20.2018 TB.

TO: City of Kuna
Planning & Zoning Department

Comments addressing issues that I believe need to be addressed at the November 27, 2018, scheduled public hearing regarding: An Annexation, Preliminary Plat Comprehensive Plan Map Change, Rezone, Pre Annex-Development Agreement, and Planned Unit Development request by Scott Wonders with JUB Engineers, to annex approximately 990 acres into Kuna City limits with a variety of zones throughout the project, including R-6 (medium Density Resident), C-2 (Commercial) and R-12 (High Density Resident) zones. I am against the proposed annexation and rezoning of this project site of Sections 15, 22, & 23 T2N, R1E on the hard northeast corner of Cloverdale and Kuna Roads.

These are a few of my specific concerns and some of the reasons I am adamantly opposed to this annexation/rezoning:

1- The Project Site addressed in the Courtesy Notice will directly affect persons already living in acreages around this Site, yet you are proposing medium to high density resident zoning. Your rezoning is a direct affront to those current residences in the area; existing residential zoning in the area is one-acre parcels to 10+ acre parcels. This area may not be densely populated, but it is indeed country living for those of us who have chosen to live away from the hustle and bustle and the overcrowding city life. Unfortunately, that same overcrowding that is offensive to us, is what your proposal will create in our rural area.

2- The population that will be most directly affected will be those individuals that currently live south of Kuna Road. Creating this Medium to High density zoning will increase traffic in this area where Kuna Road and Cloverdale Road are both one lane roads. These roads will not be able to sustain the preliminary proposal of 409 single family lots on 132 acres (of the 990 acres identified). Increased traffic is often followed by increased accidents and violations.

3- Another question that has arisen, of course, is the Water that will be required to service the 409 single family lots; this R-6 zoning would be 6 lots per acre; where is this water going to come from? How will these lots receive water? They are not located anywhere that there is city hook-up for water; is the city of Kuna going to address this issue? Our water table is already low, existing residential acreages in this area currently access water via the aquifer. This is another avenue where the current residents of these acreages in this southeast area will suffer from this proposed zoning.

4- After addressing Water, we would like you to address Sewer. Will the sewer system be brought out to this proposed development? Zoning laws require distance between well water access and septic systems – a minimum of an acre is needed. One reason for increased acreage is when one or more of these systems is going to be on the property. To get your proposed 6 or 12 houses to an acre will definitely not be able to address the needs of well water and septic systems. If you propose bringing city water and city sewer to this area, who is going to pay for that?

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11.14.18

5- Schooling is another huge issue that must be addressed. The proposal does not address this issue at all; parents need to know how this proposal will affect their children. Will this proposed site be considered in the Kuna School District or the Meridian/West Ada School District? The need for schools must be addressed prior to the approval of this projected housing development. Many times we've been told that schools open their doors already overcrowded; is this going to be the case for this development and the existing acreages in the area?

6- The people in the existing acreages will be more affected by the decisions of this Council regarding this proposal than you want to admit. You may say that the development will have all these fees built in; however, we aren't stupid and know that our taxes and fees will be levied upon us in the County as well as the City of Kuna. At least the City of Kuna has some recourse; they receive benefits from these revenues and they have the ability to vote in new members of the Council if needed. On the other hand, the residents of the County do not get any benefits from your proposed changes. We do not see increased traffic and noise and overcrowding of our schools to be of benefit to us.

7- I have also been told that the proposed housing development will not affect roads or accesses in any way. How can you honestly say that 409 single family housing plots will be developed – each have at least 2 vehicles, will not in any way cause more wear on the roads immediately adjacent to the proposed area. The people already living in this area will be most affected by the decisions of this Council. The Council meeting is the only place that these issues will be addressed, if they are addressed at all. I would venture to say that most of the people in the surrounding areas have no idea of the proposal or what it will mean to them and their families. Unfortunately, being residents of Ada County we don't get to vote on these types of proposals and the City Council can and does make decisions that adversely affect the many – just for the capital that it can bring to the City of Kuna or themselves.

Bruce Collier
9545 Kuna Rd.
Kuna, Id. 83634

received
11-14-18

October 25 2018

City of Kuna
Planning and Zoning

To whom it may concern:

I'm writing about the proposed Falcon Crest Subdivision. I am extremely concerned about the proposal that the City of Kuna Planning and Zoning is considering. The impact it will have on our peaceful ambience in our community will be extreme.

If the City of Kuna looks at this development logically the answer to the added subdivision would be NO for the following reasons:

The biggest concerns being traffic and our water table.
What will happen with our private wells and our irrigation?
Where are you planning on getting water for all those homes and yards?
What are the specifics for the septic of each of those homes?
Where will the traffic outlets be and what is the specific plan for that?
And what specifically will be annexed by Kuna City?

I would appreciate a **specific** response to my concerns, including pros and cons of this proposed subdivision and why I and others should support it.

Sincerely,

Helyn Haase

Helyn Haase
6144 East Deer Flat Rd.
Kuna Idaho

208-631-9979
haashw@gmail.com

received
10.26.18

11/13/18
City Hall
PO Box 13
Kuna, ID 83634
Regarding: Annexation of land for Falcon Crest development

RECEIVED
NOV 16 2018
CITY OF KUNA

At this time the Falcon Crest proposed sub division should not be annexed into the City of Kuna. According to the attached City of Kuna - City limits map the proposed area on the corner of Cloverdale Rd & Kuna Rd do not meet the requirement of the Planning and Zoning Commission Case number 15-01-AN page 3 paragraph F "stating that the parcel must touch existing City Limits". The enclosed map was printed on 11/13/18 from the Kuna Idaho Planning & Zoning Map website.

There is a new article from KTVB date July 7 2017 that 8 housing developments are currently underway. How many of those are completed? Kuna currently doesn't have the infrastructure to support more people moving in? I hear from neighbors the schools are crowded. Do we have enough police and fire equipment and staff to support the current developments let alone Falcon Crest?

How will first responders be increased and who is paying for that increase in staff and equipment? How much financial responsibility will Falcon Crest take on?

Will Falcon Crest develop and staff the small fire station currently not in use on the corner of Kuna Rd & Five Mile Rd?

Cloverdale road is already congested with commuter traffic heading back into Meridian and Boise. Falcon Crest original proposal was to build a total of 1200 homes between single family & apartments. The existing roads of Cloverdale Rd and Kuna Rd can't support another 1200-2200 cars (1-2 cars per family) coming into the subdivision. Which roads will the Falcon Crest Development exit onto, Kuna Rd or Cloverdale? Will there be turn lanes and traffic lights? Who is paying for the road improvements?

Is Kuna Rd going to be extended over Federal and State land to extend Kuna Rd to Cole Rd to help with road congestion?

Are existing houses around the proposed annexation going to be annexed into the City limits?

My husband and I moved to Kuna because it's a small town with a lot of charm. We wanted to be out of the city and not have houses and neighbors stacked on top of use. From my house I can look west at the beautiful sunset and enjoy the peace and quiet. On Falcon Crest's original proposal they want to build a section of apartments buildings. If allowed to build apartment buildings I will no longer get my view of the setting sun on the horizon. I consider the proposed site a rural community and apartments have no business being out there obstructing the sky line. The original proposal from Falcon Crest was to put six single family homes per acre, People move out into this area for larger parcels and more space.

I urge the Planning & Zoning Commission to slow down on housing developments. Develop the cities infrastructure (roads, schools, restaurant that are not fast-food) and finish the housing developments that currently have approval before moving forward with Falcon Crest or any other proposed development.

Thank you

Natalie Henderson

Natalie Henderson

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

COURTESY NOTICE

Dear Property Owner:

NOTICE IS HEREBY GIVEN: That the City of Kuna **Planning & Zoning Commission** was scheduled to hold a public hearing on October 23 2018. However, staff is requesting that this be tabled (delayed) again, *until* ***November 27, 2018***, beginning **at 6:00 pm** concerning the following case(s):

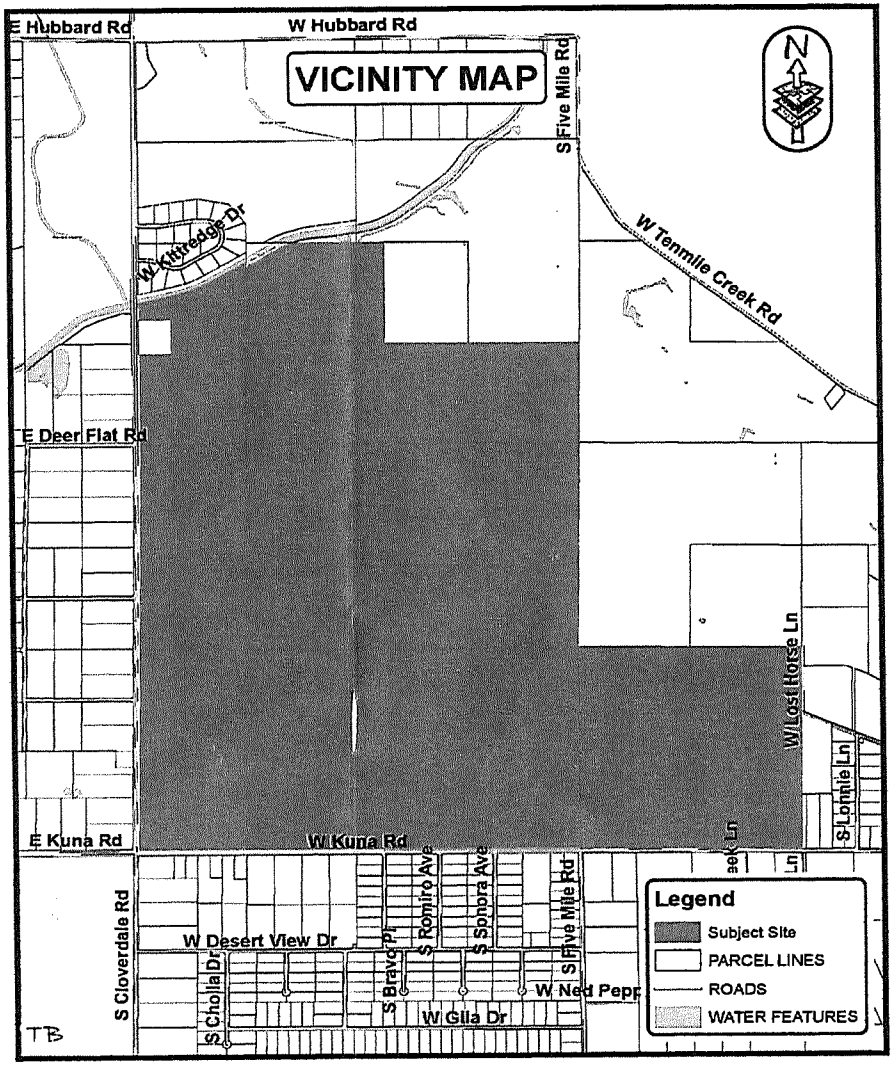
An **Annexation, Preliminary Plat Comprehensive Plan Map Change, Rezone, Pre Annex-Development Agreement, and Planned Unit Development** request by Scott Wonders with JUB Engineers, to annex approximately 990 acres into Kuna City limits with a variety of zones throughout the project, including, R-6 (Medium Density Resident), C-2 (Commercial), and R-12 (High Density Resident) zones. This application proposes to change the Comp Plan Map for a portion of these lands from "Agricultural" use to "Mixed Use". This is a proposed multi-phased Master-Planned Development. Applicant requests Preliminary Plat approval in order to subdivide approximately 132 acres into 409 single family lots, 58 common lots, and one commercial lot (total of 468 lots). The un-platted lands (approximately 858 ac.) will be developed in the future using the public hearing process. The project site is in Sections 15, 22, & 23 T2N, R1E, on the hard northeast corner of Cloverdale and Kuna Roads. Contact the P&Z Dept. for the parcel numbers involved with this application.

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments at the hearing. Written testimony will be presented to the governing body at time of the hearing. Please note, oral comments made during the public hearing will be restricted to three (3) minutes per person. Mail written comments to PO Box 13, Kuna, ID 83634 or drop them off at City Hall, 751 West 4th Street, Kuna, ID.

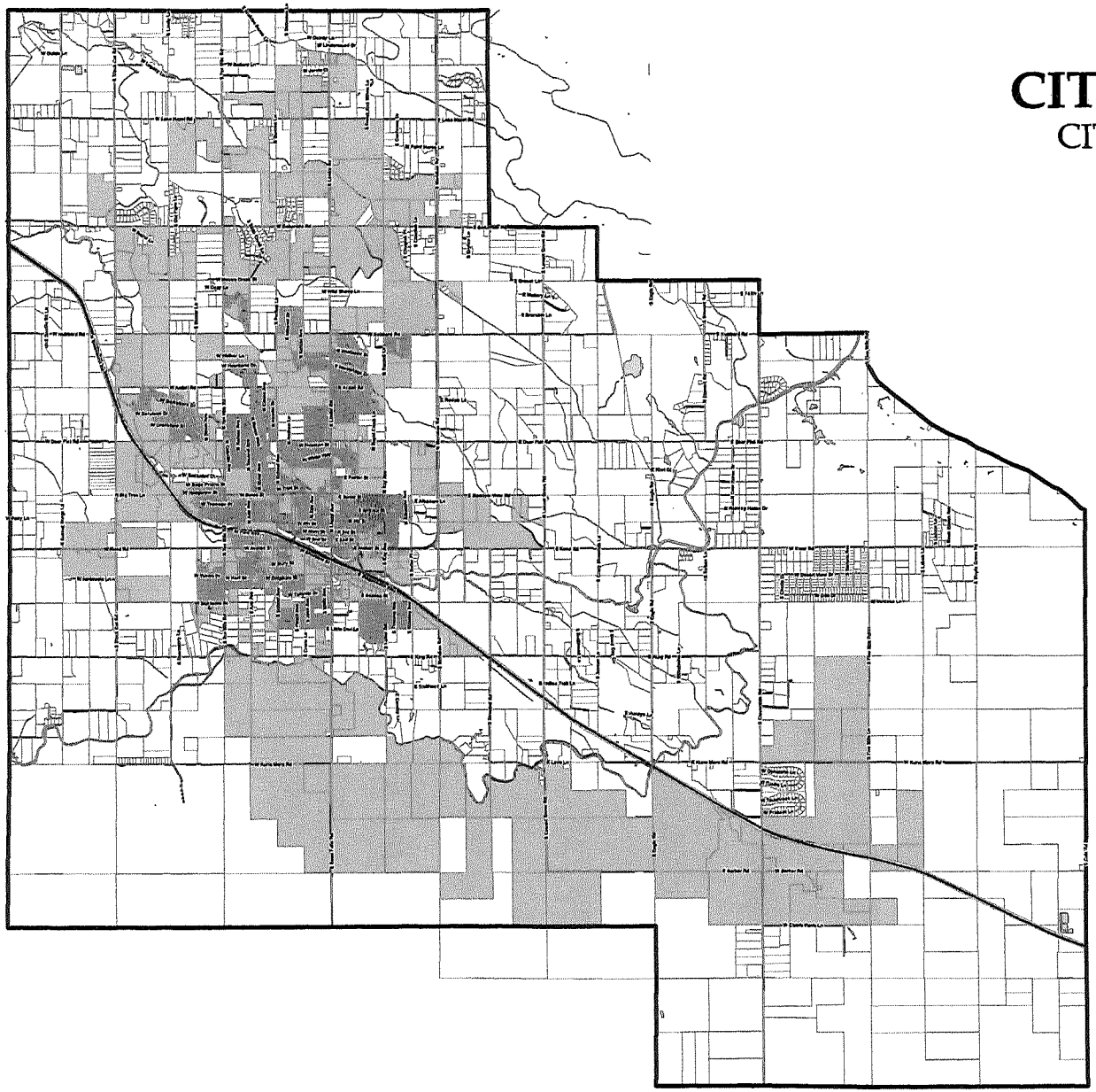
If you have questions or need special assistance, please contact the Planning and Zoning Department at (208) 922-5274.

In all correspondence concerning this case, please refer to the case name: 18-03-AN (Annex), 18-01-CPM (Comp. Plan *MAP* Change), 18-02-ZC (Rezone), 18-01-PUD (Planned Unit Develop), 18-04-S (Pre Plat) and a Pre Annex/Development Agreement: Falcon Crest Subdivision.



MAILED 10/18/18

CITY OF KUNA
CITY LIMITS MAP



N
W E
S

LEGEND

- CITY LIMITS
- ROADS
- RAILROAD
- WATERBODIES

SWACA
Southwest Ada County
Alliance

Marisa Keith
3279 S Cloverdale Rd.
Boise, ID 83709
208-871-8224
mkeithboise@gmail.com

November 23, 2018

Kuna Planning and Zoning Commission
751 W. 4th St
Kuna, ID 83634

Dear Commissioners,

The Southwest Ada County Alliance is a registered neighborhood association with Boise and Ada County. I am writing about the Falcon Crest Subdivision proposed for Kuna Rd. and Cloverdale. Though not within our boundaries, they stop at Columbia Rd, the possible new residents will be driving across our area as they go about their daily lives which will have a significant impact to our neighborhoods.

Our main concerns are with traffic. This development at build out is estimated to produce nearly 18,000 trips per day. Since a majority of employment, shopping and leisure opportunities are located in Boise, Meridian and Eagle we can anticipate that most of these people will be driving Five Mile and Cloverdale to get to where they need to go. The best way to reduce congestion is for people to work, shop and recreate near where they live. These residents will have no choice but to drive several miles to grocery shop, attend appointments, work, and do any other day to day task. Though commercial is included in the plans we would like to see a firm commitment from the developer to provide specific commercial developments that are different from the already existing golf services such as small markets, convenience stores, gas stations, coffee shops, salons, etc. If rooftops are needed before commercial development can be built, we would like phasing tied to those commercial lots developing. We do not want to see another Charter Pointe situation where after 15 years little commercial development has happened despite the initial intentions of the developer. Along that line, will the people who work in the commercial part of this community be able to afford to live in this community or will they be commuting and thus increasing congestion?

We would also like the Commission to take into consideration that this community will be adding 18,000 trips to two lane roads, most lacking sidewalks and center lanes. Several mile-long segments are already at a Level of Service F at peak hours according to ACHD. They are scheduled to be widened but are unfunded and no matter what ACHD's IFYWP says, in the past they have not been able to meet their project timelines. In fact, Cloverdale Rd, between

Victory and Overland, has had the widening dates pushed back three times in five years. ACHD has stated over and over that they will never recommend a denial based upon level of service because they only see this as a comfort level, they will leave that decision to land use agencies such as yourselves. However, when planning large communities, miles from services, on roads that are overly congested there are some safety issues that should be taken into account.

*This location is some distance from the Kuna city center, will it be a safety concern to the rest of Kuna should several fire units be required at this location?

*Does the Ada County Sheriff's Office have the capacity to be available for this community and still adequately cover the rest of Kuna and SW Ada Co.?

*Will EMS be able to maintain an appropriate response time to and from the community, even during times when the road is at LOS F? This community is to have a large number of homes dedicated to people over the age of 55, an aging population increases the incidents of emergency calls.

We would also like to see phasing coincide with road improvements to a majority of the road segments that this development will affect. Should this matter go before the ACHD Commissioners we will be asking that they condition their approval on that, but land use agencies are able to make conditions of their own, even about the roads.

Overall this appears to be a well thought out community. We are only asking that the impacts to our 'downstream' community be mitigated as much as possible.

Thank you for your time.

Sincerely,

Marisa Keith
SWACA President

Statement Concerning the Annexation of the Planned Unit Development of the Falcon Crest Subdivision, Kuna Idaho

November 27, 2018

My name is John Lawson, I am a resident and land owner in Ada County in an area within less than a quarter mile from the SW boundary of the planned subdivision. I am also a board member of the Cloverdale Ridge Water Corporation an independent irrigation district that provides irrigation water to my small farm.

Concern: There are over 50 homes and farms within a half mile of the proposed site. All the homes have independent wells and the irrigation district provides water through two wells. These wells pump enough water to supply over 250 acres of irrigated pastureland during a period of seven months of the year. We as homeowners and shareholders in this irrigation district would like to address:

1) There has not a comprehensive environmental analysis to determine the impacts from the planned subdivision.
2) There are 50+ household drinking water wells that may be affected by this planned expansion.
3) The Cloverdale Ridge subdivision landowners have water rights that are senior to those of the Falcon Crest Subdivision or Golf Course; however, we as landowners do not feel that our water rights have been appropriately evaluated by the Idaho Department of Water Resources.
4) There is not an apparent evaluation of the impact of this proposed subdivision on regional groundwater quality or quantity. Especially if the quality of the groundwater is impacted by a changing water table level or the introduction of contaminants to the groundwater that are so common to concentrated impact areas (sewage, hazardous materials spills, salts and minerals from a changing water table).
5) We feel that a complete study of the wells in our subdivision is necessary to predict changing levels of water, especially if we consider diminishing water levels anticipated from climate change. While it is clear that we have senior rights we understand that once a well has dried up it will be an expensive litigation to resolve water replacement strategies. This type of a study will be part and parcel to a complete environmental analysis of the proposed impacts.
6) The residents have also expressed that we are quite concerned about changes in the water quality in our wells and the wells for the Cloverdale Ridge Water Corporation.
7) The Cloverdale Ridge Water Corporation has 2 large bore wells that have a replacement value of nearly $200,000 provided adequate water could be developed. We in the subdivision are very concerned that the City of Kuna has not taken the appropriate steps to assure the irrigation corporation that the volume of water needed to maintain the 250+ acres of irrigated land will be maintained in perpetuity for our land in which we have senior water rights.
8) The Water Corporation has a well that is about 700 ft deep and within 400 ft from the proposed subdivision. We have experience that the well is on the edge of a geothermal zone which means the water is warm (over 70 degrees F) and is heavily impacted by salts such as variable pH, sulfates and sulfides, sodium and bicarbonates such that the water must be treated extensively to be suited for drinking. It is clear that a well to provide water to a large subdivision will require a deep well with a lot of production. We know that the City of Kuna has not investigated these issues in the planning of this subdivision.

It for these reasons and more that I must insist that the City of Kuna perform a responsible water quality and quality analysis along with an environmental impact assessment of this planned subdivision. Barring these studies and an objective analysis of the data I can only vehemently oppose this poorly thought out plan.

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634

Exh. C.5

Submitted at Commission

Troy Behunin

From: Elise Daniel <poppydaniel@gmail.com>
Sent: Tuesday, December 18, 2018 6:38 AM
To: Troy Behunin
Subject: Falcon Crest Developement

Dear Mr. Behunin,

I understand that as city planner you have quite a bit of power over the decision involving the large new subdivision that is planned around the Falcon Crest Golf Course. I live at 10781 S Cloverdale Rd, Kuna, ID 83634 just across from the golf course. As a matter of fact, I pick up misfired golf balls from my field on a weekly basis.

I am writing to you to encourage you to fully consider the impact that this subdivision will have on the ground water that supports my home and the homes all around me. We all depend on our wells to supply water to our homes. We also depend on large wells to irrigate our fields and pastures. If you allow the new subdivision to dig deep wells to try to support a large number of homes (800 or 1200??) it will undoubtedly put our water supply at great risk.

This is a grave concern for myself and for all of my neighbors. As you must know, access to water is a huge issue in this part of the world. By risking our access to water you adversely affect our lives, the value of our properties, and the ability to live in the area supporting our families and livestock.

I also have grave concerns about the traffic that this development will create. As it stands, traffic has dramatically worsened in the nearly 14 years that I have lived here. There is no way for Cloverdale Road to absorb the amount of traffic that this subdivision will add.

I beg of you to fully research and consider what this development will do to this side of Kuna. While I understand that the money this will bring to the town is enticing, I believe that the strength to turn it down will ultimately make Kuna a stronger and better town.

Thank you for your consideration and best wishes for a Happy Holiday Season to you and your family.

Best Always,

Elise Ann Daniel

Please leave me a 5-star review on Google and Facebook! If you appreciate the service that I provide please share my name and contact information with your friends and family!

Elise Ann Daniel, AFC ®

MFCS - Family Financial Planning
Daniel Insurance, LLC
200 N. 4th Street
Suite 101B
Boise, Idaho 83702

www.elisedaniel.com

poppydaniel@gmail.com
tel: (208)590-2606
fax:(208)297-7890

The best compliments that I receive are your referrals!

Know that I take the security of your information very seriously. Please do not email me your personal information. Fax or a secure email are the safest ways to transfer personal information.

Troy Behunin

To: Elise Daniel
Subject: Dear Mayor

From: Elise Daniel [mailto:poppydaniel@gmail.com]
Sent: Tuesday, December 18, 2018 7:25 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Troy Behunin <tbehunin@kunaid.gov>; Wendy Howell <whowell@kunaid.gov>
Subject: Re: Dear Mayor

Thank you for your response. Have a wonderful Holiday Season with your family and friends.
Blessings,
Elise

"Almost everything will work again if you unplug it for a few minutes, including you."
– Anne Lamott

Please leave me a 5-star review on Google and Facebook! If you appreciate the service that I provide please share my name and contact information with your friends and family!
Elise Ann Daniel, AFC ®
Daniel Insurance, LLC

On Tue, Dec 18, 2018 at 7:02 AM Mayor Stear <mayorstear@kunaid.gov> wrote:

> Elise; Discussions such as this before a public hearing are considered exparte'. That said I will have to include it into the record for the hearing. (Troy would you please see that it is?) The city is strictly regulated on any wells that are drilled or accessed. If there is not adequate water table they can not be used. We will certainly refer to the traffic experts at ACHD on that area. As far as the revenue for the city we are in good shape and I would not base any decision on that. Property rights are the main issue with things like this. Thank You and I would assume that you will be at the public hearing for this. I am not sure of the date but you can call into P&Z for that. Have a blessed Christmas!
>
> Sent from my iPhone
>
> On Dec 18, 2018, at 6:45 AM, Elise Daniel <poppydaniel@gmail.com> wrote:
>
> > Dear Joe,
> > I voted for you as Mayor because I believed that you would look after the best interests of the town of Kuna and it's residents. I live at 10781 S Cloverdale Rd, Kuna, ID 83634 just across from the golf course. As a matter of fact, I pick up misfired golf balls from my field on a weekly basis.
> >
> > I am writing to you to encourage you to fully consider the impact that the proposed subdivision at Falcon Crest will have on the ground water that supports my home and the homes all around me. We all depend on our wells to supply water to our homes. We also depend on large wells to irrigate our fields and pastures. If you allow the new subdivision to dig deep wells to try to support a large number of homes (800 or 1200??) it will

undoubtedly put our water supply at great risk. IF you do approve this subdivision, which I pray you do not, you must plan to provide city water to the subdivision to protect our ground water.

Damage to our ground water is a grave concern for myself and for all of my neighbors. As you must know, access to water is a huge issue in this part of the world. By risking our access to water you adversely affect our lives, the value of our properties, and the ability to live in the area supporting our families and livestock.

I also have real concerns about the traffic that this development will create. As it stands, traffic has dramatically worsened in the nearly 14 years that I have lived here. There is no way for Cloverdale Road to absorb the amount of traffic that this subdivision will add.

I beg of you to fully research and consider what this development will do to this side of Kuna. While I understand that the money this will bring to the town is enticing, I believe that the strength to turn it down will ultimately make Kuna a stronger and better town.

Thank you for your consideration and best wishes for a Happy Holiday Season to you and your family.

Best Always,
Elise Ann Daniel

"Almost everything will work again if you unplug it for a few minutes, including you."
- Anne Lamott

Please leave me a 5-star review on Google and Facebook! If you appreciate the service that I provide please share my name and contact information with your friends and family!

Elise Ann Daniel, AFC ®
MFCS - Family Financial Planning
Daniel Insurance, LLC
200 N. 4th Street
Suite 101B
Boise, Idaho 83702
www.elisedaniel.com
poppydaniel@gmail.com
tel: (208)590-2606
fax:(208)297-7890
The best compliments that I receive are your referrals!
Know that I take the security of your information very seriously. Please do not email me your personal information. Fax or a secure email are the safest ways to transfer personal information.

Troy Behunin

From: Rebecca Goodner <rgoodner@cableone.net>
Sent: Tuesday, December 18, 2018 8:52 AM
To: Troy Behunin
Subject: Falcon Crest perposed 1000 new homes/water rights

Mr. Behunin,

My name is Rebecca Goodner, I live across the street from the purposed Falcon Crest home project. I am extremely concerned about this project and how it will not only impact the traffic on Cloverdale Rd.
but the WATER they will need to feed the purpose 1000 homes.

City Council needs to consider our water use in their plans, we need a full and objective evaluation of the impact on our wells. Many years ago the Idaho Dept of Water Resources over appropriated water for our area and that could cause us issues in the future. Our Water Corporation has Senior water rights but the City may use politics to take our water rights out of the equation.

I am asking you to please keep this in mind when voting on this, and please keep us informed moving forward.

Respectfully,

Rebecca L Goodner

12555 S. Cloverdale RD.
Kuna, Idaho 83634

Troy Behunin

From: Casey Hiatt <rchvandal@gmail.com>
Sent: Thursday, December 20, 2018 11:55 AM
To: Troy Behunin
Subject: Falcon Crest Developement

Mr Behunin,

I own a home and acreage on Cloverdale road across from Falcon Ridge golf course.
As I am sure you are aware, a large bore well is being proposed for potentially 1000's of new homes for the Falcon Ridge Project. The surrounding homes and land owners have already lost wells over the past few years. I am very concerned that the proper studies of this new mega wells impact on existing wells and the water tables are being overlooked by the developer, and or the governing body responsible for approving such a development.

If the proposed mega-well is drilled, by the time it is realized it was a mistake it will be too late, and more wells could undoubtedly dry up. Many of the water rights potentially affected date back to the 1960's and 70's, and in an era of water being such a valued commodity I think it is evident how important it is to protect what already exists ahead of what might be. Land that once had a value because it was irrigated becomes burnt and dry, making it next to worthless.

I am an Idaho native, knowing that growth is a great thing for this community, as long as the existing population and their basic needs and lives are not ignored to make room for progress.

I respectfully request that before our community swallows this pill, that a more recent and accurate assessment of the water table is done, as well as a traffic impact analysis. This will certainly provide the information needed to make all impacted sleep at night. The additional several thousand cars down this two lane road could prove to be a nasty and dangerous venture to pull out on if a plan is not implemented.

So that I may continue to keep myself abreast of any new information available, I would like to enter my request to please be kept up to date on all communications and meetings that arise regarding this project. I assume a list of emails are kept for such communications.

Thank you for your help Troy,
Rex Hiatt

Troy Behunin

From: Scott Erickson <swerickson7@gmail.com>
Sent: Thursday, December 20, 2018 1:14 PM
To: Troy Behunin
Subject: evaluating proposed development cloverdale and kuna road

Mr. Behunin,

Please add me to your distribution list regarding current and future information related to the proposed development of the land around Falcon Crest golf course. I am a home owner directly west of the proposed development and have some concerns about traffic implications, water rights, and other considerations such as schools, police and fire,

thank you,

Scott Erickson
6350 Reining Horse Dr
Kuna, ID
83634
208-949-9722
swerickson7@gmail.com

Troy Behunin

From: Personal Gmail <sphaase1@gmail.com>
Sent: Wednesday, December 19, 2018 5:12 PM
To: Troy Behunin
Subject: Cloverdale/ Falcon crest development

I would like to request information and added to the list of people that you will notify when there is new information and when there are public meetings.
It appears the city council has already favored the proposal by the developer but as I am sure know those of us that live near by are or can be affected by the councils decisions. Please add me to the list of concerned land owners.
My name is Steven Haase and I live at 6144 E. Deer Flat rd. I have water rights to irrigate my 5 acres and I have a domestic well.
Thank you.

Regards

Steven Haase

City of Kuna

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
www.Kunacity.id.gov

P&Z Findings of Fact & Conclusions of Law

To: **P & Z Commission**

Case No's: **18-03-AN** (Annexation)
18-01-CPM (Comp Map Change)
18-04-ZC (rezone)
18-02-PUD (Planned Unit Develop)
18-04-S (Preliminary Plat) and
18-20-DR (Sub Design Review)
And (Development Agreement)

Location: Northeast Corner of Cloverdale and Kuna Roads, Kuna, ID

Planner: Troy Behunin, Planner III

Hearing date: October 9, 2018
Tabled Until: November 27, 2018
Findings of Fact: December 11, 2018

Owner: **M3 Companies** - *Mark Tate*
1087 W. River Street, Ste. 310
Boise, ID 83702
208.939.6263
MTate@m3companiesllc.com

Engineer: **JUB Engineers** – *Kristi Watkins*
250 S. Beechwood Ave. S. 201
Boise, ID 83709
208.323.9336
kwatkins@jub.com

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K. Kuna City Code Analysis
L. Recommendation of the Commission to City Council.

A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), Title 1, Chapter 14, Section 3, states that Annexation, Comprehensive Plan Map Changes, P.U.D.'s, Rezones and Preliminary Plats are designated as public hearings, with the Commission as the recommending body, and City Council as the decision making body, and the Commission as the decision making body for the Design Review. These land use applications were given

proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

i.	Neighborhood Meeting	May 9, 2018 (fifty four (54) persons attended)
ii.	Agency Comment Request	July 13, 2018
iii.	450' Property Owners	October 1, 2018 and October 19, 2018
iv.	Kuna, Melba Newspaper	September 12, 2018 and September 19, 2018
v.	Site Posted	September 29, 2018

B. Applicants Request:

1. **Request:**

Applicant, Kristi Watkins with JUB Engineers, on behalf of M3 Companies- Mark Tate (Owner), requests approval to Annex approximately 990 acres into Kuna City limits, Change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres, to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and private roads. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho. Please see the application for a list of parcel numbers affected by this application.

C. Aerial Map:

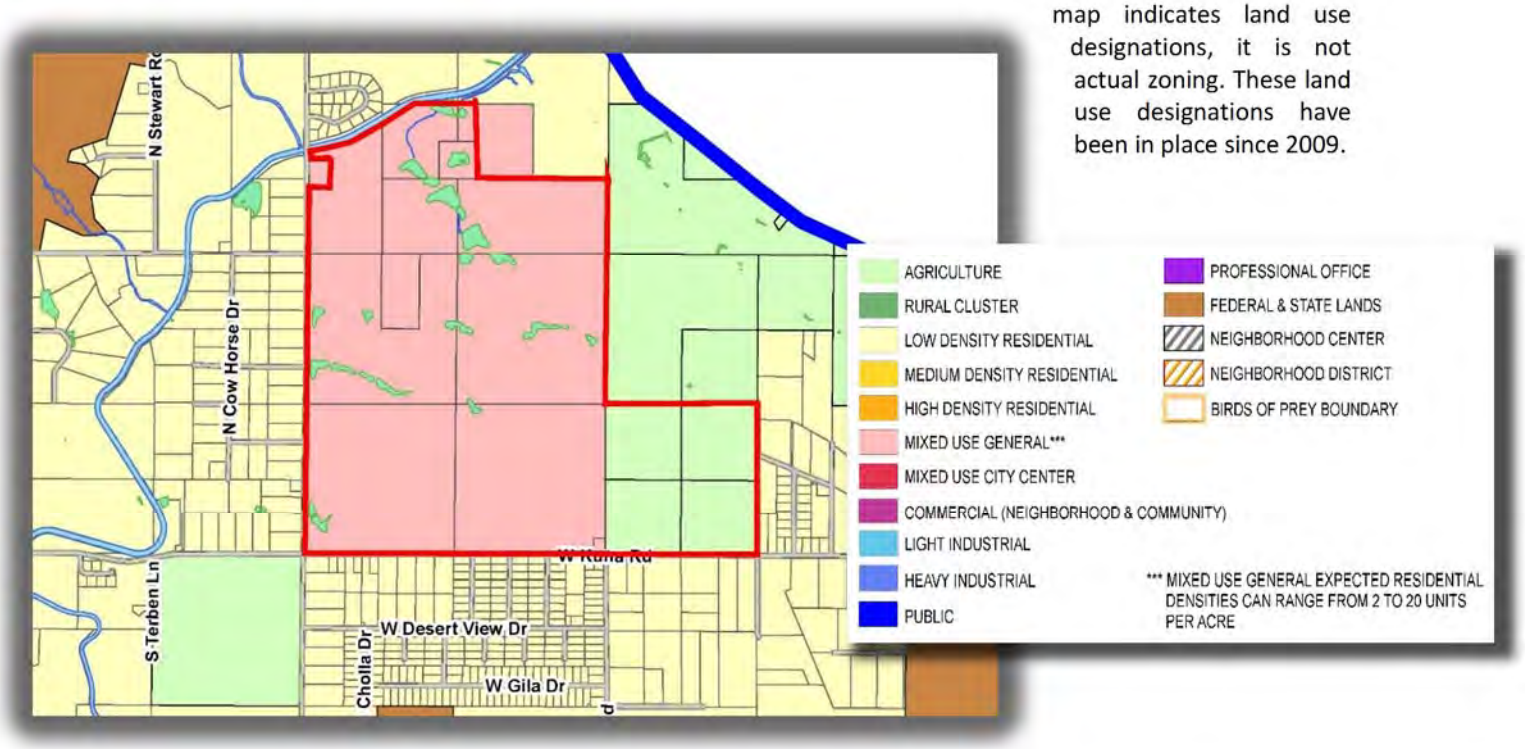
©Copyrighted

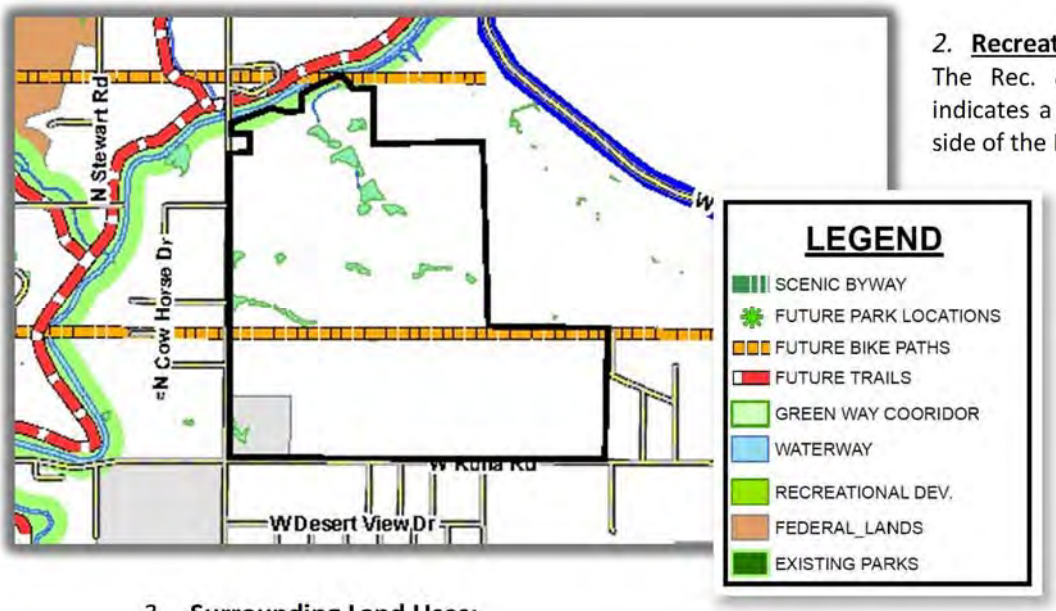
D. Site History:

These lands historically have been used for golf course and agricultural purposes for many years. Approximately 40 acres on the northeast corner of Cloverdale and Kuna Roads were annexed into Kuna, on November 4, 2015, (Case No. 15-01-AN), providing the pathway for annexation of the rest of the golf course as previously planned for future development.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Comp Plan Map designation for this site is Mixed-Use for most of the site approximately 865 acres. The remaining 163 acres on the east side are designated as agriculture. The Future Land Use Map (Comprehensive Plan Map) is intended to serve as a guide for the decision making body. This map indicates land use designations, it is not actual zoning. These land use designations have been in place since 2009.





2. **Recreation and Pathways Map:** The Rec. & Path Master Plan Map indicates a future trail along the north side of the New York Canal, which is off-site. With this application, staff recommends that the applicant incorporate green and open spaces throughout the project.

3. **Surrounding Land Uses:**

North	R-1, RR	1 acre Residential & Rural Residential - Ada County
South	Ag, RR	Agriculture – Kuna City and Rural Residential – Ada County
East	RR	Rural Residential – Ada County
West	RR	Rural Residential – Ada County

4. **Lot Sizes, Current Zoning, Parcel No's, and L & B No's:**

Lot Size (Approximately)	**Current Zone:**	**Parcel Number(s)**
5 acres	RR - Rural Residential	S1415424915
10 acres	RR - Rural Residential	S1415315300
32.97 acres	RR - Rural Residential	S1415314810
56.46 acres	RR - Rural Residential	S1415336000
40 acres	RR - Rural Residential	S1415341100
80 acres	RR - Rural Residential	S1415430000
160 acres	RR - Rural Residential	S1422110050
138.16 acres	RR - Rural Residential	S1422212400
20 acres	RR - Rural Residential	S1422212000
40 acres	RR - Rural Residential	S1423314800
40 acres	RR - Rural Residential	S1423325400
40 acres	RR - Rural Residential	S1423346600
40 acres	RR - Rural Residential	S1423336000
1.31 acres	RR - Rural Residential	S1422449820
158.65 acres	RR - Rural Residential	S1422417300
119.90 acres	RR - Rural Residential	S1422314810
1.13 acres	RR - Rural Residential	R3297260265
39.01 acres	Agriculture - Kuna City	S1422336000

5. **Services (at time of development):**

Sanitary Sewer– City of Kuna
Potable Water – City of Kuna

Pressurized Irrigation – Developer Built and Owned/Maintained
Fire Protection – Kuna Rural Fire District
Police Protection – Ada County Sheriff's office; Kuna Police
Sanitation Services – J & M Sanitation

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

The site has multiple structures that typically are associated with a golf course and maintenance facilities and vegetation that is generally associated with a golf course and other Agricultural uses.

7. **Transportation / Connectivity:**

The site has significant Cloverdale and Kuna Road frontages. The applicant proposes one point of ingress/egress on Cloverdale Road for phase one, approximately 2,000 feet north of Kuna Road to line up with Reining Horse Drive. It is anticipated that the commercial projects proposed for the NEC of Cloverdale and Kuna Road will also seek entrances with future applications. All points of access must follow City & ACHD standards.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts. Most of the sites' topography is generally flat with less than 3 percent slope. However, in the north part of the site, there are rolling hills and some grades greater than 3 percent, which provide for bluffs, and overlooks, these are areas within the existing golf course. This site is not within the Nitrate Priority Area (NPA), however, the project will be required to connect to Kuna City sanitary sewer, potable water and provide for a pressure irrigation water system to the project as a whole.

9. **Agency Responses:**

The following agencies returned comments and are included with this case file:

- City Engineer — *Exhibit B 1*
- *Ada County Highway District (ACHD)* — *Exhibit B 2*
- *Boise Project Board of Control* — *Exhibit B 3*
- *COMPASS* — *Exhibit B 4*
- *Dept. of Environmental Quality (DEQ)* — *Exhibit B 5*
- *ID Transportation Dept. (ITD)* — *Exhibit B 6*

F. Staff Analysis:

The subject site is at the northeast corner (NEC) of Cloverdale and Kuna Roads. The applicant requests a Comprehensive Plan Map (CPM) change from agriculture to Mixed-Use for approximately 163 acres on the east side of the subject site. This request will match the current designation of the golf course parcels and will provide continuity for the entire project as a multi-phased, Planned Unit Development (PUD), consisting of approximately 1,028 acres.

The applicant requests annexation into Kuna City limits applying the Category "A" process. The lands in this application touch City limits in the southwest corner of the site and are therefore eligible for annexation, due to a previous annexation approval (15-01-AN). Applicant has submitted an application for annexation of the remaining 990 acres (approximately) and is seeking for two different zones for these proposed annexing parcels. The applicant is seeking the following jurisdiction and zone changes if the annexation is approved:

- Approximately 807 acres are proposed to be annexed and zoned from Rural Residential (RR) *TO* R-6 Medium Density Residential (MDR),
- Approximately 189 acres from RR, *TO* R-12, High Density Residential (HDR).

The applicant seeks to rezone approximately 20.89 acres of the 39 acres already annexed into Kuna and zoned Agriculture *TO* C-2 (Area Commercial District), and the remaining 19.60 acres to be zoned R-6 Medium Density Residential (MDR). While the Commercial lot is included in the Preliminary plat, development of the commercial corner will take place separately and in the future; a time line for the commercial development is unknown at this time.

Applying the PUD process, the applicant proposes a mix of various uses throughout the project to include; commercial, recreational activities, medium and high density residential uses, to include single family lots, active adult communities, age targeted living, a community center, updated club house (with full food and beverage service and dinner and event space), several private parks, a City park, a considerable open space and pathway network (*13.41 acres in the first preliminary plat alone, or 10.2% of that area*), and the golf courses. The applicant proposes a master-planned active resort-style community for all ages. The applicant is proposing private streets in certain areas that will be built to Kuna and ACHD standards (curb, gutters & sidewalks) and meet Kuna Fire Department requirements. All private roads will be built and maintained by the Home Owners Association (HOA), and anticipates providing a golf cart community (in part), which when combined with a large network of biking and walking pathways, will help reduce vehicle trips for basic needs, recreation and even food services. Using the PUD process and exceeding the required 10% usable open space, the applicant is eligible to request relief from certain development standards to accommodate mixed-uses and design criteria to create a unique and different development not seen in Kuna before. The applicant has provided a list of standards and requirements they seek relief from and those requested changes are listed in the exhibits of the Development Agreement included for Commissions' review. The requested changes are presented side-by-side to show current code, compared with the *requested* changes.

Staff notes that proposed phase one requests four shared driveways, provides for two potable well sites (PP note #3) and two cul-de-sacs. This plat is planned to be an age restricted community and as long as the CC&R's provide for permanent maintenance, care and responsibility of the shared driveways, staff supports their use for this preliminary plat. Staff also notes that just one entrance off Cloverdale is shown for phase one. The Kuna Rural Fire District (KFD) has requirements for providing a secondary emergency access (either temporary or permanent) as does the City. Staff will support a secondary access that is first approved by the KFD. Staff also notes that the applicant is proposing swales with no curb/gutter along Cloverdale, or Kuna Roads. This is contrary to KCC. Along arterial roads, KCC calls for full roadway improvements, including curb/gutter, road widening, and sidewalks at eight feet (either separated or attached). Staff recommends that the applicant be conditioned to demonstrate shared driveway responsibility as explained, secondary emergency access as explained and to follow City standards for full arterial roadway improvements as explained. Otherwise, the proposed preliminary plat appears to be in substantial compliance with KCC.

This application includes a request for subdivision landscape design review. Staff finds the proposed landscaping for common areas appears to be in substantial conformance with KCC Title 5 chapter 17, Kuna's Landscaping Ordinance (KCC 5-17). Staff recommends that the applicant be conditioned to provide sod in areas labeled as 'Lawn'. Staff notes that if approved, this landscape plan will be considered a binding plan, and shall be followed as presented and not changed or substitutions made without *prior* approval, except to bring it into conformance (in the event that a part of the plan if deficient). Design Review for a subdivision monument(s) was not applied for, with this project, however, if monument signs are desired, Design Review with the Committee is required.

Staff has determined this application generally complies, or as conditioned, will follow Idaho Statutes §50-222 (Annex) and §65-67 (LLUPA–Subs); Title 5 and title 6 of the Kuna City Code; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's stated above, subject to the recommended conditions of approval listed within this report and in Section 'N' of this report.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5,

2. City of Kuna Subdivision Ordinance Title 6,
3. City of Kuna Comprehensive Plan and Map, adopted September 1, 2009,
4. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Procedural Background:

On November 27, 2018, the Commission considered the Falcon Crest project; Case No's: 18-03-AN, 18-01-CPM, 18-04-S, 18-02-PUD, 18-02-ZC, a Development Agreement, and 18-20-DR, including the applications, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Factual Summary:

This project approximately 1,028 acre site, is adjacent to Kuna City limits and is located at the northeast corner (NEC) of Cloverdale and Kuna Roads and part is zoned Agriculture (Ag.) in the City and the remaining part as RR in the County. 40 acres of the approximate 1,028 acres is in Kuna City and zoned Ag.. The site has varying historical uses, including a golf course, club house, cart barn, agriculture uses and other ancillary subordinate uses. Applicant proposes a Comprehensive Plan Map Change from Ag. to Mixed-Use for part of the site, annexation for approx. 988 acres, a rezone for approx. 40 acres from Ag. to R-6 and C-2 zones, a PUD, a Preliminary Plat for approx. 132 acres, to subdivide said property into 409 buildable lots and 51 common lots and four shared driveways (over common lots), and a subdivision design review for the landscaping of the common lots. This project is adjacent to Cloverdale Road and Kuna Road, both are principle arterial roads.

J. Comprehensive Plan Analysis:

The Kuna Commission accepts the Comprehensive Plan components as described below:

The designations of Mixed-Use shown on the Planning Map (See Map above) for these lots were approved by Council. The proposed change from Agriculture to Mixed-Use is supported by way of the application and supporting materials and plans provided and staff views this request to be consistent with the following Comprehensive 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. (Page 21).

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 prices 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).

Comment: *The proposed Preliminary Plat and rezone follows the community vision and provides a way to achieve the housing goals as stated and adopted, by supplementing other existing large lot subdivisions nearby.*

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.

Comment: *Utilizing the Idaho Attorney Generals 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).

Comment: *The proposed application complies with these elements of the comprehensive plan by providing an opportunity to supply varied housing types and provide pedestrian connections, thereby meeting this goal.*

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).

Medium Density Residential:
This designation describes areas where residential development densities generally range from four to eight units per acre. These areas will be made up of single-family homes, but may include townhomes, row houses duplexes and other types of multi-family land uses. Areas featuring these densities are generally located within the City Center and around Neighborhood Centers (Page 88).

Comment: *The proposed annexation requests an R-6 and R-12 zone, for residential uses, conforming to the Comprehensive Plan and Planning Map approved by Council in August of 2015.*

Mixed-Uses:
The Mixed-Use General land use designation pertains to a land parcel or combination of parcels that are planned and developed together. This comprehensive land use category may contain residential, commercial, office and technical uses, a variety of building types and densities, common open space variations, clustered development and recreational facilities (Page 105).

Comment: *The proposed application requests a PUD to include Mixed-Uses including C-2, R-6 and R-12 zones, for commercial and residential uses, conform to the Comprehensive Plan and Planning Map approved by Council in August of 2015.*

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 – 1.2, Pg. 163 12.4 and Pg. 165 – 2.1).

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).

Comment: *Applicant proposes a resort style community to include commercial uses, varied housing densities/types including medium and high density residential elements that will contribute to availability of varied types and home sizes in a logical and orderly manner (Master Planned Community) with an opportunity to provide a quality development.*

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.

Comment: *Applicant proposes a master planned resort-style community (PUD) that will include a considerable network of green spaces, trails, golf course, and other amenities that will include some public and some private facilities, this is a community designed to be an all-ages development.*

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. (Page 179).

Comment: *With this development, the applicant will provide an extension of the sidewalk and roadway system which must comply with the Master Street Plan adopted by Kuna. Applicant has proposed extensive pathways and sidewalks for pedestrian and non-motorized transportation, and adding connecting stub streets. Applicant appears prepared to propose a variety of housing densities thereby complying with approved land use designation outlined within the Comp Plan and Planning Map.*

K. Kuna City Code Analysis:

1. This request appears to be consistent and in compliance with all Kuna City Codes (KCC).

   Comment: *The proposed project meets the land use and area standards in Chapter 3, Title 5 of the Kuna City Code (KCC). Staff also finds that the proposed project meets all applicable requirements of Title 5 and Title 6 of the KCC.*

2. The site *is* physically suitable for the proposed new subdivision and site development.

   Comment: *The 1,028 acre (approximate) project includes a request for subdividing a portion of the lands into 409 buildable lots and 51 common lots. The site appears to be compatible with the proposal.*

3. The applications *are not* likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

   Comment: *The land to be annexed, rezoned and subdivided is not used as wildlife habitat. Future roads, dwelling units and open spaces must be designed and planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

4. The development proposal *is not* likely to cause adverse public health problems.

   Comment: *The proposed subdivision of the property appears to follows Kuna City Codes. All development requires connection to public sewer and potable water systems, therefore eliminating the occurrence of 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.

   Comment: *The Commission did consider the location of the property and adjacent uses. The subject property (if approved for annexation) will be in Kuna City and will be required to connect to the Kuna City central sewer*

and potable water systems, and create their own Pressure Irrigation System. The current adjacent uses are large lots in the County, and agricultural in nature and the site it adjacent to two Principle arterial roads.

6. Based on the evidence contained in Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, a Development Agreement (DA), and 18-20-DR, *do* adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, a Development Agreement (D.A.), and 18-20-DR, generally *do* comply with Kuna's Zoning Code.

L. <u>Recommendation of the Commission to City Council:</u>

18-03-AN (Annexation), 18-01-CPM (Comp Plan Map), 18-02-ZC (Rezone), 18-04-S (Preliminary Plat), 18-02-PUD (PUD), and a **D.A.**, Based on the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Commission, the applicant's presentation, public testimony and discussion during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends approval to City Council for Case No. 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, an Annexation, CPM, PUD, Rezone, Preliminary Plat and D.A., a request by JUB Engineers on behalf of M3 Companies, with the following site specific conditions of approval:

- *Applicant shall follow conditions as outlined in the staff report,*
- *Applicant shall work with staff to refine and finalize the development agreement and include potable water, the default clause, and to submit a clean development agreement to the City Council,*
- *Applicant work with staff to include recommendations from ACHD's report to mitigate the traffic of the first preliminary plat,*
- *Applicant shall include the irrigation text from the City Engineer's letter, as appropriate,*
- *Applicant shall include curb, gutter and sidewalks on Cloverdale and Kuna Road if they're not included in the ACHD five-year plan,*
- *Applicant shall work with staff and ACHD on the alignment of Five Mile Road.*

18-20-DR (Design Review), Based on the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Commission, the applicant's presentation, public testimony and discussion during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby *approves* Case No. 18-20-DR, Design Review, a request by JUB Engineers on behalf of M3 Companies, with the following conditions of approval:

- *Applicant shall follow the conditions as outlined in the staff report and the additional conditions for the preliminary plat, including modifications to include text from the Engineer's letter,*
- *curb, gutter and sidewalks on Cloverdale and Kuna Road, to include that the applicant work with staff and ACHD to draw the Five Mile alignment, and that the applicant work with staff to provide sod for the driving range.*

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the 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 sewer hook-ups.
    b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
    c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.

d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).

2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
   2.1– At time of development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths, *except as otherwise approved through the PUD process.*
3. 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, 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. When required, submit a petition to the City (as necessary, 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 over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. All street lighting within and for the site shall be LED lighting and must comply with Kuna City Code, *except as otherwise approved through the PUD process.*
7. Parking within the site shall comply with Kuna City Code, *except as otherwise approved through the PUD process.*
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code and go through Design Review for those approvals.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
12. Applicant is conditioned to follow the these planting notes for all trees on site:
    12.1 – *Landscape contractor shall remove all twine/ropes and burlap from root balls.*
    12.2 – *Landscape contractor shall remove the wire basket from the top 1/2 of the root ball.*
13. The applicant's proposed landscape plan (dated 10.30.2018) shall be considered binding site plans, or as modified and approved through the proper process.
14. The applicant's proposed preliminary plat (dated 5.18.2018) shall be considered binding site plans, or as modified and approved through the public hearing process
15. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
16. Developer/owner/applicant shall comply with all local, state and federal laws.

City of Kuna

Planning and Zoning Commission
Proposed Findings of Fact and Conclusions of Law

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
www.Kunacity.id.gov

Based upon the record contained in Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, a D.A., and 18-20-DR, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby recommends *approval of* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, a DA, a request for annexation, Comp plan map change, rezone, preliminary plat, PUD, DA, and hereby approves 18-20-DR, a request for Design Review by JUB Engineers, on behalf of M3 Companies, LLC:

1. *The Kuna Planning and Zoning Commission approves the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.*
   Comment: *The Kuna Planning and Zoning Commission held a public hearing on the subject applications on November 27, 2018, to hear from City staff, the applicant and to accept public testimony. The decision by the Commission is based on the application, staff report and public testimony, both oral and written.*

2. *Based on the evidence contained in Case No's* 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, a DA, and 18-20-DR, *this proposal generally complies with the Comprehensive Plan and City Code.*
   Comment: *The Comp Plan has listed numerous goals for promoting and supporting a diverse and sustainable economy that will allow more Kuna residents to work in their community and encouraging a balance of land uses to ensure that Kuna remains desirable, stable and a self-sufficient community.*

3. *Based on the evidence contained in Case No's* 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, a DA, and 18-20-DR, *this proposal generally complies with the Kuna City Code.*
   Comment: *The applicant has submitted a complete application, and following staff review the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

4. *The Kuna Planning and Zoning Commission has the authority to approve Case No. 18-20-DR and to recommend approval to Council for Case No's* 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and a DA.
   Comment: *On November 27, 2018, the Commission voted to recommend approval for Case No's* 18-03-AN, 18-01-CPM, 18-02-ZC, 18-04-S, 18-02-PUD, and a DA, and voted to *approve Case No. 18-20-DR.*

5. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.
   Comment: *Neighborhood Notices were mailed out to residents within 450-FT of the proposed project site on October 1st and 19th, 2018 and a legal notice was run in the Kuna Melba Newspaper on September 12th and 19th, 2018. The applicant placed a sign on the property on September 29, 2018.*

DATED: this 11th day of December, 2018.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Troy Behunin, Planner III
Kuna Planning and Zoning Department

CITY OF KUNA
PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, November 27, 2018

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	X	Jace Hellman, Planner II	X
Commissioner Stephen Damron	X	Sam Weiger, Planner I	X
Commissioner John Laraway	X	Bill Gigray, City Attorney	X

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Chairman Young called the meeting to order at **6:00 pm**.

Call to Order and Roll Call

1. **CONSENT AGENDA**
   a. Meeting Minutes for October 23, 2018.

   Commissioner Hennis Motions to approve the consent agenda; Commissioner Damron Seconds, all aye and motion carried 4-0.

2. **NEW BUSINESS**
   18-37-DR (Design Review) – Freedom Fitness; Richard Wilmot, with ALC Architecture, seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) to construct a *Freedom Fitness* gymnasium with accompanying landscaping, lighting and a parking lot. The project is within Ensign Commercial Subdivision No. 2 at 821 North Meridian Road, Kuna, Idaho 83634 (APN# S1324142215).

   C/Gealy: Mr. Chairman, I will recuse myself from this item. **Richard Wilmot**: 1119 East State Street, Eagle, ID. We are proposing a fitness facility off of Meridian Road just south of the existing Dollar Tree building. There will be a workout area with locker rooms and child care available for patrons using the facility. The building is comprised of cement plaster, stucco, metal panel, and standing seam metal roofing. It is our plan to share our parking lot with other future buildings that are developed on the property. We don't have objections with anything in the staff report. The only condition is that we address the location of the trash enclosure. We'll finalize that in the coming week or so. **Sam Weiger:** Chairman, commissioners for the record Sam Weiger, Planner I for the City of Kuna 751 W 4th ST. The applicant is seeking Design Review approval for a new *Freedom Fitness* gymnasium accompanying landscaping, lighting and a parking lot. The new commercial building site is located within Ensign Commercial Subdivision No. 2, at the northwest corner of Meridian Road and East Meadow View Road. The property as it sits now is vacant, within city limits, and currently zoned C-1. The applicant proposes two driveway access points from North Meridian Road. The applicant proposes 78 total parking spaces and 4 accessible parking spaces. Staff finds that the proposed parking lot and parking lot lighting comply with Kuna City Code. All landscaping complies with Kuna City Code, Title 5, Chapter 17, Landscaping Requirements. Comments received from J&M Sanitation indicate that the proposed enclosure meets their standards. Staff would note the applicant was required to submit a new site plan illustrating the new location, dimensions and material types. Staff has determined that this application complies with Title 5 of Kuna City Code; Idaho Code Title 67; and the Kuna Comprehensive Plan. Staff forwards a recommendation of approval for Case No. 18-37-DR to the Planning and Zoning Commission. I will now stand for any questions you may have. **C/Young**: Did you have any feedback from fire as far as any path of travel or anything? **Sam Weiger:** There were no comments from the fire department on the Design Review application. **C/Young**: As far as

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the side layout, the parking lots are there and the circulation seems to work well. As far as landscape, there is not much to landscape. They have the planters in the area. **C/Young**: Architecturally it looks good, with a change in roofline materials. **C/Hennis**: I think they've done a nice job with layout and conformance.

Commissioner Hennis motions to approve Case No. 18-37-DR with the conditions as outlined in the staff report; With an additional condition that the applicant continue to work with J&M Sanitation to arrive at the correct location for the trash enclosure and materials. Commissioner Laraway seconds, all aye and motion carried 3-0.

PUBLIC HEARING

18-05-S (Preliminary Plat) & 18-26-DR (Design Review) – Lete Commercial Subdivision; The applicant, Inaki Lete, requests to subdivide approximately 12.19-acres into 19 total lots, consisting of 10 commercial buildable lots, and 9 Common lots and has reserved the name Lete Commercial Subdivision. A Design Review application for site landscaping, and an addition to an existing on-site mini storage facility, which features eight (8) additional storage buildings on approximately 4.93-acres, accompanies this application. The subject site is located at 1795 West Deer Flat Road, Kuna, ID 83634, within Section 22, Township 2 North, Range 1 West; (APN# S1322111056).

William Mason: I'm with Mason and Associates, on behalf of Lete Commercial. This is on the southeast corner of Deer Flat and Ten Mile. This will be constructed out the same materials and colors as the existing facility. This will actually come with landscaping along Deer Flat. One of the questions in the staff analysis was about something that we needed to do in the landscape areas. There are 19 lots, nine of those are common lots. Those nine lots are in different phases in the project. We've split those common lots up, it's all going to be one facility and one ownership. There will be 10 commercial, buildable lots in these phases when it's built out. We made sure with staff that we would come forward with that preliminary plat, so we made sure we would meet that within one year. **C/Young**: The house that sits currently, is the intent of that house to stay until that parcel develops? **William Mason:** It would stay until that parcel develops if there was a use for that house somewhere else. There's a possibility that it can be relocated sometime in the future. Right now, there's no intention of moving it. **Jace Hellman**: Good Evening Chairman and Members of the Commission. For the Record, Jace Hellman, Planner II, Kuna Planning and Zoning Staff, 751 W 4th St, Kuna, ID. The application before you this evening is for subdivision consideration and design review approval. The applicant is proposing to subdivide approximately 12.19 acres into 19 total lots, consisting of 10 commercial buildable lots, and 9 common lots. The subject site is located on the Southwest corner of Deer Flat and Ten Mile at 1795 W. Deer Flat Road, and has reserved the name, Lete Commercial Subdivision. Staff would note, this preliminary plat comes to the Commission as step towards completing the conditions of approval of a special use permit that was granted by this body in February, 2018, which required the applicant to begin the preliminary plat process for the overall site within one year of the Commission's Order of Decision. The applicant has proposed shared accesses onto Ten Mile Road between proposed lots 18 and 16, 14 and 13, while the remaining lots are to be accessed via an existing access on Deer Flat Road. Following Correspondence with Ada County Highway District (ACHD) access to the proposed buildable lots will only be granted via approved existing access points on Ten Mile and Deer Flat Roads. Furthermore, conversation with staff members at ACHD an additional right-in/right-out entry point along Ten Mile no further than 550-Ft from the Deer Flat Road and Ten Mile Road Intersection will be permitted. Staff would recommend the applicant be conditioned to work with ACHD and City in order to provide access to the site that meets Kuna City Code and ACHD Policy. Additionally, Staff will require the applicant to allow cross access across all newly created parcels. Per comments received by ACHD, the existing driveways that service the above-mentioned household should be approved as temporary full access that may be restricted to a right-out/right-in only in the future as long as the house retains its current function as single-family residence. According to the applicant, the existing house will remain in place until the proposed phase that contains the residence is developed. Staff would note, at such time that the property is redeveloped Ada County Highway District and the City of Kuna will require the applicant to close the existing driveways. The installation of streetlights is a required public improvement listed under Kuna City Code 6-4-2. The applicant has not identified streetlight locations on the

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preliminary plat. Applicant will be required to work with staff in order to comply with Kuna City code and install street lights a maximum spacing of two hundred fifty (250) feet along the site's frontage. An updated preliminary plat and site plan will be required to be provided to staff showing the improvements. Staff would note that these street lights must be designed and installed according to "Dark skies" standards. Applicant proposes to install an eight (8) foot sidewalk. Following Staff's review of the preliminary plat, it appears that the proposed location is within the designated landscape buffer for the site. The road sections of Ten Mile Road and Deer Flat Road that abut the site are designated as minor arterials. Kuna City Code 5-17 requires the construction of detached eight (8) foot sidewalks along the accompany property frontage. This sidewalk needs to be located within the public right-of-way and separated from public vertical curb by a four to eight-foot-wide irrigated and landscaped planter strip, which is in addition to the required 20-foot landscape buffer. Staff will require the applicant conform to Kuna City Code and install the proposed sidewalk within the right-of-way separated from the public vertical curb by a four to eight-foot-wide irrigated and landscaped planter strip. A design review application for common area landscaping was included as a part of the overall application. Applicant proposes several dedicated landscaping and buffer areas throughout the project. Much of what the applicant proposed will mirror what was installed when Kuna Caves Storage was built. Staff finds the proposed landscaping complies with the landscaping requirements set by City code. Staff would note the applicant does not identify the type of groundcover that will be used for all landscape buffers. Staff would prefer sod, and Kuna City Code requires organic material for groundcover. Staff would recommend the applicant be conditioned to provide a landscape plan to staff with a Kuna City Code approved groundcover identified. Additionally, the applicant has proposed to create a second phase of Kuna Caves Storage on some of the lots to be platted. Special Use Permit approval was granted in February of 2018, with the condition that the applicant get design review approval prior to beginning construction. The applicant proposes eight additional storage related buildings on 4.93-acres (as granted by the recently approved special use permit). Extensive landscaping has been proposed along the site's frontage on Deer Flat Road. Colors, fencing and building materials are proposed to be similar those used in the existing Kuna Caves Storage facility. Staff has determined the preliminary plat and design review complies with the goals and policies for Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation for a recommendation of approval for Case No. 18-05-S (Preliminary Plat) and a recommendation of approval for 18-26-DR (Design Review), subject to any conditions of approval outlined by Kuna's Planning and Zoning Commission and City Council. **C/Gealy:** I heard you mention several conditions that you would recommend, and I would like to clarify those conditions. **Jace Hellman**: The cross-access agreement across all parcels, that is included in the staff report. The closing of the driveway is when the property is redeveloped, and that is also in the report. The conforming to Kuna City Code is covered in No. 5. I did not include that staff would work with ACHD for their access points. That would be one that we need to include as a condition. I also would request that the commission recommend that they work with staff to provide a landscape plan showing an approved ground cover for their planter strips and buffers. Is street lighting included in there as well? **Jace Hellman**: That's tackled with No. 6 and No. 7 of the conditions of approval. **C/Gealy**: What about submitting a preliminary plat and site plan? **Jace Hellman:** That could be added to condition No. 6 as a recommendation to provide staff with an additional preliminary plat showing improvements. **C/Gealy**: We basically have three conditions to consider? **Jace Hellman**: Correct. **C/Hennis:** We'll have additional design review for the commercial lots. **C/Young**: They've done an exceptional job with the landscaping. On the preliminary plat side, I like the idea of the second entrance off of Ten Mile. We just need to verify those distances with ACHD. We're looking forward to seeing additional material in that corner. Any additional thoughts on the preliminary plat piece.

Commissioner Gealy motions to recommend approval of Case No. 18-05-S with the conditions as outlined in the staff report; With an additional condition to update the preliminary plat and site plan. And an additional condition to work with staff regarding the landscape plan with the allowable ground cover; And an additional condition to work with ACHD to work with staff on access points. Commissioner Hennis seconds; Motion carried 4-0. Commissioner Gealy motions to approve Case No. 18-26-DR with the conditions as outlined in the staff report; With an additional condition to update the preliminary plat and site plan; And an additional condition to work with staff to include allowable

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ground cover and to work with ACHD and staff on the access points. Commissioner Hennis seconds, all aye and motion carried 4-0.

18-03-AN (Annexation), 18-01-CPM (Comprehensive Map Change), 18-04-ZC (Rezone), 18-02-PUD (Planned Unit Development), 18-04-S (Preliminary Plat) & 18-20-DR (Design Review) – Falcon Crest Subdivision; Scott Wonders with JUB Engineers, on behalf of M3 Companies- Mark Tate (Owner), requests approval to Annex approximately 996 acres into Kuna City limits, Change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres, to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and one private road. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho. Please see the application for a list of parcel numbers affected by this application.

Mark Tate: I'm with M3 Companies, the address is 1087 W River Street, Boise, ID 83702. The Falcon Crest property is over 1,000 acres. There's an additional property that's 160 acres. They have maintenance buildings. There is a residence, a pro shop, and the courses were constructed in the 1990s. The property is also irrigated as a sod farm and has been operated as such for some time now. The bulk of the property was designated as mixed-use in the comprehensive plan. With Boise not really continuing to grow to the south, this would be a great opportunity for the City of Kuna. This will be restricted to people 55 and over. The area will have many amenities, including tennis, pickleball, swimming pools, horseshoe, any kind of activity that you can think of as far as popular recreation. On the corner of Kuna and Cloverdale, we have 19 acres of commercial. Regarding the east-west collector road, if it ultimately extended, there's a big ridge line right there. The road would never be able to be built on that section line. Because it drops off at such a steep angle, it would have to come back down that ridge line at an angle. It's important to note that the east-west collector road, knowing about the concerns of traffic there, for what our project would do regarding trips. Having the east-west collector road running through the middle of the property would really funnel our own traffic into the collector road and out to Cloverdale Road without having to push it down to the south. We also noticed that we have limited access at Kuna Road. Most of the traffic is really going to come into the middle and will have very little impact, relatively speaking. The most logical way will be to come into the project and out that way, we'll talk about the open space and trails. Another thing to point out is the overall gross density, which is only 2.25 units inside the community. It's not really a high-density development. One thing we're really excited about is the new golf club facilities and community amenities up where the existing club house is. There are three zones in our rezone we're requesting. One is C-2 in the corner at 19 acres. We made it large enough to include a restaurant, a grocery store, any uses that be ancillary to residential uses. This will ultimately reduce trips and make the location more walkable. The greyed-out areas are all zoned R-6. Each of those parcels has boundaries called villages. For the larger density, we have R-12. We've focused that kind of zone around our community. It would potentially be townhomes or things like that. It doesn't mean apartment complexes. It would be really for a smaller lot kind of property. There is an eight- to 10-foot wide greenbelt area. This is much more than any of the items required in city code. There is a seven-acre city park, which should go up to a 10-acre city park. We're proposing a roundabout as you come into the property. The main reason that we're doing the PUD is to focus on private streets, different types of lots. We're looking at concepts to build additional lakes. The first subdivision is in the southwest corner there. This would be a four-mile extension from the sewer line to the Orchard Lift Station. Water will be done on site through a well. We're currently in a process with the City of Kuna to decide exactly where that would be and get that located on the site. The city would be developing the well, and we'd be responsible for building all of the infrastructure for the community from the well. We've got one access proposed at Cloverdale Road directly into the subdivision, which would be gated. This project does not have a lot of surface water available. Most of the property is elevated above the New York Canal. Most of it is done through a couple of large irrigation wells to serve the golf course and sod farm. Our irrigation system would be private, the owning rights would stay with that community and the Homeowner's Association. The City of Kuna and the City Engineer seem comfortable with what we're proposing. There's a central community park off to Cloverdale that

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will serve the neighborhood. There's a pathway network where you see a lot of trees lining. It's eight feet long and loops the entire property. There's no access to Kuna Road with this phase. The lot sizes vary from 55 feet wide to about 75 feet wide. These are smaller than your standard subdivision lot size, because we are targeting a demographic that does not want to have to maintain large lots. I've reviewed the city's staff report, and I agree to the conditions. I will ask a request from you. For the development agreement that is part of the application, I will ask that you include in your motion direction to staff to continuously refine the development agreement exhibits, formatting, numbering. We want to make sure that we can revise the development agreement before we go to City Council. There were a couple of specific modifications that were included in the City Engineer's letter. There was some form language in there as it relates to irrigation. Typically, irrigation rights are returned to the city. Because we're not doing that, we request you include these changes in your motion. **C/Laraway**: You mentioned in here a gated community, and ACHD bought off on that? **Mark Tate**: Yes, the important thing to them is that the collector be maintained through the property. We should not be foreclosing anything beyond the property or adjacent to the property. They've seen the east-west collector that runs through the property and extending Five Mile Road to the north. These would all be public roads. **C/Laraway**: All snow and stuff like that would be at your hands? **Mark Tate**: Yes, snow removal, road maintenance, all that goes through the HOA. **C/Laraway**: The second house between Five Mile and Kuna, is that going to be renovated? Has that been discussed with the Fire District? **Mark Tate**: The owners of the Falcon Crest Golf Course take title to that property, and the Fire District has requested to have a location somewhere out along Cloverdale Road with the industrial stuff going on to the south. We don't any specific use for it right now, but I know that the nursery next to it is potentially looking into using it during the interim. **C/Laraway**: Part of my concern is, as big as this is going to be, there are not many first responders out there. **Mark Tate**: believe the fire district has had an opportunity to weigh in on the application. I know that they are working on acquiring a place on Cloverdale Road. I believe all the fire districts in the area are charging impact fees for land acquisition. **C/Young**: Has anybody done any test wells out there for water? **Mark Tate**: There are two large irrigation wells, and there is a domestic well on the property. The domestic well is associated with the clubhouse area to use for potable water or drinking water. The two irrigation wells do 1,800 gallons per minute, and the domestic well is about 2,500 gallons per minute. In terms of capacity, that would be on par with a very highly productive municipal well. The water quality out there is substantial. The wells out there are pretty old, they haven't seen any decline in water levels. We've also done a lot of water quality testing. Some wells in the region have had some water quality issues. We did test all three wells for irrigation, and that water does not need to be treated. As far as water rights go, there are water rights that have been used for irrigation out there. We would be maintaining those irrigation rights; sod water and golf is a very water-intensive use. **C/Young**: As far as product types in this first phase, if it's geared toward active adults, are they mainly one-story, two-story, or is there a mix? **Mark Tate**: We haven't written the design guidelines yet, I don't know if we would preclude two-story houses, but we probably won't see a lot of four-bedroom houses. Two bedrooms is about as large people would go. We would allow in some of the larger lots an RV garage. There will be all the travelers. I would anticipate single clubhouses. **C/Young**: Do you have for the first phase or the first preliminary plat, an average lot size? **Mark Tate**: I would estimate about a fifth of an acre. **C/Young**: As far as the higher density, I'm guessing that it's a townhome type community? **Mark Tate**: It could even be a detached type of product. Maybe two master suites with indoor and outdoor living, maybe with 6,200 square feet. This could be 6-7 square units per acre for a detached product. Some of our houses have featured a bigger side yard to the next house, and there are ways to maintain the outsides of it. We envision cluster-type projects out there. **C/Hennis**: One of the applications you're looking at out there is an R-12 area. All your densities so far are R-6, so why go to an R-12? **Mark Tate**: It really has a lot more to do with the lot standards. The R-12 gives us more flexibility with the design to try to get to 12 or more units per acre. We might have areas that get up to 8 units per acre. All of the open space in there comes in at a reasonable density. **C/Young**: We'll start off with the R-6, where we're looking at being able to work with an R-6, which has an average size of 4,500 square feet. **Mark Tate**: These are around 6,000 square feet. **C/Young**: That is well into an R-4. **C/Young**: As far as plats and that go and the grand scheme of things, the clubhouse portion for the active living section, what plat is that intended to come in? **Mark Tate**: It will actually come in the second plat and will

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definitely include the collector road with the community clubhouse. **C/Hennis:** That roundabout or that collector that comes in, you have an area designated as Design Review, what is the DR? **Mark Tate:** That is actually for the driving range. **C/Young:** With this preliminary plat, you've got one entryway into the subdivision for 400 plus units. Do you have plans for a temporary access until this builds out? **Mark Tate:** Along the Cloverdale Road portion of the boundary, there will be an emergency access going out to Cloverdale right there. That's a potential future well site as well. We would build a 20-foot access and put a well site as well. We would basically double the access and put emergency services in there. We also have one along Kuna Road for emergency access ingress. **C/Young:** Do you have an initial intent until there's a second entrance at the subdivision coming from another direction to use one of those as a full access until it builds out? **Mark Tate:** We're still looking at the exact phasing. I know that the plat we submitted included Cloverdale access, the first one that we're planning on doing. Potentially looking at the Falcon Crest entry as the first access and coming off of that. In this case, we'll need to get out to the secondary access very quickly. **C/Hennis:** You indicated that you would the extension on Five Mile and then reconnect down to Kuna. I noticed in ACHD's report, there was a recommendation to not have it wander. There was a recommendation to keep it a hybrid of the section line going all the way over to where we proposed. Part of their recommendation is that they will need to address it as future applications come in and as we get to platting in that area. **C/Young:** As far as ACHD's report goes, it was one of the biggest reports from ACHD I've ever seen. What are your anticipations for left turn lane, southbound direction, deceleration lanes and that sort of thing for these messages? **Mark Tate:** That would have to be done immediately, and we would anticipate that to be done at the outset. One of the big reasons that their traffic study is large is because they are all private streets on the interior, so there's not a lot to comment on. As we go through this project, there will be many preliminary plats that we will submit as we go. Each one will require its own ACHD approval. They will continue over the life of this project to a 20-year horizon. We will be looking at trip counts, traffic rates, where we are at in five years. They have a twenty-year work plan for much of Cloverdale Road. They will look at what gets built in that time. The retired buyers will do their commute in the middle of the day, which will reduce the 8-5 commute problems. **C/Young:** Can you describe the initial modifications of Cloverdale? There aren't any specific recommendations from ACHD for 400 units. **Mark Tate:** The traffic study determined that Kuna Road or Cloverdale Road is functioning well. They've got projects in the cue to remedy things much closer to Overland Road. When you look at 400 units, it sounds like a lot of units. From a percentage of trips as we get closer to Cloverdale Road, it is a very small percentage of those trips because Cloverdale Road is an arterial. It's covered by impact fees. Every house in this project is going to pay some impact fee for the road arterial system. We will build arterial roads in our project. We're also responsible to build the entire frontage of the project. All along Cloverdale road with the accesses and the turn lane, we'll be building that. **C/Young:** Cloverdale being an arterial road, you have no plans to put a middle turn lane in? **Mark Tate:** We would at our access. **C/Young:** I'm trying to get some specifics because it's not in the report. Where are you looking to put those? Where are the deceleration lanes? How long are those? What is that plan that you have? **Mark Tate:** There would be a deceleration lane and a center turn lane associated with the Cloverdale entry on this preliminary plat. ACHD has the real idea on the deceleration and turn lane. It has to do with travel speeds and that sort of thing. They are still going to improve all of our projects. **Troy Behunin:** Good Evening Commissioners, for the record, Troy Behunin, Planner III, 751 W. 4th Street, Kuna. The applications before you tonight are case No's 18-03-AN (Annexation), 18-01-CPM (Comprehensive Plan Map Change), 18-04-ZC (rezone), 18-02-PUD (Planned Unit Development), 18-04-S (Preliminary Plat) is presented for your vote to recommend approval, conditional approval or denial to Council. 18-20-DR (Sub Design Review) is before you for your decision tonight. The application materials have been assembled for your packets for your reading pleasure. All of the noticing procedures have been followed to hold the public hearing tonight. The applicant seeks approval for annexation of approximately 996 acres, approximately 807 acres at R-6 and 187 acres at R-12, a comp plan map change from Ag to Mixed Use for approximately 160 acres, a rezone of approximately 20 acres, and a pre-plat for approximately 131 aces to subdivide up to 409 lots and 58 common lots, 2 well lots, and up to 4 common driveways in a PUD in Kuna City limits. The applicant also proposes a DA to memorialize the requirements, obligations for both applicant and COK. This request (except for the request for CPM for approx. 160 ac) matches the Comp Plan map,

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designation of Mixed-Use General. This project is located at the NEC of Cloverdale and Kuna Roads, and 40 ac is already in the COK limits. This project has significant on frontage Cloverdale and Kuna Roads and proposes half mile collectors for E-W and N-S alignments. There are several topographic challenges and Staff is willing to work with the applicant on alignment. What is important is they are proposing to continue the MSM Kuna has approved. As a PUD, and the fact the applicant is willing to meet and exceed the 10% open space requirements and other amenities, these requests meet the criteria to request changes in dimensional and other code changes to add variety and flexibility to their communities. Staff (including our Attorney) has meet with the applicant multiple times to discuss and negotiate the requested changes and even as late as yesterday, to bring a unified request to Commission and ultimately on to City Council. In the back of the DA is a side by side comparative to showcase what the applicant will be required and obligated and where flexibility has been extended. It is up to the Commission to decide if they recommend approval. Staff has vetted out this entire document with the applicant and we have reached an agreement that will provide a way for a resort style community that Kuna has never seen before. This will include age-targeted audiences as well as family subdivisions, or villages. The pre-plat appears to meet all COK standards and does include a request for private streets, which staff and ACHD have both met with applicant to discuss standards and we have reached agreeable terms. The Landscape plan appears to meet all COK standards. The same goes for the pressurized irrigation. There are limited surface water rights out there. They will be creating their own system to facilitate watering all of the common lots and nursery. If they connected to our system, as Mark indicated in his request, the water rights would have to be dedicated to the city in order for the city to continue servicing those customers. The applicant has been notified and is willing to bring the sewer to this site. Staff would support a condition that in the event that the pressurized irrigation system is dedicated to the city, then it would be held at that time. The Development Agreement indicated that there would be several city parks. Right now, the plan is to dedicate just one city park of 10 acres as a public park. Staff would ask the applicant work with the Kuna Fire District, based on how many houses can be built at one time. There has been an incomplete application submitted by the Kuna Rural Fire District for a new site, which is almost a half-mile south of Cloverdale Road. Staff has worked with the applicant to get it before you tonight, and they have submitted everything that staff has asked for. Staff finds this application to be complimentary to the comprehensive plan goals and the comprehensive plan map. I stand for questions. **C/Laraway**: You mentioned the sewage situation. Is there going to be a sewage system built on site, or will it be transferred all the way back here? **Troy Behunin**: It will come from the Falcon Crest Subdivision. It will travel down Kuna Road for a large part of that. It will empty into the Orchard Street Lift Station. There will not be a sewage site on Falcon Crest. It will all travel this way. **C/Laraway**: The Commercial lot on the corner of Kuna and Cloverdale Road, will that be commercial pads or will we see townhome applications? **Troy Behunin**: That will allow for townhome or any other kind of multi-family or single-family residence. It will be commercial uses. They will come back with a plat for that, because right now, it's being platted as one single lot. They'll come back at a later time when the commercial development does kick off. **C/Young**: Have there been any discussion with Kuna Police Dept for that jump in current control areas to this, and have they worked with staff to do all that? **Troy Behunin**: ACHD will not support or fund anything with roads until there's actually been something created. That also goes for police and fire, too. Their actually contracted through the city as Ada County Sheriff Office. They will add more control once this comes up. **Wendy Howell**: The fire and police departments attend the pre-ap meetings. As far as coverage, the budget season is when council and the sheriff's office determine if there's additional need for additional detectives. That would go for the next coming year. **C/Young**: For the code modifications addressed in the DA are just specific to the DA, not a city-wide request? **Troy Behunin**: Correct. It's not a city-wide zoning code request. It meets the criteria for a PUD. **C/Gealy:** With respect to these exhibits, the schedule of district regulations and official height and area standards, they are only applicable to this application, correct? **Troy Behunin**: Any code changes are specific to this project only. **C/Damron**: I didn't see anything on street sizes. Did they send anything in? **Troy Behunin**: They did not, they will have to meet those standards. Even for the private streets. They have met with the fire district. The fire district did not have any significant concerns. Fire hydrant spacing is not handled at this level. That is a technical question that is handled during construction plan review. The only standard that they are requesting a change for is the length of cul-de-

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sac. They are willing to and will provide emergency accesses for those over length cul-de-sacs. The two cul-de-sacs that they have proposed do meet code. **C/Damron**: The C-2 access, that's internal from within that subdivision? **Troy Behunin**: They will have to go through the preliminary plat process for that. **C/Damron**: They've got the access points for the other phases. Do we know if that will be internal or external? **Troy Behunin**: It will be external. There are separation distance requirements, especially for an intersection. **C/Gealy**: There will be pressurized irrigation on the common lots, golf courses, and lots themselves? **Troy Behunin**: Yes, they have to come up with their own pressurized irrigation system for that. **C/Gealy**: The swales are on Cloverdale, but there is no curb, gutter and sidewalk? **Troy Behunin**: All arterials and collectors do require those to the proper widths. **C/Gealy**: Curb, gutter, and sidewalk? **Troy Behunin**: We're willing to work with ACHD. Sometimes we have these roadways in the five-year work plan. If they are not in the work plan or capital improvement plan (CIP), then they would require a swale. Staff would like to recommend that if it's not in their CIP then they widen and improve it to city standards. **C/Gealy**: Would that also include Kuna Road? **Troy Behunin**: Yes. **C/Laraway**: Is there any discussion about greenbelt walkway? **Troy Behunin**: Yes, there is. They have their own master plan for a regional walkway system. That's in addition to the internal walkways, which will be extensive. They plan to exceed our open space requirement by a significant margin. **C/Gealy**: I have a question regarding the development agreement. The red copy that you gave us, does that also include the red line copy that was in our packet? **Troy Behunin**: Actually, this supersedes the development agreement portion in your packet. That represents everything said since yesterday afternoon. **Troy Behunin**: Staff would also note that there were four letters sent in from the public. The fourth one was not, and it was anonymous. That does not meet the requirements for sending in a citizen's letter. C/Gealy: On page eight, item number 1.5.7 private road. I think it's confusing to have a public street a private road. **Bill Gigray**: With regards to the definitions, the reasons that they are definitions for private roads and public streets is so that we can find in the development agreement that this development will have both. When we're using the word streets, we're denoting that these are going to be public. ACHD indicated it would be in their jurisdiction. They would be the holders for the public streets. The private roads will be retained, and in accordance with the development agreement, the developer once they have been completed will then be transferring those to HOAs. Within the HOA CC&Rs, they'll be responsible to maintain them. **C/Gealy**: What I don't understand is why public street is included as a separate definition and it is also included in the definition of private road. **C/Gealy**: Can I request that we get a current copy of the agreement before we discuss it? **Wendy Howell**: We can go through your concerns to make sure they are addressed on this new development agreement. **Wendy Howell**: On our copy, it just says any road or street. **C/Gealy**: Next is 5.1.1.5.1. If they're going to modify curb drainage and other standards, then would they need to go through another approval process or will they modify it at will? **Troy Behunin**: This gives them the ability to modify that. The standards and what actually is transpiring will actually be construction plan review. **C/Gealy**: Would there still be staff review of those modifications? **Troy Behunin**: Yes. **Wendy Howell**: In addition, it will be looked at in the subdivision review process. **C/Gealy**: In the next section, it mentions an owner's association. Typically, we hear about homeowner's associations. In this case, it's referring to an owner's association. **Troy Behunin**: If you go back to the definitions, owner's association refers to any nonprofit organization or any responsible for the maintenance and operation of management, private roads, green space, public green space, pressure irrigation system and common lots as such are set forth in the CC&Rs. It is talking about a homeowner's association. **Bill Gigray**: The reason to include that it is a non-profit entity is because the developer intends to form either a non-profit corporation or it could be a non-profit association. There are different kinds of entities that can be created under the Idaho law to establish membership and the membership within those. These are usually the property owners in the designated boundaries of the homeowner's association. They're the ones who establish and pick the board of directors. They manage it just like you would manage a corporation. They are responsible for administering the CC&Rs in the designated areas, and it's my understanding that planning this development will be done in phases so they will create different HOAs for different phases of this development. **C/Gealy**: My concern is that when I read owners, I think I'm rightly so that it will include all owners of the property will be represented. If everybody with a 6,000-foot lot gets one vote, the people in the golf course get more votes than anybody. I have that the homeowners be well-represented in the presentation. **Bill**

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Gigray: You might want to ask Mr. Tate about that with regards to how they plan to deal with HOAs and the entities that they create. How I understand it is they will be able to review all of those, because we're going to be really concerned that those associations will be in a position and well able to maintain all the necessary infrastructure that they'll be responsible for. It's their intention that it will come back before it's ever finalized. **C/Gealy**: My feeling is that we are representing the residents and future residents of this area. 5.2.2.7 reimbursement regards to potable water service. What does this mean? **Troy Behunin**: They are subject to the reimbursement agreement, and it's been decided in the reimbursement policies that the city has in place right now or that are reached through this process. **Bill Gigray**: We are prohibited by law to extend and enlarge our proprietary systems water and sewer. Developers can put extensions to them to at their expense if proposed. We require them to oversize the line so that it would be able to handle the load of adjacent properties as those are developed. When they do the oversizing, through the reimbursement process they can recapture some of the investment that comes from these hookups. This is a process used all over the valley by cities that are growing. It enables the city to maintain a controlled sewer and water system through this process. **C/Gealy**: My next one is 5.4.2.2.4. It says the developer shall be eligible for reimbursement of 100 percent of the cost. **Bill Gigray**: It would be the same idea that I mentioned for water. **Bob Bachman**: We have a section of the sewer line that's basically 7,700 lineal feet that the city had to put in. Instead of the city putting it in, we are actually having the developer put it in and basically treat it as a CIP. The benefit to the city for doing that is general contractors can do it much cheaper than we can. That percentage of the 7,700 feet is 100 percent eligible that will be eligible for reimbursement. The fee for future development tying in that line will go to pay that back quicker. They're putting in the line for us and getting reimbursed for that section of the line at 100 percent. Some of that basically gets done by the developments. **Troy Behunin**: They have to pull it like three and a half miles? **Bob Bachman**: From Cloverdale down Kuna Road to Strobel, the developers putting that section in are paying for their reasonable duty and we will reimburse them for anything over their reasonable duty. **C/Gealy**: For 5.5.7, in locations where pathways and trails are isolated and not connected to any development or trail, such isolated trails shall be constructed and approved by the city. **Troy Behunin**: The whole trail system is not being built all at one time. Portions of that will be built with each phase as it progresses. In a way to make it a better situation for the developer and public interest, a short trail doesn't just end. Really what we've negotiated with the developer is that small trails won't just be created and site for long periods of time. We're hoping to extend as much with each phase as we can. **C/Gealy**: Why would the city construct those trails rather than the developer? **Wendy Howell**: We will delete constructed. The system will be constructed by the developer and then dedicated to the city. **C/Gealy**: For 5.6.9, I just wanted to clarify the statement beginning with if the developer develops and conveys any public park within the subject property to the city upon approval from the city administrator of the public park improvement costs. This included the fair market value of the land. My question is with respect to all other developers that come before us and we ask them for amenities or additional amenities and they pay park impact fees. We have not offered to any other developer that I know of an offset of their park impact fees by putting in a park. **Troy Behunin**: It is offered to any developer that comes in. It may not make the public arena, but it is offered. There is a Kuna City ordinance that does allow for that. **C/Gealy**: I do understand that this is a different animal here. I want to make sure we recognize that we're opening this as an opportunity. **Troy Behunin**: Other developers have implemented that same structure involving parks and trails. **Bill Gigray**: This really follows the impact layout of the State of Idaho. There is a mandatory provision in your ordinance for impact fees, and it's driven by state law. A fee payer can request a credit if they are entitled to an offset that's in the CIP for the parks. The payment of those fees, for which the fees can be used to buy for an improve facilities. This is doing nothing in my mind but complying with the Idaho Law and what the city's own ordinances which follow the law for development impact fees. **C/Gealy**: The next one is 8.5, the top of page 25. Could you explain this section please? **Troy Behunin**: With respect to the residential densities, as was discussed earlier, the minimum lot size for an R-6 right now is 4,500 square feet. Their average lot size is 6,500. They will exceed that in terms of density. They may get into a situation where they can't reach R-6. They may shift things around so one village is 5.2 dwelling units per acre, but they cannot go over six. That will be reviewed by staff in the preliminary plat process. **C/Gealy**: The next one is at

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9.1.3.1, just further down on that same page. Where it says the City Council shall grant an application for a limited termination for some parts of this agreement, is the shall a directive? Should it say shall or may in this sentence? I would like to defer to a legal. **Bill Gigray**: The reason why this has this wording is that it would depend on the circumstances in which the applicant is going to want some of this terminated. It's going to depend on the completion of the complete phase of the project. The idea was that they would come back, and they would say all of it is completed and in place. We want to have a certain portion of the agreement terminated. I wanted to make sure that we included provisions for perpetual maintenance and operation of infrastructure is going to be maintained throughout by a homeowner's association. That's why that was left in there. If they were seeking terminations in portions of the agreement, it would likely only be parts of the agreement, rather than the whole agreement. **C/Gealy**: Does the City Council have flexibility to grant the limited termination. **Bill Gigray**: "May" is a better word for us, absolutely. **C/Gealy**: I prefer the word 'may' as well. My next one is 11.2. For this part, if there is additional property will there be another PUD? **Bill Gigray**: I requested that be added there, because the applicant wants to have the assurance as they move forward. The city's zoning ordinance is as it is now. They don't change as they add phases to this development. We were saying it's ok within the original property subject to development within this agreement. We're not going to agree that it can automatically apply to some additional property that they may want to add to this development years from now. If you change your zoning ordinance for whatever reason, then those new ordinances would apply. **C/Gealy**: Section 14 on default, it did seem that it was primarily one sided, but you'll continue working it. **Bill Gigray**: It is provided so that the developer can only seek specific performance in the agreement. There are provisions are there for which the city can seek modifications for the other. The way in which it's written, there will be more options for the city than there would be for the developer. It is a deliberate process of notice of intent, ability to cure, proceeding through the process that will end up in the City Council's lap. Much of it, if you have original jurisdiction, will start with you, and it would go directly to the city council. This process also assures that the City Council and you have a chance to look at the default and determine. If they claim that we're in default, then they must go through the same process. They can't just run to court and say that we're in default and try some sort of declaratory relief action in district court. They have to go through our process and we have a chance to address whether we are or are not. **C/Gealy**: In 14.1.3 under default, there had been a comment regarding mediation. I don't see it on the copy that I have here. The part that states that the claimant shall ask the Planning and Zoning Commission or City Council to proceed to set a hearing and provide written notice of the hearing to show cause of the accused. In the event of default, the Planning and Zoning Commission will potentially hear the default? **Bill Gigray**: Yes, if you have original jurisdiction and other factors, it may just fall to the City Council. It's hard to tell at the point. As you know, this is a very large development with all kinds of issues. Some may be public works alone, some may be a compilation of a PUD permit. You have original jurisdiction and it seem to me that if you have original jurisdiction on the granting and permitting process, then they're in violation of the development agreement as well. They'll need to come back to the original jurisdiction and that's why it's written that way. **C/Gealy**: The last question I have is on question 16, legal defense of this agreement. The city and the developer may mutually agree to hold a legal counsel. However, all other costs of such defense shall be shared equally by the parties. **Bill Gigray**: It's helpful to the city too, because if we get third party action claiming that the agreement was contrary law, we would probably be in a position for good faith and fair dealing under a contract to defend it as well as the developer. The idea is for the parties to share the cost of defending the agreement if they declare that it is unlawful. **C/Gealy**: In the packet I received, there was nothing about CC&Rs. There was a title page and nothing else there. Are they not available yet? **Troy Behunin**: That's not something that we actually review, they just have to show and provide for a homeowner's association the CC&Rs. It's just to show this body and the City Council that there are CC&Rs for the owner's association. **Wendy Howell**: We do review the maintenance portion to make sure all of that's covered, but not anything else because it's a civil issue. We don't comment on them. We'll get that with the final plat. **Troy Behunin**: We want to make sure that the proper mechanism is in place to take care of the trails, the roads, and the green spaces. **C/Gealy**: 5-3-3 and 5-3-2 will only apply to the modifications on this project, correct? **Troy Behunin**: Anything is specific to Falcon Crest Subdivision. **C/Young**: We'll open the public testimony at 8:23. We'll start with

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those in favor. **John Lawson**: I am a resident of Ada County and I live in the subdivision to the west. I am actually opposed. I am representing myself and my neighbors. I'm on the board of the Cloverdale Ridge Corporation just to the west. We provide irrigation water for about 50 homes, farms in over 250 acres of irrigated land, which has been there since the late 70s. All of the homes in this area have personal wells. There's not a unit that depends on more than the well. My biggest concern with this proposal is that I understand that you look at the surface. There has not been a Comprehensive analysis on this site. There are two wells that the golf course uses, and there is a drinking water well that the golf course drinks from. No sophisticated pump test has been provided. We are in no effort to document the water in the subdivision. We have two significant irrigation wells that could be affected by this. Those wells are a significant cost to us. One of those wells is fairly deep and is not drinking water. We have over 50 homes that could be affected. If we lose a well to our house, who do we talk to? We all have senior rights, but with bureaucracy, we would go through an incredible process to recoup our losses. **C/Young**: Next I have those who are neutral. **B.J. Henningfield**: I live at 11893 S Cloverdale Road, which is a house directly across from the new development. I'm concerned about the R-6, because that's in front of me. The other concern I had was the widening of the road. If it encroached on my property versus the development side. I want to know about the speed limit as well. I have two boys at home. Nobody really follows that speed limit. For the City of Kuna, what does the future look like for those five-to-10-acre lots? We have a lot of those in this new development. On the south side there, Kuna Road, this condensed look that we'll have out there will look kind of funky. I'm wondering what the future holds for that area as well as we move forward with this. **C/Young**: Next is opposition. **David Enhoff**: I live at 9901 W Kuna Road. We attended the initial meeting at Falcon Crest Clubhouse. Most are strongly against it based on our way of life. We have large animals, gardens, we have a 15-20 commute. We value small community and minimal traffic. Controlled growth is important for the current members. Infrastructure expansion would be enormous. An addition 4,000 plus trips from Cloverdale and Kuna Road, and a secondary road coming in east of Five Mile Road. Growth in other locations of Kuna has seen a change in the demographic. We're all on wells, and it will be affected. To handle the increase of populations and traffic, what properties will be taken to handle those needs? These people will lose 25 to 50 feet of their property lines and put homes closer to busy lifestyle. Developers are looking at this solely to maximize profits. Please respect the people who you are attempting to run over. Being a respectful neighbor is everything this community stands for. We would ask that everyone affected by the development have an opinion about it. We need their voice heard and carried equally. **Brad Rosenbaum**: 1091 Cutting Horse Drive. I'm on an individual well and the system, we're very concerned about water and traffic. I've been out here for 25 years and it's in jeopardy now. I heard Troy talk about the infrastructure of the water and the water lines. They will be built to Kuna standards. I'm concerned about where the water's actually coming from. Have there been studies on the aquifer We have 2,300 homes coming up and a lot of it is on dry ground. I'm concerned about the horse trailers trying to get onto to the road. Can some more studies possibly be done? **Brent Higby**: 12741 S Romiro Avenue. This is just off Kuna Road next to the development. As this growth comes, we need to temper it. If it fits within the surrounding area and subdivisions that are close to there. To the north are typically one-acre lots. To the west are 5-10 plus acre lots. All this is agricultural in nature. In 2009 it got rezoned. I'd like to mention that the R-6 will not fit well in the surrounding area. Also, one person uses 80 to 100 gallons of water per day. When that comes out of the ground, it gets used in their system and goes into a sewer pipe on Cloverdale. With the amount of people, that becomes 600,000 gallons of water per day. It won't percolate back down into the water. **Richard Wharton**: 999 Cutting Horse Drive. I'm about 600 yards west of Cloverdale Road. We've lived in our property for 46 years where the golf course was developed. I put myself down as semi-neutral for this development. When the golf course was developed, it was planned to be a class act. What I find inadequate is the analysis of where the water is coming from. There is no record of where the water is coming from. Will we dry up and have to do new wells? Should there be a condition that the developer put money in for our wells? Nobody knows. The Bureau of Reclamation has done studies near the New York Canal. **Vicky Lane**: 3907 E Indian Trail. I am off the beaten path but Cloverdale is my path out. Cloverdale is my main concern. I look at the houses that are right on the street, are they going to be widened? How many streets will be added? What's our speed limit going to be on Cloverdale? It said in the statesman here

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last month that road construction will begin in 2023. The Cloverdale won't expand until between 2031 and 2035? We'll have 2,000 houses and the road won't be started for four years. All of these rural communities next to the subdivision I support. **Brian Wilson**: 6171 Cutting Horse Drive. My biggest concerns are water and traffic. I understand they pump a tremendous amount of water for the golf course. If you take what they're pumping and add another 2,300 homes, they're taking so much water but they're not doing it year-round. Can they only pump during the ag season? I'm not sure how those wells work. That and traffic will become more and more of a problem. We all know that, but you can widen the road but the traffic noise will be a problem. I used to live off of Victory Drive and they put that big wall on the other side of the freeway. **Richard Vick**: 11457 S Cloverdale. I raise hay and I'm right across the entrance to Falcon Crest. When we moved in 16 years ago, we were told they'd add 400 houses. The meeting's been hyped up. The area is 220 feet with no water left in it, that's all. If you allow this development to go in with these wells, you'll put our whole subdivision out of business. None of us will have any water. **Nicole White**: 12625 S Five Mile Road. Next to me is the sod farm field. Everyone in Desert View has farm animals. A lot of our homes were built in the mid-70s. Having that type of atmosphere next to an HOA type atmosphere doesn't fit. The school concerns are noticeable. Rural people are feeling forced or pushed out. When I heard of this my heart sank. Our whole style of life is being threatened. If this development happens, we won't stay around. We don't want an HOA type of community. I'd like to speak on behalf of those families that couldn't make it. I don't know how the demand is for all of this senior living. I would like to more affordable housing. Who will fund these HOA communities? **Tom Atwood**: 12793 N Sonora in Desert View. I've lived there for 42 years and I kind of expected this to happen. We have a pressurized irrigation system and a domestic system. We have a little over 200 residents. We pump one million gallons a day as a community. 10 million gallons a day would occur in the irrigation water in the summer months. **Ben Eichelberger:** I live at 4008 E King Road. I live 2-3 miles southwest of this development. My kids are the fifth generation to live on this property. I commute north on Cloverdale every day. It's six miles to Overland. The plans for widening are way out. I'll take exception to the 55 and over, but what is the average retirement age. There are many people working well into their 60s. I just ask that you take that into consideration. Thank you for your time. **Mark Tate**: Commissioner Gealy asked about the owner's association. We run HOAs typically in the course of all of our developments. As we are developing, a lot is declared by the HOA board. That master association will take over certain portions of the project. There will either be affiliated associations of that master that have private amenities that aren't available to the entire community. The community also won't have to pay for those amenities. There are basically neighborhoods within the homeowner's association that will have their own structure. For instance, if you have your own community with private streets. You will have access to all the master amenities. However, if you're not in that area, you won't be paying for their private streets, the parks within that area. There are benefits to each of them, if somebody wants to be in the gated portion. There will also be amenities that are for everybody in the community. There are community parks and entry monuments. It's a master system so there will be use of those wells that are currently out there. To get to your question about HOA representation, it is very developer oriented. You're probably wondering if the golf course is part of this association. Our owner's association would really just be for the golf course. We've done it 100 percent the opposite way where it's basically an HOA amenity. For the isolated trails, I do in my defense want to say that there's another way to refute that. The city will not build the items as mentioned earlier. In the termination section, we just ask that we have a little bit of flexibility as we continue to make that exactly what it needs to be. We'll do that through your motion. We want to continue to work on that agreement to clean those things up. I think that the structure is there, we have no problem with what the attorney described. As a response for what I've heard from the neighbors, there were three main themes that I heard. The first was water, which was obviously a concern. Development uses less water than agriculture, irrigation water is still used seasonally. The really isn't a more water-intensive unit than sod. If the whole thing was going from dry land to development. We'll be taking sod out of production for the most part. As part of a permit to drill a new well out, the submit a watering plan to the Idaho Department of Water Resources. They submit readings from that well to monitor aquifer levels. To their question about impacts, you need to monitor them. There are provisions in the state law to address impacts to wells. There are also provisions in state law that says if you have 200 feet of water in the aquifer, and

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you draw a well to the top foot, that doesn't necessary preclude people from certain wells. It needs to be a reasonable depth of wells, so this is certainly not the first place to deal with these sorts of things, and I certainly understand their concern. We will be very efficient with our water systems, it's smaller lots and lawns which should be a benefit. Cloverdale and traffic in general are the other issues. Development pays impact fees, unfortunately the roads must be built in phases. ACHD does have their five-year work plan. With this interchange being replaced, they're actually looking at speeding up a lot of those projects. This is because they thing that it will be a better connection. We'll at bike facilities and a lot of other stuff. I would say look in the near future at the iterations that accelerate some of those projects. We're paying impact fees, building the frontage, and ACHD will continue as we submit the preliminary plats to condition more improvements. We will continue to look at the offsite improvements. There was a question about right-of-way and the additional side. That shouldn't happen. There is enough right-of-way out there currently, and we certainly don't have condemnation of those improvements. We'll build half of the road with a five-lane section. That will be the extent of it. The speed limits are determined by ACHD. The last big overarching concern is just with the rural character in the area. The houses and the lots will be much smaller. They'll be a higher density development. It's developed at 2.25 units per acre. That is a low -density development. While there are clusters of higher density, overall there's a huge amount of open space. A typical suburban development might be three or four units per acre. Much of it is relative. We certainly want to be respectful and mindful of our neighbors and those folks around us. I'm proud of neighbors not saying that this development is shoddy. All of the developments we do are high quality and we're very proud of them. They will bring a lot of value to the area. There are also concerns about traffic and water. Having a really high-quality development next door. This will enhance property values and make properties more desirable. I think we do bring a lot of benefit to the area. We'll bring food service, new club facilities, and a walking pass. This project will still be built incrementally. This will be a 20-year project. The improvements will come as the rooftops come. Please include the requests I added in the presentation. **C/Young**: The family zone on the east end of the property, what are the lot sizes that you envision for something like that? **Mark Tate**: A third of an acre lot is typical for those. **C/Young**: There's a conflict between the DA and the landscape plan. The fencing called out as wood, but we'll modify that as we go. **C/Damron**: The gated community at 55 and over, is that planned for without children? **Mark Tate**: Correct. **C/Gealy**: You're not developing the commercial now. There will be access from here to the commercial property. That would not require driving back to Cloverdale and back in. **Mark Tate**: We didn't include any streets to go in naturally, but if you look at the landscape plan, there are connections on the north and east side. They would function as emergency accesses as well. **C/Young**: We'll close the public hearing section at 9:16. **Bob Bachman**: The City of Kuna is currently in the middle of a rate study, and we got detailed into water use, sewers, capacities, basically across the board. Currently, the average family in Kuna uses 206 gallons of water a day. This equals about 60 per person. We have roughly just under 7,000 houses and we use about 1.2 to 1.3 million gallons of water per day for 7,000 houses. Over the last several years, we've reduced our potable water usage on an annual basis by roughly 3 million gallons. One reason we've been able to do that is our pressurized irrigation system and not allowing residents to use potable water for pressurized irrigation. They must use the wells that are already in place. That will help eliminate some of the concerns or problems that could come with allowing them to use potable water. One thing that we saw in the rate study is that there are roughly 300 homes. The City of Kuna right now uses potable water for irrigation. Those users take 80,000 gallons of water and the average user on pressurized irrigation is roughly 7,700 gallons of water. It's a significant savings to create a pressurized irrigation system separate from the water. That's one reason why we're requiring that. Department of Environmental Quality (DEQ) has ultimate authority over usage of the wells. If the water isn't available, they won't let us drill the wells. As a City, we're held to a much higher standard than a domestic well. We'll also drill two wells and put both wells in one hole and pulling out two aquifers instead of one at the same location. Ultimately, this lessens the impact of the water table loss. We're taking every precaution that we can to make sure we get it right, we'll also be drilling test wells. At this point we can't do that, because this property is not in the City of Kuna. We have also hired one of the best hydrologists in the state to help us with this. We're confident in the information and plan he shared with us. **C/Hennis**: We hear the concerns of the public with the wells and the efforts you're making to

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mitigate it. What have you found out so far with the hydrologist? Is there enough water out there? Bob Bachman: All of the information that we've been given through our due diligence process of picking well sites shows that we have adequate water. Until we drill test wells, we will have to find the right water level and get to it. Like Mark said, we are required to do a monitoring plan and monitor those wells. **C/Hennis**: The concern I have is approving this and then getting to the point where there's not enough water. We're past the point of no return in that case. Bob Bachman: The first thing that we're doing is the wells. If we don't get DEQ approval, then we're not drilling wells anyway. As of right now, we're in the process of doing that. Hopefully this spring, we'll start doing test wells. In theory, our wells should be ahead of our development. **C/Hennis**: As a city, drilling wells out there, utilizing that water, does it take away from the present usage of those aquifers? If there is a way to show that it has the capacity, then it will alleviate that. I'm sure that it's the cart before the horse and the horse before the card. **Bob Bachman**: That is what I've heard more than anything else. The only way that it can be figured out is the test well process. The city has decided to drill a test well to see that we get a good aquifer. We need to make sure there's plenty of flow until we drill the test well. It's not until spring. **C/Damron**: I have a problem with that Bob, some of the people here have been here for generations. When they drilled wells in those days, somebody would add a well at 60 to 70 feet. To draw an aquifer down with that much usage of water, another gentleman said that he had static pressure at 60 feet. We will draw that down, because they're at the top of the aquifer. Knowing what the hydrologist knows today that we didn't know back then, I have a concern that they're going to draw their wells down and they'll be out of water. You'll be in the aquifer and they've got enough flow, because they know it's there. We'll do a well depth study on what these neighbors all drilled their wells at and where they are footage-wise. We could be drawing water to where they won't have anything and we're saying that you have to go deeper. $25-30 per foot is a lot of money. **Bob Bachman**: A municipal well will be deeper than a domestic well anyway. **C/Damron**: We have aquifers at 150 to 250 feet deep. We're dropping it down to 160 feet. We're in the middle of the aquifer as a city, where these guys are at the top of the aquifer. They went down at say 65 feet. Say they go down to 75 feet or 80. They got a static pressure of 50 feet in the pipe. We're pumping water down at a rate to where their static pressure will drop below 65 feet. Their pump is down 10 feet below, we could get it down below that. They're still in the aquifer, but now they have to drop their pipes down another 60-70 feet. **Wendy Howell**: We're recording this hearing, we cannot have applause as it overrides what's being recorded and discussed up here. **Mark Tate**: What Mr. Bachman is saying is that until they go and drill, we're just guessing. The test well will tell us what is happening in the aquifers. Water is typically slower than others and has the ability to impact more or less. The best way to do all that stuff is to do a drill a test well and do a pump test on that. You go and monitor all the other wells around it. While you're doing that pump test, which is what they'll do. We have irrigation wells and additional wells in the area. You could measure the influence or not measure the influence. We want to ask how transmissive, how much water will be an impact and how much those impacts will be. There is a process for all of that. The well processes go through the state, much regulation for impacts on wells. People are concerned about it, I get it. The city's got to do their work. Plan B is to build a water line and there's provisions in the development agreement and there's some reimbursement policies for that, in which we would have to build the water line for it potentially. I'd extend it from Kuna instead of doing wells there. We're not going to know any of that until we get into it. We won't know most of that until the development moves forward. **C/Hennis**: Some of us in the industry like yourself and citizens don't understand what was being said there. What you're saying in the development agreement is that if we get to the point where this goes through and there's not enough water, then you guys will put a water line in to supply the subdivisions versus pulling from the well that will take from the people that already exist out there. Is that correct? **Mark Tate**: If we can't get the well approved, or the city can't, or the water quality is not good, then bad things could happen. The second option is that you're pulling the line from those wells. **C/Laraway**: While this process is happening, to keep these folks informed on what is going on, how do they keep in the loop during this process to keep them informed? **Mark Tate**: I think that they certainly could reach out to the city. **Bob Bachman**: We have an open-door policy, any information that we have is public record. The permits are only approved if DEQ thinks that it's adequate water. **C/Damron**: I think we need to do a well-depth study with the depth of the aquifer. I've watched our static water go to 58 feet. I've gone to 65 feet. We had to

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drill a new well, because he didn't do a well depth study. We know that the water is there, but will that affect the residents around there? For the irrigation wells and the potable water. I don't feel we're putting the cart before the horse. We need to pass it to know what's in it. What I feel that I will have to do tonight is to pass this, and then we'll find out about the water. If we have the water for this to do it, if not then we need to work on the city water system to get it out there. **C/Young**: Obviously, there's large traffic concerns too, not just the water. **Bill Gigray**: With your permission, members of the Commission, I just wanted to point out that in the development agreement, I think this is what Mr. Tate was discussing. It's section 5.2.1.2 on page 17. In the event that the city does not secure the water rights and well permits, to prepare and submit an offsite potable water plan that would connect the subject real property to the city's potable water system. The offsite water line would be the responsibility of the developer. That's how development agreement works. **C/Young**: Does the city have the capacity to suck from our wells by the four miles to supplement that, if that turns out to be the case? **Bob Bachman**: We do. As full buildout occurs, we have to expand our system to keep up. You guys approve these all the time. As we do a development, we just hook in and keep going. The reason we do that is so we don't have to tear it up and redo it. Every well we have in the city limits right now is a loop system. If we have 10 miles, those 10 miles all feed one another. If one well goes down, one well picks up the demand. It's very efficient to do it that way. Ultimately, if we drill wells out there, it will be looped. **C/Damron**: Say we go to full buildout and go to Kuna Road through Cloverdale, the well passed and says we have enough water. Say 30 years we get down that road, then they say we don't have enough water in the aquifer. Since the city took care of that, the city will have to pay for that development. This will incur huge costs to the city. Say we're five miles down the road with developments. Now we've got to build a road to where we're at now all the way out to where the aquifer will no longer support it. **Bob Bachman**: A developer is responsible for water or sewer to and through their property. Say we put in an eight-inch by 12-inch, they are responsible for that size difference. If we don't ultimately bring our line out there, he would most likely be eligible for some reimbursement now. We would make him oversize it. It wouldn't make any sense to just bring a line out there that only services his community. It would be more cost in the long run to do that, if your scenario were to play out. **C/Damron**: Would it be more cost effective to use the city to use that as say, a booster well, have them run the lines out there, use it as a booster well as it builds up? Then we're not sacrificing the water that's there. We can utilize it down the road. Bob Bachman: I wouldn't say more cost-effective. It's always more cost-effective to have your sources as close to the demand as possible. From a cost-effective standpoint, the most cost-effective thing to do would be to drill wells on the site. **C/Young**: To partly answer your question, I think that looking to do that before any test wells were done would be an undue burden on the developer if it turned out there was enough. This would be better than pulling out five miles of line. **C/Damron**: I'm thinking when we're gone 30 years down the road and that's built out, at what point does that aquifer drop off or the static level drop far enough that these people don't have water? We need water further down the line, and now say we're ten miles back from the city sewage out there. You've got to pay for that whole 10 to 15 miles of pipe and line. This is to where the other developer now hooks in to it. **C/Gealy**: But at what point do the people out there hook up to it the city water system? **C/Damron**: Do we put an undue burden on them that they have to? **C/Young**: They can't, because they're in the county. **C/Damron**: If we as a city take their water, they have to either incorporate into the city or something. **Bob Bachman**: The city has allocated water rights that we have to use up, or you lose them. Say Mr. Tate builds five different preliminary plats in the next five years. Before every one of those plats, we have to issue a will-serve ladder on behalf of DEQ. What that means is we are capable of serving the next project. If DEQ says we're not capable, there is no next project. DEQ regulates that from a sewer perspective and water sewage perspective. You're getting ready to do phase 11 and there's no water and sewer capacity, we can't issue them that will-serve letter. We stop until the problem resolves. **C/Young**: At that point, the developer would have to maybe bring the line out at that point. **C/Gealy**: I would go back to what I heard several times, which is that this uses less water than agriculture. Right now, they're watering sod out there out of wells. **C/Gealy**: Without a study we don't know. **C/Hennis**: A study would give us hard numbers and assure our citizens that if we're going to have water or not. **C/Gealy**: It sounds like the city is more than willing to do a study once the land is annexed into the city. The city feels it's imprudent to do a study on the land that isn't in the city. **Bob**

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Bachman: We're currently in the middle of a rate study. The rate study clearly shows the people that are using potable water for irrigation use 10 times more water. The study clearly shows that. It will probably go to the City Council next month for review, and the study shows that the 300 homes we having using potable water use quite a bit more extensive amount than are on pressurized irrigation systems. **C/Young**: My other concern is traffic. To me, reading the traffic impact study, it looks like what was done was the buildout in 2040. It tried to address everything looking at where we'll be at in 22 years. A fair portion of those that were being addressed in the five-year plan for ACHD (obviously not all of them), ACHD modifies those. North of the development, I think that it worked out as the impact for how the process works. My biggest concern is right here by the development. The only thing that was listed in the traffic impact study was for 2022 based on the current buildout. In 2022, they recommended putting in the left turn lane. Personally, I'd be in support of a specific traffic study for this plat. It's good to know when we're at 22 years from now. I want to know what they want us to do to mitigate the traffic right here at the proposed entrance. I want to know specifically what ACHD wants us to do. I think that's something that needs to be done on the plat approval. I don't know if there are some things that we need to approve. For me, a pre-plat approval may need to be tabled for these 400 homes. **C/Hennis**: This is the influential corner for all the neighborhood down Kuna Road, this will impact the most people. **C/Young**: The product they're proposing is good quality, I think that they wouldn't be proposing to build them if the market was bad. There are many people retiring early. For me, there are pieces of this that I could recommend approval for. **C/Hennis**: Providing the annexation and allowing the city to move forward with their pre-work would probably be good. How does the PUD figure into this? **C/Young**: The PUD would be the concept of the overall development and the functions of those pieces, adult, family, the way it's spread out. **C/Gealy**: Can we treat the items separately? **Wendy Howell**: Yes. Another thing that you could do is condition with the recommended condition that the TIS be completed for that before it goes to the City Council as well. **C/Gealy**: Would the traffic impact study before City Council address those concerns? **C/Laraway**: They would have to do speed studies of 15 days or so to complete it before it gets to council. **C/Young**: If it takes 3-4 months for a study then it takes 3-4 months for a study. **Wendy Howell**: I was notified by the developer that the TIS was completed. **Mark Tate**: It was completed 3-4 months ago. ACHD acted on the entire project, and that's what you have before you in the package. ACHD also did the phase one impacts. They were going through an ordinance change over the last couple of months. Their conditions were changing while it was all submitted. It includes everything that you wanted to submit in there. This was part of the approval to City Council. **C/Young**: Actually, if it's completed, I'd like to review it myself. If that's available, I would be happy to table the preliminary plat to have time to review that. **Mark Tate**: I wonder if there is a way that you can move us forward and add a condition to come back to you to meet what you want to see in there. **C/Young**: As a commission, we need to review it before we go forward to City Council. **Mark Tate**: That wasn't our doing, that was ACHDs. We've been tabled here for a month. Everything we're doing is time sensitive. If we can't move forward, we'll lose an entire year. I would implore you to move us forward conditioning what ACHD did. The staff report requires that we build all of our frontage to city standards. There isn't going to be anything different in that ACHD report. **Troy Behunin**: Staff would like to mention about the frontage requirements that City Code has marked points out. As stated in the staff report. Staff recommends that the build it to ACHD standards. If we're requiring full width, that will be far more stringent than what ACHD requires. We talk about all lanes, the whole gamut. ACHD doesn't car what happens outside the right-of-way. **C/Hennis**: We need to have the ACHD report to make sure that it meets your standard and everything around it. **Troy Behunin**: ACHD has a signature on the plat. Both agencies have to agree that it meets the requirements. We take their recommendations quite seriously over a number of projects. **Bill Gigray**: If you determine that you want to see that report, then I think you must continue at a later date when certain. You would say the purpose of continuing this study is to receive any comment on the part of the developer's staff or any property owners. With regards to that study, which would the limit the continuance of the issue. I think you should announce what they are and set a date and time for the continuance if that's what you choose to do. **C/Hennis**: What would be our use to see this traffic study rather than do a condition. If he wants to move forward to continue to do this, then that needs to be addressed. **C/Hennis**: It seems like our water concerns have a Plan B. It looks like there will be many preliminary plats. We've got backup water for the

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people that live there. **C/Young**: I'm fine with conditioning that in the report. **C/Hennis**: Steven, some of the stuff in the report, the well studies, is that something that they typically do in the monitoring? **C/Damron**: If they look at the area geographically and then geologically, because aquifers don't run straight all over. The proper way to do it is a well-depth study, which determines how much and where they will be in the well. It should tell them through the status of the aquifer how that static level's going to drop due to water usage. That will give them over time an idea of how much water they have, how much they're drawn down. **C/Young**: If we can follow ACHDs plan for mitigating some of the homes here, and obviously there's plans for water. I think that this is viable. What the applicant's done in the past speaks for itself. They do try to play well with others. As far as the annexation, comp plan, PUD piece, I have no issues. As far as the preliminary plat, I think that the development is consistent with the comprehensive plan. The trails go above and beyond what we see with many developments. **C/Gealy**: It's well over 1,000 acres and it looks like a residential density of about 2.25. That's far lower than anything we've seen come before us in a long, long time. This is not the traffic you'll have for an R-6 or R-7, same for traffic. That low of a residential density is low for the project. The amenities are good. I would like to see more transition for the lots on the edge of the neighbors. With this preliminary plat is this gated community. There will be landscaping swales and sidewalks and landscaping. That corner will be commercial will be beneficial to all. **C/Gealy**: I remember a deceleration lane already at the entrance of Falcon Crest Golf Course. **C/Laraway**: I think the developments in these phases, it's not like it's going to drop 900 homes in the next year and a half. It's probably a 20-year project. I have to trust the process we have in place. **C/Hennis**: I like the Plan B in there. **C/Laraway**: As far as the traffic study, I think this will help that it's people 55 and older. I don't think the growth in the next five years will impact the traffic study too much. **C/Gealy**: Where does the development agreement go? **Bill Gigray**: Because the city has an application for annexation and zoning which is proper (the state statutes the zoning), it goes with the application and the zoning. If we are authorized to do development agreements, when we do zoning. It's those two that kind of fit together, then we'll take these at a pace where it would make most sense to take the application and zoning in the development agreement first. I believe those would all go together. You can deal with the more specific requests that would follow. **C/Gealy**: I would ask for a clarification from staff about several conversations and conditions that we would like to have included or added. I feel that from a cursory inspection that the conditions would not really apply to the annexation, rezone or development agreement. **C/Hennis**: I disagree, one of the notes that I have is for the development agreement. The potable water rights and the default agreement are all the ones that I see applying to those. **Troy Behunin**: For the development agreement, that's all that staff recommended the affordability to continue to work out any of the nuances with the developer between now and City Council. Then we come up with complete product at that time. Instead of adding to the City Engineer's Memo. We add that pressurized irrigation be conditioned to dedicate those water rights for the pressurized irrigation system. This would be part of the preliminary plat.

Commissioner Gealy motions to recommend approval of Case Nos. 18-03-AN and 18-04-ZC with the development agreement and the conditions as outlined in the staff report, with an additional condition that the applicant would work with staff to refine and finalize the development agreement and include potable water, the default clause, and to submit a clean development agreement to the City Council. Commissioner Hennis seconds; Motion carried 3-1. Commissioner Gealy motions to recommend approval Case No. 18-01-CPM to the City Council with the conditions as outlined in the staff report. Commissioner Hennis seconds, all aye and motion carried 4-0. Commissioner Gealy motions to approve Case No. 18-02-PUD with the conditions as outlined in the staff report. Commissioner Hennis seconds, all aye and motion carried 4-0. Commissioner Gealy motions to approve 18-04-S with the conditions as outlined in the staff report. With an additional condition that the applicant work with staff to include recommendations from ACHD's report to mitigate the traffic of the first preliminary plat ; With an additional condition that the applicant includes the irrigation text from the City Engineer's letter, as appropriate; with an addition condition that the applicant include curb, gutter and sidewalks on Cloverdale and Kuna Road if they're not included in the ACHD five-year plan; With an addition condition that staff work with ACHD on the alignment of Five Mile Road. Commissioner Hennis seconds, all aye and motion carried 4-0. Commissioner Gealy motions to approve

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18-20-DR with the conditions as outlined in the staff report and the additional conditions included in the preliminary plat, which would include modifications to include text from the Engineer's letter, curb, gutter and sidewalks on Cloverdale and Kuna Road, to include that the applicant work with staff and ACHD to draw the Five Mile alignment, and that the applicant work with staff to provide sod for the driving range. Commissioner Hennis seconds, all aye and motion carried 4-0.

3. **COMMISSION REPORTS**

4. **ADJOURNMENT**
Commissioner Hennis motions to adjourn; Commissioner Damron Seconds, all aye and motion carried 4-0.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department

From: Anna Barrington
To: Troy Behunin
Subject: Falcon Crest Subdivision
Date: Sunday, December 23, 2018 3:31:12 PM

I have several concerns about the Councils wait and see or wait till later then we'll act. I live in the Cloverdale estates across from Falcon Crest.

1. **Water** – without water none of us will survive so why does the Council take this resource for granted? Building the homes that have been proposed and after all the other smaller developments have been completed how much water will be left in the aquafers? I don't think you or the other Council members or the Mayor know the answer to this. To keep throwing up homes and hoping we have enough water is certainly NOT the way to go nor are you looking out for Kuna's current residents. I want to know what studies have been done on the current water situation and then what is the future water situation after each phase of Falcon Crest is completed. You must know there will be a limit to the available water, but will you stop before you exhaust it? Do you have a fund set up for all the farms, ranches and homes with private wells to either cover digging a deeper well for each or for bringing in public water into each of these properties? When I purchased my just under 5 acres with home, pastures and barn for my horses I did so with the understanding I had a well to supply my water at little to no cost and there would be plenty for at least my lifetime. Now I don't even know if there will be enough water for the next ten years. Do you have a water study and/or will there be one before any more homes are approved for construction?
2. **Roads and Traffic** – From what I've read we're taking a wait and see, then we'll widen and deal with the traffic. I wonder do you drive our roads currently? Do you wait in line on Meridian road trying to get on the freeway at rush hour or off the freeway at rush hour? Currently the Cloverdale bridge over 84 is being built but not addressing this issue so what you are doing is saying we have no control over that and more importantly we'll keep adding to the problem instead of addressing the issue. It is my understanding that Cloverdale road from Kuna road to the freeway can't be widened to completely to address the current overload of traffic not to mention the huge amount of traffic Falcon Crest will create. While Kuna road appears will be able to be widened but when and it only leads to one road Meridian Road which is already becoming a problem as stated above.
3. **Infrastructure – Police, Fire and schools**. Where on earth will you come up with enough of these NEEDED resources to cover what is coming? We don't have fire hydrants in most of Kuna that's a huge burden on the fire department. We are short on schools and currently there appears to be at least one that has huge problems. Personally I'm sick to death hearing about school issues that everyone swears the next levy will solve only to hear the following year we need another levy. How about we try something new, solve our current issues and prepare for the future BEFORE we build any more homes that surely will require the resources that we don't have enough of already.

I realize Kuna is looking for money when they approve these projects, but the builders need to contribute more to the community then just slapping up homes and leaving the community to clean up the mess. In other states builders are required to solve some of these issues before and during the construction period why don't we adopt that plan? Next you'll be telling me all the property

taxes will cover what we need, but if you look at Meridian you'll see property taxes did not cover enough resources like Fire, Police and Schools.

Let's make Kuna the example rather than going with the flow. Let's look out for Kuna and its CURRENT residents and make this an even great community.

Anna Barrington
Cloverdale Estates
(208)608-4534

From: John Lawson
To: Troy Behunin
Cc: Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson
Subject: Falcon Crest public notice flyer - public comment
Date: Wednesday, December 26, 2018 9:53:14 PM

Mr. Behunin,
First and foremost I must object to the City of Kuna presenting the Falcon Crest Subdivision proposal at the first City Council meeting directly after the holidays. This notice allows citizens barely a week to prepare for the meeting and certainly appears to be an attempt by Planning and Zoning to diminish public input on this very controversial proposal. As a citizen of Ada County and a board member of the Cloverdale Ridge Water Corporation (which is a irrigation district of 40-50 year old multiple acre farms and home directly adjacent to this very extensive proposed subdivision); I am outraged that the City of Kuna would try to sneak this meeting through during the holidays. Consequently, Mr. Behunin, for the City to be upfront and open, I really must request that your department postpone the meeting until later in January or early February. I'm not sure how the City can plan to affect citizens of Ada County that have been a part of the Kuna community for multiple decades, without ample time to understand the full extent of impacts from this massive expansion. The City of Kuna plan for the Falcon Crest area has a potentially monumental affect on SW Ada County. As you know, the City of Kuna Engineer's office has not done any impact analysis on our area of Ada County, including and potentially and most importantly, our ground water resources. Citizen input during the Planning and Zoning meeting in November 2018, made it abundantly clear that the City has no idea of the proposed impact on ground water in the Falcon Crest area. The City has proposed to conduct a groundwater evaluation study in the area, coordinated with the State DEQ and IDWR. Before this study is complete, there is no way that the City of Kuna can plan this expansion before all the impacts have been analyzed. It was also quite clear that the traffic study does not fully address traffic impacts into the future, especially provided the limits of expansion of Cloverdale given Idaho Power's right of way on the east and the homeowners land boundaries adjacent to Cloverdale Road on the west. While you may decide to defer this to ACHD, we all know that ACHD is only a reactionary county agency, ill equipped to address excess impacts to areas that have no alternatives. In short, if this subdivision is allowed to proceed there will be extensive traffic issues into the future, with no method of alleviating the problems the subdivision has created. I am not clear as to how this can be considered as good planning.

Sir, if this plan is good enough to hear on January 2, 2019, it is clearly good enough to hear in February 2019. The City of Kuna has not done any critical impact analysis that will allow us to fully comprehend the extent of this development. Respectfully Mr. Behunin, please allow us to review this in total and don't try to push this through when people are away on holidays or are completing year end business transactions.

Lastly, I would like a to obtain a full copy of the traffic study performed for this planned subdivision. I would also like to see the water resources evaluation and the evaluation of the impacts to the City School system from the massive expansion. I will pay for a copy of the traffic study, if necessary. I am also willing to come to your office to obtain a copy or you can email a copy to me at this email address. However, I must request a copy BEFORE the scheduled meeting so that I can have adequate time to review it and provide information to other impacted citizens to understand how our life may change with this huge proposed development. Please contact me at this email or my phone number below to organize a time or method to obtain the traffic study.

Thank you

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

CC: Kuna City Council - Mayor Stear
Cloverdale Ridge Water Corp Board of Directors

On Dec 24, 2018, at 10:03 AM, Troy Behunin <tbehunin@kunaid.gov> wrote:

Good Morning,
Please review the attached PDF of the flyer sent out to notify land owners of the upcoming public hearing for the Falcon Crest annexation, rezone, PUD, CPM change, and pre plat.
Please let me know if you have questions, and please let me know you receive this email. The letter is also at the bottom of this email.
Thanks so much.
Merry Christmas to you and yours.
Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634
TBehunin@KunaId.Gov

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CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

<image009.jpg>

Dear Property Owner:

NOTICE IS HEREBY GIVEN: That the City of Kuna, **City Council** is scheduled to hold a public hearing on **January 2, 2019,** beginning at 6:00 pm concerning the following case(s):

An **Annexation, Preliminary Plat Comprehensive Plan Map Change, Rezone, Pre Annex-Development Agreement, and Planned Unit Development**request by JUB Engineers, to annex approximately 990 acres into Kuna City limits with a variety of zones throughout the project, including, R-6 (Medium Density Resident), C-2 (Commercial), and R-12 (High Density Resident) zones. This application proposes to change the Comp Plan Map for a portion of these lands from “Agricultural” use to “Mixed Use”. This is a proposed multi-phased

Master-Planned Development. Applicant requests Preliminary Plat approval in order to subdivide approximately 132 acres into 409 single family lots, 58 common lots, and one commercial lot (total of 468 lots). The un-platted lands (approximately 858 ac.) will be developed in the future using the public hearing process. The project site is in Sections 15, 22, & 23 T2N, R1E, on the hard northeast corner of Cloverdale and Kuna Roads. Contact the P & Z Dept. for the parcel numbers involved with this application.

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments at the hearing. Written testimony will be presented to the governing body at time of the hearing. Please note, oral comments made during the public hearing will be restricted to three (3) minutes per person. Mail written comments to PO Box 13, Kuna, ID 83634 or drop them off at City Hall, 751 West 4th Street, Kuna, ID.

If you have questions or need special assistance, please contact the Planning and Zoning Department at (208) 922-5274.

In all correspondence concerning this case, please refer to the case name:
18-03-AN (Annex), 18-01-CPM (Comp. Plan *MAP* Change), 18-02-ZC (Rezone), 18-01-PUD (Planned Unit Develop), 18-04-S (Pre Plat) and a Development Agreement: For the Falcon Crest Subdivision.

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EMAILED 12/24/18

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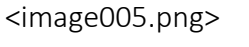

Suggestions For Testifying at the Public Hearing:

Be informed . . .

Review the proposal, the staff report, applicable provisions of the ordinance and comprehensive plan.

Be on time . . .

Although the item you are interested in may not be first on the agenda, you never know when it will be heard. The governing body has authority to adjust the schedule according to its discretion. Thus, anticipate attending from the beginning.

Speak to the point . . .

The governing body appreciates pertinent, well organized, and concise comments. Redundant testimony is prohibited and **each individual is given three (3) minutes to comment.**Long stories, abstract complaints, or generalities may not be the best use of time. Neighborhood groups are encouraged to organize testimony and have one (1) person speak on behalf of the group -- "opposition representative," like the applicant's representative, receives 10 minutes to make comments. Applicant has five (5) minutes to rebut or discuss issues raised by any opposition.

If you don't wish to speak, write . . .

At most hearings, previously submitted written testimony may be reviewed by the governing body before the meeting. It is unreasonable to submit extensive written comments or information at the hearing and expect them to be reviewed prior to a decision. All documents or written comments should be submitted to the City of Kuna at least one (1) week**prior** to the hearing.

From: John Lawson
To: Briana Buban-Vonder Haar; Mayor Stear
Cc: Richard Cardoza; Warren Christensen; Greg McPherson; Troy Behunin
Subject: Comments on the Falcon Crest Proposal P&Z officer out of the office???
Date: Wednesday, December 26, 2018 10:31:30 PM

Dear Mayor Stear and Kuna City Council,
Tonight I sent a full set of comments on the Falcon Crest Proposal that is proposed to be heard on January 2, 2019. We (the public) received the date for the next meeting just 2 days ago, however, per his email response, your P&Z director who is asking for these comments is conveniently out of the office until January 2, 2019, the day of the meeting. Mr Mayor and Council Members, if this is true, I must object to Mr. Behunin's behavior. He as clearly eliminated any public trust we could have in the system by asking for a meeting during the holidays and then to not be available to receive public comments until the day of the meeting? I hope you can reinstall some integrity into this process and delay this meeting until the City can appropriately receive public comments.
Thank you,

John Lawson
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