



CITY OF KUNA

**P. O. BOX 13
KUNA, ID 83634**

Telephone (208) 922-5546 Fax (208) 922-5989

www.kunacity.id.gov

SEPTEMBER 2, 2014

7:00 P.M. REGULAR CITY COUNCIL MEETING

**KUNA CITY COUNCIL CHAMBER
763 W. AVALON ST.
KUNA, IDAHO**

CITY OFFICIALS

W. Greg Nelson, Mayor

Richard Cardoza, Council President

Briana Buban-Vonder Haar, Council Member

Pat Jones, Council Member

Joe Stear, Council Member

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 to make inquiry concerning the nature of the item described on the agenda.

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.

**CITY OF KUNA
REGULAR CITY COUNCIL MEETING
AGENDA
TUESDAY, SEPTEMBER 2, 2014
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho**

7:00 P.M. REGULAR CITY COUNCIL

Call to Order and Roll Call

Invocation: Chris Bent, Calvary Chapel

Pledge of Allegiance: Mayor Nelson

1. Consent Agenda:

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Old Business or as instructed by the City Council.

A. City Council Meeting Minutes:

1. Minutes of August 19, 2014 Regular Meeting

B. Accounts Payable Dated August 26, 2014 in the Amount of \$311,999.22

C. Alcohol Licenses:

D. Resolutions:

E. Findings of Facts and Conclusions of Law:

2. Citizen's Reports or Requests:

- A. 2013 Economic Study Presentation – David Yorgason, Government Affairs Consultant, Building Contractors Association of Southwestern Idaho

3. Old Business

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

- A. Kirkpatrick Annexation – Troy Behunin, Senior Planner
14-02-AN (Annexation), 14-03-DA (Development Agreement) and 14-01-LS (Lot Split)

Applicant requests to annex approx. 6.8 acres into the City limits and to split the existing parcel into two parcels. Applicant requests Agriculture zone (Ag) for parcel one (approx. 1.3 acres) and seeks an R-6 zone for parcel two (approx. 5.5 acres) to attract a developer in the future. Applicant wishes to continue their existing agricultural uses. Applicant is aware a development agreement will be recorded to guide all future development.

B. Ben Bernier Annexation – Troy Behunin, Senior Planner
14-04-AN (Annexation)

Applicant requests annexation of an approximately 1.6 acre parcel into the City of Kuna with an R-4 (Medium Density Residential District) zoning designation from its current Ada County zoning of R1 (Estate Residential).

C. Sailor Shores Meadows Subdivision – Troy Behunin, Senior Planner
14-01-S (Subdivision)

Applicant is seeking preliminary plat re-approval for a residential subdivision in Kuna consisting of 26 buildable lots and 2 common lots on approximately 4.77 acres. This request reflects a different lot arrangement than what was previously approved.

D. Public Hearing for Fiscal Year Ending September 30, 2015 Annual Appropriation Budget
– John Marsh, City Treasurer

1. Annual Appropriation Ordinance No. 2014-12

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015, APPROPRIATING THE SUM OF \$11,547,483 TO DEFRAY EXPENSES AND LIABILITIES OF THE CITY OF KUNA FOR SAID FISCAL YEAR; AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY; SPECIFYING THE OBJECTS AND PROPOSED EXPENSES FOR WHICH SAID APPROPRIATION IS MADE; AND PROVIDING AN EFFECTIVE DATE.

5. New Business:

A. Discuss Air Quality Vehicle Emission Inspection and Maintenance Program – Mayor Nelson

6. Ordinances:

7. Mayor/Council Discussion Items:

A. Discuss Notice of Public Hearing Regarding Appeal of a Conditional Use and Master Site Plan for a Cemetery (Islamic Community of Bosniaks in Boise Inc.) to be Located at 15000 South Cloverdale Road

8. Announcements:

9. Executive Session:

10. Adjournment:

CITY OF KUNA
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, AUGUST 19, 2014
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

7:00 P.M. REGULAR CITY COUNCIL

COUNCIL MEMBERS PRESENT: Mayor W. Greg Nelson
Council President Richard Cardoza
Council Member Briana Buban-Vonder Haar
Council Member Pat Jones
Council Member Joe Stear

CITY STAFF PRESENT: Richard T. Roats, City Attorney
Gordon Law, City Engineer
John Marsh, City Treasurer
Wendy Howell, Planning & Zoning Director
Brenda Bingham, City Clerk

Call to Order and Roll Call

Mayor Nelson welcomed everyone and called the meeting to order at 7:00 p.m. Roll call reflected Council Members Cardoza, Jones, Buban-Vonder Haar and Stear present at the meeting.

Invocation: Stan Johnson, Kuna Life Church

Pledge of Allegiance: Mayor Nelson

Special Presentation by Director Brent Reinke, Idaho Department of Correction
(Timestamp 00:01:26)

Director Brent Reinke and Warden Keith Yordy presented an appreciation plaque to the City of Kuna noting the Idaho Department of Correction is celebrating 150 years as an agency along with the City of Kuna's sesquicentennial. They expressed appreciation to the City for the outstanding partnership and support shown to the agency over the past 8 years and beyond. Challenge coins were also distributed to the Mayor and Council as a token of their appreciation.

Mayor Nelson thanked them for all they do and presented them with Kuna's Sesquicentennial pin.

1. Consent Agenda: (Timestamp 00:10:39)

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

1 *the Mayor, Council Member, or City Staff requests an item to be removed from the Consent*
2 *Agenda for discussion. Items removed from the Consent Agenda will be placed on the*
3 *Regular Agenda under Old Business or as instructed by the City Council.*
4

5 A. City Council Meeting Minutes:
6

- 7 1. Minutes of July 15, 2014 Joint School Board Meeting
8 2. Minutes of August 5, 2014 Regular Meeting
9

10 B. Accounts Payable Dated August 19, 2014 in the Amount of \$245,833.75.
11

12 C. Alcohol Licenses:
13

14 D. Resolutions:
15

16 E. Findings of Facts and Conclusions of Law:
17

- 18 1. 14-03-AN (Annexation) Canberra Estates Subdivision
19 Todd and Laura Zimmerman requests approval for annexation of approximately 28.5
20 acres into the City of Kuna as R-4 (Medium Density Residential) zone, creating
21 Canberra Estates Subdivision (two-lots).
22
23 2. 14-01-PUD, 14-02-S, and 14-02-DR: Timbermist Subdivision by Coleman Homes
24 Applicant seeks PUD and preliminary plat re-approval for a residential subdivision in
25 Kuna consisting of 211 buildable lots and 11 common lots over approximately 65.14
26 acres.
27

28 **Council Member Buban-Vonder Haar moved to approve the Consent Agenda. Seconded by**
29 **Council Member Stear, all voting aye. Motion carried 4-0.**
30

31 **2. Citizen's Reports or Requests:**
32

33 **3. Old Business**
34

- 35 A. Consideration to Approve Resolution No. R44-2014 Step and Grade Policy for City
36 Clerk's Office, Utility Billing, Planning & Zoning – Richard Roats, City Attorney
37 *(Timestamp 00:11:07)*
38

39 A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE STEP AND
40 GRADE POLICY FOR THE CITY CLERK'S OFFICE, UTILITY BILLING AND
41 PLANNING AND ZONING FOR THE CITY OF KUNA, IDAHO AS ATTACHED
42 HERETO; REPEALING THOSE SECTIONS OF RESOLUTION R9-2007 THAT ARE
43 INCONSISTENT WITH THE ADOPTION OF R44-2014; AND DECLARING THE
44 EFFECTIVE DATE.
45

**Council Member Stear moved to approve Resolution No. R44-2014 the Step and Grade Policy noting a correction in section 7.1.5 changing the Grade 7 to Grade 8. Seconded by Council President Cardoza with the following roll call vote:
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear
Voting No: None
Absent: None
Motion carried 4-0.**

- B. Tentative Budget Fiscal Year Ending 2015 Revision – John Marsh, City Treasurer
(Timestamp 00:22:32)

John Marsh explained an error was made at the August 5, 2014 meeting when the Tentative Budget was adopted due to the Contingency Fund line item being left out of the General Fund budget balance. The correction was made to set the revised Fiscal Year Ending 2015 Tentative Budget.

Council Member Buban-Vonder Haar moved to approve the Fiscal Year 2015 Tentative Budget to include the General Fund in the amount of \$4,100,744.00; the Late Comer's Fund in the amount of \$458,851.00; the Grant Fund in the amount of \$234,711.00; the Well Mitigation Fund in the amount of \$250,000.00; the Water Fund in the amount of \$1,935,155.00; the Sewer Fund in the amount of 2,316,218.00; the Irrigation Fund in the amount of \$860,806.00; the Solid Waste Fund in the amount of \$1,390,998.00; for a City Grand Total of \$11,547,483.00. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

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

5. **New Business:**

- A. Consideration to Set Public Hearing for Proposed Increase in the Solid Waste Collection Service Fees by J&M Sanitation – Richard Roats, City Attorney (Timestamp 00:25:11)

Richard Roats explained the proposed resolution to set a public hearing for September 16 for the proposed increase in the solid waste collection service fees charged by J&M Sanitation.

Council Member Stear moved to set a Public Hearing for the proposed increase in solid waste collection for September 16. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

6. **Ordinances:**

- A. **First Reading of Ordinance No. 2014-10 Amending Mobile Vendor's License**
(Timestamp 00:29:05)

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

1
2 AN ORDINANCE OF THE CITY OF KUNA, IDAHO AMENDING TITLE 3,
3 CHAPTER 3, REQUIRING ALL VENDORS OPERATING WITHIN THE CITY
4 LIMITS TO OBTAIN A MOBILE VENDOR'S LICENSE; CREATING A NEW
5 SECTION FOR SPECIAL EVENT VENDORS AND REQUIRING ALL VENDORS
6 OPERATING WITHIN SEVEN HUNDRED FIFTY FEET OF THE SPECIAL EVENT
7 TO OBTAIN A PERMIT FROM THE SPECIAL EVENT ORGANIZER; AND
8 PROVIDING AN EFFECTIVE DATE.
9

10 Richard Roats explained the ordinance adopted several years ago to allow the regulation
11 of mobile vending units on the sidewalks within the city. There have been issues
12 unresolved that needed to be addressed. The main change in the ordinance is to include
13 regulations for a mobile vending unit situated on public or private property within the city
14 limits and also requiring vendors operating within 750' of special events to obtain a
15 permit from the event organizer.
16

17 Concern on regulating private property was expressed followed by a lengthy discussion.
18 Council Members Jones and Buban-Vonder Haar will work with Attorney Roats in
19 drafting language for the ordinance to address concerns.
20

21 **Council Member Stear moved to table Ordinance No. 2014-10. Seconded by Council**
22 **Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.**
23

- 24 B. **First Reading of Ordinance No. 2014-09 Amending Ordinance No. 2006-32 Danskin**
25 *(Timestamp 00:48:50)*
26 *Consideration to dispense with full reading and three consecutive readings.*
27 *Consideration to approve ordinance.*
28 *Consideration to approve a summary publication of the ordinance*
29

30 AN ORDINANCE AMENDING KUNA CITY ORDINANCE NO. 2006-32 TO ADD
31 PARCEL NO. S1311111350 INTO THE ANNEXATION AND REZONE ACTION
32 WHERE SAID PARCEL NUMBER WAS INADVERTENTLY OMITTED FROM THE
33 2006 ANNEXATION AND REZONE ACTION; WHEREAS PARCEL NO. 1311111350
34 WAS CONSIDERED AND APPROVED FOR ANNEXATION AND REZONE BY
35 THE CITY OF KUNA, IDAHO CITY COUNCIL, AFTER PUBLIC NOTICE AND
36 HEARING; WHEREAS SAID PARCEL NUMBER REMAINS SITUATED IN THE
37 UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO
38 THE CORPORATE LIMITS OF THE CITY OF KUNA; THEREFORE THIS
39 ORDINANCE SHALL ANNEX PARCEL NO. 1311111350 INTO THE CITY OF
40 KUNA, IDAHO AND ESTABLISH THE CORRECT ZONING CLASSIFICATION TO
41 R-6 AS ANNEXED; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED
42 AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

43 **Council Member Buban-Vonder Haar moved to dispense with the full reading and**
44 **three consecutive readings of Ordinance No. 2014-09. Seconded by Council Member**
45 **Stear, all voting aye. Motion carried 4-0.**
46

1 Council Member Buban-Vonder Haar moved to approve Ordinance No. 2014-09.
2 Seconded by Council Member Stear with the following roll call vote:
3 Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear
4 Voting No: None
5 Absent: None
6 Motion carried 4-0.

7
8 Council Member Buban-Vonder Haar moved to approve a summary publication of
9 Ordinance No. 2014-09. Seconded by Council Member Stear, all voting aye. Motion
10 carried 4-0.

11
12 C. **First Reading of Ordinance No. 2014-11 Amending Catering Permits**

13 *(Timestamp 00:54:22)*

14 *Consideration to dispense with full reading and three consecutive readings.*

15 *Consideration to approve ordinance.*

16 *Consideration to approve a summary publication of the ordinance*

17 AN ORDINANCE OF THE CITY OF KUNA, IDAHO AMENDING KUNA CITY
18 CODE, SECTION 2, TITLE 3, NOW ALLOWING A VALID STATE OF IDAHO
19 ALCOHOL LICENSE HOLDER TO OBTAIN A CITY ISSUED ALCOHOL
20 BEVERAGE CATERING PERMIT TO SELL ALCOHOLIC BEVERAGES BASED
21 UPON THE TYPE OF LICENSE THAT THE APPLICANT POSSESSES, AT A
22 PARTY, CONVENTION OR EVENT, NOT TO EXCEED THREE (3) CONSECUTIVE
23 DAYS, AT A LOCATION OR UPON THE PREMISES OF PROPERTY LOCATED
24 WITHIN THE CITY OF KUNA; DELEGATING THE DUTIES PROVIDED HEREIN
25 TO THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.

26 Council Member Buban-Vonder Haar moved to dispense with the full reading and
27 three consecutive readings of Ordinance No. 2014-11. Seconded by Council Member
28 Stear, all voting aye. Motion carried 4-0

29
30 Council Member Buban-Vonder Haar moved to approve Ordinance No. 2014-11.
31 Seconded by Council Member Stear with the following roll call vote:
32 Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear
33 Voting No: None
34 Absent: None
35 Motion carried 4-0

36
37 Council Member Buban-Vonder Haar moved to approve a summary publication of
38 Ordinance No. 2014-11. Seconded by Council Member Stear, all voting aye. Motion
39 carried 4-0.

40
41 7. **Mayor/Council Discussion Items:**

42 *(Timestamp 01:03:50)*

43
44 Mayor reported help may be needed on a temporary basis in the Parks Department.
45

1 The manager of a plastics plant will be coming to meet with the city on September 8 or 9.
2 Council Members were invited to attend the meeting.

3
4 A meeting with Cushman & Wakefield was reported on noting future meetings will be
5 scheduled to help with the economic needs of the community.
6

7 **8. Announcements:**

8
9 **9. Executive Session:**

10
11 **10. Adjournment:**

12
13 Council Member Stear moved to adjourn the meeting at 8:11 p.m.

14
15
16
17
18 _____
19 W. Greg Nelson, Mayor
20
21

22 ATTEST:

23
24
25 _____
26 Brenda S. Bingham, City Clerk

27
28 *Minutes prepared by Brenda Bingham*

29 *Date Approved: CCM 9/2/14*
30
31

32 ***An audio recording of this meeting is available at City Hall upon request or it can be accessed***
33 ***at the City of Kuna website www.kunacity.id.gov***
34
35
36
37
38
39

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 8/1/2014-8/31/2014

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Only 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
2M COMPANY, INC.												
1461	2M COMPANY, INC.	4087565-000	2006	20 EA. 4" POP UP ROTOR ULTRAS FOR THE PIZZA HUT PROJECT, 12 EA. 4" POP UP ROTOR PLAS FOR STOCK REPLENISHMENT, PARKS, B.BACHMAN, AUG.'14	08/11/2014	467.10	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/14		
Total 2M COMPANY, INC.:						467.10	.00					
ADA COUNTY HIGHWAY DISTRICT (RENT)												
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	12701		ACHD SHOP RENT, SEPT 2014 - PARKS	08/26/2014	148.50	.00	01-6211 RENT- BUILDINGS & LAND	1004	8/14		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	12701		ACHD SHOP RENT, SEPT 2014 - WATER	08/26/2014	126.00	.00	20-6211 RENT- BUILDINGS & LAND	0	9/14		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	12701		ACHD SHOP RENT, SEPT 2014 - SEWER	08/26/2014	121.50	.00	21-6211 RENT - BUILDINGS & LAND	0	9/14		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	12701		ACHD SHOP RENT, SEPT 2014 - PI	08/26/2014	54.00	.00	25-6211 RENT - BUILDINGS & LAND	0	9/14		
Total ADA COUNTY HIGHWAY DISTRICT (RENT):						450.00	.00					
ADA COUNTY PROSECUTING ATTORNE												
176	ADA COUNTY PROSECUTING ATTORNE	081114A		PROSECUTORIAL SERVICES AUG, 14	08/11/2014	4,075.92	.00	01-6203 PROSECUTORIAL SERVICES	0	8/14		
Total ADA COUNTY PROSECUTING ATTORNE:						4,075.92	.00					
ADA COUNTY SHERIFF'S OFFICE												
6	ADA COUNTY SHERIFF'S OFFICE	5385		JULY 2014 SHERIFF SERVICES	07/01/2014	126,579.56	.00	01-6000 LAW ENFORCEMENT SERVICES	0	7/14		

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 8/1/2014-8/31/2014

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 ADA COUNTY SHERIFF'S OFFICE:						126,579.56	.00					
ALAN R. LYNSKEY												
1432	ALAN R. LYNSKEY	2679	1767	<u>4 EA STARTER REWINDS FOR BRIGGS/STRATTON WHEEL LINES, FARM, JUNE '14 - C. MCDANIEL</u>	06/04/2014	194.22	.00	<u>21-6090 FARM EXPENDITURES</u>	0	8/14		
Total ALAN R. LYNSKEY:						194.22	.00					
AUTOZONE, INC.												
1606	AUTOZONE, INC.	4126564128	2013	<u>WINDSHIELD WIPERS FOR TRUCK #18, R.FORD, AUG.'14</u>	08/13/2014	24.68	.00	<u>20-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	8/14		
1606	AUTOZONE, INC.	4126567860	2031	<u>1 EA HEADLIGHT FOR WATER TRUCK #22, M.DAVILA, WATER, AUG.'14</u>	08/18/2014	2.51	.00	<u>25-6305 VEHICLE MAINTENANCE & REPAIR</u>	0	8/14		
1606	AUTOZONE, INC.	4126567860			08/18/2014	10.08	.00	<u>20-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	8/14		
Total AUTOZONE, INC.:						37.27	.00					
BAILEY & COMPANY, CHARTERED												
125	BAILEY & COMPANY, CHARTERED	86936		<u>AUDIT SVCS, 2014 - ADMIN</u>	07/31/2014	2,960.00	.00	<u>01-6202 PROFESSIONAL SERVICES</u>	0	7/14		
125	BAILEY & COMPANY, CHARTERED	86936		<u>AUDIT SVCS, 2014 - WATER</u>	07/31/2014	1,840.00	.00	<u>20-6202 PROFESSIONAL SERVICES</u>	0	7/14		
125	BAILEY & COMPANY, CHARTERED	86936		<u>AUDIT SVCS, 2014 - SEWER</u>	07/31/2014	2,400.00	.00	<u>21-6202 PROFESSIONAL SERVICES</u>	0	7/14		
125	BAILEY & COMPANY, CHARTERED	86936		<u>AUDIT SVCS, 2014 - PI</u>	07/31/2014	800.00	.00	<u>25-6202 PROFESSIONAL SERVICES</u>	0	7/14		

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 8/1/2014-8/31/2014

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 BAILEY & COMPANY, CHARTERED:						8,000.00	.00					
BHS SPECIALTY CHEMICALS												
512	BHS SPECIALTY CHEMICALS	48882	2005	<u>2 TOTES CHLORINE FOR WELL #6 & WELL #10. D.CROSSLEY, AUG.'14</u>	08/14/2014	1,498.89	.00	<u>20-6150 MAINT. & REPAIRS - SYSTEM</u>	0	8/14		
Total BHS SPECIALTY CHEMICALS:						1,498.89	.00					
BIG BITE, INC.												
1704	BIG BITE, INC.	072814B		<u>RELEASE RETAINAGE BOISE PI/LINDER WATER LINE, AUG 14</u>	07/28/2014	6,433.44	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	0	7/14		
Total BIG BITE, INC.:						6,433.44	.00					
BRADY INDUSTRIES OF IDAHO LLC												
1240	BRADY INDUSTRIES OF IDAHO LLC	4537420	2010	<u>2 EA PUMICE STONES, 2 EA TOILET BRUSHES, SR. CENTER,AUG.14, K. RICE</u>	08/13/2014	8.84	.00	<u>01-6025 JANITORIAL</u>	1001	8/14		
1240	BRADY INDUSTRIES OF IDAHO LLC	4545308	2010	<u>2 EA PUMICE STONES, 2 EA TOILET BRUSHES, AUG.14, K. RICE</u>	08/21/2014	2.11	.00	<u>01-6025 JANITORIAL</u>	1001	8/14		
Total BRADY INDUSTRIES OF IDAHO LLC:						10.95	.00					
CITY OF KUNA												
473	CITY OF KUNA	081820141		<u>PETTY CASH REIMBURSEMENT, HIGH FIVE GRANT, FARMERS MARKET PROMOTION FOR EDUCATION OF NUTRITION, TOKEN REDEMPTION, 11 EA AT \$1.00, C ENGELS</u>	08/15/2014	11.00	.00	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	0	9/14		
473	CITY OF KUNA	081820142		<u>CAKE AND FLOWERS FOR L EGNAL RETIREMENT, AUG 14</u>	08/15/2014	13.50	.00	<u>01-6155 MEETINGS/COMMITTEES</u>	0	8/14		
473	CITY OF KUNA	081820142		<u>CAKE AND FLOWERS FOR L EGNAL, RETIREMENT, AUG 14</u>	08/15/2014	18.00	.00	<u>20-6155</u>				

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
								MEETINGS/COMMITTEES	0	8/14		
473	CITY OF KUNA	081820142		CAKE AND FLOWERS FOR L EGNAL RETIREMENT, AUG 14,	08/15/2014	18.00	.00	21-6155 MEETINGS/COMMITTEES	0	8/14		
473	CITY OF KUNA	081820142		CAKE AND FLOWERS FOR L EGNAL RETIREMENT, AUG 14	08/15/2014	4.50	.00	25-6155 MEETING/COMMITTEES	0	8/14		
473	CITY OF KUNA	081820413		HIGH FIVE GRANT, FARMERS MARKET PROMOTION FOR EDUCATION OF NUTRITION, TOKEN REDEMPTION. 8 EA AT \$1.00, C ENGELS, AUG 14	08/21/2014	8.00	.00	03-6360 EXPEND.- BLUE CROSS HIGH FIVE	0	8/14		
Total CITY OF KUNA:						73.00	.00					
CUSTOM ELECTRIC, INC.												
147	CUSTOM ELECTRIC, INC.	7068	2049	ELECTRICAL PARTS FOR THE SEGO PRAIRIE AND TOMORROW PUMP SYSTEM, AND FOR THE CEDAR WELL, C.DEYOUNG, WATER, AUG.'14	08/21/2014	192.73	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	8/14		
147	CUSTOM ELECTRIC, INC.	7068	2049	ELECTRICAL PARTS FOR THE SEGO PRAIRIE AND TOMORROW PUMP SYSTEM, AND FOR THE CEDAR WELL, C.DEYOUNG, PI., AUG.'14	08/21/2014	355.23	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	8/14		
Total CUSTOM ELECTRIC, INC.:						547.96	.00					
DYKMAN ELECTRICAL, INC.												
1706	DYKMAN ELECTRICAL, INC.	0348656	2059	1 EA TECO-2HP-18-TEFC-XP- 145TC-FTD DUMP FOR TEN MILE LIFT STATION, SEWER, T SHAFFER, AUG 14	08/27/2014	494.00	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/14		
Total DYKMAN ELECTRICAL, INC.:						494.00	.00					
ENERGY LABORATORIES, INC.												

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 8/1/2014-8/31/2014

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
1677	ENERGY LABORATORIES, INC.	340830341		<u>WELL 3 REHAB. WATER SAMPLE, AUG 14</u>	08/13/2014	592.00	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	0	8/14		
Total ENERGY LABORATORIES, INC.:						592.00	.00					
FERGUSON WATERWORKS #1701												
219	FERGUSON WATERWORKS #1701	0595476	1919	<u>4 EA END CAPS, 4 SCREW CAPS, 2 EA PVC SCHED 80 ELBOW, VALVE END CAP, 2 EA REDUCER BUSHINGS, 1 EA PRESSURE VALVE FOR CHLORINE SKID IN CHEM ROOM, JULY '14 - M. NADEAU</u>	08/14/2014	879.70	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	8/14		
219	FERGUSON WATERWORKS #1701	0596815	1994	<u>MONITOR FLOW FROM HYDRANT, GATE VALVE, WATER, AUG 14</u>	08/04/2014	109.28	.00	<u>20-6150 MAINT. & REPAIRS - SYSTEM</u>	0	8/14		
219	FERGUSON WATERWORKS #1701	0596815	1994	<u>MONITOR FLOW FROM HYDRANT, GATE VALVE, SEWER, AUG 14</u>	08/04/2014	109.28	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	8/14		
219	FERGUSON WATERWORKS #1701	0596815		<u>MONITOR FLOW FROM HYDRANT, GATE VALVE, PI, AUG 14</u>	08/04/2014	41.63	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	8/14		
Total FERGUSON WATERWORKS #1701:						1,139.89	.00					
FLUID CONNECTOR PRODUCTS, INC. dba												
1083	FLUID CONNECTOR PRODUCTS, INC. dba	5737114	1825	<u>1 EA, 200 PSI PRESSURE GAUGE FOR PUMP AT 10MI. LIFT STATION, M.NADEAU, JUN'14</u>	06/16/2014	30.37	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	6/14		
1083	FLUID CONNECTOR PRODUCTS, INC. dba	5784665	2003	<u>1 EA PRESSURE GAUGE, J.MORFIN, P.I., AUG.'14</u>	08/07/2014	30.37	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	8/14		
Total FLUID CONNECTOR PRODUCTS, INC. dba:						60.74	.00					
G & R AG PRODUCTS, INC.												
376	G & R AG PRODUCTS, INC.	1188318-01		<u>REPLACEMENT PUMP FOR NATALIE'S WATER TRUCK, PARKS, AUG.'14</u>	08/12/2014	187.50	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1004	8/14		

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Total G & R AG PRODUCTS, INC.:						187.50	.00					
GREENHURST NURSERY & GARDEN CE												
238	GREENHURST NURSERY & GARDEN CE	7550		MISC PLANTS FOR PLANTERS, PIZZA HUT PROJECT, PARKS, AUG 14	08/27/2014	224.60	.00	01-6020 CAPITAL IMPROVEMENTS	1004	8/14		
Total GREENHURST NURSERY & GARDEN CE:						224.60	.00					
H.D. FOWLER COMPANY												
1552	H.D. FOWLER COMPANY	C332542		WELL 3 REHAB CREDIT, INV#13664868, AUG 14	07/18/2014	-134.24	.00	20-6020 CAPITAL IMPROVEMENTS	0	7/14		
Total H.D. FOWLER COMPANY:						-134.24	.00					
HD SUPPLY WATERWORKS LTD												
63	HD SUPPLY WATERWORKS LTD	C505586	1768	12 CARSON BOXES FOR P.I. SERVICES, ROLL OF WIRE, NON-POTABLE TAPE, 100 FT ROLL 1" POLY, FITTINGS, 6" PIPE, BUTLER P.I. PROJECT, JUNE '14 - C. DEYOUNG	08/14/2014	264.58	.00	25-6020 CAPITAL IMPROVEMENTS	0	8/14		
63	HD SUPPLY WATERWORKS LTD	C621338	2014	DRILL ARBORS, C.DEYOUNG, WATER, AUG.'14	08/14/2014	170.36	.00	20-6175 SMALL TOOLS	0	8/14		
63	HD SUPPLY WATERWORKS LTD	C763115	1970	20 EA STREET "L", BRASS NIPPLES, 12EA ANGLE VALVES, 50 EA 1" INSERTS, 20 EA BALL CURB, BUTLER PI, JULY '14 - R. JONES	08/14/2014	1,284.00	.00	25-6020 CAPITAL IMPROVEMENTS	0	8/14		
Total HD SUPPLY WATERWORKS LTD:						1,718.94	.00					
HDR ENGINEERING, INC.												
1646	HDR ENGINEERING, INC.	171078-B		PROFESSIONAL SERVICES, SCREENING IMPROVEMENTS, FINE SCREEN PROJECT, AUG 14	08/20/2014	1,428.64	.00	21-6020 CAPITAL IMPROVEMENTS	0	8/14		

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Total HDR ENGINEERING, INC.:						1,428.64	.00					
HOCOCHAN HOLDINGS, INC. dba												
1619	HOCOCHAN HOLDINGS, INC. dba	AR325994		COPIER LEASE, SHARP MX4110N, FOR 8/1/14-8/31/14, P&Z	08/11/2014	116.65	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325994		COPIER LEASE, SHARP MXM503N, FOR 8/1/14-8/31/14	08/11/2014	236.85	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		MAINTENANCE, SHARP MX4110N, COLOR COPIES, 7/1/14-7/31/14	08/11/2014	7.63	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		MAINTENANCE, SHARP MX4110N, COLOR COPIES, 7/1/14-7/31/14, P & Z	08/11/2014	7.63	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		MAINTENANCE, SHARP MX4110N, COLOR COPIES, 7/1/14-7/31/14, WATER	08/11/2014	9.36	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		MAINTENANCE, SHARP MX4110N, COLOR COPIES, 7/1/14-7/31/14, SEWER	08/11/2014	12.22	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		MAINTENANCE, SHARP MX4110N, COLOR COPIES, 7/1/14-7/31/14, P.I	08/11/2014	3.96	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		MAINTENANCE, SHARP MXM503N, B&W COPIES, 7/1/14 -7/31/14	08/11/2014	9.10	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		MAINTENANCE, SHARP MXM503N, B&W COPIES, 7/1/14 -7/31/14, P & Z	08/11/2014	9.10	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		MAINTENANCE, SHARP MXM503N, B&W COPIES, 7/1/14 -7/31/14, WATER	08/11/2014	11.16	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	8/14		
1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		MAINTENANCE, SHARP MXM503N, B&W COPIES, 7/1/14 -7/31/14, SEWER	08/11/2014	14.57	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/14		

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1619	HOCOCHAN HOLDINGS, INC. dba	AR325995		<u>MAINTENANCE, SHARP MXM503N, B&W COPIES, 7/1/14 -7/31/14, P.I</u>	08/11/2014	4.73	.00	<u>25-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	8/14		
Total HOCOCHAN HOLDINGS, INC. dba:						442.96	.00					
IDAHO DEPT. OF COMMERCE												
595	IDAHO DEPT. OF COMMERCE	081320142016	2016	<u>REGISTRATION FOR CDBG ADMIN. GRANT TRAINING, C.ENGELS, AUG.'14</u>	08/13/2014	65.00	.00	<u>01-6265 TRAINING & SCH00LING</u>	0	8/14		
Total IDAHO DEPT. OF COMMERCE:						65.00	.00					
IDAHO FIRST AID & SAFETY, INC. DBA												
1576	IDAHO FIRST AID & SAFETY, INC. DBA	19402	2037	<u>FIRST AID KIT REFILLS, NWWTP, PARKS, T. SHAFFER, AUG 14</u>	08/19/2014	33.71	.00	<u>01-6230 SAFETY TRAINING & EQUIPMENT</u>	1004	8/14		
1576	IDAHO FIRST AID & SAFETY, INC. DBA	19402	2037	<u>FIRST AID REFILLS, NWWTP,SEWER, T.SHAFFER, AUG.'14</u>	08/19/2014	43.14	.00	<u>21-6230 SAFETY TRAINING & EQUIPMENT</u>	0	8/14		
1576	IDAHO FIRST AID & SAFETY, INC. DBA	19402		<u>FIRSTAID KIT REFILLS, NWWTP, T.SHAFFER, WATERAUG 14</u>	08/19/2014	43.14	.00	<u>20-6230 SAFETY TRAINING & EQUIPMENT</u>	0	8/14		
1576	IDAHO FIRST AID & SAFETY, INC. DBA	19402		<u>FIRSTAID KIT REFILLS, NWWTP, PI, AUG 14</u>	08/19/2014	14.82	.00	<u>25-6230 SAFETY TRAINING & EQUIPMENT</u>	0	8/14		
1576	IDAHO FIRST AID & SAFETY, INC. DBA	19403	2038	<u>FIRST AID REFILLS, WATER/PARKS MAIN ST, C.DEYOUNG,/B WITHROW, AUG 14 PARKS</u>	08/19/2014	21.08	.00	<u>01-6230 SAFETY TRAINING & EQUIPMENT</u>	1004	8/14		
1576	IDAHO FIRST AID & SAFETY, INC. DBA	19403	2038	<u>FIRST AID REFILLS, WATER/PARKS MAIN ST, C.DEYOUNG,/B WITHROW, AUG 14, SEWER</u>	08/19/2014	26.98	.00	<u>21-6230 SAFETY TRAINING & EQUIPMENT</u>	1004	8/14		
1576	IDAHO FIRST AID & SAFETY, INC. DBA	19403	2038	<u>FIRST AID REFILLS, WATER/PARKS MAIN ST, C.DEYOUNG,/B WITHROW, AUG 14 WATER</u>	08/19/2014	26.98	.00	<u>20-6230 SAFETY TRAINING & EQUIPMENT</u>	0	8/14		

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1576	IDAHO FIRST AID & SAFETY, INC. DBA	19403	2038	<u>FIRST AID REFILLS, WATER/PARKS MAIN ST. C.DEYOUNG./B WITHROW. AUG 14 PI</u>	08/19/2014	9.26	.00	<u>25-6230 SAFETY TRAINING & EQUIPMENT</u>	0	8/14		
1576	IDAHO FIRST AID & SAFETY, INC. DBA	19404	2039	<u>FIRST AID REFILLS FOR CITY HALL</u>	08/19/2014	21.76	.00	<u>01-6230 SAFETY TRAINING & EQUIPMENT</u>	0	8/14		
Total IDAHO FIRST AID & SAFETY, INC. DBA:						240.87	.00					
IDAHO FOODBANK WAREHOUSE, INC. dba												
1694	IDAHO FOODBANK WAREHOUSE, INC. dba	AOR-37031-1	1763	<u>COOKING MATTERS SERIES OF CLASSES, EQUIPMENT AND FOOD FOR YOUTH ATTENDING THE KUNA B & G CLUB. HIGH FIVE GRANT. CHRIS ENGELS</u>	08/13/2014	673.60	.00	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	0	8/14		
Total IDAHO FOODBANK WAREHOUSE, INC. dba:						673.60	.00					
IDAHO HUMANE SOCIETY												
833	IDAHO HUMANE SOCIETY	08262014I		<u>CONTRACT SERVICES - SEPT '14</u>	08/26/2014	4,537.67	.00	<u>01-6005 ANIMAL CONTROL SERVICES</u>	0	8/14		
Total IDAHO HUMANE SOCIETY:						4,537.67	.00					
IDAHO POWER CO												
38	IDAHO POWER CO	08182014I		<u>SERVICE FOR AUGUST 2014- ADMIN</u>	08/18/2014	436.56	.00	<u>01-6290 UTILITIES</u>	0	8/14		
38	IDAHO POWER CO	08182014I		<u>SERVICE FOR AUGUST 2014- SENIOR CTR</u>	08/18/2014	505.22	.00	<u>01-6290 UTILITIES</u>	1001	8/14		
38	IDAHO POWER CO	08182014I		<u>SERVICE FOR AUGUST 2014- STREET LIGHTS</u>	08/18/2014	6,075.80	.00	<u>01-6290 UTILITIES</u>	1002	8/14		
38	IDAHO POWER CO	08182014I		<u>SERVICE FOR AUGUST 2014- PARKS</u>	08/18/2014	916.44	.00	<u>01-6290 UTILITIES</u>	1004	8/14		
38	IDAHO POWER CO	08182014I		<u>SERVICE FOR AUGUST 2014- WATER</u>	08/18/2014	19,738.49	.00	<u>20-6290 UTILITIES EXPENSE</u>	0	8/14		

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38	IDAHO POWER CO	08182014I		<u>SERVICE FOR AUGUST 2014-PI</u>	08/18/2014	14,636.81	.00	<u>25-6290 UTILITIES EXPENSE</u>	0	8/14		
38	IDAHO POWER CO	08182014I		<u>SERVICE FOR AUGUST 2014- SEWER</u>	08/18/2014	21,833.95	.00	<u>21-6290 UTILITIES EXPENSE</u>	0	8/14		
38	IDAHO POWER CO	08182014I		<u>SERVICE FOR AUGUST 2014- FARM</u>	08/18/2014	15,840.55	.00	<u>21-6090 FARM EXPENDITURES</u>	0	8/14		
Total IDAHO POWER CO:						79,983.82	.00					
IDAHO RURAL WATER ASSOC												
33	IDAHO RURAL WATER ASSOC	3246	2027	<u>CLASS REGISTRATION FOR PUMP SYSTEM KNOWLEDGE FOR SEPT 18TH, SEWER -C. MCDANIEL</u>	08/14/2014	100.00	.00	<u>21-6265 TRAINING & SCH00LING EXPENSE</u>	0	8/14		
Total IDAHO RURAL WATER ASSOC:						100.00	.00					
IDAHO STATESMAN												
36	IDAHO STATESMAN	I01164946-072		<u>HELP WANTED (06-30-14-8-03- 14) ONLINE POSTING: ASST TREASURER, AUG 14 ADMIN</u>	07/21/2014	55.00	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	0	7/14		
36	IDAHO STATESMAN	I01164946-072		<u>HELP WANTED (06-30-14-8-03- 14) ONLINE POSTING: ASST TREASURER, AUG 14 ADMIN</u>	07/21/2014	73.30	.00	<u>20-6125 LEGAL PUBLICATIONS</u>	0	7/14		
36	IDAHO STATESMAN	I01164946-072		<u>HELP WANTED (06-30-14-8-03- 14) ONLINE POSTING: ASST TREASURER, AUG 14 ADMIN</u>	07/21/2014	73.30	.00	<u>21-6125 LEGAL PUBLICATIONS EXPENSE</u>	0	7/14		
36	IDAHO STATESMAN	I01164946-072		<u>HELP WANTED (06-30-14-8-03- 14) ONLINE POSTING: ASST TREASURER, AUG 14 ADMIN</u>	07/21/2014	18.40	.00	<u>25-6125 LEGAL PUBLICATIONS</u>	0	7/14		
Total IDAHO STATESMAN:						220.00	.00					
INTEGRINET SOLUTIONS, INC.												
1595	INTEGRINET SOLUTIONS, INC.	70361		<u>PRO ACTION MAINTENANCE, FIBER UPGRADE, RESTORED CORRUPTED FILES, DISCUSS INTERNET OPTIONS, AUG 14</u>	08/10/2014	57.27	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	0	8/14		

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1595	INTEGRINET SOLUTIONS, INC.	70361		<u>PRO ACTION MAINTENANCE, FIBER UPGRADE, RESTORED CORRUPTED FILES, DISCUSS INTERNET OPTIONS, AUG 14, P&Z</u>	08/10/2014	32.72	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1003	8/14		
1595	INTEGRINET SOLUTIONS, INC.	70361		<u>PRO ACTION MAINTENANCE, FIBER UPGRADE, RESTORED CORRUPTED FILES, DISCUSS INTERNET OPTIONS, AUG 14, WATER</u>	08/10/2014	75.55	.00	<u>20-6142 MAINT. & REPAIRS- EQUIPMENT</u>	0	8/14		
1595	INTEGRINET SOLUTIONS, INC.	70361		<u>PRO ACTION MAINTENANCE, FIBER UPGRADE, RESTORED CORRUPTED FILES, DISCUSS INTERNET OPTIONS, AUG 14, SEWER</u>	08/10/2014	93.34	.00	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	8/14		
1595	INTEGRINET SOLUTIONS, INC.	70361		<u>PRO ACTION MAINTENANCE, FIBER UPGRADE, RESTORED CORRUPTED FILES, DISCUSS INTERNET OPTIONS, AUG 14, PI</u>	08/10/2014	24.92	.00	<u>25-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	8/14		
1595	INTEGRINET SOLUTIONS, INC.	70494		<u>MAINTENANCE OF SERVERS, AUG 14, ADMIN</u>	08/15/2014	52.67	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	0	8/14		
1595	INTEGRINET SOLUTIONS, INC.	70494		<u>MAINTENANCE OF SERVERS, AUG 14, ADMIN</u>	08/15/2014	30.09	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1003	8/14		
1595	INTEGRINET SOLUTIONS, INC.	70494		<u>MAINTENANCE OF SERVERS, AUG 14, WATER</u>	08/15/2014	69.48	.00	<u>20-6142 MAINT. & REPAIRS- EQUIPMENT</u>	0	8/14		
1595	INTEGRINET SOLUTIONS, INC.	70494		<u>MAINTENANCE OF SERVERS, AUG 14, SEWER</u>	08/15/2014	85.84	.00	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	8/14		
1595	INTEGRINET SOLUTIONS, INC.	70494		<u>MAINTENANCE OF SERVERS, AUG 14, PI</u>	08/15/2014	22.92	.00	<u>25-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	8/14		
Total INTEGRINET SOLUTIONS, INC.:						544.80	.00					

INTERMOUNTAIN GAS CO

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37	INTERMOUNTAIN GAS CO	081914I		<u>NATURAL GAS CONSUMPTION SR CENTER. 07/14/14-08-13-14.</u>	08/19/2014	48.82	.00	<u>01-6290 UTILITIES</u>	1001	8/14		
37	INTERMOUNTAIN GAS CO	081914IG		<u>NATURAL GAS CONSUMPTION, CITY HALL.07/14/14-08/13/14</u>	08/19/2014	3.84	.00	<u>01-6290 UTILITIES</u>	0	8/14		
37	INTERMOUNTAIN GAS CO	081914IG		<u>NATURAL GAS CONSUMPTION, P&Z.07/14/14-08/13/14</u>	08/19/2014	2.19	.00	<u>01-6290 UTILITIES</u>	1003	8/14		
Total INTERMOUNTAIN GAS CO:						54.85	.00					
J & M SANITATION, INC.												
230	J & M SANITATION, INC.	08132014-082		<u>08/13/2014-08/27/2014 SANITATION RECEIPT TRANSFER</u>	08/27/2014	57,357.37	.00	<u>26-7000 SOLID WASTE SERVICE FEES</u>	0	8/14		
230	J & M SANITATION, INC.	08132014-082		<u>08/13/2014-08/27/2014 SANITATION RECEIPT TRANSFER</u>	08/27/2014	-5,666.91	.00	<u>01-4170 FRANCHISE FEES</u>	0	8/14		
Total J & M SANITATION, INC.:						51,690.46	.00					
JACK HENRY & ASSOCIATES, INC.												
1328	JACK HENRY & ASSOCIATES, INC.	1777554		<u>ELECTRONIC BANK FEES, JULY 14</u>	07/31/2014	65.58	.00	<u>01-6505 BANK FEES</u>	0	7/14		
1328	JACK HENRY & ASSOCIATES, INC.	1777554		<u>ELECTRONIC BANK FEES, JULY 14. P&Z</u>	07/31/2014	1.61	.00	<u>01-6505 BANK FEES</u>	1003	7/14		
1328	JACK HENRY & ASSOCIATES, INC.	1777554		<u>ELECTRONIC BANK FEES, JULY 14. WATER</u>	07/31/2014	81.92	.00	<u>20-6505 BANK FEES</u>	0	7/14		
1328	JACK HENRY & ASSOCIATES, INC.	1777554		<u>ELECTRONIC BANK FEES, JULY 14. SEWER</u>	07/31/2014	135.20	.00	<u>21-6505 BANK FEES</u>	0	7/14		
1328	JACK HENRY & ASSOCIATES, INC.	1777554		<u>ELECTRONIC BANK FEES, JULY 14. PI</u>	07/31/2014	32.37	.00	<u>25-6505 BANK FEES</u>	0	7/14		
Total JACK HENRY & ASSOCIATES, INC.:						316.68	.00					

J-U-B ENGINEERS, INC.

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1236	J-U-B ENGINEERS, INC.	0089358		<u>CONSTRUCTION SERVICES</u> <u>BOISE, LINDER WATERLINE, PL</u> <u>AUG 2014</u>	08/25/2014	1,341.12	.00	<u>20-6020 CAPITAL</u> <u>IMPROVEMENTS</u>	0	8/14		
Total J-U-B ENGINEERS, INC.:						1,341.12	.00					
KUNA TRUE VALUE HARDWARE												
43	KUNA TRUE VALUE HARDWARE	125982	1923	<u>SPRINKLER SUPPLIES FOR</u> <u>THE PIZZA HUT PROJECT,</u> <u>B.WITHROW, PARKS, JUL.'14</u>	07/16/2014	141.39	.00	<u>01-6020 CAPITAL</u> <u>IMPROVEMENTS</u>	1004	7/14		
43	KUNA TRUE VALUE HARDWARE	125984	1922	<u>2 SHOVELS, PRUNER, SAFETY</u> <u>GLASSES, TIRE PRESSURE</u> <u>GAUGE, CLAMPS, TRASH</u> <u>BAGS, GLOVES, 2 STROKE OIL,</u> <u>B.WITHROW, PARKS, JUL.'14</u>	07/16/2014	139.08	.00	<u>01-6175 SMALL</u> <u>TOOLS</u>	1004	7/14		
43	KUNA TRUE VALUE HARDWARE	125985	1924	<u>SUPPLIES FOR ELECTRICAL</u> <u>REPAIR OF BANDSHELL IN</u> <u>PARK FOR KUNA DAYS,</u> <u>B.WITHROW, JUL.'14</u>	07/16/2014	140.29	.00	<u>01-6150</u> <u>MAINTENANCE &</u> <u>REPAIRS -</u> <u>SYSTEM</u>	1004	7/14		
43	KUNA TRUE VALUE HARDWARE	126672	1973	<u>LANDSCAPE RAKE, 3/4"</u> <u>ELECTRICAL BOX, 3/4" ELEC</u> <u>SWEEP, PK OF WIRENUTS,</u> <u>GLOVES, 1 EA PROPANE</u> <u>TORCH, 3 EA UTILITY KNIVES,</u> <u>PIZZA HUT PROJECT, PARKS,</u> <u>JULY '14 - B. BACHMAN</u>	07/31/2014	144.26	.00	<u>01-6175 SMALL</u> <u>TOOLS</u>	1004	7/14		
43	KUNA TRUE VALUE HARDWARE	126673	1974	<u>PAINT, BRUSHES, FOR</u> <u>TABLES, PARKS, JULY '14 - B.</u> <u>BACHMAN</u>	07/31/2014	138.86	.00	<u>01-6150</u> <u>MAINTENANCE &</u> <u>REPAIRS -</u> <u>SYSTEM</u>	1004	7/14		
43	KUNA TRUE VALUE HARDWARE	126674	1975	<u>PIZZA HUT PROJECT</u> <u>SPRINKLER REPAIR PARTS,</u> <u>PARKS, JULY '14 - B. BACHMAN</u>	07/31/2014	95.78	.00	<u>01-6020 CAPITAL</u> <u>IMPROVEMENTS</u>	1004	7/14		
43	KUNA TRUE VALUE HARDWARE	126696	1982	<u>2 INSECT REPELLANTS, FARM,</u> <u>JULY '14 - M. NADEAU</u>	07/31/2014	9.98	.00	<u>21-6090 FARM</u> <u>EXPENDITURES</u>	0	7/14		
43	KUNA TRUE VALUE HARDWARE	126697	1981	<u>1 AIR HOSE FITTING, 3 PKS</u> <u>FUSES, N.WWTP, JULY '14 - M.</u> <u>NADEAU</u>	07/31/2014	14.06	.00	<u>21-6150 MAINT. &</u> <u>REPAIRS -</u> <u>SYSTEM</u>	0	7/14		

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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
43	KUNA TRUE VALUE HARDWARE	127390	2030	<u>1 EA FLASHLIGHT BATTERY, J.COULTER, BUILDING INSPECTOR, AUG.'14</u>	08/18/2014	6.49	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1005	8/14		
Total KUNA TRUE VALUE HARDWARE:						830.19	.00					
KUNA WELDING												
46	KUNA WELDING	1694		<u>8 EA 3/4-10 X 2 BOLTS, 8 EA 3/4 10 X 7 HCS GR5PLTD, CHAPPAROSA PUMP STATION, WATER, PI, MATT, AUG 14</u>	08/14/2014	32.32	.00	<u>25-6166 PP&E PURCHASES - OPERATIONS</u>	0	8/14		
Total KUNA WELDING:						32.32	.00					
METROQUIP, INC.												
196	METROQUIP, INC.	00024876	2050	<u>2 EA MALE COUPLERS, 2 EA FEMALE COUPLERS, REPLACMENT PARTS FOR VAC TRUCK, C. KNIGHT, AUG 14</u>	08/22/2014	93.02	.00	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	8/14		
Total METROQUIP, INC.:						93.02	.00					
PARTS, INC.												
470	PARTS, INC.	058662	1771	<u>1 OIL FILTER FOR SWEEPER, PARKS, JUNE '14 - P. KAUFMAN</u>	06/04/2014	6.97	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1004	6/14		
470	PARTS, INC.	059745	1831	<u>1 PR WINDSHIELD WIPERS, TRK #1, SEWER, JUNE '14 - C. MCDANIEL</u>	06/18/2014	23.30	.00	<u>21-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	6/14		
470	PARTS, INC.	060149	1844	<u>BATTERY FOR FOUR- WHEELER @FARM, JUNE '14 - C. MCDANIEL</u>	06/23/2014	116.65	.00	<u>21-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	6/14		
Total PARTS, INC.:						146.92	.00					
PAULS MARKET												
56	PAULS MARKET	002086480900	1913	<u>SNACKS FOR THE SUMMER RANGER PROGRAM, HIGH FIVE GRANT, B.PRENTICE, JUL'14</u>	07/14/2014	27.32	.00	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	0	7/14		

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56	PAULS MARKET	003030210848	1944	<u>SNACKS FOR THE SUMMER RANGER PROGRAM AT PAULS. B.PRENTICE, HIGH FIVE GRANT</u>	07/21/2014	33.48	.00	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	0	7/14		
56	PAULS MARKET	003049560852	1959	<u>SNACKS FOR THE SUMMER RANGER PROGRAM AT PAULS. BOBBY WITHROW, HIGH FIVE GRANT</u>	07/28/2014	30.00	.00	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	0	7/14		
56	PAULS MARKET	008016271248		<u>4 EA. ISOPROPYL ALCOHOL FOR SAMPLES. M.DAVILA, WATER, JUL.'14</u>	07/08/2014	7.56	.00	<u>20-6150 MAINT. & REPAIRS - SYSTEM</u>	0	7/14		
Total PAULS MARKET:						98.36	.00					
PEAK ALARM COMPANY, INC												
1021	PEAK ALARM COMPANY, INC	612749		<u>ALARM MONITORING NORTH WASTEWATER TREATMENT PLANT, 9/1/14-11/30/14</u>	09/01/2014	83.10	.00	<u>21-6140 MAINT & REPAIR BUILDING</u>	0	9/14		
Total PEAK ALARM COMPANY, INC:						83.10	.00					
RENTAL CONNECTION												
893	RENTAL CONNECTION	35278	2018	<u>SKID AUGER ATTACHMENT AND SKID AUGER 9" FOR DISC GOLF COURSE BASKET POLE INSTALLATION. HIGH FIVE GRANT-PARKS,B.BACHMAN, AUG.'14</u>	08/11/2014	69.00	.00	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	0	8/14		
Total RENTAL CONNECTION:						69.00	.00					
RICOH USA, INC. (FINANCE)												
1448	RICOH USA, INC. (FINANCE)	92986023		<u>COPIER LEASE FOR 9/1/14- 9/30/14, NWWTP, WATER</u>	08/07/2014	38.34	.00	<u>20-6212 RENT - EQUIPMENT</u>	0	8/14		
1448	RICOH USA, INC. (FINANCE)	92986023		<u>COPIER LEASE FOR 9/1/14- 9/30/14, NWWTP, SEWER</u>	08/07/2014	45.65	.00	<u>21-6212 RENT- EQUIPMENT</u>	0	8/14		
1448	RICOH USA, INC. (FINANCE)	92986023		<u>COPIER LEASE FOR 9/1/14- 9/30/14, NWWTP, P.I</u>	08/07/2014	15.96	.00	<u>25-6212 RENT - EQUIPMENT</u>	0	8/14		

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Total RICOH USA, INC. (FINANCE):						99.95	.00					
ST. LUKE'S REGIONAL MEDICAL CENTER												
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	406985858		<u>2 IMMUNIZATIONS ADMINISTERED TO TRENTON DEYOUNG, SEWER</u>	08/04/2014	167.42	.00	<u>21-6202 PROFESSIONAL SERVICES</u>	0	8/14		
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	406985883		<u>2 IMMUNIZATIONS ADMINISTERED TO JOSHUA DUPPONG, SEWER</u>	08/04/2014	167.42	.00	<u>21-6202 PROFESSIONAL SERVICES</u>	0	8/14		
Total ST. LUKE'S REGIONAL MEDICAL CENTER:						334.84	.00					
STAPLES ADVANTAGE												
1292	STAPLES ADVANTAGE	8030919040	1998	<u>1 PACK POST IT NOTES, 1 PACK PAPER CLIPS, 3 EA BOXES, BANKER BOXES, KRICE, CITY HALL, AUG.'14</u>	08/09/2014	78.04	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	8/14		
1292	STAPLES ADVANTAGE	8030919040	1998	<u>2 CASES COPIER PAPER, 2 BOXES 3 TAB FILE FOLDERS, W HOWELL, T KESNER, P&Z, AUG.'14</u>	08/09/2014	97.28	.00	<u>01-6165 OFFICE SUPPLIES</u>	1003	8/14		
1292	STAPLES ADVANTAGE	8031002225	2024	<u>1 EA. DISH SOAP FOR CITY HALL KITCHEN, 1 BOX COIN ENVELOPES, CITY HALL, AUG.'14</u>	08/16/2014	18.49	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	8/14		
1292	STAPLES ADVANTAGE	8031002225	2024	<u>1 BLACK TONER CARTRIDGE FOR PRINTER, 1 BINDER, P&Z, AUG.'14</u>	08/16/2014	126.49	.00	<u>01-6165 OFFICE SUPPLIES</u>	1003	8/14		
1292	STAPLES ADVANTAGE	8031002225	2024	<u>1 EA. BUSINESS CARD HOLDER, D.CROSSLEY, AUG.'14, WATER</u>	08/16/2014	5.59	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	8/14		
1292	STAPLES ADVANTAGE	8031002225		<u>1 EA. BUSINESS CARD HOLDER, D.CROSSLEY, AUG.'14, P.I</u>	08/16/2014	1.40	.00	<u>25-6165 OFFICE SUPPLIES</u>	0	8/14		
Total STAPLES ADVANTAGE:						327.29	.00					

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TIM GORDON												
997	TIM GORDON	08262014T		<u>CITY HALL RENT-SEPT 2014-ADMIN</u>	08/26/2014	1,259.87	.00	<u>01-6211 RENT-BUILDINGS & LAND</u>	0	8/14		
997	TIM GORDON	08262014T		<u>CITY HALL RENT - AUGUST 2014 - P&Z</u>	08/26/2014	420.11	.00	<u>01-6211 RENT-BUILDINGS & LAND</u>	1003	8/14		
997	TIM GORDON	08262014T		<u>CITY HALL RENT - AUGUST 2014 - WATER</u>	08/26/2014	1,031.16	.00	<u>20-6211 RENT-BUILDINGS & LAND</u>	0	8/14		
997	TIM GORDON	08262014T		<u>CITY HALL RENT - AUGUST 2014 - SEWER</u>	08/26/2014	1,345.68	.00	<u>21-6211 RENT - BUILDINGS & LAND</u>	0	8/14		
997	TIM GORDON	08262014T		<u>CITY HALL RENT - AUGUST 2014 - PI</u>	08/26/2014	436.28	.00	<u>25-6211 RENT - BUILDINGS & LAND</u>	0	8/14		
Total TIM GORDON:						4,493.10	.00					
TREASURE VALLEY COFFEE												
992	TREASURE VALLEY COFFEE	2160:03740179	2035	<u>5 EA 5-GAL WATER BOTTLES AT NWWTP.WATER, AUG.'14</u>	08/19/2014	13.63	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	8/14		
992	TREASURE VALLEY COFFEE	2160:03740179	2035	<u>5 EA 5-GAL WATER BOTTLES AT NWWTP,P.I, AUG.'14</u>	08/19/2014	13.62	.00	<u>25-6165 OFFICE SUPPLIES</u>	0	8/14		
992	TREASURE VALLEY COFFEE	2160:03740179	2035	<u>RENTAL OF WATER COOLER, NWWTP, WATER, AUG.'14</u>	08/19/2014	5.00	.00	<u>20-6212 RENT - EQUIPMENT</u>	0	8/14		
992	TREASURE VALLEY COFFEE	2160:03740179	2035	<u>RENTAL OF WATER COOLER, NWWTP, P.I, AUG.'14</u>	08/19/2014	5.00	.00	<u>25-6212 RENT - EQUIPMENT</u>	0	8/14		
Total TREASURE VALLEY COFFEE:						37.25	.00					
UNIVAR USA, INC.												
1410	UNIVAR USA, INC.	NA557947	2001	<u>1 LOAD (48,000 LBS) OF ALUMINUM SULFATE, NWWTP, T.SHAFFER, AUG.'14</u>	08/12/2014	5,815.58	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	8/14		
Total UNIVAR USA, INC.:						5,815.58	.00					

USA BLUE BOOK

City of Kuna

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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
265	USA BLUE BOOK	415571	1997	<u>1 CANNISTER OF 500 CABLE TIES, 2 PKGS. HACH DPD1, 1 PKG. HACH PH BUFFER, FOR THE LAGOONS, T. SHAFFER, SEWER, AUG.'14</u>	08/05/2014	189.97	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	8/14		
Total USA BLUE BOOK:						189.97	.00					
VICTORY GREENS												
364	VICTORY GREENS	338459		<u>6 EA WHITE LAVA ROCKS, 3 EA 3X100 WEED FABRIC, GATEWAY PROJECT, PARKS, AUG 14</u>	08/05/2014	397.20	.00	<u>01-6020 CAPITAL IMPROVEMENTS</u>	1004	8/14		
364	VICTORY GREENS	338462		<u>SUPPLIES FOR GATEWAY PROJECT, ROCK MOUND, PARKS, AUG 14</u>	08/05/2014	699.30	.00	<u>01-6020 CAPITAL IMPROVEMENTS</u>	1004	8/14		
364	VICTORY GREENS	33847	2007	<u>WELCOME TO KUNA ROCK, PARKS, AUG.'14</u>	08/08/2014	429.98	.00	<u>01-6020 CAPITAL IMPROVEMENTS</u>	1004	8/14		
364	VICTORY GREENS	338472		<u>10 YDS SNAKE RIVER PEBBLE, GATEWAY PROJECT, PARKS, AUG 14</u>	08/06/2014	379.50	.00	<u>01-6020 CAPITAL IMPROVEMENTS</u>	1004	8/14		
364	VICTORY GREENS	339353		<u>10 SNAKE RIVER PEBBLE, GATEWAY PROJECT, AUG 14</u>	08/14/2014	379.50	.00	<u>01-6020 CAPITAL IMPROVEMENTS</u>	1004	8/14		
Total VICTORY GREENS:						2,285.48	.00					
WATER DEPOSIT REFUNDS #7												
1685	WATER DEPOSIT REFUNDS #7	120810.01		<u>IDAHO HOUSING, 120810.01, OVERPAYMENT</u>	08/21/2014	152.11	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	140080.01		<u>ANNETTE M BUCK, 140080.01, OVERPAYMENT</u>	08/27/2014	20.56	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	150380.03		<u>TREVER ZALDAIN, 150380.03, OVERPAYMENT</u>	08/21/2014	93.26	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	151010.01		<u>AUSTIN M WATTS, 151010.01, OVERPAYMENT</u>	08/20/2014	11.16	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	173465.01		<u>CBH, 173465.01, OVERPAYMENT</u>	08/26/2014	69.12	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		

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1685	WATER DEPOSIT REFUNDS #7	182780.01		<u>ROBERT STOVER, 182780.01, OVERPAYMENT</u>	08/26/2014	160.43	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	200185.01		<u>CLEAR GLASS INVESTMENTS LLC, 200185.01, OVERPAYMENT</u>	08/21/2014	17.07	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	200320.01		<u>TERESA F SLAGEL, 200320.01, OVERPAYMENT</u>	08/20/2014	65.46	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	221470.01		<u>CBH HOMES, 221470.01, OVERPAYMENT</u>	08/27/2014	48.65	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	221505.01		<u>CBH HOMES, 221505.01, OVERPAYMENT</u>	08/27/2014	3.22	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	264050.01		<u>CBH, 264050.01, OVERPAYMENT</u>	08/20/2014	38.65	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
1685	WATER DEPOSIT REFUNDS #7	264570.01		<u>CBH, 264570.01, OVERPAYMENT</u>	08/20/2014	44.37	.00	<u>99-1075 Utility Cash Clearing</u>	0	8/14		
Total WATER DEPOSIT REFUNDS #7:						724.06	.00					
WESTERN BUILDING MAINTENANCE, INC.												
1499	WESTERN BUILDING MAINTENANCE, INC.	0080825-IN		<u>MONTHLY JANITORIAL SERVICES, SENIOR CTR, AUG.'14</u>	08/25/2014	330.33	.00	<u>01-6025 JANITORIAL</u>	1001	8/14		
1499	WESTERN BUILDING MAINTENANCE, INC.	0080826-IN		<u>MONTHLY JANITORIAL SERVICES, CITY HALL, AUG.'14</u>	08/25/2014	212.34	.00	<u>01-6025 JANITORIAL</u>	0	8/14		
1499	WESTERN BUILDING MAINTENANCE, INC.	0080827-IN		<u>MONTHLY JANITORIAL SERVICES, NWWTP, AUG.'14, WATER</u>	08/25/2014	31.50	.00	<u>20-6025 JANITORIAL</u>	0	8/14		
1499	WESTERN BUILDING MAINTENANCE, INC.	0080827-IN		<u>MONTHLY JANITORIAL SERVICES, NWWTP, AUG.'14, SEWER</u>	08/25/2014	31.50	.00	<u>21-6025 JANITORIAL</u>	0	8/14		
1499	WESTERN BUILDING MAINTENANCE, INC.	0080827-IN		<u>MONTHLY JANITORIAL SERVICES, NWWTP, AUG.'14 P.I.</u>	08/25/2014	12.00	.00	<u>25-6025 JANITORIAL</u>	0	8/14		

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Total WESTERN BUILDING MAINTENANCE, INC.:						617.67	.00					
WEX BANK												
1234	WEX BANK	37638158		FUEL, JULY '14 - ADMIN	07/31/2014	32.53	.00	01-6300 FUEL	0	7/14		
1234	WEX BANK	37638158		FUEL, JULY '14 - P&Z	07/31/2014	10.85	.00	01-6300 FUEL	1003	7/14		
1234	WEX BANK	37638158		FUEL, JULY '14 - PARKS	07/31/2014	467.60	.00	01-6300 FUEL	1004	7/14		
1234	WEX BANK	37638158		FUEL, JULY '14 -BUILDING INSP.	07/31/2014	190.29	.00	01-6300 FUEL	1005	7/14		
1234	WEX BANK	37638158		FUEL, JULY '14 - WATER	07/31/2014	55.53	.00	20-6300 FUEL	0	7/14		
1234	WEX BANK	37638158		FUEL, JULY '14 - SEWER	07/31/2014	628.75	.00	21-6300 FUEL	0	7/14		
1234	WEX BANK	37638158		FUEL, JULY '14 - PI	07/31/2014	43.36	.00	25-6300 FUEL	0	7/14		
Total WEX BANK:						1,428.91	.00					
Grand Totals:						311,999.22	.00					

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Dated: _____

Mayor: _____

City Council: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Only unpaid invoices included.



City of Kuna

Staff Report

P.O. Box 13
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Kunacity.id.gov

To: City Council

Case Number(s): 14-02-AN (Annexation), 14-03-DA (Development Agreement) and 14-01-LS (Lot Split).
Kirkpatrick Annexation

Location: 2021 W. Ardell Road
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Hearing Date: September 2, 2014

Applicant: Mark and Yvonne Kirkpatrick
2021 W. Ardell Road
Kuna, Idaho 83634
208.922.1942
ymkirk@gmail.com

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- H. Comprehensive Plan Analysis
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Recommendation by the Planning and Zoning Commission
- L. Proposed Decision by the Council

A. Course of Proceedings

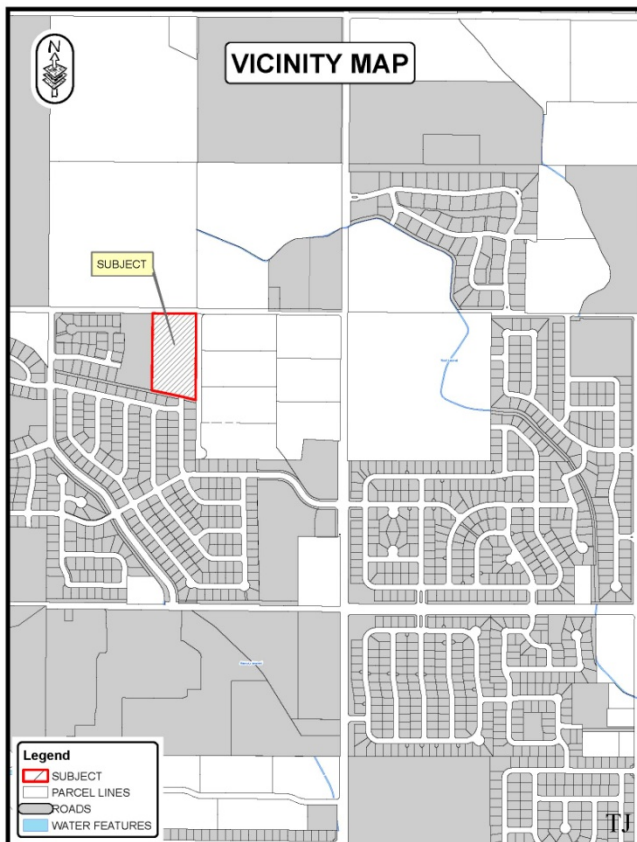
1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation and a development agreement is designated as a public hearing, with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|---------------------------|---------------------------------------|
| i. Neighborhood Meeting | February 20, 2014 (3 people attended) |
| ii. Agencies | March 27, 2014 |
| iii. 300' Property Owners | August 18, 2014 |
| iv. Kuna Melba Newspaper | August 13, 2014 |
| v. Site Posted | August 19, 2014 |

B. Applicants Request:**1. Request:**

Applicant requests approval to annex approximately 6.8 acres into the City limits and to split the existing parcel into two parcels. Applicant requests the Agriculture zone (Ag) for parcel one (approx. 1.3 acres), where the applicant will continue to grow crops and live. Applicant seeks an R-6 (Medium Density) zone for parcel two (approx. 5.5 acres) and hopes to attract a subdivision developer in the future. Until such time, it is anticipated the two will continue enjoying its existing agricultural uses, just in the City limits. Applicant is aware a development agreement will be recorded to guide all future development.

C. Vicinity and Aerial Maps:

D. History: The parcel is adjacent to the City limits and is currently zoned RUT (Rural Urban Transition) and contains a home, out buildings and the majority of the lands are currently farmed. This parcel has historically been farmed.

E. General Projects Facts:

- Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Medium Density Residential. Staff views this land use request to be consistent with the approved FLU map.
- Surrounding Land Uses:**

North	RR	Rural Residential – Ada County
South	R-3	Low Density Residential – Kuna City
East	RUT	Rural Urban Transition – Ada County

West	R-6	Medium Density Residential – Kuna City
------	-----	--

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 6.8 total acres
- RUT, Rural Urban Transition
- Parcel # - S1315427807

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently there is a home where the applicant lives and a couple of out buildings. The site has been used for agriculture activities and it is anticipated it will continue its historic uses on both parcels, until the larger parcel is developed in the future.
6. **Transportation / Connectivity:** The existing access for the parcel is off Ardell Road. This site will be required to provide connections to existing stubs when development occurs along with a possible connection to Ardell Road for the future subdivision.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat.
8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Central District Health Department, Ada County Highway District (ACHD), Department of Environmental Quality (DEQ) and Boise Project Board of Control. The responding agency comments are included as exhibits with this case file.

F. **Staff Analysis:**

This site is located near the southwest corner (SWC) of Ten Mile & Ardell Roads and near Crimson Point North and Crimson Point Subdivisions. Applicant requests to annex into the City and split the parcel into two. Parcel one will be approx. 1.3 acres in size and an existing residence will remain on it which will rely on a septic tank & well for now. The remaining 5.5 acres has been historically farmed and it is anticipated those uses will continue. In the future, those 5.5 acres will likely be developed into a subdivision.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case #'s 14-02-AN and 14-03-DA, subject to the recommended conditions of approval.

G. **Applicable Standards:**

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,
2. City of Kuna Subdivision Ordinance No. 2012-18, Title 5 Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Comprehensive Plan Analysis:

The Kuna City Council accepts the Comprehensive Plan components as described below.

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

GOALS AND POLICY – Property Rights

Goal 1: *Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.*

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criterion established to determine the potential for property taking.

GOALS AND POLICY – Economic Development

Goal 1: *Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.*

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICY – Land Use

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

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: 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.

I. Proposed Findings of Fact:

1. This request appears to be in compliance with all ordinances and laws of the City and appears to be consistent with Kuna City Code (KCC).
2. The use appears to meet the general objectives of Kuna’s Comprehensive Plan.
3. The site is physically suitable for a subdivision.
4. The annexation and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The annexation application is not likely to cause adverse public health problems.
6. 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.
7. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
8. The Kuna City Council accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
9. Based on the evidence contained in Case No.s 14-02-AN and 14-03-DA, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Kuna City Council has the authority to approve or deny these applications.

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

J. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No.s 14-02-AN and 14-03-DA, the Kuna City Council finds Case No.s 14-02-AN and 14-03-DA, comply with Kuna City Code.
2. Based on the evidence contained in Case No.s 14-02-AN and 14-03-DA, the Kuna City Council finds Case No.s 14-02-AN and 14-03-DA, are 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.

K. Recommendation by the Planning and Zoning Commission:

On July 22, 2014, the Planning and Zoning Commission voted 5-0, to *recommend approval* for Case No.s 14-02-AN and 14-03-DA, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho. The Commission hereby recommends *approval* for Case No.s 14-02-AN and 14-03-DA, a request for annexation and a development agreement from Mark and Yvonne Kirkpatrick, with the following conditions of approval:

- *Follow all staff and agency recommendations as appropriate.*

L.

Proposed order of decision by City Council:

14-02-AN, 14-03-DA, 14-01-LS Note: *This proposed motion is for approval or denial of this request. However, if the City Council wishes to approve or deny specific parts of the request as detailed in this report, they must be specified.*

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 shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
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 be commenced without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With future 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. Future lighting within the site shall comply with Kuna City Code as stated in KCC 5-9-5-B.
6. Future parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
7. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise).
8. Future signage within the site shall comply with Kuna City Code (A sign permit is required prior to sign construction).
9. 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.
10. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
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 Council, or seek amending them through public hearing processes.
12. The applicant's future landscape plan shall be considered a binding site plan, or as modified by the Commission through DRC.
13. Any future development is subject to landscaping design review, among other land use applications as applicable, at time of development. The entire site will also be subject to the same.
14. Applicant shall follow all staff, City engineer and other agency recommended requirements as applicable.
15. Developer shall comply with all local, state and federal laws.

DATED: This ____ day of _____, 2014.

FEB 24 2014

CITY OF KUNA



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)	14-02-AN, 14-03-Da, 14-01-LS
Project name	Kirkpatrick Annex
Date Received	
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	22 July 2014
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: MARK & YVONNE KIRKPATRICK	Phone Number: 208-922-1942
Address: 2021 W ARDELL	E-Mail: ymkirk@gmail.com
City, State, Zip: KUNA ID 83634	Fax #:
Applicant (Developer):	Phone Number:
Address:	E-Mail:
City, State, Zip:	Fax #:
Engineer/Representative:	Phone Number:
Address:	E-Mail:
City, State, Zip:	Fax #:

Subject Property Information

Site Address: 2021 W ARDELL KUNA ID 83634
Site Location (Cross Streets): W ARDELL & N MCCLURE LANE
Parcel Number (s): S1315427807
Section, Township, Range: 2N1W15
Property size: 6.8 acres
Current land use: Residential / Agriculture
Proposed land use: No change
Current zoning district: RUT
Proposed zoning district:

Project Description

Project / subdivision name: <u>LUCERNE ACRES</u>
General description of proposed project / request: <u>PROPERTY SPLIT AND REZONE OF ALFALFA FIELD</u>
Type of use proposed (check all that apply):
☒ Residential <u>HOUSE AS AGRICULTURAL, FIELD AS R6</u>
☐ Commercial _____
☐ Office _____
☐ Industrial _____
☐ Other _____
Amenities provided with this development (if applicable): _____

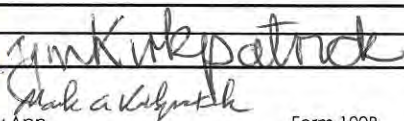
Residential Project Summary (if applicable)

Are there existing buildings? ☒ Yes ☐ No
Please describe the existing buildings: <u>HOUSE, GARDEN SHED, MACHINE SHED</u>
Any existing buildings to remain? ☒ Yes ☐ No
Number of residential units: _____ Number of building lots: _____
Number of common and/or other lots: _____
Type of dwellings proposed:
☐ Single-Family _____
☐ Townhouses _____
☐ Duplexes _____
☐ Multi-Family _____
☐ Other _____
Minimum Square footage of structure (s): _____
Gross density (DU/acre-total property): _____ Net density (DU/acre-excluding roads): _____
Percentage of open space provided: _____ Acreage of open space: _____
Type of open space provided (i.e. landscaping, public, common, etc.): _____

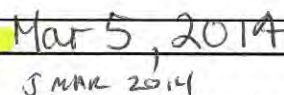
Non-Residential Project Summary (if applicable)

Number of building lots: _____	Other lots: _____
Gross floor area square footage: _____	Existing (if applicable): _____
Hours of operation (days & hours): _____	Building height: _____
Total number of employees: _____	Max. number of employees at one time: _____
Number and ages of students/children: _____	Seating capacity: _____
Fencing type, size & location (proposed or existing to remain): _____	
Proposed Parking:	a. Handicapped spaces: _____ Dimensions: _____ b. Total Parking spaces: _____ Dimensions: _____ c. Width of driveway aisle: _____
Proposed Lighting: _____	
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____	

Applicant's Signature: _____



Date: _____



Statement for Annexation and Rezone of 2021 W Ardell, Kuna

CITY OF KUNA

The rural characteristic of our residence has changed with the residential area of the city of Kuna bordering our property on two fronts. We have become the border between rural and residential Kuna.

For us to keep our land a saleable entity, we would like to plan the following changes to our property:

1. Annexation to become part of the city of Kuna.
2. Split our property at 2021 W Ardell Rd. into 2 lots.
3. Zone the smaller parcel with the house as Agricultural in keeping with the larger residences East and Northeast of our house.
4. Rezone the present Alfalfa field as R6, so that future development may continue out from both Crimson Point and Crimson Point North.

Until the Alfalfa field might be sold to a developer, we plan to retain the field in its present use of hay production. The smaller parcel with the house would remain as a large residential block of land with its present land use.

The closest subdivisions of Crimson Point and Crimson Point North presently have streets that can be extended into the Alfalfa field. Future development of this tract probably would extend from the South and West as this is the location of the nearest utilities.

We respectfully request annexation into the City of Kuna and also request the afore mentioned property split and zoning changes.



AERIAL MAP

RECEIVED
FEB 24 2014
CITY OF KUNA

Teed Lateral

W Ardell Rd

SUBJECT

N McClure Ln

N Rosedust Dr

N Mauve Ave

W Crenshaw St

N Ten Mile Rd

W Melon Dr

Legend

-  SUBJECT
-  PARCEL LINES
-  ROADS
-  WATER FEATURES



VICINITY MAP

RECEIVED
FEB 24 2014
CITY OF KUNA

SUBJECT



Legend

-  SUBJECT
-  PARCEL LINES
-  ROADS
-  WATER FEATURES

TJ

FEB 24 2014

CITY OF KUNA



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, MARK & YVONNE KIRKPATRICK, 2021 W ARDELL
Name Address
KUNA, IDAHO 83634
City State Zip Code

being first duly sworn upon oath, depose and say:

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

☒ A That I am the record owner of the property described on the attached, and I grant my
permission to N/A
Name Address

to submit the accompanying application pertaining to that property.

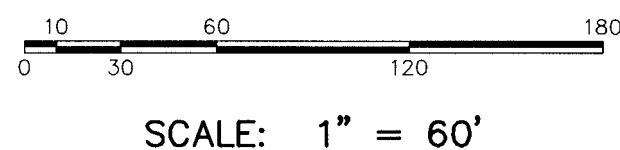
- B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.
- C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose of site inspections related to processing said application(s),

Dated this 19th day of February, 2014

ymKirkpatrick Mark & Yvonne
Signature

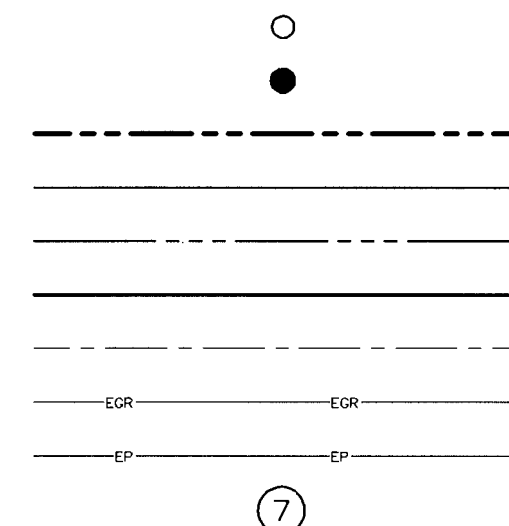
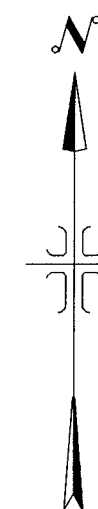
Subscribed and sworn to before me the day and year first above written.

Susan L. Oswald
Notary Public for Idaho
Residing at: Mexican, Id
My commission expires: 4/26/2018



PROPERTY LINE ADJUSTMENT RECORD OF SURVEY FOR
MARK KIRKPATRICK
LOCATED IN THE NW 1/4 OF THE SE 1/4 SECTION 15,
T.2N., R.1W., B.M., KUNA, ADA COUNTY, IDAHO
2014

LEGEND



FOUND 5/8" IRON PIN
SET 5/8" IRON PIN WITH CAP
PROPERTY BOUNDARY LINE
PARCEL LINE
SECTION LINE
RIGHT-OF-WAY LINE
CENTERLINE
EDGE OF GRAVEL ROAD
EADE OF PAVEMENT
LOT NO.

APPROVAL OF OWNERS

I, THE OWNER OF SUBJECT PROPERTY, HEREBY APPROVE OF THIS ONE TIME DIVISION SURVEY.

MARK A. KIRKPATRICK

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF ADA) S.S.

ON THIS _____ DAY OF _____, 2014, BEFORE ME,

A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARK A. KIRKPATRICK, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC, STATE OF IDAHO
RESIDING IN BOISE, IDAHO

CERTIFICATE OF LAND SURVEYOR

I, GREGORY G. CARTER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY, AND IS IN CONFORMITY WITH THE CURRENT LAWS OF THE STATE OF IDAHO PERTAINING TO PLATS AND SURVEYS.

GREGORY G. CARTER, PLS



LICENSE NO. 7729

COUNTY RECORDER'S CERTIFICATE

INST. NO. _____

STATE OF IDAHO, COUNTY OF ADA, ss.

FILED FOR RECORD AT THE REQUEST OF MARK A. KIRKPATRICK
_____ MIN. PAST _____ O'CLOCK _____ M. THIS _____ DAY OF _____, 2014
CHRISTOPHER RICH, RECORDER

BY _____ DEPUTY

FEE \$ _____

RECORDING INDEX NUMBER: 214-15-2-4-0-00-000

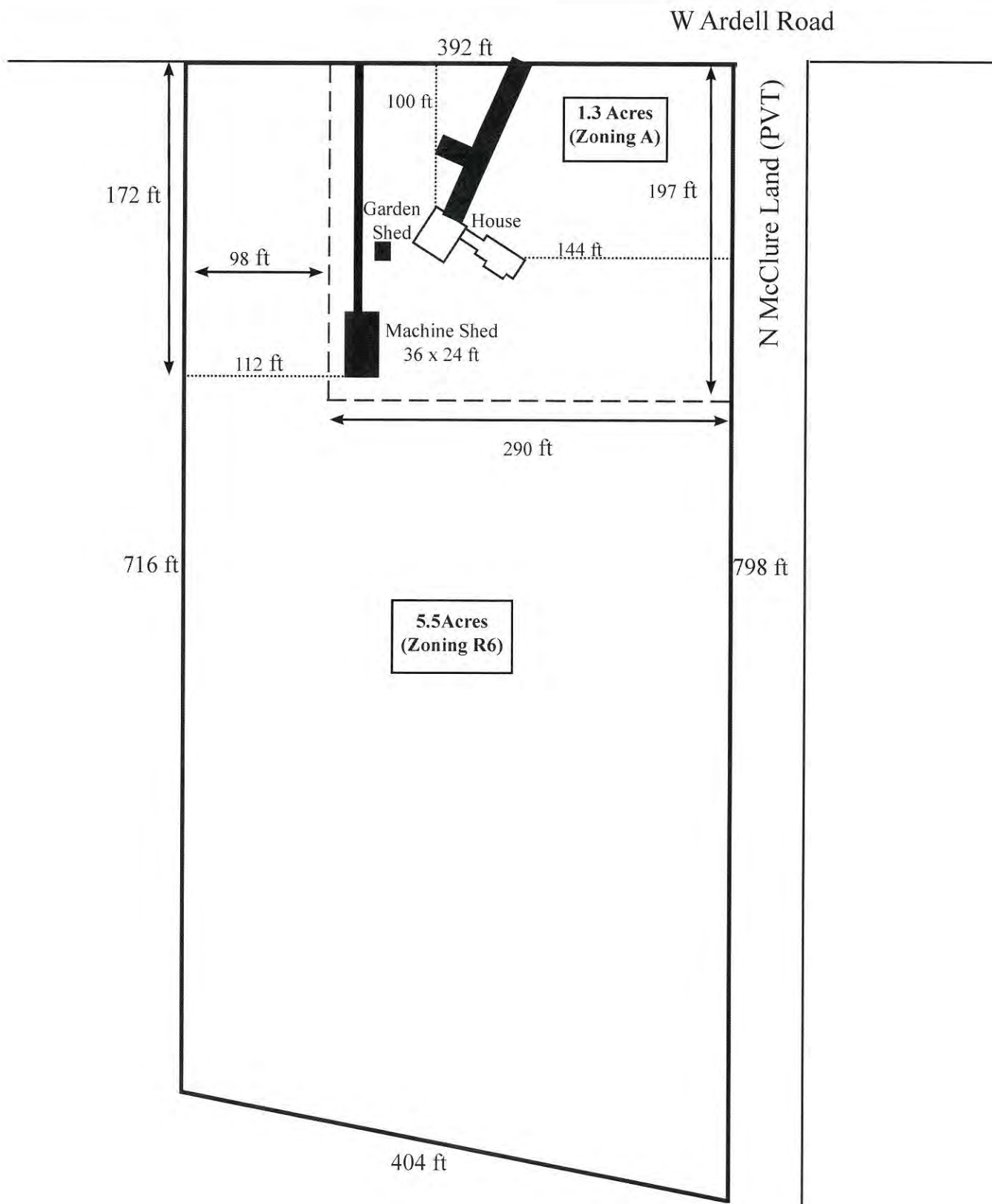


**IDAHO
SURVEY
GROUP, P.C.**

1450 E. WATERTOWER ST.
SUITE 130
MERIDIAN, IDAHO 83642
(208) 846-8570

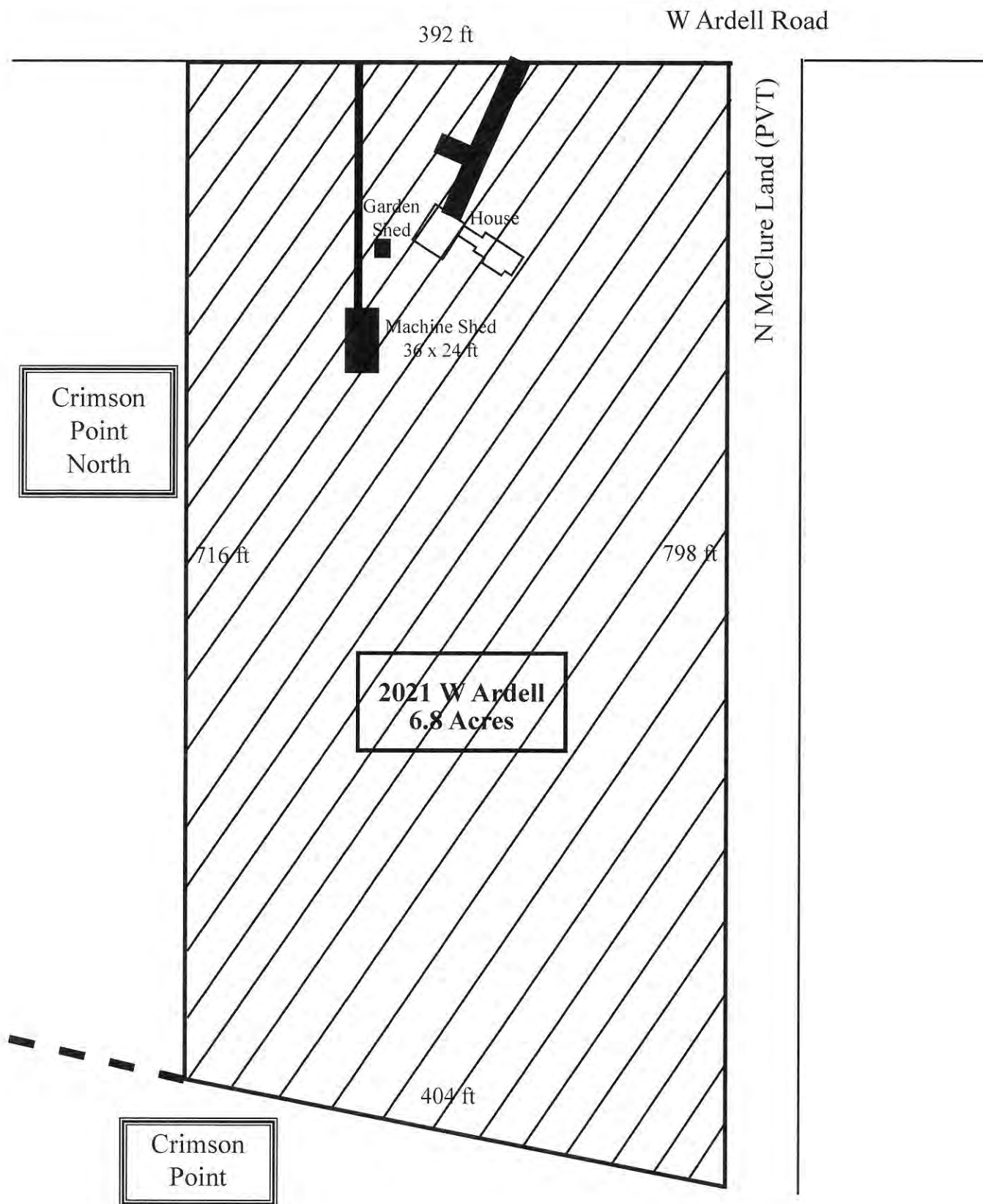
Mark and Yvonne Kirkpatrick
2021 W Ardell
Kuna ID 83634

Scale 1 inch = 100 ft



Mark and Yvonne Kirkpatrick
2021 W Ardell
Kuna ID 83634

Scale 1 inch = 100 ft



**CITY OF KUNA****P.O. BOX 13****KUNA, ID 83634**www.cityofkuna.com**Telephone (208) 287-1727; Fax (208) 287-1731****Email: gordon@cityofkuna.com**

MEMORANDUM**TO:** Director of Kuna Planning and Zoning**FROM:** Gordon N. Law
Kuna City Engineer**RE:** Kirkpatrick – 2021 W. Ardell Rd.
Annexation and Rezone
14-02-AN, 14-03-DA, 14-01-LS**DATE:** June 5, 2014

The City Engineer has reviewed the annexation, development agreement and lot split request of the above applicant dated March 27, 2014. It is noted that general development plans are provided in the application describing the applicant's intent to ultimately sell off a portion of the property for development. The existing home and contiguous property is to be retained as a residence. It is therefore the recommendation of the City Engineer that the development agreement and other conditions be crafted in a manner to preserve the ability of both the applicant and City to reopen the agreement at a later date to provide and allow for more specific development possibilities in the future.

The comments below are generally directed toward the parcel intended for future development. Accordingly, the City Engineer provides the following comments:

1. Sanitary Sewer Needs

- a) The City has sufficient sewer treatment capacity to serve this site. The Sewer Master Plan for disposal of wastewater from this area proposes discharge into Crimson Point Lift Station for ultimate treatment at the North Wastewater Treatment facility. This site is not presently connected to the city system and would be subject to connection fees for the demand of the ultimate connected load as provided in the City's Standard Table.
- b) This property was not included in Local Improvement District 2006-1 and has no reserved connections. Treatment capacity may be secured for this site only from those who have reserved capacity or from capacity not reserved and upon payment of appropriate fees.
- c) The existing homestead appears to be served by its own septic tank and drain field. The city does have a sewer main to the south boundary of the parcel in Mauve Drive and will

have a second sewer main to the west boundary of the parcel in Henna Street. This will adequately serve the future sewer needs of the developed parcel.

- d) The City Engineer recommends the continued utilization of the site facilities as long as the existing use is maintained and the site system remains viable. If the site system fails or the use of the property is changed or expanded, the City Engineer recommends connection to City facilities.
- e) The sewer mains serving this site discharge to the North Sewer Treatment Plant which has sufficient capacity to serve this site. When connecting to the sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees.
- f) For any connected load, it is recommended this application be conditioned to conform to the sewer master plan.
- g) At the time of platting, City Code (6-4-2O) requires connection to the City sewer system for all sanitary sewer needs.
- h) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

2. Potable Water Needs

- a) The City has sufficient potable water supply to serve this site but the site is not presently connected to the City potable water system. This site is planned for connection to the city water system and would be subject to connection fees for any future connections as provided in the City's Standard Table.
- b) The nearest water mains are located in W Ardell Road, Mauve Drive and Henna Street. 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) The existing homestead appears to be served by its own well. Accordingly, the City Engineer recommends the continued utilization of the site facilities as long as the existing use is maintained and the site system remains viable. If the site system fails or the use of the property is changed or expanded, the City Engineer recommends connection to City facilities.
- d) At the time of platting specific recommendations of note are as follows:
 - 1. City Code (6-4-2X) requires connection to the City water system for all potable water needs.
 - 2. For any connected load, it is recommended this application be conditioned to conform to the water master plan.
 - 3. Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- e) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.
- f) The City Engineer concludes redundancy of water source to the development site is provided by existing facilities.

3. Pressure Irrigation

- a) The property's irrigation needs are presently served by its own well and the Boise-Kuna Irrigation District. Until development occurs, it is recommended the site facilities and surface water rights continue to serve these needs.
- b) At the time of platting, Irrigation supply capacity is available for this site upon payment of appropriate fees. Specific recommendations of note are as follows:

1. Relying on drinking water for irrigation purposes is contrary to City Code (6-4-21) and the public interest and is not accounted for in the approved Water Master Plan. It is recommended this project be conditioned to require connection and annexation to the City Pressure Irrigation system at the time of development.
 2. For any connected load, it is recommended this application be conditioned to conform to the Pressure Irrigation Master Plan. The Master Plan designates the providing of a 12-inch trunk line in the Ardell frontage to this property. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant reimbursement policies and agreements and any relevant connection fees.
 3. 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.
 4. It is recommended that conformity with approved City PI standards is required, including the providing of adequately sized internal loop lines.
 5. It is recommended ten foot easements for irrigation lines are required to facilitate extension and operation of the city's pressure irrigation system.
- c) The city has pressure irrigation facilities in the vicinity. The nearest facilities include a 12-inch trunk line in Ardell at the northwest corner of the applicant's property and smaller mains in easements adjacent to the property on the west and south sides.

4. Grading and Storm Drainage

The following is required only if alteration of surface features is proposed (such as grading or paving) in connection with this application:

- a) Please provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) If impervious area is increased, please provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Please provide detail drawings of drainage facilities for review.
- 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) With the addition of this property into the corporate limits of Kuna and its potential connection to water and irrigation 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 any conveyable water rights by deed and "Change of Ownership" form from IDWR. 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

The following is not required until development occurs which involves the construction of public facilities such as water, sewer and pressure irrigation mains:

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. **If no public water, sewer and irrigation construction work is done, no fees are required.**

7. Right-of-Way

The subject property fronts on its north side on a quarter-section line major collector street (Ardell). The following conditions are related to these classified streets and are generally applicable at the time of development such as platting:

- a) Sufficient half right-of-way on the quarter line and section line for the classified streets should be provided pursuant to City and ACHD standards.
- b) It is recommended approaches onto the classified street complies with ACHD approach policies.
- c) It is recommended sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided at the time of land-use change or re-development.

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. **If no public facilities are constructed, no as-built drawings are required.**

9. Property Description

- a) The applicant provided a copy of a record of survey of the subject parcel.



John S. Franden, President
 Mitchell A. Jaurena, Vice President
 Rebecca W. Arnold, Commissioner
 Sara M. Baker, Commissioner
 Jim D. Hansen, Commissioner

Date: June 10, 2014

To: Mark Yvonne Kirkpatrick
 2021 W. Ardell Road
 Kuna, ID 83634

Subject: KUNA14-0003/K14-03-DA/K14-01-LS
 2021 W. Ardell Road
 Residential/Agricultural Lot Split.

In response to your request for comment, the Ada County Highway District (ACHD) staff has reviewed the submitted application and site plan for the item referenced above. It has been determined that ACHD has no site specific conditions of approval at this time.

- **Policy – These policies may be applied to future development of this site**

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.

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.

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 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that 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 concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development

shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

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.

Half Street Policy: District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

• **Staff Comments/Recommendations:**

This application is for a rezone only. Listed below are some of the findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific redevelopment application.

Ardell Road is classified as an collector roadway in the Master Street Map. In accordance with District Policies 7206.5 and 7206.5.2, the applicant should construct Ardell Road to ACHD standards for a collector street in a residential area (abutting the site). The applicant should be required to construct Ardell Road as ½ of a 36 foot street section with

curb, gutter and 5 foot wide attached sidewalk abutting the site plus an additional 12 feet of pavement widening beyond the ultimate centerline of the road. The applicant should provide a permanent right-of-way easement for sidewalk 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.

Consistent with District Policy 7207.2.4, the applicant should be required to extend stub streets Henna Street and Mauve Avenue into the future development and access the site through Crimson Point Subdivision in order to increase internal connectivity throughout the neighborhoods.

General:

A traffic impact fee may be assessed by ACHD and will be due prior to issuance of a building permit. Please contact ACHD Planning and Development Services at 387-6170 for information regarding impact fees.

Plans must be submitted to the ACHD Development Review Department prior to final approval.

Prior to the construction or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.) a permit or license agreement must be obtained from ACHD.

Prior to the construction or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.) a permit to work in the right-of-way must be obtained through ACHD Construction Services. For questions regarding the permitting process, please contact Construction Services at 387-6280.

The applicant shall also be required to meet the applicable ACHD Standard Conditions of Approval as well as ACHD Policies and requirements that may apply as noted below.

Please review the Applicant's Responsibilities and Development Process Checklist below.

If you have any questions, please feel free to contact me at (208) 387-6218.

Sincerely,

Lauren Watsek
Planner I
Development Services
CC: Project file,
City of Kuna

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, 7203.6, 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.

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 of Highway Systems, 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.

RICHARD DURRANT
CHAIRMAN OF THE BOARD

GRAHAM PATERSON
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 83703-3155

OPERATING AGENCY FOR
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

30 May 2014

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

RE: Mark & Yvonne Kirkpatrick
2021 W. Ardell Rd.
Boise-Kuna Irrigation District
Teed Lateral Lateral 242+20
Sec. 15, T2N, R1W, BM.

14-02-AN, 14-03-DA, 14-01-LS

BK-287 B

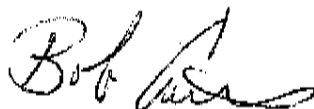
Troy Behunin:

The Boise Project has no objections to the Annexation, Development Agreement or Lot Split as there are no Project facilities located on the above-mentioned property; however it does in fact possess a valid water right.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Bob Carter
Assistant Project Manager- BPBC

bdc/bc

cc: Phil Comegys
Lauren Boehlke
File

Watermaster, Div; 2 BPBC
Secretary – Treasurer, BKID



CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

Return to:

- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

Rezone # 14-02-AN/14-03-DA/14-01-SALS

Conditional Use # _____

Preliminary / Final / Short Plat _____

sect. 15

- ☒ 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
 - ☐ waste flow characteristics
 - ☐ bedrock from original grade
 - ☐ 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: [Signature]

Date: 6/16/14

RECEIVED

JUN 18 2014

KUNA CITY CLERK



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: 06/05/2014
Agency Requesting Comments: City of Kuna Planning and Zoning
Date Request Received: 5/28/2014
Applicant/Description: Annexation of approximately 6.8 acres into city limits

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).

For questions, contact David Luft, Air Quality Manager, at 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

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 Conservation 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 Aaron Scheff, 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,

Danielle Robbins

Danielle Robbins
danielle.robbs@deq.idaho.gov
Boise Regional Office
Idaho Department of Environmental Quality

C: File # 1961

For Recording Purposes
Do Not Write Above This Line

**MARK AND YVONNE KIRKPATRICK; ANNEXATION &
DEVELOPMENT AGREEMENT**
(CAR06-00054)

RECITALS

THIS DEVELOPMENT AGREEMENT "**Agreement**" is entered into this ____ day of _____, 2014, by and between the **City of Kuna**, an Idaho municipal corporation "**City**", and **Mark and Yvonne Kirkpatrick**, whose address is **2021 W. Ardell Road, Kuna, Idaho 83634**, as "**Owner**", of the property described herein: S1315427807, and hereafter referred to as "**Developer**".

- A. Developer owns certain property "**Property**" located in Ada County, an approximately 6.8 acre parcel of land (**S1315427807**) located at 2021 W, Ardell Road, Kuna, Idaho and more particularly described in Exhibit A, attached hereto. Developer has applied to split the property into two parcels consisting of 1.3 acres and 5.5 acres, approximately. This agreement will control the 5.5 acres and the 1.3 acres will not be controlled by this Agreement.
- B. Developer has applied to the City to annex the property into the City and rezone the parcel, in order to enter the City corporate limits with said property. Developer has submitted an application (**Case No. 14-02-AN, 14-03-DA and 14-01-LS**) to annex real property into the city of Kuna and split the property. Parcel one will have an Agricultural Zone (approximately 1.3 acres) and the remaining approximate 5.5 acres will be zoned R-6 (Medium Residential Density).
- C. City and Developer desire to enter into this Agreement, which shall be recorded in the Office of the Ada County Recorder and shall take effect on the date last executed below.
- D. Pursuant to Idaho Code Section 67-6511A and Kuna City Code, Title 5, Chapter 14, City has the authority to conditionally rezone the Property and to enter into this Development Agreement for the purpose of allowing, by Agreement, annexation of said parcel for a specific purpose or use which is appropriate in the area, and this Agreement contains the conditions required of the owner by the City. This Agreement supersedes any conflicting terms and/or conditions in prior agreements or staff reports concerning the land as to obligations between the parties to this Agreement. This Agreement complies with all Kuna Idaho Municipal Code Title 5 zoning regulations and Title 6 subdivision regulations as they are applicable to these land use actions.
- E. The Kuna Planning and Zoning Commission and City Council have independently held public hearings on these land use matters as prescribed by law and have approved the application in accordance with the Findings of Fact, Conclusions of Law and Order of Decision set forth in its approval, and all such conditions are included in this Agreement. This Agreement is made pursuant to and in accordance with the provisions of Idaho Code Section 67-6511A and Kuna City Code Title 5 and Title 6.
- F. The uses(s) allowed through this conditional annexation and rezone are those that are permitted or specially permitted, by way of a special use permit, in the Agricultural (Ag.) and R-6

(Medium Residential Density) zones; or those agreed to, provided they are not in conflict with City code. It should be noted, the Agriculture zone shall allow for the existing agricultural uses to remain. In the event the property, and/or the uses on it, expand or enlarge - any nonconforming uses shall cease; thus, triggering necessary land use processes to bring the property into conforming status under Kuna City code. At time of future development, the City and Developer shall amend this Agreement to provide and allow for more aggressive development possibilities if necessary.

- G. The Order of Decision of the Council for the annexation and land use zone classification, including all conditions of approval, is hereby made a part of this Agreement. In the event there is a discrepancy or conflict, the stricter condition shall apply unless specifically stated otherwise in this Development Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements stated herein, and for other consideration, the sufficiency of which is hereby acknowledged, City and Developer agree as follows:

1. ZONING ORDINANCE AMENDMENT.

- 1.1: The City will adopt an ordinance amending the Kuna Zoning Ordinance to change the zone for the 1.3 acres to Agriculture and R-6 (Medium Residential Density) zone for approximately 5.5 acres. The Ordinance will become effective after its passage, approval, and publication and the execution of the Agreement. It is possible this Agreement could be modified to accommodate the Developer's future land use plans when they are known, based on the uses and development plans at that time.

2. PERMITTED USES.

- 2.1: **Development According to the Conceptual Site Plan.** Upon development, developer agrees to provide a Conceptual Land Use Site Plan which shall be relied upon and considered a binding site plan. Substantial (as determined by the Director of planning services) modifications to the Conceptual Site Plan shall require the approval of the Kuna City Planning and Zoning Commission and City Council through public hearing processes. However, minor site plan modifications may be approved administratively. The Director of planning services will determine if a change is of minor significance or necessitates legislative review.
- 2.2: **Uses.** Generally speaking, the Property is approved for the uses typically associated with Agriculture zone for the 1.3 acre parcel and R-6 zone for the 5.5 acres.
- 2.3: **Modification of Allowed Uses.** The uses permitted within this Agreement shall not be modified without complying with the notice and hearing provisions of Idaho Code § 67-6509, provided, however, any specially permitted use(s) in the Agricultural and /or R-6 Zones may be permitted on the Property through issuance of a Special Use Permit.

3. CONDITIONS ON DEVELOPMENT.

The following conditions shall apply to the approximate 5.5 acres in the event of future development, expansion or enlargement, as determined by the Director of planning services:

- 3.1: **Bicycle Parking Spaces.** Developer shall provide a minimum of 15 bicycle parking spaces over the property in common lot(s).
- 3.2: **Building Permits.** Developer shall obtain a building permit before construction of any facilities. Developer shall comply with the R-6 zone's Height and Area Performance Standards found in Kuna City Code (KCC), in place at time of development.
- 3.3: **Construction Etiquette.** Developer shall post and maintain a "rules and regulation sign" at the entryways to the site until construction is complete. The signs are intended for the subcontractors performing the work and should include: (1) no dogs permitted; (2) no loud music permitted; (3) no alcohol or drugs permitted; (4) no profane or abusive language permitted; (5) dispose of personal trash and site debris; (6) clean up any mud and/or dirt that is deposited from the construction site onto the public street; (7) install temporary construction fence to keep debris from blowing off site; (8) no burning of construction or other debris on the property; (9) keep a watering truck on site and employed as necessary to keep dust under control; (10) Site construction shall be limited to the hours of 7:00 am to 7:00 pm daily.
- 3.4: **Curbs, Gutters, Sidewalks and Storm-Water Conveyances.** The use of drainage swales for storm water conveyance in lieu of curb and gutter is prohibited unless it's necessary to preserve a historical drainage right that would be impeded by the swale's removal and such action is 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.
- 3.5: **Design Review.**
 - 3.5.1: Design review is required for any proposed new landscaping, parking, entrance, monument(s), common area and/or signage use.
 - 3.5.2: Commercial buildings and their compositions are subject to design review pursuant to requirements in the Kuna City Code relative to usage of materials, woods, entrances, window arrangement and other considerations.
 - 3.5.3: Any materials employed in the construction of commercial fencing, wall and trash enclosures are subject to design review and/or J&M Sanitations review.
 - 3.5.4: Any fencing and/or wall materials employed in the development are subject to design review pursuant to requirements in the Kuna City Code.
- 3.6: **Driveways and other Approaches.**

3.6.1: Developer agrees future commercial areas and entrances to the site are subject to the Design Review Standards pursuant to requirements in the Kuna City Code.

3.6.2: All curb returns throughout any future project shall be constructed with *28-feet minimum curb return radius*.

3.7: **Engineering Calculations/Drawings/Plans/Reports.**

3.7.1: At the time of construction, developer shall obtain a letter from the City engineer recommending engineering approval of construction drawings, drainage and storm-water plans.

3.7.2: At the time of construction plan submittal, developer shall provide the City engineer with fire flow, water distribution and wastewater calculations and acquire all necessary permits and pay all associated fees. The City engineer will review the water modeling results and provide comments or corrections.

3.7.3: At the time of construction plan submittal, a geotechnical report (if required) is subject to the City engineer's review and corrections.

3.8: **Federal, State, Local and Special Purpose Standards.** Developer shall comply with all applicable federal, state, local and special purpose standards as they apply to the Property's development.

3.9: **Fencing.** Developer shall construct and place fencing on site according to the City's zoning standards. Developer shall use the approved type of fencing allowed by City code and obtain a fence permit as outlined in City code.

3.10: **Fire.**

3.10.1: **Hydrants and Water Mains.** Adequate fire protection shall be required in accordance with the appropriate fire district standards. Developer shall meet the requirements of the Kuna Rural Fire District.

3.10.2: **Fire Safety.** Developer shall address fire safety compliance to the Kuna Rural Fire District and City building inspector's satisfaction. The site landscaping shall be designed and maintained to provide fire protection around the building perimeters. The internal roads shall be designed to allow Kuna Rural Fire District access to each building. Developer will place fire hydrants on the property in locations determined by the Kuna Fire Marshall. Fire related signage shall be installed with guidance from the Kuna Fire Marshall. The water model results are to be reviewed and approved by the Kuna Rural Fire District.

3.11: **Grading Plan.** Developer shall provide a grading plan identifying how the Subject Property will be graded and contoured. The grading plan shall be reviewed and approved by the City engineer for its compliance with City standards.

3.12: Irrigation.

3.12.1: Developer shall comply with Idaho Code §31-3805 relating to irrigation water use. Irrigation/drainage waters shall not be impeded by on-site construction. Developer shall comply with lawful requirements of the Boise Project Board of Control.

3.12.2: At time of Construction Plans submittal, Developer shall provide the City engineer an irrigation plan for review and approval; if Developer uses the City irrigation utility, developer shall acquire all permits and inspections necessary to connect the commercial facility's irrigation system to the City irrigation utility; construct the irrigation system to the City's pressurized irrigation standards; and construct any off-site improvements necessary to connect into the City's water utility.

3.12.3: The use of potable water from the City utility shall not be employed for landscape irrigation purposes.

3.13: Land Use Requirements.

3.13.1: Developer shall comply with the City's land use requirements for residential zone development or, as modified by this Agreement.

3.13.2: Uses other than those existing at time of annexation, permitted, or specially permitted in the Agriculture and R-6 zones shall not be introduced on the property without further land use review or approvals.

3.13.3: Developer shall meet all requirements set forth in the City's zoning ordinance or, as modified by this Agreement.

3.14: Landscape.

3.14.1: Future site improvements will be subject to the City's landscape ordinance and design review processes depending on scope (note: the design review standards may differ from the City's landscape ordinance). An underground irrigation source shall be required for all of the site's landscape elements in accordance with the provisions of **KCC 5-17-11**. The use of potable water for landscape irrigation purposes is prohibited.

3.14.2: At time of development, Developer shall prepare for City review, a detailed landscape plan using native or suitable plants. The landscape plan is subject to the City's design review process. The landscape plan shall call out the method(s) of re-vegetating common open space and the periphery areas disturbed during any construction activities. The property's entire landscape scheme shall consist of organic materials. Accordingly, no hard-scape (*or gravel or rock*) materials shall be used for landscape purposes.

3.14.3: Employ vegetative buffers and landscape berming techniques along the property boundaries to minimize adverse land use impacts [compatibility issues]

with the adjoining neighbors. The landscape and buffer techniques shall be detailed in a landscape plan.

3.14.4: At time of development, developer shall submit landscape plans to the City forester for review and approval.

3.14.5: Any future landscape plan shall follow the landscape requirements and guidelines contained within KCC, which will be considered a binding site plan.

3.14.6: At time of development, developer shall place a landscape buffer along Ardell Road a minimum width of 20 feet from the property line in accordance with KCC.

3.15: Outdoor Lighting.

3.15.1: Future on-site lighting shall be designed and installed to minimize fugitive light and glare and installed so it does not unduly intrude on adjoining properties pursuant to requirements in the current Kuna City Code (KCC).

3.15.2: A lighting plan shall be submitted to the City director of planning services for review and approval in accordance with current KCC.

3.15.3: The future site lighting plan shall follow the provisions of current KCC.

3.16: Parking and Loading Standards.

3.16.1: On-site parking shall be installed in accordance with current City parking standards.

3.16.2: At time of development, Developer shall design and construct the parking area(s) according to the approved plans. The parking lot circulation pattern shall be designed so the patrons enter and exit the parking lot in a forward motion consistent with the provisions of current KCC.

3.16.3: Developer shall pave the area allocated for parking purposes with an approved asphalt material. The parking lot construction and methods of storm drainage mitigation are subject to the City engineer's review and approval. Parking spaces shall be designed where the motorist can enter and exit the spaces without obstruction.

3.16.4: Developer shall provide a site plan graphically demonstrating the method of onsite traffic circulation, parking lot placement and loading facility location and satisfy onsite parking space requirements.

3.16.5: The site's traffic circulation pattern and parking placement are subject to the Director of planning services review, consistent with the other provisions of this Agreement.

- 3.17: **Permits and Applicable Fees.** Developer shall acquire all permits and pay all applicable fees.
- 3.18: **Plat Map/Deed.** In the event of a lot line adjustment lot split, or subdivision, developer shall provide City a recorded record of survey and deed, or recorded plat for the property changes.
- 3.19: **Roads/Ada County Highway District.**
- 3.19.1: Developer shall comply with City and ACHD road improvement requirements.
- 3.19.2: Developer shall provide additional rights-of-way and/or easements necessary for utility and road widening purposes as required by the City and other agencies with jurisdiction. Developer shall record these easements with the Ada County Recorder's Office.
- 3.19.3: At time of development, Developer shall dedicate additional rights-of-way (ROW) along Ardell Road (a mid-mile Class Road) in accordance with City and ACHD ROW and classified roadway standards.
- 3.20: **Sanitary Sewer.**
- 3.20.1: Developer shall connect the Property to the City's sanitary sewer system according to City standards; provide the development's sanitary sewer design to the City engineer for review and approval; acquire all of the permits and inspections necessary to connect to the City's sewer utility; construct the sewer system to City standards and construct offsite improvements necessary to connect to the City's sewer utility.
- 3.20.2: in the event of development, Developer shall abandon and dismantle any onsite septic tank system and its component parts, according to City and Central District Health standards. The dismantling of a septic system requires collapsing and removing the lid, backfilling and compaction of the fill area.
- 3.21: **Sidewalks and Pathways.**
- 3.21.1: In accordance with KCC 6-4-2-Q, developer shall provide eight foot (8'), detached concrete sidewalks along the Columbia Roads frontage. The detached concrete sidewalks shall be minimum eight feet (8') in width. All sidewalks shall be built in accordance with the American with Disabilities Act (**ADA**) accessibility guidelines, as well as to ACHD and City engineer standards and specifications. The accompanying landscape strip shall be minimum eight feet (8') in width and include an irrigation system reliant upon a non-potable water source. Columbia Road at this location is designated as a Minor Arterial. The landscaping elements shall consist solely of organic materials. Developer shall provide a public easement for any sidewalk placed outside public rights-of-way. The placement of the sidewalk outside the public rights-of-way requires City approval. Sidewalks constructed as part of a curb cut installation shall be designed to

accommodate the additional loading impacts placed upon it by the weight of the vehicle.

3.21.2: Developer shall be responsible for snow removal along the sidewalks so they are pedestrian accessible within twenty-four hours of a snow event.

3.22: **Signage.**

3.22.1: No signs shall be placed on fences, buildings, or other structures unless approved through the City's design review process. Developer shall be in compliance with all signage requirements in place at the time developer seeks a sign permit.

3.22.2: All site signage and monument placement is subject to the City's design review process to include building identification signage. If site signage or monuments are lighted, they must be designed according to the City's outdoor lighting standards.

3.22.3: Temporary signage placed on the Property's fences, buildings, or other structures for advertising or promotion purposes shall be according to the City's signage placement provisions.

3.23: **Site Plans.** At the time developer applies for a building permit, developer shall provide an overall site/landscape plan, which shall be considered a binding site plan for purposes of the land use application.

3.24: **Storm-water and Drainage.**

3.24.1: The Property is subject to the City's storm-water and drainage standards at time of development. Stormwater impacts resultant from the development shall be mitigated in accordance with the City's storm water management policy. The engineer of record shall provide storm-water calculations, which comply with the City's storm-water policy requirements. The discharge of storm-water or drainage offsite requires written approval from the City and other agencies responsible for receiving the fugitive storm-waters.

3.24.2: Developer shall provide the City engineer with a storm-water management plan and a drainage design plan showing how drainage flows from impervious surfaces will be addressed in compliance with the City's drainage management guidelines. The drainage design plan shall also provide an erosion control plan for a 100-year event and shall depict all proposed site grading.

3.24.3: The City engineer shall approve a surface drainage run-off plan, which has been recommended by Central District Health Department (CDHD). The plan should be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties".

3.24.4: Developer shall not construct, grade, fill, clear or excavate the Property until the City engineer approves the storm water management plan and the drainage design plan. The drainage design plan shall include all proposed site grading.

3.24.5: Storm drainage and/or street runoff must be retained onsite.

3.24.6: Design the surface drainage system to minimize “ponding” issues to reduce mosquito breeding problems.

3.25: Street and Alleys.

3.25.1: All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the City and ACHD. Street functionality shall be determined according to the City’s Functional Classified Road Map. Widths for rights-of-way shall be according to the street typologies identified in current KCC, or ACHD’s standards, which ever standard is more stringent.

3.25.2: Developer shall enter into a license agreement with the transportation authority for landscape maintenance within the public rights-of-way, where applicable.

3.26: Street Name and Other Street Traffic Signs. Traffic signage shall be constructed and installed at appropriate street locations in accordance with ACHD and City standards as applicable.

3.27: Trash Enclosures/Solid Waste. The site’s solid waste disposal strategy is subject to design review. Developer shall provide an enclosed or a sight obscuring structure(s) for all trash collection containers. The design shall be approved by the City and J&M Sanitation services.

3.28: Trees.

3.28.1: Developer shall retain mature trees with diameters exceeding six-inches (6”) (if any exist), unless their removal is approved by City staff prior to their removal.

3.28.2: Developer shall provide a tree replacement strategy to compensate for tree removal, which provides no net tree loss (in terms of overall tree diameter reductions). Developer’s tree removal and replanting strategy is subject to the City arborist and Design Review Committee’s approval. Developer shall show the tree planting strategy and method of planting on the landscape plan(s) and provide for a year-round variety of trees that are compatible with the area.

3.29: Underground Storage Tanks, Utilities, Wells or Septic Systems.

3.29.1: Developer shall disconnect any onsite well(s) and septic systems and cap or remove them according to City and Health District standards.

3.29.2: If discontinued or impaired underground storage tanks are discovered during construction, they shall be removed or abandoned in accordance with federal, state and local agency requirements.

3.30: **Underground Utilities.**

3.30.1: Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services.

3.30.2: All public utilities shall be placed underground if possible. A utility easement of sufficient width as determined by the City engineer shall be placed around the exterior subdivision boundary for utility and drainage easement purpose. Utilities that cannot be placed underground are subject to the City's design review process.

3.31: **Water.**

3.31.1: Developer shall connect the property to the City's water system at time of development. Developer shall provide the development's potable water design to the City engineer for review and possible corrections. Developer shall acquire all permits and inspections necessary to connect into the City's potable water utility.

3.31.2: The potable water lines, meter locations and potable waterline valves shall be reviewed by the City public works staff and constructed and placed according to City standards. Potable water lines are to be looped through the property. Developer is responsible for constructing any off-site improvements necessary to connect into the City's potable water utility.

3.32: **Water Rights.** Water rights appurtenant to a tract of land shall be dedicated to the City in sufficient water quantities to offset the development's potential water demands as determined by the City engineer. The land's water rights shall not be sold, abandoned or transferred outside the City or Area of City Impact (ACI). All water rights must be transferred to Kuna City through the adoption of a water rights annexation ordinance.

3.32.2: It shall be the responsibility of the developer to secure irrigation water rights prior to the Kuna Municipal Irrigation District (KMID) allowing you to connect to the pressure irrigation (PI) system.

3.33: **Weeds.** Developer assumes responsibility for the control and removal of noxious weeds if present on the property until the development of the site is complete.

4. DEFAULT, REMEDIES.

4.1: **Default.** If Developer fails to comply with the terms of this Agreement within forty-five (45) days after written notice from the other party specifying the particulars of such failure, the complaining party may, without prejudice to any other rights or remedies, cure such default, enjoin such violation or otherwise enforce the commitments contained in this Agreement in any manner allowed by law; provided, however, if any failure to comply cannot with diligence be cured within such 45 day period, if the defaulting party shall commence to cure the same within such 45 day period and thereafter shall pursue the curing of same with diligence and continuity, then the time allowed to cure such failure may be extended for a period not to exceed 180 days.

- 4.2: **Consent to Rezone on Uncured Default.** In addition to other remedies set forth herein, if Developer fails to cure any material default within 120 days after written notice from City specifying the particulars of such material default, such failure shall be deemed consent to City to rezone the use to a suitable zone as determined by the City Council, pursuant to the requirements of applicable law.
- 4.3: **Waiver; Forbearance.** A waiver or forbearance by one party of any default by the other party of any one or more of the covenants or conditions hereof shall apply solely to the breach and breaches waived and shall not bar any other rights or remedies of the party or apply to any subsequent breach of other or future covenants and conditions.

5. ATTORNEY FEES.

- 5.1: In the event of any controversy, claim or legal action being filed or instituted between the parties to this Agreement to enforce the terms and conditions of this Agreement or arising from the breach of any provision hereof, the prevailing party will be entitled to receive from the other party reasonable attorney fees, expenses, and costs incurred by the prevailing party, including fees and costs on any appeal. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

6. RECORDATION, EFFECTIVE DATE, AND BINDING EFFECT.

- 6.1: **Recordation.** After approval and execution by City through its authorized agents, City shall record this Agreement, including all exhibits, against the Property in the real property records of Ada County, Idaho and provide Developer with a recorded copy of this Agreement.
- 6.2: **Effective Date.** This Agreement shall become effective upon the formal adoption and final publication of the zoning.
- 6.3: **Binding Effect; Assignment.** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including the City's governing authority and their successors in office. This Agreement shall run with the land and be binding on the owner of the Property, each subsequent owner and each other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed.
- 6.4: **Recordation of Termination.** Upon Developer's completion of all of its obligations under this Agreement, City shall provide developer, upon request, recordable evidence of City's concurrence that Developer's obligations under this Agreement have been completed.

7. GENERAL PROVISIONS.

- 7.1: **Incorporation of Recitals.** The recitals above and the exhibits referred to in this Agreement and attached hereto are incorporated into the Agreement as if set out in full

in the body of the Agreement. In the event of a conflict between any exhibit and the body of this Agreement, the Agreement shall control unless otherwise noted.

- 7.2: **Amendments.** Any alteration or change to this Agreement shall be made only after complying with the notice and hearing provision of Idaho Code Section §67-6509, as required by Kuna City Code, Title 5, Chapter 14.

7.2.1 It is anticipated this Agreement will be amended for time to time to accommodate the Developers development pursuits.

- 7.3: **Interpretation.** In construing this Agreement, feminine or neuter pronouns shall be substituted for those masculine in form and vice versa, plural terms shall be substituted for singular and singular for plural in any place in which the context so requires, and the word "including" shall be construed as if the words "but not limited to" appear immediately thereafter. The headings contained in this Agreement are for reference purposes only and shall not be construed or interpreted so as to limit or define the intent or the scope of any part of this Agreement. This Agreement shall not be construed more strictly against one party than against another merely by virtue of the fact that it may have been prepared by one of the parties, it being acknowledged that both parties have substantially and materially contributed to the preparation thereof. This Agreement and all rights and obligations of the parties shall be governed, construed, and interpreted under and pursuant to the laws of the state of Idaho.

- 7.4: **Final Agreement; Modifications.** This Agreement sets forth all promises, inducements, agreements, conditions and understandings between developer and City relative to the subject matter hereof and there are no promises, agreements, conditions or understanding, oral or written, express or implied, between developer and City, other than as are stated herein. This Agreement contains all conditions required by the City and supersedes conditions specified in City staff reports and any conflicting terms and conditions in prior development agreements concerning the land as to obligations between the parties to this Agreement. Except as herein otherwise provided, no subsequent alteration, amendment, changes or additions to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

- 7.5: **Notices.** All notice between the parties shall be deemed received when personally delivered or when deposited in the United States mail postage prepaid, registered or certified, with return receipt requested, or sent by telegram or mail-o-gram or by recognized courier delivery (e.g., Federal Express, Airborne, Burlington), addressed to the parties, as the case may be, at the address set forth below or at such other addresses as the parties may subsequently designate by written notice given in the manner provided in this Section:

To City: City of Kuna
Attn: Mayor of the City of Kuna
P.O. Box 13
Kuna, ID 83634

To Developer: Mark And Yvonne Kirkpatrick
2021 W. Ardell Road
Kuna, ID 83634

Either party shall give notice to the other party of any change of such party's address for the purpose of this section by giving written notice of such change to the other party in the manner herein provided.

- 7.5: **Time of the Essence.** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the party so failing to perform.
- 7.6: **Severability.** If any term or provision of this Agreement shall, to any extent be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforceable to the fullest extent permitted by law; and it is the intention of the parties hereto that if any provision of this Agreement is capable of two constructions, one of which would render the provision void and the other of which would render the provision valid, the provision shall have the meaning which renders it valid.

[end of text; signatures to follow]

The parties have executed this Agreement as of the date first set forth above.

"City"

CITY OF KUNA, an Idaho municipal corporation

By: _____

Date: _____

ATTEST:

City Clerk

Date: _____

"Developer"

Mark Kirkpatrick

By: _____

Date: _____

"Developer"

Yvonne Kirkpatrick

By: _____

Date: _____

City:

State of Idaho)

: ss

County of Ada)

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 2014.

And who personally appeared before me _____

(SEAL)

Notary Public: _____

My Commission Expires on: _____

Developer:

State of Idaho)

: ss

County of Ada)

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 2014.

And who personally appeared before me _____

(SEAL)

Notary Public: _____

My Commission Expires on: _____

Developer:

State of Idaho)

: ss

County of Ada)

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 2014.

And who personally appeared before me _____

(SEAL)

Notary Public: _____

My Commission Expires on: _____



City of Kuna

Findings of Fact, Conclusions of Law

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

To: Planning and Zoning Commission

Case Number(s): 14-02-AN (Annexation) and 14-03-DA (Development Agreement).
Kirkpatrick Annexation

Location: 2021 W. Ardell Road
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Hearing Date: July 22, 2014
Findings of Fact: August 12, 2014

Applicant: Mark and Yvonne Kirkpatrick
2021 W. Ardell Road
Kuna, Idaho 83634
208.922.1942
ymkirk@gmail.com

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- A. Course Proceedings
- B. Applicants Request
- C. Vicinity and Aerial Maps
- D. History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Comprehensive Plan Analysis
- I. Findings of Fact
- J. Conclusions of Law
- K. Decision by the Commission

A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation and a development agreement is designated as a public hearing, with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|---------------------------|---------------------------------------|
| i. Neighborhood Meeting | February 20, 2014 (3 people attended) |
| ii. Agencies | March 27, 2014 |
| iii. 300' Property Owners | July 7 2014 |
| iv. Kuna, Melba Newspaper | July 2, 2014 |
| v. Site Posted | July 12, 2014 |

B. Applicants Request:**1. Request:**

Applicant requests approval to annex approximately 6.8 acres into the City limits and to split the existing parcel into two parcels. Applicant requests the Agriculture zone (Ag) for parcel one (approx. 1.3 acres), where the applicant will continue to grow crops and live. Applicant seeks an R-6 (Medium Density) zone for parcel two (approx. 5.5 acres) and hopes to attract a subdivision developer in the future. Until such time, it is anticipated the two will continue enjoying its existing agricultural uses, just in the City limits. Applicant is aware a development agreement will be recorded to guide all future development.

C. Vicinity and Aerial Maps:

D. History: The parcel is adjacent to the City limits and is currently zoned RUT (Rural Urban Transition) and contains a home, out buildings and the majority of the lands are currently farmed. This parcel has historically been farmed.

E. General Projects Facts:

- Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Medium Density Residential. Staff views this land use request to be consistent with the approved FLU map.
- Surrounding Land Uses:**

North	RR	Rural Residential – Ada County
South	R-3	Low Density Residential – Kuna City
East	RUT	Rural Urban Transition – Ada County
West	R-6	Medium Density Residential – Kuna City

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 6.8 total acres
- RUT, Rural Urban Transition
- Parcel # - S1315427807

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently there is a home where the applicant lives and a couple of out buildings. The site has been used for agriculture activities and it is anticipated it will continue its historic uses on both parcels, until the larger parcel is developed in the future.

6. **Transportation / Connectivity:** The existing access for the parcel is off Ardell Road. This site will be required to provide connections to existing stubs when development occurs along with a possible connection to Ardell Road for the future subdivision.

7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat.

8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Central District Health Department, Ada County Highway District (ACHD), Department of Environmental Quality (DEQ) and Boise Project Board of Control. The responding agency comments are included as exhibits with this case file.

F. Staff Analysis:

This site is located near the southwest corner (SWC) of Ten Mile & Ardell Roads and near Crimson Point North and Crimson Point Subdivisions. Applicant requests to annex into the City and split the parcel into two. Parcel one will be approx. 1.3 acres in size and an existing residence will remain on it which will rely on a septic tank & well for now. The remaining 5.5 acres has been historically farmed and it is anticipated those uses will continue. In the future, those 5.5 acres will likely be developed into a subdivision.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case #'s 14-02-AN and 14-03-DA, subject to the recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,
2. City of Kuna Subdivision Ordinance No. 2012-18, Title 5 Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Comprehensive Plan Analysis:

The Kuna Planning and Zoning Commission, accepts the Comprehensive Plan components as described below.

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

GOALS AND POLICY – Property Rights

Goal 1: *Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.*

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criterion established to determine the potential for property taking.

GOALS AND POLICY – Economic Development

Goal 1: *Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.*

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICY – Land Use

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

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: 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.

I. Findings of Fact:

1. This request appears to be in compliance with all ordinances and laws of the City and appears to be consistent with Kuna City Code (KCC).
2. The use appears to meet the general objectives of Kuna’s Comprehensive Plan.
3. The site is physically suitable for a subdivision.
4. The annexation and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The annexation application is not likely to cause adverse public health problems.
6. 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.
7. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
8. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
9. Based on the evidence contained in Case No.s 14-02-AN and 14-03-DA, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Planning and Zoning Commission has the authority to recommend approval or denial for these applications.

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

J. Conclusions of Law:

1. Based on the evidence contained in Case No.s 14-02-AN and 14-03-DA, the Kuna Planning and Zoning Commission finds Case No.s 14-02-AN and 14-03-DA, comply with Kuna City Code.
2. Based on the evidence contained in Case No.s 14-02-AN and 14-03-DA, the Kuna Planning and Zoning Commission finds Case No.s 14-02-AN and 14-03-DA, are 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.

K. Recommendation by the Commission:

Note: This proposed motion is for approval or denial of this request. However, if the Commission wishes to approve or deny specific parts of the request as detailed in this report, they must be specified.

On July 22, 2014, the Planning and Zoning Commission voted 5-0, to *recommend approval* for Case No.s 14-02-AN and 14-03-DA, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho. The Commission hereby recommends *approval* for Case No.s 14-02-AN and 14-03-DA, a request for annexation and a development agreement from Mark and Yvonne Kirkpatrick, with the following conditions of approval:

Recommended Conditions of Approval to City Council:

- Follow all staff and agency recommendations as appropriate.
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 shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
 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 be commenced without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With future 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. Future lighting within the site shall comply with Kuna City Code as stated in KCC 5-9-5-B.
6. Future parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
7. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise).
8. Future signage within the site shall comply with Kuna City Code (A sign permit is required prior to sign construction).
9. 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.
10. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
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 Council, or seek amending them through public hearing processes.
12. The applicant's future landscape plan shall be considered a binding site plan, or as modified by the Commission through DRC.
13. Any future development is subject to landscaping design review, among other land use applications as applicable, at time of development. The entire site will also be subject to the same.
14. Applicant shall follow all staff, City engineer and other agency recommended requirements as applicable.
15. Developer shall comply with all local, state and federal laws.

DATED: This 12th day of August, 2014.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Troy Behunin, Senior Planner
Kuna Planning and Zoning Department



City of Kuna

Staff Report

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

To: City Council

Case Number(s): 14-04-AN (Annexation)
Ben Bernier Annexation

Location: 452 S. Swan Falls Rd.
 Kuna, ID 83634

Planner: Troy Behunin, Senior Planner

Hearing Date: September 2, 2014

Applicant: **Ben Bernier**
 452 S. Swan Falls Rd.
 Kuna, ID 83634
 208.571.3780
sks2bu77@gmail.com

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- E. General Project Facts
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- H. Comprehensive Plan Analysis
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Proposed Decision by the Commission
- L. Recommended order of decision by City Council

A. Course of Proceedings

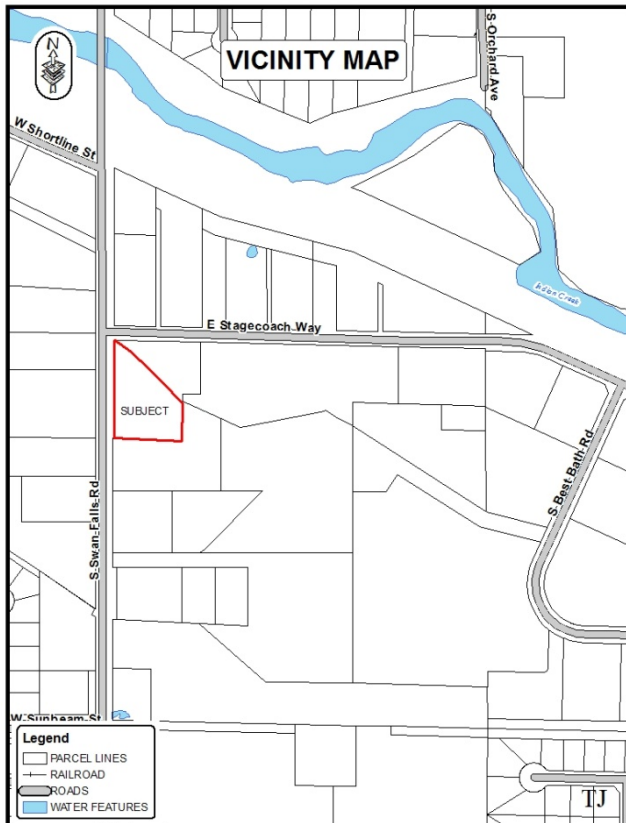
1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation into City limits is designated as a public hearing, with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|---------------------------|---------------------------------------|
| i. Neighborhood Meeting | March 28, 2014 (Zero people attended) |
| ii. Agencies | May 28, 2014 |
| iii. 300' Property Owners | August 18 2014 |
| iv. Kuna, Melba Newspaper | August 13, 2014 |
| v. Site Posted | August 19, 2014 |

B. Applicants Request:**1. Request:**

- Applicant is requesting annexation of an approximately 1.6 acre parcel into the City of Kuna with an R-4 (Medium Density Residential District) zoning designation from its current Ada County zoning of R1 (Estate Residential).

C. Vicinity and Aerial Maps:

D. History: The parcel is adjacent to the City limits and is currently zoned R1 (Estate Residential) and contains a residence and two out buildings.

E. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Medium Density Residential. Staff views this land use request to be consistent with the approved FLU map.

2. **Surrounding Land Uses:**

North	L-O	Limited Office – Ada County
South	R1	Estate Residential – Kuna City
East	R1	Estate Residential – Ada County
West	R-6, Ag	Medium Density Residential, Agriculture – Kuna City

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 1.6 acres
- R1, Estate Residential
- Parcel # - S1325233780

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently there is a residence where the applicant lives and two out buildings. Existing vegetation is similar to typical residential parcels.

6. **Transportation/Connectivity:** The existing access for the parcel is off S. Swan Falls Road. This application does not seek additional or alternative access.

7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat.

8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Central District Health Department and Boise Project Board of Control. The responding agency comments are included as exhibits with this case file.

F. Staff Analysis:

This site is located near the southeast corner (SEC) of Swan Falls & Stagecoach Roads. Applicant requests to annex into the City limits. There is an existing residence which will rely on a septic tank & well for now.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and Kuna Comprehensive Plan; and forwards a recommendation of approval for Case #'s 14-02-AN, 14-03-DA and 14-01-LS, subject to the recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,

2. City of Kuna Subdivision Ordinance No. 2012-18, Title 5 Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Comprehensive Plan Analysis:

The Kuna City Council, accepts the Comprehensive Plan components as described below.

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

GOALS AND POLICY – Property Rights

Goal 1: *Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.*

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criterion established to determine the potential for property taking.

GOALS AND POLICY – Economic Development

Goal 1: *Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.*

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICY – Land Use

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

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: 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.

I. Proposed Findings of Fact:

1. This request appears to be in compliance with all ordinances and laws of the City and appears to be consistent with Kuna City Code (KCC).
2. The use appears to meet the general objectives of Kuna’s Comprehensive Plan.
3. The site is physically suitable for a subdivision.
4. The annexation and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The annexation application is not likely to cause adverse public health problems.
6. 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.
7. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
8. The Kuna City Council accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.

9. Based on the evidence contained in Case No. 14-04-AN, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Kuna City Council has the authority to approve or deny these applications.
11. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

J. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No. 14-04-AN the Kuna City Council finds Case No. 14-04-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No. 14-04-AN, the Kuna City Council finds Case No. 14-04-AN, is consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

K. Recommendation by the Commission:

On July 22, 2014, the Planning and Zoning Commission voted 5-0, to *recommend approval* for Case No. 14-04-AN, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho. The Commission hereby recommends *approval* for Case No. 14-04-AN, a request for annexation from Ben Bernier, with the following conditions of approval:

- *Follow all staff and agency recommendations as appropriate.*

L. Recommended order of decision by City Council:

Note: This proposed motion is for approval or denial of this request. However, if the Council wishes to approve or deny specific parts of the request as detailed in this report, they must be specified.

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the 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 approve any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
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 be commenced without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With future 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. In the event of future development, lighting within the site shall comply with Kuna City Code as stated in KCC 5-9-5-B.
6. In the event of future development, parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
7. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise).
8. In the event of future development, future signage within the site shall comply with Kuna City Code (A sign permit is required prior to sign construction).
9. 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 approved by the public entities owning the property.
10. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
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 Council, or seek amendment to them through public hearing processes.
12. In the event of future development, the applicant's landscape plan shall be considered a binding site plan, or as modified by the Commission through DRC.
13. Any future development is subject to landscaping design review, among other land use applications as applicable, at time of development. The entire site will also be subject to the same.
14. Applicant shall follow all staff, City engineer and other agency recommended requirements as applicable.
15. Developer shall comply with all local, state and federal laws.

DATED this ____, day of ____, 2014.

MAR 31 2014

CITY OF KUNA



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

For Office Use Only	
File Number (s)	1404-AN
Project name	B. BERNIER ANNEX
Date Received	MARCH 31, 2014
Date Accepted/ Complete	
Cross Reference Files	N/A
Commission Hearing Date	
City Council Hearing Date	

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

Contact/Applicant Information

Owners of Record: <u>Ben Bernier</u>	Phone Number: <u>208-571-3780</u>
Address: <u>452 S. Swan Falls Rd</u>	E-Mail: <u>SKS2BL77@gmail.com</u>
City, State, Zip: <u>Kuna, Id, 83634</u>	Fax #: _____
Applicant (Developer): <u>SAME</u>	Phone Number: _____
Address: <u>452 S. SWAN FALLS RD.</u>	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Engineer/Representative: _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____

Subject Property Information

Site Address: <u>452 S. Swan Falls Rd Kuna ID 83634</u>	
Site Location (Cross Streets): <u>Stagecoach Rd / Swan Falls Rd, Southwest</u>	
Parcel Number (s): <u>S1325233780</u>	
Section, Township, Range: _____	
Property size: <u>1.6 Acre</u>	
Current land use: <u>Residential</u>	Proposed land use: <u>Residential</u>
Current zoning district: <u>R1</u>	Proposed zoning district: <u>R-4</u>

Project Description

Project / subdivision name: <u>Ben Bernier Annex INTO city OF Kunz</u>
General description of proposed project / request: <u>Annex into city limits</u>
Type of use proposed (check all that apply):
☒ Residential _____
☐ Commercial _____
☐ Office _____
☐ Industrial _____
☐ Other _____
Amenities provided with this development (if applicable): _____

Residential Project Summary (if applicable)

Are there existing buildings? ☒ Yes ☐ No
Please describe the existing buildings: <u>single Family Home</u>
Any existing buildings to remain? ☒ Yes ☐ No
Number of residential units: <u>1</u> Number of building lots: <u>1</u>
Number of common and/or other lots: <u>0</u>
Type of dwellings proposed:
☒ Single-Family <u>existing</u>
☐ Townhouses _____
☐ Duplexes _____
☐ Multi-Family _____
☐ Other _____
Minimum Square footage of structure (s): <u>1500 SQ/FT</u>
Gross density (DU/acre-total property): _____ Net density (DU/acre-excluding roads): _____
Percentage of open space provided: _____ Acreage of open space: _____
Type of open space provided (i.e. landscaping, public, common, etc.): _____

Non-Residential Project Summary (if applicable)

Number of building lots: _____	Other lots: _____
Gross floor area square footage: _____	Existing (if applicable): _____
Hours of operation (days & hours): _____	Building height: _____
Total number of employees: _____	Max. number of employees at one time: _____
Number and ages of students/children: _____	Seating capacity: _____
Fencing type, size & location (proposed or existing to remain): _____	
Proposed Parking:	a. Handicapped spaces: _____ Dimensions: _____
	b. Total Parking spaces: _____ Dimensions: _____
	c. Width of driveway aisle: _____
Proposed Lighting: _____	
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____	

Applicant's Signature: Ben Bernier Date: 17 mar 14

MAR 31 2014

CITY OF KUNA

March 19 2014
City Of Kuna
763 W. Avalon
Kuna, ID 83634

Dear Mayor and Council:

RE: Ben Bernier Property Annexation – Letter of intent

Please consider this request for annexation of the property located at 452 S. Swan Falls Road, into the City of Kuna. The property is approximately 1.6 acres in size. The property is currently zoned as R-1 and the intent is to zone the property to an R-4 zoning. The Property has one existing dwelling, where I reside currently, and I have no further plans to add separate dwellings at this time.

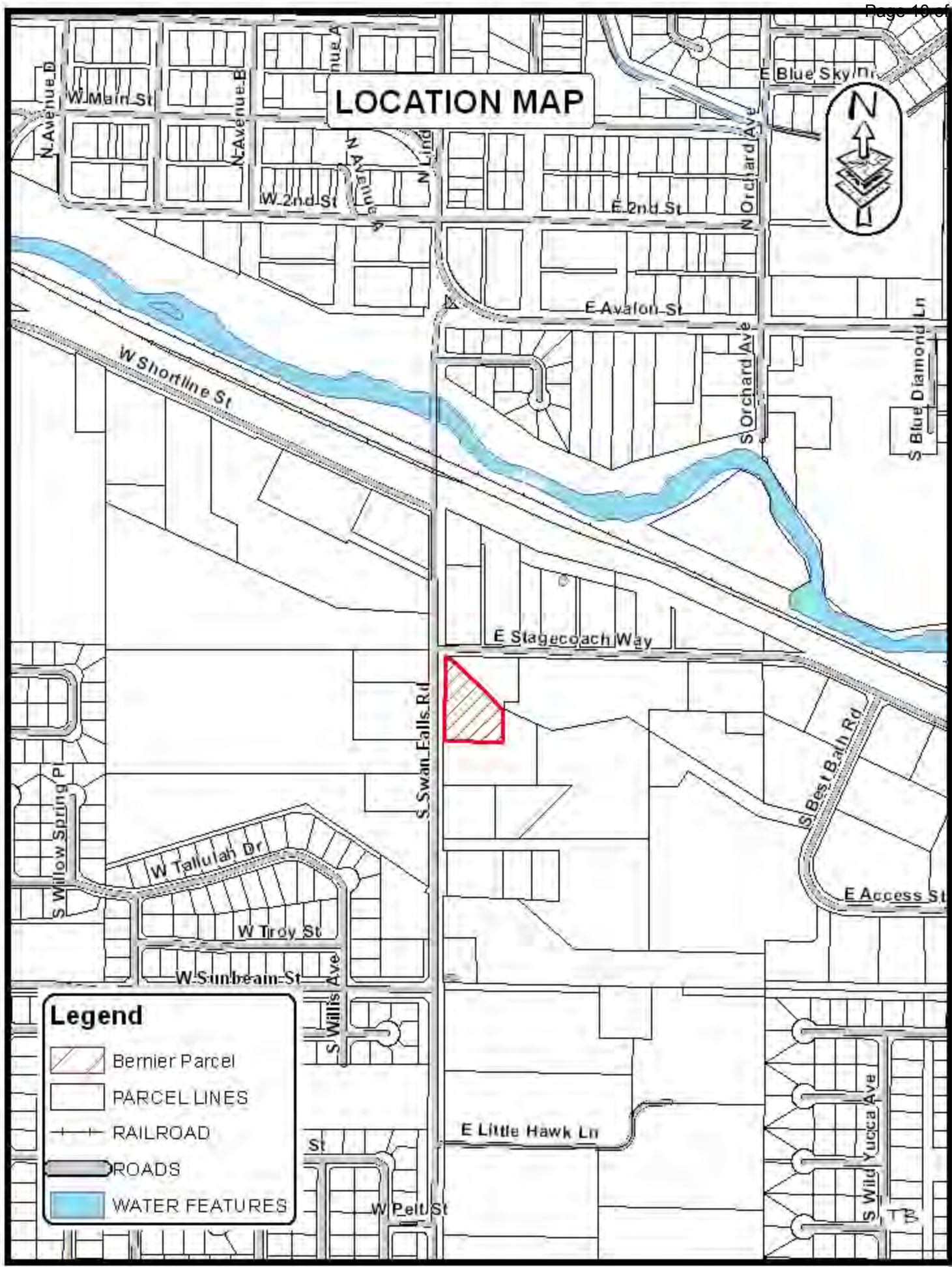
City water is currently connected to the dwelling and city sewer is not available at this time. Connection to city sewer will not be a required condition of annexation at this time because the home has an established working septic system.

Thank you for your consideration on this application. I look forward to working with you and your staff, being more of a part of this great City of Kuna and would like to request approval of this annexation. Please contact me if you should have any questions regarding this request.

Sincerely,



Ben Bernier
452 S. Swan Falls Road
Kuna, ID 83634



AERIAL MAP



E Stagecoach Way

S Swan Falls Rd



TB



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, Ben Bernier, 452 Swan Falls Rd
Name Address
Kuna, ID 83634
City State Zip Code

being first duly sworn upon oath, depose and say:

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

- A. That I am the record owner of the property described on the attached, and I grant my permission to _____
Name Address
to submit the accompanying application pertaining to that property.
- B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.
- C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose of site inspections related to processing said application(s),

Dated this 20 day of March, 2014

Ben Bernier

Signature

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

Notary Public for Idaho

Residing at: _____

My commission expires: _____



IDAHO
SURVEY
GROUP

RECEIVED

MAR 31 2014

CITY OF KUNA

1450 East Watertower St.
Suite 130
Meridian, Idaho 83642

Phone (208) 846-8570

Fax (208) 884-5399

Job No. 14-041

March 19, 2014

ANNEXATION DESCRIPTION FOR BENJAMIN BERNIER PROPERTY

A parcel of land located in the SW 1/4 of the NW 1/4 of Section 25, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the NW corner of the SW 1/4 of the NW 1/4 of said Section 25 (N1/16 corner) from which the W 1/4 corner of said Section 25 bears South 00°00'00" West, 1331.38 feet;

Thence along the West boundary line of said Section 25 South 00°00'00" West, 2.00 feet to the **REAL POINT OF BEGINNING**;

Thence continuing along said West boundary line South 00°00'00" West, 358.00 feet;

Thence leaving said West boundary line South 87°45'45" East, 270.63 feet;

Thence North 01°27'42" East, 126.51 feet to a point on the centerline of the South Railroad Canal;

Thence along said centerline the following 4 courses:

Thence North 42°41'27" West, 111.56 feet;

Thence North 46°28'00" West, 145.92 feet;

Thence North 54°14'57" West, 80.28 feet;

Thence North 64°52'54" West, 29.90 feet to the **REAL POINT OF BEGINNING**.
Containing 1.60 acres, more or less.

This description was written from data of record and not verified with a survey on the ground.

Prepared by:
Idaho Survey Group, P.C.



Gregory G. Carter, P.L.S.



IDAHO
SURVEY
GROUP

RECEIVED

MAR 31 2014

CITY OF KUNA

1450 East Watertower St.
Suite 130
Meridian, Idaho 83642

Phone (208) 846-8570
Fax (208) 884-5399

Job No. 14-041

March 19, 2014

CLOSURE SHEET FOR BENJAMIN BERNIER PROPERTY ANNEXATION

Section Tie

Course: S 00°00'00" W Length: 2.00 to RPOB

Course: S 00°00'00" W Length: 358.00'

Course: S 87°45'45" W Length: 270.63'

Course: S 01°27'42" E Length: 126.51'

Course: N 42°41'27" W Length: 111.56'

Course: N 46°28'00" W Length: 145.92'

Course: N 54°14'57" W Length: 80.28'

Course: N 64°52'54" W Length: 29.90'

Area: 69868.69

1.60 acres

Error of Closure: 0.000

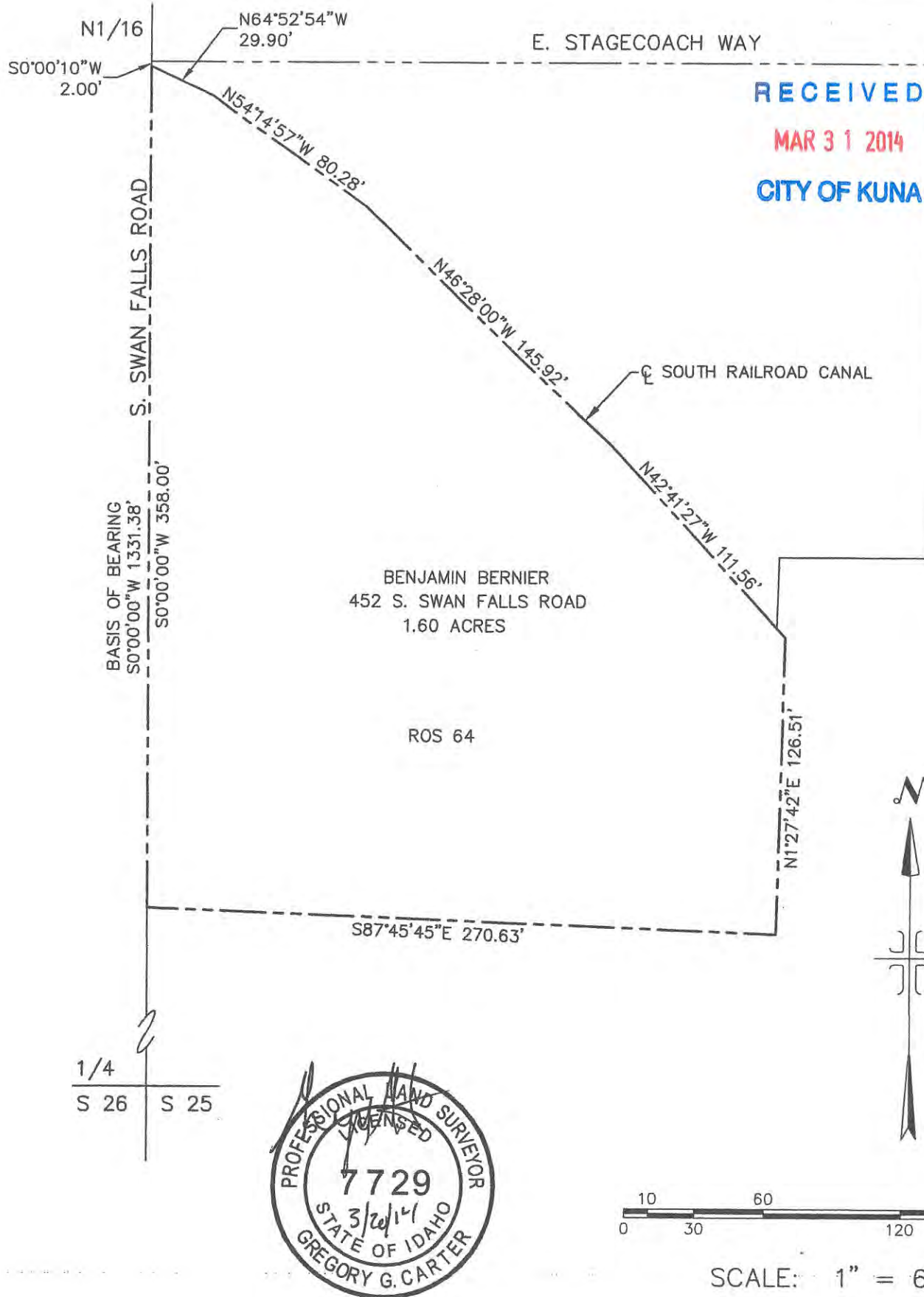
Course: S 90-00-00 E

Precision 1: 1122805210.45

Prepared by:
Idaho Survey Group, P.C.



Gregory G. Carter, P.L.S.



S:\ISG Projects\452 Swan Falls Rd Annexation 14-041\dwg\exhibit.dwg 3/19/2014 3:49:45 PM



IDAHO
SURVEY
GROUP, P.C.

1450 E. WATERTOWER ST.
SUITE 130
MERIDIAN, IDAHO 83642
(208) 848-8570

ANNEXATION EXHIBIT FOR
BENJAMIN BERNIER

LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 25, T.2N., R.1W., B.M.,
ADA COUNTY, IDAHO

JOB NO.
14-041

SHEET NO
1

DWG. DATE
3/19/2014

MAR 31 2014

CITY OF KUNA

EXHIBIT "A"

195806

That portion of the following described property lying South of the Southerly boundary of the South Railroad Canal, described as follows:

Beginning at the Northwest corner of the SW 1/4 of the NW 1/4 of Section 25, Township 2 North, Range 1 West, Boise-Meridian, Ada County, Idaho; thence
South 360 feet along the West boundary of the aforesaid Section 25; thence
East 270 feet; thence
North 150 feet; thence
East 65 feet; thence
North 210 feet to the North boundary of the aforesaid SW 1/4 of the NW 1/4; thence
West 335 feet along the aforesaid North boundary to the POINT OF BEGINNING.

**CITY OF KUNA****P.O. BOX 13****KUNA, ID 83634**www.cityofkuna.com**Telephone (208) 287-1727; Fax (208) 287-1731****Email: gordon@cityofkuna.com**

MEMORANDUM**TO:** Director of Kuna Planning and Zoning**FROM:** Gordon N. Law
Kuna City Engineer**RE:** Ben Bernier – 452 S. Swan Falls Road
Annexation and Rezone
14-04-AN, 14-03-DA, 14-01-LS**DATE:** June 6, 2014

The City Engineer has reviewed the annexation request of the above applicant dated May 28, 2014. It is noted that the site is occupied by a single family residence and that no development plans are provided. The City Engineer's comments will be abbreviated and will assume that any development beyond the present use would require a new application and opportunity to comment appropriately at that time. Accordingly, the City Engineer provides the following comments:

1. Sanitary Sewer Needs

- a) The City has sufficient sewer treatment capacity to serve this site. The Sewer Master Plan for disposal of wastewater from this area proposes discharge into Ten Mile Lift Station for ultimate treatment at the South Wastewater Treatment facility. This site is not presently connected to the city system and would be subject to connection fees for the demand of the ultimate connected load as provided in the City's Standard Table.
- b) This property was not included in Local Improvement District 2006-1 and has no reserved connections. Treatment capacity may be secured for this site only from those who have reserved capacity or from capacity not reserved and upon payment of appropriate fees.
- c) The existing homestead appears to be served by its own septic tank and drain field. The city does not have a sewer main in the vicinity deep enough to serve this parcel.
- d) The City Engineer recommends the continued utilization of the site facilities as long as the existing use is maintained and the site system remains viable.
- e) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

2. Potable Water Needs

- a) This site is connected to the City Water system. No further comments are pertinent.

3. Pressure Irrigation

- a) The property's irrigation needs are presently served by City water and the Boise-Kuna Irrigation District. Until development occurs, it is recommended the site facilities and surface water rights continue to serve these needs.
- b) The closest city pressure irrigation facilities are located 950 feet south of the site in Sunbeam Street.

4. Grading and Storm Drainage (Not Applicable)

5. General (Not Applicable)

6. Inspection Fees (Not Applicable)

7. Right-of-Way

The subject property fronts on its west side on a section line minor arterial street (Swan Falls). The following conditions are related to these classified streets and are **generally applicable at the time of development** such as platting:

- a) Sufficient half right-of-way on the quarter line and section line for the classified streets should be provided pursuant to City and ACHD standards.
- b) It is recommended approaches onto the classified street complies with ACHD approach policies.
- c) It is recommended sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided at the time of land-use change or re-development.

8. As-Built Drawings (Not Applicable)

9. Property Description

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

RICHARD DURRANT
CHAIRMAN OF THE BOARD

GRAHAM PATERSON
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

12 June 2014

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

RE: Ben Bernier
452 S Swan Falls Rd.
Boise-Kuna Irrigation District
S. Railroad Lateral 166+30
Sec. 25, T2N, R1W, BM.

14-04-AN

BK-389 A

RECEIVED

JUN 18 2014

Troy Behunin:

KUNA CITY CLERK

The Boise Project has no objection to the annexation request for the above-mentioned property; however, it does lie next to a Federal Facility, the S. Railroad Lateral. Any future development or changes to this property should be aware of the following comments.

The United States' South Railroad Lateral lies along the 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 this federal easement 20 feet both directions 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.

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 an appropriate easement.

If the irrigation system will be incorporated into the City of Kuna's pressure system, we will require confirmation from both the City of Kuna and the Boise-Kuna Irrigation District prior to review and approval of an irrigation plan by Boise Project Board of Control.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Carter", with a stylized flourish at the end.

Bob Carter
Assistant Project Manager, BPBC

bdc/bc

cc:	Dan Sheirbon	Watermaster, Div; 3 BPBC
	Lauren Boehlke	Secretary – Treasurer, BKID
	File	



CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

Return to:

- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

Rezone # 14-01-AN

Conditional Use # _____

Preliminary / Final / Short Plat _____

Sect. 25

- ☒ 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
 - ☐ waste flow characteristics
 - ☐ bedrock from original grade
 - ☐ 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.

RECEIVED

JUN 18 2014

KUNA CITY CLERK

☐ 14. _____

Reviewed By: [Signature]
Date: 6/16/14



City of Kuna

Findings of Fact and Conclusions of Law

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

To: Planning and Zoning Commission

Case Number(s): 14-04-AN (Annexation)
Ben Bernier Annexation

Location: 452 S. Swan Falls Rd.
Kuna, ID 83634

Planner: Troy Behunin, Senior Planner

Hearing Date: July 22, 2014

Findings of Fact: August 12, 2014

Applicant: Ben Bernier
452 S. Swan Falls Rd.
Kuna, ID 83634
208.571.3780
sks2bu77@gmail.com

Table of Contents:

- A. Course Proceedings
- B. Applicants Request
- C. Vicinity and Aerial Maps
- D. History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Comprehensive Plan Analysis
- I. Findings of Fact
- J. Conclusions of Law
- K. Decision by the Commission

A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation into City limits is designated as a public hearing, with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|---------------------------|---------------------------------------|
| i. Neighborhood Meeting | March 28, 2014 (Zero people attended) |
| ii. Agencies | May 28, 2014 |
| iii. 300' Property Owners | July 7 2014 |
| iv. Kuna, Melba Newspaper | July 2, 2014 |
| v. Site Posted | July 12, 2014 |

B. Applicants Request:**1. Request:**

- Applicant is requesting annexation of an approximately 1.6 acre parcel into the City of Kuna with an R-4 (Medium Density Residential District) zoning designation from its current Ada County zoning of R1 (Estate Residential).

C. Vicinity and Aerial Maps:

D. History: The parcel is adjacent to the City limits and is currently zoned R1 (Estate Residential) and contains a residence and two out buildings.

E. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Medium Density Residential. Staff views this land use request to be consistent with the approved FLU map.

2. **Surrounding Land Uses:**

North	L-O	Limited Office – Ada County
South	R1	Estate Residential – Kuna City
East	R1	Estate Residential – Ada County
West	R-6, Ag	Medium Density Residential, Agriculture – Kuna City

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 1.6 acres
- R1, Estate Residential
- Parcel # - S1325233780

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently there is a residence where the applicant lives and two out buildings. Existing vegetation is similar to typical residential parcels.
6. **Transportation/Connectivity:** The existing access for the parcel is off S. Swan Falls Road. This application does not seek additional or alternative access.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat.
8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Central District Health Department and Boise Project Board of Control. The responding agency comments are included as exhibits with this case file.

F. Staff Analysis:

This site is located near the southeast corner (SEC) of Swan Falls & Stagecoach Roads. Applicant requests to annex into the City limits. There is an existing residence which will rely on a septic tank & well for now.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and Kuna Comprehensive Plan; and forwards a recommendation of approval for Case #'s 14-02-AN, 14-03-DA and 14-01-LS, subject to the recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,

2. City of Kuna Subdivision Ordinance No. 2012-18, Title 5 Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Comprehensive Plan Analysis:

The Kuna Planning and Zoning Commission, accepts the Comprehensive Plan components as described below.

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

GOALS AND POLICY – Property Rights

Goal 1: *Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.*

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criterion established to determine the potential for property taking.

GOALS AND POLICY – Economic Development

Goal 1: *Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.*

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICY – Land Use

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

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: 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.

I. Findings of Fact:

1. This request appears to be in compliance with all ordinances and laws of the City and appears to be consistent with Kuna City Code (KCC).
2. The use appears to meet the general objectives of Kuna’s Comprehensive Plan.
3. The site is physically suitable for a subdivision.
4. The annexation and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The annexation application is not likely to cause adverse public health problems.
6. 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.
7. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
8. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.

9. Based on the evidence contained in Case No. 14-04-AN, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Planning and Zoning Commission has the authority to recommend approval or denial for these applications.
11. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

J. Conclusions of Law:

1. Based on the evidence contained in Case No. 14-04-AN the Kuna Planning and Zoning Commission finds Case No. 14-04-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No. 14-04-AN, the Kuna Planning and Zoning Commission finds Case No. 14-04-AN, is consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

K. Recommendation by the Commission:

Note: This proposed motion is for approval or denial of this request. However, if the Commission wishes to approve or deny specific parts of the request as detailed in this report, they must be specified.

On July 22, 2014, the Planning and Zoning Commission voted 5-0, to *recommend approval* for Case No. 14-04-AN, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho. The Commission hereby recommends *approval* for Case No. 14-04-AN, a request for annexation from Ben Bernier, with the following conditions of approval:

Recommended Conditions of Approval to City Council:

- *Follow all staff and agency recommendations as appropriate.*
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the 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 approve any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
 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 be commenced without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With future 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. In the event of future development, lighting within the site shall comply with Kuna City Code as stated in KCC 5-9-5-B.
6. In the event of future development, parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
7. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise).
8. In the event of future development, future signage within the site shall comply with Kuna City Code (A sign permit is required prior to sign construction).
9. 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 approved by the public entities owning the property.
10. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
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 Council, or seek amendment to them through public hearing processes.
12. In the event of future development, the applicant's landscape plan shall be considered a binding site plan, or as modified by the Commission through DRC.
13. Any future development is subject to landscaping design review, among other land use applications as applicable, at time of development. The entire site will also be subject to the same.
14. Applicant shall follow all staff, City engineer and other agency recommended requirements as applicable.
15. Developer shall comply with all local, state and federal laws.

DATED this 12th, day of August, 2014,

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST

Troy Behunin, Senior Planner
Kuna Planning and Zoning Department



City of Kuna

Findings of Fact & Conclusions of Law

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

To: Planning and Zoning Commission and the P&Z acting as Design Review Committee

Case Number(s): 14-01-S Subdivision, 14-01-DR Design Review for Sailor Shores Meadows Subdivision.

Location: SWC Sailor Place and Avalon Road
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Meeting Date: June 10, 2014

Findings of Fact: June 24, 2014

Applicants: New Horizon Construction Comp., LLC
Alex Macdonald
921 W. Rush Road
Eagle, Idaho 83616
208.284.5506
newhorizonconstruction@gmail.com

Project Engineer: B&A Engineers
Joe Canning
5505 W. Franklin Rd.
Boise, Idaho 83705
208.343.3381

Table of Contents:

- A. Course Proceedings
- B. General Facts, Staff Analysis
- C. Applicable Standards
- D. Comprehensive Plan Analysis
- E. Findings of Fact
- F. Conclusions of Law
- G. Decision by the Commission

A. Course of Proceedings

1. Proposing a Preliminary Plat for a residential subdivision is designated in Kuna City Code (KCC), 1-14-3 as a public hearing matter, with the City Council as the decision making body. This land use request provided proper public notice and followed the requirements set forth in Idaho Code, Chapter 65-Local Planning Act.

a. Notifications

- | | |
|----------------------------|---------------|
| i. Agencies | April 3, 2014 |
| ii. 300' Property Owners | May 23, 2014 |
| iii. Kuna, Melba Newspaper | May 14, 2014 |
| iv. Site Posted | May 17, 2014 |

2. In accordance with KCC Title 6 in Kuna City Code (KCC) this application seeks re-approval for a Preliminary Plat (residential subdivision) and PUD, known as Sailor Shores Meadows Subdivision.

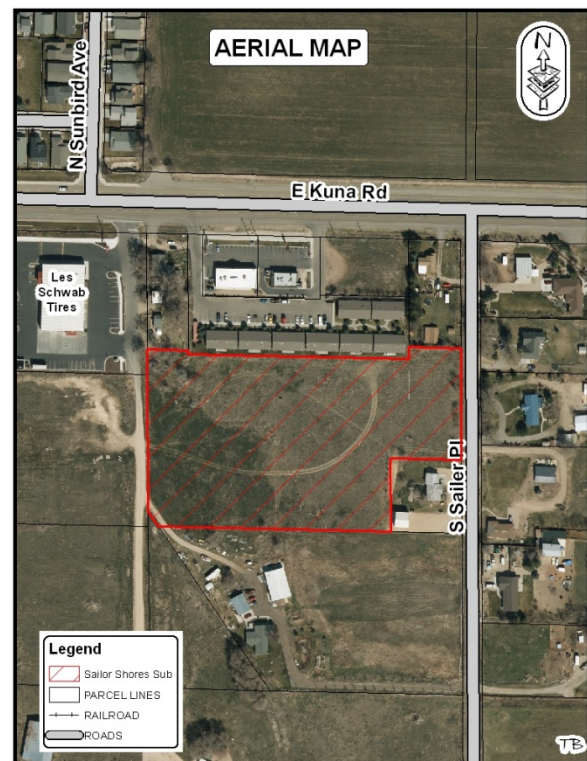
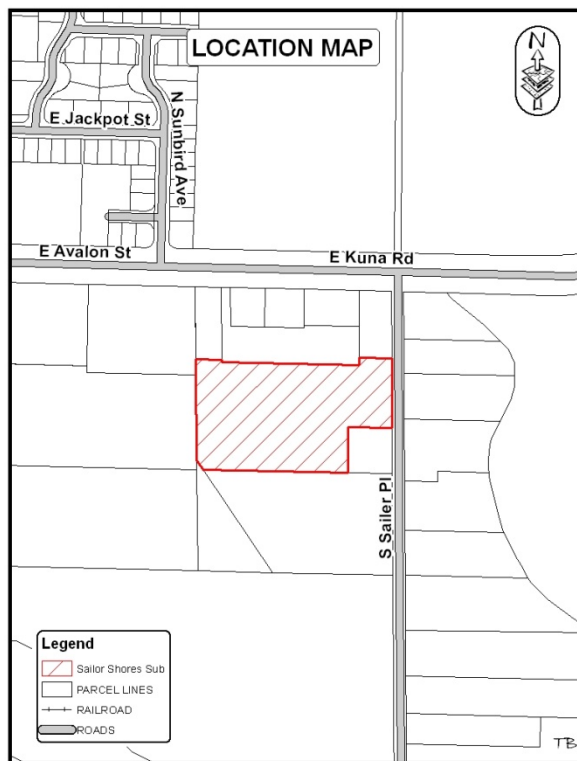
B. General Project Facts, Staff Analysis:

1. **Request:** The applicant is seeking preliminary plat re-approval for a residential subdivision in Kuna consisting of 26 buildable lots and 2 common lots on approximately 4.77 acres. This request reflects a different lot arrangement than what was previously approved.
2. The applicant has submitted all necessary documents and materials for review and has held the appropriate neighborhood meeting where four people attended and has posted the site in accordance with KCC posting requirements.
3. **History:** The applicant proposed a preliminary plat for this site in 2007 and received the necessary approvals. However, due to concerns about the market place at that time, among other reasons, the pre plat never progressed and sat idle until late 2013.
4. **Legal Description:** A legal description was included with the application.
5. **Comprehensive Plan Designation:** The Future Land Use map (FLU) indicates the site has a designation of Low Density Residential. In accordance with KCC 5-3-2, staff views this residential use request as compatible.

6. **Land Use:**

Direction	Current Zoning and Jurisdiction	
North	R16, R-6	High & Med. Density Residential – Kuna City
South	R-6	Med. Density Res. – Kuna City
East	RUT	Rural Urban Transition– Ada County
West	C-1	Neighborhood Commercial – Kuna City

6.1 Vicinity and Aerial Maps:



6.2 Parcel Numbers: APN: R0615251610

6.3 Parcel Sizes and Current Zoning:

Acres: 35.20 acres

Zoning: R-6

6.4 Services:

Fire Protection – Kuna Fire District

Police Protection – Kuna City Police (Ada County Sheriff's office)

Sanitary Sewer– City of Kuna

Potable Water – City of Kuna

Irrigation District – Boise-Kuna Irrigation District

Pressurized Irrigation – City of Kuna (KMID)

Sanitation Services – J&M Sanitation

6.5 Existing Structures, Vegetation and Natural Features: The site is vacant and relatively flat. The vegetation is what is commonly associated with a vacant parcel, and the site has public street frontage.

6.6 Transportation / Connectivity: Public road frontage is on Sailor Place Road.

6.7 Public Services, Utilities and Facilities: The following agencies returned comments on this project; City Engineer, Ada County Highway District, Central District Health, Department of Environmental Quality, Idaho Transportation Department and Boise Project Board of Control.

C. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230.
2. City of Kuna Design Review Ordinance, 2011-08.
3. City of Kuna Subdivision Ordinance No. 2010-15, Title 6 Subdivision Regulations.
4. City of Kuna Landscape Ordinance No. 2006-100.
5. City of Kuna Comprehensive Plan.
6. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

D. Comprehensive Plan Analysis:

The Planning and Zoning Commission may accept the Comprehensive Plan components as described below.

1. The proposed subdivision is consistent with the following Comprehensive Plan components:

GOALS AND POLICIES – *Property Rights*

Goal 1: *Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property "takings".*

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City's attorney; The Idaho Attorney General's six criterion established to determine the potential for property taking.

GOALS AND POLICIES – *Economic Development*

Goal 1: *Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.*

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICIES – Land Use

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

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity, within both the community-scale and neighborhood-scale centers; to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: 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.

GOALS AND POLICY – Transportation

Policy 1.1.2: Pedestrian and bicycle activities should be separate from automobiles road system – where possible.

Policy 3.2.1: Encourage developers to create mixed use developments that will reduce travel demand through trip capture.

Policy 3.4.10: Require shared driveway access where possible.

E. Findings of Fact:

1. All required procedural items have been completed as detailed in this staff report.
2. The proposed residential development complies with Section 6.0 of Kuna's Comprehensive Plan.
3. The proposed residential development complies with the Kuna City Code.
4. Public services are available and are adequate to accommodate this site's development.
5. The proposed residential preliminary plat will not be detrimental to the public's health, safety and general welfare.
6. The site is zoned R-4 and intended for use as a residential subdivision after acquiring the proper approvals.
7. The project description and staff analysis and findings of fact are correct.

F. Conclusions of Law:

1. The proposed preliminary plat use is consistent with Kuna City Code.
2. The proposed preliminary plat use meets the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a preliminary plat use.
4. The proposed preliminary plat use is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The proposed residential preliminary plat is not likely to cause adverse public health problems.
6. The proposed residential preliminary plat is in compliance with all ordinances and laws of the City.
7. The proposed residential preliminary plat is not detrimental 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.
8. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
9. Based on evidence contained in Case #14-01-S, and 14-01-DRC, this proposal complies with KCC Title 6.
10. Based on the evidence contained in Case #14-01-S, and 14-01-DRC, this proposal complies with Section 6.0 of the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.

11. The Planning and Zoning Commission of Kuna, Idaho, has the authority to recommend approval or denial for this preliminary plat application.
12. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

G. Recommendation by the Commission:

14-01-S: Subdivision *Note: This proposed motion is to recommend approval or denial for this request to Council. However, if the Planning and Zoning Commission wishes to recommend approval or denial for specific parts of the requests as detailed in this report, those changes must be specified.*

14-01-DR: Design Review *Note: The proposed motion is also to approve or deny the design review request. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

On June 10, 2014, the Council voted 3-0, to recommend approval for Case No. 14-01-S, based on the findings of facts outlined in staff's report and the public testimony at the public hearing, the Planning and Zoning Commission, hereby recommends approval for Case No. 14-01-S, a subdivision request by New Horizon Construction Comp., LLC, (Alex McDonald), with the following conditions of approval:

- Follow all Staff recommended conditions of approval,
 - Contact Kuna School District to discuss if pick-up area is adequate,
 - Provide temporary barriers to prevent pass through traffic at stub-outs at subdivision boundary,
 - Follow City Foresters recommendations.
1. The applicant shall obtain written approval of the construction plans from the agencies noted below. The approval may be either on agency letterhead referring to the approval use or may be written or stamped upon a copy of the approved plan. All site improvements are prohibited prior to approval of these agencies.
 - a.) The City Engineer shall approve the sewer and water hook-ups.
 - b.) The Kuna Fire District shall approve all fire flow requirements and/or building plans.
 - c.) The Boise-Kuna Irrigation District shall approve all proposed modifications to the existing irrigation system.
 - d.) Approval from Ada County Highway District / Impact Fees, if any shall be paid prior to building permit approval.
 - e.) The City Engineer shall approve a surface drainage run-off plan, (if needed). As recommended by Central District Health Department, the plan should be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of a drainage design plan from the Kuna City Engineer. The drainage design plan shall include all proposed site grading.
 2. All public right-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may be commenced without the approval of the Ada County Highway District. Any work within the Ada County Highway District right-of-way requires a permit. For information regarding the requirements to obtain a permit, contact Ada County Highway District Development Services at 387-6100.
 - 2.1 – Dedicate right-of-way in sufficient amounts which 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.
 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.
 5. Lighting within the sites shall comply with Kuna City Code.
 6. Parking within the sites shall comply with Kuna City Code (Except as specifically approved otherwise).

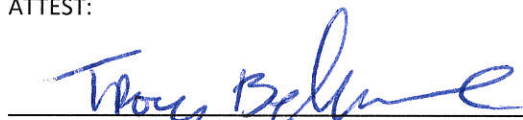
7. Fencing within and around the sites shall comply with Kuna City Code (Except as specifically approved otherwise).
8. Signage within the site shall comply with Kuna City Code. (The applicant shall apply for a sign permit prior to sign construction).
9. The applicant shall follow all of the requirements for sanitary sewer, potable water, pressure irrigation system connections, and all other requirements of the City engineer, as outlined in the Engineers memorandum dated April 9, 2014.
10. Submit a petition prior to submitting an application for final plat to the City, consenting to the pooling of irrigation surface water rights for delivery purpose and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation District (KMID).
11. Applicant's site plan, landscape, and lighting plan, (all date stamped 4.10.2014) shall be considered binding site plans.
12. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace any unhealthy or dead plant material immediately (within 3 days as weather permits or as the planting season permits), as required to meet the standards of these requirements. Maintenance and planting within public right-of-way shall be with approval from the public and/or private entities owning the property.
13. The applicant shall comply with all conditions of approval listed in the Kuna staff report and as approved by the Commission, and other applicable agency comments.
14. Applicant shall comply with all local, state and federal laws.

DATED: this 24th day of June, 2014.



Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:



Troy Behunin, Senior Planner
Kuna Planning and Zoning Department

ORDINANCE NO. 2014-12

ANNUAL APPROPRIATION ORDINANCE

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015, APPROPRIATING THE SUM OF \$11,547,483 TO DEFRAY EXPENSES AND LIABILITIES OF THE CITY OF KUNA FOR SAID FISCAL YEAR; AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY; SPECIFYING THE OBJECTS AND PROPOSED EXPENSES FOR WHICH SAID APPROPRIATION IS MADE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of the City of Kuna, Ada County, Idaho.

SECTION 1. That the sum of \$11,547,483 be, and the same is appropriated to defray the necessary expenses and the liabilities of the City of Kuna, Ada County, Idaho, for the fiscal year beginning October 1, 2014.

SECTION 2. The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

ESTIMATED EXPENDITURES

GENERAL FUND

<i>Operating Expenditures</i>	\$3,816,742.00
<i>Debt Service</i>	\$0.00
<i>Capital</i>	\$284,002.00
Total General Fund	<u>\$4,100,744.00</u>

LATE COMERS FUND

\$458,851.00

GRANT FUND

\$234,711.00

WELL MITIGATION FUND

\$250,000.00

PROPRIETARY FUNDS

Water Fund	\$1,935,155.00
<i>Operating Expenditures</i>	\$1,230,282.00
<i>Debt Service</i>	\$0.00
<i>Capital</i>	\$704,873.00
Sewer Fund	\$2,316,218.00
<i>Operating Expenditures</i>	\$1,642,882.00
<i>Debt Service</i>	\$0.00
<i>Capital</i>	\$673,336.00
Pressurized Irrigation Fund	\$860,806.00
<i>Operating Expenditures</i>	\$611,863.00
<i>Debt Service</i>	\$0.00
<i>Capital</i>	\$248,943.00
Solid Waste Collection Fund	\$1,390,998.00
<i>Operating Expenditures</i>	\$1,390,998.00
<i>Debt Service</i>	\$0.00
TOTAL PROPRIETARY FUNDS	<u>\$6,503,177.00</u>

GRAND TOTAL ALL FUNDS

\$11,547,483.00

SECTION 3. That a general tax levy on all taxable property within the City of Kuna be levied in the amount of \$1,777,962 for the general purposes in said City for the fiscal year beginning October 1, 2014.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. This ordinance shall take effect and be in full force upon its passage, approval, and publication in one issue of *Kuna-Melba News*, a newspaper of general circulation in the City of Kuna, and the official newspaper of said City.

PASSED under suspension of rules, upon which a roll call vote was taken and duly enacted an ordinance of the City of Kuna, Ada County, Idaho at a convened meeting of the Kuna City Council held on the 2ND day of September, 2014.

W.G. Nelson, Mayor

ATTEST:

Brenda Bingham, City Clerk



AIR QUALITY BOARD

41 S. Baltic Pl., Suite 200 • Meridian, ID 83642-5935

Telephone (208) 377-9191 • Fax (208) 377-4473

RECEIVED

AUG 27 2014

KUNA CITY CLERK

August 26, 2014

Mayor and City Council
Kuna City Hall
763 W. Avalon Street
Kuna, ID 83634-5175

Dear Mayor Nelson and City Council Members,

The Air Quality Board would like to invite the City of Kuna to join our Vehicle Emission Inspection and Maintenance Program.

The quality of the air in this valley's airshed continues to deteriorate as the general population grows. Vehicles have been identified as among the top two contributors to the problem of air pollution and, like other cities, Kuna is getting more vehicles along with the growth. This means that, whether or not the area is declared to be in non-attainment, vehicle emission testing programs are here to stay.

You may be aware that the Idaho Department of Environmental Quality has recently released a Request for Proposal to provide the emission testing services within Canyon County and the City of Kuna. DEQ's intent is to award the contract this fall, with implementation to follow; allowing this new contract to begin when the previous one expires in February of 2015. The DEQ RFP documents can be found at <http://www.deq.idaho.gov/about-deq/vendor-rfp-info.aspx>.

Basically this RFP outlines the same program that DEQ and its current vendor have been operating for the past four years or so. The City of Kuna and its citizens can expect the same service for the next five years. The City of Kuna has no say in how DEQ or its vendor runs the emission testing program.

However, the City of Kuna does have another option in this matter. The Air Quality Board has been operating an emission testing program, to the satisfaction of the US Environmental Protection Agency (EPA), for about 30 years. Kuna is eligible to join our program, and would be welcomed. Upon joining, Kuna would have two voting seats on our Board of Directors, and would participate in determining the policy and direction of the emission testing services in Ada County. The program is currently supported by a fee that the vehicle owner pays for the test, and there is no cost to our member jurisdictions.

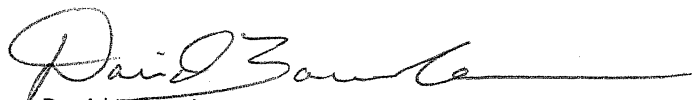
The Air Quality Board is organized as an enterprise fund under Idaho Code Section 67-2326 (joint powers agreements), and our Board membership includes cities in Ada County, the county of Ada County, Ada County Highway District, and Central District Health. Kuna can become a member by signing the same Joint Powers Agreement (JPA), and passing a companion City Ordinance authorizing the JPA.

Typically, the member cities appoint one Board member who is an elected official of the city and one Board member who is a citizen volunteer with an interest in air quality and/or auto mechanics. The Board meetings are scheduled for the fourth Monday at Noon. In odd months the meeting is in the Boise City Hall, and in even months the meeting is in the Meridian City Hall. The meetings usually last about an hour, and a modest box lunch is provided.

Our vehicle emissions testing program is approved by the EPA, and satisfies your responsibilities for vehicle emission testing under the Federal Clean Air Act. The actual testing stations are operated by independent owners, who are licensed and monitored by the Air Quality Board. We have several independent owners that have expressed an interest in providing service in Kuna, and it is very likely that at least two would move into Kuna very soon after you sign the JPA. The added convenience, and the reduced confusion, for your citizens will be noticeable.

If joining the Air Quality Board is of interest to you, or you would like to know more about it, please contact me at (208) 377-4464 or at email david@emissiontest.org, or contact our Deputy Director, Denise at (208) 377-9191 or at email AQB@emissiontest.org. We would be happy to talk with you, put you in contact with other Board members, and invite you to visit the next Board meeting in September.

Thank you for considering this option.

A handwritten signature in dark ink, appearing to read "David Zarembo", with a long horizontal flourish extending to the right.

David Zarembo
Executive Director
Air Quality Board



ADA COUNTY DEVELOPMENT SERVICES
200 W FRONT ST BOISE ID 83702

August 15, 2014

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Board of Ada County Commissioners will hold a public hearing on **September 10, 2014** at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear the following:

201400337-A, An appeal of a conditional use and master site plan for a cemetery. The property contains 36.759 acres and is located at 15000 S. Cloverdale Road in Section 34, T. 2N, R. 1E, Kuna, ID. **The public hearing is being reopened for the public and the appellant to comment on the availability of water, cemetery's landscape plan, and fencing.**

Contact, Diana Sanders, 287-7905 or Brent Danielson, 287-7913, Associate Planners, for more information.

This is an Official Notice of Public Hearing regarding the use of a property near your own. You have been notified because records indicated that you own property near or within **1,000'** of the applicant's project boundary. You are invited to attend the public hearing and offer your comments for consideration. If you are unable to attend, you may send comments to our office before the hearing date, and they will be entered in the public hearing record.

This application can be viewed by completing the following:

- 1 Type <http://gisx.adaweb.net/acdsv2>
- 2 Enter "**201400337-A**" in search application by file number.
- 3 Click on 'Application Information'.
- 4 Review documents by clicking on 'Supporting Documents'.

5 days prior to the hearing you can go to <https://adacounty.id.gov> to view the agenda or staff report.



NOTES:

- This item may not be heard at the scheduled time of 6:00 p.m., as multiple items may be considered during the hearing.
- Video, audio, PowerPoint, or other computer-generated visuals used to present testimony, must be provided to the Planner ½ hour prior to the start of the hearing: file format compatibility cannot be guaranteed.
- Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) three days prior to this public hearing to make arrangements.



**ADA COUNTY DEVELOPMENT SERVICES
200 W FRONT ST BOISE ID 83702**

June 4, 2014

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Board of Ada County Commissioners will hold a public hearing on **July 9, 2014** at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear the following:

201400337-A, An appeal of a conditional use and master site plan for a cemetery. The property contains 36.759 acres and is located at 15000 S. Cloverdale Road in Section 34, T. 2N, R. 1E, Kuna, ID.

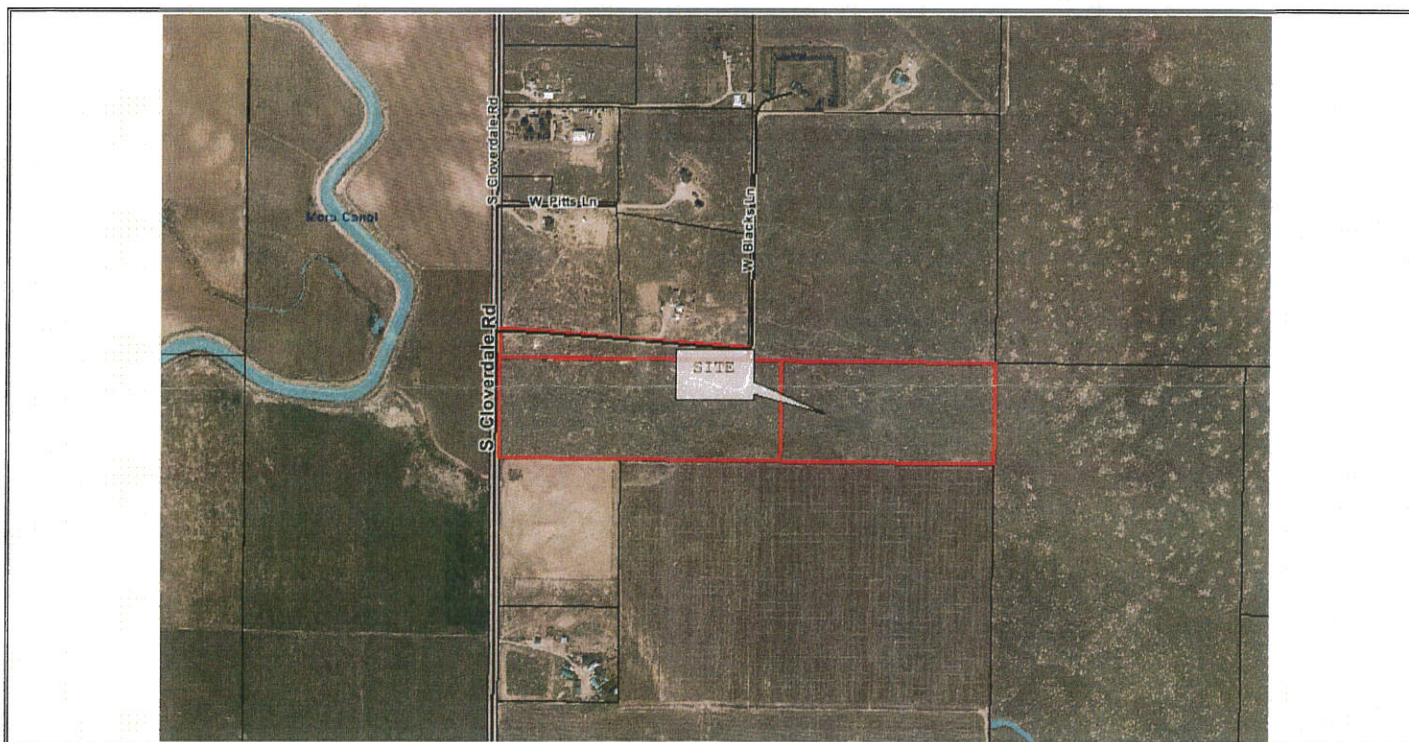
Contact, Diana Sanders, 287-7905 or Brent Danielson, 287-7913, Associate Planners, for more information.

This is an Official Notice of Public Hearing regarding the use of a property near your own. You have been notified because records indicated that you own property near or within **1,000'** of the applicant's project boundary. You are invited to attend the public hearing and offer your comments for consideration. If you are unable to attend, you may send comments to our office before the hearing date, and they will be entered in the public hearing record.

This application can be viewed by completing the following:

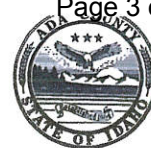
- 1 Type <http://gisx.adaweb.net/acdsv2>
- 2 Enter "**201400337-A**" in search application by file number.
- 3 Click on 'Application Information'.
- 4 Review documents by clicking on 'Supporting Documents'.

5 days prior to the hearing you can go to <https://adacounty.id.gov> to view the agenda or staff report.



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- Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) three days prior to this public hearing to make arrangements.



ADA COUNTY DEVELOPMENT SERVICES
200 W FRONT ST BOISE ID 83702

April 10, 2014

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Ada County Planning and Zoning Commission will hold a public hearing on **May 8, 2014** at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear the following:

201400337-CU-MSP, A conditional use and master site plan application for a cemetery. The property contains 36.759 acres and is located at 15000 S. Cloverdale Road in Section 34, T. 2N, R. 1E, Kuna, ID.

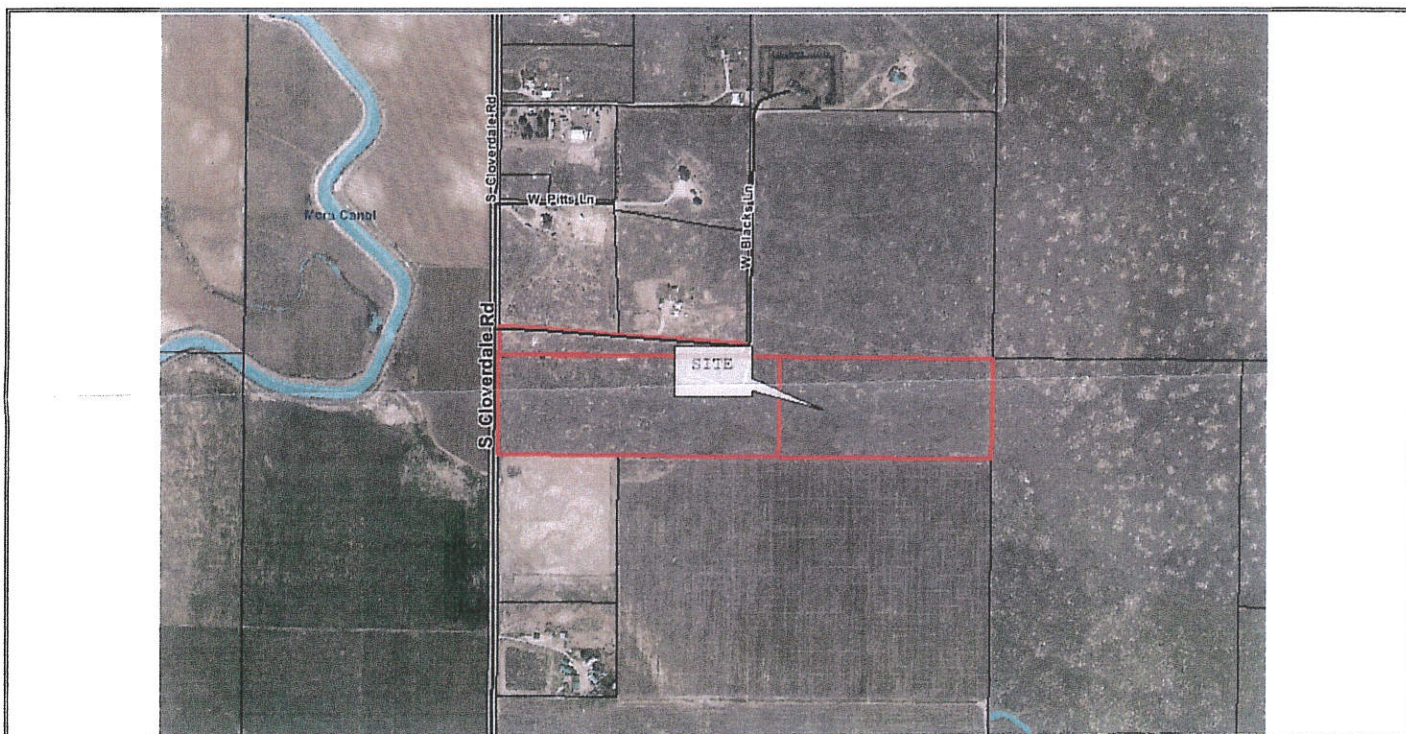
Contact, Diana Sanders, 287-7905 or Brent Danielson, 287-7913, Associate Planners, for more information.

This is an Official Notice of Public Hearing regarding the use of a property near your own. You have been notified because records indicated that you own property near or within **1,000'** of the applicant's project boundary. You are invited to attend the public hearing and offer your comments for consideration. If you are unable to attend, you may send comments to our office before the hearing date, and they will be entered in the public hearing record.

This application can be viewed by completing the following:

- 1 Type <http://gisx.adaweb.net/acdsv2>
- 2 Enter "**201400337-CU**" in search application by file number.
- 3 Click on 'Application Information'.
- 4 Review documents by clicking on 'Supporting Documents'.

5 days prior to the hearing you can go to <https://adacounty.id.gov> to view the agenda or staff report.



NOTES:

- This item may not be heard at the scheduled time of 6:00 p.m. , as multiple items may be considered during the hearing.
- Video, audio, PowerPoint, or other computer-generated visuals used to present testimony, must be provided to the Planner ½ hour prior to the start of the hearing: file format compatibility cannot be guaranteed.
- Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) three days prior to this public hearing to make arrangements.

TIME RECEIVED
July 9, 2014 4:53:32 PM MDT

REMOTE CSID
208 922 1244

DURATION: 59 PAGES: 12 STATUS: Received
RECEIVED

JUL-09-2014 04:42 PM SILICON INC

208 922 1244 P. 01

JUL 09 2014

ADA COUNTY
DEVELOPMENT SERVICES

To: Ada County Commissioners room #1235 hearing date: July 9th, 2014
Regarding: Islamic Community of Bosniaks Appeal Hearing

7-09-14

Dear Commissioners,

I am writing to voice my concerns over the proposed Islamic Community of Bosniaks Cemetery on Cloverdale Road north of Kuna Mora Road in Kuna, ID. These concerns stem from the lack of provisions the cemetery will be required to follow. Specifically my concerns are:

- 1) **Security of the dead.** Obviously we are out in the country. There are several types of roaming wild animals in Kuna. These animals, such as coyotes, badgers or foxes dig up buried dead animals to eat. Animals cannot make a distinction between a human or animal carcass, nor would they care. To them dinner is dinner. I am horrified at the prospect of people being dug up and feasted on. **There is no provision for people to be buried in coffins which would help prevent this. Nor is there any type of security fencing to keep the wild animals out.** This is a very real concern. While I appreciate Islamic people do not bury their dead in coffins, ***we must protect these people from being dug up!*** Further along this line, what is going to happen if an animal leaves the bones behind? What if someone comes across said bones or skull? What if that someone is a child? Disease can be spread from exposed, decayed human body parts. We need to carefully contemplate the impact of this decision to everyone concerned. As a community we need to consider the personal as well as mental/emotional safety of all of our residents.

- 2) **We also need to consider the costs.** What would be the cost to the community if a human or humans are dug up? Animals are not stupid. When they find one, they'll be back looking for another, then another. How are you going to stop this? Kill them? We must be sensible. Then we have the costs associated with exposed body parts which will prompt investigation after expensive investigation. How many departments would be involved? How much money is this going to cost? Kuna is currently in an economic crisis. She doesn't have the big business tax base resources other communities enjoy. Currently, there are two school levies, the last of which was heavily contested. This was not because residents do not appreciate the value of education, but simply because many residents cannot afford it. It is no secret that many people move here because they cannot afford to live in other parts of Ada County. Adding the burden of full scale investigations over dug up human remains is too much of a drain to place on already strapped budgets. Finally,

- 3) **Esthetics.** Kuna is without a doubt a beautiful place to live. I think we can all agree that a cemetery should not be an eye-sore, but an attractive part of the community. Visitors, neighbors, those driving by, should see a well-manicured, well-kept final resting place. **I request there be a provision for the cemetery to be a well-cared for, well-maintained, landscaped property.** Residents have invested good amounts of money in their properties and deserve to have those property values protected. We must think of the living as well as the deceased.

In summary I am asking that you add the following provisions in order for the property to be used as a cemetery.

- 1) **Add an attractive, strong fence to keep the wild animals out.**
- 2) **Find some kind of non-coffin alternative to keep these people from being dug up if an animal does get through the fence.**
- 3) **Require that the property be well maintained, properly landscaped, and visually pleasing.**

Sincerely,

L. R.

Kuna resident for 19 years.

sim

EXHIBIT 45
Page 1 of 1
Project # 201400337-A

Comments due to Ada Co. by Mar. 27th

BRIGGS ENGINEERING, Inc.**ENGINEERS / PLANNERS / SURVEYORS**

1800 West Overland Road

Boise, Idaho 83705 - 3142

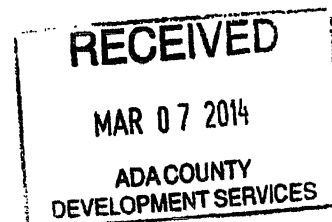
Voice (208) 344-9700

Fax (208) 345-2950

E-mail sabrinaw@briggs-engineering.com

March 3, 2014

Ada County Development Services
200 W Front Street
Boise, Idaho 83702



RE: Master Site Plan and Conditional Use Permit for 15000 Cloverdale Road

Dear Planning Staff,

On behalf of my Client Islamic Community of Bosniaks in Boise, please accept this application for a master site plan and a conditional use permit application for a cemetery. The subject site is located at 15000 Cloverdale Road, the site is approximately 36 acres and is zoned RR, no zoning changes are proposed at this time. These applications have been submitted in accordance with Ada County Zoning Code.

The Conditional Use Permit application is for a cemetery, with approval of this application this is an allowed use within the zoning RR. Ten acres of the site will be designated for the cemetery, with the remaining acreage designated for two buildable single family residential lots that will average in the size of approximately 13 acres each.

The cemetery is requesting up to 6000 grave sites, this cemetery will be platted in accordance with Ada County Zoning Ordinance and Idaho State Code if approved.

Access to the site will be taken from the south of the property, it will take direct access from Cloverdale road, and this road will be private. A private road application will be submitted after the applicant receives approval of this application.

The site is proposing a 40' x 60' operations building. The building will have downward facing lighting for security purposes, this is the only lighting this application is proposing. The cemetery will have a total of 1-2 employees, which will work out of the operations building.

The hours of operation will vary depending on the demand for a burial. Each burial takes 3-to-4 hours, the cemetery will be open for visitation daily from 9:00 am to 7:00 pm.

Parking will be provided, we will meet the parking requirements set forth by Ada County Code. Currently our site plan is proposing 20 parking spaces with 2 ADA parking spaces. No outdoor speakers are being proposed.

This portion of the property does not have water rights, therefore no pressurized irrigation is proposed. Individual septic and well will be utilized to provide utilities to the proposed operations building.

From beginning of Bosniaks' settlement in Boise area (1997), they struggled with funeral services and burial place, because not one funeral home, nor cemetery, could meet and satisfy Bosniaks faith requirements for funeral and burial services.

At beginning of 2011 ICBB started to work on establishing private cemetery to meet and fulfill necessities and demands for Bosniaks in regard of funeral and burial services. After successful fundraising between members of ICBB, ICBB approached to find location for future private cemetery, chapel and funeral home. After two years ICBB was successful to make arrangements for establishing and developing private cemetery on 35.75 acres parcel located on 15000 S Cloverdale Rd., Kuna, ID 83634.

ICBB has intention and propose to use 10 eastern acres of total 35.75 acres, for purpose of developing private cemetery, chapel and funeral home.

As our faith regulate, we would perform completely natural burial, without embalming and use of harmful chemicals, except where is required by law. Minimum depth according to rules of our faith is half of height of average person and that means that graves should be at minimum approximately four feet (4') deep.

In developing cemetery, as well chapel and funeral home, ICBB would fully conform and meet all requirements and standards outlined in Zoning ordinance of Ada County 8-5-3-24, that regulates basic for development of cemeteries.

No structure, exclusive of fences or walls, shall be located within one hundred feet (100') from any existing dwelling other than the dwelling of the owner or caretaker. Structures shall conform to the height limitation and required yards for the applicable base district.

Graves and monuments shall not be located within fifteen feet (15') from any property line.

Grave should be four feet (4') wide and eight feet (8') long. Long side of grave should face twenty four degrees (24°) North/Northeast. (See Exhibit A)

Cemetery should be fully platted. Graves should be in sections and blocks with three feet (3') space between each row of graves to avoid stepping on graves (See Exhibit B). Stepping and walking over graves is considered as sin in our faith.

Cemetery would be established in perpetual care by ICBB.

As death is unpredictable, we are not able to say exactly how many days per week, month or a year, cemetery would be used, but approximately we need between 3 and 4 hours per burial occurrence (1 hour for preparation of grave, 1 hour for preparation of body, and 1-2 hours for funeral and burial service). Cemetery should be open for burial and visitation from 9:00 AM until dusk or 7:00 PM (whichever comes first).

Access to cemetery should be provided by making accessory or private road from South Cloverdale Road.

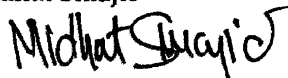
By establishing this cemetery ICBB would be able to provide to its members complete exercise of their faith and religion, granted to every citizen of United States by its First Amendment.

Hikmet Muhic



President of Executive Board of ICBB

Midhat Smajic



Imam of ICBB

BRIGGS ENGINEERING, Inc.**ENGINEERS / PLANNERS / SURVEYORS**

1800 West Overland Road
Boise, Idaho 83705 -- 3142
Voice (208) 344-9700
Fax (208) 345-2950
sabrinaw@briggs-engineering.com

January 27, 2014

INVITATION

Dear Property Owner:

On behalf of Briggs Engineering Inc., I would like to invite you to a neighborhood meeting concerning the applications for a Conditional Use Permit for a cemetery, chapel and future mosque, and a preliminary and final plat

The subject site is located at 15000 Cloverdale Road, please see attached vicinity map.

We would appreciate your attendance at this meeting. We will discuss our plans for the development of this property and answer any questions you may have regarding the site.

The neighborhood meeting will be held at Islamic Center, located at 6250 Cloverdale Road. The meeting will be held between 6:30 pm to 7:00 pm, Wednesday, February 5, 2014. If you cannot attend this meeting, and have any questions concerning the subdivision, please feel free to call me at 344-9700 or at sabrinaw@briggs-engineering.com.

Sincerely,

Sabrina Durtschi
Planning Project Manager



ISLAMIC COMMUNITY OF BOSNIAKS IN BOISE Inc.

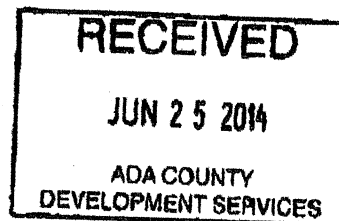
6250 S Cloverdale Rd
BOISE, ID 83709
Phone / Fax (208) 258 9266
Tuesday, June 24, 2014

ATT:

Ada County Board of Commissioners

Planning and Zoning Department

Planning and Zoning Commission



RE: *Answers for concerns for Appeal 201400337-A in regard to our Application 201400337 - CU-MSP*

Dear members of Commission,

Even all of this concerns was addressed and answered on hearing held on May 8th it seems that appellants "willfully ignorance" closed their ears, sight and mind so they repeat same questions over and over.

We must remind that all of us live in country that has faith and privacy protected by constitution and we do not have intention to debate our constitutional rights here in this letter nor at this hearing.

Rather,

we will explain and prove to unproved and "willfully ignorant" appellants again that our project of Cemetery is fully consistent with all laws and would be consistent with all laws applicable for cemeteries.

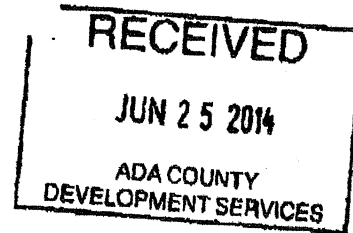
On hearing held May 8th we clearly addressed that all licensing (funeral director and funeral establishments) are not in scope of this application. That licensing are over sighted with other agency and that Bosniaks Community would pursue all necessary steps to obtain those licenses with Board of Morticians of State of Idaho and other related agencies.

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-lack of State licensing - Funeral home"

-lack of State licensing - Funeral director"

-lack of State licensing - embalming"



Upon approval of conditional use for this parcel for cemetery Bosniaks community would apply with Idaho Board of Morticians to license our own funeral director. While we are in process, Bosniaks community would use services of "Relyea Funeral Chapel" and their funeral directors as to protect the public interest and merit the confidence of the public.

Also after we obtain building permit for proposed building with County Building Officials we would start process with Idaho Board of Morticians to license part of same building for our funeral home to meet requirements of Idaho State Code 54, Chapter 11.

Because we do not embalm bodies per our faith, our funeral home would have equipment and place to keep bodies prior burial as is proposed by IDAPA at 36 degrees (or less) Fahrenheit. Proposed (part of building) funeral home would be equipped with all necessary and adequate temperature controlled room and equipment to protect public health and welfare. Also facility would have back up source of electrical power in case of outages of regular grid power.

Could Cemetery operate without "its own" funeral director and "its own" funeral home on site?

For every interment (burial), per law, is necessary to be witnessed by licensed funeral director on any cemetery in State of Idaho. But there is not required that cemetery must have their own funeral director to oversight interment. Same is with funeral home.

To give sense to appellant we advise them to look for example how cemetery of Morris Hill operates, cemetery that we used in past. Any licensed funeral director and any licensed funeral home, in coordination with cemetery authority could do interment on Morris Hill cemetery.

It is nonsense that appellant requires from Commission to put as condition that we must have our own licensed funeral director and our own licensed funeral home on site to use our cemetery, while same condition is not required for other cemeteries to operate.

As we demonstrated and stated on initial hearing, we are aware of laws and regulations in regard of interments and submitted Commitment of service from Relyea Funeral Chapel where is clearly stated that their licensed funeral directors would supervise interments on our cemetery and bodies would be kept and prepared in their licensed funeral home before interment on our cemetery. (See Exhibit A)

Also, funeral director and funeral home, per law, handles all state required paperwork as: death certificate, state registrar of deceased, etc.

Why is not 6 feet?

Burial at 6 feet is practice of Christians. *"If a family reunion means going six feet under, and the only family that shows up is worms"* Job 17:14 - The Bible in Contemporary Language by Eugene Peterson, 2002

We do not follow other religions in their practices. We also see inappropriate that appellant constantly insist that Muslims be buried as Christians (modern crusades) while both practices are fit and consistent with good burial practices in State of Idaho.

Same "appellants concerns" are with concrete vaults.

According to our faith we do not use caskets nor vaults for burial. Funeral Consumers Alliance of Idaho states that *"neither of them is required by law."* Vaults - *"It facilitate maintenance for cemetery."* (See Exhibit C- Caskets and Vaults)

It is upon Cemetery Authority to require and use, or not require and not use concrete vaults. Primarily vaults are used only because of easier maintenance because usually they run heavy equipment over graves to open and close grave or to maintain lawn. Or for easier disinterment in case that disinterment is needed.

Reasoning that vaults are as protection of animals and their easy access to body does not fit completely because there is no animals in Morris Hill cemetery (or Cloverdale cemetery) but they still use concrete vaults. They use it only to keep integrity of grave for easier maintenance at first place and as second that is common Christian practice. We addressed that Cemetery Authority of Morris Hill did used open bottom concrete vaults for burial of Jews and Muslims because both religion require placement of body on dirt.

We have clear prohibition to not use concrete vaults because even plastering walls of grave for us is forbidden:

*Reported from Jabir Ibn 'Abd-Allah (may Allah be pleased with him) from the Prophet (peace and blessings of Allah be upon him) that **IT IS FORBIDDEN TO PLASTER THE WALLS OF GRAVES, to sit on them or to build over them.***

We proposed use of wood planks to fortify walls and side chamber of proposed shape and deepness of grave (see Exhibit E1 - E2) This would provide to keep integrity of grave until body naturally decompose.

Again, this proposed way of burial is consistent with good burial practice and concrete vaults are not required by any law or regulation except "personal" requirement of Cemetery Authority. Appellants consistently insists on something that is not a law but their faith or personal belief and persuasion. It is evidently inappropriate to request from us, Muslims, to meet burial requirements of Christians while both burial practices are consistent with laws and regulations whether it is a matter of deepness of grave or use or not use of concrete vaults.

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DEVELOPMENT SERVICES

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Desert style landscaping - **XERISCAPING** is landscaping that reduces or eliminates the need for supplemental water from irrigation. It is promoted in regions that do not have easily accessible, plentiful, or reliable supplies of fresh water, and is gaining acceptance in other areas as access to water becomes more limited. We submit a pictures from Mt. Sinai Cemetery in Phoenix, AZ to show how it looks. (See Exhibit G1- G6)

Gravel (crushed rock) would be used to cover graveyard and be used as weed barrier. There also would be used drought resistant bushes and trees for minimal use of water.

XERISCAPING would be developed within active section that is used for burial, while other sections would be maintained free from noxious weeds to make less impact to desert alike surroundings. Whole property would be fenced as well additional fence for active section as animal retardant.

Cemetery would have right to have well for domestic use and could use it to maintain landscaping up to half of acres. We have additional water right of one acre (on current mosque property that we do not use) and as we stated on record on hearing held May 8th, that we would try to annex proposed parcel for cemetery to irrigation district and transfer our water rights to that parcel.

Our opinion is even we are not successful to transfer that water right we would have enough water to maintain nice **XERISCAPING**.

Appellants tried on first hearing and are consistent with bringing pictures from other "not well maintained cemeteries" that does not have any relation to us except that they are Muslim cemeteries. Appellants consistently tried to make assumption that this project and cemetery would be same.

Would Commission and appellants allow us to show that Christian cemeteries exist that are not well maintained!? We do not need to go to Texas or California or elsewhere they exist even in Idaho, but rather we would stick to rule of our faith: *"to you is your religion to me is my religion"*.

We have opinion that is not good for anybody to form and make opinions on assumptions and prejudice.

How we maintain our building on Cloverdale street is clear proof that we do it better that appellants assumptions are.

Would we pursue additional water rights?

No.

One of reason that we asked for waiver of landscaping and try to develop **XERISCAPING** is position of our faith in regard of walking over graves:

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