OFFICIALS

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

CITY OF KUNA

Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

City Council Meeting
AGENDA
Tuesday, September 6, 2016

6:00 P.M. REGULAR CITY COUNCIL

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

2. **Invocation:** Chris Bent, Calvary Chapel

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

4. **Consent Agenda:**

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

   A. City Council Meeting Minutes:

      1. Regular City Council Minutes, August 16, 2016

   B. Accounts Payable Dated September 2, 2016 in the Amount of $1,177,876.93

   C. Alcohol Licenses:

   D. Resolutions

      1. Resolution No. R61-2016 – Accepting Easements from Arbor Ridge, LLC for Operating and Maintaining Sewer Mains, Pressure Irrigation Main, Sewer Lift Station, and Irrigation Pump Station in the Patagonia Subdivision Project

      RESOLUTION APPROVING ACCEPTANCE OF TWO TEMPORARY EASEMENTS ON ARBOR RIDGE, LLC PROPERTY FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING SEWER MAINS, PRESSURE IRRIGATION MAIN, SEWER LIFT STATION AND IRRIGATION PUMP STATION FOR THE PATAGONIA SUBDIVISION PROJECT.

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

E. Findings of Fact and Conclusions of Law

5. Community Reports or Requests:

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

A. Public Hearing and consideration to approve 16-01-ZC (Rezone)16-02-CPM (Comp Plan Map amendment) and 16-01-S (Subdivision) – Troy Behunin, Senior Planner

Applicant requests to amend the Comprehensive Plan Map (Comp Plan Map) changing the designation from Medium Density to High Density Residential for approximately (6.18 +/- acre), and rezone the same property from R-6 (Medium Density Residential) to R-12 (High Density). Applicant proposes to subdivide the parcel into 21 lots, in preparation to develop the site as a multi-family project. The site is located near the southeast corner (SEC) of School Avenue and the alignment for Sunbeam Street.

B. Public Hearing and consideration to approve Ordinance No. 2016-27 and Resolution No. R55-2016 – Annual Appropriations – John Marsh, City Treasurer

1. Public Hearing and consideration to approve Ordinance No. 2016-27 Annual Appropriations Ordinance

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

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, APPROPRIATING THE SUM OF $18,064,679 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.

2. Public Hearing and consideration to approve Resolution No. R55-2016 Certification of Foregone Property Tax Levy

A RESOLUTION OF THE CITY OF KUNA, IDAHO CERTIFYING THE INTENT OF THE KUNA CITY COUNCIL TO LEVY, AS PART OF THE GENERAL TAX LEVY ADOPTED PURSUANT TO ORDINANCE 2016-27, FOREGONE PROPERTY TAXES.

C. Public Hearing and consideration to approve Ordinance No. 2016-28 Amending Kuna City Code (16-03-ZOA Zoning Ordinance Amendment) - A request by the City of Kuna – Wendy Howell, Planning & Zoning Director

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

AN ORDINANCE OF CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED "MEANINGS OF TERMS OR WORDS" TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED "LAND USE TABLE" TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENT FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.

7. Business Items:

A. Consideration to approve 16-07-FP (Final Plat), Timbermist LLC – Trevor Kesner, Planner II

Applicant is requesting Final Plat approval for Timbermist residential Subdivision No. 3. The Final Plat for Timbermist Subdivision No. 3 proposes 47 residential lots and three (3) common lots on approximately 12.22 acres (APN #S1312336015)

B. Consideration to approve 16-08-FP (Final Plat), Timbermist LLC – Trevor Kesner, Planner II

Applicant is requesting Final Plat approval for Timbermist residential Subdivision No. 4. The Final Plat for Timbermist Subdivision No. 4 proposes 51 residential lots and seven (7) common lots on approximately 15.86 acres (APN #S1312346030)

C. Consideration to approve 16-10-FP (Final Plat – Patagonia Sub No. 1) – Troy Behunin, Senior Planner

Applicant seeks final plat approval for Patagonia Subdivision No. 1. If approved, this will create 51 single family lots, and six (6) common lots.

D. Consideration to approve Resolution No. R56-2016 Approving an Agreement with Patagonia Development LLC for Cost Recovery on Over-sized Water Trunk Lines – Gordon Law, City Engineer

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $149,008.74 WITH PATAGONIA DEVELOPMENT, LLC.

E. Consideration to approve Resolution No. R57-2016 Approving an Agreement with Patagonia Development LLC for Cost Recovery on Over-sized Sewer Trunk Lines – Gordon Law, City Engineer

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $24,014.11 WITH PATAGONIA DEVELOPMENT, LLC.

F. Consideration to approve Resolution No. R58-2016 Approving an Agreement with Patagonia Development LLC for Cost Recovery on Over-sized Pressure Irrigation Trunk Lines – Gordon Law, City Engineer

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $22,292.28 WITH PATAGONIA DEVELOPMENT, LLC.

G. Consideration to approve Resolution No. R59-2016 Approving an Agreement with Patagonia Development LLC for Cost Recovery on Over-sized Pressure Irrigation Pump Station – Gordon Law, City Engineer

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $345,826.45 WITH PATAGONIA DEVELOPMENT, LLC.

H. Consideration to approve Resolution No. R60-2016 Approving an Agreement with Patagonia Development LLC for Cost Recovery on Over-sized Sewer Lift Station – Gordon Law, City Engineer

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $661,920.73 WITH PATAGONIA DEVELOPMENT, LLC.

I. New City Hall Update *(No Action Required)* – Bob Bachman, Facilities Director

J. Consideration to approve Resolution No. R62-2016 Idaho Humane Society Contract – Richard Roats, City Attorney

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE IDAHO HUMANE SOCIETY TO PROVIDE ANIMAL CONTROL SERVICES WITHIN THE CITY OF KUNA, IDAHO FOR THE FISCAL YEAR OCTOBER 1, 2016 TO SEPTEMBER 30, 2017

K. Consideration to approve Resolution No. R63-2016 Nampa Meridian Irrigation District Agreement – Richard Roats, City Attorney

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BY AND BETWEEN THE CITY O KUNA AND THE NAMPA MERIDIAN IRRIGATION DISTRICT.

8. Ordinances:

A. Consideration to approve Ordinance No. 2016-29 Amending Kuna City Code 1-4-1 – General Penalty – Richard Roats, City Attorney

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

AN ORDINANCE AMENDING KUNA CITY CODE 1-4-1 SETTING FORTH SEPARATE PARAGRAPHS FOR THE OFFENSES OF INFRACTION AND MISDEMEANOR PENALTIES; PROVIDING FOR A SEVERANCE CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

9. Mayor/Council Discussion Items:

10. Announcements:

11. Executive Session:

12. Adjournment:

OFFICIALS

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

CITY OF KUNA

Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

City Council Meeting
MINUTES
Tuesday, August 16, 2016

6:00 P.M. REGULAR CITY COUNCIL

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

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

CITY STAFF PRESENT: Richard Roats, City Attorney
Chris Engels, City Clerk
Wendy Howell, P & Z Director
Gordon Law, City Engineer
John Marsh, City Treasurer
Bob Bachman, Fleet/Facilities Director
Bobby Withrow, Parks Director

2. **Invocation:** None

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

4. **Consent Agenda:**
(Timestamp 00:00:41)

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A. City Council Meeting Minutes:

1. Regular City Council Minutes, August 2, 2016

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2. Budget Workshop Minutes, August 8, 2016

B. Accounts Payable Dated August 12, 2016 in the Amount of $219,016.18

C. Alcohol Licenses:

D. Resolutions

E. Findings of Fact and Conclusions of Law

1. 16-04-AN (Annexation) Jose or Irma Garcia; approval to annex an approximately 1.21 acre parcel located at 930 W. Deer Flat Road into the City of Kuna with an 'R-6' (Medium Density Residential) zoning designation.

2. 16-05-AN (Annexation) David Austad; approval to annex an approximately 10 acre parcel located west of Deserthawk Estates Subdivision; south of W. Sunbeam St. at the western terminus of W. Stony Desert St. into the City of Kuna with an 'R-6' (Medium Density Residential) zoning designation.

Council President Jones asked about a restocking fee on accounts payable.

City Engineer Gordon Law said whether it was the City's error or the supplier's error is still being discussed.

Council Member Buban-Vonder Haar moved to approve the consent agenda. Seconded by Council President Jones. Motion carried 3-0. Council Member Cardoza Absent.

5. Community Reports or Requests:

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

7. Business Items:
(Timestamp 00:02:31)

A. Budget Workshop – John Marsh, City Treasurer

City Treasurer John Marsh opened up the matter to discussion. He said there are two (2) funds that hadn't been covered yet. The Agency Fund, which is a single amount from a check the City received a few years ago from Ridley's for a development agreement. It is housed at the Bank of the Cascades and will sit there until the City is obligated to act on it. The other fund is the Capital Projects Fund, which is a governmental fund attached to the General Fund. The items that end up in this fund are the items that are capital in nature that come out of the General Fund. They transfer out of the General Fund and into the Capital Projects Fund and then the City tracks the particular assets. It is generally noted on the Profit and Loss Statements. In other words, it takes the expenditures that are capital in nature from the General

Fund, transferring them out as expenditure and into the Capital Projects Fund as revenue and then expending them out of the Capital Projects Fund. It is basically a wash in the Capital Fund account until there is money left over from a project which won't be known until the end of the year. He stood for questions.

There were no questions.

Mr. Marsh added that the summary from the General Fund he sent to Council included all the changes Council had requested at the last meeting; including the use of carryover and the use of Foregone Property Tax. What remains at the top of the summary are the projected carryover and the projected contingency fund at the beginning of the fiscal year. Currently, the General Fund budget is balanced with $5,729,506.00 in projected revenue and $5,729,506.00 in projected expenditures. Initially the carryover was $1,689,360.00, some of that was used and the Contingency Fund was dropped to just under $1.3 million. Foregone Property Tax in the amount of $53,719.00 was input and there was no Property Tax Increase. The use of Carryover Funds was $419,107.00. There were more expenditures than what was projected for revenue so the Carryover Fund was dipped into. The Forgone Property Tax also includes new construction and annexation.

Council Member Buban-Vonder Haar asked if this meant the City spent $419,107.00 less than what had been budgeted the previous year.

Mr. Marsh said the projected carryover is an accumulation of prior years plus what is projected for this year. The City is budgeted to spend $419,000.00 out of that total.

Council Member Buban-Vonder Haar asked if the amount not spent from Fiscal Year 2016 was listed on its own in the reports.

Mr. Marsh said no, he did not have it as an individual line but, in the summary report, there is a section at the bottom titled "Summary of Carryover Activity – General Fund". The first item listed is the Estimated Beginning Carryover Balance FYE 2017 at $1,616,344.00.

Council Member Buban-Vonder Haar asked which page it was on.

Mayor Stear said page three (3) of three (3) at the very bottom; $369,661.00 is carryover from last year.

Mr. Marsh said instead of putting all of the detail behind that in the report, which would have taken up quite a bit of space, he left it at the summary level, but he does have the detail available if Council would like to look at it. He added that these things are tough to estimate and the estimate given is conservative. The carryover from this current fiscal year could end up being larger than what is projected. It is tough to say how things will end up over the next month but it should be pretty close.

Council President Jones said, at the budget meeting on August 8, 2016, $1.689 million was the projected carryover for the start of the year. If the $390,000.00 that was just spent out of the General Fund for the new City Hall was factored in, the carryover would have been close to $2 million. Going back to the $1.689 million, originally with the needed items there was a deficit of $102,000.00 which put the carryover at $1.586 million; then another $386,000.00 was spent to cover the wanted items, making the carryover roughly $1.2 or $1.3 million. That is pretty much the same amount the City projected for the current year. He was puzzled as to why $872,000.00 over the projected revenue came in. It is a good thing but if the City's cash in the Water Fund, Sewer Fund, PI Fund, and the leftover cash in the General Fund were factored together it would be almost $6 million in cash. He feels that, based on these facts, a tax increase is not needed. Also, the City has funded new employees, the money saved by purchasing a new City Hall is going back into the reserves, and the first stages of the dog park and the splash pad have been funded. He asked if Council would be open to negotiating the tax increase. If the City took nothing there would actually be a tax decrease of approximately $36.00 per house. If the City stays at the same tax rate so taxes don't go down or up, that gives the City about $30,000.00 in foregone. He would be willing to make that compromise, otherwise he will be voting "no" on the tax increase.

Mayor Stear said his personal tax records over the past four (4) years show the City's levy rate has gone from .004%, rounding down, in 2012 to .0031%, also rounding down, in 2015. There are different factors to look at, such as property value increasing, which makes the levy rate go down and does not really affect the City's bottom line. What the City needs to be concerned about is growth. If growth is the main contributing factor, it does have an adverse effect on the City's ability to maintain a level of service. The easiest way to see if growth is a main factor is to look at the bottom line of a property tax bill. Looking at his tax bill on his house from 2012, he paid $513.82. In 2015, he paid $457.34. That is a net decrease of $56.48. Last time it was discussed that if the foregone was levied it would be a $12.00 per year per home increase. That would still leave him with a net savings of $44.00 on his next property tax bill. As the City of Kuna grows and subdivisions come in, the City puts in new parks and the City will have to hire more people. The City has the unique opportunity this year to play catch-up. He feels that is what is happening; the City is staying caught up as it grows. If the City keeps passing up on the tax increases, which to him are not really tax increases but maintaining a level rate, the City will end up in trouble. At some point in time the City would have to ask for a nine (9) point increase and the people would not be happy about that. When talking about a $1.00 a month increase on a house payment, it shouldn't even affect the payment. Escrow carries those balances and they have cushion built into them. He feels this increase should not have an effect on people but it will give the City the ability to keep up. This year may be a big year but that is not the norm. He is okay with not taking the 3% and just taking the foregone. He can't see passing on funding that will help the City carry on in the future.

Council Member Buban-Vonder Haar asked Council President Jones if he would be willing to do just the full foregone amount.

Council President Jones said that was the original plan but he does not see the need for that. He would like to see $20,000.00 in taxes but he thinks the break-even point is $30,000.00 on the foregone. Anyone could go through and pick apart the budget. Showing that the City can still create a decent budget that has an increased carryover, added two and a half (2 ½) employees, and purchased new equipment to improve efficiency is a good thing. He has a hard time taking a tax increase but he would be willing to do the break-even point even though he would prefer to do a tax decrease.

Council Member Buban-Vonder Haar said she remembered not taking any tax increase or foregone amount last year because the City was trying for the rec district. They were trying to be considerate of the impact that would have on the citizens of Kuna. If they had not expected that to pass, she feels Council would have taken a tax increase. She said that may be why she has less angst about it. She keeps hearing requests for a pool, a rec district, or some sort of large improvement but if it has to go for a vote it gets shut down. It would seem the only way to pay for those types of things is to keep up with tax rates and pay for them out of funds set aside.

Council President Jones said he thought foregone was levied last year and it was the two (2) years ago nothing was levied.

Mr. Marsh said yes, last year foregone was levied and in Fiscal Year Ending 2015 nothing was levied other than annexation and new construction and, if his memory is correct, there was discussion on a rec district.

Council President Jones said he understands where Council Member Buban-Vonder Haar is coming from and he would like to do that but his concern is that Council is not willing to commit to set aside that money for anything that binds future councils.

Council Member Buban-Vonder Haar said, knowing that legally they can't bind future councils; she is willing to earmark the money for a special project. If she were lucky enough to still be on the Council six (6) years from now, when enough money has been saved to make a purchase and a great project comes along, she would not want to be restrained in what the money could be used for just because the current Council was wanting to be specific about that for in the future. She suggested earmarking it with a broad term that encompasses projects such as a community activity, potential land acquisition, potential construction, or a partnership on a project.

Council President Jones asked if that was doable.

Mayor Stear said if it was for something four (4) years down the road, no, they can't lock up future council but, it can be put in with that intention and future councils can

see that presentation and decide if that is the direction they want to go. City Council is here for the good of the community, so if a project came up that is good for the community at that time, he would think the Council would be willing to spend money on whatever that may be. New and innovative things are coming up all the time and something may pop up in the next couple years that Council feels ought to be done. He said give future councils credit. They will have to approve whatever the project is anyways.

Council Member Buban-Vonder Haar said she would like the option to use it for possible tax incentives for specific recreation type businesses coming in. She could not think of a single establishment in Kuna that is not a restaurant where a kid's birthday party could be hosted. She suggested possibly working with the Economic Development Committee in a year or two (2) to offer an incentive to get something like mini golf or paint your own pottery or any number of activity type businesses in. That is her only concern; that they keep their options open for whatever creative ways the money could be used, even as they try to name an account for the money.

Council President Jones said he would be open to that. He brought up the $24,000.00 being saved on City Hall. He looks at that $24,000.00 as offsetting the $24,000.00 he would like to hold back from the foregone. He asked if Council would be willing to put that $24,000.00 aside for a broad fund.

Council Member Buban-Vonder Haar said she thought the idea was to replenish the contingency funds used to pay for City Hall and then move forward from there. She does not think she would have an issue earmarking those funds for the benefit of some sort of recreational opportunity. She added that, in regards to the 3% and or foregone increase, property value is going up and the economy in general is improving. She would hope that it would not be as difficult for people to deal with a small increase. She also thinks Kuna is on the cusp of having enough growth to bring in more commercial business which would help alleviate residential taxes. The more that can be done to help bring in commercial business the better. Even if an increase may hurt a little bit now, if that increase in residential taxes can be struggled through for another year or two (2), hopefully it will balance out due to the amount of growth happening. Having recreational opportunities will help to bring that change.

Council President Jones said he still has a hard time levying the entire foregone amount. He would vote "no" on that.

Council Member Buban-Vonder Haar asked if he would consider taking the full foregone amount without the 3% a compromise.

Council President Jones said no, he does not want to take the 3% or the entire foregone amount, he just wants to break even. If the savings from the City Hall purchase were factored in it would add up to the $50,000.00 that would be the entire foregone. Depending on any big projects being completed by the end of the year, some taxes might be seen from them.

Council Member Buban-Vonder Haar said she would like to hear Council Member McPherson's thoughts but if Council ends up in a position were some would like to take both the 3% and the foregone, taking one and not the other could be a happy compromise.

Council Member McPherson said in his 20 years at the fire department they were always behind the eight-ball with money. If the City has the chance to get a little ahead of things, his vote is for the 3%. The City is at that point where financially things are doing well and this will make things a little better; that way if a rough year comes along the City will still be even instead of falling behind.

Council Member Buban-Vonder Haar asked if he wanted both, the 3% and the foregone.

Council Member McPherson said he would go with one (1) or the other.

Council President Jones asked if next year was a banner year, would anyone vote for a tax decrease.

Council Member Buban-Vonder Haar said it would depend on what the finances look like and if there is an idea for a recreational opportunity that requires the foregone or 3% amount. She would probably not be interested in a tax decrease if there were still projects that the City still wanted to try to do. There is still significant community outcry to work towards recreational opportunities. She can't say for sure, but she does not think she would be prepared to reduce taxes until larger scale recreation is in place.

Council Member McPherson agreed. Everyone wants everything but when it comes to a vote it gets shut down. If it can be done through budgeting it will look good in the end. A small tax increase here or there does not mean it has to be done the next year. Maybe next year will be status quo but he feels this year the taxes should be taken if possible.

Council President Jones said he thinks the Park Impact Fee will be helpful with small projects. He does not see how a swimming pool could be budgeted for out of the General Fund. He felt it would be passed if it was a stand-alone swimming pool. He thinks the problem in the past has been the size of the projects. He would like to try proposing the pool by itself because he feels it would solve the problem. He still does not see the need for the tax increase but he is just one vote. He thanked everyone for talking it out with him.

Mayor Stear asked if there were any other items on the summary that anyone would like to discuss.

There were no further questions.

B. Park Impact Fee Fund and Bank Account
(Timestamp 00:31:52)

City Treasurer John Marsh explained the purpose of the fund and why it was needed. It had been gone over at the previous budget meeting so this is just a formality of actually creating the fund and its stand-alone bank account. The bank account would be at the US Bank where the City currently has operating accounts.

Council President Jones asked if Mr. Marsh was concerned about having funds in different institutions.

Mr. Marsh explained there isn't really a problem with that other than it creating more work. The City deals with that to a small degree right now since the Agency Fund is sitting in the Bank of the Cascades. Once in a while if there is an entered amount into that fund it has to be receipted under a special code and a separate deposit book has to be taken to that institution. This can lead to errors if someone is not paying attention. This means too much volume can cause a headache. Otherwise, the primary objective is to have a local presence for a bank.

Council President Jones mentioned he was concerned about insurance.

Mr. Marsh said that would be addressed shortly.

1. Consideration to approve Resolution No. R52-2016 Creation of Park Impact Fee Fund - John Marsh, City Treasurer

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY TREASURER TO CREATE A PARK IMPACT FEE FUND (A GOVERNMENTAL FUND TYPE).

Council Member Buban-Vonder Haar moved to approve Resolution No. R52-2016. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Cardoza absent.

2. Consideration to approve Resolution No. R53-2016 Creation of new bank account for Park Impact Fees – John Marsh, City Treasurer

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY TREASURER TO CREATE A NEW STAND-ALONE BANK ACCOUNT FOR PARK IMPACT FEE ACTIVITY.

Council Member Buban-Vonder Haar moved to approve Resolution No. R53-2016. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Cardoza absent.

C. Consideration to approve Resolution No. R54-2016 Liquidation of Employee Vacation Leave Bank – John Marsh, City Treasurer

City Treasurer John Marsh explained this was a follow up to Council direction at the last budget workshop and the Employee Vacation Leave Bank will be liquidated before the new fiscal year when the proposed COLA would go into effect. There are a few things employees can do with this for tax approval such as changing their withholding allowances or putting more money into their Perci or a 401K. There are also retiree only options. He said if Council would like the numbers on how the liquidation would pan out in the funds he has them. He stood for questions.

Council Member Buban-Vonder Haar asked if there was potential for this to occur after October 1, 2016 if an employee were to choose one (1) of the other options Mr. Marsh listed and if so are the employees agreeing to a current day valuation.

Mr. Marsh said it would be in the City's best interest to have the exchange completed by October 1, 2016 so there are no questions as to payroll and the COLA increase.

Mayor Stear said his intent is to get this negotiated out so it is taken care of and done in a way that people won't choose a different option that the City can't lock in by the end of the fiscal year.

Council Member Buban-Vonder Haar said that was her main concern; that this not carry on past October 1, 2016 and, if it does, that the employees sign some sort of contract or agreement that the value of their leave time does not change after September 30, 2016. She was not sure of the entire range of options, but this way if someone were to take half now and half later it is all covered, though, hopefully that sort of exchange will be minimal.

Mr. Marsh said he and City Attorney Richard Roats could work some kind of agreement out if it does get to that point. If all goes as planned it will all be done before September 30, 2016.

Mayor Stear said it sounds like most will just be going with the payout which should minimize any complications.

Mr. Marsh said the account is liquidated into the budget numbers so it is removed from the carryover balance.

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY TREASURER TO LIQUIDATE THE EMPLOYEE VACATION LEAVE BANK (VLB).

Council Member Buban-Vonder Haar moved to approve Resolution No. R54-2016. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Cardoza absent.

D. New City Hall Update *(No Action Required)* – Bob Bachman, Facilities Director *(Timestamp 00:40:05)*

Facilities Director Bob Bachman said he didn't have anything to add and stood for questions.

Council President Jones said it looked good and thanked Mr. Bachman and his staff.

E. Tentative Budget FYE 2017 – John Marsh, City Treasurer *(Timestamp 00:40:41)*

Mayor Stear confirmed that the tentative budget matches what Council just looked at in the budget workshop as long as there were no changes to it.

City Treasurer John Marsh said yes, and the only outstanding question from the workshop was property taxes. He asked for direction from Council.

Council Member Buban-Vonder Haar said the Foregone Property Tax is $53,719.00 and the Property Tax Increase is $57,533.00. She recapped that Council President Jones wanted to take $30,000.00 in taxes and Council Member McPherson would be willing to take either the Property Tax Increase or the Foregone Tax Increase. She recommended taking the foregone amount and not the 3% as a compromise.

Mayor Stear asked if Council Member Buban-Vonder Haar's suggestion is also what is on the tentative budget.

Mr. Marsh said it is.

Council Member Buban-Vonder Haar moved to approve the tentative budget as presented. Seconded by Council Member McPherson.
Voting Aye: Council Members Buban-Vonder Haar and McPherson
Voting No: Council Member Jones
Motion carried 2-0. Council Member Cardoza absent.

8. Ordinances:
(Timestamp 00:42:51)

A. Consideration to approve Ordinance No. 2016-25 Garcia Annexation

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

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. S1314346791 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2016-25. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Cardoza absent.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-25. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, and McPherson
Voting No: None
Motion carried 3-0. Council Member Cardoza absent.

Council Member Buban-Vonder Haar moved to approve summary publication of Ordinance No. 2016-25. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Cardoza absent.

B. Consideration to approve Ordinance No. 2016-26 Austad Annexation

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

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. R7321000916 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2016-26. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Cardoza absent.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-26. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Jones, Buban-Vonder Haar, and McPherson
Voting No: None

Motion carried 3-0. Council Member Cardoza absent.

Council Member Buban-Vonder Haar moved to approve summary publication of Ordinance No. 2016-26. Seconded by Council Member McPherson. Motion carried 3-0. Council Member Cardoza absent.

9. Mayor/Council Discussion Items:

10. Announcements:

11. Executive Session:

12. Adjournment: 6:48 pm

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

Minutes prepared by Ariana Welker, Customer Service Specialist
Date Approved: CCM 09.06.2016

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

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
2M COMPANY, INC.												
1461	2M COMPANY, INC.	4110271-000		REPLACEMENT SPRINKLERS, STOCK, B WITHROW, PARKS, AUG 16	08/12/2016	523.80	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/16		
Total 4110271-000:						523.80	.00					
1461	2M COMPANY, INC.	4110603-000	4637	SIDE STRIP NOZZLES FOR INVENTORY, P.KAUFMAN, AUG.'16	08/23/2016	14.47	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/16		
Total 4110603-000:						14.47	.00					
Total 2M COMPANY, INC.:						538.27	.00					
A COMPANY, INC.												
1463	A COMPANY, INC.	B-255938		RENTAL HITECH RESTROOM, SN#EE445, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, WINCHESTER PARK, EOW, AUG 16	08/21/2016	90.50	.00	01-6212 RENT-EQUIPMENT	1004	8/16		
Total B-255938:						90.50	.00					
1463	A COMPANY, INC.	B-255958		RENTAL HITECH RESTROOM, SN#CC116, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER, 7.50, SEGO PRAIRIE POND, EOW, AUG 16	08/21/2016	90.50	.00	01-6212 RENT-EQUIPMENT	1004	8/16		
Total B-255958:						90.50	.00					
1463	A COMPANY, INC.	B-256008		RENTAL HITECH RESTROOM, SN#GH502, RENTAL 10.00,								

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
				SERVICE 73.00, DAMAGE WAIVER 7.50, SADIE CREEK PARK, EOW, AUG 16	08/21/2016	90.50	.00	01-6212 RENT-EQUIPMENT	1004	8/16		
Total B-256008:						90.50	.00					
1463	A COMPANY, INC.	B-256014		RENTAL HITECH RESTROOM, SN#T273, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, CITY FARM, EOW, AUG 16	08/21/2016	90.50	.00	21-6212 RENT-EQUIPMENT	0	8/16		
Total B-256014:						90.50	.00					
1463	A COMPANY, INC.	B-256163		RENTAL HITECH RESTROOM, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, ARBOR RIDGE, EOW, AUG 16	08/21/2016	90.50	.00	01-6212 RENT-EQUIPMENT	1004	8/16		
Total B-256163:						90.50	.00					
1463	A COMPANY, INC.	B-256164		RENTAL HITECH RESTROOM, SN#CC1054, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, FARM PARK, EOW, AUG 16	08/21/2016	90.50	.00	01-6212 RENT-EQUIPMENT	1004	8/16		
Total B-256164:						90.50	.00					
Total A COMPANY, INC.:						543.00	.00					
A.M.E. ELECTRIC, INC.												
1210	A.M.E. ELECTRIC, INC.	16631		WELL #9 REPAIR, SERVICE CALL TO SPLICE MOTOR, AUG 16	07/08/2016	899.16	.00	20-6166 PP&E PURCHASES OPERATIONS	1044	7/16		
Total 16631:						899.16	.00					
Total A.M.E. ELECTRIC, INC.:						899.16	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
ABLE PAINTING & REMODELING, INC.												
1260	ABLE PAINTING & REMODELING, INC.	070951		PAINTING NEW CITY HALL, CORBELS, FACIA, METAL TRIM AND 4 WINDOW TRIMS, AUG 16	08/16/2016	418.00	.00	40-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
1260	ABLE PAINTING & REMODELING, INC.	070951		PAINTING NEW CITY HALL, CORBELS, FACIA, METAL TRIM AND 4 WINDOW TRIMS, AUG 16, WATER	08/16/2016	286.00	.00	20-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
1260	ABLE PAINTING & REMODELING, INC.	070951		PAINTING NEW CITY HALL, CORBELS, FACIA, METAL TRIM AND 4 WINDOW TRIMS, AUG 16, SEWER	08/16/2016	286.00	.00	21-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
1260	ABLE PAINTING & REMODELING, INC.	070951		PAINTING NEW CITY HALL, CORBELS, FACIA, METAL TRIM AND 4 WINDOW TRIMS, AUG 16, PI	08/16/2016	110.00	.00	25-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
Total 070951:						1,100.00	.00					
Total ABLE PAINTING & REMODELING, INC.:						1,100.00	.00					
ADA COUNTY HIGHWAY DISTRICT (IMPACT)												
5	ADA COUNTY HIGHWAY DISTRICT (IMPACT)	082016		ACHD IMPACT FEE TRANSFER FOR JULY, 16	08/16/2016	76,100.00	76,100.00	01-2510 ACHD IMPACT FEE TRANSFER	0	8/16	08/16/2016	
Total 082016:						76,100.00	76,100.00					
Total ADA COUNTY HIGHWAY DISTRICT (IMPACT):						76,100.00	76,100.00					
ADA COUNTY HIGHWAY DISTRICT (RENT)												
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13863		ACHD SHOP RENT, SEPT 16, PARKS	08/11/2016	112.50	.00	01-6140 MAINT. & REPAIR BUILDING	0	9/16		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13863		ACHD SHOP RENT, SEPT 16, WATER	08/11/2016	148.50	.00	20-6140 MAINT. & REPAIR BUILDING	0	9/16		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13863		ACHD SHOP RENT, SEPT 16, SEWER	08/11/2016	148.50	.00	21-6140 MAINT & REPAIR BUILDING	0	9/16		

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
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13863		ACHD SHOP RENT, SEPT 16, PI	08/11/2016	40.50	.00	25-6140 MAINT & REPAIR BUILDING	0	9/16		
Total 13863:						450.00	.00					
Total ADA COUNTY HIGHWAY DISTRICT (RENT):						450.00	.00					
ADA COUNTY SHERIFF'S OFFICE												
6	ADA COUNTY SHERIFF'S OFFICE	6612		SHERIFF SERVICES, AUG 16	08/11/2016	130,825.29	.00	01-6000 LAW ENFORCEMENT SERVICES	0	8/16		
Total 6612:						130,825.29	.00					
Total ADA COUNTY SHERIFF'S OFFICE:						130,825.29	.00					
AUTOZONE, INC.												
1606	AUTOZONE, INC.	41261245712	4647	1 EA 3/8" TO 1/2" SOCKET ADAPTER, B.GILLOGLY, AUG.'16	08/25/2016	4.99	.00	01-6175 SMALL TOOLS	1004	8/16		
Total 41261245712:						4.99	.00					
1606	AUTOZONE, INC.	4126124709	4647	SOLDERING IRON FOR MAINTENANCE AND A SOCKET ADAPTER, B.GILLOGLY, AUG.'16	08/25/2016	16.74	.00	01-6175 SMALL TOOLS	1004	8/16		
Total 4126124709:						16.74	.00					
Total AUTOZONE, INC.:						21.73	.00					
B & A ENGINEERS, INC.												
347	B & A ENGINEERS, INC.	2795		FINAL BILLINGS FOR RIVERSIDE ELEMENTARY BOUNDARY, PREPARE RECORD OF SURVEY, R ROATS, AUG 16	08/12/2016	4,467.20	.00	03-6368 EXPEND-KUNA POOL/FITNESS FAC.	0	8/16		

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 2795:						4,467.20	.00					
Total B & A ENGINEERS, INC.:						4,467.20	.00					
BHS SPECIALTY CHEMICALS												
512	BHS SPECIALTY CHEMICALS	73213	4624	CHLORINE FOR WELLS, D.CROSSLEY, AUG.'16 - WATER	08/19/2016	1,490.50	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 73213:						1,490.50	.00					
Total BHS SPECIALTY CHEMICALS:						1,490.50	.00					
BRADY INDUSTRIES OF IDAHO LLC												
1240	BRADY INDUSTRIES OF IDAHO LLC	5173065	4585	1 CS LARGE TOILET PAPER ROLLS, 1 CS ROLL PAPER TOWELS, ADMIN, AUG 16	08/08/2016	32.92	.00	01-6025 JANITORIAL	0	8/16		
1240	BRADY INDUSTRIES OF IDAHO LLC	5173065	4585	1 CS LARGE TOILET PAPER ROLLS, 1 CS ROLL PAPER TOWELS, P&Z, AUG 16	08/08/2016	11.76	.00	01-6025 JANITORIAL	1003	8/16		
1240	BRADY INDUSTRIES OF IDAHO LLC	5173065	4585	1 CS LARGE TOILET PAPER ROLLS, 1 CS ROLL PAPER TOWELS, WATER, AUG 16	08/08/2016	30.58	.00	20-6025 JANITORIAL	0	8/16		
1240	BRADY INDUSTRIES OF IDAHO LLC	5173065	4585	1 CS LARGE TOILET PAPER ROLLS, 1 CS ROLL PAPER TOWELS, SEWER, AUG 16	08/08/2016	30.58	.00	21-6025 JANITORIAL	0	8/16		
1240	BRADY INDUSTRIES OF IDAHO LLC	5173065	4585	1 CS LARGE TOILET PAPER ROLLS, 1 CS ROLL PAPER TOWELS, PI, AUG 16	08/08/2016	11.76	.00	25-6025 JANITORIAL	0	8/16		
Total 5173065:						117.60	.00					
Total BRADY INDUSTRIES OF IDAHO LLC:						117.60	.00					
BUYWYZ LLC												
1795	BUYWYZ LLC	91057	4627	3 MAXELL EARPHONE, DISHSOAP, 12 EA BIG TAB INSERTS, BANKER BOXES, ADMIN, AUG 16	08/16/2016	92.89	.00	01-6165 OFFICE SUPPLIES	0	8/16		

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 91057:						92.89	.00					
1795	BUYWYZ LLC	91475	4646	2017 CALENDARS, SPEAKERS, RULER, ADMIN, AT A GLANCE DESK CALENDAR, 3 RING BINDERS, PENS, PLANT, AUG 16, WATER	08/26/2016	71.82	.00	20-6165 0FFICE SUPPLIES	0	8/16		
1795	BUYWYZ LLC	91475	4646	2017 CALENDARS, SPEAKERS, RULER, ADMIN, AT A GLANCE DESK CALENDAR, 3 RING BINDERS, PENS, PLANT, AUG 16, SEWER	08/26/2016	71.82	.00	21-6165 OFFICE SUPPLIES	0	8/16		
1795	BUYWYZ LLC	91475	4646	2017 CALENDARS, SPEAKERS, RULER, ADMIN, AT A GLANCE DESK CALENDAR, 3 RING BINDERS, PENS, PLANT, AUG 16, PI	08/26/2016	27.36	.00	25-6165 OFFICE SUPPLIES	0	8/16		
1795	BUYWYZ LLC	91475	4646	2017 CALENDARS, SPEAKERS, DRY ERASE BOARD AND MARKERS, AUG 16, ADMIN	08/26/2016	26.07	.00	01-6165 OFFICE SUPPLIES	0	8/16		
1795	BUYWYZ LLC	91475	4646	2017 CALENDARS, SPEAKERS, DRY ERASE BOARD AND MARKERS, AUG 16, PARKS	08/26/2016	9.32	.00	01-6165 OFFICE SUPPLIES	1004	8/16		
1795	BUYWYZ LLC	91475	4646	2017 CALENDARS, SPEAKERS, DRY ERASE BOARD AND MARKERS, AUG 16, WATER	08/26/2016	24.22	.00	20-6165 0FFICE SUPPLIES	0	8/16		
1795	BUYWYZ LLC	91475	4646	2017 CALENDARS, SPEAKERS, DRY ERASE BOARD AND MARKERS, AUG 16, SEWER	08/26/2016	24.22	.00	21-6165 OFFICE SUPPLIES	0	8/16		
1795	BUYWYZ LLC	91475	4646	2017 CALENDARS, SPEAKERS, DRY ERASE BOARD AND MARKERS, AUG 16, PI	08/26/2016	9.32	.00	25-6165 OFFICE SUPPLIES	0	8/16		
Total 91475:						264.15	.00					
Total BUYWYZ LLC:						357.04	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
CAPITAL PAVING CO												
20	CAPITAL PAVING CO	3032		PATCH AT 685 TRINI, AUG 16	08/23/2016	360.00	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 3032:						360.00	.00					
20	CAPITAL PAVING CO	6247		PATCH SWAN FALLS RD SOUTH OF KUNA MORA, SEWER, T FLEMING, AUG 16	08/08/2016	950.66	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 6247:						950.66	.00					
Total CAPITAL PAVING CO:						1,310.66	.00					
CASELLE INC												
1239	CASELLE INC	74879		MONTHLY SOFTWARE SUPPORT, ADMIN, SEPT 16	08/01/2016	459.20	.00	01-6052 CONTRACT SERVICES	0	8/16		
1239	CASELLE INC	74879		MONTHLY SOFTWARE SUPPORT, P&Z, SEPT 16	08/01/2016	147.60	.00	01-6052 CONTRACT SERVICES	1003	8/16		
1239	CASELLE INC	74879		MONTHLY SOFTWARE SUPPORT, WATER, SEPT 16	08/01/2016	434.60	.00	20-6052 CONTRACT SERVICES	0	8/16		
1239	CASELLE INC	74879		MONTHLY SOFTWARE SUPPORT, SEWER, SEPT 16	08/01/2016	434.60	.00	21-6052 C0NTRACT SERVICES	0	8/16		
1239	CASELLE INC	74879		MONTHLY SOFTWARE SUPPORT, PI, SEPT 16	08/01/2016	164.00	.00	25-6052 C0NTRACT SERVICES	0	8/16		
Total 74879:						1,640.00	.00					
Total CASELLE INC:						1,640.00	.00					
CASH												

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
1423	CASH	082416		R JONES PURCHASED RUBBING ALCOHOL AT ALBERTSONS ON 8-24-16 WITH PERSONAL FUNDS, TO BE USED FOR WATER SAMPLES, UNAWARE WE HAVE ALB. CARD, REIMBURSE PETTY CASH, AUG 16	08/24/2016	5.81	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 082416:						5.81	.00					
Total CASH:						5.81	.00					
COREY BARTON HOMES, INC.												
479	COREY BARTON HOMES, INC.	08312016CBH		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	4,233.20	.00	05-6306 SEWER MAIN CAPACITY REIMBURSE	0	8/16		
479	COREY BARTON HOMES, INC.	08312016CBH		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	17,249.17	.00	21-6160 MISCELLANE0US EXPENSES	0	8/16		
Total 08312016CBH:						21,482.37	.00					
Total COREY BARTON HOMES, INC.:						21,482.37	.00					
CUMMINS ROCKY MOUNTAIN, LLC												
266	CUMMINS ROCKY MOUNTAIN, LLC	027-21480		PLANT GENERATOR #1 MAINTENANCE, CHANGED OIL, CHANGED FILTERS, WATER AND FUEL, CHECKED FLUIDS, T SHAFER, SEWER, AUG 16	08/08/2016	2,282.60	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 027-21480:						2,282.60	.00					
266	CUMMINS ROCKY MOUNTAIN, LLC	027-21481		PREVENTATIVE MAINTENANCE ON GENERATOR #2, CHANGED OIL, CHANGED WATER AND FUEL FILTERS, T SHAFER, SEWER, AUG 16	08/08/2016	2,282.60	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		

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 027-21481:						2,282.60	.00					
Total CUMMINS ROCKY MOUNTAIN, LLC:						4,565.20	.00					
D & B SUPPLY												
75	D & B SUPPLY	006 84469 001	4611	STIHL WEED EATER, REPLACEMENT NUTS & WASHERS FOR BLADES, P.KAUFMAN, AUG.'16 - PARKS	08/10/2016	396.35	.00	01-6175 SMALL TOOLS	1004	8/16		
Total 006 84469 001:						396.35	.00					
Total D & B SUPPLY:						396.35	.00					
DAHLE CONSTRUCTION, LLC												
1708	DAHLE CONSTRUCTION, LLC	3532		REPAIR EXISTING WATER MAIN ON CRENSHAW, WATER, C DEYOUNG, AUG 16	08/25/2016	19,160.00	.00	20-6166 PP&E PURCHASES OPERATIONS	1044	8/16		
Total 3532:						19,160.00	.00					
Total DAHLE CONSTRUCTION, LLC:						19,160.00	.00					
DMH ENTERPRISES												
1745	DMH ENTERPRISES	08152016D		PLUMBING PERMITS, JULY 2016	08/15/2016	4,680.00	4,680.00	01-6202 PR0FESSI0NAL SERVICES	1003	7/16	08/15/2016	
Total 08152016D:						4,680.00	4,680.00					
1745	DMH ENTERPRISES	08312016DMH		PLUMBING PERMITS ISSUED, AUG.'16	08/31/2016	5,750.10	5,750.10	01-6202 PR0FESSI0NAL SERVICES	0	8/16	09/02/2016	
Total 08312016DMH:						5,750.10	5,750.10					
Total DMH ENTERPRISES:						10,430.10	10,430.10					

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
DYVER DEVELOPMENT LLC												
802	DYVER DEVELOPMENT LLC	08312016D		PRESSURE IRRIGATION REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	3,708.36	.00	05-6307 PR IRR MAIN CAPACITY REIMBURSE	0	8/16		
Total 08312016D:						3,708.36	.00					
Total DYVER DEVELOPMENT LLC:						3,708.36	.00					
ELECTRICAL CONTROLS & INSTRUMENTATION												
1744	ELECTRICAL CONTROLS & INSTRUMENTATION	08152016E		ELECTRICAL PERMITS JULY 2016	08/15/2016	4,859.40	4,859.40	01-6202 PR0FESSI0NAL SERVICES	1003	7/16	08/15/2016	
Total 08152016E:						4,859.40	4,859.40					
1744	ELECTRICAL CONTROLS & INSTRUMENTATION	08312016E		ELECTRICAL PERMITS ISSUED, AUG.'16	08/31/2016	5,886.00	5,886.00	01-6202 PR0FESSI0NAL SERVICES	0	8/16	09/02/2016	
Total 08312016E:						5,886.00	5,886.00					
Total ELECTRICAL CONTROLS & INSTRUMENTATION:						10,745.40	10,745.40					
EVERGREEN SPRINKLER CO., INC.												
255	EVERGREEN SPRINKLER CO., INC.	13043-30	4620	REPLACEMENT VALVE FOR WINCHESTER PARK, P.KAUFMAN, AUG.'16 - PARKS	08/15/2016	139.00	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/16		
Total 13043-30:						139.00	.00					
Total EVERGREEN SPRINKLER CO., INC.:						139.00	.00					
FALCON RIDGE CHARTER SCHOOL												
1028	FALCON RIDGE CHARTER SCHOOL	08312016FR		PRESSURE IRRIGATION REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	7,381.53	.00	05-6307 PR IRR MAIN CAPACITY REIMBURSE	0	8/16		

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 08312016FR:						7,381.53	.00					
Total FALCON RIDGE CHARTER SCHOOL:						7,381.53	.00					
FERGUSON WATERWORKS #1701												
219	FERGUSON WATERWORKS #1701	0626054		12 METER ADAPTERS, C DEYOUNG, WATER, AUG 16	08/16/2016	336.00	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 0626054:						336.00	.00					
219	FERGUSON WATERWORKS #1701	0637719	4507	GASKETS FOR THE LAGOONS, M.FISETTE, JUL.'16 - SEWER	07/15/2016	373.28	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	7/16		
Total 0637719:						373.28	.00					
219	FERGUSON WATERWORKS #1701	0639134	4581	14.525 FT BLUE PIPE FOR REPAIR AT FARM, A.COOK, AUG.'16 - SEWER	08/02/2016	290.50	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 0639134:						290.50	.00					
Total FERGUSON WATERWORKS #1701:						999.78	.00					
GALIANO, LLC												
1481	GALIANO, LLC	08312016G		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	62,386.64	.00	05-6306 SEWER MAIN CAPACITY REIMBURSE	0	8/16		
1481	GALIANO, LLC	08312016G		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	65,822.95	.00	21-6160 MISCELLANE0US EXPENSES	0	8/16		
Total 08312016G:						128,209.59	.00					
Total GALIANO, LLC:						128,209.59	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
GARY R. HAWKINS												
1615	GARY R. HAWKINS	08312016G		PRESSURE IRRIGATION REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	32,744.58	.00	05-6307 PR IRR MAIN CAPACITY REIMBURSE	0	8/16		
Total 08312016G:						32,744.58	.00					
Total GARY R. HAWKINS:						32,744.58	.00					
GEMAL KALAR												
1278	GEMAL KALAR	1675	4644	NEW DRYWALL & PATCHING, NEW CITY HALL, B.WITHROW, AUG.'16 - ADMIN	08/21/2016	4,066.00	.00	40-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
1278	GEMAL KALAR	1675	4644	NEW DRYWALL & PATCHING, NEW CITY HALL, B.WITHROW, AUG.'16 - WATER	08/21/2016	2,782.00	.00	20-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
1278	GEMAL KALAR	1675	4644	NEW DRYWALL & PATCHING, NEW CITY HALL, B.WITHROW, AUG.'16 - SEWER	08/21/2016	2,782.00	.00	21-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
1278	GEMAL KALAR	1675	4644	NEW DRYWALL & PATCHING, NEW CITY HALL, B.WITHROW, AUG.'16 - P.I	08/21/2016	1,070.00	.00	25-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
Total 1675:						10,700.00	.00					
Total GEMAL KALAR:						10,700.00	.00					
GREENHURST NURSERY & GARDEN CE												
238	GREENHURST NURSERY & GARDEN CE	7884	4283	FLOWERS, PLANTS, FOR FLOWER BEDS ON GREENBELT, N.PURKEY, JUN.'16 - PARKS	06/02/2016	285.30	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	6/16		
Total 7884:						285.30	.00					
Total GREENHURST NURSERY & GARDEN CE:						285.30	.00					
HD SUPPLY WATERWORKS LTD												

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
63	HD SUPPLY WATERWORKS LTD	F887865	4595	FIRE HYDRANT WATER METER, T FLEMING, WATER, AUG 16	08/05/2016	575.66	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	7/16		
63	HD SUPPLY WATERWORKS LTD	F887865	4595	FIRE HYDRANT WATER METER, T FLEMING, SEWER, AUG 16	08/05/2016	575.66	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	7/16		
63	HD SUPPLY WATERWORKS LTD	F887865	4595	FIRE HYDRANT WATER METER, T FLEMING, PI, AUG 16	08/05/2016	219.28	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	7/16		
Total F887865:						1,370.60	.00					
63	HD SUPPLY WATERWORKS LTD	F952588	4606	8 3/4 METER ADAPTERS, 6 NON POTTED 3/4 METERS, WATER, AUG 16	08/10/2016	1,215.92	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total F952588:						1,215.92	.00					
Total HD SUPPLY WATERWORKS LTD:						2,586.52	.00					
HOCOHAN HOLDINGS, INC.												
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, B&W, 07-01-16 TO 07-31-16, AUG 16	08/11/2016	17.18	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	8/16		
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, B&W, 07-01-16 TO 07-31-16, AUG 16, P&Z	08/11/2016	6.15	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	8/16		
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, B&W, 07-01-16 TO 07-31-16, AUG 16, WATER	08/11/2016	15.98	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	8/16		
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, B&W, 07-01-16 TO 07-31-16, AUG 16, SEWER	08/11/2016	15.98	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/16		
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, B&W, 07-01-16 TO 07-31-16, AUG 16, PI	08/11/2016	6.15	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/16		
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, COLOR, 07-01-16 TO 07-31-16,								

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
				AUG 16	08/11/2016	51.80	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	8/16		
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, COLOR, 07-01-16 TO 07-31-16, AUG 16, P&Z	08/11/2016	18.51	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	8/16		
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, COLOR, 07-01-16 TO 07-31-16, AUG 16, WATER	08/11/2016	48.12	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	8/16		
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, COLOR, 07-01-16 TO 07-31-16, AUG 16, SEWER	08/11/2016	48.12	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/16		
1619	HOCOHAN HOLDINGS, INC.	AR474530		MONTHLY COPIER CARE, COLOR, 07-01-16 TO 07-31-16, AUG 16, PI	08/11/2016	18.51	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/16		
	Total AR474530:					246.50	.00					
	Total HOCOHAN HOLDINGS, INC.:					246.50	.00					
HYDRO LOGIC, INC.												
1314	HYDRO LOGIC, INC.	08252016		CONSULTATION FOR CITY WELL #3 AND #11, G LAW, AUG 16	08/25/2016	2,700.25	.00	20-6020 CAPITAL IMPR0VEMENTS	1036	8/16		
	Total 08252016:					2,700.25	.00					
	Total HYDRO LOGIC, INC.:					2,700.25	.00					
IDAHO DEPT OF ENVIRONMENTAL QU												
128	IDAHO DEPT OF ENVIRONMENTAL QU	20170888		PRE-PAYMENT FEES, ASSESSMENT FOR DRINKING WATER SYSTEM FOR FISCAL YR 2017, OCT 1, 2016 TO SEPT 30, 2017, WATER, AUG 16	08/19/2016	16,812.00	.00	20-1500 PREPAID INSURANCE	0	8/16		
	Total 20170888:					16,812.00	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total IDAHO DEPT OF ENVIRONMENTAL QU:						16,812.00	.00					
IDAHO FIRST AID & SAFETY, INC.												
1576	IDAHO FIRST AID & SAFETY, INC.	55403		REPLENISH FIRST AID, D CROSLEY, PARKS, AUG 16	08/16/2016	16.27	.00	01-6230 SAFETY TRAINING & EQUIPMENT	1004	8/16		
1576	IDAHO FIRST AID & SAFETY, INC.	55403		REPLENISH FIRST AID, D CROSLEY, WATER, AUG 16	08/16/2016	26.24	.00	20-6230 SAFETY TRAINING & EQUIPMENT	0	8/16		
1576	IDAHO FIRST AID & SAFETY, INC.	55403		REPLENISH FIRST AID, D CROSLEY, SEWER, AUG 16	08/16/2016	32.58	.00	21-6230 SAFETY TRAINING & EQUIPMENT	0	8/16		
1576	IDAHO FIRST AID & SAFETY, INC.	55403		REPLENISH FIRST AID, D CROSLEY, PI, AUG 16	08/16/2016	15.39	.00	25-6230 SAFETY TRAINING & EQUIPMENT	0	8/16		
Total 55403:						90.48	.00					
Total IDAHO FIRST AID & SAFETY, INC.:						90.48	.00					
IDAHO POWER CO												
38	IDAHO POWER CO	08312016I		ELECTRIC SERVICE FOR AUGUST 2016 - ADMIN	08/31/2016	479.36	.00	01-6290 UTILITIES	0	8/16		
38	IDAHO POWER CO	08312016I		ELECTRIC SERVICE FOR AUGUST 2016 - P&Z	08/31/2016	113.49	.00	01-6290 UTILITIES	1003	8/16		
38	IDAHO POWER CO	08312016I		ELECTRIC SERVICE FOR AUGUST 2016 - SENIOR CENTER	08/31/2016	424.65	.00	01-6290 UTILITIES	1001	8/16		
38	IDAHO POWER CO	08312016I		ELECTRIC SERVICE FOR AUGUST 2016 - STREET LIGHTS	08/31/2016	6,572.02	.00	01-6290 UTILITIES	1002	8/16		
38	IDAHO POWER CO	08312016I		ELECTRIC SERVICE FOR AUGUST 2016 - PARKS	08/31/2016	894.24	.00	01-6290 UTILITIES	1004	8/16		
38	IDAHO POWER CO	08312016I		ELECTRIC SERVICE FOR AUGUST 2016 - WATER	08/31/2016	16,720.22	.00	20-6290 UTILITIES EXPENSE	0	8/16		

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
38	IDAHO POWER CO	08312016I		ELECTRIC SERVICE FOR AUGUST 2016 - SEWER	08/31/2016	20,884.70	.00	21-6290 UTILITIES EXPENSE	0	8/16		
38	IDAHO POWER CO	08312016I		ELECTRIC SERVICE FOR AUGUST 2016 - FARM	08/31/2016	12,945.60	.00	21-6090 FARM EXPENDITURES	0	8/16		
38	IDAHO POWER CO	08312016I		ELECTRIC SERVICE FOR AUGUST 2016 - P.I	08/31/2016	19,536.51	.00	25-6290 UTILITIES EXPENSE	0	8/16		
Total 08312016I:						78,570.79	.00					
Total IDAHO POWER CO:						78,570.79	.00					
IDAHO PRESS TRIBUNE, LLC												
1802	IDAHO PRESS TRIBUNE, LLC	1000272	4616	AD#1503004, LEGAL PUBLICATIONS FOR16-03-ZOA, FOR W HOWELL, AUG.'16 - P& Z	08/24/2016	86.42	.00	01-6125 LEGAL PUBLICATI0NS	1003	8/16		
Total 1000272:						86.42	.00					
1802	IDAHO PRESS TRIBUNE, LLC	1000272-B		AD# 1505028, LEGAL NOTICE, ORDINANCE 2016-25, AUG.'16	08/24/2016	49.40	.00	01-6125 LEGAL PUBLICATI0NS	1003	8/16		
1802	IDAHO PRESS TRIBUNE, LLC	1000272-B		AD# 1505030, LEGAL NOTICE, ORDINANCE 2016-26, AUG.'16	08/24/2016	49.40	.00	01-6125 LEGAL PUBLICATI0NS	1003	8/16		
Total 1000272-B:						98.80	.00					
1802	IDAHO PRESS TRIBUNE, LLC	998138-A	4574	AD#1496828, LEGAL PUBLICATION, 16-03-SUP, N.STAUFFER, JUL.'16 - P& Z	08/10/2016	39.78	.00	01-6125 LEGAL PUBLICATI0NS	1003	8/16		
Total 998138-A:						39.78	.00					
1802	IDAHO PRESS TRIBUNE, LLC	998138-B	4593	AD#1499126, LEGAL PUBLICATION NOTICE, 16-02-S, 16-02-ZC, T.KESNER, AUG.'16 - P&Z	08/10/2016	55.32	.00	01-6125 LEGAL PUBLICATI0NS	1003	8/16		

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 998138-B:						55.32	.00					
1802	IDAHO PRESS TRIBUNE, LLC	999087	4619	AD#1503599, LEGAL PUBLICATION 16-02-CPM FOR SCHOOLHOUSE MULTI-FAMILY PROJECT,T. BEHUNIN, AUG.'16 - P&Z	08/17/2016	63.46	.00	01-6125 LEGAL PUBLICATI0NS	1003	8/16		
Total 999087:						63.46	.00					
Total IDAHO PRESS TRIBUNE, LLC:						343.78	.00					
IDAHO RURAL WATER ASSOC												
33	IDAHO RURAL WATER ASSOC	16280	4612	REGISTRATION FOR T.SHAFFER, WATER LAW TO YOU CONFERENCE, D.CROSSLEY, AUG.'16 - SEWER	08/11/2016	110.00	.00	21-6265 TRAINING & SCH00LING EXPENSE	0	8/16		
Total 16280:						110.00	.00					
Total IDAHO RURAL WATER ASSOC:						110.00	.00					
IDAHO STATE POLICE												
1509	IDAHO STATE POLICE	S7002073		PROFESSIONAL SERVICES, WORKMAN COMP DRUG SCREEN FOR C HERRON, PARKS, AUG 16	08/25/2016	39.75	.00	01-6202 PR0FESSI0NAL SERVICES	1004	8/16		
Total S7002073:						39.75	.00					
1509	IDAHO STATE POLICE	S7002691		PROFESSIONAL SERVICES FOR NEW HIRE B JACKSON, ADMIN, AUG 16	08/25/2016	9.94	.00	01-6202 PR0FESSI0NAL SERVICES	0	8/16		
1509	IDAHO STATE POLICE	S7002691		PROFESSIONAL SERVICES FOR NEW HIRE B JACKSON, WATER, AUG 16	08/25/2016	13.12	.00	20-6202 PROFESSIONAL SERVICES	0	8/16		
1509	IDAHO STATE POLICE	S7002691		PROFESSIONAL SERVICES FOR NEW HIRE B JACKSON, SEWER, AUG 16	08/25/2016	13.12	.00	21-6202 PR0FESSI0NAL SERVICES	0	8/16		

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
1509	IDAHO STATE POLICE	S7002691		PROFESSIONAL SERVICES FOR NEW HIRE B JACKSON, PI, AUG 16	08/25/2016	3.57	.00	25-6202 PROFESSIONAL SERVICES	0	8/16		
Total S7002691:						39.75	.00					
Total IDAHO STATE POLICE:						79.50	.00					
INTEGRINET SOLUTIONS, INC.												
1595	INTEGRINET SOLUTIONS, INC.	93777		RESTORED FOLDER FROM BACKUP FOR P&Z, AUG 16	08/07/2016	44.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	8/16		
Total 93777:						44.00	.00					
1595	INTEGRINET SOLUTIONS, INC.	93889		PRO ACTION SERVICE AND MAINTENANCE, STATUS MONITORING 2 SERVERS, AUG 16, ADMIN	08/15/2016	255.22	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	8/16		
1595	INTEGRINET SOLUTIONS, INC.	93889		PRO ACTION SERVICE AND MAINTENANCE, STATUS MONITORING 2 SERVERS, AUG 16, P&Z	08/15/2016	91.15	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	8/16		
1595	INTEGRINET SOLUTIONS, INC.	93889		PRO ACTION SERVICE AND MAINTENANCE, STATUS MONITORING 2 SERVERS, AUG 16, WATER	08/15/2016	236.99	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	8/16		
1595	INTEGRINET SOLUTIONS, INC.	93889		PRO ACTION SERVICE AND MAINTENANCE, STATUS MONITORING 2 SERVERS, AUG 16, SEWER	08/15/2016	236.99	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/16		
1595	INTEGRINET SOLUTIONS, INC.	93889		PRO ACTION SERVICE AND MAINTENANCE, STATUS MONITORING 2 SERVERS, AUG 16, PI	08/15/2016	91.15	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/16		
Total 93889:						911.50	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
	Total INTEGRINET SOLUTIONS, INC.:					955.50	.00					
INTERMOUNTAIN GAS CO												
37	INTERMOUNTAIN GAS CO	482108177716		NATURAL GAS COMSUMPTION, NWWTP, 07-16-16 TO 8-11-16, AUG 16	08/15/2016	3.36	.00	01-6290 UTILITIES	0	8/16		
	Total 4821081777161681116:					3.36	.00					
37	INTERMOUNTAIN GAS CO	482135196071		NATURAL GAS CONSUMPTION, NEW CITY HALL, 07-13-16 TO 08-11-16, AUG 16	08/12/2016	17.57	.00	01-6290 UTILITIES	0	8/16		
	Total 48213519607131608111:					17.57	.00					
37	INTERMOUNTAIN GAS CO	482135196713		NATURAL GAS CONSUMPTION, SR CTR, 7-13-16 TO 8-11-16, AUG 16	08/12/2016	78.10	.00	01-6290 UTILITIES	1001	8/16		
	Total 4821351967131681116:					78.10	.00					
37	INTERMOUNTAIN GAS CO	482537058071		NATURAL GAS COMSUMPTION, CITY HALL, 07-13-16 TO 08-11-16, AUG 16	08/12/2016	5.07	.00	01-6290 UTILITIES	0	8/16		
	Total 48253705807131608111:					5.07	.00					
	Total INTERMOUNTAIN GAS CO:					104.10	.00					
J & M SANITATION, INC.												
230	J & M SANITATION, INC.	08122016-081		SANITATION RECEIPT TRANSFER 08-12-16 TO 08-18-16, AUG 16	08/19/2016	51,950.88	51,950.88	26-7000 SOLID WASTE SERVICE FEES	0	8/16	08/19/2016	
230	J & M SANITATION, INC.	08122016-081		SANITATION RECEIPT TRANSFER LESS FRANCHISE FEE, 08-12-16 TO 08-18-16, AUG 16	08/19/2016	-5,132.74	-5,132.74	01-4170 FRANCHISE FEES	0	8/16	08/19/2016	

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 08122016-08182016:						46,818.14	46,818.14					
230	J & M SANITATION, INC.	08192016-082		SANITATION RECEIPT TRANSFER 08-19-16 to 8-25-16, AUG 16	08/26/2016	20,915.51	20,915.51	26-7000 SOLID WASTE SERVICE FEES	0	8/16	08/26/2016	
230	J & M SANITATION, INC.	08192016-082		SANITATION RECEIPT TRANSFER LESS FRANCHISE FEE 08-19-16 to 8-25-16, AUG 16	08/26/2016	-2,066.45	-2,066.45	01-4170 FRANCHISE FEES	0	8/16	08/26/2016	
Total 08192016-08252016:						18,849.06	18,849.06					
Total J & M SANITATION, INC.:						65,667.20	65,667.20					
JACK HENRY & ASSOCIATES, INC.												
1328	JACK HENRY & ASSOCIATES, INC.	2339494		BANK FEES, JULY, ADMIN	07/31/2016	60.44	.00	01-6505 BANK FEES	0	7/16		
1328	JACK HENRY & ASSOCIATES, INC.	2339494		BANK FEES, JULY, P&Z	07/31/2016	3.00	.00	01-6505 BANK FEES	1003	7/16		
1328	JACK HENRY & ASSOCIATES, INC.	2339494		BANK FEES, JULY, WATER	07/31/2016	99.72	.00	20-6505 BANK FEES	0	7/16		
1328	JACK HENRY & ASSOCIATES, INC.	2339494		BANK FEES, JULY, SEWER	07/31/2016	99.72	.00	21-6505 BANK FEES	0	7/16		
1328	JACK HENRY & ASSOCIATES, INC.	2339494		BANK FEES, JULY, PI	07/31/2016	39.29	.00	25-6505 BANK FEES	0	7/16		
Total 2339494:						302.17	.00					
Total JACK HENRY & ASSOCIATES, INC.:						302.17	.00					
J-U-B ENGINEERS, INC.												
1236	J-U-B ENGINEERS, INC.	0103177	4672	PROJECT #10-15-117 - PROFESSIONAL SERVICES FOR DOWNTOWN REVIT.GRANT ADMIN, AUG.'16	08/26/2016	2,500.00	.00	03-6370 EXP. - DOWNTOWN REVITALIZATION	0	8/16		

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 0103177:						2,500.00	.00					
Total J-U-B ENGINEERS, INC.:						2,500.00	.00					
KELLER ASSOCIATES, INC.												
429	KELLER ASSOCIATES, INC.	0000011-2		PROFESSIONAL SERVICES 07-01-16 TO 07-31-16, WELL HOUSE #3 REMODEL, PROJECT INSPECTION, SEWER, G LAW, AUG 16	08/11/2016	1,480.00	.00	20-6020 CAPITAL IMPR0VEMENTS	1037	8/16		
Total 0000011-2:						1,480.00	.00					
429	KELLER ASSOCIATES, INC.	000002-2		PROFESSIONAL SERVICES, 07-01-16 TO 07-31-16, LAKE HAZEL SEWER PROJECT LIFT STATION STANDARDS, G LAW, SEWER, AUG 16	08/11/2016	8,075.00	.00	21-6020 CAPITAL IMPR0VEMENTS	1049	8/16		
Total 000002-2:						8,075.00	.00					
Total KELLER ASSOCIATES, INC.:						9,555.00	.00					
KUNA CHAMBER OF COMMERCE												
314	KUNA CHAMBER OF COMMERCE	KCC-201617		SUSTAINING MEMBERSHIP DUES, SEPT 2016 TO AUG 2017, AUG 16	08/17/2016	1,000.00	.00	01-6075 DUES & MEMBERSHIPS	0	8/16		
Total KCC-201617:						1,000.00	.00					
Total KUNA CHAMBER OF COMMERCE:						1,000.00	.00					
KUNA LUMBER												
499	KUNA LUMBER	A82865	4658	CONCETE, WASHERS, PRESSURE TREATED 4X4, ADHESIVE, FOR FRISBEE GOLF SIGNS, B WITHROW, PARKS, AUG 16	08/26/2016	454.82	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/16		

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 A82865:						454.82	.00					
499	KUNA LUMBER	A83958	4689	NEW CITY HALL, FRAMING MATERIALS, B.BACHMAN, AUG.'16	08/31/2016	5,001.08	.00	40-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
499	KUNA LUMBER	A83958	4689	NEW CITY HALL, FRAMING MATERIALS, B.BACHMAN, AUG.'16 - WATER	08/31/2016	3,421.79	.00	20-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
499	KUNA LUMBER	A83958	4689	NEW CITY HALL, FRAMING MATERIALS, B.BACHMAN, AUG.'16 - SEWER	08/31/2016	3,421.79	.00	21-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
499	KUNA LUMBER	A83958	4689	NEW CITY HALL, FRAMING MATERIALS, B.BACHMAN, AUG.'16 - P.I	08/31/2016	1,316.07	.00	25-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
Total A83958:						13,160.73	.00					
499	KUNA LUMBER	A84186	4656	MISC ITEMS FOR FLOAT FOR KUNA DAYS, WOOD, SCREWS, GRAY LATEX ENAMEL PAINT, SANDPAPER FOR RANGERS FLOAT FOR PARADE, PARKS, B WITHROW, AUG 16	08/26/2016	45.20	.00	01-6265 TRAINING & SCH00LING	1004	8/16		
Total A84186:						45.20	.00					
499	KUNA LUMBER	B90004	4659	12 80# CONCRETE FOR GREENBELT IRRIGATION BOX, BUILT OUT OF WOOD, B WITHROW, PARKS, AUG 16	08/26/2016	45.48	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/16		
Total B90004:						45.48	.00					
499	KUNA LUMBER	B90322	4655	BERNIE FISHER PARK, PAINT, BRUSHES, WOOD SCREWS, FOR FENCE AT BERNIE FISHER PARK, PARKS, AUG 16	08/26/2016	24.49	.00	40-6020 CAPITAL IMPROVEMENTS	1022	8/16		

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 B90322:						24.49	.00					
499	KUNA LUMBER	B91184	4657	MUD PIT FOR MUD RUN, MISC ITEMS, WOOD, SCREWS, SNAP BLADE KNIFE, PIPE INSULATION, ELECTRICAL TAPE, 300 FT YELLOW TAPE, POINTED LATH, PARKS, B WITHROW, AUG 16	08/26/2016	67.57	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/16		
Total B91184:						67.57	.00					
499	KUNA LUMBER	D3238	4688	NEW WINDOWS AT THE NEW CITY HALL, B.BACHMAN, AUG.'16	08/31/2016	1,353.29	.00	40-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
499	KUNA LUMBER	D3238	4688	NEW WINDOWS AT THE NEW CITY HALL, B.BACHMAN, AUG.'16 - WATER	08/31/2016	925.93	.00	20-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
499	KUNA LUMBER	D3238	4688	NEW WINDOWS AT THE NEW CITY HALL, B.BACHMAN, AUG.'16 - SEWER	08/31/2016	925.93	.00	21-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
499	KUNA LUMBER	D3238	4688	NEW WINDOWS AT THE NEW CITY HALL, B.BACHMAN, AUG.'16 - P.I	08/31/2016	356.13	.00	25-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
Total D3238:						3,561.28	.00					
Total KUNA LUMBER:						17,359.57	.00					
KUNA TRUE VALUE HARDWARE												
43	KUNA TRUE VALUE HARDWARE	156887	4596	PRIMER GLUE, TFE PASTE, BARB FITTING, 3/4 COUPLER, 3/4 NIPPLE, CLAMPS, 2" FEMALE ADAPTER, FARM PARK REPAIRS, J CRUMPTON, PARKS, AUG 16	08/04/2016	42.86	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/16		
43	KUNA TRUE VALUE HARDWARE	156887	4596	TOILET PAPER HOLDER FOR BATHROOMS, J CRUMPTON, PARKS, AUG 16	08/04/2016	10.36	.00	01-6140 MAINT. & REPAIR BUILDING	1004	8/16		

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	156887	4596	ANGLE BRACKETS FOR FLOAT, J CRUMPTON, PARKS, AUG 16	08/04/2016	3.16	.00	01-6265 TRAINING & SCH00LING	1004	8/16		
Total 156887:						56.38	.00					
43	KUNA TRUE VALUE HARDWARE	157063	4604	DRILL BIT SET, SOCKETS, RACHETS, 3/4 IN BALL VALVE, SCREWS, MAINTENANCE ON WATER SYSTEM, BREAKS, MAINTENANCE ON BUTLER WELL, R JONES, WATER, AUG 16	08/09/2016	103.43	.00	20-6020 CAPITAL IMPR0VEMENTS	1038	8/16		
Total 157063:						103.43	.00					
Total KUNA TRUE VALUE HARDWARE:						159.81	.00					
LES SCHWAB TIRES												
221	LES SCHWAB TIRES	12800204893		MAINTENANCE FOR VEHICLE #23, DISC BRAKE REPAIR, BRAKE ROTOR, B BACHMAN, FLEET MAINTENANCE, JULY 16 - PARKS	07/08/2016	574.66	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1004	7/16		
221	LES SCHWAB TIRES	12800204893		MAINTENANCE FOR VEHICLE #23, DISC BRAKE REPAIR, BRAKE ROTOR, B BACHMAN, FLEET MAINTENANCE, JULY 16 - WATER	07/08/2016	25.54	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	7/16		
221	LES SCHWAB TIRES	12800204893		MAINTENANCE FOR VEHICLE #23, DISC BRAKE REPAIR, BRAKE ROTOR, B BACHMAN, FLEET MAINTENANCE, JULY 16 - SEWER	07/08/2016	25.54	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	7/16		
221	LES SCHWAB TIRES	12800204893		MAINTENANCE FOR VEHICLE #23, DISC BRAKE REPAIR, BRAKE ROTOR, B BACHMAN, FLEET MAINTENANCE, JULY 16 - P.I	07/08/2016	12.77	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	7/16		
Total 12800204893:						638.51	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
221	LES SCHWAB TIRES	12800211703	4643	2 TUBES FOR TIRES FOR GRASSHOPPER, B.WITHROW, AUG.'16	08/24/2016	18.06	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	8/16		
Total 12800211703:						18.06	.00					
Total LES SCHWAB TIRES:						656.57	.00					
MISCELLANEOUS VENDORS												
285	MISCELLANEOUS VENDORS	08172016		REFUND FOR PARK RENTAL FOR SHARON BADESHEIM, AUG 16	08/17/2016	60.00	60.00	01-4195 RENTAL INCOME	1004	8/16	08/17/2016	
Total 08172016:						60.00	60.00					
Total MISCELLANEOUS VENDORS:						60.00	60.00					
MOUNTAIN WEST COMMERCIAL DIVING												
1820	MOUNTAIN WEST COMMERCIAL DIVING	30	4650	INSPECTED TANK AT BUTLER AND CLEANED, APPLIED EXPOXY ON BAD AREAS, C DEYOUNG, WATER, AUG 16	08/11/2016	6,155.00	.00	20-6020 CAPITAL IMPR0VEMENTS	1044	8/16		
Total 30:						6,155.00	.00					
Total MOUNTAIN WEST COMMERCIAL DIVING:						6,155.00	.00					
NICK MUFFLEY												
1551	NICK MUFFLEY	09012016N		WORK AT THE NEW CITY HALL, 32 HOURS @ $35/HR, B.BACHMAN, SEPT.'16	09/01/2016	425.60	425.60	40-6166 PP&E PURCHASES OPERATIONS	1058	9/16	09/01/2016	
1551	NICK MUFFLEY	09012016N		WORK AT THE NEW CITY HALL, 32 HOURS @ $35/HR, B.BACHMAN, SEPT.'16 - WATER	09/01/2016	291.20	291.20	20-6166 PP&E PURCHASES OPERATIONS	1058	9/16	09/01/2016	
1551	NICK MUFFLEY	09012016N		WORK AT THE NEW CITY HALL, 32 HOURS @ $35/HR, B.BACHMAN, SEPT.'16 - SEWER	09/01/2016	291.20	291.20	21-6166 PP&E PURCHASES - OPERATIONS	1058	9/16	09/01/2016	
1551	NICK MUFFLEY	09012016N		WORK AT THE NEW CITY HALL, 32 HOURS @ $35/HR, B.BACHMAN, SEPT.'16 - P.I	09/01/2016	112.00	112.00	25-6166 PP&E PURCHASES - OPERATIONS	1058	9/16	09/01/2016	

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 09012016N:					1,120.00	1,120.00					
	Total NICK MUFFLEY:					1,120.00	1,120.00					
PAIGE MECHANICAL GROUP, INC.												
1654	PAIGE MECHANICAL GROUP, INC.	13897	4531	WORK ON THE A/C IN THE LAB, T.SHAFFER, JUL.'16	07/29/2016	228.59	.00	21-6140 MAINT & REPAIR BUILDING	0	7/16		
	Total 13897:					228.59	.00					
	Total PAIGE MECHANICAL GROUP, INC.:					228.59	.00					
PARTS, INC.												
470	PARTS, INC.	117704	4610	2 FAN BELTS FOR CEDAR WELL HOUSE, 2 TUBES OF GREASE, R JONES, AUG.'16 - WATER	08/10/2016	56.04	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
	Total 117704:					56.04	.00					
	Total PARTS, INC.:					56.04	.00					
PEAK ALARM COMPANY, INC												
1021	PEAK ALARM COMPANY, INC	756504		ALARM MONITORING FOR WELLS (SEGO PRAIRIE, SNOWHAWK, DANSKIN, BUTLER, BEST BATH, EL CAJON, AND CEDAR), FOR 9/1/16-9/30/16 - WATER	09/01/2016	204.09	.00	20-6140 MAINT. & REPAIR BUILDING	0	9/16		
1021	PEAK ALARM COMPANY, INC	756504		ALARM MONITORING FOR WELLS (SEGO PRAIRIE, SNOWHAWK, DANSKIN, BUTLER, BEST BATH, EL CAJON, AND CEDAR), FOR 9/1/16-9/30/16 - P.I	09/01/2016	51.02	.00	25-6140 MAINT & REPAIR BUILDING	0	9/16		
	Total 756504:					255.11	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1021	PEAK ALARM COMPANY, INC	756555		ALARM MONITORING FOR THE TREATMENT PLANT, 9/1/16-11/30/16 - SEWER	09/01/2016	86.01	.00	21-6140 MAINT & REPAIR BUILDING	0	9/16		
Total 756555:						86.01	.00					
Total PEAK ALARM COMPANY, INC:						341.12	.00					
R.C. WORST & COMPANY, INC												
1781	R.C. WORST & COMPANY, INC	258519	4365	2 DIAPHRAGM PIGGYBACK SWITCHES AND A HYDROMATIC, T.SHAFFER, JUL.'16 - SEWER	07/12/2016	960.70	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/16		
Total 258519:						960.70	.00					
Total R.C. WORST & COMPANY, INC:						960.70	.00					
RADIATOR KING												
1587	RADIATOR KING	11542	4614	RADIATOR REMOVED, CLEANED AND REPAIRED FOR JOHN DEERE LAWNMOWER, P KAUFMAN, AUG 16 - PARKS	08/11/2016	215.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	8/16		
Total 11542:						215.00	.00					
Total RADIATOR KING:						215.00	.00					
RAIN FOR RENT												
144	RAIN FOR RENT	096546808	4499	REPLACEMENT MOTOR FOR THE WHEEL LINE, FOR THE FARM, C.MCDANIEL, JUL.'16	07/14/2016	570.00	.00	21-6090 FARM EXPENDITURES	0	7/16		
Total 096546808:						570.00	.00					
144	RAIN FOR RENT	096547214	4623	VALVES, PIPE, AND CHAIN, FOR THE FARM, AUG.'16 - FARM	08/15/2016	600.00	.00	21-6090 FARM EXPENDITURES	0	8/16		

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 096547214:						600.00	.00					
Total RAIN FOR RENT:						1,170.00	.00					
RENTAL CONNECTION												
893	RENTAL CONNECTION	40358	4416	RENTAL OF POST HOLE DIGGER FOR WROUGHT IRON FENCE, PARKS, JUL.'16	07/01/2016	41.00	.00	40-6020 CAPITAL IMPROVEMENTS	1022	7/16		
Total 40358:						41.00	.00					
893	RENTAL CONNECTION	40665	4607	BUCKET RENTAL FOR THE SKID, J.CRUMPTON, AUG.'16 - PARKS	08/09/2016	132.24	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/16		
Total 40665:						132.24	.00					
Total RENTAL CONNECTION:						173.24	.00					
RIDLEY'S FOOD CORP												
1673	RIDLEY'S FOOD CORP	005000030805		SNACKS AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/06/2016	27.46	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 005000030805-448-1:						27.46	.00					
1673	RIDLEY'S FOOD CORP	005000030811	4588	FRUIT AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/14/2016	19.85	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 005000030811-448:						19.85	.00					
1673	RIDLEY'S FOOD CORP	005000040804	4588	CHOCOLATE, FRUIT, AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/26/2016	64.34	.00	01-6265 TRAINING & SCH00LING	1004	7/16		

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 005000040804-448:						64.34	.00					
1673	RIDLEY'S FOOD CORP	005000040805	4588	SALAD ITEMS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/22/2016	47.69	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 005000040805-448:						47.69	.00					
1673	RIDLEY'S FOOD CORP	005000040807	4588	ICE AND CRAFT ITEMS FOR RANGER PROGRAM, N.PURKEY, JUL.'16	07/29/2016	24.55	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 005000040807-448:						24.55	.00					
1673	RIDLEY'S FOOD CORP	005000040813	4588	FRUIT AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/13/2016	12.45	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 005000040813-448:						12.45	.00					
1673	RIDLEY'S FOOD CORP	005000050807	4588	FRUIT AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/19/2016	29.91	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 005000050807-448:						29.91	.00					
1673	RIDLEY'S FOOD CORP	005000080819	4588	SUPPLIES FOR THE RANGER PROGRAM FIELD TRIP LUNCH, N.PURKEY, JUL.'16	07/21/2016	91.20	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 005000080819-448:						91.20	.00					
1673	RIDLEY'S FOOD CORP	005000200837	4588	ICE AND CRAFT ITEMS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/28/2016	73.31	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 005000200837-448:						73.31	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1673	RIDLEY'S FOOD CORP	006000060818	4588	FRUIT AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/18/2016	18.65	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 006000060818-448:						18.65	.00					
1673	RIDLEY'S FOOD CORP	006000280744	4558	SNACKS AND ICE FOR RANGERS PROGRAM, N. PURKEY, JUL '16	07/12/2016	5.83	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 006000280744-448:						5.83	.00					
1673	RIDLEY'S FOOD CORP	006000340806	4557	SNACKS, AND ICE FOR RANGERS PROGRAM, N. PURKEY, JUL '16	07/11/2016	16.49	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 006000340806-448:						16.49	.00					
1673	RIDLEY'S FOOD CORP	007000270735	4555	FRUIT FOR RANGERS PROGRAM, N. PURKEY JUL '16	07/08/2016	21.17	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 007000270735-448:						21.17	.00					
1673	RIDLEY'S FOOD CORP	007000270752	4556	ICE, SNACKS, VINLYL GLOVES, FOR RANGERS PROGRAM, N. PURKEY JUL '16	07/07/2016	29.48	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 007000270752-448:						29.48	.00					
1673	RIDLEY'S FOOD CORP	007000280736	4554	ICE FOR RANGERS PROGRAM, N. PURKEY JUL '16	07/08/2016	1.89	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 007000280736-448:						1.89	.00					
1673	RIDLEY'S FOOD CORP	007000280739	4588	FRUIT AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/27/2016	11.53	.00	01-6265 TRAINING & SCH00LING	1004	7/16		

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 007000280739-448:						11.53	.00					
1673	RIDLEY'S FOOD CORP	007000300744	4588	NIGHT CRAWLERS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/27/2016	13.14	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 007000300744-448:						13.14	.00					
1673	RIDLEY'S FOOD CORP	007000330751	4588	SNACKS AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/25/2016	41.92	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 007000330751-448:						41.92	.00					
1673	RIDLEY'S FOOD CORP	007000350754	4588	ICE AND SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/20/2016	19.33	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 007000350754-448:						19.33	.00					
1673	RIDLEY'S FOOD CORP	007000370757	4588	FRUIT AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/15/2016	22.86	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 007000370757-448:						22.86	.00					
1673	RIDLEY'S FOOD CORP	007000540755		SNACKS AND ICE FOR THE RANGER PROGRAM, N.PURKEY, JUL.'16	07/01/2016	33.12	.00	01-6265 TRAINING & SCH00LING	1004	7/16		
Total 007000540755-448:						33.12	.00					
1673	RIDLEY'S FOOD CORP	012000281120	4426	PAINT GUN AND CAN, B.BACHMAN, JUL.'16 - FOR THE WROUGHT IRON FENCE AROUND CITY PARK	07/05/2016	103.98	.00	40-6020 CAPITAL IMPROVEMENTS	1022	7/16		

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 012000281120-448:						103.98	.00					
1673	RIDLEY'S FOOD CORP	08312016R		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	8,155.59	.00	05-6306 SEWER MAIN CAPACITY REIMBURSE	0	8/16		
Total 08312016R:						8,155.59	.00					
Total RIDLEY'S FOOD CORP:						8,885.74	.00					
ROCKY MOUNTAIN PEST CONTROL, LLC												
1813	ROCKY MOUNTAIN PEST CONTROL, LLC	08182016RMP		LOCATING AND REMOVING WASP NESTS, TREATING FLOWER BEDS, TREES, AND SHRUBS FOR WASPS, AT NEW CITY HALL, B.WITHROW, AUG.'16 - ADMIN	08/18/2016	21.00	.00	01-6140 MAINT. & REPAIR BUILDING	0	8/16		
1813	ROCKY MOUNTAIN PEST CONTROL, LLC	08182016RMP		LOCATING AND REMOVING WASP NESTS, TREATING FLOWER BEDS, TREES, AND SHRUBS FOR WASPS, AT NEW CITY HALL, B.WITHROW, AUG.'16 - P & Z	08/18/2016	7.50	.00	01-6140 MAINT. & REPAIR BUILDING	1003	8/16		
1813	ROCKY MOUNTAIN PEST CONTROL, LLC	08182016RMP		LOCATING AND REMOVING WASP NESTS, TREATING FLOWER BEDS, TREES, AND SHRUBS FOR WASPS, AT NEW CITY HALL, B.WITHROW, AUG.'16 - WATER	08/18/2016	19.50	.00	20-6140 MAINT. & REPAIR BUILDING	0	8/16		
1813	ROCKY MOUNTAIN PEST CONTROL, LLC	08182016RMP		LOCATING AND REMOVING WASP NESTS, TREATING FLOWER BEDS, TREES, AND SHRUBS FOR WASPS, AT NEW CITY HALL, B.WITHROW, AUG.'16 - SEWER	08/18/2016	19.50	.00	21-6140 MAINT & REPAIR BUILDING	0	8/16		
1813	ROCKY MOUNTAIN PEST CONTROL, LLC	08182016RMP		LOCATING AND REMOVING WASP NESTS, TREATING FLOWER BEDS, TREES, AND SHRUBS FOR WASPS, AT NEW CITY HALL, B.WITHROW, AUG.'16 - P.I	08/18/2016	7.50	.00	25-6140 MAINT & REPAIR BUILDING	0	8/16		

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 08182016RMP:						75.00	.00					
1813	ROCKY MOUNTAIN PEST CONTROL, LLC	08182016RMP		DEWEB BUILDING, SPRAY BARRIER AROUND OUTSIDE PERIMETER, QUARTERLY TREATMENT, B.WITHROW, AUG.'16 - SENIOR CENTER	08/18/2016	100.00	.00	01-6140 MAINT. & REPAIR BUILDING	1001	8/16		
Total 08182016RMP-2:						100.00	.00					
Total ROCKY MOUNTAIN PEST CONTROL, LLC:						175.00	.00					
ROCKY MOUNTAIN TURF & INDUSTRI												
478	ROCKY MOUNTAIN TURF & INDUSTRI	T43099	4621	SPINDLE FOR THE MOWER, B.WITHROW, AUG.'16 - PARKS	08/15/2016	229.74	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	8/16		
Total T43099:						229.74	.00					
Total ROCKY MOUNTAIN TURF & INDUSTRI:						229.74	.00					
RODDA PAINT CO.												
1723	RODDA PAINT CO.	76022878	4675	PAINT FOR DOORS AT NEW CITY HALL, B.GILLOGLY, AUG.'16	08/31/2016	56.94	.00	40-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
1723	RODDA PAINT CO.	76022878	4675	PAINT FOR DOORS AT NEW CITY HALL, B.GILLOGLY, AUG.'16 - WATER	08/31/2016	38.96	.00	20-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
1723	RODDA PAINT CO.	76022878	4675	PAINT FOR DOORS AT NEW CITY HALL, B.GILLOGLY, AUG.'16 - SEWER	08/31/2016	38.96	.00	21-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
1723	RODDA PAINT CO.	76022878	4675	PAINT FOR DOORS AT NEW CITY HALL, B.GILLOGLY, AUG.'16 - P.I	08/31/2016	14.98	.00	25-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
Total 76022878:						149.84	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total RODDA PAINT CO.:						149.84	.00					
SHARP ELECTRONICS CORP -LEASE												
1734	SHARP ELECTRONICS CORP - LEASE	5003277163		LEASE OF SHARP COPIER AT TREATMENT PLANT, MODEL #MX2615N, 8/1/16-8/31/16 - PARKS	08/05/2016	17.33	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	8/16		
1734	SHARP ELECTRONICS CORP - LEASE	5003277163		LEASE OF SHARP COPIER AT TREATMENT PLANT, MODEL #MX2615N, 8/1/16-8/31/16 - WATER	08/05/2016	27.92	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	8/16		
1734	SHARP ELECTRONICS CORP - LEASE	5003277163		LEASE OF SHARP COPIER AT TREATMENT PLANT, MODEL #MX2615N, 8/1/16-8/31/16 - SEWER	08/05/2016	34.65	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/16		
1734	SHARP ELECTRONICS CORP - LEASE	5003277163		LEASE OF SHARP COPIER AT TREATMENT PLANT, MODEL #MX2615N, 8/1/16-8/31/16 - P.I	08/05/2016	16.36	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/16		
Total 5003277163:						96.26	.00					
Total SHARP ELECTRONICS CORP -LEASE:						96.26	.00					
STETSON PROPERTIES, LP												
1415	STETSON PROPERTIES, LP	08312016S		WATER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	8,749.23	.00	05-6305 WATER MAIN CAPACITY REIMBBURSE	0	8/16		
1415	STETSON PROPERTIES, LP	08312016S		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	8,482.42	.00	05-6306 SEWER MAIN CAPACITY REIMBURSE	0	8/16		
Total 08312016S:						17,231.65	.00					
1415	STETSON PROPERTIES, LP	08312016SP		WATER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	13,797.54	.00	05-6305 WATER MAIN CAPACITY REIMBBURSE	0	8/16		
Total 08312016SP:						13,797.54	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1415	STETSON PROPERTIES, LP	08312016ST		WATER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	61,723.63	.00	05-6305 WATER MAIN CAPACITY REIMBBURSE	0	8/16		
Total 08312016ST:						61,723.63	.00					
Total STETSON PROPERTIES, LP:						92,752.82	.00					
TATES RENTS, INC.												
59	TATES RENTS, INC.	910815-5	4603	RENTAL OF GRINDER FOR USE IN THE NEW CITY HALL CONSTRUCTION, B.GILLOGLY, AUG.'16	08/09/2016	75.08	.00	40-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
59	TATES RENTS, INC.	910815-5	4603	RENTAL OF GRINDER FOR USE IN THE NEW CITY HALL CONSTRUCTION, B.GILLOGLY, AUG.'16 - WATER	08/09/2016	51.37	.00	20-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
59	TATES RENTS, INC.	910815-5	4603	RENTAL OF GRINDER FOR USE IN THE NEW CITY HALL CONSTRUCTION, B.GILLOGLY, AUG.'16 - SEWER	08/09/2016	51.37	.00	21-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
59	TATES RENTS, INC.	910815-5	4603	RENTAL OF GRINDER FOR USE IN THE NEW CITY HALL CONSTRUCTION, B.GILLOGLY, AUG.'16 - P.I	08/09/2016	19.76	.00	25-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
Total 910815-5:						197.58	.00					
Total TATES RENTS, INC.:						197.58	.00					
TECHNOLOGY SOLUTIONS LLC												
1823	TECHNOLOGY SOLUTIONS LLC	3294		50% DEPOSIT NEW CITY HALL AV SYSTEM, AUG 16	08/29/2016	4,473.25	4,473.25	01-6045 C0NTINGENCY	1058	8/16	08/29/2016	
1823	TECHNOLOGY SOLUTIONS LLC	3294		50% DEPOSIT NEW CITY HALL AV SYSTEM, AUG 16, WATER	08/29/2016	3,060.64	3,060.64	20-6045 C0NTINGENCY	1058	8/16	08/29/2016	
1823	TECHNOLOGY SOLUTIONS LLC	3294		50% DEPOSIT NEW CITY HALL AV SYSTEM, AUG 16, SEWER	08/29/2016	3,060.64	3,060.64	21-6045 C0NTINGENCY	1058	8/16	08/29/2016	

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
1823	TECHNOLOGY SOLUTIONS LLC	3294		50% DEPOSIT NEW CITY HALL AV SYSTEM, AUG 16, PI	08/29/2016	1,177.17	1,177.17	25-6045 C0NTINGENCY FUND	1058	8/16	08/29/2016	
Total 3294:						11,771.70	11,771.70					
Total TECHNOLOGY SOLUTIONS LLC:						11,771.70	11,771.70					
THE SHERWIN-WILLIAMS COMPANY												
554	THE SHERWIN-WILLIAMS COMPANY	OEO015827Q8	4638	STAIN FOR NEW CITY HALL, AUG.'16 - ADMIN	08/24/2016	24.61	.00	40-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
554	THE SHERWIN-WILLIAMS COMPANY	OEO015827Q8	4638	STAIN FOR NEW CITY HALL, AUG.'16 - WATER	08/24/2016	16.84	.00	20-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
554	THE SHERWIN-WILLIAMS COMPANY	OEO015827Q8	4638	STAIN FOR NEW CITY HALL, AUG.'16 - SEWER	08/24/2016	16.84	.00	21-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
554	THE SHERWIN-WILLIAMS COMPANY	OEO015827Q8	4638	STAIN FOR NEW CITY HALL, AUG.'16 - P.I	08/24/2016	6.48	.00	25-6166 PP&E PURCHASES - OPERATIONS	0	8/16		
554	THE SHERWIN-WILLIAMS COMPANY	OEO015827Q8	4638	18" TIE PACK AND KEY RACK S -BINS FOR KEYS, B.WITHROW, AUG.'16 - PARKS	08/24/2016	22.08	.00	01-6175 SMALL TOOLS	1004	8/16		
Total OEO015827Q8972:						86.85	.00					
Total THE SHERWIN-WILLIAMS COMPANY:						86.85	.00					
THE WESTPARK COMPANY, INC.												
1710	THE WESTPARK COMPANY, INC.	08312016W		WATER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	17,912.56	.00	05-6305 WATER MAIN CAPACITY REIMBBURSE	0	8/16		
1710	THE WESTPARK COMPANY, INC.	08312016W		PRESSURE IRRIGATION REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	8,812.50	.00	05-6307 PR IRR MAIN CAPACITY REIMBURSE	0	8/16		

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 08312016W:						26,725.06	.00					
Total THE WESTPARK COMPANY, INC.:						26,725.06	.00					
TIM GORDON												
997	TIM GORDON	CHAIRS		100 CHAIRS @30.00 EA FOR CHAMBERS, ADMIN, AUG 16	08/25/2016	1,140.00	.00	40-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
997	TIM GORDON	CHAIRS		100 CHAIRS @30.00 EA FOR CHAMBERS, WATER, AUG 16	08/25/2016	780.00	.00	20-6166 PP&E PURCHASES OPERATIONS	1058	8/16		
997	TIM GORDON	CHAIRS		100 CHAIRS @30.00 EA FOR CHAMBERS, SEWER, AUG 16	08/25/2016	780.00	.00	21-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
997	TIM GORDON	CHAIRS		100 CHAIRS @30.00 EA FOR CHAMBERS, PI, AUG 16	08/25/2016	300.00	.00	25-6166 PP&E PURCHASES - OPERATIONS	1058	8/16		
Total CHAIRS:						3,000.00	.00					
Total TIM GORDON:						3,000.00	.00					
TIMBERMIST LLC												
1827	TIMBERMIST LLC	08312016T		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	41,877.93	.00	05-6306 SEWER MAIN CAPACITY REIMBURSE	0	8/16		
1827	TIMBERMIST LLC	08312016T		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	20,731.51	.00	21-6160 MISCELLANE0US EXPENSES	0	8/16		
Total 08312016T:						62,609.44	.00					
Total TIMBERMIST LLC:						62,609.44	.00					
TREASURE VALLEY COFFEE												
992	TREASURE VALLEY COFFEE	2160:04599015	4668	1 BOX COFFEE, 2 CANS CREAMER, CITY HALL, AUG.'16	08/30/2016	58.70	.00	01-6165 OFFICE SUPPLIES	0	8/16		

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 2160:04599015:						58.70	.00					
Total TREASURE VALLEY COFFEE:						58.70	.00					
TS HUGHES, INC.												
1675	TS HUGHES, INC.	08262016NWS		BALLARDS AND CONCRETE PAD FOR WELL PUMP HOUSE #11, G.LAW, AUG.'16 - WATER	08/26/2016	1,445.00	.00	20-6020 CAPITAL IMPR0VEMENTS	1036	8/16		
Total 08262016NWS:						1,445.00	.00					
Total TS HUGHES, INC.:						1,445.00	.00					
UNITED OIL												
316	UNITED OIL	0258455	4594	15 GALS NON ETHANOL UNLEADED FUEL ,T SHAFFER, AUG.'16 - SEWER	08/08/2016	3,721.82	.00	21-6300 FUEL	0	8/16		
Total 0258455:						3,721.82	.00					
316	UNITED OIL	0258456	4594	1500 GALS DIESEL, T.SHAFFER, AUG.'16 - SEWER	08/08/2016	2,737.50	.00	21-6300 FUEL	0	8/16		
Total 0258456:						2,737.50	.00					
Total UNITED OIL:						6,459.32	.00					
UNIVAR USA, INC.												
1410	UNIVAR USA, INC.	NA577620	4536	ALUMINUM SULFATE, T.SHAFFER, JUL.'16 - SEWER	08/02/2016	5,337.35	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total NA577620:						5,337.35	.00					
Total UNIVAR USA, INC.:						5,337.35	.00					
USA BLUE BOOK												

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	016625	4527	10 EA BOXES OF SIZE LARGE NITRILE DISPOSABLE GLOVES, T.SHAFFER, AUG.'16 - SEWER	07/26/2016	147.70	.00	21-6230 SAFETY TRAINING & EQUIPMENT	0	8/16		
265	USA BLUE BOOK	016625	4527	1 EA MEMBRANE REPLACEMENT KIT, 1 EA GENERAL PURPOSE LAB THERMOMETER, 2 PKS REAGENT, 1 EA BLANKING AGENT, 2 PKS AMMONIA TESTS, 2 PKS AMMONIA REAGENTS, T.SHAFFER, AUG.'16 - SEWER	07/26/2016	649.38	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 016625:						797.08	.00					
265	USA BLUE BOOK	024186	4527	1 TRACEABLE HIGH ACCURACY THERMOMETER, 1 ELECTROLYTE, 1 PK. TEST KITS FOR THE E-COLI TESTING, T.SHAFFER, AUG.'16 - SEWER	08/03/2016	87.84	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 024186:						87.84	.00					
265	USA BLUE BOOK	029094	4527	1 EA ELECTROLYTE, 1 PK TEST PACKS, T.SHAFFER, AUG.'16 - SEWER	08/09/2016	173.17	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/16		
Total 029094:						173.17	.00					
Total USA BLUE BOOK:						1,058.09	.00					
VALUE RECOVERY GROUP, L.P.												
1790	VALUE RECOVERY GROUP, L.P.	08312016V		WATER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	62,111.47	.00	05-6305 WATER MAIN CAPACITY REIMBBURSE	0	8/16		
1790	VALUE RECOVERY GROUP, L.P.	08312016V		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	75,242.52	.00	05-6306 SEWER MAIN CAPACITY REIMBURSE	0	8/16		
1790	VALUE RECOVERY GROUP, L.P.	08312016V		SEWER REIMBURSEMENT AGREEMENT, G.LAW, AUG.'16	08/31/2016	133,169.69	.00	21-6160 MISCELLANE0US EXPENSES	0	8/16		

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 08312016V:						270,523.68	.00					
Total VALUE RECOVERY GROUP, L.P.:						270,523.68	.00					
WATER DEPOSIT REFUNDS #11												
1815	WATER DEPOSIT REFUNDS #11	111620.02		PARKERVILLE LLC, 702 E ANDREA ST, WATER OVERPAYMENT	08/31/2016	77.46	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 111620.02:						77.46	.00					
1815	WATER DEPOSIT REFUNDS #11	111720.01		RICHARD CASTILLO, 506 N KATSURA AVE, WATER OVERPAYMENT	08/29/2016	77.46	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 111720.01:						77.46	.00					
1815	WATER DEPOSIT REFUNDS #11	130090.01		JUSTINE BRADFORD-TRENT, 660 N ASH AVE, WATER OVERPAYMENT	08/22/2016	6.73	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 130090.01:						6.73	.00					
1815	WATER DEPOSIT REFUNDS #11	131200.03		JOSEPH CREGO JR, 1423 W RYEGRASS CT, WATER OVERPAYMENT	08/16/2016	6.37	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 131200.03:						6.37	.00					
1815	WATER DEPOSIT REFUNDS #11	161015.01		SARA GILLMORE, 320 W WHITE WAY, WATER OVERPAYMENT	08/22/2016	75.43	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 161015.01:						75.43	.00					
1815	WATER DEPOSIT REFUNDS #11	166035.01		ZACHARY MENDIOLA, 1255 N CAMBRICK DR, WATER OVERPAYMENT	08/22/2016	8.75	.00	99-1075 Utility Cash Clearing	0	8/16		

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 166035.01:						8.75	.00					
1815	WATER DEPOSIT REFUNDS #11	170975.01		RON CHRISTIE, 711 S WHITEHORSE AVE, WATER OVERPAYMENT	08/22/2016	69.91	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 170975.01:						69.91	.00					
1815	WATER DEPOSIT REFUNDS #11	171045.01A		CBH, 1824 W CASPIAN ST, WATER OVERPAYMENT	08/10/2016	57.13	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 171045.01A:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	171065.02		LOUIS SETTIE JR, 1930 W CASPIAN ST, WATER OVERPAYMENT	08/16/2016	4.55	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 171065.02:						4.55	.00					
1815	WATER DEPOSIT REFUNDS #11	171080.01A		CBH, 689 S IRON SPRINGS AVE, WATER OVERPAYMENT	08/10/2016	57.13	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 171080.01A:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	172020.04		KENNETH FOLEY, 1863 W CANUBE ST, WATER OVERPAYMENT	08/16/2016	84.14	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 172020.04:						84.14	.00					
1815	WATER DEPOSIT REFUNDS #11	172090.01		CBH, 713 S LANDORE AVE, WATER OVERPAYMENT	08/16/2016	15.15	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 172090.01:						15.15	.00					
1815	WATER DEPOSIT REFUNDS #11	172095.01		CBH, 691 S LANDORE AVE, WATER OVERPAYMENT	08/10/2016	57.13	.00	99-1075 Utility Cash Clearing	0	8/16		

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 172095.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	200055.02A		ABIGAIL NIMMO, 184 E STRIPED OWL DR, WATER OVERPAYMENT	08/19/2016	66.68	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 200055.02A:						66.68	.00					
1815	WATER DEPOSIT REFUNDS #11	201710.01		JEFREY CLARK, 445 E TAPER CT, WATER OVERPAYMENT	08/16/2016	86.08	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 201710.01:						86.08	.00					
1815	WATER DEPOSIT REFUNDS #11	201715.02		TIMOTHY R MCKAY, 442 E TAPER CT, WATER OVERPAYMENT	08/19/2016	73.05	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 201715.02:						73.05	.00					
1815	WATER DEPOSIT REFUNDS #11	205065.02		DERIK ANDERSON, 310 E WYTHBURN ST, WATER OVERPAYMENT	08/16/2016	91.74	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 205065.02:						91.74	.00					
1815	WATER DEPOSIT REFUNDS #11	220860.02		RYAN GORDON, 409 E GREAT BEAR ST, WATER OVERPAYMENT	08/29/2016	40.66	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 220860.02:						40.66	.00					
1815	WATER DEPOSIT REFUNDS #11	221225.01		CBH, 1054 S THREAVE AVE, WATER OVERPAYMENT	08/10/2016	57.13	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 221225.01:						57.13	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1815	WATER DEPOSIT REFUNDS #11	221260.01A		CBH, 1119 S TOMEN AVE, WATER OVERPAYMENT	08/10/2016	57.13	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 221260.01A:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	260310.01		CHRISTOPHER MENDIOLA, 1818 N BISQUE AVE, WATER OVERPAYMENT	08/16/2016	21.82	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 260310.01:						21.82	.00					
1815	WATER DEPOSIT REFUNDS #11	264055.01		CBH, 2076 W GAINSBORO DR, WATER OVERPAYMENT	08/10/2016	57.13	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 264055.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	264395.01		CBH, 1980 W TURQUOISE DR, WATER OVERPAYMENT	08/29/2016	24.15	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 264395.01:						24.15	.00					
1815	WATER DEPOSIT REFUNDS #11	264710.02		RICHARD HILTON, 1976 N VAN DYKE AVE, WATER OVERPAYMENT	08/29/2016	59.97	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 264710.02:						59.97	.00					
1815	WATER DEPOSIT REFUNDS #11	266030.01		CBH, 2281 N THISTLE DR, WATER OVERPAYMENT	08/10/2016	58.76	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 266030.01:						58.76	.00					
1815	WATER DEPOSIT REFUNDS #11	272898.01		CBH, 2898 W GINGER GOLD DR, WATER OVERPAYMENT	08/29/2016	31.34	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 272898.01:						31.34	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1815	WATER DEPOSIT REFUNDS #11	275010.02		RICHARD PARRISH, 9499 S CHERRY APPLE AVE, WATER OVERPAYMENT	08/22/2016	59.52	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 275010.02:						59.52	.00					
1815	WATER DEPOSIT REFUNDS #11	276040.01		CBH, 2356 N CORKTREE WAY, WATER OVERPAYMENT	08/10/2016	57.13	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 276040.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	278030.01		CBH, 2896 W PEAR APPLE ST, WATER OVERPAYMENT	08/16/2016	55.58	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 278030.01:						55.58	.00					
1815	WATER DEPOSIT REFUNDS #11	278040.01		CBH, 2980 W PEAR APPLE ST, WATER OVERPAYMENT	08/10/2016	57.13	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 278040.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	280885.01		DANIEL B ZILLNER, 1245 W OAK TREE DR, WATER OVERPAYMENT	08/29/2016	85.35	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 280885.01:						85.35	.00					
1815	WATER DEPOSIT REFUNDS #11	290455.01		VIVIAN R HODGKINSON, 8157 S DANSKIN LN, WATER OVERPAYMENT	08/16/2016	40.25	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 290455.01:						40.25	.00					
1815	WATER DEPOSIT REFUNDS #11	301055.01		HUBBLE HOMES, 935 E SHADY RIDGE DR, WATER OVERPAYMENT	08/16/2016	181.55	.00	99-1075 Utility Cash Clearing	0	8/16		

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 301055.01:						181.55	.00					
1815	WATER DEPOSIT REFUNDS #11	301061.01A		HUBBLE HOMES, 2413 N GREENVILLE AVE, WATER OVERPAYMENT	08/19/2016	46.35	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 301061.01A:						46.35	.00					
1815	WATER DEPOSIT REFUNDS #11	310110.01		COLEMAN HOMES, 1478 W SELDOVIA ST, WATER OVERPAYMENT	08/22/2016	29.76	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 310110.01:						29.76	.00					
1815	WATER DEPOSIT REFUNDS #11	310113.01		COLEMAN HOMES, 9238 S COPELAND WAY, WATER OVERPAYMENT	08/11/2016	14.38	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 310113.01:						14.38	.00					
1815	WATER DEPOSIT REFUNDS #11	310146.01		COLEMAN HOMES, 9285 S COPELAND WAY, WATER OVERPAYMENT	08/22/2016	49.53	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 310146.01:						49.53	.00					
1815	WATER DEPOSIT REFUNDS #11	92140.02		ADAM MILLER, 1130 W KARAT WAY, WATER OVERPAYMENT	08/16/2016	78.23	.00	99-1075 Utility Cash Clearing	0	8/16		
Total 92140.02:						78.23	.00					
Total WATER DEPOSIT REFUNDS #11:						2,077.74	.00					
WESTERN BUILDING MAINTENANCE, INC.												
1499	WESTERN BUILDING MAINTENANCE, INC.	0093843-IN		JANITORIAL SERVICES FOR AUGUST - SENIOR CENTER	08/18/2016	330.33	.00	01-6025 JANITORIAL	1001	8/16		

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 0093843-IN:						330.33	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0093844-IN		JANITORIAL SERVICES FOR AUGUST - KUNA CITY HALL	08/18/2016	59.46	.00	01-6025 JANITORIAL	0	8/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093844-IN		JANITORIAL SERVICES FOR AUGUST - KUNA CITY HALL - P & Z	08/18/2016	21.23	.00	01-6025 JANITORIAL	1003	8/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093844-IN		JANITORIAL SERVICES FOR AUGUST - KUNA CITY HALL - WATER	08/18/2016	55.21	.00	20-6025 JANITORIAL	0	8/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093844-IN		JANITORIAL SERVICES FOR AUGUST - KUNA CITY HALL - SEWER	08/18/2016	55.21	.00	21-6025 JANITORIAL	0	8/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093844-IN		JANITORIAL SERVICES FOR AUGUST - KUNA CITY HALL - P.I	08/18/2016	21.23	.00	25-6025 JANITORIAL	0	8/16		
Total 0093844-IN:						212.34	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0093845-IN		JANITORIAL SERVICES FOR AUGUST -TREATMENT PLANT - WATER	08/18/2016	31.50	.00	20-6025 JANITORIAL	0	8/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093845-IN		JANITORIAL SERVICES FOR AUGUST -TREATMENT PLANT - SEWER	08/18/2016	31.50	.00	21-6025 JANITORIAL	0	8/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093845-IN		JANITORIAL SERVICES FOR AUGUST -TREATMENT PLANT - P.I	08/18/2016	12.00	.00	25-6025 JANITORIAL	0	8/16		
Total 0093845-IN:						75.00	.00					
Total WESTERN BUILDING MAINTENANCE, INC.:						617.67	.00					
WESTERN STATES EQUIPMENT CO.												
98	WESTERN STATES EQUIPMENT CO.	IN000043828-1		ENVIRONMENTAL FEE, JUN.'16 - WATER	06/01/2016	1.10	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	6/16		

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 IN000043828-1:						1.10	.00					
Total WESTERN STATES EQUIPMENT CO.:						1.10	.00					
XYLEM WATER SOLUTIONS U.S.A., INC.												
1623	XYLEM WATER SOLUTIONS U.S.A., INC.	3556916561	4456	SPINDLE BEARING ASSEMBLY FOR UV #3, REPLACING LEAKING BEARINGS, M NADEAU, JUL.'16 - SEWER	08/18/2016	2,525.00	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/16		
Total 3556916561:						2,525.00	.00					
Total XYLEM WATER SOLUTIONS U.S.A., INC.:						2,525.00	.00					
Grand Totals:						1,177,876.93	175,894.40					

Dated: _____

Mayor: _____

City Council: _____

_____

_____

_____

_____

_____

City Treasurer: _____

City of Kuna

Payment Approval Report - City Council Approval
Report dates: 8/13/2016-9/1/2016

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

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

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Patagonia Subdivision No. 1
Offsite Easements for Sewer and PI Facilities

DATE: August 31, 2016

REQUEST: **Accept Temporary Easements by Resolution**

Attached hereto are two proposed temporary easements to allow City personnel to operate and maintain certain sewer and pressure irrigation facilities (mains, lift station and pump station) which are not within existing right-of-way nor easements and not within the plat for Patagonia No. 1.

Also attached is a resolution which, if approved, accepts the easements and directs the City Clerk to record them. The City Engineer recommends approval of the resolution.

Attachments

RESOLUTION NO. R61-2016

RESOLUTION APPROVING ACCEPTANCE OF TWO TEMPORARY EASEMENTS ON ARBOR RIDGE, LLC PROPERTY FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING SEWER MAINS, PRESSURE IRRIGATION MAIN, SEWER LIFT STATION AND IRRIGATION PUMP STATION FOR THE PATAGONIA SUBDIVISION PROJECT.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, to accept those certain Sewer Easements titled:

1. Temporary Easement – Sewer Mains and Lift Station Easement;
2. Temporary Easement – Pressure Irrigation Mains and Pump Station Easement;

dated September 1, 2016, provided by Arbor Ridge, LLC, and directing that said Easements are recorded in the records of Ada County, State of Idaho, which easements are for the purpose of operating and maintaining sewer mains, pressure irrigation main, sewer lift station and irrigation pump station on the Grantee's property, and which Easements are attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna, Idaho this 6th day of September, 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this 6th day of September, 2016.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

TEMPORARY EASEMENT

THIS TEMPORARY CITY OF KUNA SEWER MAINS AND LIFT STATION EASEMENT granted this_____ day of _____, 2016, by and between **ARBOR RIDGE, LLC** (the "Grantor"), whose mailing address is P.O. Box 344, Meridian, Idaho 83680 and the **CITY OF KUNA,** an Idaho municipal corporation (the "Grantee"), whose mailing address is 763 West Avalon, Kuna, Idaho 83634:

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

WITNESSETH:

That Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants to the Grantee, its successors, contractors, agents, and assigns, a Temporary Easement for Construction, Maintenance, Operation and Replacement of City of Kuna Sewer Mains and Lift Station, more particularly described in Exhibit "A" (the "Temporary Easement Premises"), attached hereto and incorporated herein by reference.

This easement is made subject to the following conditions:

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

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

This Temporary Easement shall expire upon replacement with a permanent easement acceptable to the Grantee or with deeded or dedicated public road right-of-way capable of providing similar or better access to the public utility improvements and acceptable to the Grantee.

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

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

GRANTOR:

_____, (authorized signature)
ARBOR RIDGE, LLC

Print Name/Title_____

STATE OF IDAHO)

) ss.

County of)

On this _____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ _____ known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

_____

Notary Public

Residing at _____ My Commission Expires _____

EXHIBIT A

Legal Description
Patagonia Subdivision No. 1 – City of Kuna Sewer Easement

An easement located in the SE ¼ of the SW ¼ of Section 7, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the southeast corner of said SE ¼ of the SW ¼, from which an Aluminum Cap monument marking the southwest corner of said Section 7 bears N 89°27'26" W a distance of 2557.55 feet;

Thence N 89°27'26" W along the southerly boundary of said SE ¼ of the SW ¼ a distance of 334.50 feet to a point;

Thence leaving said southerly boundary N 0°34'15" E a distance of 698.50 feet to a 5/8 inch rebar;

Thence N 89°27'26" W a distance of 487.77 feet to the **POINT OF BEGINNING**;

Thence continuing N 89°27'26" W a distance of 30.00 feet to a point;

Thence N 0°32'34" E a distance of 127.00 feet to a point;

Thence N 89°27'26" W a distance of 417.00 feet to a point;

Thence S 0°32'34" W a distance of 51.00 feet to a point;

Thence N 89°27'26" W a distance of 62.91 feet to a point;

Thence N 0°21'14" E a distance of 81.00 feet to a point;

Thence S 89°27'26" E a distance of 510.18 feet to a point;

Thence S 0°32'34" W a distance of 157.00 feet to the **POINT OF BEGINNING.**

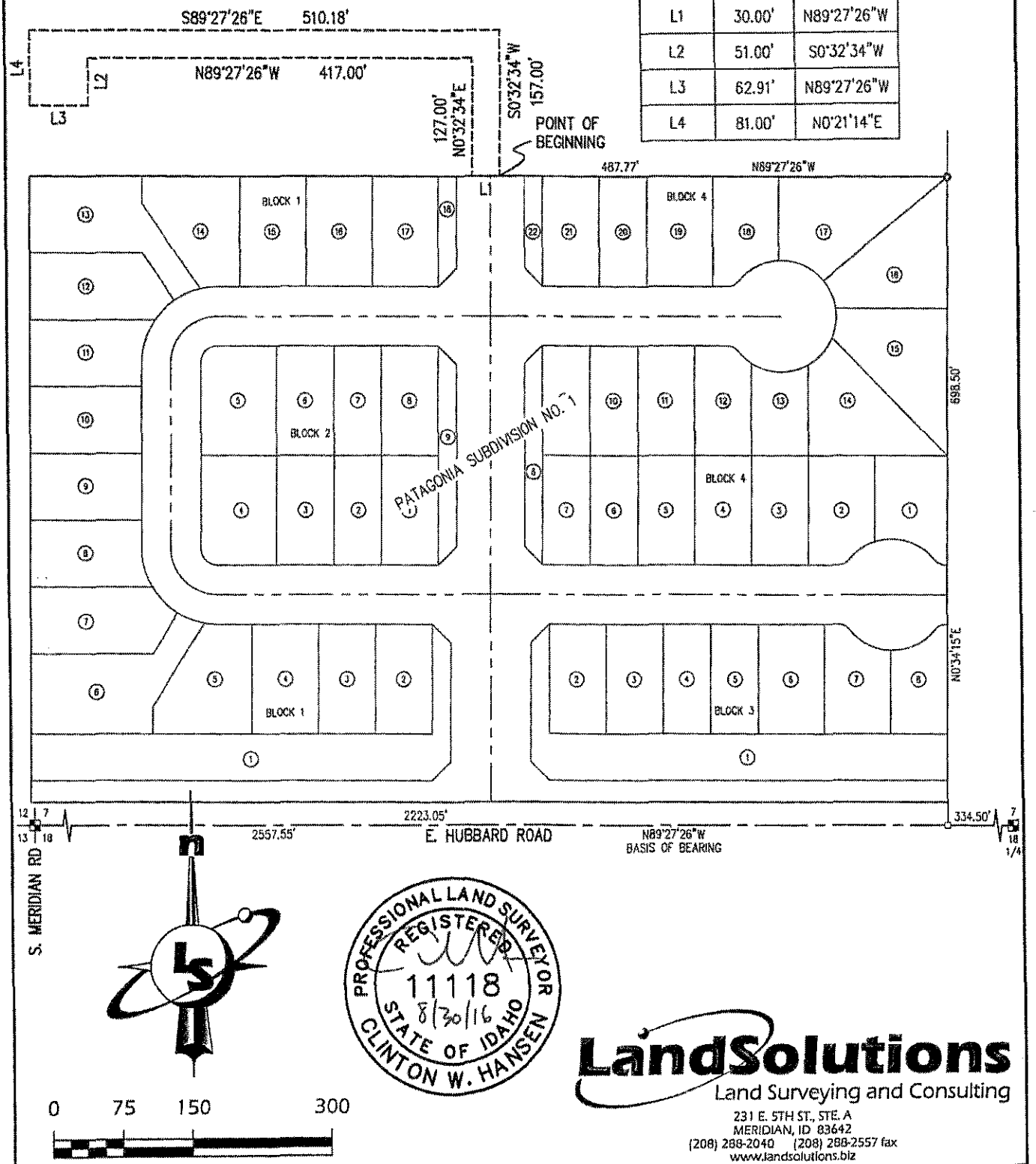
This parcel contains 22,327 square feet (0.51 acres) and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
August 30, 2016

PATAGONIA SUBDIVISION NO. 1

CITY OF KUNA - SEWER EASEMENT

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	30.00'	N89°27'26"W
L2	51.00'	S0°32'34"W
L3	62.91'	N89°27'26"W
L4	81.00'	N0°21'14"E



PROFESSIONAL LAND SURVEYOR
REGISTERED
11118
8/30/16
STATE OF IDAHO
CLINTON W. HANSEN

LandSolutions
Land Surveying and Consulting
231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 (208) 288-2557 fax
www.landsolutions.biz

TEMPORARY EASEMENT

THIS TEMPORARY CITY OF KUNA PRESSURE IRRIGATION MAIN AND PUMP STATION EASEMENT granted this_____ day of _____, 2016, by and between **ARBOR RIDGE, LLC** (the "Grantor"), whose mailing address is P.O. Box 344, Meridian, Idaho 83680 and the **CITY OF KUNA,** an Idaho municipal corporation (the "Grantee"), whose mailing address is 763 West Avalon, Kuna, Idaho 83634:

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

WITNESSETH:

That Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants to the Grantee, its successors, contractors, agents, and assigns, a Temporary Easement for Construction, Maintenance, Operation and Replacement of a City of Kuna Pressure Irrigation Main and Pump Station, more particularly described in Exhibit "A" (the "Temporary Easement Premises"), attached hereto and incorporated herein by reference.

This easement is made subject to the following conditions:

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

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

This Temporary Easement shall expire upon replacement with a permanent easement acceptable to the Grantee or with deeded or dedicated public road right-of-way capable of providing similar or better access to the public utility improvements and acceptable to the Grantee.

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

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

GRANTOR:

_____, (authorized signature)
ARBOR RIDGE, LLC

Print Name/Title_____

STATE OF IDAHO)

) ss.

County of)

On this _____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ _____ known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

_____

Notary Public

Residing at _____ My Commission Expires _____

EXHIBIT A

Legal Description

Patagonia Subdivision No. 1 – City of Kuna Pressure Irrigation Easement

An easement located in the SE ¼ of the SW ¼ of Section 7, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the southeast corner of said SE ¼ of the SW ¼, from which an Aluminum Cap monument marking the southwest corner of said Section 7 bears N 89°27'26" W a distance of 2557.55 feet;

Thence N 89°27'26" W along the southerly boundary of said SE ¼ of the SW ¼ a distance of 334.50 feet to a point;

Thence leaving said southerly boundary N 0°34'15" E a distance of 698.50 feet to a 5/8 inch rebar and the **POINT OF BEGINNING**;

Thence N 89°27'26" W a distance of 181.85 feet to a point;

Thence N 55°32'59" W a distance of 227.66 feet to a point;

Thence N 89°27'26" W a distance of 116.98 feet to a point;

Thence S 0°32'34" W a distance of 127.00 feet to a point;

Thence N 89°27'26" W a distance of 30.00 feet to a point;

Thence N 0°32'34" E a distance of 200.05 feet to a point;

Thence S 89°27'26" E a distance of 158.69 feet to a point;

Thence N 34°33'52" E a distance of 110.56 feet to a point;

Thence S 55°26'08" E a distance of 358.66 feet to a point;

Thence S 0°34'15" W a distance of 91.01 feet to the **POINT OF BEGINNING.**

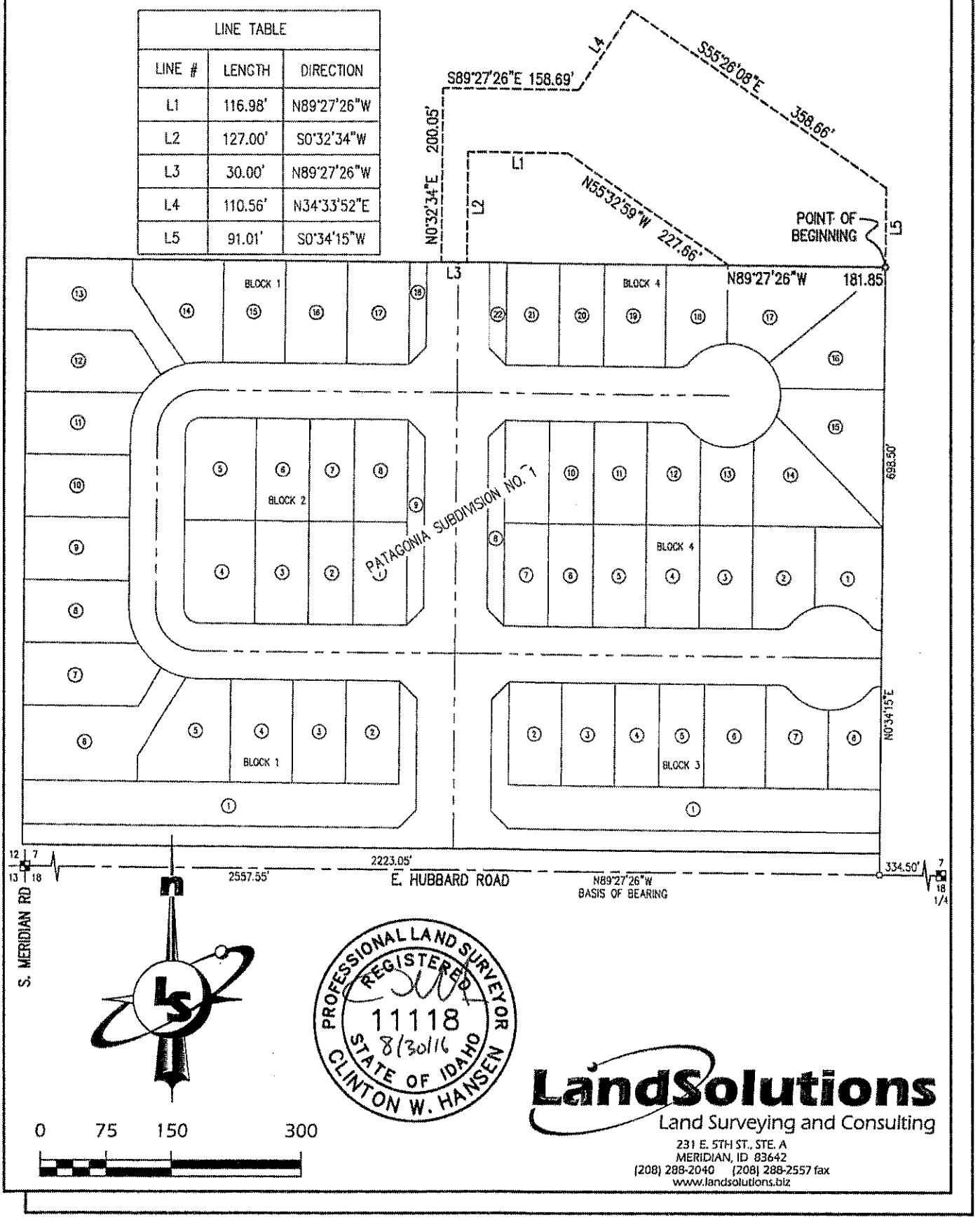
This parcel contains 76,980 square feet (1.77 acres) and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
August 30, 2016

PATAGONIA SUBDIVISION NO. 1

CITY OF KUNA - PRESSURE IRRIGATION EASEMENT

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	116.98'	N89°27'26"W
L2	127.00'	S0°32'34"W
L3	30.00'	N89°27'26"W
L4	110.56'	N34°33'52"E
L5	91.01'	S0°34'15"W



PROFESSIONAL LAND SURVEYOR
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City of Kuna

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

Staff Memo – City Council

To: **City Council**

File Numbers: **16-01-ZC** (Rezone) **16-02-CPM** (Comp Plan Map amendment) and **16-01-S** (Subdivision)

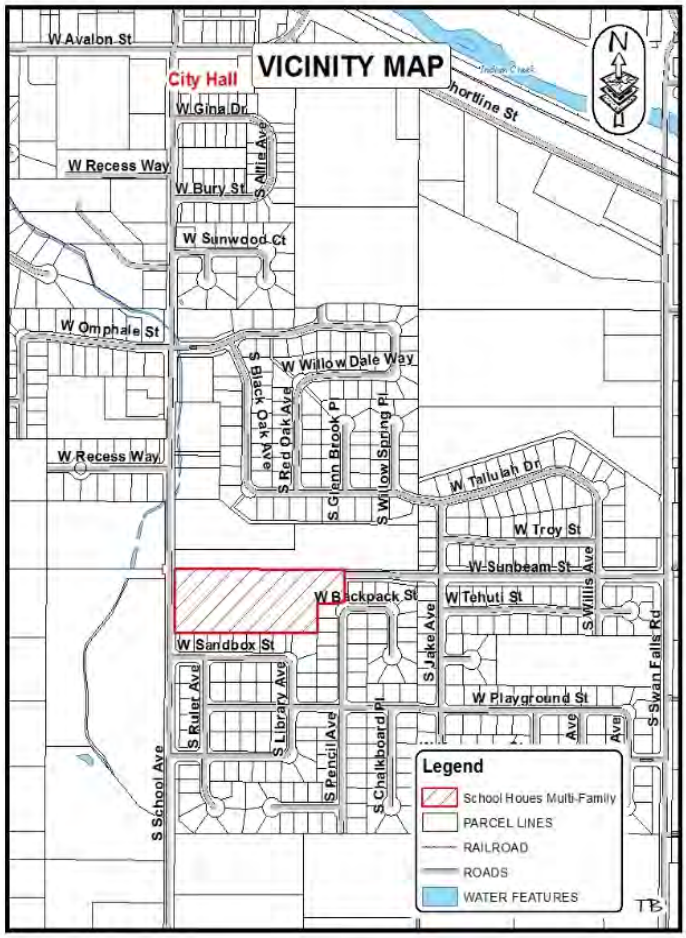
Location: Southeast corner (SEC) of School Avenue & Sunbeam (Alignment) Kuna, Idaho

Planner: Troy Behunin, Senior Planner

Hearing date: September 6, 2016

Applicant: A-Team Land Consultants
Steve Arnold
1785 S. Whisper Cove Ave.,
Boise, ID 83709
208.321.0525
steve@ateamboise.com

Owner: Oasis Properties, LLC
Marty Pieroni
475 S. Thornwood Way,
Meridian, ID, 83642
208.401.0977
martypieroni@gmail.com



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A. Process and Noticing
B. Applicants Request
C. Aerial map
D. Site History
E. General Project Facts
F. Staff Analysis
G. Applicable Standards
H. Procedural Background
I. Proposed Council's Findings of Fact
J. Factual Summary
K. Proposed Comprehensive Plan Analysis
L. Proposed Idaho Code Analysis
M. Proposed Conclusions of Law
N. Commission Recommendation to Council.
O. Council's Order of Decision

A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), states that Rezones, Comprehensive Plan Map Amendment, and Subdivisions are designated as a public hearing, with the Commission as a recommending body and the City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

i.	Neighborhood Meeting	November 9, 2015 (seven persons attended) and March 7, 2016 (twenty five households signed in)
ii.	Agency Comment Request	May 2, 2016
iii.	400' Property Owners Notice	August 18, 2016
iv.	Kuna, Melba Newspaper	August 17, 2016
v.	Site Posted	August 22, 2016

B. Applicants Request:

1. **Request:**

Steve Arnold, with A-Team Consultants requests an amendment to the Comprehensive Plan Map (Comp Plan Map) to change the *designation* from Medium Density to High Density Residential for approximately (6.18 +/- acre), and to rezone the same property from R-6 (Medium Density Residential) to R-12 (High Density). The applicant also proposes to subdivide the parcel into 21 lots, in preparation to develop the site as a multi-family project. The site is located near the southeast corner (SEC) of School Avenue and the alignment for Sunbeam Street.

C. Aerial Map:

©Copyrighted

D. Site History:

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

E. General Projects Facts:

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

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

3. **Parcel Sizes, Current Zoning, Parcel Number(s):**
   - Parcel Size: 6.18 acres (approximately)
   - Zoning: R-6; Medium Density Residential - Kuna
   - Parcel #: S1326428020

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

5. **Existing Structures, Vegetation and Natural Features:**
   There is a shed on site. The remaining site is vegetated with plant life generally associated with an open field.

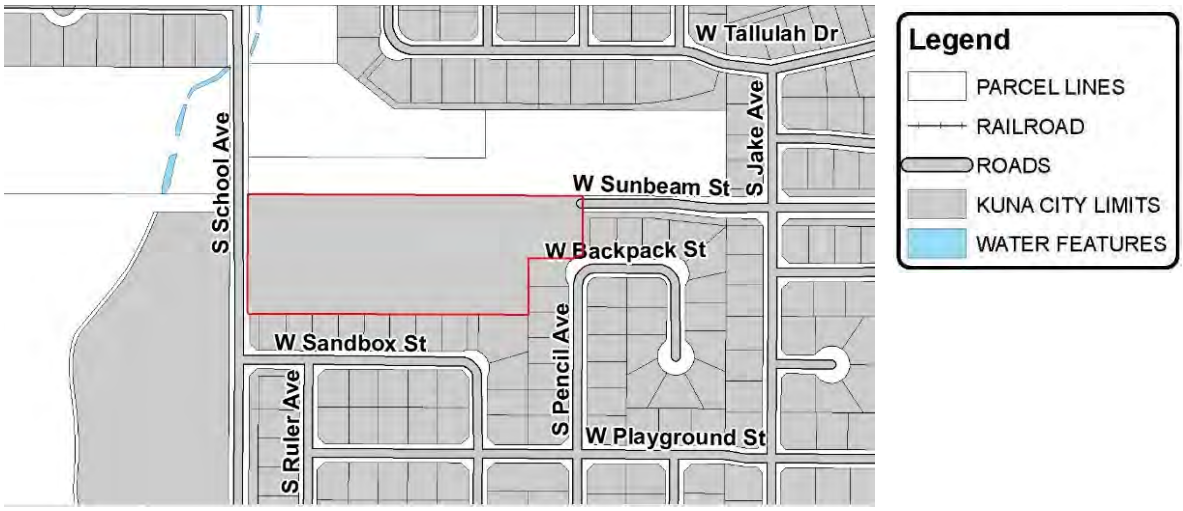
6. **Transportation / Connectivity:**
   The site is near the SEC of School Avenue and Sunbeam Street (alignment). Ingress / Egress is proposed to and from a future extension of Sunbeam Street.

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

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

F. Staff Analysis:

The Comprehensive Plan Map amendment (Comp Plan), rezone, and subdivision applications involve a parcel that is essentially surrounded by Kuna City limits and is neighboring several platted subdivisions. The parcel is adjacent to a major collector (School Avenue) and all public utilities are near this site. These applications have been submitted to prepare the site for a multi-family housing development.



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

If approved, this map amendment request (from Medium Density (*8 units/acre*) to High density (*12 units/acre*), would result in an overall difference in the number of units allowed per acre, by four (4) units.

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

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

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

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

G. Applicable Standards:

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

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

H. Procedural Background:

The Council conducted its Public Hearing on September 6, 2016, where it considered Cases No. 16-01-ZC, 16-02-CPM and 16-01-S, including the application, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Proposed Council's Findings of Fact:

Based upon the record in re: **16-01-ZC, 16-01-CPM and 16-01-S,** including the exhibits, staff report and testimony elicited during the public hearing, the Kuna Council hereby *approves* / *denies* the Case No's 16-01-ZC, 16-02-CPM and 16-01-S, Rezone, Comp Plan Map amendment and subdivision request by the applicant; upon the following grounds:

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

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

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

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

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

On September *6, 2016, Kuna's Council voted for approval/denial of Case No.s 16-01-ZC, 16-02-CPM and 16-01-S.*

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

Comment: *As noted in the process and noticing section, notice requirements were met to hold a public hearing on* September *6, 2016.*

J. Factual Summary:

This site is located near the SEC of School Avenue and Sunbeam Street (Alignment). Applicant proposes a rezone for approximately 6.2 acres in the City from R-6 to R-12. Applicant proposes a Comprehensive Plan Map amendment for the site, from Medium Density to High Density Residential and a preliminary plat to subdivide the parcel into 21 lots (fourteen buildable, seven common). If approved, the site will take access from the future Sunbeam Street in one location and is 0.70 of a mile from Downtown Kuna, Idaho, and 0.96 of a mile from a Neighborhood Center.

K. Proposed Comprehensive Plan Analysis:

The Kuna Council accepts the Comp Plan components as described below: The proposed zone change for the site is consistent with the following Comp Plan components:

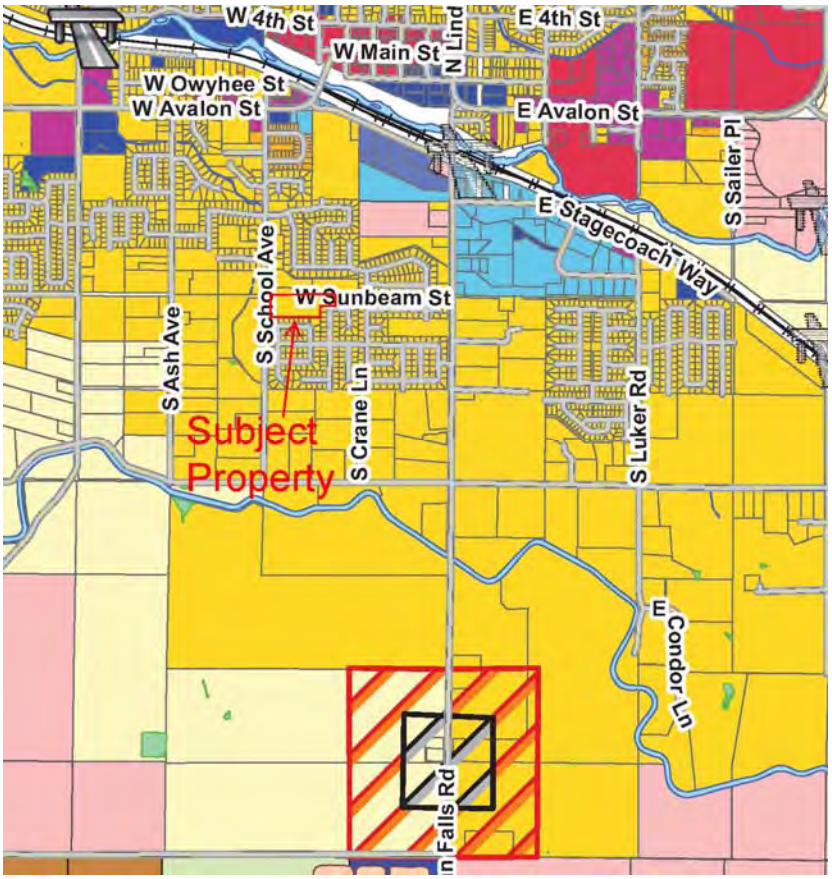
Community Vision Statement:
Residents hoped for the creation of business and light commercial use centers within neighborhoods. These centers would include restaurants, gas stations, churches, *multi-family* use facilities, and other mixed-use developments. Citizens anticipated the manufacturing area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

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

Comment: *The proposal follows the community vision and housing goals as stated and adopted.*

Private Property Rights Goals and Objectives - Section 2 - Summary:
Ensure the City *land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property.* Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criterion established to determine the potential for property taking.

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



Legend

Economic Development Goals and Objectives - Section 5 - Summary:
Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5 and Pg. 43 – 3.1 [CP]).

Comment: *The proposed application complies with these elements of the comp plan by providing a non-standard housing type meeting this goal.*

Land Use Goals and Objectives - Section 6 - Summary:
Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 64 – 3.1 & Goal 3 and Pg. 65 – 4.3 [CP]).

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

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

Comment: *Staff believes that the application complies with the land use plan as adopted by Kuna, by incorporating the following; non-typical housing densities and types in or near a neighborhood district while promoting in-fill methodologies and a quality housing project.*

Housing Goals and Objectives - Section 12 - Summary:
Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1 [CP]).

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

Comment: *Applicant proposes high density residential which will contribute to availability of varied types and home sizes in a logical and orderly manner with an infill-style of development.*

Community Design Goals and Objectives - Section 13 - Summary:
Strengthen Kuna's Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place (Pg.167 – Goal 1 and Pg. 168 – 1.2[CP]).

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

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

Comment: *This application promotes sound community and urban design principles.*

L. Proposed Idaho State Code Analysis:

1. The Council finds that the proposal is / is not in compliance with the following Idaho State Code sections.

2. **IC §67-6511 (2) C** requires that the Council analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.

3. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.

M. Proposed Conclusions of Law:

1. The site is physically suitable for a subdivision.

   Comment: *The 6.2 acre (approximate) project appears to be suitable for a subdivision and is 0.70 of a mile from the Super "C" in downtown Kuna, Idaho, and* 0.96 of a mile *from a Neighborhood Center.*

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

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

3. The rezone, Comp Plan Map amendment and subdivision applications are not likely to cause adverse public health problems.

   Comment: *The rezone and* Comp *Plan Map amendment for the property requires a zoning designation per Kuna Code 5-13-9. The project requires connection to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

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

   Comment*: Through correspondence with public service providers and application evaluation, staff has determined this project appears to avoid detriment to surrounding uses.*

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

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

6. Based on the evidence contained in Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S, Council finds Case No's 16-01-ZC, 16-02-CPM and 16-01-S generally do / do not comply with Kuna City Code.

7. Based on the evidence contained in Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S, Council finds Case No's 16-01-ZC, 16-02-CPM and 16-01-S are / are not generally consistent with Kuna's Comp Plan.

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

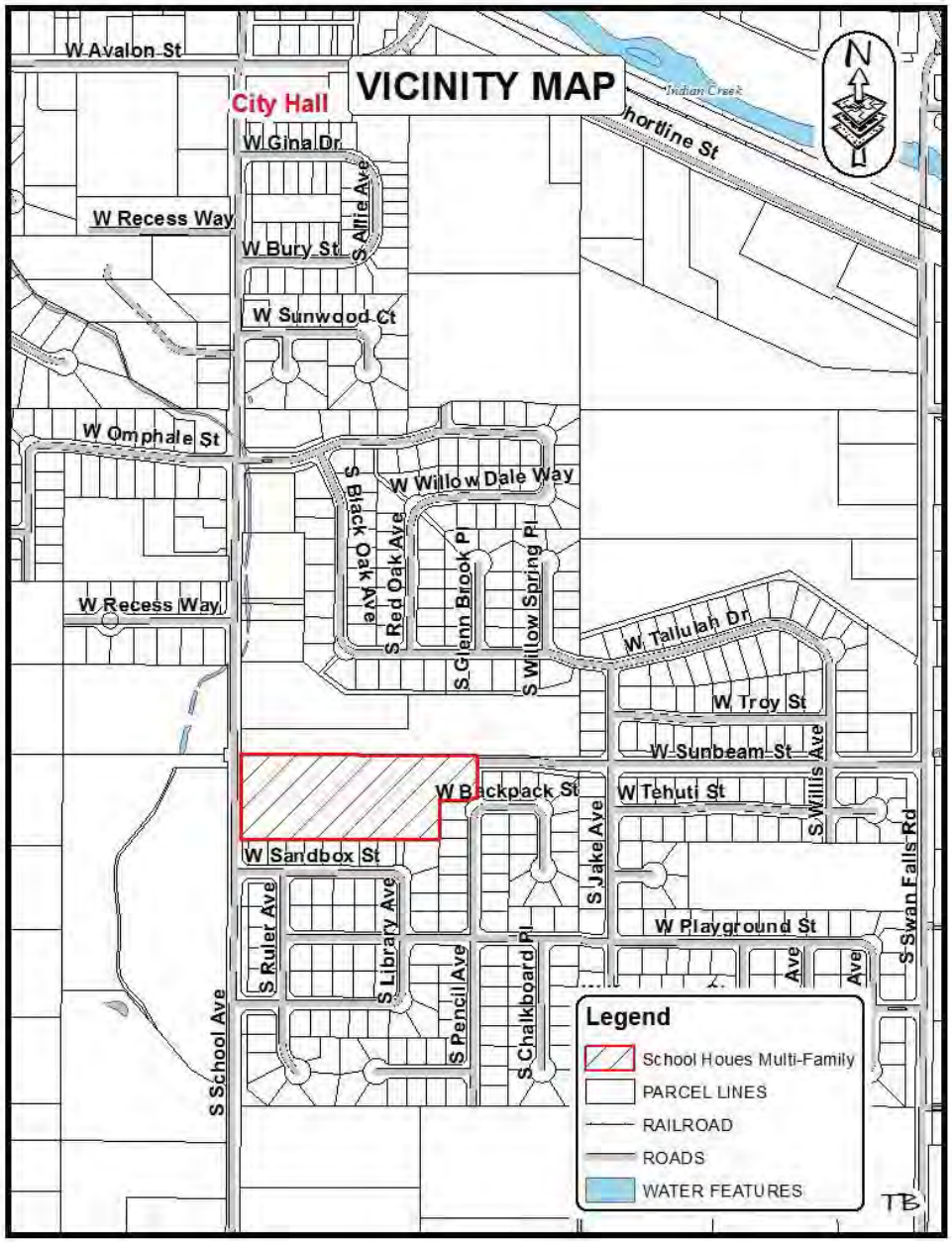
N. Commission Recommendation to Council:

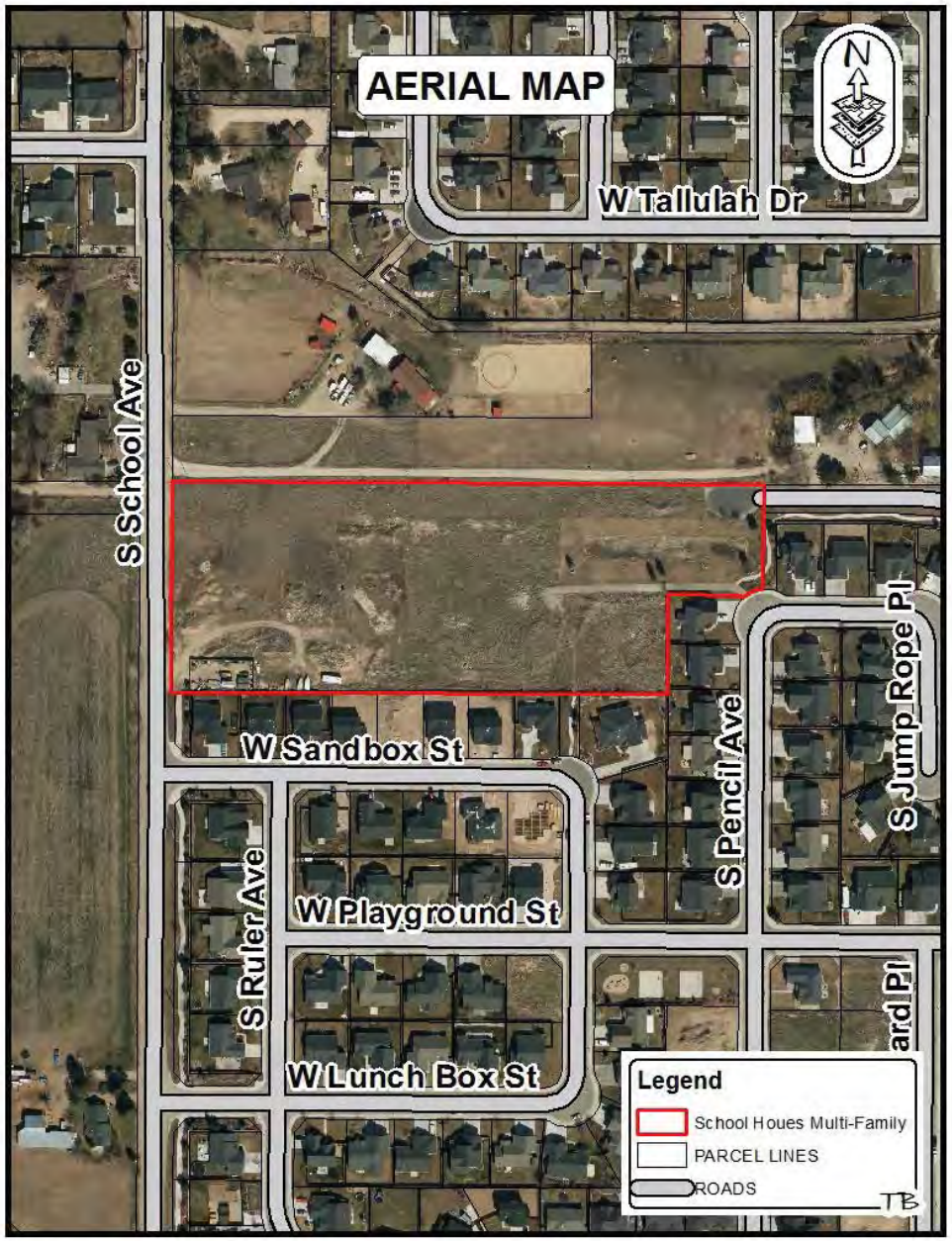
Based upon the foregoing, on July 12, 2016, the Planning and Zoning Commission voted 4-1, to recommend ***denial*** for Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S to Council, including the request for a rezone, Comprehensive Plan Map amendment and subdivision.

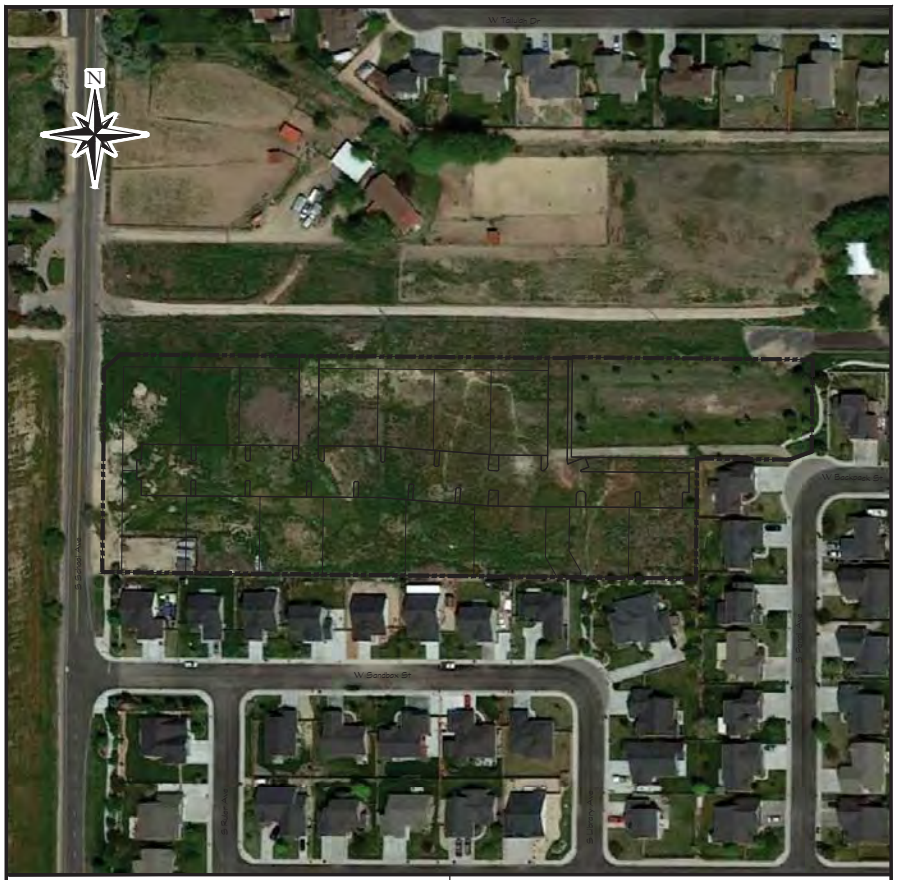
O. Council's Order of Decision:

Based upon the information in the packet, applicant's presentation and testimony at the September 6, 2016 public hearing, the Council voted to *approve / deny* Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S, including the request for a rezone, Comprehensive Plan Map amendment and subdivision.

DATED this ____, day of _____ 2016.


VICINITY MAP
City Hall
W Avalon St
W Gina Dr
W Recess Way
W Bury St
S Allie Ave
W Sunwood Ct
W Omphale St
S Black Oak Ave
W Willow Dale Way
S Red Oak Ave
S Glenn Brook Pl
S Willow Spring Pl
W Tallulah Dr
W Troy St
W Sunbeam St
S Willis Ave
W Backpack St
W Tehuti St
W Sandbox St
S Jake Ave
S Swan Falls Rd
S Ruler Ave
S Library Ave
W Playground St
S Pencil Ave
S Chalkboard Pl
S School Ave
Legend
School Houes Multi-Family
PARCEL LINES
RAILROAD
ROADS
WATER FEATURES
TB


AERIAL MAP
W Tallulah Dr
S School Ave
S Jump Rope Pl
W Sandbox St
S Pencil Ave
S Ruler Ave
W Playground St
W Lunch Box St
Legend
School Houes Multi-Family
PARCEL LINES
ROADS
TB



OWNER / DEVELOPER
OASIS PROPERTIES LLC
475 THORNWOOD WAY
MERIDIAN ID 83642

PLANNER / CONTACT
STEVE ARNOLD
A-TEAM LAND CONSULTANTS
1785 WHISPER COVE AVE.
BOISE, ID 83709 PH. 208-871-7020

SCHOOL HOUSE
THE NW 1/4 OF THE SE 1/4 OF SECTION 26,
T.2N., R.1W, BOISE MERIDIAN
CITY OF KUNA, ADA COUNTY, IDAHO 1" = 150'

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3/5/2016 4:51:04 PM

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RECEIVED
A.20.16

April 4, 2016

Troy Behunin, Senior Planner
City of Kuna
763 W. Avalon
Kuna, Idaho 83634

Dear Troy:

Subject: RE: School House Apartments Subdivision Comprehensive Plan Amendment

On behalf of Oasis LLC, A Team Land Consultants presents to the City of Kuna a Comprehensive Map Amendment for the proposed School House Apartments Subdivision. The 6.37-acre site is located at the southeast corner of Sunbeam Road extended and School Avenue. The applicant is proposing 56 units on 14 lots. The property is currently zoned R-6, and the density proposed would require the R-12 zoning which is considered to be a High Density zoning. As required for a comprehensive map change the applicant is required to provide the following:

1. **Definition of the requested change**: the property is currently zoned R-6, and is listed on the Comprehensive Map as Medium Density. The R-6 allows for a density of 6 units/acre. The applicant is proposing approximately 56 units; the current zoning will allow for 38 units. The 56-unit density that is being proposed is significantly lower than that allowed by the requested R-12 rezone.

2. **Specific information on the property involved**; the subject property was a part of the original School House Subdivision Preliminary Plat, and originally proposed as single family units, approximately 25 homes. In the last housing crunch starting in 2006, the owners met with the City to discuss modifying the preliminary plat to allow for a mix of housing type to try to diversify the product type in the subdivision. At that time, it was agreed to do a higher density product due to the location of the two major collector adjacent to the site and there was a need for a mix of housing units. Based on that decision, the City allowed the applicant to remove a stub street into this site and plat phase two of School House Subdivision not connecting to this site, and access into this phase would be off Sunbeam Street.

3. **The Condition or Situation which warrants the change**: as stated above we will have two major collectors abutting the site. It is typical planning practices to transition higher density housing adjacent to major streets into lower density as you move into a development. This is one of the requested conditions that warrant modifying the comprehensive plan map. Another is the lack of housing type in this area of Kuna; there is virtually no quality multifamily housing south of the town in this area. With the existing demand and anticipated future demand

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with the growth of the City, the developer believes that this is a great location for a high quality multifamily housing unit. Potential renters will be able to travel directly to the meat processing plant without even crossing the tracks.

4. **Public need and benefit of such a plan with the map**: there is currently a high demand for multifamily housing units in Kuna, especially where this site is located. This site is located south of town where there is very little multifamily units. There is a significant amount of industrial growth and commercial growth currently going on in or around Kuna that will only exasperate the need for a multifamily housing product. Nationally, and locally in the state of Idaho, there is a huge demand for multifamily housing, the current vacancy in Ada County is hovering around 3-percent. That is significantly below the normal vacancy rate. And the trend for first time home buyers is starting to lean toward renting longer before a purchase is made. The trend of moving towards a rental multifamily unit along with the fact that the City of Kuna has a very low supply of rental units has created a high demand for this product type within the City.

5. **There is no other solution to modifying the comprehensive plan to achieve this product type**: the current zoning and comprehensive planning map does not permit for multifamily housing on this site. In speaking with City Staff there is no other option other than a comprehensive plan map change to get the density of this multifamily unit.

6. **Development intentions for the land involved**: our intention is to develop a multifamily project that is of high quality. There is a significant amount or architectural design going into the buildings. Each of the buildings are being platted so that the building can be individually owned, however, all the building and the site will be subject to one Home Owners Association with a strict set of guidelines and rules governed by our Covenants Conditions and Restrictions (CC&R's). There will be extensive screening adjacent to the collectors to buffer this site from the future traffic noise. Also, we will be providing year round screening to the south to buffer this development from the single family uses to the south to mitigate any perceived issues with our development. The buffer to the south is between 20-30 feet in width.

   As part of the application we are submitting color photographs of the proposed buildings. The color combination for the buildings will be a mixture of earth tones as shown on the submitted pictures. The fascia and trim will be designed in such a way as to better accent the earth tones. Variations in wall panels and rooflines are provided to also add architectural amenities to the buildings appearance. All of the buildings will be constructed to a minimum of a Silver LEED standard, thus providing energy efficiency. This in turn allows the mechanical units to be constructed smaller. Two foot fencing will be provided to screen the mechanical units.

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The buildings and the facades are architecturally attractive and help function to promote owner occupied building or a higher end rental unit. Each of the units is two stories with its own individual entrance on each side of the building. Pathways to the entrances are provided from the parking area to each unit, thus giving the owner or renter the feel of a private entrance. The builder has put a significant amount to time designing these units to be very attractive as he did in the single family units in the previous phases of School House Subdivision.

7. **The proposed amendment will provide an example of an improved development type in the future growth of the City**: providing a mix of housing type promotes a quality of living among all within a subdivision, a community and a City by providing housing diversity. Diversity in housing types has been proven to increase value within a subdivision and a community. What the applicant is trying to provide in this subdivision is a product type that is in high demand within the City and that demand is anticipated to increase with the future growth. Multifamily housing compared to single family housing offers many benefits, such as:
   a. **Less Demand on City Services and Infrastructure**: multifamily housing places less demand on City services. An example is a comparison of 100 single family units compared to 100 multifamily units and the School Impact. The same number of single family units will have approximately 51-school aged children, where the same number of multifamily units will place approximately 31-school aged children. Multifamily units tend to be more empty nesters and young couples without children compared to the counter parts of single family. Transportation is also impacted less, with an average of 6.8 trips per day for multifamily compared to 10 trips per day for single family. Other infrastructure costs include sewer and water burdens. It take less extensions of service to provide more multifamily units than it does their counter part of single family units, just by the very nature that multifamily units are compact compared to single family units.
   b. **Apartments generally pay higher taxes**: because apartments are generally considered a commercial use in most jurisdictions they tend to pay a higher tax rate than their counter part of single family dwellings. Thus the multifamily units contribute more to the economic growth of a community.
   c. **Multifamily Units add Value to nearby single family units**: a study done by the National Association of Home Builders has concluded that a well maintained multifamily housing complex will actually add value to nearby single family uses.
   d. **Multifamily Units do not increase Crime**: the assumption that multifamily renters are less engaged in a community and more apt to commit crimes is only supported by false antidotes. There have been numerous studies comparing single family crime rates to the similar multifamily crime rates. And one study actually found fewer police calls

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per 100-units of multifamily compared to its counter of 100-single family units. There is no correlation between crime vs ownership and renting.

The applicant is providing a housing product of high quality that will suit this neighborhood very well. Each of the building will be platted separate on its own lot so that they can be owned. A Home Owners Association will be created for the up keep and maintenance of the entire site to keep uniformity throughout the project. There will also be a property management company that will manage the day to day activities and see that all the rules and regulations of the Home Owners Association are followed. The builder of this site is also the builder of the School House subdivision and that is evidence of the high quality housing unit that will be built. A high quality product type will demand higher rents, thus ensuring that a quality project is brought forward to the City.

This narrative for the Comprehensive Map Amendment is provided to help clarify our request. Please notify us as early as possible if you should need additional clarification or information regarding this application. The proposed development will be a great addition to the City and will be a high quality multifamily development along two major Collectors. I look forward to working with the City as this development moves forward in the process.

Sincerely,
A Team Land Consultants

Steve Arnold
Project & Real Estate Manager

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A TEAM
Land Development & Real Estate Services

March 12, 2016

Troy Behunin, Senior Planner
City of Kuna
763 W. Avalon
Kuna, Idaho 83634

Dear Troy:

Subject: School House Apartments Subdivision

On behalf of Oasis Properties LLC, A Team Land Consultants presents to the City of Kuna a Design Review, Preliminary Plat, Rezone, Special Use application, and a Comprehensive Plan Amendment applications for the proposed School House Apartments Subdivision. The subject property is located at the southeast corner of School Avenue and Sunbeam Street. The property contains 6.37 total acres. The subject property was originally a part of the School House Subdivision Preliminary Plat. That plat was allowed to expired by the Applicant and the City in anticipation of this submittal for multifamily housing.

Project Summary

The applicant is proposing 14 four plex units, 1 basketball and gazebo lot, and three other common landscape lots. The site is currently zone R-6, which allows up to 38 units on this site. The gross density of the residential area is calculated at 8.79 dwelling units to the acre. All of the residential lots will have access via a common drive isle running parallel to Sunbeam Street. No direct access is proposed to Sunbeam Street or School Avenue. There are several common areas planned in the center of the development, a gazebo and picnic area, a pathway lot, and extensive landscaping will be provided adjacent to the collectors. There will be a pathway connection made to the south, within the School House Park Subdivision. There is an existing 6-foot vinyl fence adjacent to our south boundary, we will continue that adjacent to our other boundaries. Fencing will be constructed in accordance with City Code.

Drive Isles and Adjacent Roads

Primary accesses to the proposed development are two driveways off Sunbeam Street extended, connecting to the proposed east/west drive isle. The internal private streets will be constructed as a 25-foot drive isles, 19-foot parking stalls on both sides and sidewalks adjacent to the parking. A traffic study was not included with this application due to the minimal amount of trips this site generates per day; approximately 390 trips per day.

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Neighborhood Meeting Minutes

Utilities, Irrigation and Storm Drainage

There are existing wet and dry utilities adjacent to this site's property line. The developer is proposing to extend both sewer and water from the east into this development. We are currently showing a looped water system within the development. Dry utilities will also be extended into this site to all building lots. The common areas will also be utilized for storm drain, with seepage beds handling the nuisance water. Pressurized irrigation is existing and will be extended to all new common areas.

Neighborhood Meetings

There were two neighborhood meetings conducted prior to submitting this application one on November 9, 2015, and another on March 7, 2016. There were three main points of concern. The first was the use that was being proposed, multifamily. There were property owners in the vicinity of the development that did not want to have renters near to their location. The belief was that a renter exhibits more crime, and other undesirable behaviors not compatible with home ownership. The second was the traffic that would be generated from the development on the nearby street. The neighbors did not believe that the local roads could handle the additional traffic generated from this development. The final concern was the extension of Sunbeam Street; it was believed to have a negative impact on adjacent land owners. At our original meeting we had 15 four plex buildings, at the second meeting we dropped to 14 buildings but that did not seem to have much impact on the concern about multifamily units.

Proposed Buildings

As part of the application we are submitting color photographs of the proposed buildings. The color combination for the buildings will be a mixture of earth tones as shown on the submitted pictures. The fascia and trim will be designed in such a way as to better accent the earth tones. Variations in wall panels and rooflines are provided to also add architectural amenities to the buildings appearance. All of the buildings will be constructed to a minimum of a Silver LEED standard, thus providing energy efficiency. This in turn allows the mechanical units to be constructed smaller. Two-foot fencing will be provided to screen the mechanical units.

The buildings and the facades are architecturally attractive and help function to promote owner occupied building or a higher end rental unit. Each of the units is two stories with its own individual entrance on each side of the building. There are no separate units above one another. Pathways to the entrances are provided from the parking area to each unit, thus giving the owner or renter the feel of a private entrance. These are very attractive units, built by a reputable builder.

Amenities and Open Space

The proposed development includes 4.61 acres of open space and common lots to be used for a street buffering, a basketball and picnic/gazebo area, and a pedestrian pathway. Landscape buffering is being provided along School Avenue and Sunbeam Street. This will produce a very nice entrance when you enter the development off School Avenue. Central to the site will be a gazebo with picnic benches and a plaza/sitting area. Additional landscaping will be provided adjacent to the existing storm drain facility to enhance the look of it and add to this development. All landscape areas will be landscaped in accordance with City landscaping requirements.

Comprehensive Plan Policies

This proposal reflects many of goals, guidelines and policies within the City's Comprehensive Plan Policies. Some of those objectives include the following:

- 9.3 Goal 3: Balance land use planning with transportation needs. Develop strategies to reduce travel demand. Encourage developers to create mixed use developments that will reduce travel demand through trip capture. Encourage higher densities near collectors and arterials.
- 12.1 Goal 1: Provide a wide range of housing types to meet the needs of the current and future population. Ensure that house is available throughout the community for people of all income levels and for those with special needs. Encourage a mixed-use development that includes town centers, single-family, multi-family, accessory units, and other types of residential development.
- 12.3 Goal 3: Encourage high-quality residential development.

Vision Statement

This site is a great location for multifamily development, walking distance to downtown and shopping centers. The multifamily use will make a good transitional use between the existing single family uses and the collector roadways adjacent to the north and west boundary, and meets all City Planning policies. The developer will also be the builder and has a very unique floor plan and elevations which greatly enhance the quality of the project. Our vision is to work with the City and create a neighborhood that will add value to the community as this developer did within the School House Residential Subdivision. We encourage members of Staff, the Planning and Zoning Commission and City Council to participate in this Vision. This will only enhance the community and the project, which will be a benefit to all.

It is anticipated that the applications are in compliance with all applicable plans and codes adopted by the City. Please notify us as early as possible if you should need additional clarification or information regarding this application. The proposed development will be a great addition to the City and will be a high quality multifamily

development along two major collectors. I look forward to working with the City as this development moves forward in the process.

Sincerely,
A Team Land Consultants

Steve Arnold
Project & Real Estate Manager

Cc: Marty Pieroni

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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

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

Type of Review (check all that apply):

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

Contact/Applicant Information

Owners of Record: Oasis Properties LLC
Address: 475 S Thornwood Way
City, State, Zip: Meridian ID 83642
Phone Number: 994-9691
E-Mail: martypieroni@gmail.com
Fax #: 401-0977

Applicant (Developer): A Team Land Consultants
Address: 1785 Whisper Cove Ave.
City, State, Zip: Boise ID 83709
Phone Number: 321-0525
E-Mail: steve@ateamboise.com
Fax #: 401-0977

Engineer/Representative: A Team Land Consultants
Address: 1785 Whisper Cove Avenue
City, State, Zip: Boise ID 83709
Phone Number: 321-0525
E-Mail: steve@ateamboise.com
Fax #: 401-0977

Subject Property Information

Site Address: S. School Avenue, Kuna Idaho
Site Location (Cross Streets): School Avenue and Sunbeam Road
Parcel Number (s): S1326428020
Section, Township, Range: 2N, 1W, SEC 26
Property size : 6.37-acres
Current land use: Vacant
Proposed land use: Multifamily
Current zoning district: R-6
Proposed zoning district: R-12

Project Description

Project / subdivision name: Schoolhouse Apartments Subdivision
General description of proposed project / request: The applicant is proposing 14 four plex buildings with a gazebo/pic nic area and basket ball court.

Type of use proposed (check all that apply):

- ☒ Residential
- ☐ Commercial
- ☐ Office
- ☐ Industrial
- ☐ Other

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

Residential Project Summary (if applicable)

Are there existing buildings? ☐ Yes ☒ No
Please describe the existing buildings:
Any existing buildings to remain? ☐ Yes ☒ No
Number of residential units: 56 Number of building lots: 14
Number of common and/or other lots: 6
Type of dwellings proposed:

- ☐ Single-Family
- ☐ Townhouses
- ☐ Duplexes
- ☒ Multi-Family
- ☐ Other

Minimum Square footage of structure (s): 4,200 s.f
Gross density (DU/acre-total property): 8.79 Net density (DU/acre-excluding roads): 11.07
Percentage of open space provided: 72-percent Acreage of open space: 4.61-acres
Type of open space provided (i.e. landscaping, public, common, etc.): Basket ball and gazebo

Non-Residential Project Summary (if applicable)

Number of building lots: Other lots:
Gross floor area square footage: Existing (if applicable):
Hours of operation (days & hours): Building height:
Total number of employees: Max. number of employees at one time:
Number and ages of students/children: Seating capacity:
Fencing type, size & location (proposed or existing to remain):

Proposed Parking:
a. Handicapped spaces: 6 Dimensions: 9x19
b. Total Parking spaces: 114 Dimensions:
c. Width of driveway aisle: 25-feet
Proposed Lighting:
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): There will be landscape buffers/berms adjacent to School and Sunbeam roads, common pathway lots and gazebo and pic nic areas.

Applicant's Signature: Date: 4/6/16

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, Oasis Properties, Marty Peroni **,** 475 S. Thornwood Way
Name **Address**

Meridian **,** ID 83642
City **State** **Zip Code**

being first duly sworn upon oath, depose and say:

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

A. That I am the record owner of the property described on the attached, and I grant my permission to A Team Land Csltnts. (Name) 1785 Whisper Cove Ave. Boise ID 83709 (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 _____ day of January, 2016

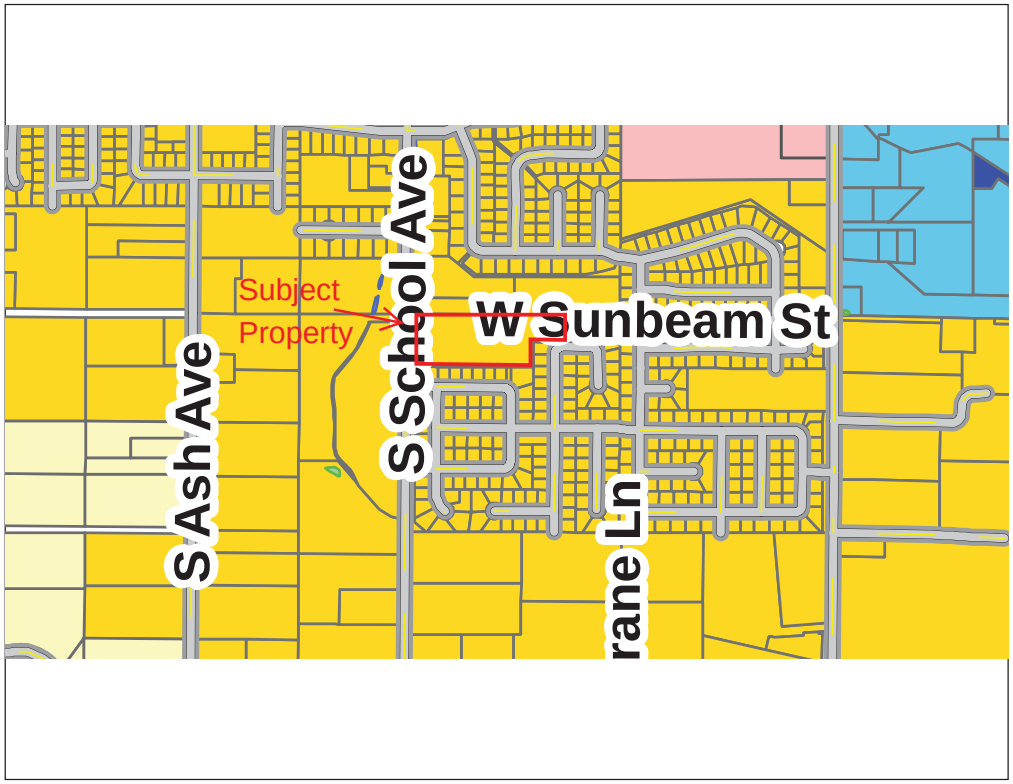
_____
Signature

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

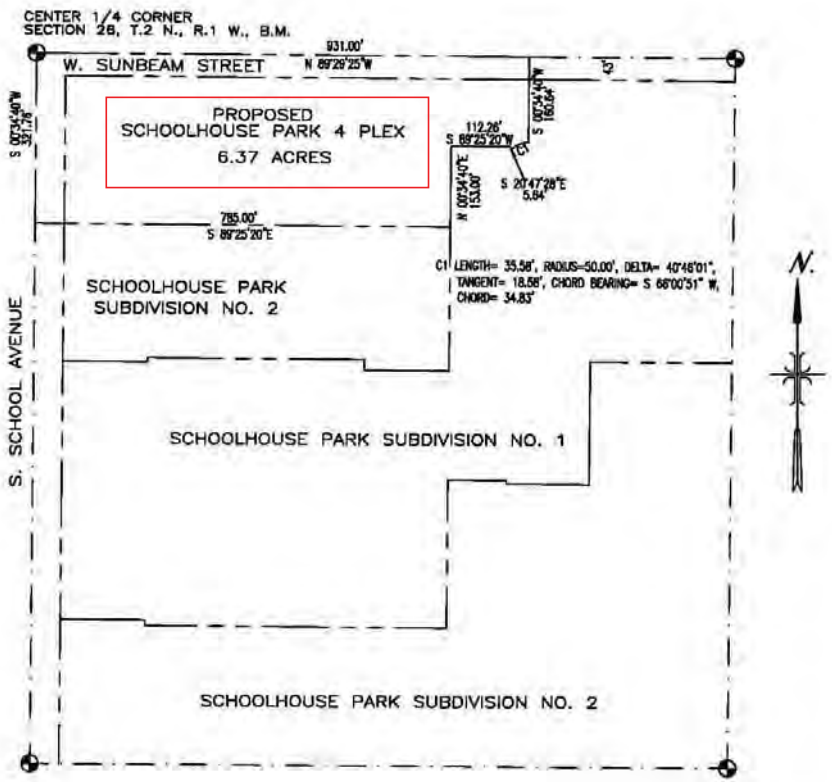
_____
Notary Public for Idaho

Residing at: Boise

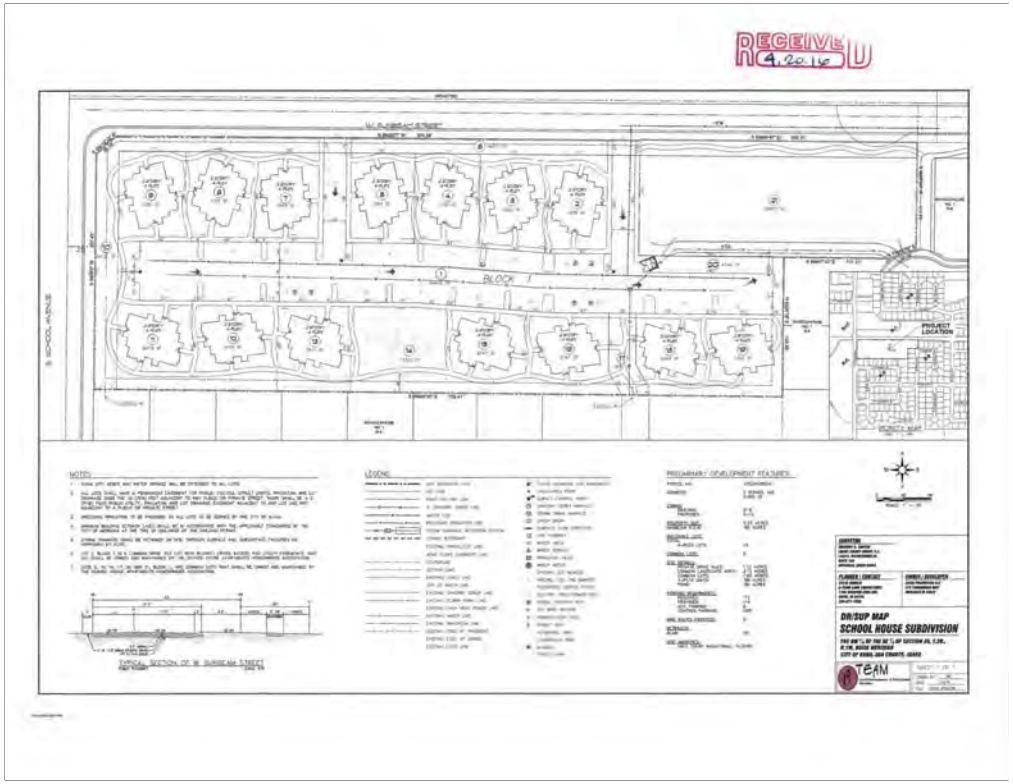
My commission expires: February 17, 2021



REZONE EXHIBIT



REVISIONS	REZONE EXHIBIT SCHOOLHOUSE APARTMENTS SUBDIVISION NW 1/4, SE 1/4, SECTION 26,T2N, RIW, BM KUNA, ADA COUNTY, IDAHO	TEAM Land Development & Real Estate Services 1785 WHISPER COVE AVE BOISE ID 83709 208-321-0525
DRAWN: JEM	DATE: 3/01/16	SCALE: NTS	JOB NO. 1605



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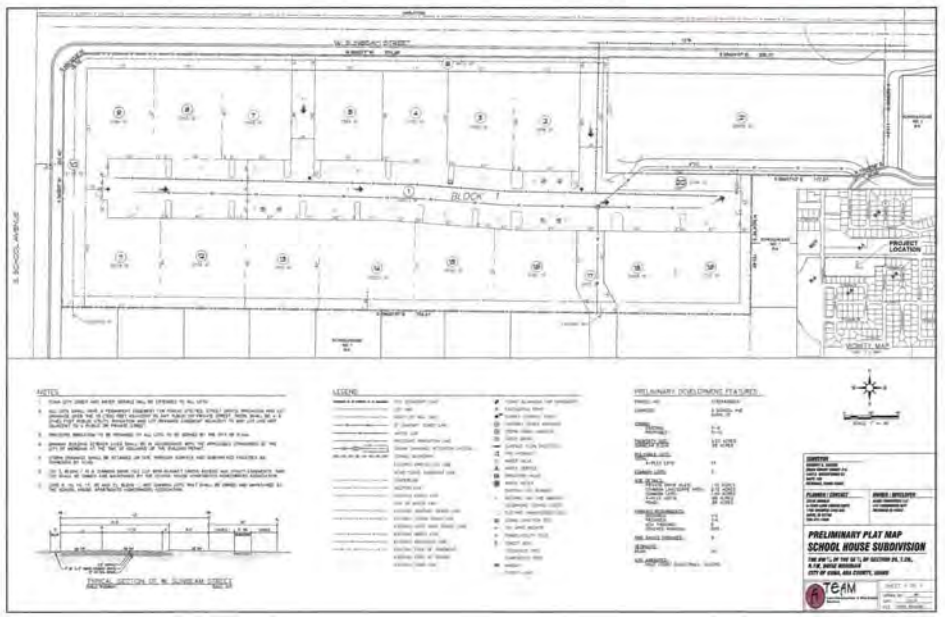

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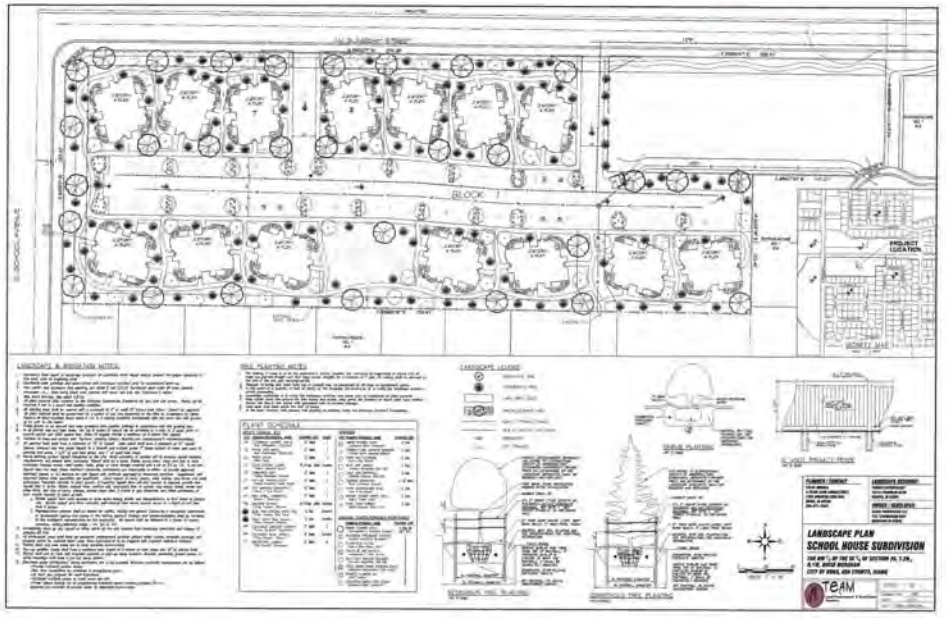


CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.cityofkuna.com

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@cityofkuna.com

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Schoolhouse Park Subdivision No. 3
Rezone, Comprehensive Plan Map Modification, Preliminary Plat
15-04-ZC, 15-02-CPM, 15-06-S

DATE: May 3, 2016

The City Engineer has reviewed the Preliminary Plat, Rezone and Comprehensive Plan Map Modification request of the above applicant dated May 2, 2016. It is noted that the request and application do provide a detailed narrative description or plan for development of the site and comments will be structured accordingly. The City Engineer provides the following comments:

1. **Sanitary Sewer System**

   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 to the Ten Mile Lift Station and 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 consequently does not have reserved treatment capacity. Treatment capacity may be secured for this site from those who have reserved capacity or from capacity not reserved and upon payment of appropriate fees.
   c) The nearest gravity main (8-inch) is located on the east end of the project site.
   d) Specific recommendations of note are as follows:
      1) City Code (6-4-2O) requires connection to the City sewer system for all sanitary sewer needs.
      2) For any connected load, it is recommended this application be conditioned to conform to the sewer master plan.
      3) At all reasonable locations where sewer service could be extended to adjoining properties, sewer mains shall be stubbed at usable depths to the property line or extended into and along right-of-way adjacent to the project. This requirement may apply, depending on slopes, to School and Sunbeam Streets.
   e) For assistance in locating existing facilities and understanding issues associated with the Master Plan and connection, please contact the City Engineer.

2. **Potable Water System**

   a) The City has sufficient potable water supply to serve this site. This site is not 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) The nearest available water mains (8-inch, 10-inch and 12-inch) are located in School and Sunbeam adjacent to the project.
   c) Water supply capacity is available for this site upon payment of appropriate fees. 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. This requirement applies to the extension of a 12-inch water main in Sunbeam.
      3) 8-inch water mains should be installed by developer in internal subdivision streets.
      4) At all reasonable locations where water service could be extended to adjoining properties, water mains should be stubbed to the property line or extended in or along right-of-way adjacent to the project.
   d) 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 and understanding issues associated with connection, please contact the City Engineer.
   f) Please verify there is adequate separation between potable water service lines and all non-potable water lines (storm drains, sewer services, etc.).

3. **Pressure Irrigation**

   a) The applicant's property is not connected to the City pressure irrigation system. The nearest pressure main (12-inch) is located in S. School Street adjacent to the project.
   b) The development is subject to connection fees based on number of dwellings and lot size for the residential area and based on ultimate landscaped area for the common lots, as provided in City Resolutions.
   c) 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 (6-4-2I) 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 to the City Pressure Irrigation system and annexation into the municipal irrigation district and pooling of water rights is a requirement at the time of final platting/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 trunk line in Sunbeam.
      3. It is recommended that conformity with approved City PI standards is required, including the providing of adequately sized internal loop lines.

4. **Grading, Gravity Irrigation, Drainage**

a) Runoff from public right-of-way is regulated by ACHD or ITD, depending on the agency responsible for the right-of-way. Plans are required to conform to the appropriate agency standards.
b) Exclusive of public right-of-way, any increase in quantity or rate of runoff or decrease in quality of runoff compared to historical conditions must be detained, treated and released at rates no greater than historical amounts. In the alternative, offsite disposal of storm water in excess of historical rates or conditions of disposal at locations different than provided historically, approval of the operating entity is required. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of any private disposal system.
c) The city is now requiring with every new development, a documentation map that illustrates the surface and sub-surface water irrigation supply as well as drainage ways that exist in the applicant's property and in the right-of-way adjacent to the proposed development to be submitted with construction plans. The map must include 2-foot contours, a layout and essential features of existing irrigation ditches, drainage ditches and pipelines within and adjacent to the proposed development. Open and piped facilities should be noted. The map should include any proposed changes to the systems.
d) All upstream drainage rights and downstream water delivery rights are to be preserved as a condition of development.

5. General

At the time of, or prior to redevelopment:
a) Plan approvals and license agreements from any affected irrigation District will be required.
b) The City reserves the right of prior approval to all agreements involving the applicant (or its successors) and the irrigation or drainage district related to the property of this application and any attempt to abandon surface water rights.
c) Verify that existing and proposed elevations match sufficiently at property boundaries to not impose a slope burden on adjacent properties.
d) State the vertical datum used for elevations on all plans.
e) Provide engineering certification on all final engineering drawings.

6. Inspection Fees

An inspection fee will be required for any **public** water, sewer and irrigation construction work 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 City 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 scheduling of a pre-construction conference.

7. Right-of-Way

Sufficient full and half right-of-way on section and quarter lines for arterial and collector streets shall be provided and developed pursuant to City, ITD and ACHD standards. In this instance, the site fronts on S. School Street and W. Sunbeam Street - which are Mid-

mile Collectors. The recommendations or conclusions of the City Engineer are as follows:
a) The right-of-way for S. School Street fronting on the project is to be platted and widened in accordance with City and ACHD standards.
b) The right-of-way for W. Sunbeam Street fronting on the project is to be platted and widened in accordance with City and ACHD standards.
c) Residential Easements – City Code (6-3-8) requires the providing of 10-foot front and back lot line easements and side-lot easements, as necessary. The City Engineer recommends the following:
    1. 10-foot minimum subdivision boundary easement;
    2. 10-foot minimum street frontage easement;
    3. 10-foot minimum back lot line easement;
    4. 5-foot side lot line easements and 10-foot for any easement containing a PI Main;
    5. Parking/cross access easements.
d) It is recommended approaches onto local, section line and quarter line streets comply with ACHD approach policies and generally are as far as practical from adjacent intersections.
e) Curb and Gutter – City Code (6-4-2C) requires the installation of curb and gutter: vertical curb on classified streets (School, Sunbeam) and either rolled or vertical elsewhere. The documents submitted with the application show an intent to construct curb and gutter. The City Engineer recommends compliance with City Code.
f) Street Drainage – The application includes some facilities for handling storm drainage from local streets. The documents submitted with the application show an intent to construct storm drainage facilities as required. The City Engineer recommends compliance with ACHD policies.
g) Sidewalk - City Code (6-4-2Q) requires the installation of sidewalk on all local and classified streets. The documents submitted with the application show an intent to construct sidewalk. The City Engineer recommends compliance with City Code.
h) Entrances/Approaches – The application proposes two entrances to Alizarin Avenue. The City Engineer concurs with the entrances proposed.

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 as a condition of final platting.

9. Property Description

a) A metes and bounds description prepared by a licensed surveyor has been provided by the applicant.

Development Services Department

Project/File: **School House Subdivision/ KPP16-0002/ 15-04-ZC/15-02-CPM/15-06-S**
This is a rezone, comprehensive plan amendment, and preliminary plat application to allow for the development of 56 mutli family housing units on 6.37 acres. The site is located at southeast corner of School Avenue and the future Sunbeam Road in Kuna, Idaho.

Lead Agency: City of Kuna

Site address: SEC of School Avenue and Sunbeam Road

Staff Approval: June 9, 2016

Applicant: Marty Pieroni
Oasis Properties, LLC
475 S. Thornwood Way
Meridian, ID 83642

Representative: Steve Arnold
A-Team Land Consultants
1785 Whisper Cove Avenue
Boise, ID 83709

Staff Contact: Mindy Wallace
Phone: 387-6178
E-mail: mwallace@achdidaho.org

A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval of a rezone, comprehensive plan amendment, and preliminary plat application to allow for the development of 56 mutli-family housing units on 6.37 acres. The site is located at southeast corner of School Avenue and the future Sunbeam Road in Kuna, Idaho.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Single-family residential	R-1
South	Single-family residential	R-6
East	Single-family residential	R-6
West	Single-family residential	R-6

3. **Site History:** ACHD has not previously reviewed this site for a development application. .
4. **Transit:** Transit services are not available to serve this site.

5. **New Center Lane Miles:** The proposed development includes 0.17 centerline miles of new public road.
6. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.
7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
   There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 372 vehicle trips per day; 30 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

2. **Area Roadways**

Roadway	Frontage	Functional Classification
School Street	320-feet	Collector
Sunbeam Street	905-feet	Collector

C. Findings for Consideration

1. Sunbeam Street

a. **Existing Conditions:** Sunbeam Street is not constructed abutting the site. Sunbeam Street stubs to the site's east property line with 24-feet of pavement within 40-feet of right-of-way.

b. **Policy:**
Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Half Street Policy: District policy 7206.2.2 states that required improvements to an adjacent collector street shall consist of pavement widening to one-half the required width, including vertical curb, gutter and concrete sidewalk (minimum 7-foot attached or 5-foot detached), 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.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. This segment of Sunbeam Street is designated in the MSM as a Residential Collector with 2-lanes and on-street bike lanes, a 36-foot street section within 54-feet of right-of-way.

c. **Applicant Proposal:** The applicant has proposed to improvement Sunbeam Street abutting the site with 30-feet of pavement, vertical curb, gutter and a detached sidewalk on the south side of the roadway and a 3-foot wide gravel shoulder on the north side of the roadway within 43-feet of right-of-way. The sidewalk on the south side of Sunbeam is proposed to be detached and 5-feet in width and located outside of the right-of-way in an easement.

d. **Staff Comments/Recommendations:** The applicant's proposal is consistent with the MSM and should be approved, as proposed. The right-of-way may be reduced to extend 2-feet behind the curb. The applicant should be required to provide a permanent right-of-way easement for the detached sidewalk proposed to be located outside of the dedicated right-of-way.

2. School Avenue

a. **Existing Conditions:** School Avenue is improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for School Avenue (25-feet from centerline).

b. **Policy:**
Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Half Street Policy: District policy 7206.2.2 states that required improvements to an adjacent collector street shall consist of pavement widening to one-half the required width, including vertical curb, gutter and concrete sidewalk (minimum 7-foot attached or 5-foot detached), 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.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps;

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. This segment of School Avenue is designated in the MSM as a Residential Collector with 2-lanes and on-street bike lanes, a 36-foot street section within 45-feet of right-of-way.

c. **Applicant Proposal:** The applicant has proposed to construct a 5-foot wide detached concrete sidewalk outside of the right-of-way on School Avenue abutting the site.

d. **Staff Comments/Recommendations:** The applicant should be required to widen School Avenue to one half of a 36-foot street section with vertical curb, gutter, and a 5-foot wide detached (or 7-foot attached) concrete sidewalk abutting the site. The required street improvement will fit within the existing right-of-way. The applicant should provide a permanent right-of-way easement for the detached sidewalks located outside of the right-of-way on School Avenue abutting the site.

3. Backpack Street

a. **Existing Conditions:** Backpack Street is improved with 2-travel lanes, curb, gutter, and sidewalk abutting the site. There is 50-feet of right-of-way for Backpack Street (25-feet from centerline).

b. **Policy:**
Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 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.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

c. **Applicant's Proposal:** The applicant hasn't proposed any improvements to Backpack Street abutting the site.

d. **Staff Comments/Recommendations:** Backpack Street is already improved with curb, gutter, and sidewalk abutting the site. Therefore no additional street improvements should be required as part of this application. Consistent with ACHD's Minor Improvement policy, the applicant should be required to replace any segments of broken or deteriorated curb, gutter or sidewalk on Backpack Street abutting the site.

4. Driveways

4.1 Sunbeam Street

a. **Existing Conditions:** Sunbeam Street does not exist abutting the site.

b. **Policy:**
Access Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section

and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

Driveway Location Policy: District policy 7206.4.4 requires driveways located on collector roadways near a STOP controlled intersection to be located outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is greater. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

Successive Driveways: District policy 7206.4.5 Table 1, requires driveways located on collector roadways with a speed limit of 20 MPH and daily traffic volumes greater than 200 VTD to align or offset a minimum of 245-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7206.4.6 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7206.4.6, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7206.4.6.

c. **Applicant's Proposal:** The applicant has proposed to construct two 25-foot wide driveways on to Sunbeam Street to provide access to the site. The driveways are proposed to be located as follows; 226-feet and 542-feet east of School Avenue (measured centerline to centerline).

d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed. The driveways should be constructed as curb return type driveways with 30-foot radii and be paved their full width at least 30-feet into the site beyond the edge of pavement of Sunbeam Street.

5. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

6. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

7. Other Access

School Avenue and Sunbeam Street are classified as Collector roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Construct Sunbeam Street abutting the site as one half of a 36-foot residential collector roadway plus 12 additional feet of pavement (to total 30-feet) with vertical curb, gutter, and a 5-foot wide detached concrete sidewalk on the south side of the road and a 3-foot gravel shoulder and barrow ditch on the north side of the roadway, as proposed. The right-of-way may be reduced to extend 2-feet behind the curb.
2. Provide a permanent right-of-way easement for the detached sidewalk proposed to be located outside of the dedicated right-of-way on Sunbeam Street abutting the site.
3. Widen School Avenue to one half of a 36-foot street section with vertical curb, gutter, and a 5-foot wide detached (or 7-foot attached) concrete sidewalk abutting the site.
4. Provide a permanent right-of-way easement for the detached sidewalks located outside of the right-of-way on School Avenue abutting the site.
5. Replace any segments of broken or deteriorated curb, gutter or sidewalk on Backpack Street abutting the site.
6. Construct two 25-foot wide driveways on to Sunbeam Street located 226-feet and 542-feet east of School Avenue, as proposed.
7. Construct both driveways onto Sunbeam as a curb return type driveways with 30-foot radii and pave both driveways their full width at least 30-feet into the site beyond the edge of pavement of Sunbeam Street.
8. Direct lot access to School Avenue and Sunbeam Street is prohibited and shall be noted on the final plat.
9. Payment of impacts fees are due prior to issuance of a building permit.
10. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.

6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

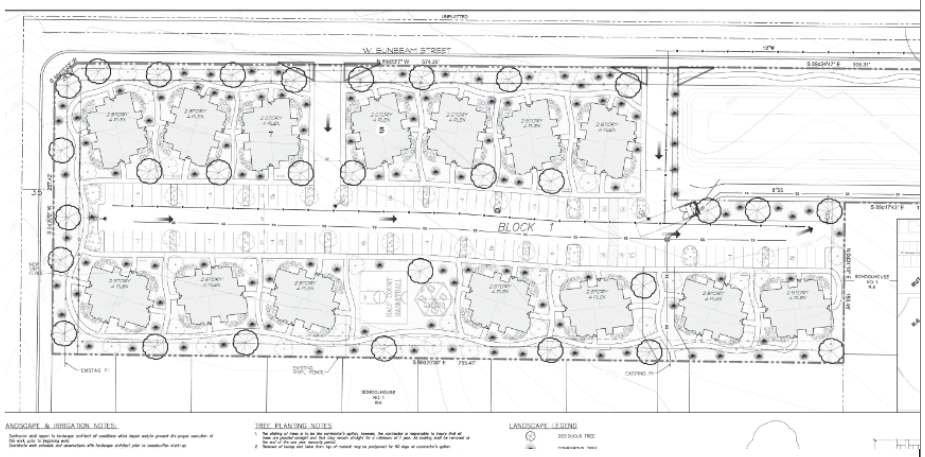
F. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Request for Reconsideration Guidelines

SITE PLAN



RON PLATT
CHAIRMAN OF THE BOARD
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SECRETARY-TREASURER
JERRI FLOYD
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3186

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

10 May 2016

RECEIVED
MAY 13 2016
CITY OF KUNA

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

RE: Oasis Properties, LLC **15-04-ZC, 15-02-CPM & 15-06-S**
SE Crnr School Ave. Sunbeam Rd.
Boise-Kuna Irrigation District
Charles Lateral 00+30 (approximate location)
Sec. 26, T2N, R1W, BM.

Troy Behunin:

There are no Project facilities located on the above-mentioned property.;

Storm Drainage and/or Street Runoff must be retained on site.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by 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: Ray Moore Watermaster, Div; 3 BPBC
Lauren Boehlke Secretary – Treasurer, BKID
File

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028
Boise, ID 83707-2028
(208) 334-8300
itd.idaho.gov

May 11, 2016

Troy Behunin
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

RE: 15-04-ZC, 15-02-CPM AND 15-06-S SCHOOLHOUSE PARK 4 PLEX

The Idaho Transportation Department has reviewed the referenced rezone, comprehensive plan map modification and subdivision application for the Schoolhouse Park 4 Plex on the southeast corner of School Ave. and Sunbeam Road alignment southwest of SH-69. ITD has the following comments:

1. ITD has no objection to the changes requested.

2. This project does not abut the State highway system.

If you have any questions, you may contact Ken Couch at 332-7190 or me at 332-7191.

Sincerely,

James K. Morrison
Property Manager
jim.morrison@itd.idaho.gov

Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: 14 four plex lots, 56 units on 6.37-acres

Date and time of neighborhood meeting: November 9, 2015, and March 7, 2016

Location of neighborhood meeting: City Hall and the Fire Department

SITE INFORMATION:

Location: Quarter: NW Section: 26 Township: 2N Range: 1W Total Acres: 6.37

Subdivision Name: School House Apartments Lot: Block:

Site Address: School Avenue and Sunbeam Road Tax Parcel Number(s): S1326428020

Please make sure to include **all** parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: Oasis Properties LLC, Marty Pieroni

Address: 475 Thornwood Way City: Meridian State: ID Zip: 83642

CONTACT PERSON (Mail recipient and person to call with questions):

Name: Steve Arnold Business (if applicable): A Team Land Consultants

Address: 1785 Whisper Cove Avenue City: Boise State: ID Zip: 83709

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type	*Brief Description*
Annexation	The applicant is requesting to construct 14 four plex
Re-zone	buildings on 6.37-acres. The applicant is requesting a
Subdivision (Sketch Plat and/or Prelim. Plat)	rezone, preliminary plat, Design review, SUP and
Special Use	Comprehensive Map Amendment.
Variance	
Expansion of Extension of a Nonconforming Use	
Zoning Ordinance Map Amendment	

APPLICANT:

Name: A Team Land Consultants, Steve Arnold
Address: 1785 Whisper Cove Avenue
City: Boise State: ID Zip: 83709
Telephone: 321-0525 Fax: 401-0977

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Kuna City Code

Signature: (Applicant) Steve Arnold Date 4/7/16

Sign in Sheet

PROJECT NAME: School House Apartments

DATE: 3/17/16

	Name	Address	E-Mail	Phone
	Renee Ward	829 W. Playground	RWard@Amciben.com	208 761 9800
1.	The Mamples	838 W Sandbox St.	Mample_Family@Shyb.org	208-412-1601
2.	Melissa Peterson	893 S Pencil Ave	melissapete@msn.com	208-941-8257
3.	Tonya McEuen	765 W. Lunchbox St	tonyamceuen1@yahoo.com	208-615-0388
4.	Craig Ellis	Playground	c.ellis208@gmail.com	208-944-0462
5.	Stephen L. Damron	818 W. Lunchbox St		406-539-6819
6.	Shannon Damron	818 W Lunch Box St		406 529.4001
7.	Billie Jean Black	781 W Lunchbox St		208-407-8606
8.	Quinn Black	781 W. Lunchbox ST	blacks@cableone.net	208-919-8273
9.	Mike Rampelberg	795 W tallulah	mike@rampelberg.net	208-841-4911
10.	Jeremy + Carrie Fuhriman	766 Sandbox	Fuhriman_5@msn.com	208-789-2065
11.	Goans	n/A	MAIL@willmGoan.com	407 243
12.	Rodgers	10681 S Pencil Ave.		208 340-8324
13.	Hood, Bob	412 S. Aspen Willow Av.	bobhood cc@msn.com	208 922-4700
14.	Williamson	1097 S Chalkboard PL	anna2uw@sbcglobal.net	208.890.1935
16.	Klein Sasser	906 S. library ave.	FlyNSEA@MSN.com	208-965-0209
	L. Hutchison	776 W. Playground	RobWilliams1@gmail.com	208 921 8383

Neighborhood meeting
3/7/16 School House Apartments

Erica Kallin 929 Jump Rope Pl ekallin@canyoncoorg 546-8093
Craig & Brenda Bingham 221 W Tehot. St. hcbingham1@gmail.com 871-6177
Steve & Wendi Homan 501 W. Tallulah Dr. shoman@cableone.net 922-4812
Kent & Tammy Jennings 597 W. Omphale St Jenningsk911@AOL.com 995-3215
Marilee McCorkle 710 W Willow Dale 707-775-1232
Carrie Vickers 1134 S Pencil Ave Skimecrn@yahoo.com 353-2997
Shelley Eakin 941 S Jump Rope Pl eakinsn@Cableone.net 208-629-7240
* ~~Mike & Linda Brunette 763 W Sandbox St 362-4883~~
Mike Wheeler 780 S. School 208 407-2979
Sheri Russell 781 S School 808-631-1119
~~Mike Brunette 763 W. Sandbox~~

Jim Russel Excavation - 631-1119

Received 4/28/16 DS.

April 2016

Idaho Housing and Finance Association

Cornerstones

Why Renters Rent
Three Idaho renters tell us their reasons.... 4

Housing Developments Statewide
New units meet demand in Couer d'Alene, Rexburg, and Eagle.....4

Industry Innovator
Green home specialist zeroes in on zero net energy.....7

Programs and Services Updates
Avenues for Hope Raises $317,000 for Idaho Nonprofits.....8

Calendar of Events.....11

Growing Rental Demand Spurring New Multifamily Developments

The word is out—apartment units are in high demand in Idaho. Experts attribute this increase in demand to changes in the economics of the housing market, along with shifts in housing preferences over time. Rising home prices have enticed sellers and created upward pressure on rents. Zillow says single-family home prices went up 5.1% in Idaho. In addition, a higher number of renters are looking for a place to rent, also adding to demand.

According to Lloyd Stubbs of Stubbs Rentals in Kuna, Idaho, there are more renters now searching for a limited supply of units on the market than before.

"My phone rings off the hook whenever I list a new rental," Stubbs says. "Then we turn down about six out of every ten prospective renters, so the demand out there is just not getting met."

Stubbs says his vacancy rates are about 2 percent for his single family property management business, with similar numbers being reported in multifamily developments. While there is no single source of this data in Idaho, industry-watchers say that the vacancy rate is historically low, with most placing it in the 2 to 5 percent range. This compares to a 5 to 7 percent range for vacancies in what experts consider a normal market.

continued on page 2

Market Trends: Idaho's Wage Growth and the Rental Housing Market

Relative to the national average, Idaho has historically had lower wages. In fact, in the most recent report published by the U.S. Bureau of Labor Statistics, Idaho ranked 50th in the national average weekly wage. In this same report, Idaho ranked 33rd nationally for the percent change in wage growth from second quarter 2014 to second quarter 2015 with only a 2.3 percent increase in wages.

According to Craig Shaul, research analyst supervisor for the Idaho Department of Labor, Idaho's wages grew modestly coming out of the recession until about 2013, and while the total wages have picked up the pace starting in 2014, growth in average weekly wages has not. "Idaho's employment rate accelerated the last half of 2015, but average weekly wages haven't grown as quickly," said Shaul.

Wages by State, Q2 2015 (Idaho & Bordering States)

Exhibit C11 Late Exh. AT P&Z Commission

Focus: Rental Housing Demand

Who is Renting?

If we were to ask those who choose to rent a home or an apartment instead of buying a home, we would probably be surprised by what we find. While millennials are often credited as the primary market for rentals as they move out of their parents' homes, there is evidence of significant diversity in the age demographics of renters. In fact, a sizable portion of the renter population is made up of citizens of age 55 and over.

According to a study by the National Multifamily Housing Council, 35 percent of U.S. citizens rent, and 30 percent of those are between the ages of 45 and 65 years old. While the under-30 group still commands a majority at 51 percent of all renters, the average age of all apartment dwellers is now 46, just a few years short of the 55+ age group.

Renters vs. Homeowners: How it Breaks Down by Age

Source: National Multifamily Housing Council

Growing Rental Demand Spurring New Multifamily Developments

...continued from cover

Moe Therrien of Mountain States Appraisal, who publishes a report of multifamily vacancy rates in the Treasure Valley and several other Idaho markets, agrees.

> "There are new projects coming online to meet the demand, but there will be some lag time before they impact the vacancy rate."
>
> – Moe Therrien, Mountain States Appraisal

"I would estimate the vacancy rate in Ada and Canyon Counties to be well under 5 percent," Therrien said. "There are new projects coming online to meet the demand, but there will be some lag time before they impact the vacancy rate."

Existing property owners are left with the choice of leaving rents the same, raising rents to respond to the rising market, or selling to new owners who will likely do the same. Often, a portion of raised rents go to pay for needed upgrades, but lower income tenants can be easily priced out of the market.

According to Ron Folsom, planning director for Ammon, Idaho, many existing units are starting to show wear and tear, creating demand for new developments.

"Renters are starting to look for higher quality units than what's out there right now," Folsom said. "We haven't developed any multifamily for a long time in Ammon, but we do have a project coming in now that will be about 288 units over four or five years."

Folsom expects the trend in new multi-family construction to last at least a couple of years.

This view is echoed by Aaron Quail, planning director of Sandpoint, Idaho.

"We anticipate a significant jump in multifamily development in the next year or two," Quail said. "Some of it will be high end apartments, some of it affordable, and some of it mixed-use."

More apartment developments across the state, both market-rate and affordable, are springing up to meet demand.

The Falls Apartments at Snake River Landing in Twin Falls is currently under construction and scheduled for completion in June 2016, adding 228 units. The city of Boise has greenlighted a slate of six multifamily projects totaling 395 downtown residential units in an effort to bring more people to the city center, with projected completion dates ranging from Summer 2016 into 2017.

Of particular interest to market-watchers are some of the new affordable apartments coming online. According to Douglas Peterson, director of The Housing Company, a nonprofit housing developer in Boise, several new developments in their management portfolio will be ready to lease soon. Field Stream in Twin Falls, The Springs II in McCall, and Carlow Senior Apartments in Rexburg, all come online in the next several months, bringing 144 units. Most of these units are income-qualified affordable units.

In addition, The Trailwinds apartments recently added 64 units in Garden City, and Hope Springs in Caldwell added

Why Do Renters Rent?

Why do renters rent? While homeownership is a goal for many, according to a National Multifamily Housing Council survey, as many as thirty-five percent of U.S. households are renter-occupied.

> "I rent because it fits my lifestyle right now."
>
> – Jenny, Boise

When deciding whether it is best to buy or rent a home, there are financial and lifestyle considerations to be made. The down payment, closing costs, and maintenance costs may deter some from homeownership. Financial considerations aside, some people have priorities other than homeownership. They may choose to rent because places for rent are available in their desired locations, or close to work or relatives. We interviewed three Idahoans who are currently renting to get their perspectives on why they prefer renting.

If you rent, you may be able to take advantage of amenities that you may not find in a home. Jenny, who lives in Boise, rents a condo on the Southeast side of town. For her and her fiancée, the added perk of a pool, tennis courts, and a hot tub are something they see as a benefit of renting. "I rent because it fits my lifestyle right now," she says. It was easier to find a place in their ideal location and price range than it was to buy. She doesn't see them buying for five to ten years. Secondly, she doesn't know that she would be living in the same area three to five years from now, so she finds value in being able to sign a one- to two-year lease.

When renting, you pay to reside in the home, and possibly for utilities and personal property insurance, but the owner or landlord is responsible for costs like insurance coverage on the dwelling, and unforeseen repairs. This is seen as a benefit to renters like Sharon, who lives in a senior living community in Coeur d'Alene. She has been renting for five years, but also owned a home in the past. "I prefer to rent at this time in my life because I'm not able to do all the maintenance and upkeep required of homeownership. I'm not interested in that anymore," she says.

Her single-story bungalow apartment and surrounding facilities are maintained by the complex management, and they even shovel the sidewalks when necessary. For Sharon, there is no downside to renting.

Lisa has been renting for two years in the Twin Falls area. The factors that went into her decision to rent were lifestyle changes, and she needed to find a place to live. She is not sure if she will be in the market for a home in the next few years, but she is concerned with rental price increases right now.

"As a single mom, I only make so much," she said. "I need to provide other things for my daughter and me besides living expenses."

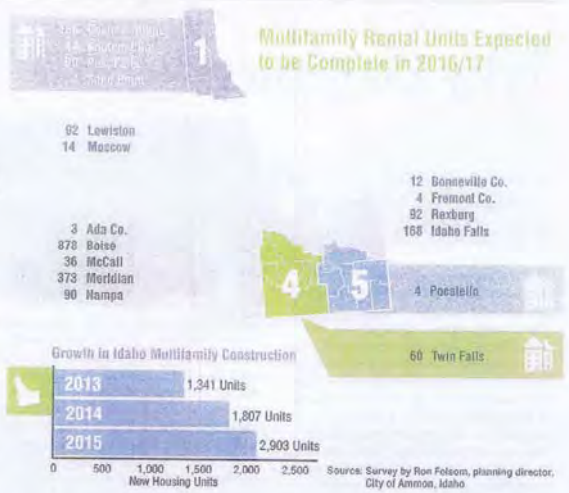
Other than the potential for rent increases, she feels that the downsides of renting are that she's paying a lot of money that could be going into a house, and that you can't do much in an apartment in the way of making changes, like painting or remodeling.

For now, renting is the best decision for Lisa, though. She finds having a landlord there to help when home maintenance is needed "a plus." Just recently, she had an issue with the furnace that the owner was able to assist with. "Being able to call and get assistance alleviated any stress," she said.

Whether you are undecided on where to live, in the middle of life changes, or you've decided to no longer own a home, renting may be the best option because of the flexibility it allows a renter.

another 64. These developments are all part of the Low-Income Housing Tax Credit program, which is funded by United States Department of Housing and Urban Development and administered by Idaho Housing and Finance Association in order to bring affordable units to Idaho communities.

So, what does this mean for the apartment market in Idaho? It means, at the least, that developers, municipalities, and housing authorities are responding to the high demand for multifamily apartments by adding both market-rate and affordable units. As these developments are completed across the state, they should help alleviate some of the upward pressure on rents—but it remains to be seen how quickly these projects will take the pressure off rent prices. In the meantime, it appears that many Idaho communities continue to need more apartment inventory to keep up with demand.

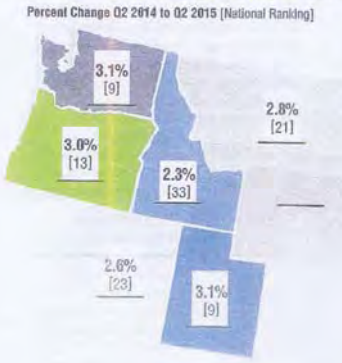


Market Trends: Idaho's Wage Growth and the Rental Housing Market

Continued from cover

Of the surrounding six states, only Wyoming ranked lower in wage growth at 51st, yet still significantly higher in average weekly wages at 25th. The other five states experienced wage growth between 2.6 percent and 3.1 percent, putting them as high as 9th ranked nationally.

Percent Change in Weekly Wages by State



Source: U.S. Bureau of Labor Statistics

To better understand if this slow wage growth is affecting Idaho's rental market, we spoke with housing industry professionals throughout the state.

"With the change in the housing market in the last few years, the demand for housing rentals has increased causing the rent rates to go up as well. With this increase, I have seen some tenants need to find jobs in Washington where wages are quite a bit higher, even though they continue to live in Idaho. At the same time we are slowly seeing tenants saving up and beginning to buy homes again, which had almost completely stalled over the past few years."

— Marla Cooper, Senior Manager, Idaho Properties, Coeur d'Alene

"Our properties are fairly close to some of the higher paying companies in the area, like Chobani, so I don't see a lot of issues with tenants not being able to pay rent. However, I do still hear tenants who are struggling because they only make minimum wage of $7.25 an hour. Even working full-time it is difficult and sometimes impossible for these individuals to come up with monthly rent."

— Rhonda Poole, Property Manger, Timberlake Village, Twin Falls

"During lease-up of one of our most recently completed developments, we had more than 30 percent of the applicants who were unable to pay the rent based on the tax credit set-aside. This is a strong indication of the low wage growth in Idaho when households can't afford to pay the proposed rent especially when some units are as low as 30 percent set-aside tax credit units. Most of these applicants were single-income families unable to make progress and balance the basic human needs of housing, food, and medical expenses."

— Noel Gill, Executive Vice President, Northwest Real Estate Capital Corp., Boise

NMHC WHITE PAPERS

January 10, 2007

OVERCOMING OPPOSITION TO MULTIFAMILY RENTAL HOUSING

Mark Obrinsky, Ph.D. and Debra Stein

Key Contacts:

Mark Obrinsky
VP of Research and Chief Economist
mobrinsky@nmhc.org

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- Multifamily rental housing can, and should, play an important role in housing our growing population, but there is opposition both to higher-density housing (compact development) and to rental housing among: (a) some residents in communities in or around proposed development sites; (b) local officials (including planning agency and zoning officials); and (c) the public at large.
- This white paper identifies and examines the nature of local resistance to apartments, the reasons behind it and how it can be overcome. It is organized in two sections.
  - The first identifies, and then offers evidence to refute, the most common arguments against apartments, including misplaced notions that apartments lower nearby property values, overburden schools, produce less revenue for local governments, exacerbate traffic congestion and increase crime rates.
  - The second section offers tactics and strategies to mobilize support for specific apartment properties. It outlines the five essential components of a successful outreach campaign, examining ways to improve the public information process, to constructively engage neighbors, to identify and recruit potential sponsors and how to manage the public hearing process.
- The document was originally produced for the National Policy Summit on Rental Housing sponsored by Harvard University's Joint Center for Housing Studies.

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About the National Multi Housing Council

The National Multi Housing Council (NMHC) represents the nation's leading firms participating in the multifamily rental housing industry.

Based in Washington, D.C., NMHC represents the interests of the nation's largest and most prominent firms in the apartment industry. NMHC members are engaged in all aspects of developing and operating apartments, including ownership, construction, management and financing. The Council was established in 1978 as a national association to advocate for rental housing and to provide a source of vital information for the leadership of the multifamily industry. Since then, NMHC has evolved into the industry's leading national voice. The association concentrates on public policies that are of strategic importance to participants in multifamily housing, including finance, tax, property management, environmental issues and building codes. NMHC benefits from a focused agenda and membership that includes the principal officers of the most distinguished real estate organizations in the United States. For more information on joining NMHC, contact the Council at 202-974-2300 or www.nmhc.org.

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Please understand that the information discussed in this guidance is general in nature and is not intended to be legal advice. It is intended to assist owners and managers in understanding this issue area, but it may not apply to the specific fact circumstances or business situations of all owners and managers. For specific legal advice, consult your attorney.

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INTRODUCTION AND BACKGROUND

Resistance to multifamily rental housing is a growing phenomenon in communities around the country. Indeed, opposition to any type of new housing development has become so pervasive that the area of community resistance has spawned its own vocabulary. Multifamily housing is characterized by some citizens as a "NIMBY" project (Not in My Backyard). Apartments are condemned as "LULUs" ("Locally Unwanted Land Uses"). We even have "CAVEs" (Citizens Against Virtually Everything) and they want "BANANAs" (to Build Absolutely Nothing Anywhere Near Anyone).

Putting whimsical acronyms aside, citizen resistance to multifamily rental housing is not a humorous issue. In fact, community opposition to these development projects runs smack up against powerful demographic trends. Population growth in the U.S. continues at a high level – certainly in comparison with other developed countries – and will require considerable new residential construction.[1] Even a brief examination makes this clear.

The U.S. population is expected to increase over the next 20 years at an average annual rate of 0.83 percent – which would result in a cumulative increase of 23 percent, or 68 million people. This figure is twice the size of today's most populous state, California, which has almost 34 million people. In fact, the projected number of new residents in the next two decades is larger than the number of people who currently live in the Northeast (54 million), Midwest (64 million), or West (64 million). Clearly, population growth is an issue of critical importance for the U.S.

What's more, the growth in households will be even greater than population growth itself. The average size of a household has been dropping for more than a century. In 1900, an average of 4.6 people lived in each household. By 2004, there was an average of only 2.6 people per household. While this decline is partly the result of families having fewer children, it is mainly the result of changing household composition. In 1960, single-person households made up 13 percent of all households, while married couples with children made up another 44 percent. The share of single-person households has doubled since then while the number of married couples with children has fallen to only 23 percent. Married couples without children remain the most common type of household, as they have been since 1982, even though their share of the total has waned a bit over that time. The Joint Center for Housing Studies projects that average household size will decline a bit more before stabilizing.[2]

The upshot is that the demand for new housing units is likely to increase faster than the population itself is projected to grow. Extending the Joint Center for Housing Studies' projections for 2020 another decade suggests that between 2005 and 2030, the number of households will rise by almost 30 percent – that is, 33 million new households.

The number of additional housing units needed by 2030 is actually greater than 33 million, however, because an estimated 17 million existing housing units will fall out of the housing stock due to deterioration or destruction.[3] Thus, some 50 million new housing units will have to be added to the stock between 2005-2030. This is both a daunting challenge and a ray of hope – we have an opportunity

[1] Of the nine countries that will account for half the world's population growth from 2005-2050, the only developed nation is the U.S. See: United Nations, *World Population Prospects: The 2004 Revision*, vol. 3, p. xv. Available at: http://www.un.org/esa/population/publications/WPP2004/2004EnglishES.pdf

[2] The Joint Center's forecast is that the overall headship rate will continue to rise somewhat before stabilizing, but the overall headship rate is just the inverse of the average household size.

[3] Authors' interpolation based on Arthur C. Nelson, "Toward A New Metropolis: The Opportunity to Rebuild America," Brookings Institution Metropolitan Policy Program, December 2004.

to shape future development and determine the character of the built environment in which we will live and work.

What is at issue is not whether these new residences will get built, but rather where they will get built and what kind of residences they will be. Put differently: what kind of communities should we build?

The traditional suburban development model features low-density housing built in cul-de-sacs, neighborhoods separated from strip malls, big box retailers, and office parks along roads with ever-increasing traffic.[4] But compact development – especially sustainable communities that promote accessible transportation choices, higher density, mixed-use and mixed-income development, and attractive design – have attracted growing interest. The age structure and household composition of the new households will surely tilt demand further in this direction.

Multifamily rental housing has long been an important part of the constellation of housing choices for families and individuals. It plays an increasingly important role in "workforce housing," providing homes for our nation's teachers, firefighters, police officers, health care workers, and public employees. These vital workers contribute to the community, but their incomes are often less than what is required to support a comfortable, middle-class life.

Nonetheless, there is continuing resistance to higher density housing, to rental housing, and to low-income housing. Such resistance, if successful, may bring about a less-than-optimal result; in particular, it would mean fewer multifamily rental properties than would otherwise occur.

This paper seeks to examine the nature of that resistance, the reasons behind it, and how it can be overcome.

In general, people who support multifamily rental housing tend to want the new benefits that come from responsible development. They may be excited about the creation of new and affordable housing, new community rooms or other public amenities, or new jobs or tax revenues from associated retail. By comparison, people who oppose land use proposals tend to do so because they like their community the way it is and don't want any change. Opponents don't want more traffic, lower property values, more children crowding the schools, or a changed community character, and they believe that the proposed apartment project will worsen their existing lifestyles. Potential opponents and potential supporters are completely different audiences, with completely different interests. Sponsors of multifamily rental housing must therefore engage in two distinct community outreach campaigns: one aimed at minimizing neighborhood opposition, one aimed at mobilizing public support. We begin with the former.

OVERCOMING OPPOSITION TO MULTIFAMILY RENTAL HOUSING IN GENERAL

Forms of Opposition

Opposition to multifamily rental housing is expressed in many ways. Most fundamental, perhaps, are attitudes. Whether founded in facts, the expression of an underlying bias, or the mechanism for pursuing perceived self-interest, such attitudes are inevitably where opposition begins.

Attitudes lead to actions. There are two broad kinds: (1) actions in opposition to specific projects or proposals; and (2) actions against a whole class of housing. Actions against specific projects may be initiated by residents of nearby communities, and can include such things as private calls to local officials, speaking out at public hearings, writing letters to the editor, organizing among community groups, and even picketing the proposed site. Local officials may also act to prevent or restrict multi-

[4] This view is proposed by Bruce Katz and Andy Altman, "An Urban Age in a Suburban Nation?" Presentation to Urban Age Conference, New York City, February 25, 2005.

family housing – for example, there are jurisdictions in which multifamily housing is nominally permitted, but every actual application for a building permit gets denied.

Opposition can also be woven into the fabric of regulations, ordinances, and planning documents. Overcoming such opposition typically requires far greater effort, as it requires overturning such statutes.

To be effective, proponents of multifamily housing need to address all areas. Analyzing the extent and effect of the bias against apartments in the local regulations around the country is beyond the scope of this paper. Nonetheless, we offer some comments on this aspect of the problem at the end of this section.

In any case, the starting point is dealing with misperceptions about multifamily rental housing.

Setting the Record Straight

Resistance to multifamily rental housing comes from a variety of sources, including planning or zoning officials, local politicians, civic leaders in communities in which the housing is to be located, proximate neighbors who live or work near the apartment buildings, and other members of the general public. This section focuses on the facts behind the most common arguments made by opponents of new apartment developments, while the following section examines the underlying concerns behind anti-housing claims and how stakeholder claims can be addressed.

Anti-apartment stakeholders tend to rely on similar arguments to keep multifamily rental housing out of their communities. These claims include:

- Multifamily apartments lower the value of single-family homes in the neighborhood.
- People who live in apartments are less desirable neighbors and more likely to engage in crime or other anti-social behavior.
- Apartments overburden schools, produce less revenue for local governments, and require more infrastructure support.
- Higher-density housing creates traffic congestion and parking problems.

We will examine each of these, and also offer broader general comments about residential development and the environment.

Fiscal burden

Opponents of multifamily housing often claim that apartment residents impose higher expenditures for local government services. The point is most commonly voiced with reference to schools, although other local government infrastructure services are mentioned as well. Opponents assume that apartments contain more school-age children than single-family houses do, and therefore put greater strain on local school districts. In an era of tight school budgets, this is an understandable concern. Let's begin by reviewing the data.

On average, 100 single-family owner-occupied houses include 51 school-age children. By contrast, apartments are attractive to single people, couples without children, and empty nesters, which is why 100 apartment units average just 31 children. The disparity is even greater when considering only new construction: 64 children per 100 new single-family houses vs. 29 children per 100 new apartment units. Wealthier apartment dwellers have even fewer children (12 children per 100 households for residents earning more than 120 percent of the area median income, AMI), while

less wealthy residents earning less than 80 percent of AMI still have fewer children (37 per household) than single-family homes.[5]

Opponents often ignore how much revenue apartments bring into the local government.[6] In fact, apartment owners often pay more in property taxes than owners of single-family houses.[7] That's because in most jurisdictions, apartments are treated as commercial real estate, which is taxed at higher rates than single-family houses in most states. Although there are many complications in such comparisons, one simple approach is to look at the "effective tax rate," defined as the ratio of property tax to property value. For apartments in urban areas the effective tax rate averages 48-54 basis points more than single-family houses: 1.91 percent for apartments, compared with 1.37-1.43 percent for single-family houses.[8]

Thus, apartments actually pay more in taxes and have fewer school children on average than single-family houses. In other words, it may be more accurate to say that apartment residents are subsidizing the public education of the children of homeowners than the reverse.

Two contrary points need to be addressed. First, some might argue that the fact that apartments contain fewer school-aged children than single-family houses has more to do with location than with the nature of apartments. That is, apartments built in jurisdictions with first-rate schools might be designed to be more attractive to families (e.g., by having more bedrooms) and therefore house more children. Second, opponents of multifamily housing may point to the fact that 100 apartment units will probably still have more school-aged children than 10 single-family homes built at the same site.

Additional research would be helpful in clarifying the first point. A recent study made a related point. It agreed that newly built multifamily properties "have not contributed significantly to the rise in school enrollments" and that "it is very unlikely that new multi-family housing has produced a negative fiscal impact on cities and towns."[9] It argues, however, that the reason for this is that these properties were never designed to house families with children. That is, these apartments and condos consist mainly of one- and two-bedroom residences, for the express purpose of meeting the fiscal impact challenge developers often face, namely ensuring that their developments won't hurt local fiscal matters. The researchers rightly note that this approach ends up pitting fiscal policy against housing policy – that is, the kind of residential developments that are approved are not what might be required by local households, but rather what the local budget is willing to bear.

We conclude from this that at least some of the opposition to multifamily housing actually has nothing to do with housing *per se*, but rather with limiting the number of school-aged children who would otherwise "burden" local finances.

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[5] All figures are NMHC tabulations of data from the American Housing Survey. See Research Notes, "Apartments and Schools," NMHC, August 24, 2001, available at: www.nmhc.org/Content/ServeContent.cfm?ContentItemID=2620&IssueID=80. A recent study using data from the 2001 Residential Finance Survey suggests a smaller differential, though one that has grown over time. See Jack Goodman, "Houses, Apartments, and the Incidence of Property Taxes," *Housing Policy Debate*, Vol. 17, Issue 1, 2006.

[6] Apartment residents also contribute to the general economy by buying local goods and services. See *Research Notes*, "Apartment Residents and the Local Economy," NMHC, May 3, 2002.

[7] See Jack Goodman, "Houses, Apartments, and the Incidence of Property Taxes," *Housing Policy Debate* Vol. 17, Issue 1, 2006.

[8] Authors' calculations based on Minnesota Taxpayers Association, *50-State Property Tax Comparison Study*, St. Paul, MN, April 2006, p. vii. See also Alan Mallach, "Housing and Suburbs: Fiscal and Social Impact of Multifamily Development." Department of Housing and Urban Development: Washington DC, 1974.

[9] Judith Barrett and John Connery, *Housing the Commonwealth's School-Age Children*. Citizens' Housing and Planning Association Research Study, August 2003, p. 2.1. www.chapa.org/pdf/HousingSchoolAgeChildren.pdf.

Even in areas with high quality schools, we suspect that the mix of apartment units the market would offer (absent any pressure, in either direction, from local officials) would still feature fewer units with three or more bedrooms than would be provided by single-family housing. With few, if any, exceptions, the market for conventional apartments with three or more bedrooms historically has been much thinner than the market for one- and two-bedroom units; for this reason, three-bedroom floor plans tend to be a small portion of the total unit count. With average household size not expected to increase, it's hard to see why this would change.

Regarding the second point, without the apartment building in the neighborhood, the other 90 households will presumably have to move to some other local area, thereby burdening some other school district. This is a classic NIMBY point of view, and leads inexorably to the idea that the best development is actually no development, as this wouldn't "burden" the school district at all. Such an argument might hold sway among some local residents, but it offers no help to local and regional planners who are trying to manage current and projected growth in the most beneficial ways.

The issue needs to be framed more broadly. The total number of schoolchildren in any large region (or for the U.S. as a whole) is surely not determined by the number and type of housing units available. The question, then, is: where will they be housed and educated? Whether a jurisdiction chooses to permit multifamily rental housing or not, that question must still be answered.

Beyond that, the latest household projections from the Joint Center show that households with children under 18 years of age will make up only a small fraction of the total increase. Specifically, more than 80 percent of the increase in the number of households from 2005-2015 will come from married couples with no children plus single-person households.[10] To some extent, therefore, the key issue may not be whether new housing developments impose a burden on local schools, but rather whether communities will develop the kind of housing that would attract households without children.

With other types of infrastructure, high-density development actually is more efficient than low-density development. By their very nature, longer sewer lines and sprawling utility (water, gas, and electric) supply systems are more costly; traditional development patterns also dictate expensive road construction. In addition, local governments must provide fire and police protection (as well as other services) over a larger area. By contrast, compact development benefits from economies of scale and geographic scope – and these benefits are large, potentially saving more than $125 billion in the 2000-2025 time frame.[11]

Thus, rather than imposing a greater burden on local governments, higher density developments like apartments are actually more fiscally prudent than traditional suburban sprawl.

Traffic

Does compact development really cause an increase in traffic congestion and parking problems, as opponents often claim? To residents of the neighborhood where such development might take place, an increase in congestion seems self-evident – but only by comparing an apartment development to the status quo (i.e., no development). The proper comparison, however, is to the impact on congestion of an equal number of new single-family units.

[10] Authors' calculations based on George S. Masnick and Eric S. Belsky, "Revised Interim Joint Center Household Projections," Cambridge, MA, 2006, pp. 31-32.
[11] Mark Muro and Robert Puentes, "Investing In A Better Future: A Review of the Fiscal and Competitive Advantages of Smarter Growth Development Patterns." Washington, DC: Brookings Institution Center on Urban and Metropolitan Policy, March 2004. The authors take note of possible countervailing costs, such as the higher load placed on roads and sewer lines in more densely populated areas. See also Richard M. Haughey, *Higher-Density Development: Myth and Fact*. Washington, DC: Urban Land Institute, 2005.

On average, apartment residents own fewer cars than single-family homeowners: the latter average two cars per household compared with only one for the former.[12] Beyond that, single-family housing generates more automobile trips per household, as evidenced in the table below.

Automobile Trips Per Housing Unit			
	Single-family detached	***Apartment***	***Difference***
Weekday	9.57	6.72	42%
peak AM hour	0.77	0.55	40%
peak PM hour	1.02	0.67	52%
Saturday	10.10	6.39	58%
peak hour	0.94	0.52	81%
Sunday	8.78	5.86	50%
peak hour	0.86	0.51	69%
Source: Institute of Transportation Engineers, *Trip Generation, 7th Edition* (Washington, DC: 2003), Volume 2, pp. 268-332.			

On weekdays, a single-family detached house generates 42 percent more trips than does a unit in an apartment. The difference is even greater on the weekend: 58 percent more trips on Saturdays, and 50 percent more trips on Sundays. This large difference is seen not only in the totals, but also at the peak hours, morning and afternoon, weekdays and weekends. By any measure, it is clear that single-family houses generate more automobile traffic than apartments – or any other type of housing. In explaining why single-family houses produce the most traffic, the Institute of Transportation Engineers noted that they are the largest units in size, with the most residents, but also pointed out that they had "more vehicles per unit than other residential land uses; they were generally located farther away from shopping centers, employment areas and other trip attractors than other residential land uses; and they generally have fewer alternate modes of transportation available, because they were typically not as concentrated as other residential land uses."[13] Though written not as a policy document, but rather simply a straightforward, quantitative analysis, this is a good summary of the reasons why compact development engenders less traffic than sprawl.

Interestingly, single-family owners use their cars more often than apartment residents use theirs. On average, cars in single-family houses make 18 percent more trips during the week, 31 percent more trips on Saturday, and 41 percent more trips on Sunday than cars owned by apartment residents.[14]

Thus, not only are there more cars per household in single-family houses than apartments, each of those cars generate more traffic – and a higher demand for parking spaces at retail stores, offices, schools, and other facilities.

It could be argued that the difference in automobile ownership and use is determined less by property type than by geography. For example, residents of garden apartments near major highways in suburban areas lacking much public transportation are far more likely to own and use cars than are residents of apartments located near high-speed rail lines and subways. Although we know of no

[12] Jack Goodman, "Apartments and Parking," *Research Notes*. NMHC: Washington, DC, January 28, 2000.
[13] Institute of Transportation Engineers, *Trip Generation, 7th Edition* (Washington, DC: 2003), Volume 2, p. 268.
[14] Ibid., pp. 287-295 and pp. 324-332.

studies that have tried to quantify the impact of geography on this, it seems evident that there is an important property-type effect. Consider the reverse situation, namely residential development near a transportation node such as a subway station. The number of single-family detached houses that can be built within walking distance of the station is clearly much less than the number of multifamily residences – whether for-rent or for-sale – that can be built there. To take advantage of the transit nodes, it simply makes sense to take advantage of the fact that compact, higher-density housing is inherently better suited to such development.

Property Values

Concerns that multifamily rental housing will lower the value of their single-family houses has driven many residents to oppose new apartment developments in or near their neighborhoods. Proposals for low-income apartments are especially likely to trigger property value concerns, but even market rate rental housing can give rise to arguments that apartments lower property values and damage the community's reputation. Local officials often echo these property value claims, either because they believe lower property values will injure their community's tax base or reputation or because they want to sound responsive to constituent concerns.

The fear that housing density will hurt property values seems to be primarily based on anecdotes. By contrast, most research has come to a different conclusion: in general, neither multifamily rental housing, nor low-income housing, causes neighboring property values to decline.

Two studies have taken a macro look at home values and house appreciation near multifamily housing properties. One study focused on "working communities" throughout the nation – neighborhoods of predominantly low- and moderate-income working households. The study looked at data from the 2000 US Census and compared house values in those communities with the share of multifamily housing in those communities. The conclusion: working communities with multifamily dwellings actually have *higher* property values than other types of working communities. In other words, the average value of owner-occupied houses was highest in working communities with the most multifamily units. In fact, among working communities, "the high multifamily areas had the highest home values, the mixed-stock areas the next highest, and the single-family areas had the lowest."[15] The study also noted a similar phenomenon with respect to income: among working communities, higher household income was positively associated with the share of multifamily housing.[16]

The other macro analysis compared the rate of property value appreciation for houses with multifamily housing nearby with the appreciation rate for houses with no multifamily housing nearby. Houses with apartments nearby actually enjoy a slightly higher appreciation rate than houses that don't have apartments nearby. Homes that are not located in multifamily areas appreciated at an average annual rate of 3.59 percent between 1987 and 1997, compared with a higher appreciation rate of 3.96 percent for houses near multifamily buildings. For the 1997–1999 period, the figures were 2.66 percent and 2.90 percent, respectively.[17]

Case studies examining individual sites and metro areas have been used in six recent research works to get a more detailed picture of the effects of multifamily and/or subsidized single-family properties. These studies measured the possible impact of a range of property types on surrounding property values, including the potential impacts of conventional apartments, mixed-income multifamily rentals, low-income housing tax credit developments, and federally-assisted rental housing projects. Researchers measured a variety of relevant characteristics, including house price, price per

[15] Alexander von Hoffman, Eric Belsky, James DeNormandi, and Rachel Bratt, "America's Working Communities and the Impact of Multifamily Housing," Cambridge, MA: Joint Center for Housing Studies, 2004, p. 17.
[16] Ibid., p. 16.
[17] National Association of Home Builders, "Multifamily Market Outlook," Washington, DC, November 2001, pp. 3-4.

square foot, house price appreciation, time on the market, and the ratio of sales price to asking price in order to assess "the worst-case scenarios of multi-family intrusion into a single-family neighborhood." Their conclusions:

> "We find that large, dense, multi-family rental developments…do not negatively impact the sales price of nearby single-family homes." [18]
>
> "We find that if located properly with attractive landscaping and entranceways, adverse price effects can be minimized and sometimes can add value. In the long term, such apartment complexes probably raise the overall value of detached homes relative to their absence." [19]
>
> "To this point, our results for Wisconsin are generally consistent with results in other studies: we have not been able to find evidence that Section 42 developments cause property values to deteriorate. The exception is Milwaukee County, where properties that are distant from the developments seem to appreciate more rapidly, although the magnitude of the effect is small. We have found no evidence of an impact in Waukesha and Ozaukee, and find evidence that properties in Madison near Section 42 developments appreciate *more* rapidly." [20]
>
> There is "little or no evidence to support the claim that tax-credit rental housing for families has a negative impact on the market for owner-occupied housing in the surrounding area…Rather than negative impact, the evidence suggests to us that the various housing submarkets surrounding the tax-credit properties in our study performed normally, exhibiting similar levels of variability before and after tax-credit construction, and responding to supply and demand forces in similar fashion as the larger market." [21]
>
> "In sum, assisted housing of various types: (i) had positive or insignificant effects on residential property values nearby in higher-value, less vulnerable neighborhoods, unless it exceeded thresholds of spatial concentration or facility scale; (ii) evinced more modest prospects for positive property value impacts in lower-value, more vulnerable neighborhoods, and strength of frequently negative impacts was directly related to the concentration of sites and scale of the facilities."[22]
>
> "In sum, the presence or proximity of subsidized housing made no difference in housing values as measured by relative price behavior in a dynamic market."[23]

Some of these studies find examples where single-family houses located near apartments either experienced lower prices or lower appreciation rates than houses located further away. But for residents in neighborhoods near proposed apartment developments – and for local officials who represent them – it is important to understand that multifamily housing rental developments do not generally lower property values in surrounding areas.

[18] Henry O. Pollakowski, David Ritchay, and Zoe Weinrobe, "Effects of Mixed-Income, Multi-family Housing Developments on Single-family Housing Values," Cambridge, MA: MIT Center For Real Estate, April 2005, p. xiii.
[19] Arthur C. Nelson and Mitch Moody, "Apartments and Detached Home Values," *On Common Ground*, National Association of Realtors, 2003. See also: Nelson and Moody, "Price Effects of Apartments on Nearby Single-family Detached Residential Homes," Virginia Tech University, 2003.
[20] Richard K. Green, Stephen Malpezzi, and Kiat-Ying Seah, "Low Income Housing Tax Credit Housing Developments and Property Values," Madison, WI: The Center for Urban Land Economics Research: 2002, p. 4.
[21] Maxfield Research Inc., "A Study of the Relationship Between Affordable Family Rental Housing and Home Values in the Twin Cities," Minneapolis, MN: Family Housing Fund, September 2000, p. 102.
[22] George Galster, "A Review of Existing Research On the Effects of Federally Assisted Housing Programs on Neighboring Residential Property Values," Detroit, MI: Wayne State University: September 2002, p. 26.
[23] Joyce Siegel, *The House Next Door*, Innovative Housing Institute, 1999. www.inhousing.org/house1.htm.

Social Interaction and Crime

Opponents of rental housing often argue that while people who own their homes are invested in the long-term success and safety of a community, people who rent apartments are merely short-term transients and therefore less desirable neighbors. That view has a long history and probably seems so unremarkable, so obvious, that proof is unnecessary. Nonetheless, some researchers have tried to discover whether homeownership creates a positive social benefit compared to rental housing. While the scope of their research is rather broad, for present purposes we focus on two aspects: (i) renters vs. owners as neighbors (citizens); and (ii) renters and crime.[24]

The view that renters are not as engaged in their communities as owners seems to arise from the two apparent characteristics of renters: (i) by definition, they don't own their own residence, hence are thought to have less of a "stake" in the community; and (ii) they tend to move more often. These characteristics are seen as making them transitory residents, perhaps more akin to visitors than to long-term residents.

But there are also countervailing forces. For example, single-family renters do not tear down old houses and replace them with "McMansions," a phenomenon that can greatly alter neighborhoods, in ways that are not always desired by the existing residents.

In addition, it is important to recognize that housing tenure is different from residential stability. Housing tenure refers to how long an individual has lived in one place, while neighborhood stability reflects the quality, cohesion and safety of a community. It is the latter that may be the key factor: "Between 4 and 92 percent of the effect of homeownership and citizenship is operating primarily because homeownership is associated with lower mobility rates."[25] Stability itself is relative: in Western Europe, for example, many renters have lower turnover rates than U.S. homeowners. To the degree that there may be positive benefits from lower turnover, then the focus ought to be on increasing residential stability rather than trying to restrict choice of tenure.[26]

Neighborhood residents may be less interested in distinguishing the exact cause than in ensuring the best outcome, and for many, promoting homeownership rather than renting seems an effective way to do so. In fact, that turns out not to be the case:

- Apartment residents are almost twice as likely to socialize with their neighbors as owners of single-family houses (33 percent vs. 17 percent).
- Apartment residents are just as likely as house owners to be involved in structured social groups like sports teams, book clubs, and the like (22 percent for sports groups, 10-11 percent for other groups).
- Apartment residents are only slightly less likely to attend religious services at least once a month (44 percent vs. 55 percent).
- Just like single-family owners, apartment residents identify closely with the town or city they live in (60 percent for apartment residents vs. 64 percent for single-family owners).

[24] For a good, critical summary of the scope of such research, see William M. Rohe, Shannon Van Zandt, and George McCarthy, "The Social Benefits and Costs of Home Ownership: A Critical Assessment of the Research," in Nicolas P. Retsinas and Eric S. Belsky, eds., *Low-Income Homeownership: Examining the Unexamined Goal* (Washington, DC: Brookings Institution Press, 2002).
[25] Denise DiPasquale and Edward L. Glaeser, "Incentives and Social Capital: Are Homeowners Better Citizens?" *Journal of Urban Economics*, Vol. 45, Nr. 2 (March 1999).
[26] Apgar notes that disentangling the many factors that influence behavior in order to isolate the impact of tenure alone is exceedingly complex. See: William Apgar, Rethinking Rental Housing: Expanding the Ability of Rental Housing to Serve as a Pathway to Economic and Social Opportunity," Joint Center for Housing Studies Working Paper W04-11, December 2004.

- Almost half (46 percent) of apartment residents feel close to the neighborhood they live in. This is not as high a share as for single-family owners (65 percent), but still sizable.
- Apartment residents are virtually as interested in politics and national affairs as house owners are (66 percent vs. 70 percent).

The one area in which apartment residents noticeably lag house owners is in local elections: 47 percent of apartment residents say they "always vote" or "sometimes miss one," compared with 78 percent of single-family owners.[27]

Put simply, these objective measures undermine the notion that apartment residents somehow don't care much about, and don't involve themselves in, the communities in which they live. On the contrary, they tend to be at least as socially engaged as other Americans.

As important as these things are in helping to shape the character of a neighborhood, it stands to reason that they can easily be negated by an increase in criminal activity. Is there any truth to the idea that crime follows in the wake of apartment development?

It turns out that there have been very few studies that address this issue. A study conducted for the Arizona Multihousing Association concluded that the perception of higher crime associated with multifamily housing results from counting police calls by address. Hence an apartment property with 100 or more units at the same address may be wrongly compared to one single-family residence. "In actuality, when police data is analyzed on a per unit basis, the rate of police activity in apartment communities is no worse than in single family subdivisions, and in many cases, is lower than in single family areas." [28]

In a similar vein, studies of Irving, Texas, and Anchorage, Alaska, found no connection between crime and housing density. The former used geographic information systems (GIS) analysis to supplement more conventional approaches, and determined that "high density and multi-family development are not necessarily associated with high crime rate, but socioeconomic status is." [29] The latter study reached a similar conclusion: "These data show no relationship between housing density and delinquency….The observed correlation coefficients between housing density and the six criminological measures were all small in magnitude (very close to "0"), statistically significant…and in some cases in the opposite direction predicted by the hypothesis of a direct relationship between housing density and crime."[30]

The Multifamily Record: Conclusion

Further research would certainly be welcome. Even so, we think the available research is fairly strong that multifamily rental housing: (1) does not impose greater costs on local governments; (2) does not increase traffic and parking problems; (3) when well-designed and appropriate to the neighborhood, does not reduce (and may even enhance) property values; and (4) does not inherently attract residents who are less neighborly or more apt to engage in (or attract) criminal activity.

[27] NMHC tabulations of microdata from the General Social Survey. See: Jack Goodman, "Apartment Residents As Neighbors and Citizens," *Research Notes*, Washington, DC: National Multi Housing Council, June 1999.
[28] Elliott D. Pollack and Company, "Economic & Fiscal Impact of Multi-family Housing," Phoenix: Arizona Multihousing Association, 1996, Part II.
[29] Jianling Li and Jack Rainwater, "The Real Picture of Land-Use Density and Crime: A GIS Application," available at: http://gis.esri.com/library/userconf/proc00/professional/papers/PAP508/p508.htm
[30] University of Alaska Justice Center, "The Strength of Association: Housing Density and Delinquency," *Anchorage Community Indicators*, series 3A, No. 1, available at: http://justice.uaa.alaska.edu/indicators/series03/aci03a1.housing.pdf

This evidence may be sufficient for planners and many public officials – particularly those who have already come to understand the benefits of greater housing choice, mixed-use and mixed-income residences, transit-oriented development, and pedestrian-friendly communities. Two obstacles remain: codified restrictions on multifamily developments and individual opposition to specific multifamily projects.

Experience suggests that opponents who live near apartment developments are often hard to convince. For some, opposition to apartments may be more emotional than analytical. As one opponent put it: "We don't want renters. We just don't want them…" [31] For many, anecdotes trump statistics. For this reason, marshalling statistics is a necessary step, but not usually a sufficient one. Instead, proponents need to overcome opposition to individual proposed developments. Before turning to this, we take a brief look at how opposition to multifamily rental housing in general has been codified, thereby adding another hurdle for proponents.

Regulatory Restriction on Multifamily Housing in General

Opposition to multifamily rental housing has a long history. More than a century ago, the notoriously poor living conditions associated with tenement houses led not only to a movement to reform and improve such dwellings, it also led to a movement to prevent further apartment construction. Opponents drew on two key tools to block new multifamily buildings: restrictive building codes that made multifamily construction uneconomic; and zoning – in particular, the creation of single-family-only districts.[32]

These and other tools are still being used.[33] The most common regulations involve zoning and/or comprehensive land use planning. More recently, policies to restrict, manage, or even prevent further growth – from impact fees to "urban containment" to outright moratoria – have been added to the mix. Given the sheer number of local land use areas, even collecting comprehensive data on residential development restrictions is difficult. Assessing the impact of these regulations is even more difficult for at least two reasons. First, the devil may indeed be in the details, so that any overview or summary analysis is likely to be flawed. Second, some jurisdictions may, on a fairly routine basis, grant waivers or exemptions for certain kinds of developments, with the result that the regulation on the books is not the *de facto* regulation.

Recent research analyzing density restrictions in local jurisdictions making up the 50 largest metropolitan areas concluded that a hypothetical 2-story, 40-unit apartment property on five acres of land would be prohibited outright in about 30 percent of such jurisdictions. Residential developments with densities of more than 30 units per acre are prohibited in all but 12 percent of local jurisdictions. To be sure, these jurisdictions encompass 48 percent of the population of these metro areas. Even so, it is clearly a significant restriction.[34] Such restrictions not only reduce the range of housing options available to local residents – in particular, most restrictions tend to favor lower-density over higher-density developments – they also make housing more expensive.[35]

[31] See "From Parking to Mixed-Use," Montgomery Gazette, September, 28, 2005, at: www.gazette.net/stories/092805/bethnew205622_31894.shtml
[32] Kenneth Baar, "The National Movement to Halt the Spread of Multifamily Housing, 1890-1926" *Journal of the American Planning Association*, Chicago: Winter 1992.
[33] A good compendium of such restrictions is contained in: "Regulatory Barriers to Affordable Housing," *Cityscape*, Vol. 8, Nr. 1 (2005).
[34] Rolf Pendall, Robert Puentes, and Jonathan Martin, "From Traditional to Reformed: A Review of the Land Use Regulations in the Nation's 50 Largest Metropolitan Areas." Metropolitan Policy Program, The Brookings Institution, Washington, DC: August 2006. http://www.brookings.edu/metro/pubs/20060802_Pendall.pdf
[35] See for example: John M. Quigley and Larry A. Rosenthal, "The Effects of Land Use Regulation on the Price of Housing: What Do We Know? What Can We Learn?", *Cityscape*, Vol. 8, Nr. 1 (2005) and Edward L. Glae-

TheHousingCompany
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What The Housing Company does

New Development

The Housing Company facilitates the development of new housing in underserved areas. We have expertise in all stages of development —from assessing the need for affordable housing in a community and conceptualizing a project to accessing available funding and overseeing construction. We have used Low-Income Housing Tax Credits, HOME funds, and a variety of other financing tools to develop more than 620 units in more than a dozen affordable rental communities.

Management

The Housing Company provides professional property management services for about 30 affordable apartment communities for low-income families, seniors, and the disabled.

Preservation

The Housing Company's affordable housing preservation efforts ensure that there are adequate units available for recipients of Section 8 project-based assistance and housing choice vouchers.

Green practices

The Housing Company is one of only 17 organizations in the country to achieve full SPI-HUD Green Organizational Accreditation. One of our award-winning properties, The Springs, is LEED Platinum certified.

The Springs, McCall

Camas Village, Moscow

New Developments

Housing Development	Units	Community	Type	Funding Resources
Maple Grove Apartments	30	Coeur d'Alene	Family	Tax Credit
Hillside Village Apartments	50	Moscow	Family	Tax Credit
Diamond Court Apartments	96	Chubbuck*	Family	Tax Credit/HOME
Carriage Lane Apartments	78	Twin Falls	Family	Tax Credit/HOME
Fox Creek Place Apartments	56	Driggs*	Family	Tax Credit/HOME
Oak Street Apartments	40	Sandpoint	Family	Tax Credit/HOME
Chaparral Meadows Apartments	52	Blackfoot*	Family	Tax Credit/HOME
Rose Park Place Apartments	40	Blackfoot	Senior	Tax Credit/HOME
Seltice Place Apartments	20	Post Falls	Family	Tax Credit/Affordable Housing Program (AHP)
Cedar View Apartments	32	Pocatello*	Family	Tax Credit/HOME/AHP
Camas Village Apartments	66	Moscow*	Family	Tax Credit/Community Development Block Grant (CDBG)
The Springs Apartments	36	McCall	Family	Tax Credit Assistance Program (TCAP), Tax Credit Exchange
The Whitman	25	Pocatello	Family	Historic Housing Credits/ Pocatello Development Authority Funding
Nampa Duplexes	6	Nampa	Family	Neighboorhood Stabilization Program funds

** These projects were the first Low-Income Housing Tax Credit and/or HOME projects in these cities.*

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The Housing Company facilitates the development of new housing in underserved areas. We have expertise in all stages of development —from assessing the need for affordable housing in a community and conceptualizing a project to accessing available funding and overseeing construction. Our experienced staff can direct an entire project from start to finish.

We have used Low-Income Housing Tax Credits, HOME funds, and a variety of other financing tools to develop more than 620 units in more than a dozen affordable rental communities.

Management

The Housing Company provides professional property management services for about 30 affordable apartment communities for low-income families, seniors, and the disabled. We help our residents achieve individual and family goals and we help foster community pride.

Preservation

The Housing Company's affordable housing preservation efforts ensure that there are adequate units available for recipients of Section 8 project-based assistance and housing choice vouchers.

Award-winning green practices

The Housing Company is one of only 17 organizations in the country and the only one in the Northwest to achieve full Sustainable Performance Institute-HUD Green Organizational Accreditation. One of our award-winning properties, The Springs, is LEED Platinum certified.

New Developments

Housing Development	Units	Community	Type	Funding Resources
Maple Grove Apartments	30	Coeur d'Alene	Family	Tax Credit
Hillside Village Apartments	50	Moscow	Family	Tax Credit
Diamond Court Apartments	96	Chubbuck*	Family	Tax Credit/HOME
Carriage Lane Apartments	78	Twin Falls	Family	Tax Credit/HOME
Fox Creek Place Apartments	56	Driggs*	Family	Tax Credit/HOME
Oak Street Apartments	40	Sandpoint	Family	Tax Credit/HOME
Chaparral Meadows Apartments	52	Blackfoot*	Family	Tax Credit/HOME
Rose Park Place Apartments	40	Blackfoot	Senior	Tax Credit/HOME
Seltice Place Apartments	20	Post Falls	Family	Tax Credit/Affordable Housing Program (AHP)
Cedar View Apartments	32	Pocatello*	Family	Tax Credit/HOME/AHP
Camas Village Apartments	66	Moscow*	Family	Tax Credit/Community Development Block Grant (CDBG)
The Springs Apartments	36	McCall	Family	Tax Credit Assistance Program (TCAP), Tax Credit Exchange
The Whitman	25	Pocatello	Family	Historic Housing Credits/ Pocatello Development Authority Funding
Nampa Duplexes	6	Nampa	Family	Neighboorhood Stabilization Program funds
Field Stream Apartments	60	Twin Falls	Family	Tax Credit/HOME

** These projects were the first Low-Income Housing Tax Credit and/or HOME projects in these cities.*

Briarwood, Blackfoot

South Meadow, Twin Falls

Existing Developments/Preservation

Apartment	Units	Community	Type
Briarwood	40	Blackfoot	Family Apartments
Bristlecone	30	Sandpoint	Family Apartments
Lake Country	44	Coeur d'Alene	Family Apartments
Meadowview	20	Rigby	Family Apartments
Owyhee Place	32	Boise	Family Apartments
Pondside	24	St. Anthony	Family Apartments
Riverwood Manor	24	Priest River	Family Apartments
South Meadow	41	Twin Falls	Family Apartments
Village Gardens	9	Ashton	Family Apartments
Harrison Hills	36	Boise	Senior Apartments
Hazel Park	40	Caldwell	Senior Apartments
Parkview	32	Weiser	Senior Apartments
Village Community	50	Rexburg	Senior Garden Apartments
The Cottage	1	Coeur d'Alene	Family Home
Twin Falls Gardens	42	Twin Falls	Family Apartments

Harrison Hills, Boise

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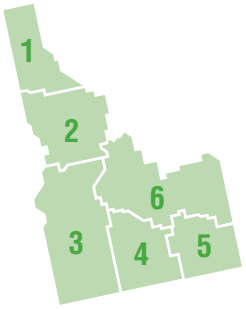
Properties by Region



Region 1

- Bristlecone Apartments Sandpoint
- Oak Street Apartments Sandpoint
- Riverwood Apartments Priest River
- Maple Grove Apartments Coeur d'Alene
- Lake Country Apartments Coeur d'Alene
- The Cottage-Single Family Coeur d'Alene
- Seltice Place Apartments Post Falls

Region 2

- Camas Village Apartments Moscow
- Hillside Village Apartments Moscow

Region 3

- Parkview Apartments Weiser
- Hazel Park Apartments Caldwell
- Owyhee Place Apartments Boise
- Harrison Hills Apartments Boise
- The Springs Apartments McCall
- Nampa Duplex Apartments Nampa

Region 4

- South Meadows Apartments Twin Falls
- Carriage Lane Apartments Twin Falls
- Field Stream Apartments Twin Falls
- Twin Falls Gardens Apartments Twin Falls

Region 5

- The Whitman Apartments Pocatello
- Cedar View Apartments Pocatello
- Diamond Court Apartments Chubbuck
- Chaparral Meadows Blackfoot
- Briarwood Apartments Blackfoot
- Rose Park Place Apartments Blackfoot

Region 6

- Meadowview Apartments Rigby
- Village Community Gardens Rexburg
- Pondside Gardens Apartments St. Anthony
- Village Gardens Apartments Ashton
- Fox Creek Place Apartments Driggs

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Professional property management

Put our experience to work for you

The Housing Company provides professional property management services to owners of affordable housing developments. Those services cover all aspects of property management, including:

- Compliance with Section 8 and Section 42 Low Income Housing Tax Credit (LIHTC) programs,
- Maintenance
- On-site management staff

The Housing Company conducts its third-party management as if it owned the property, taking pride in curb appeal, satisfied residents, and apartments that tenants are happy to call home.

Hands-on management and continuous care of the properties are our priorities. Our professional team will maximize income for the properties and add value and equity through effective asset management. Thorough resident screening and creative problem solving ensure that each property maintains and attracts tenants who will care for their home and promote the reputation that the property deserves.

The Housing Company has a proven track record when it comes to quality housing and adherence to affordable housing regulations. Our staff has more than 50 years of experience that it will utilize to help your property flourish.

Third-party management

Housing Development	Location	Type	Units
Ashton Place	Caldwell	Tax Credit	48
Courtyards at Ridgecrest	Nampa	Tax Credit	114
Creekbridge Court	Nampa	Tax Credit	60
The Foothills	Meridian	Tax Credit	54
Meadowbrook Apartments	Emmett	Tax Credit	36

Revised 2-10-2010

RESIDENT SELECTION PLAN
AFFORDABLE AND MARKET RENTAL HOUSING

INTRODUCTION: The procedures used for selection of residents shall be implemented in compliance with the applicable local, state and federal statutes and regulations applicable to the development.

NON-DISCRIMINATION: The management agent shall comply with all federal, state and local fair housing and civil rights laws and with all equal opportunity requirements as required by law, including without limitation HUD administrative procedures. Federal laws forbid discrimination based on race, color, creed, religion, sex, age, disability, familial status, or national origin. Discrimination against a particular social or economic class is also prohibited (for example: welfare recipients; single parent households, etc.) These requirements apply to all aspects of tenant relations including without limitation: accepting and processing applications, selecting residents from among eligible Applicants on the waiting list, assigning units, certifying and re-certifying eligibility for assistance, granting accommodation and terminating tenancies.

ELIGIBILITY RULES:

General Rules:

1. Household must meet eligibility criteria for the specific apartment community:
   a. Family Apartment Communities do not restrict occupancy to a certain population.
   b. Elderly Apartment Communities restrict occupancy to:
      i) Elderly Households of two or more persons with at least one person who is 62 years of age or older;
      ii) A Single Person who is 62 years of age or older;
      iii) A household whose head, spouse or sole member is Disabled.
2. Each household member must provide consents for verification of all sources of income or other information relative to occupancy in the community.
3. The household must evidence ability to meet the financial responsibilities of residing in the apartment community including payment of rent and utilities.

Rules applicable to apartments federally assisted with Housing Credits or a combination of Housing Credits and federal HOME funding:

1. The household's income may not exceed applicable Income Limits designated for affordable units. The limits which apply vary by county and income target for specific apartments.
   a. Management will require verification of family composition when it is necessary to do so in order to determine income eligibility.
2. Restrictions apply to households in which all occupants are full-time students as defined herein.

Rules applicable to apartments federally assisted with only federal HOME funding:

1. The household's income may not exceed applicable Income Limits designated for affordable units. The limits which apply vary by county and income target for specific apartments.
2. Each member of the household who is 6 years or older must provide a valid social security card (or evidence of Social Security Number acceptable to management) or evidence application for the card if social security number has not been assigned.
   a. Applicant must submit Social Security numbers (for all household members 6 years or older) within 60 days of application in order to remain on the waiting list.

ELIGIBILITY OF SINGLE PERSONS: Eligible Single Persons include those persons 18 years of age or older or a Single Person under 18 years of age who has been emancipated through marriage under Idaho law.

APPLICATION REQUIREMENTS: Anyone who wishes to secure housing must fully complete the application form provided by management and pay the application fee. The information provided must contain enough information for management to make an initial determination of the income eligibility of the household; the size of unit desired or needed and sufficient information to screen Applicant's prior landlord history. Applicants must consent to management's requirement to secure a credit and criminal background history and must provide sufficient information to enable management to secure such reports. Incomplete applications will not be processed.

CHANGES IN INCOME OR FAMILY COMPOSITION FOR WAITING LIST APPLICANTS: If an Applicant's income changes to an amount which is no longer eligible under the limitations of the assistance program by the time the application reaches the

top of the waiting list, written notice will be given advising the Applicant that: (1) they are not presently eligible; (2) the Applicant could become eligible if the household income decreases, the number of household members changes, or the Income Limit changes, and (3) asks whether or not the Applicant wishes to remain on the waiting list.

If an Applicant's Family composition changes resulting in a need for a different apartment size, management will, upon notification by Applicant, place the Family on the appropriate waiting list, maintaining their current waiting list status.

OCCUPANCY STANDARDS: Occupancy standards have been established to ensure that units are not overcrowded or underutilized. The number of occupants in a unit must be in accordance with the occupancy standards as set forth by The Housing Company based upon local law and Agency regulations. These occupancy standards are subject to change during the lease term if changes in laws, ordinances, or regulations make such changes necessary. The minimum occupancy limit will correspond to the number of bedrooms. The maximum occupancy limit will depend on local law and regulations, and the square footage of usable sleeping areas as defined by local law and suggested Agency guidelines. Notwithstanding the above, The Housing Company shall have the right to make reasonable accommodations for individuals with disabilities and may adjust occupancy limits to further the goal of providing reasonable accommodations. Minimum and maximum limits are as follows:

UNIT SIZE	MINIMUM	MAXIMUM
1	1	3
2	2	5
3	3	7
4	4	9

Generally, the presumptive standard is two (2) persons per bedroom. Household composition will be considered when applying this general rule.

DETERMINING UNIT SIZE AT MOVE-IN FOR FEDERALLY ASSISTED UNITS: The management agent must balance the need to avoid overcrowding with the need to make the best use of available space and to avoid unnecessary subsidy in federally assisted units. To determine how many bedrooms a Family may have, the management agent shall count:

1. all full-time members of the household;
2. children who are away at school but live with the Family during school recesses;
3. children who are subject to a joint custody agreement but live in the unit at least 50% of the time;
4. an unborn child or children who are in the process of being adopted or whose custody is being obtained by an adult;
5. foster children or children who are temporarily absent due to placement in a foster home;
6. live-in attendants; and
7. foster adults.

The management agent shall not provide bedroom space for persons who are not members of the household, such as adult children on active military duty, permanently institutionalized Family members or visitors.

OVERCROWDED OR UNDER-UTILIZED UNITS IN FEDERALLY ASSISTED UNITS: Units, which are smaller or larger than needed by the Applicant, may be assigned if doing so will not cause serious overcrowding. The action may not conflict with local codes. Larger units than indicated by the number of household members may only be issued if no units of appropriate size are available. In such cases, the Family must agree to move to the correct sized unit, at its own expense, when one becomes available. After move-in, if a unit becomes overcrowded or under-used because of changes in household composition, the management agent will require the Family to move to an appropriate sized unit when one becomes available. The decision regarding such transfers will be made subject to income eligibility rules and other applicable requirements of governing regulations. In such instances, transfers will take priority over any preference or chronologically-placed Applicants on the waiting list.

OVERCROWDED OR UNDER-UTILIZED UNITS IN MARKET-RATE UNITS: Management will use the following criteria to determine over-crowded utilization for market rate units. In determining overcrowded status, management will count:

1. all full-time members of the household;
2. children who are away at school but live with the Family during school recesses;
3. children who are subject to a joint custody agreement but live in the unit at least 50% of the time;
4. an unborn child or children who are in the process of being adopted or whose custody is being obtained by an adult;
5. foster children or children who are temporarily absent due to placement in a foster home;
6. live-in attendants; and
7. foster adults.

Under-utilization is not a consideration in a market rate apartment.

PREFERENCES: Management will observe preferences listed below, prioritized in the order of the list:

Accommodation for Existing Residents: Requests for reasonable accommodation from existing residents requiring unit transfers will take priority over all waiting list Applicants. Accommodation results when a third-party-verified disability requires a change or repairs which make it easier for the existing resident to reside in the community. Reasonable costs associated with unit transfers or repairs will be covered by management, unless doing so will cause an undue financial and administrative burden.

Units Specifically Designed for Disabled or Handicapped Persons: When attempting to fill a unit that has features designed to meet the needs of disabled persons, management will grant a preference to households with Disabled members (who otherwise qualify) and need the accessible features of the unit. For example, units designed for accessibility to individuals with mobility, hearing or vision impairments, will be rented to households that require the features provided in those units. This preference will be granted upon proper notification by Applicant and verification of need by management.

Elderly Properties: Properties that are designed for the elderly must verify that the applicant household qualifies as an elderly household. An elderly household is one in which the head of household, spouse and/or co-head is 62 years of age or older, or disabled. A disabled person need not be 62 or older in order to qualify at certain properties designated for the elderly.

Preference for Applicant's Receiving Rental Assistance or who are on Housing Authority Waiting Lists for Rental Assistance: Applicants who provide evidence that they are recipients of rental assistance or a statement from a public housing authority indicating that they are on a waiting list for rental assistance will be given priority on the waiting list over applicants who do not receive rental assistance or who are not on a housing authority waiting list. This preference will be given for 100% of the total residential units and applied first to applicants who have received rental assistance and secondly to applicants who are on the waiting list.

Transfers for Existing Tenants: Regardless of the Rental Assistance Preference, no waiting list preference shall be granted to households transferring between units in a specific apartment community or between apartment communities located within the same market area which are owned or managed by The Housing Company. Households seeking such transfers shall receive only chronological status on the waiting list.

PROCESSING STEPS: The development shall be rented and occupancy maintained on a first-come, first-served basis with preferences taken into consideration. All persons wishing to be admitted to the development or placed on the waiting list must complete an application, supply all documentation required and pay an application fee. Prospective tenants submitting incomplete applications will not be considered for occupancy. The initial application shall be timed and dated when received, and the resident manager shall maintain at the rental office a chronological list of all Applicants (categorized on a bedroom size and, when applicable, income target requirement). Applicants may be included on more one or more waiting list, depending upon the needs of the Family and management's determination of overcrowding or under-utilization. Preference households and existing residents requiring unit transfers because of accommodation will move ahead of chronological status Applicants. Applicants shall be offered housing (after meeting all selection criteria requirements including the verification process), placed on the waiting list, or declined. Potentially eligible Applicants who have met tenant selection criteria and for whom the right size and/or income target unit is not available will be placed on the waiting list and will be contacted when an appropriate unit becomes available. The Applicant must contact the development's resident manager every 90 days to remain on the waiting list. Applicants who fail to provide acceptable landlord references, credit history or who have a criminal background will be notified that they have been removed from the waiting list.

When an appropriate unit is available, the waiting list shall be reviewed to identify the Applicant who meets preference criteria or whose name is chronologically at the top of the list. The resident manager shall interview the Applicant; confirm and update all information provided on the application; update credit reports older than one year; obtain current information regarding income and Family composition as applicable and necessary to certify eligibility and determine resident's rent payment. The Applicant shall be informed that a final decision on eligibility cannot be made until all verifications are complete and current income has been verified.

Applicants, whose position on the waiting list enables application processing, will receive only two consecutive notices of housing availability. If the Applicant is unable or decides not to complete the application process, the Applicant shall be removed from the waiting list upon receiving the second notice and must reapply for eligibility. The waiting list shall be updated every three months and may be closed for one or more unit sizes when the average wait for admission is more than a year.

Applicants for apartments funded solely with federal HOME funding will be required to supply a Social Security number and verification of the same for each Family member, age six years or older.

SCREENING CRITERIA: The following factors shall be considered in screening Applicant for occupancy:

1. Demonstrated ability to meet financial obligations and to pay rent on time.

2. History as a good resident.
3. History of disturbing neighbors or destroying property.
4. Applicant's credit history.
5. Ability to maintain (or with assistance would have the ability to maintain) the housing in a decent and safe condition based on living or housekeeping habits and whether such habits adversely affect the health, safety or welfare of the household and other residents in the community.
6. Ability to meet all obligations of tenancy.
7. Current use or history of using illegal drugs or current use or history of abusing alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of others.
8. History of felony or misdemeanor convictions by any household member involving crimes of physical violence against persons or property, fraud, dishonesty and any other criminal activity including, but not limited to, Drug-Related Criminal Activity.
9. Any household member, including a Live-In Aide, has been evicted from assisted housing within three years as a result of Drug-Related Criminal Activity.
10. Any household member has Registered Sex Offender status, or is subject to a lifetime registration requirement under at State sex offender registration program..
11. Income Limit qualification.
12. Full-time student status for Applicants seeking housing in units federally assisted with Housing Credits.

Note: Live-In Aides will be screened for drug abuse and criminal activity and must sign required release forms.

REFERENCES; CRIMINAL AND CREDIT HISTORY: Management will require consent of all adult household members and Live-In Aides for verification of references and permission to seek criminal background history.

Landlord References: Landlord references will be required for up to five (5) years, including the present landlord. Applicants, who have been previous homeowners, must be able to demonstrate that they have made mortgage payments in a timely manner.

Applicants, who have had no previous rental or homeownership history, must provide references from present and former employers, teachers or clergy. Further, such Applicants must agree to monthly inspections of their apartment to continue until management deems that the Applicant is maintaining the apartment in a clean, safe and sanitary condition.

Unfavorable landlord or professional references may result in removal from the waiting list.

Credit History: Credit reports will be ordered for each Applicant. The credit report will be reviewed to determine the Applicant's history of meeting financial obligations including payments for rent, utilities, loans, revolving credit cards, and other obligations. Applicant's credit history must be acceptable to management before they will be approved to occupy a unit. The credit report will be reviewed to:

1. confirm current address;
2. confirm credit sources included on the application;
3. confirm current and past employment listed on the application; and
4. to determine whether the Applicant has an acceptable credit history.

Applicants, whose credit histories are unacceptable, will be declined and removed from the waiting list. An unacceptable credit history is one that reflects consistent, past-due payments of more than 90 days; a history of repeated insufficient fund checks; derogatory credit (repossessions, foreclosures, judgments, collections, charge-offs, liens, bankruptcy not yet discharged etc); delinquent or charge off debt due other apartment communities; or unpaid utility company collections which would prohibit applicant from obtaining services. The lack of credit history or past due payments or derogatory credit relating to medical expense or student loans will not be considered as grounds for declining an Applicant. Consideration will be granted when current credit history demonstrates a pattern of improvement; history of rent payment overshadows other debt issues or Applicant can demonstrate acceptable reasons for credit history. Applicants may wish to provide an explanation that evidences efforts to correct credit deficiencies through payment plans or other work out solutions. If such explanation is acceptable to management, further screening may be conducted and written confirmation of payment plans may be required from the creditor(s).

In the event of decline based upon credit, the Applicant has 14 days to provide an explanation and request further consideration. Management will provide a copy of Applicant's credit report upon request. It is the Applicant's responsibility to contact the credit-reporting agency to resolve any items that have been incorrectly reported.

Criminal Activity Reports:

A criminal activity report will be ordered for each Applicant, and an Applicant with a history that includes felonious crimes, serious misdemeanors, Drug-Related crimes violent crimes or sexual crimes will be declined and removed from the waiting list. Reports will be obtained from local and/or state records. Consideration will be granted to applicants with past non-violent criminal records occurring five years or more ago with no further criminal record. If the Applicant has resided in a state other than Idaho and has a past felony conviction, a report will be required from that state or federal organization. Applicants will be required to certify that they or members of their household are not Registered Sex Offenders. Registered Sex Offenders will not be admitted to the apartment community.

DECLINING APPLICANTS: Applicants may be declined if any one of the following categories applies:

1. Failure to meet one or more of the screening criteria.
2. Information required by the application and income verification process is not provided.
3. Failure to respond to written requests for information.
4. Declaration by Applicant that they are no longer interested in housing.
5. Unacceptable credit history.
6. Income exceeds the appropriate Income Limit if applicable.
7. Inability to appropriately maintain housing in a decent safe and sanitary condition.
8. Applicant is single, under 18 years of age and has never been emancipated through marriage under Idaho law.
9. Family size is too large for available units, and serious overcrowding would result in providing a smaller unit.
10. History of unjustified and chronic nonpayment of rent and financial obligations.
11. History of disturbing the quiet enjoyment of others.
12. A risk of intentional damage or destruction to the unit or surrounding premises by the Applicant or those under the Applicant's control.
13. History of violence and harassment of others.
14. History of violations of the terms of previous rental agreements such as destruction of a unit or failure to maintain a unit in a decent, safe, and sanitary condition.
15. Criminal history includes felony or misdemeanor conviction for Drug Related Activity, violent crimes, sexual crimes, physical violence against persons or property, fraud, dishonesty or any other criminal activity (excepting traffic violations) which, at the sole discretion of management is deemed a risk to the well being of the community.
16. Illegally using a controlled substance or abusing alcohol in a way that may interfere with the health, safety and well being of other residents. Waiver of this requirement is subject to Applicant demonstrating they are no longer engaging in such activity and producing evidence of participation in or completion of a supervised rehabilitation program.
17. Applicant or a member of the household is a Registered Sex Offender under any state sex offender registration program.
18. Applicant or a household member has engaged in or threatened abusive or violent behavior towards any staff member of management or another resident.
19. Applicant or a member of household was evicted from housing within three years as a result of Drug-Related Criminal Activity.
20. Application is incomplete, or is found to contain false information.
21. Appropriately sized housing is not and will not be available in the apartment community.
22. Apartments federally subsidized with Housing Credits: All household members are full-time students and do not qualify for student exemptions. If all household members are full-time students, they must meet at least one of the following exemptions to be eligible for an affordable unit:
    a. Receive assistance under Title IV of the Social Security Act;
    b. Be enrolled in a job-training program receiving assistance under the JTPA or other similar federal, state or local laws;
    c. Be a single parent with children who are not dependents of another individual; or
    d. Students who are married, have filed and will file a joint income tax return.

If an Applicant is declined, the Applicant will be notified in writing with an explanation of the reasons for decline. The Applicant will be notified that they have 14 days to respond in writing or to request a meeting to discuss the decline. All declined applications and supportive documentation shall be maintained at the management agent's home office in a manner that assures confidentiality.

Violence Against Women and Justice Department Reauthorization Act of 2005: In accordance with the Act, admission to the apartment community will not be denied on the basis that the Applicant is or has been a victim of domestic violence, dating violence or stalking if Applicant otherwise qualifies for admission. Applicant may request protection under the Act by completing the Certification of Domestic Violence, Dating Violence or Stalking (HUD form 50066), and Management will verify the certification.

DEFINITIONS:

APPLICANT includes all adult members of the Family or household.

DISABLED PERSON is a person with a disability as defined by Section 223 of the Social Security Act or as generally defined in 42 USC Section 6001(8) as a severe, chronic disability which:

1. is attributable to a mental/or physical impairment or combination of mental and physical impairments;
2. was manifested before age 22;
3. is likely to continue indefinitely;
4. results in substantial limitations in three (3) or more of the following areas of major life activities: self care, receptive and responsive language, learning mobility, self direction, capacity for independent living, and economic Self Sufficiency;
5. reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or the other services which are of lifelong, or extended duration and are individually planned and coordinated; and
6. is a person with a physical or mental impairment that:
    a. is expected to be of long, continued and indefinite duration;
    b. substantially impedes the person's ability to live independently; and
    c. is such that the person's ability to live independently could be improved by more suitable housing conditions.
7. is a person with a developmental disability.

DRUG RELATED CRIMINAL ACTIVITY Drug Related Activity means the illegal manufacture, sale, distribution or use of a drug or the possession with the intent to manufacture, sell or distribute a controlled substance. Drug-Related Criminal Activity does not include the use or possession, if the household member can demonstrate that they:

1. have an addiction to a controlled substance, has a record of such an impairment, or is regarded as having such an impairment; **and**
2. have recovered from such addictions and do not currently use or possess controlled substances. The household member must submit evidence of participation in, or successful completion of, a treatment program as a condition to being allowed to reside in the unit.

ELDERLY PERSON is a person who is at least 62 years old.

ELDERLY HOUSEHOLD is a household whose head, spouse, or co-head qualifies as elderly or disabled. The household may be two or more Elderly or Disabled Persons who are not related, or one or more such persons living with a Live-In Aide(s) essential to their care or well being. A household may NOT designate a Family member as head of household solely to qualify the Family as an Elderly Household.

FAMILY is one or more persons in a household whose income and resources are available to meet the Family's needs.

FULL-TIME STUDENT is defined as an individual who attends full-time (for a minimum of five months per calendar year) an educational institution which normally maintains a regular faculty and curriculum. This definition applies to school aged children, including kindergarten and elementary students.

INCOME LIMITS are defined as those income limitations published by organizations regulating the development.

LIVE-IN AIDE/ATTENDANT is a person who lives with an Elderly or Disabled individual(s), is essential to that individual's care and well being, is not obligated for the support of the person, and would not be living in the unit except to provide the support services. While a relative may be considered to be a Live-in Aide/Attendant, the relative can reside in the unit as a Live-in Aide/Attendant only if the tenant requires special care. The Live-in Aide qualifies for occupancy only as long as the tenant requires supportive services and may not qualify for continued occupancy as a Remaining Family Member. Live-In Aides may be evicted for violation of house rules.

REMAINING MEMBER HOUSEHOLD is a person who remains in a unit following a decrease in Family composition.

SINGLE PERSON is a person who intends to live alone.

U. S. Department of Housing and Urban Development

EQUAL HOUSING OPPORTUNITY

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(The Fair Housing Amendments Act of 1988)

It is illegal to Discriminate Against Any Person Because of Race, Color, Religion, Sex, Handicap, Familial Status, or National Origin

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- In the financing of housing
- In the provision of real estate brokerage services
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1-800-669-9777 (Toll Free)
1-800-927-9275 (TTY)

U.S. Department of Housing and Urban Development
Assistant Secretary for Fair Housing and Equal Opportunity
Washington, D.C. 20410

Previous editions are obsolete

form HUD-928.1 (2/2003)

Todd McGillivray
24704 237th Place SE
Maple Valley, WA 98038
June 2, 2016

Planning & Zoning Department
City of Kuna
763 West Avalon Street
Kuna, ID 83634

Re: Case Number 16-02-CPM (Comprehensive Plan Map Change), 16-01-ZC (Rezone), and 16-01-S (Subdivision)

Dear City of Kuna:

I wish to be recognized in opposition to the proposed Plan Map Change, Rezone, and Subdivision identified by the above case numbers. My wife, Rachelle McGillivray, and I own the home at 883 S. Pencil Avenue in the Schoolhouse Subdivision, immediately adjacent to the Subject Property.

We purchased this property as our primary residence in the spring of 2006, with the understanding that there is a minimum square footage and standards for the subdivision. This would help maintain the value of our property and promote the security and serenity of the subdivision to provide our desired quality of life. I was very pleased that the Council helped us protect these qualities previously when Mr. Pieroni attempted to reduce the minimum square footage in our neighborhood.

Exactly one year ago, my family and I relocated from Kuna for a job opportunity. As much as we loved being a part of the Kuna community, this was too great an opportunity to pass. When we left, our home value had not recovered enough from the economic downturn of a few years ago to recover our investment. We hope to one day either return to the home, or recover our investment from it.

While we recognize the property owner's need to develop the Subject Property, we feel strongly that high-density housing in such close proximity to our property would be detrimental to our property value, and our tenant's and neighbors' quality of life. While, recognizing Mr. Pieroni's desire to recover his investment and perhaps turn a profit, we ask the Council to consider our, and our neighbors' same desires to recover and perhaps profit from our investments, as well as

our desire for a high quality of life for our tenant, friends, and neighbors in the Schoolhouse Subdivision. We feel that this proposal will detrimentally affect our investment and that of our neighbors, as well as the existing security and serenity, for the benefit of one property owner.

I would be amenable to a compromise on the development of this property, to include a very substantial set-back from our property lines to protect views and privacy, fewer units, pricing and CC&R's compatible with those existing for the Schoolhouse Subdivision.

Sincerely,

Todd McGillivray

KENNETH & BETTY RODGERS
1061 S. PENCIL AVENUE
KUNA, ID 83634 (208) 340-8324

June 30, 2016

City of Kuna Planning & Zoning Commission
763 W Avalon Street
Kuna, ID 83634

RECEIVED
JUL 05 2016
CITY OF KUNA

Dear Commissioners:

We are writing to express our strong protest regarding the following rezoning request:

16-01-ZC (Rezone), **16-02-CPM** (Comp Plan Map amendment) and **16-01-S** (Subdivision) - **A Team Land Consultant – Steve Arnold:** Applicant requests to rezone the subject property (6.18 +/- acres) and amend the Comprehensive Plan Map (Comp Plan Map) designation from Medium Density to High Density Residential. The applicant requests to change the zone from R-6 (Medium Density Residential) to R-12 (High Density) and subdivide the parcel into 21 lots for future development. The site is located near the southeast corner of School Avenue and Sunbeam Street (alignment).

We sold our house in Boise and bought our Kuna home in March of this year in order to enjoy the peace and quiet and little traffic of Schoolhouse Park Subdivision.

On behalf of ourselves and the other homeowners around us, we strongly object to approving high-density housing within our medium density subdivision. It would change the nature of this subdivision, and affect our home values in a negative way. Please do not betray our good faith purchase into this community.

We understand Mr. Arnold finds himself in a predicament regarding building a road, but we don't feel the owners in our entire subdivision should be penalized for one man's unfulfilled obligations. We also understand the desire for growth and expansion in Kuna, but there is plenty of room for expansion outside Schoolhouse Park Subdivision.

Thank you for your attention to our concerns, and for putting yourselves in our shoes when deciding this matter.

Sincerely,

Ken & Betty Rodgers

RECEIVED
JUL 05 2016
CITY OF KUNA

To: City of Kuna Planning and Zoning Department
PO Box 13
763 West Avalon Street
Kuna, ID 83634

From: Mike and Diane Rampelberg
795 West Tallulah Drive
Kuna, ID 83634

Date: July 5, 2016

Regarding: 16-02-CPM (Comprehensive Plan Map Change), 16-01-ZC (Rezone) and 16-01-S (Subdivision)

Background: We live adjacent to the proposed Steve Arnold, A-Team Consultants plan to build 14 four-plex buildings between School and Sunbeam. We attended the two public meetings (November 9, 2015 at Kuna City Hall and March 7 at the Kuna First Station) and have examined carefully the information Mr. Arnold presented.

LET IT BE KNOWN: WE ARE AGAINST CASE NO. 16-01-CZ (REZONE), 16-02-CPM (COMP PLAN MAP AMENDMENT AND 16-01-S.

Reasons:

1. **Traffic Congestion:** Increased traffic down School, Sunbeam and Swan Falls. These roads are not equipped to handle another 70-90 cars, especially during high peak traffic hours along with School Buses, some 6 subdivisions and other residences in close proximity. In addition, add to that, as many as 39 trains/day that can pass through Kuna. Many times these trains stop on the tracks. And, what do you have if you allow this development? Even worse traffic congestion than we have now!

   We feel consideration should be shown to long time Kuna residents, the Russell's, who will have Sunbeam run right into their house. Frankly, we wonder how many times people will crash into their yard or house.

2. **No emergency services on this side of tracks!** More people means more possibilities for fires, accidents and medical emergencies. This mean limited emergency services for our area of Kuna. Who's responsible?

3. **Lack of Sidewalks on School and Swan Falls.** It's not safe without sidewalks and only serves to increase traffic congestion and encourage poor health.
4. **Higher Crime Rate:** According to "Rental Housing and Crime," a report by the Weldon Cooper Center for Public Service, University of Virginia, quadraplex rental communities have a higher crime rate than single family houses.

We can attest to that! Previously living in California, an apartment complex was turned into HUD housing near our home. The 911 calls to the complex increased 200%, drug paraphilia was strung throughout the neighborhood – not to mention drive by shootings and other crimes.

NOTE: Rental four plexes have a high incidence of Section 8/HUD/USDA Rural Rental Assistance recipients, including recipients who are in drug rehab as cited by Housing and Urban Development, Resident Characteristics Report, TTP Family Type Distribution for Non-elderly households; and USDA Rural Development Handbook, Chapter 6, Eligibility criteria.

Now we know that Mr. Arnold said that these were going to be "Senior" Citizen four plexes – but our question is where is he going to find these people! Most seniors (and we are) are not in the least interested in this kind of set up! His first and foremost desire is to sell these four plexes. And, in the end four plex developments attract investor/landlords and low income renters. Plus, registered sex offenders are more likely to be lower income renters.

As residents of Kuna, we believe that we are entitled to "quiet enjoyment." Therefore, we are very concerned about the type of individuals that would buy or rent these four plexes not only for our but also our neighbor's safety and peace of mind.

5. **Impact on Kuna and Environment:** Kuna is a rural community. It is one of the reasons we love living here. You can hear the birds singing in the morning, smell the fresh hay and corn being harvested, see our neighbor's horses, cows and pigs from our window and hear the frogs croaking at night. There is no doubt the proposed HUGE building complex and people will have a negative effect on plants, animals and the "peaceful" rural atmosphere of Kuna. It is a fact that biodiversity declines in urban areas and people make noise.

   Additional impact on Kuna: There will be extra burden on our city services disproportionate to the taxable income brought in. This burden will translate into higher taxes and more stress on city services like the police and fire department as well as our already stressed out schools.

6. **Lower property values.** According to a study entitled "Crime and Property Values, conducted by Brigham Young/University of Chicago Departments of Economics in 2011 nearby four plexes DO lower property values.

We implore you, please take Kuna's health and well-being to heart and do NOT approve this request. Thank you!

Mike Rampelberg and Diane Rampelberg

June 13, 2016

To Whom It May Concern,

Regarding the public hearing on high density apartments proposed on the future Sunbeam and School Street.

My name is Jeff Foster and I reside at 805 South School Avenue, Kuna Idaho

This Proposed high density is across the street from my property.

I am strongly opposed to the apartments for the following reasons:

1. The area is surrounded by large acreages and residential properties. I feel it would be a devaluation of surrounding properties

2. Future Sunbeam Street enters below a hill and has potential for accidents due to poor visibility.

3. Many children use this hill for skate boards, bike riding, walking to school, etc. and will be a great number more if high density is approved. I am concerned with the safety of these children due to increase traffic.

4. There is no bike path or sidewalks connecting on School Street or Swan Falls.

5. There is already congestion at School and Avalon, Swan Falls and tracks. Such a high increase of population will only make this worse.

6. There are no emergency facilities south of the tracks. I feel it would be irresponsible to add so many more residents before this issue can be addressed.

7. This property was originally approved for R6. Why change that?

Thank you for your time,

805 S. School Ave

Late Exh @ P/Z hearing

Todd McGillivray
24704 237th Place SE
Maple Valley, WA 98038
June 2, 2016

City Council
City of Kuna
763 West Avalon Street
Kuna, ID 83634

Re: Case Number 16-02-CPM (Comprehensive Plan Map Change), 16-01-ZC (Rezone), and 16-01-S (Subdivision)

Dear Kuna City Council:

Please consider me to be in opposition to the proposed Plan Map Change, Rezone, and Subdivision identified by the above case numbers. My wife and I own the home at 883 S. Pencil Avenue in the Schoolhouse Subdivision, immediately adjacent to the Subject Property.

While we understand Mr. Arnold's and Mr. Pieroni's desire to develop this property and profit from that development, we ask the council to respect the many homeowners' similar needs to continue to recover the value of our properties since the dramatic drop in real estate prices over the past nine years. We purchased our property with the foresight to know that the adjacent property would eventually be developed, however we never anticipated that a request to rezone this property to "High Density" would be made.

As property owners in the Schoolhouse Subdivision, my neighbors and I are also investors. I feel strongly that the planned development will have a very negative impact on my investment. Multi-level high density housing so close to my property line will block much of the view and eliminate much of the privacy that makes my property attractive to a future buyer.

RECEIVED 6.23.16

While Mr. Pieroni has apparently painted himself as a respected developer, I have concerns about what is truly planned for this development, based on three previous issues:

1. The Schoolhouse Subdivision (developed by Mr. Pieroni) was promised a volleyball court in addition to the basketball court, which was never produced. No explanation was ever given, or alternative offered. This misleading information was a factor in our purchase of our home.
2. Mr. Pieroni previously appeared before the Council in an unsuccessful attempt to reduce the minimum required square footage for homes in the Schoolhouse Subdivision. Fortunately, the Council denied that request based on the fact that we homeowners had purchased our property with the minimum size being a major factor in our decisions to purchase.
3. While, with very obvious opposition to this project, and with a denial already by Planning and Zoning, the developer is continuing to pursue the same planned development. This illustrates a complete contempt for the desires of the neighbors of the subject property.

I would be open to the development of single family homes, however, with pricing, appearance, and CC&Rs congruent with those of the Schoolhouse Subdivision.

I understand and respect the property owner's and the developer's right to develop this property and make a profit in doing so. I do not understand nor respect the potential to do so at the expense of adjacent property owners who are just trying to break even on their investments. I implore the City Council to deny this proposal so that my neighbors and I can protect our investments. I would be truly shocked if the Council put the desires of one developer above the financial and environmental needs of the many homeowners who stand with me in opposition.

Sincerely,

Todd McGillivray

RECEIVED
AUG 29 2016
CITY OF KUNA

To: Kuna City Council
763 West Avalon Street
Kuna, ID 83634

From: Mike and Diane Rampelberg
795 West Tallulah Drive
Kuna, ID 83634

Date: August 28, 2016

Regarding: A request from Steve Arnold with A-Team Consultants to amend the comprehensive plan Map from medium density residential to high density residential and to rezone the same parcel, (approximately 6.3 acres), from an R-6 (Medium Density) to R-12 (High Density) residential zone. This request includes a proposed 20 lot subdivision (14 buildable lots and 6 common lots).

This parcel is located on the south east corner of School Avenue and Sunbeam Street (Alignment), in the Quarter of Section 26, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho. Parcel number #: S1326428020.

Background: We are property owners adjacent to the proposed Steve Arnold, A-Team Consultants plan to build 14 four-plex buildings between School and Sunbeam. We attended the two public meetings (November 9, 2015 at Kuna City Hall and March 7, 2016 at the Kuna Fire Station) plus the Planning and Zoning public hearing on July 12, 2016.

As Quoted in the City of Kuna Comprehensive Plan:

"Planning involves making conscious choices about the future. Those who do not plan just let the future happen."

"In a democracy, we get the government we deserve; of a community of citizens chooses not to plan, they will probably get – and certainly deserve – an unplanned future or a future that is planned for them by others." – Barbara Becker and Eric Kelly

LET IT BE KNOW: We are exercising our right to be involved in the planning of our community by stating and outlining below why we are AGAINST the above amending of the comprehensive plan map from medium density residential to high density residential and to rezone the same parcel from R-6 to R-12.

Reasons:

Sustainability. (Taken from Kuna City Comprehensive Plan) The need for sustainable development practices results, in part, from the fact that multiple individuals acting independently, in their own self-interests, can ultimately destroy a shared resource where it is clear that such action is not in anyone's best interests. Sustainability, as it is presented here, is balancing the need for development (housing construction) and growth (population increase)

against the need to protect the natural and built environment while meeting the needs of the present generation without compromising the needs of the future generations.

This proposed change to the Kuna City Comprehensive Plan is from medium density residential to high density residential and to rezone the same parcel, (approximately 6.3 acres), from an R-6 (Medium Density) to R-12 (High Density) residential zone. This request includes a proposed 20 lot subdivision (14 buildable lots and 6 common lots) DOES NOT take into consideration the needs of the present generation and compromises the needs of future generations.

1. The land strategy is not integrated in such a fashion that services can be provided to the developments in an efficient cost effective manner.

   Case in point, **NO (or intermittent) SIDEWALKS AND NO BIKE LANES ON SCHOOL OR SWAN FALLS** leading to Kuna City Center for shopping and entertainment. No close services are available on this side of the tracks. People will need to drive, wait for trains and contribute to the already present traffic congestion. This is also a safety problem for those who do choose (children and otherwise) to walk as they will need to dodge cars where there is no sidewalk. What about children who choose to ride their bikes? No safe place – no bike lanes.

   Case in point, **FIRE, POLICE AND AMBULANCE SERVICES are located on the other side of Union Pacific Railroad tracks.** More people (larger number for high density than medium density) means more possibilities for fires, accidents and medical emergencies. This means limited emergency services for our area of Kuna.

   According to "Rental Housing and Crime," a report by the Weldon Cooper Center for Public Service, University of Virginia, quadraplex rental communities have a higher crime rate than single family houses.

   We can attest to this! Previously living in California, an apartment complex was turned into HUD housing near our home. The 911 calls to the complex increased 200%, drug paraphilia was strung throughout the neighborhood – not to mention drive by shootings and other crimes.

   NOTE: Rental four plexes have a high incidence of Section 8/HUD/USDA Rural Rental Assistance recipients, including recipients who are in drug rehab as cited by Housing and Urban Development, Resident Characteristics Report, TTP Family Type Distribution for Non-elderly households; and USDA Rural Development Handbook, Chapter 6, Eligibility criteria.

   Case in point, **TRAFFIC CONGESTION**. Increased traffic down School, Sunbeam and Swan Falls. These roads are not equipped to handle another 70-90 cars, especially during high

peak traffic hours along with School Buses, some 6 subdivisions and other residences in close proximity. In addition, add to that, as many as 39 trains/day that can pass through Kuna. Many times these trains stop on the tracks. Contributing to even worse traffic congestion than we have now!

Case in point, **SUNBEAM PUBLIC SAFETY ISSUE**. Where Sunbeam comes through to School, it is located at the bottom of a hill. It will be very difficult for cars coming down the hill to see people entering onto School and difficult for drivers to see children walking on side of road out onto School from Sunbeam. Many of the present neighborhood children ride bikes and skateboards down that hill. This is a dangerous situation for both the children and drivers coming down school and entering onto School from Sunbeam – especially with NO sidewalks. In addition, Sunbeam runs right into the Russell's home. How many times will people crash into their yard or house?

Case in point, **NO PUBLIC TRANSPORTATION SERVICES**. High density housing areas need some kind of public transportation. Kuna has NO public transportation services. Kuna is a small town – NOT an urban area. As a city, we can't afford it. Frankly, an overpass over the railroad, is more important.

Case in point, in the Kuna City Comprehensive Plan it states that one of the goals is to **BALANCE PRIVATE PROPERTY RIGHTS AND COMMUNITY INTEREST**. We believe that putting in this property will NOT be an economically viable use of the property. According to a study entitled "Crime and Property Values, conducted by Brigham Young/University of Chicago Departments of Economics in 2011 nearby four plexes DO lower property values.

Case in point, **KUNA IS A SMALL TOWN NOT A URBAN AREA**. Between 2015 and 2020 Kuna is expected to slow to 1.8 percent annually growth rate. We understand that the new Simplot plant is coming in and there may be people who would rent these four plexes. HOWEVER, we understand that there is a high density development going in across from the car part store and oil change service.

If the 14 four plexes go in, who will rent them? At what price? We have been told they will rent for $900/month. At that price you will not attract high quality renters. We were told that Park Place will be managing the property. How do they plan to keep other family members not on the lease from moving in? In addition, Park Place does not have a good reputation with many AND they are in the process of expanding their services to other areas. Will they really have time needed to screen renters and care for the property?

Case in point, **WILL THE SCHOOLS REALLY BE ABLE TO HANDLE THE INFLUX OF KIDS?** Kuna schools are in trouble. Their elementary school ratings are not good. They range from 1 poor at Teed to 2 Reed and Hubbard to 3 Crimson Point and Ross to 4 Indian Creek to 6 Silver Sage to 7 Lake Hazel. NOTHING is above a 7 (high is a 10) and that includes High School. Class sizes are too large now.

We implore you, please take Kuna's health and well-being to heart and DO NOT approve this request.

Case in point, **THIS PROPERTY WAS NOT ZONED HIGH DENSITY BECAUSE IT DOESN'T MEET THE REQUIREMENTS FOR HIGH DENSITY HOUSING IN KUNA.** Direct quote from Kuna City Comprehensive Plan – "The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial.)"

"Housing must be provided in a logical, orderly process such that municipal services can be provided in a cost-effective manner. Development pockets that are too small or isolated to be served conveniently should be avoided."

Thank you!

Mike Rampelberg

Diane Rampelberg

Article from Mr. Rampelbergs' Letter

Rental Housing and Crime: The Role of Property Ownership and Management

Terance J. Rephann
Regional Economist
Center for Economic and Policy Studies
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University of Virginia
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P.O. Box 400206
Charlottesville, VA 22904-4206
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Abstract: This paper examines how residential rental property ownership characteristics affect crime. It examines the incidence and frequency of disturbances, assaults, and drug possession and distribution using police incident report data for privately owned rental properties. Results show that a small percentage of rental properties generate incident reports. Count model regressions indicate that the distance that the owner resides from the rental property, size of rental property holdings, tenant Section 8 voucher use, and neighborhood owner-occupied housing rates are associated with reported violations. The paper concludes with recommendations about local government policies that could help to reduce crime in rental housing.

Keywords: *crime, rental housing, management, count model*

JEL Classification: K42, R29

1. Intro

In towns and cities across the country, the so-called "absentee" landlord and urban "slumlord" is viewed as a major source of problems, such as crime and neighborhood blight, that plague distressed neighborhoods. According to conventional wisdom, non-resident landlords are less likely to screen their tenants, to manage and maintain properties properly, and to have an interest in the wellbeing of the surrounding community (Dymowski 2001; Mayer 1981). The growth in external ownership and the problems associated with it have also been identified as sources of middle class flight from cities (Dymowski 2001).

Given the preponderance of strong feelings on the issue, there is a surprising lack of empirical evidence to support the contention that rental property ownership and management characteristics influence property conditions and crime. A number of studies link homeownership and various types of positive outcomes (Dietz and Haurin 2003). These outcomes include lower crime (Glaeser and Sacerdote 1999; Rephann 1999; Alba, Logan, and Bellair 1994), higher property values (Coulson, Hwang, and Imai 2003; Rohe and Stewart 1996), better building maintenance (Mayer 1981), more civic-minded neighbors (Rohe, Van Zandt, and McCarthy 2002; DiPasquale and Glaeser 1999; Rohe and Stewart 1996), and better educated and well-adjusted children (Harkness and Newman 2002; Rohe, Van Zandt, and McCarthy 2002). Moreover, the prevalence of abandoned property has been found to be associated with greater crime (Spelman 1993). Therefore, it would seem plausible that rental ownership qualities such as the physical proximity of a landlord or property manager can influence crime in a rental setting as well.

Additional attention to this issue is merited for at least three reasons. First, there is a public perception that non-local landlords and poor property management cause many local crime problems. Even within the social sciences, there is a growing recognition that researchers should "pay closer attention to the economics of property ownership and the management of places" (Eck and Wartell 1998). Second, evidence suggests that the "absentee owned" share of the national rental inventory is increasing (Apgar 2004). With the growth of Internet real estate marketing, it has become much

easier for amateur investors to research, purchase, and rent apartments without ever actually visiting them. Third, high rates of tenancy can often be found in neighborhoods with higher crime levels. Therefore, understanding the characteristics of these properties could help in crafting policies to revitalize neighborhoods.

This study seeks to contribute to our knowledge of how residential rental property ownership and management qualities affect crime. It examines the incidence and frequency of certain types of crimes that occur in privately owned rental properties, including disturbances, assaults, and drug possession and distribution. These crimes were selected because they are frequently found in a residential setting and are considered important measures or indicators of neighborhood "quality of life." Characteristics of rental properties are examined with the aid of count regression models that incorporate landlord, tenant, and neighborhood variables including residence of owner, size of landlord property holdings, tenant HUD Section 8 voucher use, and neighborhood socioeconomic characteristics. It is hypothesized that problem properties are more likely to be found when the owner resides further away from the property, when the owner owns multiple units, when tenants receive public housing assistance, and when neighborhood measures of residential mobility and disadvantage are greater.

The next section contains a review of literature that draws on Routine Activities Theory to explain intra-metropolitan or intra-urban variation in criminal activity. The third section describes the study region and data used. The fourth section details the research hypotheses that motivate this study. The fifth section explains the count regression techniques used. The sixth section presents and discusses the empirical results. The paper concludes with a summary and policy recommendations.

2. Literature Review

Whether stated explicitly or not, many studies of the geographical distribution of crime are motivated by Routine Activities Theory. Rather than examining the economic or psychological aspects of the individual's decision to commit a crime, Routine Activities Theory focuses on the "criminology of places," that is to say the situational aspects such

as the physical, locational, functional, and management characteristics of the properties themselves (Cohen and Felson 1979). The theory recognizes three factors that contribute to crime occurrence: (a) a motivated offender, (b) an attractive target, and (c) level of guardianship for the target. Assuming the supply of motivated offenders is constant, geographical variation in crime occurs because of differences in the availability of targets and differences in levels of target guardianship.

Places differ in terms of the presence of factors that contribute to crime commission. For instance, shopping centers are likely to be viewed as more attractive targets for larceny than residences because of the abundance of new merchandise. Places also differ with respect to the level of guardianship – for example, some stores employ better security measures (e.g., alarms, surveillance cameras, and security personnel). Furthermore, the available supply of motivated offenders, typically young males drawn from disadvantaged socioeconomic backgrounds, may differ from locale to locale.

The social science literature has identified several key place-based factors that help measure target attractiveness, levels of guardianship, and supply of motivated offenders. These variables include certain aspects of the local built environment such as ease of access (Hakim, Rengert, and Shachmurove 2001; Fishman, Hakim, and Shachmurove 1998), urban physical design features and property layout (Zelinka and Brennan 2001; Mazerolle and Terrill 1997), presence of security features (Hakim, Rengert, and Shachmurove 2001; Fishman, Hakim, and Shachmurove 1998; Hakim and Shachmurove 1996), commercial land uses (Olligschlaeger 1997; Hakim and Shachmurove 1996; Roncek and Maier 1991; Sherman, Gartin and Buerger 1989), local law enforcement or legal system characteristics (Hakim et al. 1979), and neighborhood socioeconomic characteristics (McNulty and Holloway 2000; Olligschlaeger 1997; Alba, Logan, and Bellair 1994; Roncek and Maier 1991).

Property ownership and management characteristics have also received some consideration. Roncek and Maier (1991) note that commercial bar establishments with management and security deficiencies experience more crime. In a residential setting, homeownership may help insulate against crime (Glaeser and Sacerdote 1999; Rephann 1999; Alba, Logan, and Bellair 1994).

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There are several reasons that homeowners might be both less likely to be victimized as well as less likely to commit crime. First, homeowners are less mobile than tenants (Dietz and Haurin 2003; Rohe and Stewart 1996). They are less likely to move because of the transaction costs associated with buying and selling. As a result, they may have a heightened awareness of any changes in their surroundings and have established better neighborhood social networks (Rohe, Van Zandt, and McCarthy 2002; DiPasquale and Glaeser 1999; Rohe and Stewart 1996). Second, homeowners are more likely to be sensitive to decreases in property values and changes in underlying quality of life factors such as crime that might detract from these values. Their interest in preserving the value of properties creates a "vested interest in neighborhood conditions" (Rohe and Stewart 1996) and a greater likelihood of investing in property maintenance and security (Dietz and Haurin 2003; Rohe and Stewart 1996). Third, homeownership has been connected to better child outcomes (Dietz and Haurin 2003; Rohe, Van Zandt, and McCarthy 2002; Harkness and Newman 2002). This relationship may exist in part because homeowners exhibit lower household mobility which in turn fosters a more stable home environment. Therefore, homeowners may produce children who are less likely to engage in juvenile crime. Fourth, homeownership has been linked to better physical and mental health outcomes (Dietz and Haurin 2003; Rohe, Van Zandt, and McCarthy 2002). Therefore, homeowners may be more resilient in stressful situations and less likely to react violently or unpredictably.

Rental properties often have more criminal activity than owner-occupied dwellings, but differences also exist among rental properties. For example, public ownership has been found to be associated with more crime (McNulty and Holloway 2000; Roncek, Bell, and Francik 1981). This finding may simply reflect other factors correlated with public housing such as tenant socioeconomic disadvantage and social isolation (McNulty and Holloway 2000), certain aspects of the built environment (Mazerolle and Terrill 1997) or apartment complex scale (Santiago, Galster, and Pettit 2003; Roncek, Bell, and Francik 1981).

Proper rental property management may also be important in controlling crime. Eck and Wartell (1998) find that "drug dealers select places that have weak management." Weak management is often distinguished by lower levels of property

maintenance, less frequent visits by the owners and managers to the property, and fewer efforts to screen tenants. Clarke and Bichler-Robertson (1998) suggest that management reduces rental property crime by applicant screening, eviction and improved security.

Management quality is not directly observable and that presents a difficulty for empirical hypothesis testing. Since poorly managed properties receive less maintenance and often exhibit signs of greater physical deterioration, the exterior appearance may provide a visual clue. Ownership characteristics may also be important indicators. Apgar (2004) notes that many part-time "mom-and-pop" rental property investors lack the skills to manage and maintain rental housing. The challenges of managing these properties may grow as the size of holdings expand. Physical distance may also serve as a managerial impediment. More remote owners may find it difficult to monitor the conditions that exist at their properties or communicate with tenants. On the other hand, nearby owners will have both a greater stake in property conditions because of its effect on their own living space (Mayer 1981) or surrounding neighborhood.

3. Data

The study area is the city of Cumberland (population 21,518) located in the economically lagging Appalachian region of Western Maryland. The city has experienced a significant increase in the crime rate during the past 20 years. This trend stands in marked contrast to the state and U.S., which have experienced substantial reductions in crime rates. As a result, the crime rate now stands significantly higher than state and national averages and the reputation of the area as being a safe rural community has begun to be called into question.

Compared to the U.S. and Maryland, the City of Cumberland has a relatively low rate of owner occupancy that has changed very little in the past 40 years. According to the 2000 Census, approximately 58% of occupied housing units are owner occupied compared to 67.7% for Maryland and 66.2% for the U.S (U.S. Census 2000). Much of the rental stock is located in the central older areas of town. Those who reside outside city limits own over half of the units. Fewer than one in five property owners lives on the

same premises as the rental unit; this compares with one in four in a national survey (Savage 1998).

Data for this study were combined from the following sources:

City of Cumberland Police Department Incident Report Database. This database records incident reports filed by city police in 2005. It contains information on approximately 25,000 incident reports based on emergency hotline calls and police observations including criminal incidents, traffic reports, and service calls. Each incident report record contains an address, brief description of the nature of the call, time of call, investigating officer, and disposition of the case (e.g., closed, open, arrest).

City of Cumberland Rental Unit Database. This data contains information on 3,134 privately owned registered rental units representing 1,480 properties within the City of Cumberland in 2005. Rental registration is required by city ordinance. Comparisons of database records with 2000 Census counts of renter-occupied units suggest a very high rate of compliance. Registered units are subject to an annual fee and must be inspected when an apartment unit changes tenants. Some city rental units are not covered by the ordinance and thereby not represented in this database. These include publicly owned rental units, privately owned units rented with Section 8 vouchers, and units that are rented/leased by agencies through programs that are sponsored by the state. These units are exempted because they are subject to other housing agency inspections.

City of Cumberland HUD Section 8 Voucher Database. This database contains approximately 436 addresses where HUD Section 8 vouchers were used in 2005. The Section 8 program is administered differently than the rental unit database and records are filed separately.

Maryland Office of Planning Property View data. This database compiles information from the Maryland Department of Assessments and Taxation on all real property for 2005. It includes information on various characteristics of the property including street location, physical location in terms of latitudinal and longitudinal

coordinates, Census Block Group identification code, lot size, dwelling age, enclosed area, structure condition code, assessable value, and owner's address.

U.S. Census 2000 of Population and Housing. This data contains Census Block Group level data on various population and housing characteristics for 2000 that were used to generate neighborhood indicators of socioeconomic level and housing quality.

4. Research Hypotheses

The Uniform Crime Reports distinguishes between property and violent crimes. This distinction is useful in as much as it highlights the severity of the crime as well as suggests possibly differing explanatory models. Another distinction is sometimes made between "predatory or exploitive crimes" and "crimes that are mutualistic, competitive and individualistic" (Roncek and Maier 1991). Arguments between familiar parties such as assaults would constitute "competitive" crimes whereas burglary would be considered "exploitative."

The role of place is likely to differ depending on the type of crime. Sherman, Gartin and Buerger (1989) argue that "predatory stranger" crimes are much more dependent on place than "competitive" crimes. The presence of competitive crimes like domestic assaults and disturbances at certain residences "may simply indicate that certain buildings are receptors for the kind of people most likely to experience, or at least call police about, domestic problems; such calls might occur at the same rate no matter where they lived." (p. 47)

Eck and Wartell (1998) suggest that place characteristics such as property management may help explain variation in these kinds of problems as well. When residents are more likely to engage in disruptive behavior, poor property management may be an accessory factor. If disturbances and criminal activity originate in a particular rental unit and no attempt is made to notify the occupant that the conditions are disruptive to the neighborhood, one can conclude that the property has weak management.

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In the case of owner-occupied residential properties, management is clear – the owner-occupant lives in the property and assumes principal responsibly for its maintenance and the conduct of its residents. For rental properties, management is often more diffuse, ambiguous, and difficult to engage. Leases may vary in terms of the management responsibilities assumed by the tenant (e.g., cutting the grass, sub-letting, allowance of smoking or pets). Moreover, landlords may also live outside the community, making communication more challenging. Legal ownership forms such as partnerships and corporations may also hamper management contact.

Rental property management quality may vary in other ways. Non-local landlords should have fewer opportunities and greater costs for inspecting and monitoring their rental properties. Property management may also differ based on the number of properties that are owned. The part-time landlord may more effectively manage two properties than twenty. Length of property ownership could also be important with more experienced landlords making better property managers. Finally, the motivation for owning rental properties may influence the quality of management. The landlord who invests in rental property to ensure a steady rental income may be a more attentive manager than the property speculator who invests to achieve short-term capital gains.

Since management quality is not directly observable, this paper tests for several hypothetical correlates of property management (see table 4.1). It is hypothesized that local owners that reside on the property (***LEVEL1***) are likely to be more effective property managers than those who live further away (***LEVEL2-LEVEL7***). Moreover, because of the higher transactions costs associated with management from a distance, management quality is hypothesized to weaken with each increment in distance from the property. In addition, it is hypothesized that there are diseconomies of scale in property management. As the number of units registered by the landlord (***OWNUNITS***) increases, property management quality decreases.

Additional property, tenant, and neighborhood variables are introduced to control for other explanations for residential crime (see table 4.1). The number of apartment units (***UNITS***) in a dwelling would be expected to increase the likelihood of crime occurrence there because of the greater number of households at risk. It may also increase the likelihood of detection because of the close proximity of other tenants. The

only tenant level indicator available for this study is a dummy variable indicating whether a tenant of the property uses a HUD section 8 voucher to pay for rent (***HUDUNIT***). This variable is used to control for tenant socioeconomic status. A disadvantaged individual has a greater likelihood of engaging in criminal activity. Therefore, the coefficient for this variable would be expected to be positive.

Based on the criminal literature review, selected neighborhood variables are used as control variables. In defining the boundaries of neighborhoods, this study uses Census Block Groups from the 2000 U.S. Census. The neighborhood variables include measures of residential stability (***RESSTAB***) and home ownership (***OWNOCC***) which are expected to be negatively associated with rental unit crime, measures of socioeconomic deprivation such as the percentage of households headed by female householders with children (***FFHH***), poverty rate (***POVRATE***), minority population percentage (***MINPOP***), unemployment rate (***UNEMP***), percentage of households receiving public assistant (***PUBASS***), and median household income (***HHINC***), and demographic factors which indicate populations with varied propensities to criminal activity such as the percentage of residents that is young males (***MALEPOP***), percentage of teenagers that is 'drifters' (***YOUNGUN***), and percentage of residents that is college educated (***COLLPOP***).

The units of observation used in this study are individual properties with dwellings. Usually, these properties are single-family homes, but in some instances they are attached structures such as residential duplexes, row houses, and condominium/apartment units within buildings.

The dependent variables used in this study are the number of incident reports filed for individual properties for three separate categories of criminal incidents during the 2005 calendar year: disturbances, assault (including domestic assault), and use or distribution of controlled dangerous substances such as cocaine, opiates, marijuana and barbiturates.

Typically, a very small percentage of properties accounts for a relatively high percentage of crimes. For instance, Sherman, Gartin, and Buerger (1989) find that in Minneapolis over half of the police calls are generated by 3.3 percent of addresses. Moreover, domestic disturbance and assault calls are even more concentrated – all disturbance calls occur at nine percent and all assaults at seven percent of places. The

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data here show similar patterns. Figure 4.1 shows the relative frequency of incident report counts for the three types of incidents. Twenty-one percent of rental residences generate all of the disturbance incidence reports. Thirteen percent of rental residences accounts for all of the assault reports and five percent accounts for all drug reports.

5. Model

The dependent variable is a count that is best modeled using count regression models that take into account the discreteness, non-negativity, and non-linearity of the data generating process. These models have advantages over linear regression because they conform more closely to the pattern of data generation observed and produce non-negative predictions (Walters 2007; Cameron and Trivedi 2006; Grogger 1990). Moreover, they offer the possibility of estimation and inference improvements over the linear regression model. The use of OLS with count data violates two fundamental assumptions of the Classical Linear Regression model. When the appropriate model is non-linear, as is suggested by count data, bias is introduced. In addition, application of OLS with count data results in error variance differences that violate the assumption of homoskedasticity (Walters 2007). The possible alternative of transforming count data to dichotomous form and using non-linear bi-variate regression models such as logit or probit is not recommended because it results in a loss of information (Walters 2007).

The reference point for developing count models is the Poisson distribution (Cameron and Trivedi 2006). The Poisson distribution represents the probability of a count (y) of discrete events occurring during a designated time period as follows:

$$\Pr_i(y) = \frac{e^{-\mu}\mu^y}{y!} \quad y = 0,1,2,...N. \qquad (1)$$

In order to incorporate independent explanatory factors, Poisson regression allows μ to vary with each observation. Independent variables are invoked to explain the variation in μ_i. This can be represented as follows:

$$\mu_i = E(y_i \mid x_i) = e^{x_i\beta} = e^{\beta_1 + \beta_2 x_{2i} + \ldots \beta_k x_{ki}} \quad (2)$$

The Poisson regression model (PRM) is somewhat restrictive because it has the property that both the mean and variance are the same – E(y)=V(y)=μ – a condition referred to as equidispersion. Relatedly, Poisson count regressions also often result in lower predictions of zero counts than are realized in the data. Choice of other count regression models that allow the variance to exceed the mean (a condition referred to as overdispersion) can rectify this problem.

Three such models are presented here based on Cameron and Trivedi (2006) and Long and Freese (2006). The first, the Negative Binomial Regression (NBRM), adjusts the Poisson model by introducing a random error (ε_i) that is independent of the independent variables (x_i). That is to say:

$$\mu_i = E(y_i \mid x_i) = e^{x_i\beta} = e^{\beta_1 + \beta_2 x_{2i} + \ldots \beta_k x_{ki} + \varepsilon} \quad (3)$$

Assuming that $E(e^{\varepsilon_i})$ is equal to one (equivalent to the assumption that the expected value of the error term equals zero in the linear regression model) and that e^{ε_i} is drawn from a gamma distribution ($\Gamma(.)$) leads to a negative binominal distribution:

$$\Pr_2(y) = \frac{\Gamma\left(y + \alpha^{-1}\right)}{y!\Gamma\left(\alpha^{-1}\right)}\left(\frac{\alpha^{-1}}{\alpha^{-1}+\mu}\right)^{\alpha^{-1}}\left(\frac{\mu}{\alpha^{-1}+\mu}\right)^{y} \quad (4)$$

where $V(e^{\varepsilon_i}) \equiv \alpha$. This results in E[y]=μ and V[y]= μ (1+ α μ). So, α influences the degree of dispersion – and if α=0 the model is equivalent to the Poisson regression model.

The zero-inflated count (ZIP) model and zero-inflated negative binomial model (ZINB) achieve overdisperson by in effect mixing bi-variate and count models. One assumes that observations can be divided into two latent groups. The first group has no probability of event occurrence, perhaps because of some intrinsic qualities of the observation (e.g., in the example provided by this study, a rental dwelling is empty). The other group has a probability of events occurring with frequency greater or equal to zero.

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Probabilities for the model are computed as a weighted average of estimated probabilities of occurrence according to a bi-variate regression (e.g., logit or probit) and estimated probability of the number of occurrences according to the Poisson and Negative Binomial count regression models described earlier. These models can more formally be represented as follows:

$$\Pr(y) = \begin{cases} \Pr(0) + (1 - \Pr(0))\Pr_i(0) & \text{if } y = 0 \\ (1 - \Pr(0))\Pr_i(k) & \text{if } y \geq 1 \end{cases} \quad (5)$$

where Pr(0) is the bi-variate model computed probability of zero occurrences and $\Pr_i(0)$ and $\Pr_i(k)$ are the count model computed probabilities of zero occurrences and k occurrences respectively. For i=1 (where the count model is the Poisson), the model corresponds to the ZIP and for i=2 (where the count model is the Negative Binomial) the model is the ZINB. The variables used in estimating the bi-variate regression may differ from those used in the count regression.

6. Results

Regressions and diagnostic tests were conducted using STATA software's count model procedures ***POISSON***, ***NBREG***, ***ZIP***, ***ZINB***, additional count model diagnostic programs ***LISTCOEF*** and ***COUNFIT*** (Long and Freese 2006), and collinearity diagnostic routine ***COLDIAG2*** (Hendrickx 2004). In order to form a more parsimonious set of explanatory variables, linear regression diagnostics such as the condition index, variance inflation factor (VIF), and pairwise correlations were examined for values that were unusually high. Five variables were culled from the analysis including POVRATE, RENT, RESTAB, HHINC, and UNEMP resulting in a condition index of 25, a maximum VIF of less than two, and pairwise correlations below .53 in absolute value.

Table 6.1 presents the results of the four different count regression models, Poisson, Negative Binomial, Zero Inflated Poisson, and Zero Inflated Negative Binomial

for disturbance counts. The table shows the estimated coefficients, t test statistics, and exponentiated coefficients[1] for each of the models. Since ZIP and ZINB are mixed models as explained above, they estimate two equations. The second estimated equation represents the overall probability of a zero count; the first represents the probability for a non-zero count. The same set of independent variables is used in estimating each equation.

The results for the different estimation methods show certain similarities. The coefficients for ***LEVEL2-LEVEL7*** generally grow in magnitude indicating that crime increases as the property owner lives further away from a given rental property. This finding provides support for the hypothesis that management qualities differ between local and non-local landlords. Larger rental property holdings (***OWNUNITS***) are also associated with higher counts suggesting diseconomies of scale in managing rental properties. Non-ownership factors are statistically significant as well. Having tenants in a rental property who use Section 8 vouchers (***HUDUNIT***) is associated with a greater frequency of incident reports as are neighborhoods with a lower percentage of owner-occupied units (***OWNOCC***). Disturbances may be exacerbated in neighborhoods where there are lower levels of residential stability and fewer stakeholders. Alternatively, problem properties may be concentrated in neighborhoods with low owner occupancy.

Several diagnostic tests recommend the Negative Binomial regression model over the alternatives. A likelihood ratio test rejects the null hypothesis that $\alpha=0$ and provides evidence that the data is overdispersed, thereby disqualifying the Poisson model. A visual inspection of Figure 6.1 shows that the mean predicted probability of the Negative Binomial model provides a better fit to the observed data than the other models. This is further supported by the average residual of observed and average predicted counts (Mean |Diff|).[2] The Bayesian Information Criterion (BIC) model selection test statistic also supports the choice of the Negative Binomial regression model.

Table 6.2 shows the results of Negative Binomial regressions for disturbances, assaults, and drugs. For all three types of incidents, the magnitudes of the estimated coefficients grow with the owner's remoteness from the rental property. This "ownership distance gradient" for crime is illustrated in Figure 6.2. Section 8 voucher use at rental properties is also associated with more incident reports in each category. In two of the

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three regressions (disturbances and drugs), neighborhood owner-occupied housing rates are associated with lower activity.

There are also notable differences among the results. In contrast to disturbances, the size of landlord rental property holdings is not associated with more assault and drug incident reports. In addition, for assaults and drugs, other neighborhood correlates are observed – percentage of college educated residents (***COLLPOP***) for assaults and minority population and young males (***YOUNGUN***) for drugs. These results suggest, perhaps, that the exacerbating neighborhood conditions differ depending on the nature of the crime.

One way of viewing the contribution of absentee ownership to disorderly properties is to predict the number of criminal incidents emanating from private rental dwellings assuming that all the rental properties have a landlord living on the site. In this situation, the landlord is more likely to be selective of tenants, less accommodating to behavior and lifestyles which disturb the peace and harmony of the neighborhood, and more attentive to security. By setting the LEVEL2-7 variables equal to zero (i.e., landlord lives in rental dwelling), one finds that the total number of disturbances drops from 776 to 512 (a 34% decrease), the number of assaults goes from 313 to 159 (a 49% decrease), and the number of drug incidents declines from 79 to 54 (a 32% decrease).

7. Summary and Conclusions

This study investigates how residential rental property ownership and management qualities affect crime. For three types of incidents (disturbances, assaults, and drugs), landlord remoteness from properties is positively associated with reported criminal activity. This association may be caused by management quality deterioration due to the increased costs of conducting business from a distance or a remote landlord's ability to ignore some of the external costs imposed by tenant misbehavior on neighbors. Non-resident landlords may be less selective in choice of tenants, more accommodating of behavior and lifestyles that they would not accept if located 'next door' to their own residence, and less likely to employ effective surveillance and security measures.

In instances such as this, there may be a role for local government to provide better information, education, and enforcement to improve landlord property management capabilities. These might include code enforcement activities to identify poorly managed properties, notification letters sent by the police department to landlords when criminal activity is detected in a rental dwelling, and mandatory landlord training to enhance management capabilities. Other approaches might include establishing landlord licensing to disqualify inattentive landlords from operating rental properties and supporting the construction of professionally managed workforce or affordable housing projects to increase the availability of properly managed rental properties.

The results here suggest a role for local government stewardship as well. Section 8 voucher recipients agree to certain restrictions when they accept subsidized housing. In situations where enforcement is lax, Local Housing Authorities may leverage their position as a subsidy provider to improve tenant behavior. Better enforcement would involve greater coordination between local police departments and housing assistance offices to identify disorderly and criminal tenants.

Neighborhood based correlates of criminal activity are much less amenable to local government control than the aforementioned variables. But, the results here suggest that neighborhood homeownership may decrease crime. Promoting homeownership, especially among residents who lack the financial assets, credit history, income, or life skills is a challenge. Moreover, homeownership may not be for everybody, such as frequent movers. However, most renters would prefer to own and see renting as a negative experience (Fannie Mae 2001, 2003). Therefore, programs designed to improve tenant transition to homeownership may deserve more resources.

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Endnotes

[1] The exponentiated coefficient ($e^{\beta_k \delta}$) is equal to the factor increase in the expected count when x_k increases by δ, holding all other variables constant. That is to say,

$$\frac{E(y \mid \mathrm{x}, x_k + \delta)}{E(y \mid \mathrm{x}, x_k)} = e^{\beta_k \delta}$$

[2] $$\text{Mean} \mid \text{Diff} \mid = \frac{\sum_{i=0}^{M} \left| (\Pr_{Observed}(y = i) - \frac{1}{N} \sum_{j=1}^{N} \Pr_{Predicted}(y_j = i) \right|}{M + 1}$$

where $Pr_{Observed}$ is the observed probability, $Pr_{Predicted}$ is the estimated probability, N is the number of observations, and M is the maximum count.

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Table 4.1 Variable Definitions

Variable	Description
Independent	
DISTURB	Number of reports filed for disturbances[a]
ASSAULT	Number of reports filed for assault[a]
DRUG	Number of reports filed for drug possession or distribution[a]
Tenant characteristics	
HUDUNIT	Dwelling tenant uses Section 8 voucher[b]
Rental dwelling characteristics	
UNITS	Number of registered rental units in dwelling[b,c]
Ownership characteristics	
LEVEL1	Owner lives in same dwelling[d]
LEVEL2	Owner lives beyond LEVEL1 but in same neighborhood[d]
LEVEL3	Owner lives beyond LEVEL2 but in city[d]
LEVEL4	Owner lives beyond LEVEL3 but in same zipcode [d]
LEVEL5	Owner lives beyond LEVEL4 but within 60 miles of city[d]
LEVEL6	Owner lives beyond LEVEL5 but within 500 miles of city[d]
LEVEL7	Owner lives at least 500 miles from city[d]
OWNUNITS	Total number of units owned by landlord[b,c,d]
Neighborhood Characteristics	
FFHH	Percentage of households that is female headed with children[e]
RESSTAB	Percentage of residents 5 years and older who lives in same house as in 1995[e]
MINPOP	Percentage of residents that is black[e]
MALEPOP	Percentage of residents that is male 18-24 years of age[e]

COLLPOP	Percentage of residents 25 years and older that is college educated[e]
YOUNGUN	Percentage of 16-19 year old residents that is not in school, not a high school graduate, and unemployed[e]
UNEMP	Unemployment rate[e]
PUBASS	Percentage of households receiving public assistance income[e]
POVRATE	Poverty rate[e]
OWNOCC	Percentage of housing units owner-occupied[e]
HHINC	Median household income[e]
RENT	Median contract rent[e]

Source: [a]City of Cumberland Police Department Incident Report data (2005), [b] City of Cumberland Community Development Department Section 8 rental property database (2005), [c] City of Cumberland Community Development Department rental property database, [d] Property View, Maryland Office of Planning (2005), [e] U.S. Census (2000).

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Figure 4.1 Observed Crime Counts

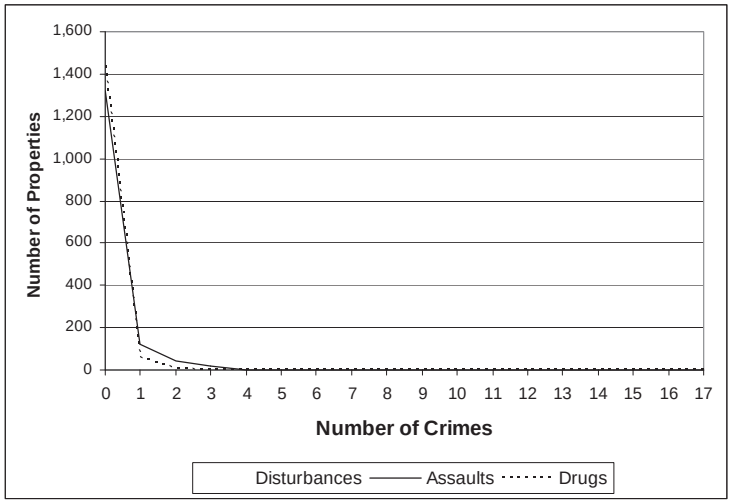

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Table 6.1 Count Model Results for Disturbances

	PRM			NBRM		
	β	t	e^{β_k}	β	t	e^{β_k}
Ownership						
LEVEL2	-0.0575	-0.33	0.944	0.1171	0.42	1.124
LEVEL3	0.0286	0.19	1.029	0.2543	1.05	1.289
LEVEL4	0.3834	2.73***	1.467	0.3586	1.53	1.431
LEVEL5	0.5436	3.85***	1.722	0.6565	2.65***	1.928
LEVEL6	0.8278	5.75***	2.288	0.7898	2.93***	2.203
LEVEL7	0.5466	2.54**	1.727	0.6743	1.43	1.963
OWNUNITS	0.0150	4.58***	1.015	0.0190	2.38***	1.019
Tenant						
HUDUNIT	1.0525	13.89***	2.865	0.9561	5.44***	2.601
Rental dwelling						
UNITS	-0.0018	-0.38	0.998	0.0486	1.24	1.050
Neighborhood						
FFHH	0.0375	2.00**	1.038	0.4625	1.43	1.047
MINPOP	0.0483	2.86***	1.050	0.0356	1.05	1.036
YOUNGUN	0.0197	3.28***	1.020	0.0147	1.36	1.015
MALEPOP	-0.0365	-0.95	0.964	-0.0483	-0.69	0.953
COLLPOP	-0.0219	-2.86***	0.978	-0.01418	-1.26	0.986
OWNOCC	-0.0119	-3.87**	0.988	-0.01237	-2.32**	0.988
CONSTANT	-1.2685	-3.87***		-1.4592	-2.55**	
Mean |Diff|		0.019			0.001	
BIC		3447.839			2551.449	

*** α =.01, ** α=.05, * α=.01

Table 6.1 Count Model Results for Disturbances continued

	ZIP			ZINB		
	β	t	e^{β_k}	β	t	e^{β_k}
LEVEL2	-0.0535	-0.25	0.948	0.3807	0.95	1.463
LEVEL3	-0.3315	-1.80*	0.718	-0.1810	-0.56	0.834
LEVEL4	-0.3594	-2.08**	0.698	-0.0381	-0.12	0.963
LEVEL5	0.1246	0.74	1.133	0.3645	1.12	1.440
LEVEL6	0.0707	0.41	1.073	0.5256	1.56	1.691
LEVEL7	0.2719	0.98	1.312	0.8326	1.65*	2.299
OWNUNITS	-0.0043	-0.81	0.996	-0.0061	-0.79	0.994
HUDUNIT	0.1163	1.13	1.123	0.7181	4.29***	2.051
UNITS	0.1416	8.06***	1.152	0.0006	0.04	1.001
FFHH	0.0507	2.15**	1.052	0.0479	1.15	1.049
MINPOP	0.0128	0.63	1.013	-0.0168	-0.46	0.983
YOUNGUN	0.0056	0.74	1.006	0.0004	0.03	1.000
MALEPOP	0.0053	0.11	1.005	0.0619	0.68	1.064
COLLPOP	0.0032	0.37	1.003	-0.0277	-1.98**	0.973
OWNOCC	-0.0082	-2.16**	0.992	-0.0109	-1.60	0.989
CONSTANT	0.1908	0.49		-0.1307	-0.19	
LEVEL2	0.1948	0.59	1.215	0.8084	1.55	2.244
LEVEL3	-0.5575	-1.98**	0.573	-0.7069	-1.28	0.493
LEVEL4	-0.8616	-3.18***	0.422	-0.5535	-1.18	0.575
LEVEL5	-0.6200	-2.31**	0.538	-0.4061	-0.85	0.666
LEVEL6	-0.7639	-2.59**	0.466	-0.3298	-0.62	0.719
LEVEL7	-0.3804	-0.74	0.684	1.0198	1.03	2.773
OWNUNITS	-0.0325	-3.03***	1.033	-0.1114	-2.81***	0.895
HUDUNIT	-1.0865	-6.21***	0.337	-0.3768	-0.62	0.686
UNITS	0.0321	1.89*	0.968	-0.4423	-2.33**	0.643
FFHH	0.0078	0.21	1.008	-0.0077	-0.10	0.992
MINPOP	-0.6325	-1.68*	0.939	-0.1337	-1.75*	0.875

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YOUNGUN	-0.0168	-1.37	0.983	-0.0332	-1.35	0.967
MALEPOP	0.0715	0.91	1.074	0.2026	1.35	1.225
COLLPOP	0.0323	2.39**	1.033	-0.0090	-0.33	0.991
OWNOCC	-0.0005	-0.01	1.000	-0.0059	-0.55	0.994
CONSTANT	1.7674	2.68***		2.2566	1.72*	
Mean |Diff|		0.005			0.002	
BIC		2776.957			2596.039	

*** α =.01, ** α=.05, * α=.01

Figure 6.1 Count Model Prediction Residuals

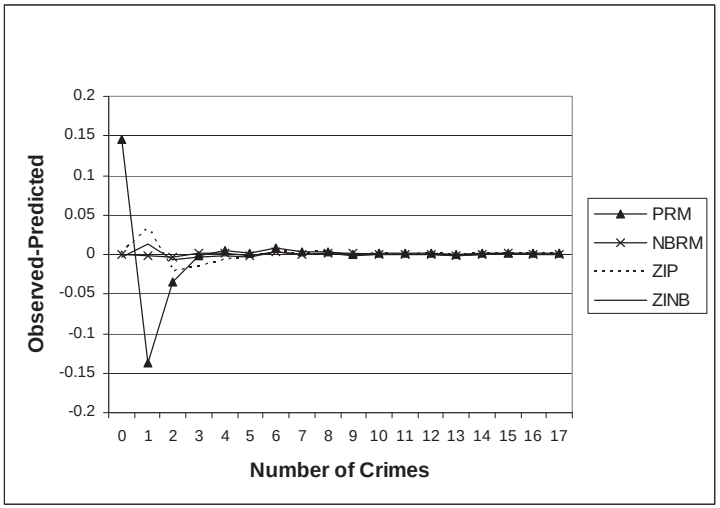

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Table 6.2 Negative Binomial Regression Model Results

	DISTURB			ASSAULT			DRUG		
	β	t	e^{β_k}	β	t	e^{β_k}	β	t	e^{β_k}
Ownership									
LEVEL2	0.1171	0.42	1.124	0.4656	1.35	1.593	-0.1097	-0.19	0.860
LEVEL3	0.2543	1.05	1.290	0.6410	2.08**	1.898	0.1545	0.33	1.167
LEVEL4	0.3586	1.53	1.431	0.7853	2.65***	2.193	0.4969	1.14	1.620
LEVEL5	0.6565	2.65***	1.928	0.8466	2.73***	2.332	0.5698	1.29	1.762
LEVEL6	0.7898	2.93***	2.203	1.0311	3.10***	2.804	0.9258	2.05**	2.526
LEVEL7	0.6743	1.43	1.963	0.67051	1.23	1.955	0.5460	0.73	1.673
OWNUNITS	0.0190	2.38**	1.019	0.01304	1.61	1.013	0.0021	0.18	1.004
Rental dwelling									
UNITS	0.0486	1.24	1.050	-0.00909	-0.44	0.991	0.0114	0.66	1.011
Tenant									
HUDUNIT	0.9561	5.44***	2.601	1.2261	7.02***	3.408	1.2756	5.36***	3.647
Neighborhood									
FFHH	0.0463	1.43	1.047	0.0240	0.65	1.024	-0.6474	-0.81	0.951
MINPOP	0.0356	1.05	1.036	0.0444	1.15	1.045	0.1148	2.17**	1.117
YOUNGUN	0.0147	1.36	1.015	0.0046	0.38	1.005	0.0434	1.96**	1.041
MALEPOP	-0.0483	-0.69	0.953	-0.0062	-0.08	0.994	-0.1909	-1.23	0.847
COLLPOP	-0.0142	-1.26	0.986	-0.0283	-2.02**	0.972	-0.0414	-1.36	0.959
OWNOCC	-0.0123	-2.32**	0.988	-0.0003	-0.04	1.000	-0.0221	-2.10**	0.979
CONSTANT	-1.4592	-2.55**		-2.8741	-4.25***		-2.2091	-1.66*	
Pseudo R^2	0.0490			0.0597			0.1069		

*** α =.01, ** α=.05, * α=.01

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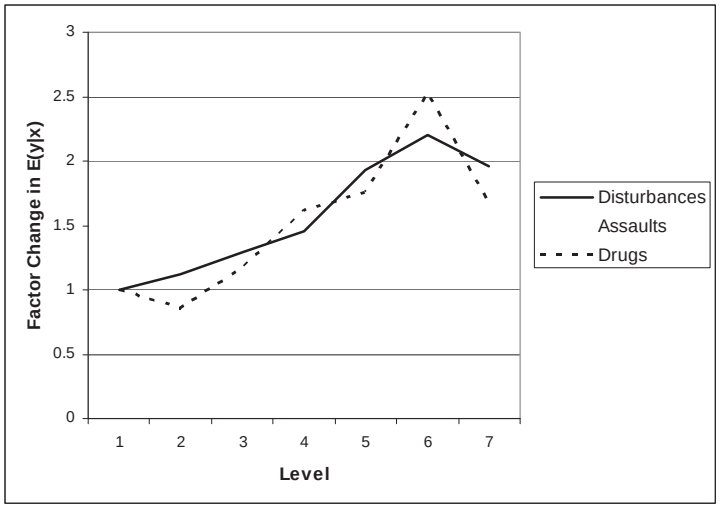
Figure 6.2 Crime Level Ownership Distance Gradients



Regional Science and Urban Economics 42 (2012) 177–188

Contents lists available at SciVerse ScienceDirect

Regional Science and Urban Economics

journal homepage: www.elsevier.com/locate/regec

Crime and property values: Evidence from the 1990s crime drop ☆

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ARTICLE INFO

Article history:
Received 23 November 2010
Received in revised form 15 August 2011
Accepted 17 August 2011
Available online 26 August 2011

JEL classifications:
K42
R21
R23

Keywords:
Crime
Property values

ABSTRACT

Does a dramatic drop in crime lead to an increase in property values? To date, the literature on how crime influences property values has focused solely within a single metropolitan area and has been limited primarily to cross-sectional analysis. In this study we exploit the dramatic, nationwide decrease in crime that occurred in the 1990s to examine the relationship between changes in crime rates and property values. To do this, we compile information on changes in property values and crime during the 1990s in nearly 3000 urban zip codes throughout the U.S. Using a fixed-effects framework as well as an instrumental variables strategy, our analysis implies a large and statistically significant association between crime and property values. The estimated elasticities of property values with respect to crime range from −0.15 to −0.35. Furthermore, zip codes in the top decile in terms of crime reduction saw property value increases of 7–19% during the 1990s. Both the empirical analysis and a graphical analysis are suggestive that decreasing crime leads to increasing property values.

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1. Introduction

Crime has traditionally been one of the great challenges facing urban areas in the United States. The direct and indirect costs of crime are tremendous. Anderson (1999) estimates that the net annual burden of crime exceeds one trillion dollars in the U.S. Direct costs include destruction of life, destruction of property, expenditures on criminal justice programs, and expenditures on private security. Indirect costs of crime include the opportunity costs of victims, criminals and prisoners, but also the fear and anxiety that salient criminal acts such as murders, vandalism, open-air drug dealing, loitering by gang members, and prostitution can impose on neighborhoods. Overall, crime can be viewed as a neighborhood disamenity. One market that captures some of these neighborhood crime disamenities is the housing market.

During the 1990s, crime dropped dramatically throughout the United States. For example, homicide rates fell by 43% and the Federal Bureau of Investigation's (FBI) violent and property crime indexes fell by 34 and 29% respectively (Levitt (2004)). The largest improvements in crime occurred in metropolitan areas, especially in large cities. This dramatic crime drop came as a surprise. Levitt (2004) documents how leading experts were actually predicting an increase in crime even after the crime drop had begun. However, the socioeconomic fundamentals that were thought to drive crime were relatively stable over this same time period. This led Zimring (2007) to conclude his analysis of the 1990s crime drop by saying "Whatever else is now known about crime in America, the most important lesson of the 1990s was that major changes in rates of crime can happen without major changes in the social fabric (p. 206)."

This paper exploits the unique crime drop that occurred in the 1990s to examine the link between crime and property values. From a research perspective one would like to conduct an experiment that adjusts crime rates across the U.S. to establish the causal impact of crime on property values. Although this ideal experiment is obviously impossible to conduct, certain features of the 1990s crime drop make it a type of natural experiment. These features include that the drop was large and unexpected, there was substantial variation in crime decreases within and across metropolitan areas, and the socioeconomic backdrop during this time period was not changing dramatically. Because this natural experiment takes place across the entire United States, we conform our analysis to a national setting. This allows us to take a much broader perspective on the relationship between crime and property values than the existing literature on the topic. Beginning with Thaler (1978), this small literature has focused solely within a single metropolitan area and has typically relied on cross-sectional variation in crime

☆ We thank the Editor, anonymous referees, William Bogart, Philip Cook, Fernando Ferreira, Michael Greenstone, Nick Kuminoff, Lars Lefgren, Katherine O'Regan, Jonah Rockoff, and Todd Sinai for helpful discussions about this paper. We also thank participants at the Urban Economics and Public Finance Conference at the Lincoln Institute of Land Policy as well as participants at the North American Meetings of the Regional Science Association International. The standard disclaimer applies.

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0166-0462/$ – see front matter © 2011 Elsevier B.V. All rights reserved.
doi:10.1016/j.regsciurbeco.2011.08.008

and property values to obtain an estimate of some of the indirect costs of crime.[1]

Perhaps one of the reasons why no one has previously examined the relationship between crime and property values on a national scale is the difficulty associated with acquiring localized crime measures and corresponding information on housing prices throughout the United States. Furthermore, one must not only have crime and housing data at a local-level to exploit the crime drop that occurred in the 1990s, one must also have this data *over time*. In this project we have overcome this difficulty by compiling a comprehensive dataset of crime, property values, and socioeconomic characteristics from 1990 to 2000 at the zip code-level in nearly three thousand urban zip codes throughout the United States. The crime data comes from a combination of a commercial vendor's zip code-level estimates of crime and the FBI's Uniform Crime Reports. The housing data is also acquired from a commercial vendor who provides home price indices at the zip code-level following the Case and Shiller (1987) methodology. These exceptional data allow us to fully exploit the natural experiment of the crime drop during the 1990s to examine the relationship between crime and property values across the U.S.

The results we obtain indicate a strong relationship between changes in crime rates and property values although determining causality remains problematic. Using OLS, we estimate the effectof crime changes that occurred in a given zip code between 1990 and 2000 on the change in housing values that occurred over this same period. While controlling for Metropolitan Statistical Area (MSA) fixed effects, we find that a decrease in violent crime in a zip code by 100 per 10,000 of population is associated with an increase in the average housing value in that zip code by 3.4 to 4.3%. Given that the average zip code in our sample experienced a decrease of 30 violent crimes between 1990 and 2000, this result suggests an approximately one percent increase in property values for a zip code that experienced the average drop in crime relative to a zip code with no crime reduction. However, these figures mask the substantial heterogeneity that exists. The top decile of crime-reducing zip codes in our sample experienced a decrease in violent crimes of nearly 209 crimes. Thus, our model suggests an increase in housing values of 7.5–9.5% due to the reduction in crime for these select zip codes. These results are robust to the inclusion of zip code-level controls for a variety of sociodemographic changes and to variables controlling for federal programs that also occurred in the 1990s that could act as potential confounders. Results for property crime changes are even larger. Our model suggests an increase in housing values by 14.5–19.5% for the top decile of zip codes in terms of property crime reduction. Estimating the relationship between percent changes in crime (as opposed to absolute changes) allows us to estimate elasticities of housing values with respect to crime. The OLS results with sociodemographic changes imply an elasticity with respect to violent crime of −0.15 and an elasticity with respect to property crime of −0.39.

While we argue that our results are more credible than cross-sectional evidence, it is still primarily a correlational analysis. Although using aggregate measures of property values and crime makes pinning down a causal impact nearly impossible, we take two additional steps in our investigation that may help the plausibility of our identification strategy. First, we exploit annual housing value data to present a graphical analysis of the residuals from the regressions. These residuals are broken out by the quartiles of the 1990 violent and property crime levels. The temporal movement of housing price changes illustrated in this graphical analysis is consistent with the national trend in crime and suggests that our results are not explained by differences in pre-treatment trends. Second, we provide results from an instrumental variable (IV) procedure. We instrument changes in crime that took place in each zip code with a measure of the amount of crime that we would have expected to have taken place in that zip code based on the national crime trend. Specifically, we match each zip code to a zip code in another MSA with similar 1990 crime levels. This procedure eliminates zip code-specific changes in crime that took place over this time period (which are likely to be endogenous) by focusing solely on crime changes that were predicted by the national trend. In a first stage we can show that changes in the levels and percent of both violent and property crime that occurred between matched zip codes, are highly correlated even when including MSA fixed effects and the zip code-level controls. Our IV estimates are greater than or equal to the OLS results suggesting that the true impact of crime rates on property values may actually be higher. However, we admit that it is difficult to fully conclude that our IV estimates, that use geographic zones rather than true micro data, are identifying the causal impact of crime on property values.

The paper proceeds as follows. Section 2 provides additional detail on the 1990s crime drop. Section 3 describes our unique dataset that allows us to examine the crime and property value relationship. In Section 4, we describe our empirical methodology and in Section 5, we present the results. Finally, Section 6 concludes the paper.

2. The 1990s crime drop

The drop in crime rates that occurred between 1993 and 2000 in the United States was historically unique. It provides a type of natural crime experiment that allows for an examination of the link between crime and property values. The crime drop was exceptional in several ways. First, the decrease in crime was large and swift. Second, the crime drop was unexpected. Third, the decrease in crime was largely unrelated to the underlying socioeconomic fundamentals that have been thought to be the drivers of crime fluctuations. In this section, we provide additional details on these unique aspects of the 1990s crime drop as background to our analysis on the link between crime and property values.

2.1. Size and timing of the crime drop

The drop in crime rates from about 1993 to 2000 was dramatic. It was by far the largest and swiftest decrease in crime since modern record keeping of crime rates began in the United States. Documenting this crime drop relies on data from various sources that categorize crime in different ways. Crime comes in many different flavors. However, most research focused on national trends in crime has delineated crime into three categories: (i) homicides, (ii) violent crime other than homicides, and (iii) property crime. Here we graphically illustrate these three types of crime to provide the reader with a sense as to the size and timing of the crime drop.

The most reliable source of homicide information comes from the Vital Statistics System conducted by the National Center for Health Statistics (Wiersema et al., 2000). Information on homicides is collected around the U.S. by coroners and medical examiners during the course of their death investigations. Fig. 1A shows the national trend in homicide rates per 10,000 people. As can be seen, homicides hovered at around 1 per 10,000 between 1975 and 1993 but then dropped to about .6 per 10,000 by the year 2000.[2]

The National Crime Victimization Survey (NCVS) administered by the Bureau of Justice Statistics provides a measure of violent crime other than homicides. This information comes from a nationally representative sample of 87,000 households. The survey collects

[1] The cross-sectional literature includes Thaler (1978), Burnell (1988), Lynch and Rasmussen (2001), Bowes and Ihlanfeldt (2001) and Gibbons (2004). Several recent papers have moved beyond the cross-sectional methodology by exploiting natural experiments within a metro area including: Schwartz et al. (2003) who looked at the crime decrease in New York City on real estate values, and Linden and Rockoff (2008) and Pope (2008) who have looked at the impact of sex offender movements on housing prices.

[2] There was a temporary, small jump in 2001, but this increase is fully explained by the terrorist attack on September 11, 2001.

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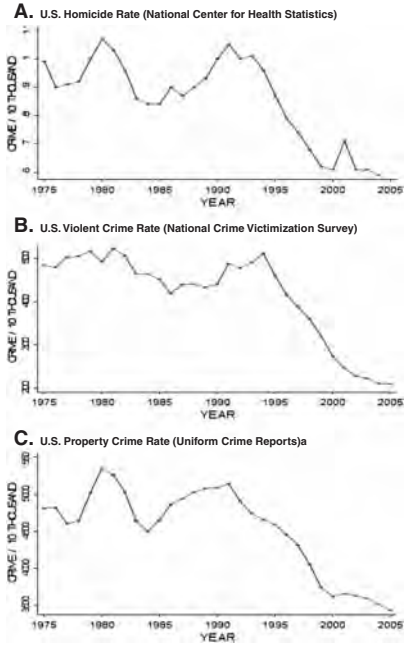

Fig. 1. U.S. Homicide, Violent Crime, and Property Crime Rate (1975–2005). Notes: Homicide, violent, and property crime rates per 10,000 population are presented in Panels A, B, and C, respectively. The series from 1975 to 2005 are presented for each crime measure. Data for each crime measure were obtained from the indicated data source in each Panel header.

information on violent crimes (excluding homicides for obvious reasons) and property crimes suffered by individuals and households. Fig. 1B shows the total violent crime per 10,000 people. The violent crimes included in the total are rape, robbery, aggravated assault and simple assault. From Fig. 1B it can be seen that the violent crime rate hovered between 450 and 500 during the 1975–1993 time period but then dropped to about 250 by the year 2000.

For a per person calculation of property crimes we turn to the Uniform Crime Reports (UCR) administered by the Federal Bureau of Investigation.[3] The UCR differs from the NCVS in that if a crime is not reported to a law enforcement authority, by definition, it is excluded from the UCR. Property crimes included in the UCR are the same as the NCVS (burglary, theft, and motor vehicle theft) but are defined in a slightly different manner.[4] Fig. 1C graphs the UCR information on total property crime over the same 1973 to 2005 time period used for the previous two figures. In Fig. 1C, the now familiar crime drop from 1993 to 2000 once again manifests itself. From 1975 to 1993 property crimes hovered around the 5000 per 10,000 people mark, but between 1993 and 2000 they had dropped to about 3500.[5]

Fig. 1A through C, which relies on three important crime datasets typically used to analyze crime trends, makes it clear that homicides, other violent crime, and property crime dramatically dropped from 1993 to 2000. The percentage change in the crime drop for homicides between 1993 and 2000 for the U.S. was 40%. The percentage change in violent crime as measured by the NCVS over this same time period was 44%. Property crime as measured by the UCR dropped by about 24%.

2.2. Expectations about crime before the drop

Given the swiftness of this drop and the magnitude, one would expect that crime experts would have foreseen the impending crime decrease in the early 1990s. This however was not the case. Levitt (2004) provides a nice discussion of the expectations that leading experts had in the early and middle part of the 1990s, about future crime trends. Most experts were predicting that crime would increase throughout the 1990s. One leading expert who was commissioned by the U.S. attorney general to write a report on crime trends in 1995, projected that youth homicides would rise by between 15 and 100% over the following decade even though they actually declined by approximately 50% (see Levitt 2004 for further discussion). Levitt (2004) concludes, "the crime decline was so unanticipated that it was widely dismissed as temporary or illusory long after it had begun." (p. 170).

2.3. Relationship between the crime drop and socioeconomic fundamentals

Before the 1990s crime drop, conventional wisdom among criminologists and economists was that socioeconomic fundamentals largely drive crime changes. This notion was primarily based on cross-sectional evidence that linked crime to a variety of socioeconomic factors such as one-parent families, population instability, income inequality and the prevalence of racial minorities.[6] However, the 1990s crime drop appears to fly in the face of this conventional wisdom. Using the 200 largest U.S. counties, Cook (2008) showed that the counties that improved in the socioeconomic characteristics that have been thought to drive crime were not much more likely to show drops in crime than other counties.

Cook (2008) concludes, "The 1990s experience – the large across-the-board reduction in crime without much progress in the socioeconomic fundamentals – is hopeful, in a way. It creates the possibility that crime rates can change dramatically, quite independently of changes in the fundamental socioeconomic conditions (p. 10)." In his comprehensive book on the subject, Zimring (2007) similarly concludes, "Whatever else is now known about crime in America, the most important lesson of the 1990s was that major changes in rates of crime can happen without major changes in the social fabric (p. 206)." According to Zimring (2007), the fact that Canada saw a similar crime drop without many of the factors that have been attributed to causing the crime drop in the U.S. occurring, means that many of the causes of the crime drop are still unclear. While far from a perfect natural experiment, the size, timing, unexpectedness, and the relative stability of the "social fabric" within the United States help to make

[3] The NCVS also calculates property crime rates but does it per household instead of per person. Since the number of households does not change at the same rate each year as the population, it makes the trends difficult to compare.

[4] For example, the UCR defines burglary as "the unlawful entry or attempted entry of a structure to commit a felony or theft," whereas the NCVS defines burglary as "the entry or attempted entry of a residence by a person who had no right to be there". This is because the NCVS which relies on surveys with victims does not want victims to determine criminal motives. Another difference between the UCR and the NCVS is that commercial property crimes are included in the UCR property crimes count but not in the NCVS.

[5] A similar crime drop using the UCR measures for violent crimes can be shown as well.

[6] Examples of this cross-sectional literature include queryLand et al. (1990) and Kelly (2000).

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Table 1
Summary statistics.

	1990	2000–1990		1990	2000–1990
Key variables			Control variables cont.		
Case Shiller Index	100 (0) [0]	44.59 (36.21) [17.42]	Med. household income	42110 (14899) [12930]	14229 (12098) [11569]
Violent crime rate	336 (219) [199]	−30.01 (83.85) [81.00]	% High school grads	80.35 (11.65) [10.79]	3.31 (8.83) [8.45]
Property crime rate	3435 (1213) [1047]	−710.52 (513.07) [475.53]	% Age 0–17	24.23 (5.59) [5.26]	1.06 (4.56) [4.41]
Control variables			% Age 18–24	9.75 (4.08) [3.99]	−1.47 (3.53) [3.36]
% Unemployed	5.68 (2.03) [1.93]	−0.60 (2.93) [2.58]	% Age 25–44	34.22 (5.42) [5.02]	−2.87 (4.73) [4.59]
% Black	7.18 (13.83) [12.88]	1.18 (7.48) [7.27]	% Age 45–64	19.47 (4.31) [4.12]	3.16 (4.23) [4.07]
% Homeowner	67.68 (16.98) [15.89]	0.75 (10.43) [10.34]	Empowerment zone	0 (0) [0]	.007 (.082) [.079]
Pop per square mile	3221 (3857) [3583]	345 (1810) [1788]	Renewal community	0 (0) [0]	.011 (.104) [.096]
% Foreign nationals	4.63 (3.57) [2.73]	2.08 (3.15) [2.74]	Low income units/pop	0.048 (1.63) [1.61]	−0.011 (1.12) [1.12]
% Non-citizens	6.41 (7.93) [6.28]	2.04 (5.48) [5.24]			
			No. of MSAs	51	51
			No. of zip codes	2922	2922

Notes: Summary statistics are provided for all of the variables used in the analysis. Observations are at the zip code level. Conventional standard deviations are presented in parentheses and within-MSA standard deviations are presented in brackets. The majority of the control variables are taken from the 1990 to 2000 census (using Geolytics to allow for consistent zip-code matching). Empowerment zones, renewal community zones, and low income units per population were obtained directly from public use data provided by the Department of Housing and Urban Development.

the 1990s crime drop a type of natural crime experiment useful for this study.

3. Data

One of the reasons why no one has previously examined the relationship between crime and property values on a national scale is the difficulty in acquiring localized crime measures and corresponding information on housing prices throughout the United States. To overcome this difficulty we have compiled three datasets on crime, property values, and socioeconomic and demographic controls. Each of these datasets spans the 1990 to 2000 timeframe at the geographic scale of zip code. In this section, we describe each data type in preparation for our empirical analysis.

3.1. Crime data

The two primary sources of data on national crime that have been used by researchers in the past are the National Crime Victimization Survey (NCVS) administered by the Bureau of Justice Statistics and the Uniform Crime Reports (UCR) administered by the Federal Bureau of Investigation. As was described in Section 2, the NCVS relies on a national survey of households and is only reported at the state and national levels. Therefore, it cannot be used to look at local crime rates. The UCR data, which collects information on crimes reported to law enforcement authorities, is reported at the scale of a law enforcement authority's jurisdiction. This can be as localized as a small rural town, or as large as an entire metropolitan city serviced by a single police department. The smallest geographic level by which the UCR is consistently reported is the county level.

For our analysis we want to exploit the variation in crime that occurs within counties over time. To do this we combine information from the UCR county-level data with a dataset purchased from CAP Index, Inc. to produce measures of crime changes in 1990 and 2000 at the zip code-level. CAP Index, Inc. specializes in providing objective measures of crime for specific sites and neighborhoods.[7] CAP Index combines data from a variety of sources including police reports, UCR data, client loss reports, and offender and victim surveys to create a "crime score," for the same violent and property crime categories that are in the UCR at a local level.[8] How they combine and use this information in their modeling is proprietary. CAP Index then provides a crime score index that ranges from 0 to 2000 with 100 being the average score in the United States.[9]

A difficulty with the CAP Index data from the perspective of our analysis is that comparing the crime scores across time is not straightforward. If the level of crime was reduced in all zip codes in the U.S. by the same amount over time, then the difference in the CAP Index crime scores over time would be zero. This is because the crime scores only provide relative information about zip code-level crime in the U.S. *at one point in time* (in our case the two points in time that we have are 1990 and 2000).[10]

[7] CAP Index, Inc. provides crime forecasting models and loss mitigation solutions to 81 of the top U.S. Fortune 100 Companies.

[8] CAP Index can provide property specific information. See for example Garmaise and Moskowitz (2006) who use CAP Index, Inc. data in their analysis of bank mergers and crime.

[9] As a check on the validity of the CAP Index data relative to the more standard UCR data, we aggregate the CAP Index data to the county level and correlate this with the UCR data. The correlation between the total crime counts in the UCR and the total crime index value from CAP Index is .48 in 1990 and .46 in 2000.

[10] CAP Index only updates their crime model dicenially, and then extrapolates for each individual year. Therefore, only the 1990 and 2000 CAP Index data contains useful information for this analysis.

Homebuyers and sellers may react not only to the changes in relative crime over time, but also to changes in the levels of crime over time.

We want a zip code-level measure of crime that reflects actual crime rates as opposed to a simple index that does not account for changes in crime over time. To do this, we aggregate the CAP Index scores, weighting each zip code by its population, to the county-level for violent crimes and property crimes.[11] We then regress UCR violent crimes and property crimes data separately on the corresponding CAP Index crime scores (and polynomials of the crime scores) for 1990 and 2000. The resulting "crime coefficients" provide a measure of the crime levels in the UCR data that can be explained by the CAP Index crime scores. Thus, the crime coefficients can be used to weight and aggregate the CAP Index crime scores to provide an estimate of the actual crime rate in each zip code. Table 1 summarizes the resulting violent and property crime rates by zip code for the 2922 zip codes that make up our final sample. The table illustrates that the average decrease in violent and property crime that occurred in these zip codes between 1990 and 2000 was approximately 10% and 20%, respectively.[12] The standard deviations provided for these coefficients suggest that the variation in the change in crime that occurred was substantial both between and within MSAs.

3.2. Property value data

The property value data used in our analysis is Fiserv's Case-Shiller Index (CSI), produced at the zip code level. These indices are estimated using arithmetic weighting of repeat sales (Shiller, 1991) which is a variation of the Case and Shiller (1987) weighted repeat sales methodology. Housing prices of homes that have sold at least twice are collected from primarily metropolitan areas across the country. Each of these transactions has been screened to ensure that they meet criteria such as having been an arms length transaction. There are approximately 3000 zip code-level CSI's that have been consistently estimated each year from 1990 to 2000. These 3000 zip codes are found in 22 states, 51 metropolitan statistical areas (MSA), and account for approximately one fourth of the U.S. population. As can be seen in Table 1, we normalize the index such that each zip code has an index score of 100 in 1990. Between 1990 and 2000, the average increase in housing prices was about 45% with substantially more variation across MSAs relative to within MSAs. One of the advantages of this data relative to median sales price measures of changes in housing values over time (i.e. self-reported housing values given in the decennial census), is that it is not affected by the mix of properties that are sold in a given time period. Furthermore, the indexes are not affected by differences in average housing quality across zip codes. The CSI is widely considered the most accurate measure of single-family home price changes in the areas that it covers. Surprisingly, the zip code-level indices have been rarely used in academic research, and to the best of our knowledge, the full set of available zip codes has never before been used in the economics literature.[13]

[11] Although homicides are a good national barometer of crime, they are rare enough at a localized level that it is difficult to use homicides as a crime indicator on its own. Therefore, we follow the convention made by others studying crime (i.e. Cullen and Levitt 1999) and focus on total violent crimes (which includes homicides) and property crimes.

[12] These percent decreases are smaller than the national decrease illustrated in Section 2. This is in large part due to the summary statistics giving equal weight to each zip code when calculating the mean crime reduction. Since, higher crime zip codes tend to have larger populations, the average over zip codes is mechanically smaller than the national average.

[13] The only exception that we are aware of is Bui and Mayer (2003) use all the Case-Shiller zip codes for one state—Massachusetts.

3.3. Control variable data

Although according to Cook (2008), socioeconomic and sociodemographic fundamentals appear largely unrelated to the changes in crime that occurred throughout the 1990s, it still may be important to control for these factors since they may represent other urban societal shifts of importance that may have occurred over this time period. For example, some urban areas have seen gentrification occur as more affluent individuals have moved into lower-class areas. However, by including demographic information on household income, race, age and education, and information on government reinvestment efforts in our regression models, the confounding effects of this type of gentrification can be controlled for in the analysis.

Our economic and demographic information was acquired from Geolytics' "Normalized Data" product. Because census geographic boundaries often change, it can be difficult to compare census information over time. Geolytics' normalized data provides information from the 1970, 1980, and 1990 and 2000 censuses in a temporally consistent way by weighting previous census information to the 2000 census geographies. We obtained from Geolytics socioeconomic and sociodemographic information from the 1990 and 2000 censuses. We also obtained information on three Federal programs whose urban reinvestment impacts may have also been felt in the mid-1990s. These three programs were the creation of "Empowerment Zones" and "Renewal Communities" as well as the creation of additional low income housing units from the "Low Income Housing Tax Credit" program. Each of these data was obtained directly from public use data provided by the Department of Housing and Urban Development (HUD). Table 1 shows summary measures of the socioeconomic, demographic and Federal program variables used in our analysis and how they have changed over time.

4. Empirical strategy

4.1. Hedonic pricing method

The hedonic pricing method has become an important tool used by economists to estimate household valuations for local amenities such as crime. Under this method, it is argued that economic agents choose a place of residence by making informed tradeoffs between housing characteristics and various local amenities. Housing values (a measure of revealed preference) are then used to isolate the "implicit price" of a particular housing attribute or neighborhood characteristic. Early applications of this technique included attempts to understand the value of air quality (e.g. Ridker and Henning, 1967), the value of schools (e.g. Kain and Quigley, 1970), and as referenced earlier, the value of crime (e.g. Thaler, 1978).

A primary concern with the implementation of the hedonic pricing method in the housing market is omitted variable bias. Unobserved factors that are spatially correlated with the amenity of interest can lead to inconsistent estimates of implicit prices. This concern is often at its highest level when performing cross-sectional analyses. For example, in the context of crime, it is not hard to imagine that areas with high levels of crime may differ from their counterparts in labor market conditions, school quality, environmental features, and other important amenities. To the extent that these correlates of crime are not available to be controlled for in a regression analysis, estimates of the effect of crime on housing will be biased. A panel design has the potential to ameliorate the issue of omitted variable bias. The geographic fixed effects eliminate unobserved crime correlates that are time-invariant. However, to the extent that unobserved factors change at the same time as crime changes, omitted variable bias may continue to plague panel coefficient estimates.

The empirical importance of omitted variable bias in hedonic models has recently been highlighted by Black (1999), Figlio and Lucas (2004), Chay and Greenstone (2005), and Pope (2008) among

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others. These papers have applied quasi-random experimental procedures to urban and environmental valuation questions that likely suffer from omitted variable bias in a cross-sectional analysis. The work presented in this study builds off this literature in the construction of an identification strategy to understand the impact of crime on housing prices. Specifically, we use the variation in crime caused by the large crime decrease in the 1990s to analyze the impact of crime on housing values.

The most basic hedonic price specification that we employ takes the following form:

$$\Delta \text{CaseShillerIndex}_{ij} = \alpha + \beta\left(\Delta \text{CrimeRate}_{ij}\right) + \gamma \Delta X_{ij} + \varepsilon_{ij} \quad (1)$$

The change in the Case Shiller Index between 2000 and 1990 for each zip code i in MSA j is represented as a linear function of the change in crime rate (violent or property) that occurred in that zip code between 2000 and 1990, the change in a variety of control variables (ΔX_{ij}), and a random error term. It is worth noting again that we do not need to control for physical housing characteristics because the Case Shiller Index is based on repeat sales for homes where physical housing characteristics are differenced away.

4.2. Critiques of identification strategy

There are several critiques of the identification strategy specified by Eq. (1) that we are able to address. First, our analysis uses data across the US to identify the impact of crime on housing. The hedonic literature, however, suggests that housing markets are typically at the level of a city or smaller (see Palmquist, 2005 for a discussion) suggesting that treating the country as one large housing market may be naïve. This is partially illustrated by the fact we described earlier about our data—that there is substantially more variation in property values across MSAs relative to within MSAs. Furthermore, MSA-level shocks may occur which differentially affect cities with high levels of crime relative to cities with low levels of crime. Fortunately, we have constructed a dataset with housing prices and crime at the zip code level. Thus, we have the luxury of exploiting within MSA variation. Given the importance of the MSA fixed effects in dealing with the concerns above and because they help us estimate the coefficients with much more precision, we focus on estimates that include the fixed effects.

A second critique involves the structure of the relationship between crime rate changes and housing values. As presented, this specification suggests that absolute changes in crime rates affect housing values. An alternative specification would allow for percent changes in crime rates to impact housing values. Our intuition is that using absolute changes is a more accurate model — a drop in the crime rate by 50% in a high-crime zip code in New York, for example, should have a larger impact on housing values in that zip code than a drop in the crime rate by 50% in a small town that had very little crime to begin with. However, we present results using both absolute and percent changes in crime rates for completeness.

Looking at Eq. (1), one might ask why we are doing a difference regression over a 10-year period rather than smaller time differences. While we have access to the Case Shiller Index annually, it bears repeating that we do not have *yearly* crime data at the zip-code level. Thus due to data limitations, we are unable to estimate the impact of year-to-year changes in crime rates on year-to-year changes in housing values. While our regression framework does not allow for an annual analysis, we provide graphical evidence in the next section that exploits the available, annual changes in house prices, to test for differences in pre-treatment trends, and explore how crime may affect housing prices from year-to-year. This graphical evidence helps to rule out the possibility that pre-crime trends are driving our results and help to establish the causal link between crime changes and property value changes.

A final critique of Eq. (1) is that even with MSA fixed effects and the large drop in crime that occurred in the 1990s, this specification may still suffer omitted variable bias. Without explicit randomization, we are not able to fully address this concern. However, we can improve upon simple OLS estimates. Eq. (1) relies on two sources of variation in crime rate changes in order to identify the effect of crime on property values. The first source of variation is a result of differential impacts that the national trend in crime during the 1990s had on zip-code level crime rates (the variation we want to exploit). However, mixed in with this variation are changes in crime rates that did not occur because of the national trend (variation we want to instrument out). For example, a handful of zip codes actually experienced an increase in crime rates through the 1990s. The variation that comes from this type of crime rate change clearly has the potential to be endogenous and provides the motivation for an instrumental variables strategy.

4.3. Instrumental variables strategy

We propose an instrumental variables strategy that will help us to better isolate the variation in crime rate changes that occurred due to the national drop in crime during the 1990s. The basic intuition for this identification is that while the crime decrease during the 1990s was largely ubiquitous, certain areas were particularly affected. Specifically, high-density areas with a large amount of crime at the start of the 1990s experienced a greater decrease in crime (both in absolute and percentage terms) than their counterparts. For example, Levitt (2004) noted that the violent crime rates between 1991 and 2001 decreased by 36.7% within MSAs (where crime rates were initially higher) and by only 2.9% in rural areas. Thus, the drop in crime during the 1990s had a very heterogeneous effect across space.

In order to better isolate the impact of the national trend on a given zip code, we instrument each zip code's crime rate change with the crime rate change that occurred over the same period for a "similar" zip code in a different MSA. For example, the crime decrease between 2000 and 1990 that occurred in a dense, high-crime zip code in New York can be instrumented with the crime drop that occurred in a zip code in Los Angeles with similar 1990 crime levels. Thus, variation in crime rate changes that were abnormal relative to other MSAs during the 1990s is not picked up by the instrument while changes that matched the general trend are. Removing this "abnormal" variation is advantageous since zip code-specific changes in crime rates (changes that did not match the national trend) have the potential to be endogenous. For example, one source of endogeneity that has been a concern in the crime literature is mismeasurement or misreporting of crimes by local jurisdictions who face political pressures to either increase or decrease the number or reported crimes (Baer and Chambliss, 1997).[14] Furthermore, crime data in general is notorious for having measurement issues. OLS estimates under a scenario of mismeasurement would be biased towards zero. Our IV strategy on the other hand does not use the zip code-specific variation in crime changes that took place during the 1990s and instead only uses the variation that can be predicted by the national trend.

The exact instrumental variables method we perform is as follows. We execute a nearest-neighbor matching algorithm that identifies for each zip code, a zip code from a different MSA that is the closest match based on 1990 total crime rates. This matching is a simplification of the type of matching that has frequently been used by researchers attempting to match observations from a treatment group with a control group in order to make causal inference (Rosenbaum and Rubin, 1983; Hirano et al., 2003). Our strategy is unique in that we use the nearest neighbor match to identify the out-of-MSA candidate to serve as an instrument zip code rather than as a control zip code. Once we obtain the match for each zip code, we instrument the change in crime that occurred in a zip code with the change in crime that occurred over the same time for its matched zip code.[15] While Eq. (1) provides the simplest specification that we employ, the following equation (which includes MSA fixed effects and indicates the IV strategy) is the most detailed specification in the paper:

$$\Delta \text{CaseShillerIndex}_{ij} = \alpha_i + \beta\left(\Delta \text{CrimeRate}_{ij}(\text{Instrumented})\right) + \gamma \Delta X_{ij} + \varepsilon_{ij} \quad (2)$$

A natural question is whether we would expect our instrumental variables method to increase or decrease the estimates of crime on property values relative to simple OLS. We would expect the results to be less negative to the extent that the IV strategy eliminates endogenous crime reductions that were accompanied by zip-code specific improvements in neighborhood amenities. However, if a significant fraction of the changes in crime that occurred that did not follow the national pattern was a result of mismeasurement or misreporting of crimes, then we would expect OLS estimates to contain attenuation bias and the instrumental variables results should be larger.[16] The relative incidence of endogeneity and measurement error will determine the relative size of the OLS and IV estimates.

The instrumental variables strategy as outlined above is not without flaws. Given that the identification is based on an event-study-like methodology, a key assumption is that a shock did not occur in the mid 1990s that differentially affected high and low crime areas. While we attempt to control for several potential shocks (unemployment rate changes, empowerment and renewal community zones, etc.) the absence of an unobservable shock is a necessary condition for unbiased estimation.[17] So although we think our primary

[14] Local police departments often have incentives to increase the reported number of crimes to support requests for more funding and or personnel. However, local police departments can also face political pressure to show that they are effectively decreasing crime. These competing crime reporting incentives are likely to be endogenous to business and political cycles that influence property values.

[15] Rather than matching solely on 1990 levels of crime, we could conceivably match zip codes on a host of 1990 census characteristics (e.g. percent black, percent unemployed, etc.). We choose to match only on 1990 crime levels for two key reasons. First, 1990 levels of crime predict better than any other variable changes in crime between 2000–1990. Thus, matching on other variables reduces the overall fit of the first stage. Second, matching on unemployment rates, population density, or other variables opens up the possibility of shocks that differentially affect certain types of zip codes to bias our estimates. Using the more parsimonious matching algorithm reduces the number of potential shocks that might affect our results.

[16] See for example the discussion of the tradeoff between endogenity and measurement error in the returns-to-education literature (Card, 2001).

[17] One might argue that the economics literature has provided several potentially exogenous instruments that could be used such as lead reduction (Reyes, 2007), abortion laws (Donohue and Levitt, 2001), or drug busts (Dobkin and Nicosia, 2009). However, all of these studies provide potentially exogenous crime variation at the state-level or higher. As will be shown in the results section, because of the large changes that take place in housing prices across states and MSAs, we are only able to identify an impact of crime changes on property values when looking within an MSA. Thus, only an instrument for crime that works within an MSA could provide appropriate identification.

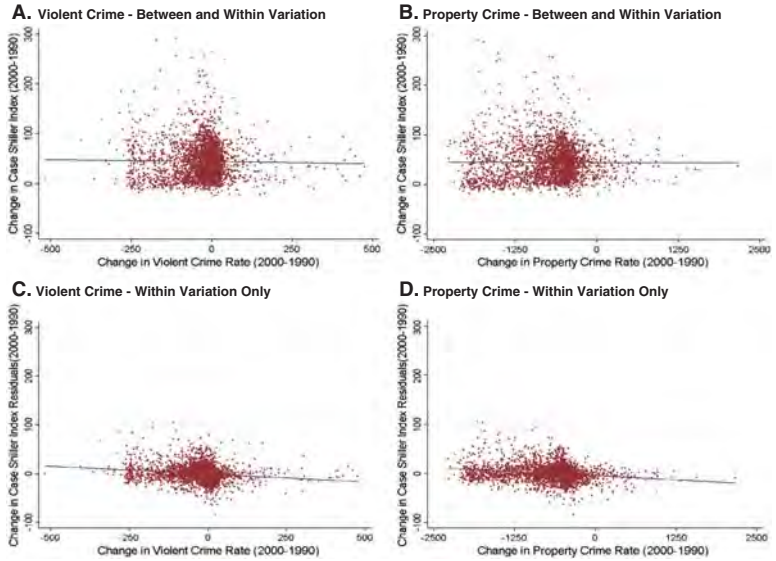

Fig. 2. Relationship between change in crime rates and change in housing values (2000–1990). Notes: This figure illustrates the relationship between changes in the Case Shiller Index between 2000 and 1990 and changes in violent (Panel A and Panel C) and property (Panel B and Panel D) crimes over the same period. Each dot is an observation at the zip code level. Panels A and B graph raw changes, while Panels C and D graph the residuals from a regression of changes in the Case Shiller Index between 2000 and 1990 on year*MSA dummies.

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Table 2
Changes in crime and property values (2000–1990) — OLS levels and percentages.

Panel A				
	(1)	(2)	(3)	(4)
2000–1990 Violent crime diff	−0.034 (.005)***	−0.043 (.005)***		
2000–1990 Property crime diff			−0.008 (.001)***	−0.011 (.001)***
MSA fixed effects	X	X	X	X
2000–1990 Controls		X		X
R-squared	0.775	0.785	0.779	0.792
Observations	2922	2912	2922	2912
Panel B				
	(1)	(2)	(3)	(4)
2000–1990 Violent crime% diff	−10.94 (1.42)***	−14.99 (1.77)***		
2000–1990 Property crime% diff			−32.59 (3.45)***	−38.91 (3.76)***
MSA fixed effects	X	X	X	X
2000–1990 Controls		X		X
R-squared	0.774	0.785	0.776	0.787
Observations	2922	2912	2922	2912

Notes: Regression coefficients and robust standard errors are presented of the relationship between the change in the Case Shiller Index between 2000 and 1990 and changes in absolute violent and property crime (Panel A) and percent changes in violent and property crime (Panel B). Observations are at the zip-code level. All columns include MSA fixed effects for the 51 MSAs represented in the data sample. Columns (2) and (4) include all of the 2000–1990 control variables presented in Table 1.
*** Significant at 1%.

specification is a significant advance over a cross-sectional analysis, our results may still be based, at least partially on correlations.

5. Results

5.1. OLS results

Fig. 2A and B uses the raw data to illustrate the relationship between changes in property values and changes in violent and property crime between 2000 and 1990. It is difficult to see a relationship between housing price changes and changes in violent or property crimes when looking at both the within and between MSA variation in zip-code levels of crime and property values due to the amount of noise. Fig. 2C and D presents the relationship between changes in crime and residual changes in property values which rely exclusively on within-MSA variation, using the same axis scales. As can be seen from these figures, looking within each MSA dramatically reduces the amount of noise. Now a strong, negative relationship between the crime and property value changes can be seen which highlights the need for MSA fixed effects in our regression analysis.

A more rigorous analysis of the relationship between changes in crime and property values is presented in Table 2. Panel A provides OLS regression estimates (see Eq. (1)) of the impact of violent and property crime changes on changes in housing values. Columns (1) and (3) present the initial regression estimates with MSA fixed effects. These estimates, which indicate a negative relationship between crime changes and property value changes, are statistically significant and economically large. The coefficient in Column (2) suggests that a decrease in violent crimes by 100 per 10,000 people is

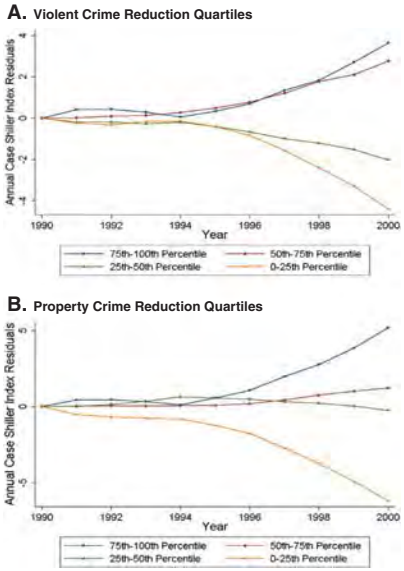

Fig. 3. Annual Case Shiller Index residuals by crime reduction quartile. Notes: This figure plots year-to-year changes in residuals from a regression of the Case Shiller Index (2000–1990) on year*MSA dummies. The residuals are plotted separately for zip codes with different levels of violent (Panel A) and property (Panel B) crime reduction (2000–1990). For example, the line labeled "75th–100th percentile" represents the 25% of zip codes experiencing the largest absolute crime reduction.

associated with an increase in property values of 3.4%. The average zip code in our sample experienced a decrease in their violent crime rate by approximately 30 crimes between 1990 and 2000 suggesting an average housing price change of about 1% due to changes in violent crime over this period. However, this average masks the large amount of heterogeneity that existed in crime changes. For example, the 10% of zip codes with the largest crime decreases had an average violent crime reduction of 209 crimes per 10,000. Thus, for these zip codes, our model suggests that the decrease in crime between 1990 and 2000 resulted in an increase in housing values of nearly 7%. The coefficient estimate in Column (3) on property crimes can be interpreted in a similar way and suggests even larger results. The effect of the average zip code reduction in property crimes between 1990 and 2000 (711) is associated with a 5.6% increase in property values. The 10% of zip codes with the largest property crime reductions experienced an average increase in housing values of 14.3%.

The specifications in Columns (2) and (4) of Table 2 include zip-code level controls in addition to MSA fixed effects. The coefficient on both violent crime changes and property crime changes in these specifications are even larger in absolute value (by approximately 30%). Also, Panel B of Table 2 provides an analogous analysis to Panel A, but tests the relationship between *percent* changes in violent and property crimes on changes in housing values. Once again, we find a negative relationship between crime and housing changes that becomes even stronger when including controls at the zip-code level. The coefficient in Column (2) can be interpreted as finding that a decrease in violent crime rates by 10% results in an increase in property values by 1.5%. Throughout the paper, we provide regression estimates using both levels and percent changes in crime. The R-squared values in Table 2 suggest that the specification in levels does a slightly better job of explaining the variation in the data. However, estimates for both specifications are informative.

In Table 2 and throughout the paper, we include violent and property crime information separately in the empirical models. Thus, the interpretation of the coefficients in these models is the impact of reducing violent (or property) crime without holding property (or violent) crime constant. These coefficients may be the most convenient for policy makers since the high correlation between violent and property crimes rarely allows for separate identification. In the Table A1 in the appendix we provide results that are analogous to Table 2, but estimate the impact of total changes of crime (violent plus property crime) together on housing values (the method used by Cullen and Levitt (1999)). Because the counts of property crimes are much higher than violent crimes, this approach relies almost solely on variation in property crimes. Thus, as expected, the estimates in Table A1 in the appendix are nearly identical to the property crime estimates in Table 2.

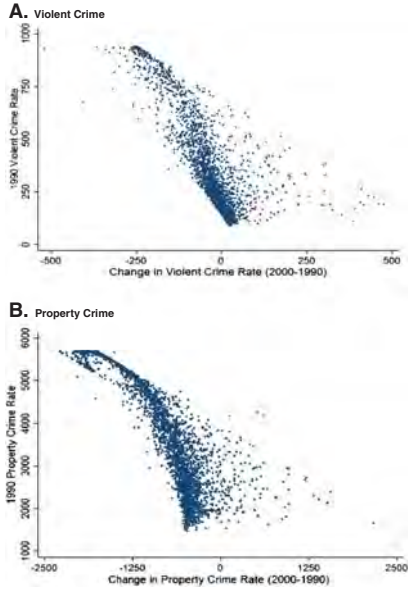

Fig. 4. Relationship between 1990 crime levels and crime changes (2000–1990). Notes: This figure illustrates the relationship between changes in violent crime (2000–1990) and 1990 violent crime levels (Panel A) and changes in property crime (2000–1990) and 1990 property crime levels (Panel B). Each dot is an observation at the zip code level.

5.2. Dynamics of housing price changes

Using the annual Case Shiller housing data, we are able to provide a more complete picture of the results presented in Fig. 2 and Table 2 by showing the timing of the housing price changes that occurred between 1990 and 2000. To do this, we obtain housing price residuals each year by regressing the Case Shiller Index for each zip code on MSA*year dummy variables. The resulting residuals provide a representation of the unexplained change in housing prices that occurred for each year between 1990 and 2000 for each zip code. Fig. 3A and b graphs these residuals by quartiles of violent and property crime changes.

Table 3
Correlation between crime changes in similar zip codes — first stage levels and percentages.

Panel A				
	(1)	(2)	(3)	(4)
2000–1990 Violent crime diff	0.900 (.023)***	0.850 (.026)***		
2000–1990 Property crime diff			1.118 (.014)***	1.059 (.016)***
MSA fixed effects	X	X	X	X
2000–1990 Controls		X		X
R-squared	0.606	0.622	0.789	0.803
Observations	2922	2912	2922	2912
Panel B				
	(1)	(2)	(3)	(4)
2000–1990 Violent crime% diff	0.893 (.040)***	0.786 (.042)***		
2000–1990 Property crime% diff			0.853 (.038)***	0.77 (.035)***
MSA fixed effects	X	X	X	X
2000–1990 Controls		X		X
R-squared	0.364	0.411	0.288	0.377
Observations	2922	2912	2922	2912

Notes: Each zip code in our data was matched with another zip code in a different area with the most similar 1990 violent and property crime levels. This table presents regression coefficients and robust standard errors of the relationship between the change in crime between 2000 and 1990 and the change in crime of the matched zip code. Absolute violent and property crimes and percent changes in violent and property crimes are presented in Panel A and Panel B, respectively. Observations are at the zip-code level. All columns include MSA fixed effects for the 51 MSAs represented in the data sample. Columns (2) and (4) include all of the 2000–1990 control variables presented in Table 1.
*** Significant at 1%.

Article from Mr. Rampelbergs' Letter

Table 4
Changes in crime and property values (2000–1990) — IV levels and percentages.

Panel A				
	(1)	(2)	(3)	(4)
2000–1990 Violent crime diff (instr.)	−0.042	−0.055		
	(.006)***	(.008)***		
2000–1990 Property crime diff (instr.)			−0.008	−0.010
			(.001)***	(.001)***
MSA fixed effects	X	X	X	X
2000–1990 Controls		X		X
Observations	2922	2912	2922	2912
Panel B				
	(1)	(2)	(3)	(4)
2000–1990 Violent crime% diff (instr.)	−17.09	−25.70		
	(2.88)***	(4.14)***		
2000–1990 Property crime% diff (instr.)			−37.87	−35.87
			(8.38)***	(9.31)***
MSA fixed effects	X	X	X	X
2000–1990 Controls		X		X
Observations	2922	2912	2922	2912

Notes: Regression coefficients and robust standard errors are presented of the relationship between the change in the Case Shiller Index between 2000 and 1990 and changes in absolute violent and property crime (Panel A) and percent changes in violent and property crime (Panel B). Observations are at the zip-code level. Changes in violent and property crime are instrumented with changes in violent and property crime of the out-of-MSA-matched zip codes based on 1990 crime levels. All columns include MSA fixed effects for the 51 MSAs represented in the data sample. Columns (2) and (4) include all of the 2000–1990 control variables presented in Table 1.
*** Significant at 1%.

Table 5
Median housing value robustness check.

Panel A				
	(1)	(2)	(3)	(4)
2000–1990 Violent crime diff	−0.047	−0.046		
	(.005)***	(.005)***		
2000–1990 Property crime diff			−0.011	−0.011
			(.001)***	(.001)***
1990 Med. housing value ($1000s)	0.066	0.062	0.073	0.065
	(.005)***	(.006)***	(.005)***	(.006)***
MSA fixed effects	X	X	X	X
2000–1990 Controls		X		X
R-squared	0.789	0.795	0.797	0.802
Observations	2922	2912	2922	2912
Panel B				
	(1)	(2)	(3)	(4)
2000–1990 Violent crime% diff	−13.64	−14.56		
	(1.66)***	(1.75)***		
2000–1990 Property crime% diff	−37.20	−37.95		
			(3.68)***	(3.72)***
1990 Med. housing value ($1,000s)	0.060	0.058	0.059	0.058
	(.005)***	(.006)***	(.005)***	(.006)***
MSA fixed effects	X	X	X	X
2000–1990 Controls		X		X
R-squared	0.786	0.794	0.788	0.795
Observations	2922	2912	2922	2912

Notes: Regression coefficients and robust standard errors are presented of the relationship between the change in the Case Shiller Index between 2000 and 1990 and changes in absolute violent and property crime (Panel A) and percent changes in violent and property crime (Panel B). Observations are at the zip-code level. All columns include MSA fixed effects for the 51 MSAs represented in the data sample. Columns (2) and (4) include all of the 2000–1990 control variables presented in Table 1.
*** Significant at 1%.

Looking at Fig. 3A, unexplained housing prices changed very little at the beginning of the 1990s between the zip codes that experienced the largest decrease in crime between 1990 and 2000 (75th–100th percentile) and zip codes that experienced the smallest decrease in crime (0–25th percentile). In fact, the change in unexplained housing values between 1990 and 1994 was essentially zero across these groups. However, starting in about 1994 and going up and through 2000, housing prices began to diverge between zip codes that experienced the largest change in crime relative to their counterparts. Similar dynamics are shown in Fig. 3B, which cuts zip codes into quartiles based on changes in property crime between 1990 and 2000. This pattern of housing price changes is very consistent with the national trend in crime that occurred.

6. IV results

We use an instrumental variable strategy discussed in Section 4.3 to estimate the impact of crime changes that are solely a result of the national trend on changes in housing values. To begin, we provide a graphical illustration of our first stage results. Panels A and B of Fig. 4 show the relationship between 1990 crime levels and crime changes (2000–1990) for violent and property crimes, respectively. The Figure illustrates that cities that had very high 1990 crime levels experienced the largest drop in crime throughout the 1990s. This is consistent with the discussion provided by Levitt (2004). This heterogeneity in crime reduction is the basis for our instrumental-variables strategy. We instrument the crime change for a given zip code with the crime change that occurred in another out-of-MSA zip code that had a similar 1990 level of crime. Fig. 4 illustrates that the first stage is likely to be very strong.

Table 3 provides the first stage results by regressing the change in crime that occurred between 1990 and 2000 for a given zip code on the change in crime that occurred in the zip code from a different matched MSA, which matching was based on 1990 crime levels. As expected, changes in crime that occurred between matched zip codes are highly correlated due to the *national* drop in crime. This is true with both violent and property crime, percent and level changes, and when including MSA fixed effects and other controls. In fact, changes in crime that occurred in a matched zip code explain anywhere from approximately 30% to 80% of the variation in crime decreases that we find suggesting that the instrument has ample statistical power.

Table 4 presents the instrumental variable results. Once again, Panel A provides the results when using absolute changes in violent and property crime while Panel B uses percent changes in crime. After controlling for MSA fixed effects, we again find a strong negative association between crime rates and property values that become even larger when including zip-code-level controls. It is informative to compare the IV results that are presented in Table 4 with the OLS results from Table 2. The IV coefficients on violent crime changes for both absolute levels and percent changes are 20–60% larger than the OLS coefficients. For property crimes, the IV coefficients are 0–10% larger. As discussed in the empirical strategy section, we attribute the increase in coefficient size to measurement error in the crime data. Using a similar interpretation of the coefficients, Column (2) of Table 4 suggests that a drop in violent crime by 100 per 10,000 people is associated with a 5.5% increase in housing values. For the 10% of zip codes with the largest violent crime reduction, we estimate that the effect of this reduction was a 12.1% increase in property values.

6.1. A robustness check

As mentioned in the empirical strategy section, the event-study research design that we employ in this paper requires that no other important, uncontrolled shock, occurred around 1994 that differentially affected high and low crime zip codes. The graphical analysis that we present as well as the robustness of our results to the inclusion of various zip-code level controls provides some evidence that our results are more than just correlations. One worry, however, may be that changes took place in the 1990s that differentially affected zip codes with high housing values relative to zip codes with low housing values.

For example, evidence suggests that when overall housing prices increase, the distribution of housing prices also change — low-value houses increase in price by more than high-value houses (Case and Mayer, 1995). We are interested in identifying the impact of a change in crime, not a trending result based on changes in the distribution of house prices. Table 5 provides analogous results to Table 2, while controlling for the 1990 median house price value in each zip code.[18] The coefficient on the 1990 median house value suggests that within MSAs, homes that had higher 1990 house values actually increased in value over the 1990s. More importantly for this analysis, we find only minor changes to the estimates of the effect of crime on housing values after adding the additional control.

7. Conclusions

This paper examines the link between crime and property values. Exploiting the dramatic, nationwide decrease in crime that occurred in the 1990s, we estimate a significant relationship between changes in crime rates and property values. The magnitude of the crime impact on property values is quite striking. The estimated elasticities of housing values with respect to crime range from −0.15 to −0.35. These effects suggest that the top decile of zip codes in terms of crime reduction in our sample saw property value increases of 7–19% between 1990 and 2000. Our findings hold whether we use simple panel data methods, use an instrumental variables estimator, or if we control for other socioeconomic factors or government projects that also occurred in the 1990s that could act as potential confounders. The findings are also consistent for both violent and property crimes, and for whether we use changes in the levels or changes in the percent of crime as our measure of crime change. The graphical analysis of the residuals and the similarity of the IV results provide strong evidence that crime leads to increasing property values. However, because of our aggregate crime and property data and the lack of true experimental control, the findings are at least partially an interesting pattern of correlation.

Using the 1990 decennial census we calculate the average property values for the nearly 3000 zip codes used in our analysis as well as the average property values in the zip codes that are in the top decile of violent and property crime.[19] Using these 1990 average property values as well as the average decline in violent crime across zip codes (approximately 30), we estimate that the crime decrease translated into an average gain of around $2000 per house. However, in the top decile of zip codes in terms of violent crime, the average violent crime decrease was around 209. Our estimates suggest that in these zip codes, the housing price gain from decreased crime was closer to $11,000 for each house. The average price gains were even larger when calculated looking at changes in property crime. These estimates would suggest per house property value gains of between $11,000 for all zip codes and between $20,000 and $27,000 for houses in the top decile of property crime.

When estimating the benefits of crime reduction, it is important to understand the implications of the time window used in the analysis. A reduction in crime surely has an immediate benefit (people feel safer, property is less likely to be destroyed, etc.) that should be reflected in housing values. Over time the benefits from reduced crime may continue to accrue. For example, restaurants and stores may decide to enter a neighborhood once crime has been more permanently reduced. Understanding the agglomeration effect of crime reduction is important from a policy perspective. The estimates that we find in our analysis likely include both the immediate benefit of crime reduction, and some of the benefits that can accrue from this crime reduction over a 4–6 year period.

The analysis presented in this paper is the first attempt to estimate the impact of crime on housing values at the national level. This paper also contributes to the literature on the rise and fall of urban areas and cities.[20] Urban areas have for many years been in decline. However, during the 1990s many urban areas have staged a comeback. Policymakers and city officials are keenly interested in the reasons for this resurgence. One factor that has been hypothesized to have contributed to the recent resurgence of urban areas was the dramatic drop in crime during the 1990s that occurred in these urban areas. The results in this paper lend support to this theory by documenting the relationship between crime and property values. Thus this work supports the view that policymakers and city officials concerned with urban growth should make crime prevention an important priority. Additional work on the relationship between city efforts to reduce crime, the role of specific crimes on property values and the magnitude of other externalities stemming from crime and its influence on property values represent exciting avenues for future research.

Appendix A

Table A1
Changes in total crime and property values (2000–1990) — OLS levels and percentages.

Panel A		
	(1)	(2)
2000–1990 Total crime diff	−0.007	−0.009
	(.001)***	(.001)***
MSA fixed effects	X	X
2000–1990 Controls		X
R-squared	0.779	0.792
Observations	2922	2912
Panel B		
	(1)	(2)
2000–1990 Total crime% diff	−31.57	−38.66
	(3.41)***	(3.79)***
MSA fixed effects	X	X
2000–1990 Controls		X
R-squared	0.776	0.787
Observations	2922	2912

Notes: Regression coefficients and robust standard errors are presented of the relationship between the change in the Case Shiller Index between 2000 and 1990 and changes in absolute total crime (Panel A) and percent changes in total crime (Panel B). Observations are at the zip-code level and include MSA fixed effects for all 51 MSAs represented in the data sample. Column (2) includes all of the 2000–1990 control variables presented in Table 1.
*** Significant at 1%.

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[18] Median housing values by zip code were obtained from the 1990 decennial Census.
[19] Average housing values in all 2922 zip codes is approximately $160,000, in the 292 zip codes in the top decile for violent crime it is approximately $122,000, and the 292 zip codes in the top decile for property crime average housing values are approximately $144,000.
[20] See for example Glaeser and Gyourko (2005) and Glaeser and Gottlieb (2006).

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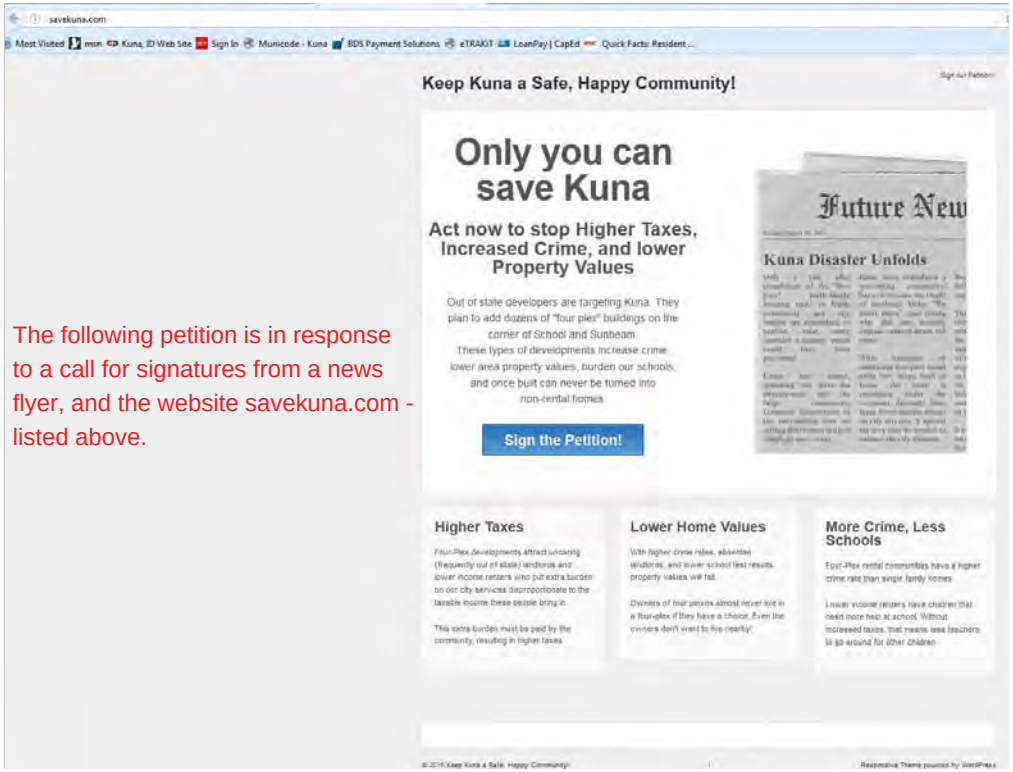
The following petition is in response to a call for signatures from a news flyer, and the website savekuna.com - listed above.



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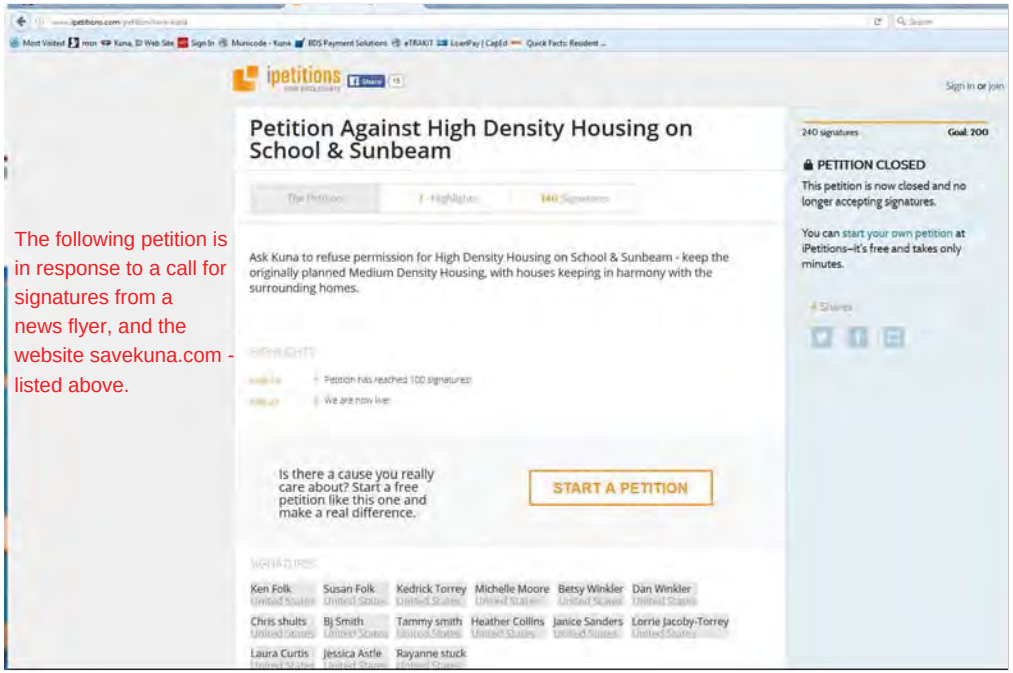

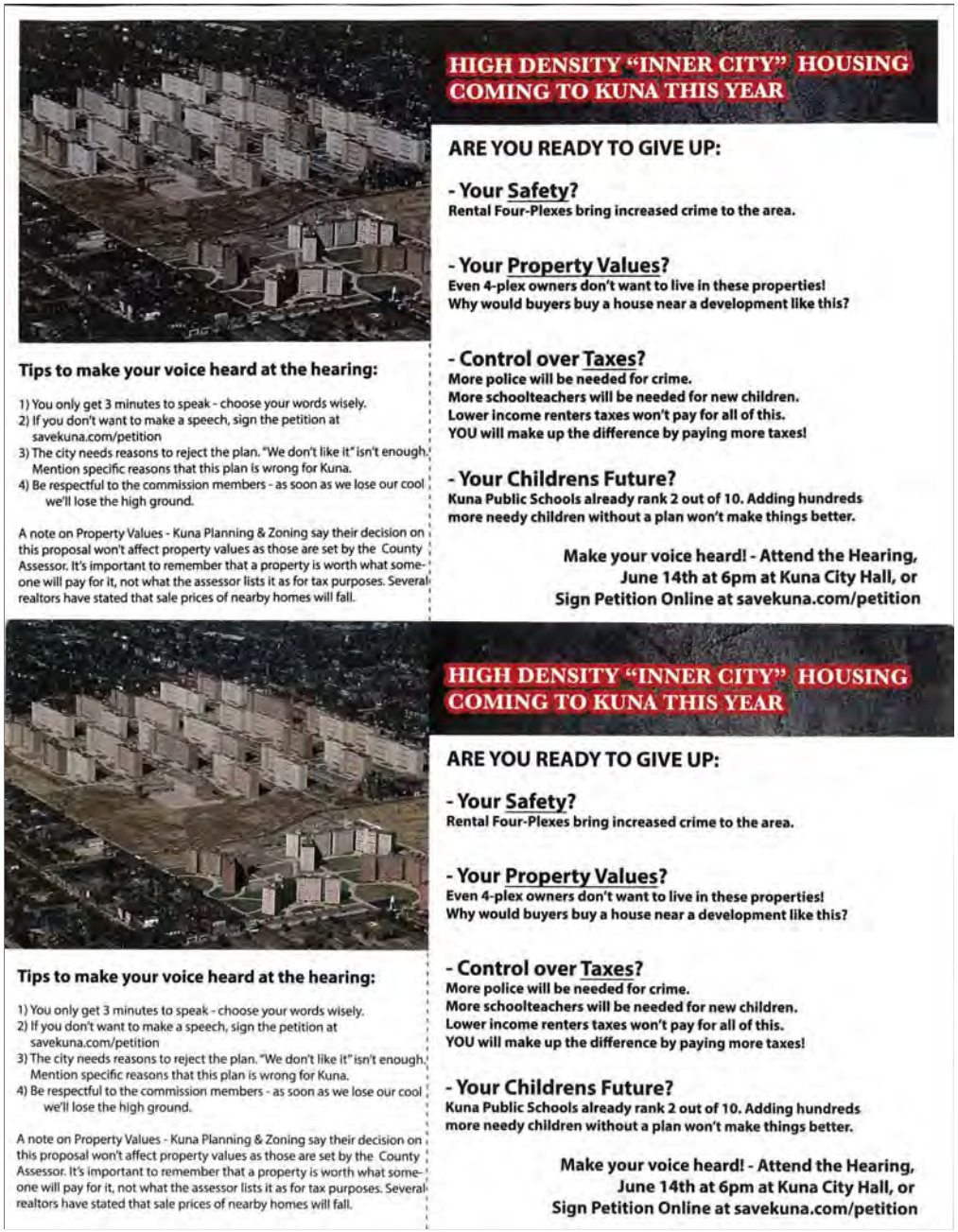

HIGH DENSITY "INNER CITY" HOUSING COMING TO KUNA THIS YEAR
ARE YOU READY TO GIVE UP:
- Your Safety?
Rental Four-Plexes bring increased crime to the area.
- Your Property Values?
Even 4-plex owners don't want to live in these properties!
Why would buyers buy a house near a development like this?
- Control over Taxes?
More police will be needed for crime.
More schoolteachers will be needed for new children.
Lower income renters taxes won't pay for all of this.
YOU will make up the difference by paying more taxes!
- Your Childrens Future?
Kuna Public Schools already rank 2 out of 10. Adding hundreds more needy children without a plan won't make things better.
Make your voice heard! - Attend the Hearing,
June 14th at 6pm at Kuna City Hall, or
Sign Petition Online at savekuna.com/petition
Tips to make your voice heard at the hearing:
1) You only get 3 minutes to speak - choose your words wisely.
2) If you don't want to make a speech, sign the petition at savekuna.com/petition
3) The city needs reasons to reject the plan. "We don't like it" isn't enough. Mention specific reasons that this plan is wrong for Kuna.
4) Be respectful to the commission members - as soon as we lose our cool we'll lose the high ground.
A note on Property Values - Kuna Planning & Zoning say their decision on this proposal won't affect property values as those are set by the County Assessor. It's important to remember that a property is worth what someone will pay for it, not what the assessor lists it as for tax purposes. Several realtors have stated that sale prices of nearby homes will fall.

RECEIVED
6.20.16

Deliver to:
Chairman Stephanie Wierschem
Planning & Zoning Commission
City Hall
763 W Avalon,
Kuna, ID 83634

RECEIVED
JUN 20 2016
CITY OF KUNA

Vice Chairman Wierschem:

We write to respectfully submit a petition opposing the Rezone and Subdivision plan for School and Sunbeam (16-01-ZC, 16-01-S).

You will find enclosed the names, addresses, and comments of 240 neighbors who feel they will be impacted by this change, and oppose the applications made by Martin Pieroni and A Team Land Consultants.

We would respectfully request that you read the comments, and additionally take into consideration the number of community members who oppose this application.

Thank you for your time, and your commitment to public service.

Sincerely,
Kuna Citizens.

P.S: During the public neighborhood meeting leading up to this application, Steve Arnold of A Team Land Consultants made public comments to impacted neighbors that the rezone and type of housing was at the insistence of Kuna Planning & Zoning. While we do not believe this to be true, it was felt you should be made aware that A Team Land Consultants have been co-opting the good name and authority of the Commission through this misinformation.

RECEIVED
6.20.16

Deliver to:
Chairman Lee Young
Planning & Zoning Commission
City Hall
763 W Avalon,
Kuna, ID 83634

RECEIVED
JUN 20 2016
CITY OF KUNA

Chairman Young:

We write to respectfully submit a petition opposing the Rezone and Subdivision plan for School and Sunbeam (16-01-ZC, 16-01-S).

You will find enclosed the names, addresses, and comments of 240 neighbors who feel they will be impacted by this change, and oppose the applications made by Martin Pieroni and A Team Land Consultants.

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Sincerely,
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RECEIVED
JUN 20 2016
CITY OF KUNA

Deliver to:
Commissioner Dana Hennis
Planning & Zoning Commission
City Hall
763 W Avalon,
Kuna, ID 83634

Commissioner Hennis:

We write to respectfully submit a petition opposing the Rezone and Subdivision plan for School and Sunbeam (16-01-ZC, 16-01-S).

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Kuna Citizens.

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RECEIVED 6-20-16

RECEIVED
JUN 20 2016
CITY OF KUNA

Deliver to:
Commissioner Cathy Gealy
Planning & Zoning Commission
City Hall
763 W Avalon,
Kuna, ID 83634

Commissioner Gealy:

We write to respectfully submit a petition opposing the Rezone and Subdivision plan for School and Sunbeam (16-01-ZC, 16-01-S).

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Kuna Citizens.

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RECEIVED
JUN 20 2016
CITY OF KUNA

Deliver to:
Commissioner Ron Herther
Planning & Zoning Commission
City Hall
763 W Avalon,
Kuna, ID 83634

Commissioner Herther:

We write to respectfully submit a petition opposing the Rezone and Subdivision plan for School and Sunbeam (16-01-ZC, 16-01-S).

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Kuna Citizens.

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Petition Against High Density Housing on School & Sunbeam

About this petition

Ask Kuna to refuse permission for High Density Housing on School & Sunbeam - keep the originally planned Medium Density Housing, with houses keeping in harmony with the surrounding homes.

RECEIVED 6-2016

Signatures

1. Name: Ronald Rasmussen on 2016-06-13 21:46:07
Your Address (required for Kuna City to accept your signature on the petition): 345 W Tallulah Dr
Comments: Terrible idea. The high density housing units I have witnessed have turned into a blight on those communities. I am very much apposed!

2. Name: Loretta miller on 2016-06-13 22:20:29
Your Address (required for Kuna City to accept your signature on the petition): 292 w playground street
Comments:

3. Name: Kent Jennings on 2016-06-14 00:15:15
Your Address (required for Kuna City to accept your signature on the petition): 597 W Omphale St
Comments:

4. Name: Becky woolley on 2016-06-14 00:23:27
Your Address (required for Kuna City to accept your signature on the petition): 657 W Tallulah Dr
Comments: We moved here from Southern Oregon to escape the crime caused by low income individuals. The town we moved from did not have enough resources to fund public safety and continually tried to get funds through raising the taxes of homeowners. County residents/homeowners continually fought this and the levies never passed as the crime continued to rise. It is not acceptable or fair to expect homeowners to foot the bill by having higher property taxes while those who rent have no accoutability to help out. Keep large apartment complexes to the bigger cities and allow Kuna to stay quiet and quaint.

5. Name: Shelley Eakin on 2016-06-14 00:37:16
Your Address (required for Kuna City to accept your signature on the petition): 941 S Jump Rope Pl
Comments:

6. Name: David Eakin on 2016-06-14 00:38:06
Your Address (required for Kuna City to accept your signature on the petition): 941 S Jump Rope Pl
Comments:

7. Name: Melody Nugent on 2016-06-14 00:40:03
Your Address (required for Kuna City to accept your signature on the petition): 356 W. Kammers Ct. Kuna, Idaho 83634
Comments: I do not want my community to be grown in this way. I believe it will lead to higher crime, higher taxes and (less importantly) I do not like the look of them. Kuna is a beautiful community that will be devastated by this change. This will lower the value of

Kuna as a whole. I am against this 100%! This change will decide whether or not this wonderful community continues to be my home.

8. Name: Duane Mobus on 2016-06-14 01:31:33
Your Address (required for Kuna City to accept your signature on the petition): 1157 S Ruler
Comments:

9. Name: Robert Mobus on 2016-06-14 01:32:52
Your Address (required for Kuna City to accept your signature on the petition): 1157 S Ruler
Comments:

10. Name: Craig Shroades on 2016-06-14 01:50:36
Your Address (required for Kuna City to accept your signature on the petition): 672 S Glenn Brook Pl
Comments: I recently moved from a suburb of Columbus, OH back to Idaho. This suburb was approximately 1 mile from another suburb, such as the situation presenting itself here that had developers come in and put up apartment complexes and high density housing, which included Section 8. Crime increased significantly, all of the major groceries, retailers etc. moved away from this area because of the increased tax on their businesses and crime in the area. The city I lived in prevented apartment complexes from being built, we had one of the highest performance records for student graduation and teacher/student ratio's, our city was tops in all of the other cities within the metro area for decreased crime, and all of the retailers, groceries, restaurants etc. moved their businesses to this area to get away from the run down community, crime and increased taxes. This is the last thing that Kuna, ID needs in this community, a large apartment complex that will bring nothing but crime, increased taxes, decreased property value and eventually Section 8 inhabitants. Look at any community statistics with high rates of apartment occupancy and you will note an increase in crime and a decrease in community safety. Please don't think with your wallet on this matter, think with your conscience and the people and community of Kuna!! NO to this proposed development!!!!

11. Name: Brad Schneider on 2016-06-14 02:03:31
Your Address (required for Kuna City to accept your signature on the petition): 341 W. Steph
Comments:

12. Name: Jennifer Schneider on 2016-06-14 02:14:43
Your Address (required for Kuna City to accept your signature on the petition): 341 W Steph Street
Comments:

13. Name: Jenfier Blanco on 2016-06-14 02:24:04
Your Address (required for Kuna City to accept your signature on the petition): 651 w

willow dale way Kuna Id 83634
Comments: Please do not add more traffic to our streets. We need bigger schools for the kids we already have here in Kuna.

14. Name: Lorin Klug on 2016-06-14 02:28:27
Your Address (required for Kuna City to accept your signature on the petition): 1762 N Four Point Pl.
Comments:

15. Name: Kristin Giles on 2016-06-14 02:30:08
Your Address (required for Kuna City to accept your signature on the petition): 592 W. Backpack St
Comments:

16. Name: Alyssa Gannuscio on 2016-06-14 02:30:54
Your Address (required for Kuna City to accept your signature on the petition): 1001 S Meridian rd
Comments:

17. Name: Sharina Jensen on 2016-06-14 02:31:25
Your Address (required for Kuna City to accept your signature on the petition): 726 W Bury Kuna
Comments:

18. Name: Jessica Maxwe on 2016-06-14 02:33:24
Your Address (required for Kuna City to accept your signature on the petition): 209 W Wood Owl Dr
Comments:

19. Name: Rachel Brower on 2016-06-14 02:33:34
Your Address (required for Kuna City to accept your signature on the petition): 2400 N HawaiianHawk pl Kuna Id 83634
Comments:

20. Name: James Jensen on 2016-06-14 02:38:44
Your Address (required for Kuna City to accept your signature on the petition): 726 W. Bury St. Kuna
Comments:

21. Name: Tammy klug on 2016-06-14 02:39:16
Your Address (required for Kuna City to accept your signature on the petition): 1762 n four pl place
Comments: This not what we need in Kuna.

22. Name: Timothy Johnson on 2016-06-14 02:39:33

Your Address (required for Kuna City to accept your signature on the petition): 701 S Glenn Brook Pl
Comments:

23. Name: Chantal Schneider on 2016-06-14 02:40:45
Your Address (required for Kuna City to accept your signature on the petition): 273 w Antler ct Kuna, ID 83634
Comments:

24. Name: Gary Adams on 2016-06-14 02:47:08
Your Address (required for Kuna City to accept your signature on the petition): 1691 N Alcatraz, Kuna
Comments:

25. Name: Amanda Lee on 2016-06-14 02:47:57
Your Address (required for Kuna City to accept your signature on the petition): 2542 W Burleywood Pl
Comments:

26. Name: Samantha on 2016-06-14 02:51:47
Your Address (required for Kuna City to accept your signature on the petition): 452 Swan Falls Rd Kuna
Comments:

27. Name: Justin creager on 2016-06-14 02:52:50
Your Address (required for Kuna City to accept your signature on the petition): 312 w. Steph st. Kuna id, 83634
Comments:

28. Name: Joseph Limbong on 2016-06-14 02:54:18
Your Address (required for Kuna City to accept your signature on the petition): 964 N Pyrite Place
Comments: No to low income housing. Thanks. Nampa and Caldwell is better suitable

29. Name: Kim Roulo on 2016-06-14 02:54:30
Your Address (required for Kuna City to accept your signature on the petition): 625 S Red Oak Ave
Comments: Against density housing!

30. Name: Ben on 2016-06-14 02:56:38
Your Address (required for Kuna City to accept your signature on the petition): 452 swan falls Rd, kuna, ID 83634
Comments:

31. Name: tim frisby on 2016-06-14 02:57:52

Your Address (required for Kuna City to accept your signature on the petition): 136 w playground st
Comments: no way!! I moved to kuna to get away from the city! I would have to sell my house at a loss and move to another area and start over! I would take the corruption very personally.

32. Name: Christina Creager on 2016-06-14 03:05:58
Your Address (required for Kuna City to accept your signature on the petition): 312 W. Steph Street, Kuna, ID 83634
Comments: With this high density housing proposition, I fear for the safety of our community, along with the addition of numerous children into our already sub par school system. One of the reasons we have enjoyed being in this area is the safe community, friendly neighbors, and space we have. Adding these housing developments would create much more traffic (foot and vehicle), and bring down resale values. I hear the developers have also had the opportunity to create a retirement community instead, that would furnish the same return on investment. As a citizen living in close proximity to the potential site, I request that developers explore alternative options, and cease any further progress with the high density housing.

33. Name: Nohe on 2016-06-14 03:06:23
Your Address (required for Kuna City to accept your signature on the petition): 689 east 4th street
Comments: We don't want them buildings here.

34. Name: Randi on 2016-06-14 03:08:32
Your Address (required for Kuna City to accept your signature on the petition): 2094 n sepia ave
Comments:

35. Name: Lindsay haskell on 2016-06-14 03:10:43
Your Address (required for Kuna City to accept your signature on the petition): 500 n meldgold ave
Comments:

36. Name: Del Barras on 2016-06-14 03:16:22
Your Address (required for Kuna City to accept your signature on the petition): 471 N. Sourwood Ave., Kuna, ID 83634
Comments:

37. Name: Jesse Park on 2016-06-14 03:19:38
Your Address (required for Kuna City to accept your signature on the petition): 395 w troy st
Comments:

38. Name: Rachel Park on 2016-06-14 03:21:50
Your Address (required for Kuna City to accept your signature on the petition): 395 W

Troy Street
Comments:

39. Name: Stephanie A Wheeling on 2016-06-14 03:23:35
Your Address (required for Kuna City to accept your signature on the petition): 303 W. Steph St.
Comments:

40. Name: Jessi young on 2016-06-14 03:24:02
Your Address (required for Kuna City to accept your signature on the petition): 1895 w. Yukon dr kuna Idaho
Comments:

41. Name: Sonya Zehrung on 2016-06-14 03:30:06
Your Address (required for Kuna City to accept your signature on the petition): 2041 N Rosedust Dr Kuna ID 83634
Comments:

42. Name: Jacquie gogan on 2016-06-14 03:33:00
Your Address (required for Kuna City to accept your signature on the petition): 609 s red oak ave, kuna, id 83634
Comments:

43. Name: Camille Davis on 2016-06-14 03:35:09
Your Address (required for Kuna City to accept your signature on the petition): 1021 E Ludlow St., Kuna, ID 83634
Comments:

44. Name: Shawn samson on 2016-06-14 03:35:56
Your Address (required for Kuna City to accept your signature on the petition): 1806 n buckler way
Comments: No!!!

45. Name: James Clark on 2016-06-14 03:38:13
Your Address (required for Kuna City to accept your signature on the petition): 418 S Wagontown
Comments:

46. Name: Shawna lively on 2016-06-14 03:52:00
Your Address (required for Kuna City to accept your signature on the petition): 1094 E Soapstone ct. Kuna Id 83634
Comments: I do not believe this would be good for the community.

47. Name: Jesse lee on 2016-06-14 03:54:00
Your Address (required for Kuna City to accept your signature on the petition): 1105 S

Pencil Ave
Comments:

48. Name: Amber Bothwell on 2016-06-14 03:56:14
Your Address (required for Kuna City to accept your signature on the petition): 996 S. Bobby Ave
Comments:

49. Name: Kym Rut on 2016-06-14 04:00:51
Your Address (required for Kuna City to accept your signature on the petition): 563 N. Mudstone Way
Comments:

50. Name: Linda Totten on 2016-06-14 04:06:43
Your Address (required for Kuna City to accept your signature on the petition): 660 S. School Ave
Comments: Definitely we do not want any low income rentals. And definitely no high rise.

51. Name: Leah on 2016-06-14 04:24:28
Your Address (required for Kuna City to accept your signature on the petition): 2252 W Secluded Ct
Comments:

52. Name: Brett Wheeling on 2016-06-14 04:27:02
Your Address (required for Kuna City to accept your signature on the petition): 303 W. Steph St Kuna, ID 83634
Comments: Don't want this high density residential

53. Name: Bryce Durrant on 2016-06-14 04:30:22
Your Address (required for Kuna City to accept your signature on the petition): 2345 w. Columbia, meridian Idaho 83642
Comments:

54. Name: Tara on 2016-06-14 05:12:38
Your Address (required for Kuna City to accept your signature on the petition): 1343 Penelope street, kuna
Comments:

55. Name: Tammy presley on 2016-06-14 05:21:22
Your Address (required for Kuna City to accept your signature on the petition): 136 W Playground St
Comments: This will ruin our small town!!

56. Name: Amber livingston on 2016-06-14 05:43:19
Your Address (required for Kuna City to accept your signature on the petition): 4255

banner st
Comments:

57. Name: Eryca Wrobel on 2016-06-14 07:19:45
Your Address (required for Kuna City to accept your signature on the petition): 427 East Whitbeck Street
Comments: I moved to Idaho to get away from this sort of nonsense. I lived in Chicago. I have experienced the section 8 disaster. Low income housing is not for a suburb. There are not enough jobs in Kuna to support this, or bussing to get people to Boise, or even Meridian. Kuna has lagged behind in real estate prices long enough. Nice neighborhoods are being built. I live in Chapparosa subdivision. There are still owners here that are upside down on their mortgages from 2008. Can we catch a break here???

58. Name: Anna Reali on 2016-06-14 07:41:11
Your Address (required for Kuna City to accept your signature on the petition): 230 E Striped Owl Dr Kuna, ID 83634
Comments: This type of housing would be devasting to our little community!

59. Name: Jessie on 2016-06-14 07:48:29
Your Address (required for Kuna City to accept your signature on the petition): 1009 e Kuna Rd apartment 110
Comments:

60. Name: Shayna lish on 2016-06-14 07:54:21
Your Address (required for Kuna City to accept your signature on the petition): 516 e Chapparosa Dr kuna id 83634
Comments: This would be terrible

61. Name: Leevi Tardiff on 2016-06-14 10:19:31
Your Address (required for Kuna City to accept your signature on the petition): 82 w Playground st.
Comments: property values WILL dive. Crime rate WILL go up. Horrible idea.

62. Name: Renee Cox on 2016-06-14 11:26:37
Your Address (required for Kuna City to accept your signature on the petition): 397 E whitbeck
Comments:

63. Name: Jon Pokorney on 2016-06-14 11:28:47
Your Address (required for Kuna City to accept your signature on the petition): 8605 McDermott Kuna Id 83634
Comments:

64. Name: Ben Rhinehart on 2016-06-14 11:29:58
Your Address (required for Kuna City to accept your signature on the petition): 281 west

troy street kuna, idaho
Comments: I really think that we need to improve our schools and infrastructure before letting a development like this into our neighborhood.

65. Name: Shavon Taylor on 2016-06-14 11:42:03
Your Address (required for Kuna City to accept your signature on the petition): 398 e whitbeck st kuna id
Comments: Not a good idea

66. Name: Anne greger on 2016-06-14 12:11:47
Your Address (required for Kuna City to accept your signature on the petition): 1172 s wiston Place kuna Idaho 83634
Comments:

67. Name: James Hollister on 2016-06-14 12:47:53
Your Address (required for Kuna City to accept your signature on the petition): 2162 West Caliret
Comments:

68. Name: Barb Heither on 2016-06-14 12:48:10
Your Address (required for Kuna City to accept your signature on the petition): 993 W Recess Way Kuna, ID
Comments:

69. Name: Kira Heward on 2016-06-14 13:06:36
Your Address (required for Kuna City to accept your signature on the petition): 2440 W Kuna Mora Rd
Comments:

70. Name: Marian Bergeson on 2016-06-14 13:07:34
Your Address (required for Kuna City to accept your signature on the petition): 293 e. Kelleher st.
Comments: We need smarter growth in Kuna.

71. Name: Nate Peters on 2016-06-14 13:07:51
Your Address (required for Kuna City to accept your signature on the petition): 349 E Whitbeck St
Comments:

72. Name: Heidi on 2016-06-14 13:09:42
Your Address (required for Kuna City to accept your signature on the petition): 2410 N Hawaiian Hawk Place Kuna Idaho 83634
Comments:

73. Name: Ryan Piper on 2016-06-14 13:18:56

Your Address (required for Kuna City to accept your signature on the petition): 150 e linmar dr
Comments:

74. Name: Nathan jones on 2016-06-14 13:36:21
Your Address (required for Kuna City to accept your signature on the petition): 1747 not spike ave
Comments: No refugees or low income apartments

75. Name: Nicole McDaniel on 2016-06-14 13:36:52
Your Address (required for Kuna City to accept your signature on the petition): 1343 Owyhee st Kuna ID 83634
Comments:

76. Name: Jamie Olson on 2016-06-14 13:39:38
Your Address (required for Kuna City to accept your signature on the petition): 9202 Happy Valley Rd Nampa, ID
Comments: My kids go to Kuna Schools, they're overcrowded already.

77. Name: Jeanne Piper on 2016-06-14 13:51:37
Your Address (required for Kuna City to accept your signature on the petition): 1069 S Chalkboard Pl
Comments:

78. Name: James Piper on 2016-06-14 13:53:31
Your Address (required for Kuna City to accept your signature on the petition): 1069 S Chalkboard Pl
Comments:

79. Name: T F Hanson on 2016-06-14 13:54:50
Your Address (required for Kuna City to accept your signature on the petition): 1069 S Chalkboard Pl
Comments:

80. Name: Whitney bright on 2016-06-14 13:55:12
Your Address (required for Kuna City to accept your signature on the petition): 2764 n rock cliffs ave kuna
Comments:

81. Name: Cecilio Bustillos on 2016-06-14 14:06:48
Your Address (required for Kuna City to accept your signature on the petition): 1137 W Ashwood Ct Kuna ID 83634
Comments:

82. Name: Melanie Russell on 2016-06-14 14:09:52

Your Address (required for Kuna City to accept your signature on the petition): 1155 S Jake Ave
Comments:

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83. Name: Rebecca Peppersack on 2016-06-14 14:15:29
Your Address (required for Kuna City to accept your signature on the petition): 525 E. Edenridge
Comments:

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84. Name: Scott dillard on 2016-06-14 14:17:07
Your Address (required for Kuna City to accept your signature on the petition): 1631 N. Klemmer Ave. Kuna Idaho 83634
Comments:

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85. Name: Anthony Jensen on 2016-06-14 14:31:03
Your Address (required for Kuna City to accept your signature on the petition): 1080 S.Sarah Ave. Kuna ID 83634
Comments: Growth is good but also can destroy a city and it's community if the right planning is not made. So far Kuna has done fairly well at keeping it a family town that is a respectable place to call home. I believe that is because of people who are willing to stand up and reject ill proposals that are set before them. I have lived here approximately 10 years. I moved here from Palm Springs California to live a clean country life . I hear that dream echoe I hear that dream echoed from others that have come here and from natives that want to keep it that way. I pray and trust you will make the wise choice to protect our wonderful city and state. Thank you.

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86. Name: Ken Rodgers on 2016-06-14 14:49:01
Your Address (required for Kuna City to accept your signature on the petition): 1061 S Pencil Ave, Kuna, ID 83634
Comments: This property is in the middle of single family housing and needs to be developed as such. Please do not allow the change to high density.

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87. Name: Tim Hazekamp on 2016-06-14 15:07:43
Your Address (required for Kuna City to accept your signature on the petition): 427 East Whitbeck Street, Kuna, ID 83634
Comments: The type of development being proposed is better suited to areas with more public transportation. Should be closer to Boise/Meridian because of that, and the proximity to more employment opportunities.

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88. Name: Heather Lind on 2016-06-14 15:07:49
Your Address (required for Kuna City to accept your signature on the petition): 365 w steph st, kuna id
Comments: we don't have the roads and railroad crossings to support something like this on this side of Kuna. I am also worried about my property taxes.

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89. Name: Christine M on 2016-06-14 15:12:13

Your Address (required for Kuna City to accept your signature on the petition): 838 W Sandbox St. Kuna ID 83634
Comments: I ask NO, concerns are safety for my family. You are asking to put right behind my house. I will loose my view to the valley. I would feel unsafe in my own home. SO please NO

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90. Name: Kierra Schnitker on 2016-06-14 15:19:49
Your Address (required for Kuna City to accept your signature on the petition): 415 e whitbeck st
Comments:

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91. Name: Shanna L CARLSON on 2016-06-14 15:22:03
Your Address (required for Kuna City to accept your signature on the petition): 1600 N Black Cat Rd
Comments: This would definitely be a bad idea. Kuna does not need more housing. It NEEDS businesses before it could ever support that mass amount of people coming in!

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92. Name: Jason Downs on 2016-06-14 15:33:03
Your Address (required for Kuna City to accept your signature on the petition): 1343 W Penelope st. Kuna
Comments:

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93. Name: Terra on 2016-06-14 15:37:39
Your Address (required for Kuna City to accept your signature on the petition): 563 n shadygrove
Comments:

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94. Name: Tammy Napier on 2016-06-14 16:11:22
Your Address (required for Kuna City to accept your signature on the petition): 11139 W. GILA DR
Comments:

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95. Name: Martha Drake on 2016-06-14 16:15:35
Your Address (required for Kuna City to accept your signature on the petition): P.O. Box 756
Comments:

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96. Name: Donald Erb on 2016-06-14 16:29:27
Your Address (required for Kuna City to accept your signature on the petition): 230 E Striped Owl dr Kuna ID 83634
Comments:

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97. Name: Kristy Lopes on 2016-06-14 16:29:59
Your Address (required for Kuna City to accept your signature on the petition): 2322 W. Beige Court Kuna Id 83634

Comments:

98. Name: Isabella Apicello on 2016-06-14 16:35:35
Your Address (required for Kuna City to accept your signature on the petition): 582 W. Treehouse way Kuna Idaho 83634
Comments:

99. Name: Alan White on 2016-06-14 16:36:10
Your Address (required for Kuna City to accept your signature on the petition): 801 W Playground Street
Comments:

100. Name: Jennifer uribe on 2016-06-14 16:36:34
Your Address (required for Kuna City to accept your signature on the petition): 1153 w Heartland dr.
Comments:

101. Name: Karen White on 2016-06-14 16:41:36
Your Address (required for Kuna City to accept your signature on the petition): 801 W Playground
Comments: I feel that this project will ruin the hominess of our neighborhood. I don't want to look out my window and see high rise buildings. What is great about Kuna is the home town feel if I wanted to live in a place that it will become if this is allowed I would move to Boise or some other big city.

102. Name: Jake Woolley on 2016-06-14 16:42:56
Your Address (required for Kuna City to accept your signature on the petition): 657 W Tallulah Dr
Comments:

103. Name: Richard Terry on 2016-06-14 16:43:17
Your Address (required for Kuna City to accept your signature on the petition): 330 W. Steph st kuna
Comments: We don't need this in Kuna in an area that is already impacted by small homes approved by the city.

104. Name: James Dorman on 2016-06-14 16:43:48
Your Address (required for Kuna City to accept your signature on the petition): 582 W Treehouse way Kuna Idaho 83634
Comments:

105. Name: Shannon Davis on 2016-06-14 17:00:38
Your Address (required for Kuna City to accept your signature on the petition): 2196 Steely Ct. KUNA ID
Comments: Leave our wonderful community alone. We do not want this. It is not

something I want to live by. We raise families here in Kuna for a reason and this is not the reason

106. Name: James moore on 2016-06-14 17:02:01
Your Address (required for Kuna City to accept your signature on the petition): 1233 n Atherton Ave
Comments:

107. Name: Aaron modrell on 2016-06-14 17:11:14
Your Address (required for Kuna City to accept your signature on the petition): 550 s Cassandra
Comments: We moved to kuna for a small town, stop the growth

108. Name: Shelly Dooney on 2016-06-14 17:26:33
Your Address (required for Kuna City to accept your signature on the petition): 818 East Folgado court, Kuna,ID 83634
Comments:

109. Name: Rachel Poole on 2016-06-14 17:28:54
Your Address (required for Kuna City to accept your signature on the petition): 600 N. Ash Ave
Comments: Kuna is a small friendly community we don't need/want large buildings in our small town. Keep Kuna small and safe.

110. Name: Rochelle Emerson on 2016-06-14 17:30:33
Your Address (required for Kuna City to accept your signature on the petition): 604 S Glenn Brook Pl
Comments: NOOOOOO.

111. Name: Daniel Emerson on 2016-06-14 17:32:22
Your Address (required for Kuna City to accept your signature on the petition): 604 S Glenn Brook Pl
Comments: No, Adding too much to population in one restricted area for our roads and schools.

112. Name: Leigh Ann Edwards on 2016-06-14 17:34:15
Your Address (required for Kuna City to accept your signature on the petition): 604 S Glenn Brook Pl
Comments: No my son will be attending school in Kuna and I want him to receive a proper education with the attention he needs to learn and suceed.

113. Name: DeAnn Sayre on 2016-06-14 17:35:44
Your Address (required for Kuna City to accept your signature on the petition): 548 E Willowridge Court, Kuna
Comments:

114. Name: Jeff White on 2016-06-14 18:15:23
Your Address (required for Kuna City to accept your signature on the petition): 801 W Playground
Comments:

115. Name: Alicia Cotterell on 2016-06-14 18:23:59
Your Address (required for Kuna City to accept your signature on the petition): 2838 N. Rock Cliffs
Comments: I really think we should look at other options for this land. I want Kuna to stay a great community. That means land should be developed to help home owners with their property value.

116. Name: Michelle MacBride on 2016-06-14 18:57:56
Your Address (required for Kuna City to accept your signature on the petition): 236 E Wythburn St
Comments:

117. Name: Jennifer on 2016-06-14 19:25:59
Your Address (required for Kuna City to accept your signature on the petition): 510 Shady Grove Kuna 83634
Comments:

118. Name: Amber Day on 2016-06-14 19:29:39
Your Address (required for Kuna City to accept your signature on the petition): 829 N white barn rd kuna Idaho
Comments: Keep kuna small and safe!

119. Name: Jim Grigg on 2016-06-14 19:33:54
Your Address (required for Kuna City to accept your signature on the petition): 1914 N Summerwind Pl
Comments:

120. Name: Bryson Lind on 2016-06-14 19:44:14
Your Address (required for Kuna City to accept your signature on the petition): 365 w steph st, kuna id
Comments: it will lower our property values

121. Name: Mary Kiaer on 2016-06-14 19:45:23
Your Address (required for Kuna City to accept your signature on the petition): 908 east georgia ave nampa 83686
Comments: I like Kuna just how it is I want to move to Kuna as soon as I can

122. Name: Tom lowe on 2016-06-14 19:56:49
Your Address (required for Kuna City to accept your signature on the petition): po box

171
Comments:

123. Name: Debra Nordquist on 2016-06-14 19:57:34
Your Address (required for Kuna City to accept your signature on the petition): 1837 W Potosi Way, Kuna
Comments: I love the small town qualities of Kuna and that is why I live here. I do not want more traffic or growth that is associated with high density "inner city" housing. Where will with funds come from to improve transportation, street lights, roads, and fire/rescue departments?

Dear Developer, Please choose wisely. The buck you make changes the lives of the established residents in this area. And will continue to change things long after you are gone. Please change them in a positive direction for us - the people of Kuna who would like to keep our values (in property values and personal values). Thank you!

124. Name: Colleen Rasmussen on 2016-06-14 20:14:37
Your Address (required for Kuna City to accept your signature on the petition): 574 W Omphale St
Comments: Please consider the surrounding home owners concerns about this 4- plex in our neighborhood...This location is just not suited for this type of dwelling.

125. Name: Jackie Young on 2016-06-14 20:29:13
Your Address (required for Kuna City to accept your signature on the petition): 200 S Orchard Ave
Comments:

126. Name: Travis Pauley on 2016-06-14 20:31:38
Your Address (required for Kuna City to accept your signature on the petition): 1276 W Crenshaw St
Comments:

127. Name: Kory Harmison on 2016-06-14 20:49:33
Your Address (required for Kuna City to accept your signature on the petition): 1833 S Juniper St
Comments:

128. Name: McKenze Critchfield Ames on 2016-06-14 20:50:12
Your Address (required for Kuna City to accept your signature on the petition): 1102 w Omphale St
Comments:

129. Name: Amy Hymas on 2016-06-14 21:02:40
Your Address (required for Kuna City to accept your signature on the petition): 824 W Sandbox St
Comments: I just bought my first home. I am a single mom with two special needs

children. I moved to Kuna because of the family feel and safety. Bringing this type of house to literally, my backyard is putting my children at risk, the last think I thought I would have to worry about in Kuna. Please refuse permission, please!

130. Name: Teresa Lance on 2016-06-14 21:04:13
Your Address (required for Kuna City to accept your signature on the petition): 1343 N. Tasavol Ave Kuna Id
Comments:

131. Name: Eileen Ellis on 2016-06-14 21:04:26
Your Address (required for Kuna City to accept your signature on the petition): 1273
Comments:

132. Name: Carter Oster on 2016-06-14 21:04:34
Your Address (required for Kuna City to accept your signature on the petition): 782 W. Omphale St
Comments:

133. Name: Stephaine mishler on 2016-06-14 21:14:21
Your Address (required for Kuna City to accept your signature on the petition): 1009 n miner Kuna Id 83634
Comments:

134. Name: Barbara Slagle on 2016-06-14 21:16:38
Your Address (required for Kuna City to accept your signature on the petition): 1083 S Ruler Place
Comments: I would much prefer a much needed retirement community. I do not want 4 plexes or apartments next door to School House Park unless the developer will pay the wages of added police officers and support personnel to keep crime at a minimum. As it is we now have more rentals within our park than was originally intended and have seen an increase in crime with just this.

135. Name: Doug Klingler on 2016-06-14 21:18:37
Your Address (required for Kuna City to accept your signature on the petition): 362 Lil Robert, Kuna, ID
Comments: I moved to Kuna 5 years ago. I specifically moved here (and not Nampa or Caldwell) because I wanted a safe and quiet place to live. Please don't impact Kuna so negatively by letting this housing occur.

136. Name: Laci McRae on 2016-06-14 21:26:59
Your Address (required for Kuna City to accept your signature on the petition): 862 S jump rope Pl kuna Idaho
Comments:

137. Name: Elizabeth Rodgers on 2016-06-14 21:29:29

Your Address (required for Kuna City to accept your signature on the petition): 1061 S Pencil Ave
Comments: We bought our home in this subdivision recently because it is single family only. Please do not betray our trust.

138. Name: Courtney Gaythwaite on 2016-06-14 21:30:59
Your Address (required for Kuna City to accept your signature on the petition): 934 S Pencil Ave Kuna, Id 83634
Comments:

139. Name: Jason Gaythwaite on 2016-06-14 21:34:04
Your Address (required for Kuna City to accept your signature on the petition): 934 S Pencil Ave Kuna, Id 83634
Comments:

140. Name: Mary Ansay on 2016-06-14 21:36:11
Your Address (required for Kuna City to accept your signature on the petition): 705 E Huckleberry Court
Comments:

141. Name: Jennifer lott on 2016-06-14 21:39:48
Your Address (required for Kuna City to accept your signature on the petition): 1039 s Pencil ave Kuna, id 83634
Comments:

142. Name: M Allen on 2016-06-14 21:39:56
Your Address (required for Kuna City to accept your signature on the petition): 880 S. Pencil Ave. kuna Idaho 83634
Comments:

143. Name: Shanna fox on 2016-06-14 21:43:49
Your Address (required for Kuna City to accept your signature on the petition): 793 s jake ave kuna id 83634
Comments:

144. Name: Maggie hunter on 2016-06-14 21:44:57
Your Address (required for Kuna City to accept your signature on the petition): 939 south pencil ave
Comments:

145. Name: Trevor Hennessey on 2016-06-14 21:49:15
Your Address (required for Kuna City to accept your signature on the petition): 1279 N Black Wolf Ave
Comments:

146. Name: Shawn Curtis on 2016-06-14 21:50:26
Your Address (required for Kuna City to accept your signature on the petition): 552 S Iron Springs Kuna
Comments: This is not for Kuna! We are living here for our small town feel. It will bring property values way down in the future

147. Name: Judy Pruitt on 2016-06-14 22:00:32
Your Address (required for Kuna City to accept your signature on the petition): 1340 w Armand st Kuna Idaho 83634
Comments:

148. Name: Courtney Emry on 2016-06-14 22:00:38
Your Address (required for Kuna City to accept your signature on the petition): 1325 El camino kuna,ID 83634
Comments:

149. Name: Erica Kallin on 2016-06-14 22:00:46
Your Address (required for Kuna City to accept your signature on the petition): 929 S Jump Rope Pl Kuna 83635
Comments: We don't want to see our property values decreased or the traffic tripled because of an apartment complex put up right next to our house. We choose this subdivision because it was high quality and a good community to raise our children. That disappears with this proposal!

150. Name: James Laskie on 2016-06-14 22:01:05
Your Address (required for Kuna City to accept your signature on the petition): 916 s pencil ave , Kuna ,Id 83634
Comments:

151. Name: Gerald Burton on 2016-06-14 22:02:14
Your Address (required for Kuna City to accept your signature on the petition): 1156 S Pencil Avenue
Comments: I absolutely oppose and say "NO", to the high density "inner city" housing in Kuna. I left California and moved to this wonderful city and the great state of Idaho, because I have had experience living next to a development like what these out of state developers wants to build here in Kuna. It will bring more crime, lower even more the Kuna public schools standards, traffic congestion, will need to hire more police due to crime increase, more teachers will be needed for the new children, lower income renters taxes won't pay for all of this, and it will be Kuna resident taxpayer to make up the difference by paying more taxes. Should these developers get their wish, this will lower the property values in this city. So again, I say "NO" to this proposal. Sincerely yours, Gerald Burton

152. Name: Amy Carter on 2016-06-14 22:09:32
Your Address (required for Kuna City to accept your signature on the petition): 1335 S School

Comments: We will be moving to school street in September. We don't want to see more traffic and people. WE chose here for a calmer life

153. Name: Carolyn Vickers on 2016-06-14 22:12:21
Your Address (required for Kuna City to accept your signature on the petition): 1134 S Pencil Ave
Comments:

154. Name: Kylie Cox on 2016-06-14 22:16:44
Your Address (required for Kuna City to accept your signature on the petition): 917 S. Pencil Ave. Kuna, ID 83634
Comments:

155. Name: Lisa Milburn on 2016-06-14 22:26:27
Your Address (required for Kuna City to accept your signature on the petition): 2705 N Hose Gulch
Comments:

156. Name: T Fisher on 2016-06-14 22:26:29
Your Address (required for Kuna City to accept your signature on the petition): 1385 W Oak Tree Dr
Comments:

157. Name: Kelly Kelsch on 2016-06-14 22:33:22
Your Address (required for Kuna City to accept your signature on the petition): 1103 Owyhee
Comments: Please do not allow this to be built.

158. Name: Andrew hunter on 2016-06-14 22:36:11
Your Address (required for Kuna City to accept your signature on the petition): 939 s pencil ave
Comments:

159. Name: Timmery Perez on 2016-06-14 22:45:31
Your Address (required for Kuna City to accept your signature on the petition): 1901 S. Forrey Rd Kuna, Idaho 83634
Comments: I vote NO!

160. Name: Dakota Hillman on 2016-06-14 22:51:16
Your Address (required for Kuna City to accept your signature on the petition): 590 bluesky drive
Comments:

161. Name: Kristina E Shroades on 2016-06-14 22:59:43
Your Address (required for Kuna City to accept your signature on the petition): 672 S

Glenn Brook Pl
Comments: I ask that you do not permit this to take place in our community. All I see is an increase in crime, lower property values and higher taxes. Kuna is NOT the place for this to be built. There are other places for this...

162. Name: Lee Carter on 2016-06-14 22:59:46
Your Address (required for Kuna City to accept your signature on the petition): 1157 E. Puffin St.
Comments: We are buying land on School Street in order to avoid high density in-fill developers as we have come from areas in which this was a problem. We are opposed to this because of increased crime, lower property value, noise pollution, and reputation of Kuna.

163. Name: Angela Olds on 2016-06-14 23:01:38
Your Address (required for Kuna City to accept your signature on the petition): 2464 W Cerulean,Kuna, ID 83634
Comments:

164. Name: Alexis Laskie on 2016-06-14 23:07:54
Your Address (required for Kuna City to accept your signature on the petition): 916 s pencil ave kuna Id 83634
Comments:

165. Name: Mya on 2016-06-14 23:07:57
Your Address (required for Kuna City to accept your signature on the petition): 2589 West Gainsboro Drive
Comments:

166. Name: Brian mulherin on 2016-06-14 23:13:26
Your Address (required for Kuna City to accept your signature on the petition): 1009 n miner Kuna id 83634
Comments:

167. Name: Pam Grant on 2016-06-14 23:33:44
Your Address (required for Kuna City to accept your signature on the petition): 2154 W Seldovia St, Kuna, ID 83634
Comments:

168. Name: Brandon Arent on 2016-06-14 23:35:58
Your Address (required for Kuna City to accept your signature on the petition): 484 S. Ash Ave
Comments:

169. Name: Shuyler Mample on 2016-06-14 23:49:35
Your Address (required for Kuna City to accept your signature on the petition): 838 W

Sandbox St., Kuna, Id
Comments: This proposed addition to our community is truly something to be stopped if for all things mentioned at savekuna.com, but also for our safety that will be endangered because of increased traffic to the area. Not to mention to inconvenience... Just imagine what we'll see downtown with the increased vehicle traffic each time the rail ways are blocked. Which happens quite frequently if not on a daily basis.

170. Name: Christine Mample on 2016-06-14 23:51:12
Your Address (required for Kuna City to accept your signature on the petition): 838 W Sandbox St, Kuna, ID
Comments:

171. Name: Sheila Waksmonsk on 2016-06-14 23:56:50
Your Address (required for Kuna City to accept your signature on the petition): 1551 S Luker Rd. Kuna
Comments: We already have enough crime & over crowded schools. This will only make things worse. We do not want this in our town.

172. Name: Jennifer Studer on 2016-06-14 23:57:58
Your Address (required for Kuna City to accept your signature on the petition): 621 E Great Bear st
Comments:

173. Name: Sandra Jenkins on 2016-06-15 00:04:28
Your Address (required for Kuna City to accept your signature on the petition): 11104 W. Gila Dr. Kuna ID 83634
Comments:

174. Name: Michelle Cox on 2016-06-15 00:06:59
Your Address (required for Kuna City to accept your signature on the petition): 1096 S. Tomen Ave
Comments:

175. Name: Deondra Buschlen on 2016-06-15 00:08:37
Your Address (required for Kuna City to accept your signature on the petition): 660 S. School Kuna Id
Comments:

176. Name: Jorge campos on 2016-06-15 00:17:06
Your Address (required for Kuna City to accept your signature on the petition): 567 rams hill
Comments:

177. Name: Shannon Carter on 2016-06-15 00:18:28
Your Address (required for Kuna City to accept your signature on the petition): 915 N

Cornflower Avenue Kuna ID 83634
Comments:

178. Name: Heather Manley on 2016-06-15 00:26:48
Your Address (required for Kuna City to accept your signature on the petition): 2034 N Thistle Dr
Comments:

179. Name: Sue Oster on 2016-06-15 00:27:39
Your Address (required for Kuna City to accept your signature on the petition): 772 W Omphale Kuna, ID 83634
Comments:

180. Name: Ronda nicholson on 2016-06-15 00:31:34
Your Address (required for Kuna City to accept your signature on the petition): 18100 s Cloverdale rd. Kuna, ID 83634
Comments:

181. Name: RJ Fox on 2016-06-15 00:33:01
Your Address (required for Kuna City to accept your signature on the petition): 793 S Jake Ave Kuna, ID 83634
Comments:

182. Name: Quinn black on 2016-06-15 00:47:30
Your Address (required for Kuna City to accept your signature on the petition): 781 w lunchbox st kuna ID 83634
Comments: I DO NOT WANT APARTMENTS IN MY NEIGHBORHOOD

183. Name: BillieJean Black on 2016-06-15 00:50:57
Your Address (required for Kuna City to accept your signature on the petition): 781 w lunchbox St Kuna ID 83624
Comments: I do not want apartments in my neighborhood

184. Name: McKenzie Basaldua on 2016-06-15 00:59:03
Your Address (required for Kuna City to accept your signature on the petition): 466 W Willow Dale Way
Comments:

185. Name: Holly on 2016-06-15 01:04:12
Your Address (required for Kuna City to accept your signature on the petition): 1195 so ruler ave
Comments:

186. Name: Samantha Ritchey on 2016-06-15 01:13:40
Your Address (required for Kuna City to accept your signature on the petition): 508 W

Omphale St
Comments:

187. Name: William Orton on 2016-06-15 01:16:04
Your Address (required for Kuna City to accept your signature on the petition): 957 w Omphale st
Comments: Keep this drug infestation out of our neighborhood. Please No.

188. Name: victoria cammack on 2016-06-15 01:18:21
Your Address (required for Kuna City to accept your signature on the petition): 338 south saddlerock
Comments:

189. Name: Emily carpenter on 2016-06-15 01:28:36
Your Address (required for Kuna City to accept your signature on the petition): 1063 s Bobby ave
Comments:

190. Name: David Orton on 2016-06-15 01:32:58
Your Address (required for Kuna City to accept your signature on the petition): 658 e Santolina St kuna I'd 83634
Comments:

191. Name: sharon orton on 2016-06-15 01:53:54
Your Address (required for Kuna City to accept your signature on the petition): 957 w. omphale st. kuna idaho
Comments: Schools can't handle more kids. We are not equipped in kuna for the amount of people this will bring. Also I don't need the sale value of my property to go down. We live here because the crime rate is low. Do not do this. Kuna is 9th of the last safe places in the treasure valley.

192. Name: Obese Kunite on 2016-06-15 01:54:30
Your Address (required for Kuna City to accept your signature on the petition): My parents basement
Comments: Hahahaha

193. Name: Veronica Orton on 2016-06-15 02:01:01
Your Address (required for Kuna City to accept your signature on the petition): 658 E Santolina Street
Comments:

194. Name: Eric Buschlen on 2016-06-15 02:05:31
Your Address (required for Kuna City to accept your signature on the petition): 660 S School Kuna Id
Comments:

195. Name: Jill on 2016-06-15 02:05:44
Your Address (required for Kuna City to accept your signature on the petition): 957 1/2 w. Omphale kuna idaho
Comments:

196. Name: Melissa on 2016-06-15 02:14:03
Your Address (required for Kuna City to accept your signature on the petition): 643 email great bear
Comments:

197. Name: Tracy Moore on 2016-06-15 02:27:15
Your Address (required for Kuna City to accept your signature on the petition): 2988 s locust grove
Comments:

198. Name: Marilyn Bates on 2016-06-15 03:15:35
Your Address (required for Kuna City to accept your signature on the petition): 956 S Pencil Avenue Kuna, ID
Comments:

199. Name: Kellie gates on 2016-06-15 03:27:34
Your Address (required for Kuna City to accept your signature on the petition): 1288 w balboa kuna id
Comments:

200. Name: Dawn Portugais on 2016-06-15 03:37:37
Your Address (required for Kuna City to accept your signature on the petition): 10165 W Burntwwod Ct
Comments: This is ridiculous. My entire family lives in Kuna. This would make the city look very trashy. We don't need more junky people moving to a great city.

201. Name: Terri Decker on 2016-06-15 03:48:10
Your Address (required for Kuna City to accept your signature on the petition): 490 Stroebel Road
Comments: We have enough, we need more subdivisions with 1/2 acres, 1 acre so growing families want to stay in Kuna

202. Name: Alyssa m on 2016-06-15 04:02:53
Your Address (required for Kuna City to accept your signature on the petition): 839 w lunchbox st
Comments:

203. Name: Randell Waller on 2016-06-15 04:15:44
Your Address (required for Kuna City to accept your signature on the petition): 792 white

fang kuna Id 83634
Comments: Dont want or need it.

204. Name: Tristan Thorne on 2016-06-15 04:18:31
Your Address (required for Kuna City to accept your signature on the petition): 402 S Wagontown Ave Kuna, ID 83634
Comments: Please refuse permission for High Density Housing in Kuna. I would personally not buy a home near a high density housing building, thus indirectly lowering the value of land around such a building. Those on the commission to stick to other options for the land (retirement community, community building with pool/rec center, regular subdivision development for homes) which would increase the value of the surrounding properties.

205. Name: Roy Holt on 2016-06-15 04:20:30
Your Address (required for Kuna City to accept your signature on the petition): 2696 N Greenville Ave
Comments: we do not need this mess in Kuna we have enough.

206. Name: Nicholas Busbee on 2016-06-15 05:27:01
Your Address (required for Kuna City to accept your signature on the petition): 1993 W. Feltson St., Kuna, Idaho 83634-4801
Comments: Keep the Syrians out of Idaho!

207. Name: David Nowland on 2016-06-15 05:28:13
Your Address (required for Kuna City to accept your signature on the petition): 754 W.White Fang St
Comments: We don't need this type of housing in Kuna.

208. Name: Jaclyn Kippes on 2016-06-15 05:47:10
Your Address (required for Kuna City to accept your signature on the petition): 1502 w. Ryegrass st. Kuna idaho 83634
Comments:

209. Name: Jennifer Andersen on 2016-06-15 06:05:52
Your Address (required for Kuna City to accept your signature on the petition): 1963 n. Cool Springs Ave. Kuna 83634
Comments:

210. Name: Debra Graham on 2016-06-15 07:33:53
Your Address (required for Kuna City to accept your signature on the petition): 385 N Shady Grove Ct
Comments:

211. Name: Scott Busmann on 2016-06-15 13:15:49
Your Address (required for Kuna City to accept your signature on the petition): 932 S

Jump Rope Place
Comments:

212. Name: MariBeth Busmann on 2016-06-15 13:20:36
Your Address (required for Kuna City to accept your signature on the petition): 932 S Jump Rope Place
Comments:

213. Name: Samantha Ransom on 2016-06-15 13:37:31
Your Address (required for Kuna City to accept your signature on the petition): 248 W STEPH ST
Comments:

214. Name: Tamara Davisson on 2016-06-15 14:20:52
Your Address (required for Kuna City to accept your signature on the petition): 1840 N Veridian Ave, Kuna, ID 83634
Comments:

215. Name: T Whitney on 2016-06-15 14:23:06
Your Address (required for Kuna City to accept your signature on the petition): 553 W. Omphale st. Kuna
Comments:

216. Name: Will on 2016-06-15 15:25:25
Your Address (required for Kuna City to accept your signature on the petition): 1329 n. Kolkata Rd kuna idaho 8363r
Comments:

217. Name: Marcia Garey on 2016-06-15 15:45:19
Your Address (required for Kuna City to accept your signature on the petition): 1801 n andrew lane, kuna
Comments:

218. Name: Craig Ellis on 2016-06-15 15:50:06
Your Address (required for Kuna City to accept your signature on the petition): 556 W Playground Street
Comments:

219. Name: HyLee Hansen on 2016-06-15 15:54:25
Your Address (required for Kuna City to accept your signature on the petition): 454 S Willow Tree Dr
Comments:

220. Name: Chantel plummer on 2016-06-15 16:24:57
Your Address (required for Kuna City to accept your signature on the petition): 555 s

redoak ave kuna ID 83634
Comments: We moved from California to get away from low income properties and get away from apartment complexes like what's wanting to be built! I have small childern and want to feel safe and be sure they get a great education.

221. Name: Jeff Rosenthal on 2016-06-15 19:13:25
Your Address (required for Kuna City to accept your signature on the petition): 9100 Ironstone Ave
Comments:

222. Name: Rayanne stuck on 2016-06-15 20:26:59
Your Address (required for Kuna City to accept your signature on the petition): 895 s jump rope pl. Kuna id
Comments: Would not be good for our property values, for apartments to be built in our neighborhood. Plus we are a retired, muture neighborhood.

223. Name: Jessica Astle on 2016-06-15 22:47:23
Your Address (required for Kuna City to accept your signature on the petition): 6593 Kuna Rd
Comments:

224. Name: Laura Curtis on 2016-06-16 00:16:11
Your Address (required for Kuna City to accept your signature on the petition): 552 s iron springs Kuna
Comments: No we do not want these

225. Name: Lorrie Jacoby-Torrey on 2016-06-16 00:20:21
Your Address (required for Kuna City to accept your signature on the petition): 794 W Sandbox st
Comments: absolutely against this plan

226. Name: Janice Sanders on 2016-06-16 00:47:39
Your Address (required for Kuna City to accept your signature on the petition): 876 S Jump Rope Place, Kuna, I'd 83634
Comments:

227. Name: Heather Collins on 2016-06-16 00:53:15
Your Address (required for Kuna City to accept your signature on the petition): 1051 S Jake Ave Kuna, ID 83634
Comments:

228. Name: Tammy smith on 2016-06-16 01:41:54
Your Address (required for Kuna City to accept your signature on the petition): 685 W. Trini St., Kuna, ID 83634
Comments:

229. Name: Bj Smith on 2016-06-16 03:23:01
Your Address (required for Kuna City to accept your signature on the petition): 685 Trini st., Kuna ID 83634
Comments:

230. Name: Justin on 2016-06-16 03:31:24
Your Address (required for Kuna City to accept your signature on the petition): 415 e whitbeck kuna idaho
Comments:

231. Name: Chris shults on 2016-06-16 03:34:38
Your Address (required for Kuna City to accept your signature on the petition): 1919 w Sahara dr kuna Id, 83634
Comments:

232. Name: Aaron dorris on 2016-06-16 04:08:47
Your Address (required for Kuna City to accept your signature on the petition): 314 e screech owl dr kuna Idaho
Comments:

233. Name: Justine hart on 2016-06-16 13:58:22
Your Address (required for Kuna City to accept your signature on the petition): 1198 N Pyrite Ave Kuna Id 83634
Comments:

234. Name: Dan Winkler on 2016-06-16 15:07:53
Your Address (required for Kuna City to accept your signature on the petition): 894 W. Sandbox st. kuna ID
Comments: This housing facility would be right in my back yard. I enjoy seeing the city from my porch, I don't want to stare at a brick wall every time I go outside.

235. Name: Sabrina Winkler on 2016-06-16 15:11:16
Your Address (required for Kuna City to accept your signature on the petition): 894 W. Sandbox st. Kuna ID
Comments:

236. Name: Betsy Winkler on 2016-06-16 15:18:27
Your Address (required for Kuna City to accept your signature on the petition): 11621 Kuna Rd. Kuna, Id
Comments:

237. Name: Michelle Moore on 2016-06-16 15:54:19
Your Address (required for Kuna City to accept your signature on the petition): 994 E Hopton Street

Comments: I moved back to Boise after 18 years in Phoenix due to the ever increasing crime rate! I like Kuna for its "small town feel" and relatively low crime rate.....I think we should keep it that way! I think there are better options for the use of that land.

238. Name: Kedrick Torrey on 2016-06-16 21:26:56
Your Address (required for Kuna City to accept your signature on the petition): 794 W Sandbox St Kuna ID 83634
Comments:

239. Name: Susan Folk on 2016-06-16 22:52:27
Your Address (required for Kuna City to accept your signature on the petition): 843 W. Playground St
Comments:

240. Name: Ken Folk on 2016-06-16 22:54:17
Your Address (required for Kuna City to accept your signature on the petition): 843 W. Playground St
Comments:

City of Kuna

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

Findings of Fact & Conclusions of Law – P & Z

To: **P&Z Commission**

File Numbers: **16-01-ZC** (Rezone) **16-02-CPM** (Comp Plan Map amendment) and **16-01-S** (Subdivision)

Location: Southeast corner (SEC) of School Avenue & Sunbeam (Alignment) Kuna, Idaho

Planner: Troy Behunin, Senior Planner

Hearing date: July 12, 2016
Tabled on: *June 14, 2016*
Findings of Fact: **August 9, 2016**

Applicant: A-Team Land Consultants
Steve Arnold
1785 S. Whisper Cove Ave.,
Boise, ID 83709
208.321.0525
steve@ateamboise.com

Owner: Oasis Properties, LLC
Marty Pieroni
475 S. Thornwood Way,
Meridian, ID, 83642
208.401.0977
martypieroni@gmail.com

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A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), states that Rezones, Comprehensive Plan Map Amendment, and Subdivisions are designated as a public hearing, with the Commission as a recommending body and the City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

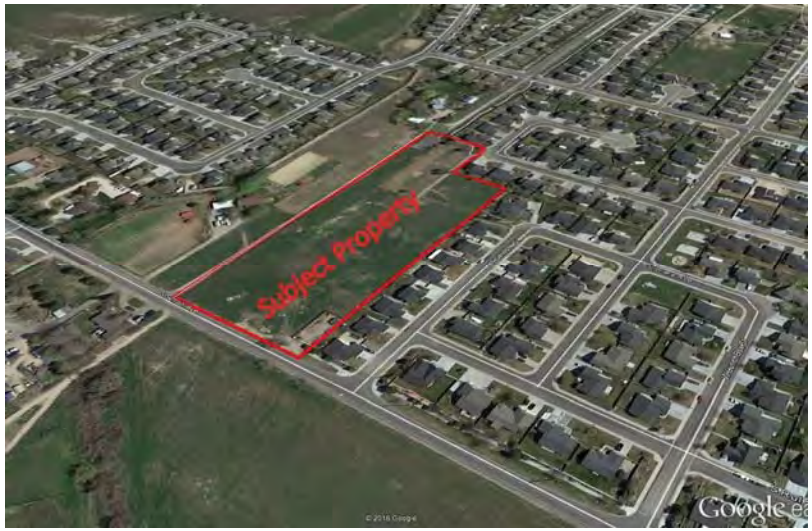
i.	Neighborhood Meeting	November 9, 2015 (seven persons attended) and March 7, 2016 (twenty five households signed in)
ii.	Agency Comment Request	May 2, 2016
iii.	400' Property Owners Notice	May 26, 2016
	400' Courtesy Notice	July 12, 2016
iv.	Kuna, Melba Newspaper	May 25, 2016
v.	Site Posted	June 1, 2016

B. Applicants Request:

1. **Request:**

Steve Arnold, with A-Team Consultants requests an amendment to the Comprehensive Plan Map (Comp Plan Map) to change the *designation* from Medium Density to High Density Residential for approximately (6.18 +/- acre), and to rezone the same property from R-6 (Medium Density Residential) to R-12 (High Density). The applicant also proposes to subdivide the parcel into 21 lots, in preparation to develop the site as a multi-family project. The site is located near the southeast corner (SEC) of School Avenue and the alignment for Sunbeam Street.

C. Aerial Map:



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D. Site History:

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

E. General Projects Facts:

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

2. **Surrounding Land Uses:**

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

3. **Parcel Sizes, Current Zoning, Parcel Number(s):**
   - Parcel Size: 6.18 acres (approximately)
   - Zoning: R-6; Medium Density Residential - Kuna
   - Parcel #: S1326428020

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

5. **Existing Structures, Vegetation and Natural Features:**
   There is a structure on site that appears to be a shed. The remaining site has vegetation that is generally associated with an open field.

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

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

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

F. Staff Analysis:

The Comprehensive Plan Map amendment (Comp Plan), rezone, and subdivision applications involve a parcel that is essentially surrounded by Kuna City limits and is neighboring several platted subdivisions. The parcel is adjacent to a major collector (School Avenue) and all public utilities are near this site. These applications have been submitted to prepare the site for a multi-family housing development.

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

If approved, this map amendment request (from Medium Density (*8 units/acre*) to High density (*12 units/acre*), would result in an overall difference in the number of units allowed per acre, by four (4) units.

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

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

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

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

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13
2. City of Kuna Comprehensive Plan, adopted September 1, 2009
3. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Procedural Background:

The Commission conducted its Public Hearing on July 12, 2016, where it considered Cases No. 16-01-ZC, 16-02-CPM and 16-01-S, including the application, agency comments, staff's report, application exhibits and public testimony presented or given.

I. The Commission's Findings of Fact:

Based upon the record in re: **16-01-ZC, 16-01-CPM and 16-01-S,** including the exhibits, staff report and testimony elicited during the public hearing, the P&Z Commission hereby recommends *denial* for Case No's 16-01-ZC, 16-02-CPM and 16-01-S, Rezone, Comp Plan Map amendment and subdivision to the City Council of Kuna. (The Commission vote was 4 Yea's to 1 Nay. Thirty one (31) people signed up in opposition to the project, and twenty (20) of them testified in opposition) upon the following grounds:

1. The Kuna City Comprehensive Plan provides that multi-family housing is encouraged to be placed in or near City Centers and Neighborhood Districts (N.D.). *The majority of the Commission feels this project is situated between two (2) N.D. and not within the City Center or a N.D.. The majority of the Commission also feels this project does not follow the concept of locating higher density development near the City core, churches and schools. The majority of the Commission feels this project does not follow the goals of the Comp Plan, or, the Comp Plan Map.*

Staff's Comment: The Comp Plan lists numerous goals for providing multi-family housing in Kuna. The Comp Plan Map designates this property as Medium Density. As this is a proposed residential use, the project generally follows the goals of the Comp Plan and the Comp Plan Map.

The Commission's finding does not agree with staff's analysis that the proposal complies with Idaho Code §§ 67-6511(2) C and 67-6513, the Comp Plan (as outlined in this report) and accompanying Comp Plan Map.

In making a decision regarding a rezone, the Commission is to consider Idaho Code §67-6511 (2) C, which requires that it analyze a proposed change to the city's zoning ordinance to ensure that the requested change is not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction then the request for re-zone may properly be denied.

In addition, and in regard to the request for the subdivision of the property, Idaho Code §67-6513 states that the city may provide for mitigation of the effects of subdivision development on the ability of the city to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.

In Case Numbers 16-01-ZC, 16-02-CPM and 16-01-S, the Commission concludes that the requests do not comply with the City of Kuna's Comp Plan or Comp Plan Map because the proposed development is not within a neighborhood district (N.D.) or close to services. Most Commission members commented that the location for higher housing densities like this application belong in the City core, or inside a defined N.D.. While considering the Comp Plan Map, the Commission decided this Location is in between the City core and a N.D.. Most Commission members could not accept these proposed housing densities based on the Comp Plan calling for higher densities in the core, or in a N.D..

2. The Kuna Commission has the authority to recommend approval or denial for these applications.

Comment: *On July 12, 2016, Kuna Commission voted to* ***recommend*** *denial of Case No.s 16-01-ZC, 16-02-CPM and 16-01-S.*

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

Comment: *As noted in the process and noticing section, notice requirements were met to hold a public hearing on July 12, 2016.*

J. Factual Summary:

This site is located near the SEC of School Avenue and Sunbeam Street (Alignment). Applicant proposes a rezone for approximately 6.2 acres in the City from R-6 to R-12. Applicant proposes a Comprehensive Plan Map amendment for the site, from Medium Density to High Density Residential and a preliminary plat to subdivide the parcel into 21 lots (six buildable, seven common).

The site will take access from the future Sunbeam Street in one location.

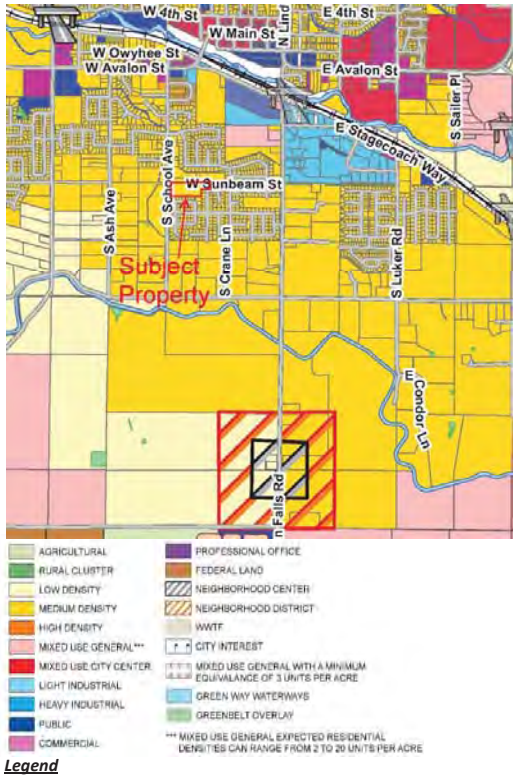
K. Comprehensive Plan Analysis:

The Kuna Commission accepts the Comp Plan components as described below:
The proposed zone change for the site is consistent with the following Comp Plan components:

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

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

Comment: *The proposal follows the community vision and housing goals as stated and adopted.*



Legend

Private Property Rights Goals and Objectives - Section 2 - Summary:
Ensure the City *land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property.* Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney;
the Idaho Attorney General's six criterion established to determine the potential for property taking.

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

Economic Development Goals and Objectives - Section 5 - Summary:
Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5 and Pg. 43 – 3.1).

Comment: *The proposed application complies with these elements of the comp plan by providing a non-standard housing type meeting this goal.*

Land Use Goals and Objectives - Section 6 - Summary:
Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 64 – 3.1 & Goal 3 and Pg. 65 – 4.3).

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

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

Commission Decision: *Most Commission members disagreed with staff's view that this proposal generally follows the Neighborhood District definition, and the Commission decided to follow a strict interpretation of the Neighborhood District. The Commission decided the location for higher housing densities like this application belong in the City core, or inside a defined N.D.. The Commission decided this Location is in between the City core and a N.D..*

Staff's Comment: *Staff believes that the proposal complies with the land use plan as adopted by Kuna, by incorporating the following; non-typical housing densities and types in or near a neighborhood district while promoting in-fill methodologies and a quality housing project.*

Housing Goals and Objectives - Section 12 - Summary:
Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1).

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

Comment: *Applicant proposes high density residential which will contribute to availability of varied types and home sizes in a logical and orderly manner with an infill-style of development.*

Community Design Goals and Objectives - Section 13 - Summary:
Strengthen Kuna's Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place (Pg.167 – Goal 1 and Pg. 168 – 1.2).

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

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

Comment: *This application promotes sound community and urban design principles.*

L. Idaho Code Analysis:

1. The Commission finds that the proposal is not in compliance with the following Idaho State Code sections.
2. **IC §67-6511 (2) C** requires that the Commission analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.
3. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.

M. Comprehensive Plan Analysis:

1. The site is physically suitable for a subdivision.

   Comment: *The 6.2 acre (approximate) project appears to be suitable for a subdivision.*

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

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

3. The rezone, Comp Plan Map amendment and subdivision applications are not likely to cause adverse public health problems.

   Comment: *The rezone and* Comp *Plan Map amendment for the property requires a zoning designation per Kuna Code 5-13-9. The project requires connection to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

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

   Comment: *The Commission did consider the rezone, Comp Plan Map amendment and subdivision and the location of the property with adjacent uses. The majority of the Commission determined that this site is not close enough to either the City center or a Neighborhood District, where high density residential uses are encouraged.*

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

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

N. Conclusions of Law:

1. Based on the evidence contained in Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S, Commission finds Case No's 16-01-ZC, 16-02-CPM and 16-01-S generally do not comply with Kuna City Code.
2. Based on the evidence contained in Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S, Commission finds Case No's 16-01-ZC, 16-02-CPM and 16-01-S are generally not consistent with Kuna's Comp 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.

O. Recommendation to the Council:

Based upon the foregoing, on July 12, 2016, the Planning and Zoning Commission voted 4-1, to recommend ***denial*** for Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S to Council, including the request for a rezone, Comprehensive Plan Map amendment and subdivision.

DATED this 9th, day of August 2016.

_____
Lee Young - Chairman
Planning & Zoning Commission

ATTEST:

_____
Troy Behunin
Senior Planner
Kuna Planning and Zoning Dept.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, July 12, 2016

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Vice-Chairman Stephanie Wierschem	X*	Troy Behunin, Senior Planner	X
Commissioner Dana Hennis	X	Trevor Kesner, Planner II	Absent
Commissioner Cathy Gealy	X	Nancy Stauffer, Planning Technician	X
Commissioner Ron Herther	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:05 pm**.

1. **CONSENT AGENDA**
   2. Approval of the Planning and Zoning Commission meeting minutes for **June 28, 2016.**
   3. Approval of the Finding of Fact and Conclusions of Law for 16-01-AN (Annexation) and 16-01-CPM (Comprehensive Plan Map Amendment).
   4. Approval of the Findings of Fact and Conclusions of Law for 16-05-AN (Annexation).

Commissioner Gealy motions to approve the consent agenda; Commissioner Herther Seconds, all aye and motion carried 4-0.

5. **NEW BUSINESS:**
   a. **16-04-AN** (Annexation); **Jose and Irma Garcia** requests approval to annex an approximately 1.21 acre parcel located at 930 W Deer Flat Road, into the City of Kuna with an R-6 zoning designation.

Nancy Stauffer: Commissioners; for the record, Nancy Stauffer; Planning Technician for Kuna; 763 W. Avalon, Kuna. The application before you tonight from the property owners, Jose and Irma Garcia seek annexation approval for 1.12-acre parcel into the city limits. The site is located at 930 West Deer Flat Road. The applicant seeks to designate this parcel as R-6 residential designation. Agencies were notified on June 21st, property owners within 300 feet of the site were mailed notice on June 29, 2016. Hearing notification was published in the Kuna Melba News on June 29, 2016 and the site was posted on the June 29, 2016. The comprehensive plans future land use map identifies this parcel as medium density residential. The applicant has submitted all paperwork and required documents for their annexation and have fully complied with Planning and Zoning's staff requests. Neighborhood meeting was held on June 16, 2016 with approximately four attendees with the greatest concern being what the zoning designation would be and the future development of the property. Based on staff's review of the application, Planning and Zoning concludes the application complete with Title 6 of city code and the future land use map within the comprehensive plan. Staff forwards a recommendation of

approval to the commission with the conditions stated in the staff report. **Chairman Young:** Does anyone have any questions?
All "no". **Chairman Young**: applicant to step forward to state what he wants to do. **Jahil Vehar**: We would like

to annex into the city of Kuna. **Commissioner Hennis**: Could you please state your name and address for the record? **Jahil Vehar**: Property address, or my personal address? **Commissioner Hennis**: Personal address. **Jahil Vehar**: 942 N School Ave. Kuna ID 83634. **Chairman Young**: Are there any questions for the applicant at this time? **All** "no". **Chairman Young**: At this point, I will open up the public hearing. In public hearing the applicant has 20 minutes to present his application if he so wants, but those who testify, we will first have the ones in favor, those neutral and then those in opposition. Each person that wants to testify has 3 minutes and then the applicant will 10 minutes after that to have rebuttal and then the commission will have a chance to discuss the application before us. With that I will open up the public testimony at 6:17 pm and I have listed in here none in favor or neutral. In opposition, I have Mo Fester. Please come forward and stated your name and address for the record. **Mo Fister**: My name is Mo Fister I live at 1637 N Calaveras place, Kuna ID, 83634 and I live behind the Garcia's property. We don't have a problem with them, parse' but we have a concern with them putting in multi-family dwelling, that's our understanding that's what's going to be going in is like a four-plex, multiple four-plexus and we are concerned about having some type of barrier and when we moved into our subdivision we were told that it was single family dwellings, not multiple family dwellings in that area. So that is our concern is the impact it's going to have on our neighborhood. So I am not sure how these meetings work, we would like more information and we haven't been given any so we are not quite sure what the intent is with the property. **Chairman Young**: Were you at the neighborhood meeting? **Mo Fister**: I was not able to be there. **Chairman Young**: It appears to be an R-6 application, which means it is single-family homes. **Mo Fister**: Not four-plexus? **Chairman Young**: No **Mo Fisher**: Ok and that won't change in the future? **Chairman Young**: An applicant would have to submit an application, comprehensive plan change, and multiple applications to change what that is, there is a process to do that. **Mo Fister**: But that is something that could possible happen in the future once this is approved to annex him into the city? And then, who pays for the fees when he annexes, the taxpayers or the property owner? **Chairman Young**: The person submitting the application. **Mo Fister**: Ok, that's what I needed to know, thank you. **Chairman Young**: Ok, I have listed on here that they did not designate testify or not and is it Marge Knot? (inaudible) Did you want to testify? **Marge Koeppen**: Well, I did not really want to until I know what the plans are. **Director Wendy Howell**: Ma'am, you need to come up to the microphone. **Chairman Young**: Please step forward and state your name and address for the ...**Marge Koeppen**: My name is Marge Koeppen and I live directly behind the Garcia property. The yellow house, I'm at 1611 N Calaveras Pl. and I have a wooden fence between me and the Garcia's and it is just a regular 6-foot fence. So my concern is if it is going to be medium density like it says here does that mean duplexes, single houses, I don't know what that means. I was hoping the developer would be here so he could answer some questions too. **Chairman Young**: Well, actually, there is not a development proposal at this time, this is just an annexation into the city, and when they come from the county into the city, the designations can be slightly different, so this one is coming in under an R-6 designation. This means that they can build up to six homes per acre, however, with streets and things like that, it is not the case, and it is an R-6 for single-family housing. **Commissioner Hennis**: The main reason it went to R-6 from what I understand is because all of the surrounding area is the same designation so it is matching your area

and your neighbor's areas and their zoning designations. **Marge**: So that I would like to know if there is going to be a barrier between me and that property am I going to have a taller fence am I going to have a wall. **Chairman Young**: That is something that would be discussed at the time that a development is proposed. Right now, there is no proposed development. **Marge**: Ok, thank you very much. **Chairman Young**: Ok, seeing nobody else marked on here that wanted to testify. Is there anybody that did not sign this? **Unknown**: Yeah, I'm just wondering what the cross roads are? **Chairman Young**: I'm sorry, could you come forward and state your name and address for

the record? **Kenneth (inaudible)** is my name; my address is 227 West Tallulah. What are the cross roads, is my big questions? **Commissioner Hennis**: The nearest major crossroads to this is Deer Flat and North School. **Kenneth**: Ok, that's all, thanks. **Chairman Young**: Then, is there anyone else that would like to testify on this application that is not signed up? Ok, seeing none, I will go ahead and **close the public hearing at 6:22 pm** and that brings our discussion for this application. To me the application seems straightforward, just a straight annexation into the city, there is no proposed development at this time so, **Commissioner Hennis**: All of the concerns by the neighbors would be addressed if something were to occur in the future so they would have time to present their opposition at that point. Seems straight up to me.

Commissioner Hennis motions to recommend approval of Case No.16-04-AN (Annexation request by Jose and Irma Garcia) to the Kuna City Council; Commissioner Gealy Seconds, all aye and motion carried 4-0.

b. **16-01-ZC** (Rezone), **16-02-CPM** (Comp Plan Map amendment), **16-01-S** (Subdivision); **Steve Arnold, (A-Team Land Consultants)** requests to amend the Comprehensive Plan Map designation from Medium Density to High Density Residential for approximately 6.18 +/- acre, and to rezone the same property from R-6 (Medium Density Residential) to R-12 (High Density). The applicant also proposes to subdivide the parcel into 21 lots, in preparations to develop the site as a multi-family project. The site is located near the southeast corner of School Avenue and the alignment for Sunbeam Street.

Troy Behunin: Thank you commissioner Lee Young, for the record, Troy Behunin, Senior Planner for the City of Kuna. The application that you have before you tonight is a rezone request 16-01-ZC. A comprehensive map plan amendment request 16-02-CPM and a subdivision request, 16-01-S. The applicant for this request is Steve Arnold with A-Team Land Consultants and he represents Oasis properties, LLC here in Kuna and I stand before you tonight to let you know that the applicant has satisfied all of the noticing procedures that are required by state and local law and in fact the applicant held a neighborhood meeting last fall and then when they submitted the application it became invalid, they held a second one. Then all of the other noticing procedures, the Kuna Melba News was notified and they ran an advertisement for the public hearing. Letters were sent out to land owners that exceeded the code minimum of 300 feet. I believe we sent them out at 400 feet. The site was also posted for a June Planning and Zoning hearing, and then due to some unforeseen circumstances from the applicant, the meeting was tabled and at that hearing it was postponed to June 28th and at that meeting it was also postponed due to other unforeseen circumstances and so a courtesy notice was sent out to people within 400 feet letting them know of tonight's hearing and so here we are tonight. The applicant has submitted all of

the required paperwork, everything is in order. The meeting minutes from the neighborhood meeting were included in the applicant's letter of intent which was included in your packet, a very sizeable packet. Staff hopes you have had a chance to review that and later we will get to some questions and answers. The applicant is requesting a comprehensive plan map change to go from medium density residential, to high density residential in order to prepare the way for a multi-family project. The applicant would like to build 13 buildings, four units each on an approximately 4.6-acre parcel that is at the cross roads of School Avenue and the Sunbeam road alignment. Sunbeam at this location does not go through, however, with this application it will be conditioned that the road be completed to ACHD and City standard and curb, gutter, sidewalk and all of the accompanying required landscaping will also be installed by the developer at his cost for Sunbeam and also for School Ave. The applicant wishes to put the multi-family units there because that's his choice, he is the owner of the land and it is required to come before this body and also in front of City Council to request that change. It does require a public hearing, which we are going to have this evening. The applicant also is aware that his proposal does not fit the zoning that is in place so he has also requested a rezone from the R-6 to an R-12. You will find in your packets and in the information that you have been given, the application actually calls for something just slightly over 12 units per acre. This is, while it does fit a high-density zoning and a high-density designation it's really not far from what the applicant needs. The government agencies that we rely on for comment have also been notified, the school district, ACHD, Idaho power, cable one, and the such, they've all been sent packets for tonight's application and the responding agencies comments have been included in your packets, one of which is the city engineer's requirements in order to make this project compliant with all of the utility standards so that all of the services are provided. There have been 3 letters received from the public, they have been attached to your packets, hopefully you have had a chance to read those. There were some other exhibits that have also been attached to your packets, a white paper from the applicant, an article and a petition from a local group. I will stand for any questions you might have. **Commissioner Herther**: Is that 13 or 14 units? **Troy Behunin**: Did I get it wrong? I am sorry, I said 13, and it is 14 units. **Commissioner Hennis**: And just a correction, I believe in your information. What is the end units per acre on this? It's around 8, correct? **Troy Behunin**: No, the ...I will have to find that answer. Well, let's see, we can figure that out. So it's just under 9. **Commissioner Hennis**: I thought you said something about 12, so I thought it was a lot lower than that. Ok, so about 8.63. **Troy Behunin**: I'm glad you pointed that out. That was an error on my part. A lot of numbers going ....**Chairman Young**: Are there any other questions for staff at this time? **All**: No **Troy Behunin**: I would also like to point out that the applicant is here tonight and he has brought a representative with him, actually two representatives with him. They would both like to present, they have a power point presentation and they have also submitted an exhibit and there is an 11x17 that has been passed out. One was also available on the back table. **Chairman Young**: At this time, we will have the applicant please step forward and state your name and address for the record. **Steve Arnold**: Members of the Commission and Chairman, for the record, my name is Steve Arnold I am with A-Team Land Consultants, address is 1785 Boise, 83709. Just like Troy was stating, what I would like to do is take about 5-7 minutes of your time and then pass it on to Andy Probst with Park Place Property Management here to help talk about multi-family, the need and dismiss some myths down here. Then we also have the owner/developer, the same developer of School House that would like to speak to his vision and some of the building quality that he is going to be doing for the multi-family. So with that being said, I will try to keep mine as quick as possible. To give you a little bit of history on this project. It was originally the 40 acres that was platted

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

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all as single family and we have submitted phase one of the subdivision is all single family. Phase two is when we submitted that plat we had actually met with staff and counsel at the time, and granted, decisions of the past don't bind counsels of the future, so I understand that. So that you are aware of the history, at the time there was a stub street coming into this property and discussions with staff and counsel at that time we decided that we were going to do a multi-family project and we pulled the stub street so that we didn't mix the two traffic patterns with the multi-family with the single family, and that's why we have today just a pedestrian connection to this site. There was some thought, and granted we didn't take it all the way through at the time because of the economic downturn but, that was some of the thoughts that went in. I'll let the builder speak to the buildings, but these are a pinwheel design. We have done that in several different subdivisions down here and when I talk about a pinwheel design it has essentially a town house feel so each of the face of the building is an entry into an individual unit so it gives the multi-family a greater feel of a town house over that of say a high density garden walk up where everyone all collects in the center and it's a little more private feel. That is one unique thing about that building and then I will let Marty discuss more about the interior and the size and what not. Some of the design considerations that you will see in your packet we ...along the southern boundary of the subdivision what I have done is undulate the buildings. What that does is it gives us greater open space, it gives a greater separation. We're between 20-30 feet of separation between our south boundary which helps create additional landscaping areas that we can buffer to address some of the concerns. We also put a lot of the higher density, as you can see it's kind of packed in more along Sunbeam than we did along the southern boundary and that was an attempt to try to mitigate some of the perceived effects that this project would have on the single family. Originally when we first came in with our neighborhood meeting we did have 15 buildings and trying to address some of the concerns with density we did drop a building and added the amenity to the center, which is the basketball court and the gazebo. As Troy stated, we are extending Sunbeam and improving School Avenue. There will be about a 20-foot landscape buffer on Sunbeam with meandering pathway and a 25 foot, almost exactly what we did in school house. A traffic study, to go to the traffic related concerns, a traffic study was not required for this because of the minimal trips per day, ACHD did not require it. There is about 380 trips generated by this site, approximately 38 in the PM/AM peak hours. Density, we are right around 9 units per acre. The reason we are doing the comp plan instead of just a straight rezone is because I exceeded the 8 units which is allowed under the current comp plan. For the site, because it's a multi-family, but these four plexus don't yield a lot of density, but what they do yield is a lot of space that we end up landscaping and overall, including the storm drain pond and the common lots and buffering, we are at about 3.7 acres' total of open space. In your packet, Troy has addressed many items of the comp plan that support this and some of the highlighted, higher density, that the comp plan calls for a mix of housing type in Kuna and Andy will speak to that right now. 97 percent of the housing product type in Kuna is single family. This is offering a product type that is very scarce in Kuna with a high demand and we believe with the kill plant, the Simplot plant that's going in east of town, this will help support some of that demand. One of the areas of the comp plan is it encourages the multi-family near collector streets. Here we are at two intersecting, or two higher traffic roads. We believe this is a logical transition from those collectors into a residential subdivision, so it meets that. And finally your comp plan calls for encouraging housing types that allow for various economic groups and we believe that this is going to help support that. With that, I will wrap up and I will pass on to Andy and when we are all done, I will be able to answer any questions. **Chairman Young**: Thank you. I will let the record show that **Commissioner**

Wierschem is in attendance. **Andrew Probst**: For the record, my name is Andrew Probst, I live at 2834 Garibaldi in meridian. I have a power point coming up here. Ok I am with Park Place Property Management; you may have seen some of our signs around town. We are a certified residential management company. We are one of 50 companies in the nation to have this certification. We think it is very important to the city of Kuna, if we are not doing our job, we have a lot to lose, so I wanted to kind of throw that on the line so if something ever came up you have that to hang your head on. We currently manage a property right now on Linder and Deer Flat in Kuna. We have managed this property since 2008 and I have highlighted it here, I don't know if you can see this little mark, so here is Deer Flat in Kuna. Here is the project. It is 7 four-plexus built in the same manner as these town homes, which is a really nice property. Like I said we have managed that since 2008, it's been a good project for us. This is exactly what it looks like, this is...you might of...if you have driven down Deer Flat you might have seen these...or Linder and Deer Flat you might have seen these, been there for a long time. Park Place property management, I know you can't see it back there, but one thing that we pride ourselves on, we have a very thorough screening process, so, we are not going to rent to just anybody that applies. We have 9 steps to our screening process so you can see up here we look at our rental history, we look at gross income, we do a background check, we check the co-signers, we do a comprehensive criminal check, we have probably 18 or 20 different items that we can never rent to somebody on, and then there is stuff that they have to...if they have committed a misdemeanor or something like that, we won't rent to them for like 7 years or something like this. Then we also prohibit dog breeds and depending on the owner's particular preferences, we don't have to actually allow pets. So that is one thing that is nice, I think there is a lot to be said with hanging your hat on a third party property management company that does things to make sure the city, the community that they are renting puts the right people there, it makes our job a lot easier and it makes the job of the city a lot easier. We send everybody through a 9 step criteria, and we have to treat everybody the same, we are regulated by the intermountain fair housing council and urban housing development. We have to set our screening criteria no matter who applies, doesn't matter where they are from, what religion they have as long as they hit that criteria and we can set our criteria to whatever we want, then we rent to them. One thing we can ultimately screen against, and we do for everybody is anybody with a felony or any violent misdemeanor, so if they were pulled over for drunk driving or something depending on whether or not that is a felony or a misdemeanor, we will or not rent to them. So that's how we keep our communities very safe. We use a third party company called Amrent to do our screening. What we do is we set our screening criteria very specifically with them, and they run the screening and they give us an answer back, so we don't get in trouble with housing and urban development or the intermountain fair housing council cuz again we want to do everything in our power to treat all of our residents the same no matter what. So this is really hard to see, but trust me, I put a lot of work into it. I did some research on the ADA County crime website, so this is, where the arrow is pointing is exactly where our property is located. Each one of these colored tabs are different types of felonies or misdemeanor crimes that have happened in the city over the past 6-12 months. The site didn't really give a specific but I believe it somewhere between 6-12 months. You can see right where our community is, and this is basically most of the city of Kuna, the north side, we don't have any issues. We called the city of Kuna, we called ADA County, we said anything happening at Art Court, here's the plethora of addresses at Art Court and they had no complaints on record. Here is another interesting little map that I pulled from ADA County. This is the sex offender map. So you can see that there is a number of neighborhoods, single family homes all over both of these, again, this is really

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hard to see on this particular map, but I do have a hard copy I will share, but we have our project right here in the middle and no sex offenders, so we were able to screen for those things and those things are not going to be coming into our properties, exactly what I was saying before, if you have these things set up and you have your property management company heavily screen for these things you can really pick and choose who's coming into those properties. Unfortunately, if you live in a single-family neighborhood, and there is a sex offender that gets approved to buy a home right next to you, there is not much you can do, you gotta let that person buy that house and move in, but if you are renting a multi-family project, we can prevent that from happening. Now, we talked a little bit, Steve had referenced the need. Oh my gosh, we have such a need for properties to rent in Ada and Canyon County, you can see both single family and multi-family need. A healthy vacancy rate in the market runs between 5 and 7 percent. You can see right now just in the valley the grand total of vacancy is 2 ½ percent, that's less than a year in a property, single or multi-family and with Kuna, Kuna is such a great city, great schools, people want to be out here, obviously they can't because there is no inventory for them. This is a running trail; we pull all this stuff off of (inaudible) They are the same ones who gave our business the credit of CRMC. Then this is the vacancy trailing rate from 2007 until now. The blue line being single family homes, the green line being multi family, then you have your medium. You can see we are hovering right around two percent. Mountain States Appraisers also does a good vacancy rate or survey where they survey 13000 multifamily homes in the Treasure Valley, and Ada County actually, and you can see their trending vacancy rate has continued to go down, down, down and that means that every time our vacancy rate down, we can increase our screening criteria and make it harder and harder for people to get approved and get better applicants because the demand is there. So that is kind of a good trend, but I think it is too low, vacancy rate is too low, I think there is a need for more rentals in Kuna. There is another quick little phenomenon that is going on in Kuna. We had a number of institutional investors and big (inaudible) came in and bought a lot of distressed properties back in 2012 and 2013. And now they are taking those properties where they put renters in them and now they are kicking them out because the market has come back and it is a very good sales market. These people have nowhere to rent. We probably manage 200 single-family homes in Kuna, we have 0 vacant. I charge you to go home tonight and drive home and try to find me a for rent sign in Kuna, there is just none. And this is one of the situations that's happening is you are losing good residents because they are being kicked out by the good sales market they want to rent, they want to stay in this community but there is no place for them to go. This different product, this is a great home product where you have an upstairs/downstairs, more of a home feeling, own entry. We are attracting grade A people and they are wanting to rent this product but we don't have it right now in the city. Ok, I'm almost done guys. Just the last thing I wanted to throw out there. This is a four plexus in Caldwell, I use Caldwell as an example because Caldwell was really hit by the downturn, really bad, Kuna had some issues there, but Caldwell was really hit by it. So this is a four plexus that was sold in 2006 for $335K, the exact same model that these folks are going to build here, or hope to build here. And you can see, it's really hard to see, but it's currently listed on the market for $369K, so I'm just throwing that out there, so when prices were at an all-time high, we had this listing at $335K, currently listing for $369K. Now let's take this single family home, this single family home sold for $149K, and I believe, if you can read really close, that was back in 2006, at the top of the market, for $149K. I think it was 2-3 years old. Same house sold just recently, same house sold for $128K, so one of the issues that people say is like, boy, these multifamily projects, they bring our values down. Well, this is an example of a single family home that sold really high at the top of the market, and now has sold

for less now when the market is coming back. But if you compare the two over 10 years, from 2006 to 2016, the home lost 13.6 percent in value, but the town house today is still showing some appreciation, which you guys know, prices got really high back then. I go to hustle up. So recap. We care for properties of similar size, 7 four plexus for 10 years and it's been great, knock on wood (knock, knock, knock), there has been no crime or other complaints on the property, we are very grateful for it, we love that project. The waiting list for that project, by the way, is longer than any other project that we manage in the valley, and we manage over 2500 multifamily doors. We heavily screen our residents, there is a huge need, as I mentioned, for multifamily in Kuna and the value of four plexus and the people that we're putting in them, and if you get a chance to drive by those four plexus sometime in the next week or so, they are 10 years old this year and we are repainting all of them. They are right on schedule, so the value of those have held because we have good management in place, we have a good product and we have a need, so that's all I have. **Chairman Young**: Thank you. Come forward and state your name for the record. **Marty Peroni**: Marty Peroni, I'm the developer/builder. I live at 475 South Thornwood avenue in Meridian, Idaho. I guess the first thing I would like to say is there is a flyer that went out and it was put on many, many, many doors, how many I really don't know, I got a few phone calls from friends that said, hey do you realize this flyer is out there, and they are saying this about your project? I was pretty taken aback by it, and some of the things that was said is out of state developer, I have lived here for 12 years, so that is not the case. Gonna do, one of the things they said is low income, one of the guys that called me said, are you doing section 8 housing there? And I said no, and I am not doing low income at all, not even close. So I just want to get that on the record that that's not my intent at all. The other thing is, a little bit of my history, I have developed two subdivisions, both of them south of the tracks. Wild Meadows and School House, 256 lots. Steve kind of gave you the history of why we peeled off the piece and a lot of it had to do with the cost to put Sunbeam in. So it made sense to peel that off, kind of use it for, in the bank, hopefully do a multi-family housing site at some time, some sort of density, we didn't know exactly what. Andy was harping me for, literally, years to do something and he kept saying, there's a need, there's a need. I got hammered when the recession happened, and so I was very, very gun shy to make a move. I lived in School House for 4 years, we moved, my wife works in Eagle, has for quite a few years and she just got really tired of the drive, so we moved, had no idea what was going to happen, I think it was two years later Simplot puts the notice on that they are going to do this, even then I am scared to make the move. I sat down with these guys and they're just going, you gotta do it, you just have no clue, and I'm going, all right, you are probably right, you know. So I then took a drive out to Simplot and I sat down with the general contractor and said, you know, this is what the paper says, but can you tell me what the reality is, and he said, yeah, sure. We sat there for half an hour and he kind of gave me the whole history of, I think the paper said 600 full time employees, I said, is that still on mark and are you still opening up this summer? He said no, we won't open up until April/May, next year is what we project, I've heard that has already been stretched out a little bit is what I've heard. But I haven't heard that from him, but he says that it will be more like 800-900 full time employees, I'm going, wow, ok, so I came back said, you know, I have been paying, because it is developed property, I have been paying the highest taxes there is that you can pay on property for these 10 years and it's, you know, I'm over 30 some thousand dollars that I have paid in taxes and irrigation fees keeping this thing alive. You know, regardless of what happens, you know, I still believe Kuna truly needs a multi housing site on that side of the tracks. You got 900 young men and ladies that are gonna try to come to Kuna, it's a 13-minute drive from my piece to that door. There gonna come to Kuna to rent, a good portion of them,

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what percentage, I couldn't even begin to tell you, but it will save having to go over the tracks, they will turn around, along with a lot of the people from the prison. I've built about 30 houses in school house, several of them from the prison. My next door neighbor is the warden for the prison. So, you know, a lot of people like to be on that side and just go down the south towards the airport and what not, and that's what's going to happen. It's the perfect time, it's the perfect product. Now the product, the other thing I want to say is, I have no intention, I hope, if I can pull it off, to sell it at all. I hope I keep it, I maintain it, I'm involved in it for the rest of my life, maybe give some to my kids over time, whatever, but I am going to be highly involved, I'm not sitting here to flip it, make a buck and move on. That is not my intent at all. I want to say that. The long term vision, you know, I designed, and Steve kept saying, jeez, you're making them too big, you're making them too big, and I'm going, I want people...you know the housing market is going crazy and it will change, it always does. So I have designed units that are quite a bit, probably 10 to 15 percent larger square footage than any other housing on the market for multi housing. And I did that purposely so people have a very comfortable place to live, I got covered patios, I want it to be a quality home, and I want people as the market turns, they want to stay there. So it's not, you know, I don't want people running in and out in and out. I hope that I find good renters and they stay there for a very long term. Lastly I'll say, this isn't something I...I'm even hesitant to say it, but I'll say it. When the market turned, I got offered $50K a lot, when the market turned, had them sold for $70 all of the school house. I had 54 lots left at the time of the 64. There are a lot of people I knew that bought those first phase, I knew a lot of those folks, and I'm going, jeez, the developer that wanted to buy them, what he would have put in there would truly effect their housing costs, and it was the right thing to do. It almost bankrupt me. But I swear to god, my wife and I don't look back and go, you know, we did the wrong thing. It was the right thing to do. It was the right thing to keep house values. I don't believe this is going to affect their house values as they say. Could, I'm not a total expert on it, but I tell you what, I'm not doing it to hurt anybody. And I made that decision 8 years ago to take that kind of hit and I did that purposely to keep peoples housing prices at a quality that they deserved. They bought lots and homes from me and I didn't want to see them get hit. I'm in for the long haul and I want to build a quality project for Kuna. So I just wanted to say all that. Thank you. **Chairman Young**: Are there any questions for the applicant at this time? **Commissioner Gealy**: I have no questions. **Commissioner Hennis**: No, he answered some of the ones that I was thinking of. **Vice Chair Wierschem**: Chairmen, I would just like to apologize for being a little bit tardy, and to let you as well as the rest of the Commissioners and the audience know that I thoroughly read every detail about this project and I'm here and prepared, ready for tonight. **Commissioner Herther**: I don't know if this is the time to ask you, but you said sex offenders don't qualify? Can you do that? **Marty Peroni**: It came up on the community questions, you know, what kind of people are you going to put in there, you know, crime rate, all this kind of stuff. To be honest with you, I didn't know how it worked for fair housing, so I went to Andy. I said how does that work? He said with multi housing it's completely different than residential. You have the right to make your criteria and you can follow it and you can bump anybody out from that list if they have that kind of a background at all, and I go, ok, cool, that's what I want to know. **Commissioner Herther**: Same thing, no section 8? **Marty Peroni**: No, there is not section 8, absolutely not, guarantee you, positively, no. **Commissioner Herther**: Do you have a long-term contract with the property manager when this all comes together? **Marty Peroni**: We haven't put it together, but I plan to do just that. You bet. **Commissioner Herther**: And you plan to keep the development? **Marty Peroni**: That's my hope and goal. Absolutely to the end. It's my retirement quite frankly. I didn't say that, one of

the things that I want to point out, when I finally sold 48 of those 54 lots, I sold them $13,500. Cost me $23K to build each lot, not including land or financing, construction cos's. So when I turn down $50K a lot, I turned down, I mean it pretty much put me in to bankruptcy, but I was able to avoid that. So it was a huge decision not to do it, and there wasn't for any other reason, but to save these people's houses, quite frankly. **Chairman Young**: Any other questions? Ok, then with that we will **open up the public hearing at 6:58** and I will just remind everybody that they will have 3 minutes to speak, when you hear the timer go off, please just wrap up very quickly, finish your sentence and that gives everybody an equal chance to speak, and there are a lot of people want to tonight. Out of respect for your neighbors, please stick to that and with that in mind, I'll...again we go in favor, neutral and then in opposition. Then I will start with those in opposition then. So, first on the list, I apologize for anybody's name that I slaughter, I don't always do the best at this, but... Steven Danron, did I say that correctly? Please state your name and address for the record. **Steven Danron**: My name is Steven Danron, I live at 818 West Lunchbox, off School road, Kuna. I'm in opposition of this tonight. One thing, a few things I need to cover on here. We had a meeting last spring on this development. At the meeting there was 100 percent opposition to this, there was no mention of adding a gazebo, adding a basketball court, that we would be ok with it. This lot was promised to be single family homes with the people that bought in those subdivisions and now it's being changed again. If you look at the subdivisions going from east to west, those lots get smaller the further you go west. The east side lots you can park trailers, camp trailers in their back yards, ours you can hardly get a lawn mower in. So you saw the decrease in lot sizes for more housing towards that end. Ok, if we increase, if we put multi-family homes in this are you are going to see, regardless of what the Parks Place management gentleman said, studies have shown that you will see an increase in law enforcement calls in those areas depending on who you have in there. I understand the fact that we are getting a kill house out here in Kuna and there is going to be a lot of housing requirements. One thing that he did not mention is that we also have, you have approved a mosque in here. Ok, the refugees coming in here to Kuna. They do not have criminal records; you can't screen them out. Ok, and that's a huge concern for our development area. That place is a block away from my house, I'm a combat veteran, ok, I fought these people, I don't want them in my neighborhood, I know how they are. Ok. With increase in law enforcement you also have increase in EMS calls cuz now we have multi families living in multi areas, you have the sicknesses, you have the flus that come through. We have two sets of tracks that sometimes EMS can't get across those tracks cuz the trains are blocking them. So they will have a difficult time. This may increase the cost for the city for a substation fire station and also to put a firetruck and an ambulance in there. I understand our law enforcement is in ... works directly with Ada County law enforcement. These two will have to increase, our city will have to increase its law enforcement officers in order to patrol those areas. We can say that they, and hope that they won't go bad and they won't be that kind of element in there, but nothing else fails, you see areas where you build up in the middle of a housing development, crime begins to happen, it's area of opportunity. The residents now take care of all our own common areas through our HOA's. These, this housing unit will have an access to, in and out of our subdivision, ok, so they will have access to our common areas that we have to pay for through our HOA dues. I don't know if their plan was to build their own HOA for this, or to use ours. (timer goes off) Two points? No? **Chairman Young**: I failed to mention earlier also, if you are echoing sentiments said before, you are more than welcome to come up and state those, or you can just come up and say, you know, I agree with what was said, just in the interest of saving everybody's time as well. Now next up, I have listed to testify Shelly Aken, did I say that correctly? **Shelly Aken**: I'm Shelly Aken, I live at

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941 South Jump Rope Place, Kuna ID 83634. I also agree with what Steve Said, and in addition, is I know they said that they contacted the schools, are, we already have really crowded schools here and our kids are already competing with each other for these resources and so we put in another 54 units in that area, we are going to have an increase in bussing, an increase, you know, someway these students are going to have to be simulated into our school system that we already see and we hear, you know, I know that my property tax, there is another $6-700 a year on that property tax alone that goes to that school for the bond measure or the emergency funds that the school asks for. The other thing that I see in that area is that we don't have any public transportation in Kuna and we definitely don't have anything south of the tracks. That's an issue. You know, you have people live in multi-family housing a lot of them have to walk to where they are getting their services, whether it be doctor, food, you know, or anything else. The closest grocery store to this place where this is going to be located is 1.9 miles away and I don't really see people walking like that in the winter, they're going to need some sort of transportation. Kuna is really a bedroom community for much of the Treasure Valley. We have a lot of people that live here but work out in Nampa, Caldwell, Meridian, Boise. We don't really have...yes, we have that, not sure what it is, the meat plant that is coming in and there will be jobs there. If you are without a car, you are not going to be able to get out there, you need a job within walking distance and most of our jobs within walking distance of that area are not livable wage jobs. The other thing was, we had the meeting in March, we met at the fire station and I don't know if any of that information is in your packet. A1 came in March and we met at the fire station and he gave us the proposed design for the elevation for the apartments. And at that time he also said that senior housing was discussed and had penciled out at the same profit margin as these apartments had and that is another needed housing commodity in our area. They also told us that there was going to be, that A1 is involved in another housing development here in Kuna where it is mixed housing, where it is both single family and multi-family, so there is a possibility that that need is going to be met someplace else and not dropping an R-12 in the midst of an R-6 unit. It's not congruent to the area. Thank you. **Chairman Young**: Thank you. Next, I have listed James Laske. **James Laske**: I am allowed to speak real quick and then yield part of my time that I feel is bringing up good points? **Chairman Young**: No, we have to let everybody have the allotted time. **James Laske**: My name is James Laske, I live at 916 South Pencil Ave. I moved here two years ago from Las Vegas Nevada. I see firsthand what apartments and what crime is like and the more people you can find in a smaller area, the more problems you are going to have, no matter how you screened them, in my opinion. They can screen the people that are renting, but are they screening the boyfriends, are they screening the girlfriends are they screening the friends they are allowing to stay there, there is plenty of people that can be there and not be a part of that screening. I moved here, and I love it here, I have two children that live here with me. They get to play outside, they get to play in the street and do their thing and I like it, I love it and where I live is right at the opening, right where sun beam will be extended, where people will be able to travel through and you're talking about 14 units with 4 each unit, so that's 56, and then you're talking, probably 168 people. If you go three per unit like that. That's a lot of people in that confined area that can travel through, I'm not saying all of them, but a lot of people are going to walk through our neighborhoods, walk through the things. Crime will go up, I know it, I've seen it. That's what I'm trying to avoid. If that was there when I was buying a house two years ago, I would not have purchased my property where it was at. I chose here to get away from that big city life and from the confinement of so many people. There's almost 3 million people in Las Vegas and it's a lot smaller place than here and stuff like that and it's not good. I have fear and I have anxiety right now and I care

about my kids, I care about my neighborhood, I love it right now and that's my biggest fear is the crime going..., you can screen who you want to screen, but, you know, the people that are shooting people aren't people that are being screened for the guns, we can, you can, you know, you can go down that route and the same thing, you are not screening their boyfriends, you are not screening their friends, you are not screening the other people that they are allowing to stay there and I have crazy anxiety about it. The other thing I want to say id, you know, with the Simplot yard, or the Simplot Kill deal coming here, yeah, you are going to need a lot more housing and whatever, but I don't feel that's their big concern, I feel like the numbers and the money signs are what they see, not the community and the people that are living here. I don't feel, you know, and this, you can call it an accusation or whatever, but I don't think they would want to live next to apartments or next to a confined area where there is tons of people living like that. I believe, I'm kinda sketched out, I'm nervous up here right now, but I appreciate the time you guys give me, I wish you would have let me give some of it to him cuz I feel like he brings up a lot stronger points, but I appreciate you letting me speak and telling you how I feel. Thank you. (timer goes off). **Chairman Young**: Ok, next up I have Jim Russell. **Jim Russell**: For the record, Jim Russell I live at 781 S School Street. This property is just across the street from me. I like to go on the record to say I'm opposed to this development. This area is surrounded by large acreages and also their R-6 development that Peroni built just south of that, and that is a nice subdivision, he does a fine job. My other concern is the value of our properties when you cram all these apartments in there, like I said there is surrounded by acreages, mine is 5, my other neighbors is 7 across the street is another 7-acre tract. And also extending Sunbeam, another point I have, it seems to come out underneath the hill and not on top of the hill, I feel it has a little vision problem. I also go out of my driveway within 30 feet of where that street is going to come in and there's been several times I almost run over people coming over the hill. Many children play on this hill cause it's one of the few hills in Kuna where you can get your skateboard and coast forever; I've seen them drop 'em off there in pickup loads to go up and down that street and with this apartment complex, I'm afraid it's gonna be a real zoo out there with people running down the street. There is no connecting sidewalk or bike path on School Street to transition these kids in a safe manner if they are going to use their skateboard instead of being in the middle of the street. There is already severe congestion of School Street and if you don't believe me, just go there at 7:30 in the morning when school is in –I feel sorry for the bus drivers that try to get out off of School Street onto Avalon now. And especially on Swan Falls; if there is a train coming. I've School Street backed up down there. It's just ridiculous. If there is a train there, you'll just sit there forever. There is no emergency services south of the tracks. I'm a person who's been involved with fires and other incidences and I know what it means when there's a train across the track. There was an incident at my house and it was a lot more serious than it should have been had a train not been across the track. I've also had accidents at my place and emergency services had been delayed. I've lived there for 47 years, so. This property was originally approved for R-6 and as I stated before, Marti has built a nice subdivision south of that; I'm not opposed to R-6 or a senior development or something like that, but definitely not high-density apartments. I also have a letter here; my neighbor was not able to attend anyway ..um; am I allowed to submit that to you that he is also in opposition? **Chairman Young**: You may pass that on to the Planning Director, Wendy there. Thank you. Next, I have listed Sherry Russell? Please state you name and address for the record. **Sherry Russell**: My name is Sherry Russell; 781 S. School Street, Kuna, Idaho. I agree with everything that's already been said, but I would like to add a little bit to that. The danger is on that intersection. The kids start... they're gliding down that hill; way above that hill. I have actually, personally

called two mothers with kids crashing and falling off their skateboards and stuff, going at high speeds and they've taken them to the emergency room and such because of lacerations. If they start and if Sunbeam is coming through –there is no way they can stop if a car is going through to pull out. You are just waiting for a child to get hit at that corner. Impacting me personally; all that traffic is coming right to my house. And especially when people come over that hill, it will only be a matter of time before one of those cars go right into my yard or in my home because of that. So that is a concern. The R-6 I think is with the high-density; I agree that the homes Marti has built are beautiful, nice homes. What Marti had spoken to us about personally, was a senior living or 55 and over community. Now there is something we don't have any of in Kuna and I as a realtor, get a lot of requests for retirees wanting to move closer to their young families, but there's no homes for them because they don't want to be in the busy subdivisions and in the high-density areas and such; that they want to live somewhere that is closer their homes. So if the density would have to change or the zoning would have to change to accommodate that kind of community, I might be agreeable with that but not the high-density. Now; the screening process –I own several rentals here in town. I screen the applicant, but I agree with the other gentleman; I can't screen who they have live with them, their children. I've had multiple times here having parents rent homes and then having their juvenile that just got out of jail move in with them because they've kind of have to live with their parent or have to live within a certain area and so I've had criminals move into a house that I had already previously rented to a qualified renter. Animals; you are really at risk because of dogs, companion dogs you can't get around –you say no pets; you're going to have pets because there are all these legal avenues to say that it's a companion pet and they have pets and I cannot deny them even though I would prefer not to. So as far as the screening process, that is not going to help. The values to the home; again as a realtor, I do feel it's going to impact the values of the homes surrounding that -because as you can see, the people that live in those kinds of homes don't want the density around them, so in fact, it's going to be more difficult if they ever turn around and try to sell their homes, if this high-density is right next door. So, it will impact the resale value of their homes. If Mr. Peroni could guarantee us to keep that... Thank you. **Chairman Young**: Thank you. Next, we have Betty Rogers. **Betty Rogers**: Commissioners, I'm Betty Rogers I live at 1061 S. Pencil Ave. in Kuna ID. And my husband and I used to live in Boise and we got really upset with all of the traffic and busy ness there and started looking, looked long and hard for a small home in a nice subdivision that was quiet single family homes. We bought our home in March, and I love our subdivision, I think the vision there was wonderful, and that's exactly what Sherry was talking about, we're looking for single-family one level, just a quiet neighborhood. And so now to think that that is going to be changed is very upsetting to us after having spent all this time looking and finding a place we loved. I agree that Kuna needs to have high density available, the Treasure Valley does, but there is so much room for growth in Kuna I don't understand why it would have to be in our subdivision, I think they gave a very good case for it, but I don't agree that it should be right there in our subdivision. At the hearing earlier this year where there was great vocal opposition, it was stated that the projected rental price was $900 a month for each unit. That is really low. The rentals nowadays for a comparable place are $1100-$1200, so, I think that alone would attract people that we really wouldn't want to have in this quiet neighborhood. The other point that came out was that the reason that he was elevating it to from single family to multi family was that he couldn't afford to finish the street that he was obligated to finish and this was his way of paying for it was to do this development. I understand, I empathize, it was a rough economy, but I don't understand how one person who had this happen to him can affect all the other people in our area, and

change our quality of neighborhood and quality of life, so, I oppose the rezoning and I appreciate the time. **Chairman Young**: Thank you. This is the letter that Jim Russell handed to Wendy. I will read this at the end of the public testimony. So next, I have listed Natalie Kleinsasser. **Natalie Kleinsasser**: Greeting Commissioners, fellow neighbors, Marty. I bought the house 3 years ago...906 S Library, Kuna, 83634. We bought Marty's house 3 years ago, fell in love with it. Had we known you were going to build the apartments, we would not have bought it., at all. We back right up to that south side, I don't feel that a 20-30-foot separation is going to be, you know, feasible, I think it needs to be bigger. The multi-level or high density housing will alter the essential characteristics of School House subdivision and other homes in the area. I feel it will also negatively affect our property values, like said before, it's going to cause an increase in school burden. It's gonna need more busses, teachers, it's gonna affect the traffic over Indian Creek. I am a nurse, I work downtown Boise, in the wintertime it takes me sometimes two hours to get to work. Right now 40-45 minutes to get to work, so I'm not many people will want to live there if they live in Boise, especially if they are just out of school, college. The character of the apartments is just not futuristically appealing at all. It is gonna cause a big strain on infrastructure with mew water lines being put in, roads being tore up, sewer, new piping having to go in. Also when Ada County Highway District staff say that there is not gonna be an impact, they don't live in Kuna, they don't travel Meridian road either. There's no jobs, again people are gonna want to commute. There is always an increase in vandalism if you don't own it, you have no pride, no responsibility. And an article in an October 28, 2015 US News Money Magazine, the article My Money article, 43% of property managers saw an increase number of applicants who do not meet income requirements on their own, therefore needing a guarantor to sign in order to get a rental. Also, it was said that it was not going to be section 8, not sure if that goes along with HUD or not, but, with new laws going out because discrimination state and federal really cannot accept responsibility for the behavior of their voucher residents anymore. What else, um, and I think that's it. I totally oppose this, um, and thank you for your time. **Chairman Young**: Thank you. Next up I have listed Susan Folk. Please state your name and address for the record. **Susan Folk**: My name is Susan Folk; I live at 843 W Playground Street. Kuna ID. I oppose this because A. I was a school teacher for 33 years. I know what it's like to have an overcrowded school where a...I understand that the Kuna schools are at max and I am retired and I am all for building new schools but that means my taxes go up and I am on a limited income. Also, like Jim and Sherry have said, the traffic situation. My husband and I avoid going out before 9-10 AM because trying to turn on Avalon is just impossible, people coming down Kuna road or whatever it's called, Avalon road, you can't get on and when they did the roundy round trying to get across the treat, and it was not fun at all. My question too, is water pressure and waste sewage management. What's gonna happen to that? I mean right now we have good water pressure and, you know, waste management. By adding that many houses, are going to put what we have now into jeopardy. I am from another small town back in Indiana and they had to build a second water tower because they grew too much, so do we have to build another water tower? Are we going to put it on this side of the tracks? Those railroad tracks are a real gem. They cause a lot of problems and we have not essentially solved that problem. I hope my house never catches on fire when there's a train around. I luckily have a sheriff that lives across the street from me, so I don't worry about that so much, but I really oppose it because of the various difficulties that it's going to cause this community. Thank you very much. **Chairman Young**: Thank you. Next, I have listed James Kleinsasser. **James Kleinsasser**: 906 S Library Ave. Yes, we bought the house 3 years ago from Marty, and love the house. We live on Library and Sandbox so I feel like we are highly impacted because we have a large corner

lot, approximately a 3rd of an acre, and there would be two four plexus directly behind our lot and then the walkway is just west of our house. There's a walkway there currently and that would be the walkway from the new proposed housing plan to our subdivision. So I feel like we are highly impacted on this. I strongly oppose it for property value reasons? We got out of high school, we rented an apartment, we stayed there three months and we were gone because of noise, domestic abuse problems, we've owned houses for 30 years in single family developments and not had any problems, and we'd like to keep it that way. I live in the real world, for the last 4 ½ years I've delivered pharmaceuticals to nursing homes, to nursing homes inside subdivisions, to single family housing, to four plexus and apartments all throughout Nampa, Boise, Burley, Pocatello even cuz we do long runs. I drive truck too. You build relationships with these people cuz you see 'em on a weekly basis and I don't care what the property management people say, because before you know it the brothers living with them and the brother's girlfriend's living with them and they cannot regulate that. I see every time and there's a couple more kids with them. It's amazing how many people can live in one apartment and you would think that maybe your neighbor would tell the property management people, well your neighbor might be scared, or your neighbor might be doing the same thing. There brother might be living with them. I've seen it. When you deliver medicines to the same people every week, you see the same situations, sometimes the people living with them you deliver medicines to them too. So I highly oppose it. We bought the house the appraisal was $245K. We just refinanced the house we got an appraisal of 249K. So in three years property values have supposedly been going up 10% each year, they went up $4K in three years during a housing influx, so with these, with these, this development next to us, do you think our property values are gonna go much higher? Don't think so. Scared of the property values, I'm scared of loud noises and just crime (timer goes off) Thank you so much. **Chairman Young**: Thank you **James Kleinsasser**: I really liked what Steve had to say, I wish I could have took my time and give it to him cuz he knows what he's talking about. **Chairman Young**: Thank you. Ok, next I have listed Janice Sanders. *from the audience...not to testify... Oh, I apologize...*from the audience...can I testify on my wife's behalf?... **Wendy Howell**: He needs to sign up. **Chairman Young**: Yes *from the audience...I signed up...**Wendy Howell**: That's fine, he needs to sign in as well if he would like to testify. **Chairman Young**: She just said please sign this. *from the audience...you want me to sign that?...please. Right here please. Thank you very much. Please state your name and address for the record. **Travis Sanders**: My name's Travis Sanders 876 S Jump Rope Place. I'm a be December a 10-year officer out at that prison. I know what these guys are all about. I'm very smart, very tactical, I'm very good at what I do, I take pride in my stride. And for our families to have that stuff come in there with this gentleman and these other people are saying, is right on the nail. I know what they are about, I know the way they think, I know. You know, we're a low key neighborhood. I think there is plenty of land in Kuna to put that somewhere else, for sure. And the senior deal? Cool. R-6, that's great. But to R-12 it, with all this stuff and everything else, let alone the traffic and what not, everybody else is saying great points, I'm just telling you on the crime side., they know, he knows, I know. And I know what's at stake and what's at hand, first hand. I've been through a lot at that prison and it's changed me mentally. I have issues around big crowds. I stay away from big crowds and stuff like that. People go to do a job, I go to do mine on my feet, the right way, make the move at the right time to help the person out, or do what I gotta do for our family that stands here and our community period. I put my heart and

soul into my job every day and I do it the right way. That being said, I don't want the muck, we don't want the

muck. You know, when I'm out here I metal detect all the time around the neighborhood all the time, I'm always respectful to everybody, I talk to the kids if they come up to me, I don't approach 'em, but I give them a little speech on what to look for and how to look for it. I know firsthand how these pedophiles work, firsthand how these murderers, rapists and everything else, not saying that they're gonna be there, but I know firsthand what this stuff is all about. I live it and breathe it on a daily basis and I do it the right way. Thank you. **Chairman Young**: Thank you. Next up listed to testify is Kedrick Torrey. **Kedrick Torrey**: My name is Kedrick Torrey I live at 794 W Sand Box Kuna ID. 83634. I'm a native Idahoan, I've been in Kuna, in and out, pretty much my whole life. Playing sports. Moved back here when I got out of the military. Little bit about myself. Been in law enforcement, been in the military, got my post in California, worked in a little town here on California. I moved back here, worked at Canyon County as a Sheriff, then I worked out at the prison in Ontario. Then I went to Iraq, came back in 2009. Sorry, I'm, just...Very, what Steve said is very true. What's gonna happen in that high density housing. Steve, you shoulda sold for $50K. Someone gets into land, they are there to make a profit, I don't care what your intentions are, they are there to make a profit, he should have sold when he had to. And not put the responsibility on us, or change our lives. And, with property management, at one time I lived in Selway apartments. Park Management managed that. It was horrible. When you have renters that says luxury apartments and then when you don't get the people you want in there, so those applications change. They're not set in stone, like a law or anything like that. So, they'll manipulate it, they'll let whoever they can to rent those, to make the money, to make the payment to get their mortgage paid, the land owners, the homeowners or the property owners. So keep it where it's at. Make those lots into homes, single family homes. Or a senior citizen home, that's great. When I moved in there 3 years ago, if I knew that, like several people have said, I wouldn't have bought the house, I would have went to 10 mile. Been a lot closer to the school out there. This is something I don't want to deal with, and, like Steve said, I've been in combat with the people that are going to be in these houses. I don't want it, and, I guess I'm not trying to...hope you don't take it as I'm mad at you guys (timer goes off) Thank you for hearing us. **Chairman Young**: Thank you. Next up Mike Wiler. **Mike Wiler**: Hello, I'm Mike Wheeler 781 South School Road, Kuna ID. And I just have all the property to the north of that area there and I'm definitely against this proposal. Everybody's made some pretty good points and I think you know how everybody else feels about it, so, make up your mind. **Chairman Young**: Thank you. Next up I have Dwayne...*from the audience...I signed up not to testify... Ok. Then Elizabeth Olasi. **Elizabeth Olasi**: My name is Elizabeth Olasi, I live at 603 W Tallulah. My home, from that backyard you can see my neighbors pasture, from there this property that's being proposed, where it would be. Um, I am against this. When we first, we lived in Meridian where the Village is, and when we first decided to move out to Kuna, all our families said why? Why are you moving way out to Kuna? And once they came out and saw this beautiful town, they said, ahh, now I know why, it's got this great country feel, this homey feel and this is a wonderful place to be. Building this apartment complex right in the middle of two subdivisions in this small area is going to change that. The whole reason we, and all these people here built their homes, you're taking that whole reason away if you agree and vote in favor of the R-12. I know they made up a great point about how the meat packing factory that's being built, that they can just drive that road and not cross the tracks. My husband works at Micron, a lot of times he takes Kuna Mora road to work, but, we also have to go to doctor's appointments, grocery stores, kids school things. We go across those tracks all the time. Doesn't matter if that's the way he goes to work, we still have to cross those tracks. Living here in Kuna, so many times, those tracks are blocked because of the train and traffic

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just backs up all along Avalon and through downtown Kuna there. Old downtown Kuna, where Enrique's is. It's just crazy. You have to wait forever. And with the traffic the way it is and being blocked and increase and make it an R-12 on this side of the tracks, I don't think it is a wise decision, especially with the emergency not being able to have fire, police, ambulances on this side of the track. The more you increase the population, especially in a small area, it's gonna affect that. So I just, I think it's a not the right place to put an R-12. Um, and I hope that, um you will vote in favor of what the citizens and the people who live in this community what they want. My husband didn't come tonight, he said, what's the point, they are gonna vote in favor of what they believe is progress. Money talks. But I hope that the love of the community and the love of the citizens that live in that community talks. And I hope that you will vote to keep it the way it is. Thank you. **Chairman Young**: And next, I have listed Bryce Baker. **Bryce Baker**: Good evening Chairman, Commissioners, I have been a resident of 975 W Recess Way, here in Kuna for about 12 years. The thing that we were attracted by, and still appreciate about Kuna, is the small town atmosphere and feel. The rural feel and that fact that it is so community oriented. I think the biggest thing that makes a town such a nice place to live is it's invested homeowners and the people who take care of their property and take pride in their community, and that comes by people who purchase property and who stay for a while and raise their family in that community. I think everybody in this room as probably rented an apartment or a home at one time or another, we certainly understand the need for that from time to time, but I am opposed to the high density housing for this area. None of us begrudge Mr. Peroni's desire to maximize his profit, his return on his investment. Many of us would like to do the same, which is exactly why we would encourage you to not change the zoning, we don't feel that it's appropriate for his interest to override the homeowners in the area and I think this would be detrimental to our value. You also heard lots of testimony this evening of people who would have decided to buy a home elsewhere had this apartment development already been there and so I think that is good evidence that it would be detrimental to property values in the area. In spite of the assurances that we've received from the developer and his property management company, those things can change and the application and screening process can all change. The property management company can all change, but once the apartments are built, the horse is out of the barn and the damage has already been done to the neighborhood. So I would appreciate your consideration in leaving the zoning as is so that it's consistent, remains consistent with the character of the neighborhood. Thank you. **Chairman Young**: Thank you. That is the end of the list that I have here. Is there anybody who did not sign in that would like to testify? Ok. Please uh, Troy, could you hand this to...sign that, thank you. Inaudible...**Becky Wooley**: My name is Becky Wooley, I live at 657 W Tallulah Dr. My property is across the field from where the proposed development is. Um, my family and I just moved here two months ago from a small town in Southern Oregon, my husband grew up there. Back in the day it used to be a lovely little town just like this one and unfortunately is has become less than favorable to live, which is why we moved away. Lots of rentals. We lived right in the middle of housing rentals downtown, surrounded by HUD and other types of rentals and I can testify to you that the types of people who rent, um, can be good, we were renters, um, but a majority of them were not.. We had lots of ambulances on our street, lots of police on our street on a regular basis, a lot of people who lived in these homes were on disability cuz they couldn't work. Um, a lot of elderly people and they need the services that the police, that the fire, that the ambulances provide and I feel that on this side of the tracks, it's just not safe to have that many people, because you will get people on disability, you will get people with problems, you will get the domestic because, um, like other people have said, you cannot screen who they have living with them .We

had a lady next door to us, who, you know, her screening process went fine and then she brought in her boyfriend and we didn't know he was a pedophile until the police were in front of our house and his computer was being confiscated. So, um, like has been said, we are very concerned about the, um, type of development being put in, my seven-year-old daughter said how much she loves it her because she feels safe here, and I would really prefer it to stay that way. Thank you. **Chairman Young**: Thank you. **Kenneth Maily**: I'm next on the list I think. I live at 227 W Tallulah Dr. I also own a property on 859 S Jake Ave, which Jake and Sunbeam, obviously, are right there. Um, you can start the timer now. My big problem is, isn't section 8 housing. I have a section 8 in one of my other houses in Kuna. They're fine, that's, I don't care if your poor, I don't care if you're rich. Um, my big problem is, sigh, the, the City and I have made a pact, basically. The pact was, here's what's coming here eventually. If, if, if property can't, if, if, property owner can't make his money, that ain't my problem. Property owner's problem. He wants to rezone it, no. Why? Give me a good reason. Don't, I wanna make money, that ain't a good reason. Good for you. Poor people need housing, great, we've got zoning for that. This isn't zoned for that. This is zoned for housing, R-6 or below. This ain't R-8, R-12, or whatever. This is R-6. Me and the city have entered into a pact. The pact was, that's what's going in there, unless there's some huge reason not to do it. He needs to make money? Don't care. My property value goes down because he needs to make money. How happy do you think I am about That? Look at this room. I have one time seen this room this packed. One time, that was Best Bath. O'course it got kicked out on its ear too. Look at this room. Who's here, who's here to say they like this? Anybody? Besides him. Anybody? Nope? Who's here to say they hate this deal? Who's here to say No? It ain't because a poor housing for me, has nothing to do with poor people, has nothing to do with Muslims coming in, bring em on, I'm loving it. I don't care, everybody needs a place to live. They don't need a place to live where it isn't zoned for that. You wanna rezone it? Great. Give me a good reason, not you need to make money. I need a good reason why you want to rezone this. I wanna make money is not a good reason. I wanna make money too. Everybody here, is here to protect their money (timer goes off) that somebody is trying to take. I'm here to protect my money. My money. Not his, not anybody else's, my money. **Chairman Young**: Thank you **Kenneth Maily**: Everybody's money. **Chairman Young**: Ok, next up I have listed Melissa Peterson. **Melissa Peterson**: I live at 883 S. Pencil Ave. Just a couple of things. I pretty much agree with the majority of what everybody here has said tonight. Um, a couple of things. When people go to purchase a home, or go to rent a home, they kinda take a look at what there are getting into because they should be responsible homeowners, or seeking a place to live. This subdivision and its covenants and restrictions. Its intent was for single family housing. It's intent when people went to purchase their homes and their investment was for single family residence. It goes into details about the building lots, how they need to be platted, how it needs to be single family, how it can't be less than 1400 square feet, can't have any structures taller than two. Single family all over the place in here. So the people that go to purchase these homes, similar what the gentleman just before me was mentioning. There were things that they were purchase this home for. They were looking for certain aspects and what their families could grow into. Are comprehensive plan talks about density being in the hub of our city. We aren't the hub of the city. We've started to expand, expanded out. We have schools that are packed. My children are all in high school, I've lived here for 20 years. At the high school they try to protect the kids. No back packs on your backs, now we got em sharing three to a locker because there is not enough room for them. They finally got the special Ed department out of Hubbard, the, the, um, not the elementary school, but the kindergarten, over at Hubbard, they finally got the special Ed room out of the women's bath room. They

just don't have the room. So I think along with that responsibility come's responsible building as well. So we have a gentleman who hasn't even finished the common's areas. On pencil, my house backs up to this subdivision that he wants to pull away, out of this, because it doesn't fit. So, there's, there's commons, there's supposed to be a volleyball net. The other gentleman was talking about the development to provide for the people moving into this complex, places for the kids to play. We did bring that up. One basketball hoop doesn't cut it. There's 54 units going in. A gazebo and one basketball hoop? That's not responsible. Neither is dumping four plexus into a single-family designed subdivision. So what, you pull it out of the subdivision and create your own? I don't think so. It's been around for more than 10 years. We that live in this subdivision, it's ours. How do you pull it outa here? Who, who says you can do that? I don't understand. So I just think we need to back up a little bit. I'm not against growth, I just think it needs to be responsible. That's it. Thank you for listening to me. **Chairman Young**: Thank you. Ok, and next I have listed Mike Brunetti. **Mike Brunetti**: Hello my name is Mike Brunetti. I live at 763 W Sand Box, and I'd just like to reiterate. First responders won't be able to respond. I don't know how important that to anybody. But you heard about the line going through Kuna waitin' to get across the rail road tracks. Well I had to get in line once and there were cars piling up behind me, and I was right by Albertson's. Used to be Paul's. So just consider the first responders, they won't be able to respond. Take that into consideration please. Thank you. **Chairman Young**: Thank you. Ok, then I will read into the record that was passed to Wendy and, I'm sorry. What was the gentleman's name, I can't read his signature completely, Jeff...Foster, ok. Letter from Jeff Foster, read by **Chairman Young**: Jeff Foster at 805 S School. To whom it may concern regarding the public hearing on high density apartments proposed for the future Sunbeam and School street. The proposed high density is across the street from my property. I am strongly opposed to the apartments for the following reasons. The area is surrounded by large acreages and residential properties. I feel it would be a devaluation of surrounding properties. Future Sunbeam street enters below a hill and is a potential accidents due to poor visibility. My children use the hill for skateboards, bike riding, walking to school, etc. and would be a great number more if high density is approved. I'm concerned with the safety of these children due to increased traffic. There is no bike path or sidewalks connected to school street over Swan Falls. There is already congestion at School and Avalon. Swan Falls attracts such high increase of population would only make this worse. There's no emergency facilities south of the tracks. I feel it would be irresponsible and so many more residents before this issue can be addressed. Property was originally approved R-6, why change that? Thank you for your time. **Chairman Young**: Ok, now, I have no more names listed on the list to testify, so, we will have the applicant come forward. **Steve Arnold**: Mr. Chairman, again for the record, my name is Steve Arnold, I'm with A Team Land Consultants. Um, I'll try to address some of the common things that came up. There is a lot of individuals, if I miss those, I can stand for questions. Um, with this submittal, I've put together a white paper that was done by a an association of a, a, it's called the National Multi Housing Council Association, they did a white paper that addressed these common things that come up with multifamily housing. One being crime rate, um, and the concern that multifamily increases crime rates, and that was not found to be the truth. The second being devaluation of, a housing around multi family. That, again, was not found to be the truth. The um, a housing community that has mixed housing types, such as we're proposing, actually has increased value in the properties. As you were seeing by Mr. Probst, these multifamily buildings, the units, are, because of the quality that Marty is going to be putting into them, they have an increase in value, um, a, much more than some of the single family. So it really all depends on how the property is set up initially, how the property is managed, how

things are maintained to create value. It's the same thing in a single family subdivision. If you don't set up a single family subdivision and build it and build the value into the community, you don't get the same value out of it compared to um, other subdivisions in Kuna. Um, we have probably, you know, one of the other things I hats I wear, is I am also a realtor, and we market subdivisions. We have one of the highest ...inaudible...subdivisions south of the tracks not far from this project, and I have no concern about value in that subdivision. As a matter of fact, it was brought up earlier tonight that I have another project that is multi family. And I purposely put multifamily next to, or, across the road from a single family. We kept it, and that project was called Journey's end, and you just saw the design review for the first phase, we hope to get it under construction in the very near future. Um, but we have the component of multifamily, we've got town homes and we got single family there. I would not have put that in there I had I thought that that would deter from the value of that subdivision. And I, we've got support that dictates the, um, that it's not going to affect value. Um, I've done numerous of these projects in Ada County and I've, and I can go back and pull data about the housing and it's still, I'm not seeing any decrease in the residences that we're putting these near. Especially the quality of the housing type, this multifamily that we're doing. Another one of the comments that was brought up tonight is infrastructure, traffic, sewer, water, the demands on city services. The demands on city services for a multifamily housing product type, and again, that's part of this white paper, and it can be supported by engineering and city staff. The demands on those infrastructures is significantly lower than a single family home. I give you an example, a single family home we typically generate about 10 trips a day per house, for traffic. For a multi-family unit, were at about 6.8, or even lower in some situations. So that's just an example of the less demand, we have less power, we have less sewer demands and less water demands on those same units. So from a pure economic, and I know that's not what the commission or council needs to make decisions. But from a pure financial standpoint, multifamily housing is cheaper for a city to maintain than a single family housing. And that is also part of that white paper that I submitted. Um, and in contrast though, they also pay higher taxes. Um, so the multifamily housing pays, typically, a commercial taxing base, compared to the single family that's got home exemptions and other exemptions that are associated with it. So from a pure operating standpoint, if we were looking at this from a business, we've got lower costs and higher fees coming off of it. So, the myth that multifamily housing has a higher burden on a city infrastructure is not correct either. It goes with school age children. There is fewer school age children in a multifamily housing project than there are in a single family. Um, that to, and I, the numbers don't have right off the top of my head, but they are fewer impacts fiscally from the multi family, than the single. The crime, the negative, um, you know, as stated tonight, we've all been renters, I'm no more of a criminal now that I'm a home owner, than the day that I was a renter. You know, you're going to have criminals that make it through the rental system. We do have a stronger ability to cross check and do checks and balances than I do on a single family home sale. I sell a single family home, you know, I, there's no checks. I list a home in Kuna, I sell it, there's no checks on who goes in there. The only check is, can they afford and can they make the payments on a home, that's it. There's quite a bit more checks and balances on what people go into a rental unit than a single family. Um, The EMS, you know, that's been a problem in Kuna since I've worked here for the last 20 years. When we did Sutter's Mill, that was the biggest concern then. That's why we've seen these studies for the Swan Falls crossing, the ten mile crossing and um, a there was another crossing that slips my mind. But, it does need to occur. Um, one thing that we're gonna have here in the multi family, that is not a part of single family, is these units are sprinkled. So each individual unit is sprinkled, unlike a

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single family unit. You know, there's no sprinkling system in that. There's quite a bit of fire measures and mechanical equipment that go into each of these buildings that protect against fire. More so than you would have in single family, and I think that's a point to be taken on these. Obviously that doesn't help with the ambulance or police and those, but from just a pure fire standpoint, these are much better protected units than single family. (mumbling from gentleman in crowd) I think I covered most of the issues that were brought up, if there are any that I forgot, I apologize, but I'll stand for any additional questions that the commission may have. **Chairman Young**: Ok, are there any questions for the applicant at this time? (from crowd...is the applicant not taking questions from anyone at this time?) We may ask you to come back as we start the discussion. Thank you. Ok, and with that I'll close the public hearing at 8:02. And I'd like to just remind the public that the commission's job is to make decisions based on objective facts, and real impacts of the project on the community. And that while all the comments are always appreciated, only those that we're able to consider, that we can discuss, are ones that are a part of the project and we can't consider all comments, because some of this really could violate provisions of federal law. So, that being said, it's time for our discussion. (from crowd...shouting...) Chairman Young reminds him that public testimony has closed (from crowd...more shouting) Again, reminds him it is closed. Ok, ready to begin? **Commissioner Hennis**: I think uh, I think the, the owner is clarified some of the concerns that I had in regards to quality, how they planned to manage it and such. What I don't know is how we can guarantee that down the road. If this were intended to be a long term ownership, why is it being subdivided into 21 units. That's part of my concern, because we've seen other developments in town where they plan to owner/operate, and finance, and keep it for a while, for long term and it's been all on one parcel. So I have concerns with that. Also, as was reflected by some of the speakers tonight, I am concerned with EMS services across through the traffic as well as, typically we see these multi-family units, the whole purpose of this is to provide a multi-family or higher density services in near the core of the city. Near the city core, that's what I'm trying to say, is that, you know, that they can get to retail, they can get to commercial by walking, by being close, I mean, cause we got a lot of people there. We're kind of, this one's way out there, and there's nothing really close to it commercially, retail and there's no public transportation. You know, it kind of goes away from what our idea of the density, multifamily use usually is. You know, the other ones that we have seen before have been in those situations or those locations. That's kind of my concerns at this point. Um, one question maybe you guys picked up from the literature. Is this all part of the original subdivision? So then, why don't the CC&R's cover this? **Chairman Young**: Well, we can't discuss the CC&R's anyway. So, it's not something that...**Commissioner Hennis**: I realize that. **Vice Chairman Wierschem**: I'll go next. Um, after hearing the testimonies and reading testimonies that have been submitted. And being involved in our community, um, I have witnessed, been part of that traffic jam, um, so that's one of my concerns. And in regards to emergency, whether it's EMS, fire, um, looking through our packet, I didn't see any reports from them, um I didn't see any reports from the school. And in our packet under neighborhood district, um, it gives a brief description on a close knit, mixed community and as commissioner already stated, it's a core service are for schools, churches, parks, neighborhoods, commercials, um, and so, I know our community is in great need of housing for multi families. Um, I'm', I'm just not convinced that that location is a good fit, um, I don't see where it, um, follows any of those areas and this, I'm on page 7 of 10 in our packet from the staff report. **Commissioner Hennis**: That's the part that I read that I was talking about. **Vice Chairman Wierschem**: And I didn't, let's see, there's one other thing that I did want to address, if any one knows, or maybe staff, um, I believe it was Susan brought up, um,

what about water pressure, um, will it be affected, and then, I believe it was in engineer's report, you know which one I'm referring to. **Chairman Young**: Yeah, the City Engineer indicated that we have sufficient services to accommodate the site. Anybody else? **Commissioner Gealy**: While I hear and understand many of the concerns that are voiced here. Many of the concerns I feel would be the same weather we were looking at R-6 or R-12. So I have trouble distinguishing exactly which concerns are applicable only because we are talking about a zone change and a multifamily development. Um, the tracks, it's a problem, weather we put one house there, or 56. Um, I'm not convinced that crime is isolated only to people who rent property. I don't think we can make those kinds of generalizations. Um, so that's really what I'm struggling with, and I remember in reading through the packet and I had a little trouble paging through on an iPad and I'm sorry about that, but there was some information about what the incremental impact would be. The difference between R-6, and in this case I said it's not necessarily R-12, it would be R-9. What the impact would be, really, in terms of additional people there and, perhaps, the applicant or staff could remind me what that difference is. **Troy Behunin**: Are you talking about what would the density be for an R-6 single family vs a multi-family, or...**Commissioner Gealy**: What the incremental impact is of the change in zoning between, if this was, if this went ahead as R-6, and now we are looking at, essentially, I think we said R-9, is what it would be. **Troy Behunin**: If the commission recommends approval to City Council and City Council approves it as is. The overall difference would be around 3 units per acre. That would be the sum of difference. **Commissioner Gealy**: And there's 4 ½ - 5 acres here. **Troy Behunin**: 6.4-6.3, but that includes the retention pond, the open space, the sidewalks, the dedication of right of way, etc. So, we're really looking at about 3.1 per acre. **Commissioner Gealy**: On six acres? **Troy Behunin**: Yes. It may be under 3.1, let's just call it 3:00. **Commissioner Gealy**: So I guess I, we, I think that we need to consider not what the development adds in terms what we're adding to bare ground, which is what it is now, but it is zoned R-6, but most of the concerns seems to be, not that it's going to be developed, but that it's going to be developed as multi family, zoned as R-12, essentially R-9, so, to me a lot of the concerns that I hear, fall away because it will be developed. And that's not going to, we'll still have the concerns about emergency services, we'll still have the concerns about the track, we'll still have, if people live there, we'll still have concerns about crime, um...**Commissioner Hennis**: Well, the extension of Sunbeam would go through regardless. **Commissioner Gealy**: The extension of Sunbeam will go through, um...**Commissioner Hennis**: So, those safety concerns would still be a valid point. **Commissioner Gealy**: And that's where I feel like we need to look at what are the impacts in the change in zoning, and not forget that it will be developed, and like you say, Sunbeam will go through, and when that happens I expect that ACHD, because they're the ones that build all the roads, will take into account those elevations and those concerns, don't misunderstand, it's not that they're not valid concerns, they are valid concerns, and I'm sure ACHD will take those into account when they construct that road, or when that road is constructed. **Commissioner Hennis**: Yeah, no, you make some valid points Kathy, It's, we're not looking at changing it from a rural RUT to an R-12. We're going from an R-6 to an R-12. So the high density housing, as their calling it, isn't necessarily as high density as it could be, but yet, we're still having to go from an R-6 up to R-8 is not that big of an increase, we're still gonna have the same issues. **Commissioner Gealy**: Most of these issues happen no matter what the development. Most of these issues that are addressed, and I appreciate everyone coming and raising these issues, and they are the same issues that we hear over, and over, and over again. Traffic, crime, schools. But most of those are real regardless of the size of the development. (mumbling from audience) **Chairman Young**: I see the development and, you know, it's design is done well, you know, they

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wouldn't be higher than two stories. Wouldn't be any higher than adjacent homes. They're designed well if they're meant to meet lead silver design standards. The construction to meet those is good construction, it's good design. It's environmentally done to meet those certain standards. Healthy communities, they do have a good mix of different housing types. That being said, all of the high density housing we've approved, at least since, that I can recall since I've been on the commission, have been a lot closer to retail or potential retail centers. Journey's End is the perfect example of what we want to see. You go from commercial to high density to an R-6. But that retail commercial component is there and the high density is the transition. In the comp plan we talk about where we want to put high density housing in city centers, or in the city center, employment centers, in neighborhood centers, those neighborhood centers are built up around commercial, or potential commercial areas, with the goal of putting higher density and mixed use housing in those areas. What I see with this is where the proposed location of this site is, it's more on a neighborhood edge where in the comp plan, the neighborhood edge is a soft are between competing neighborhood centers, where people will be going from this location to maybe downtown or the next neighborhood center over and when the comp plan was developed the intent for those areas would be primarily single family homes, duplexes and those types. And that's where I have a little bit of my concern. I think the project itself, the design of it, the layout and those items, it's a good product. I think the owner is presenting a very good product, it's just that the location with respect to other parts of the city. Anybody else have any thoughts? **Vice Chairman Wierschem**: No, I concur. **Chairman Young**: Would anybody like to offer a motion? **Commissioner Hennis**: Can I ask staff a question? Did we receive any acknowledgement back from the school district or the fire department with relation to this application? **Troy Behunin**: No. All of the information was sent to each of those agencies. **Commissioner Hennis**: Cause I know, unfortunately we don't have a lot of communication from the school district, but usually we hear from the fire department as to whether this a concern or not. Ok, I just wanted to make sure. **Troy Behunin**: No, we did not. **Commissioner Hennis**: We have had an extended period of time as well, so...**Troy Behunin**: Usually ACHD is the agency that takes the longest respond. We received their final communication well ahead of this scheduled meeting. **Chairman Young**: Thanks Troy. **Chairman Gealy**: Well I do think that housing diversity builds a healthier community overall. Um, I would prefer to see multifamily scattered throughout our community, rather than concentrated. I think if we have multifamily concentrated, say in, one area of the city, say we draw a circle and say we're just going to put all of our multifamily in this area, then I think that we may find that that would make for a less healthy community. But we would end up having more of the things that people are afraid of by concentrating multifamily in one area. By scattering it throughout the, I believe, by scattering it throughout the community, it builds a healthier community. We don't have parts of town that you don't go into because it's dangerous there, for instance. I think we see that in many communities, that they've isolated certain parts of their community to the detriment, I think, of everyone in the community. **Commissioner Hennis**: Yes, I agree with you and I was kind of skimming through the ACHD and the engineers reports and going back to what we were talking about, the difference between R-6 and the proposed multi family, there would not be, it does not appear virtually any increase in their projection for traffic trips per day on the streets between the two, if they stayed at R-6 vs all the single family homes and the higher requirements that ACHD has done through their traffic studies vs a multifamily. So they would actually pretty much be a wash. So the traffic was going to increase, period. The fact that is going to "quote" high density" isn't going to change. **Commissioner Gealy**: Now, I agree too, there is definitely a need for public transportation, I think that need is there weather you live

in a high rise building, or a single family home, there's definitely a need for public transportation. I'm not sure that this development is gonna tip the community to the point of offering public transportation, but I think that is definitely a conversation we should have. **Vice Chairman Wierschem**: I just want to toss this out there one more time, um, because I'm just having a hard time with this. Under the neighborhood core concept, it says, a highest density housing should be located near the core of services. Schools, churches, commercial, and so, at this time, that location is not, so sure how, weather, so I'm just, does anyone have any feedback, thoughts? Do you see it differently? **Chairman Young**: Echoes some of what I said with the city center vs neighborhood edge communities. And as far as, you know, the neighborhood centers, then if looking at the comp plan, when you look at the future land use map, those neighborhood centers are kind of identified out, not at the core of the city, but they are intended to develop in certain areas as the city expands. You get those community centers where you get the C-2 commercial projects, the neighborhood restaurants and those types of areas and that's where that neighborhood center is developed. So there not just at the city core, the intent is to be spread throughout the community as we expand north and west and east and a tiny bit more south. But...

Commissioner Hennis: So, that kind of revolves around comp plan revision as to what's being presented to us, the amendment. However, was I right in hearing when the owner/applicant presented that if they reduce the units just slightly, to go from just over 8, to just under 8, they wouldn't have to do that? I thought I heard that. Because right now we are at like 8.63 units per acre, and they said something about that if they were under an R-8, virtually that they didn't have to go through the comp plan amendment. I thought I'd heard that. **Chairman Young**: Is that a question for staff then? **Commissioner Hennis**: I believe...well, we'll ask Troy. I believe the owner was the one that indicated that, it could have been Mr. Arnold, I'm not sure. **Troy Behunin**: Let me see if I understand your question. So if they didn't do a comp plan map and tried to go for an R-8 designation, they would still be required to get a rezone. However, they could avoid a comprehensive plan map change because R-8 is still considered medium density residential. **Commissioner Hennis**: That's what it was. Ok. So we're only talking a little between this medium residential designation and what they are offering in this project anyways, it's just a wee bit over and so it's qualified as high density housing, which we all associate with multi story apartment complexes and such. So it's really not...I think that's the thing I'm struggling with is everybody is conferring...calling this high density housing, where I'm not convinced it is, but that's what my question was earlier. (inaudible) **Troy Behunin**: So, I'm not sure if you're asking this, but, they wouldn't be able to obtain approvals for this and then change it to a higher density. Is that what you're saying? **Commissioner Hennis**: NO, no, right now, let's say they took one building out, like they've already done, that would then bring them under that unit, and so, we'd still have an apartment complex, but it wouldn't be considered high density, and all the things we're talking about would virtually be the same as what's already zoned. I mean, you answered my question, thank you. **Vice Chairman Weirschem**: I think what I'm hearing is, from high to medium, by one unit, is that correct? **Commissioner Hennis**: It seems like we're just on the border here, and it would be one thing if it was 112 or 120 vs 56, but, we're talking 56 to 39 as a difference in units. And what that goes back to is if that becomes medium, residential then this comp plan...**Vice Chairman Wierschem**: (inaudible) Oh, I was just pointing out on page 7 of 10 the lot sizes would increase. **Commissioner Hennis**: One, we wouldn't be into this neighborhood core concept. **Vice Chairman Weirschem**: Exactly. **Chairman Young**: But this application isn't for that, so...**Vice Chairman Weirschem**: Right. **Commissioner Hennis**: I know, I'm just trying it in perspective as to, you know, are we really into this high density, where we need public transportation, or we have to be in the city

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

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core. Or is this just...**Vice Chairman Weirschem**: I think we are because you're looking at a larger variety of families that, you know, 21 vs 56, or whatever. **Commissioner Gealy**: 39. **Commissioner Hennis**: Right, no, I mean...**Vice Chairman Weirschem**: So we have to look at what has been presented to us, not what...**Chairman Young**: Any other thoughts? **Commissioner Herther**: I was just wondering, what the location, just taking the location into consideration, with nothing else, just considering what it is and its proximity to the city center, is that a location where it should be? If we had other options. **Vice Chairman Weirschem**: If there was a comp map you would be able to...**Chairman Young**: Well, I don't have one up in front of me. **Vice Chairman Wierschem**: Nor I. **Chairman Young**: As far as what, other zoning areas? **Vice Chairman Weirschem**: Yes, then he could see the different...**Chairman Young**: Oh, with the neighborhood zones. A map that shows the neighborhood areas that I was talking about. **Commissioner Herther**: What would be an area where we would preferably want to have high-density housing? (inaudible) **Chairman Young**: Let me see if I can bring up...**Commissioner Hennis**: Just hypothetically, or ...Because, like, Journeys end is a perfect example over there by Walgreens. Would be that same, it's near the retail, it's near commercial, it's near services. That's the intention, yes. **Commissioner Herther**: Exactly. **Chairman Young**: I don't have a comp plan up. **Commissioner Herther**: Sorry I can't offer more, I just...**Commissioner Hennis**: The whole thing is, these are valid reasons. **Chairman Young**: Well, I think so, given the application for, what they're asking for, being an R-12, being high density, you know, also have to you know, on every other application that comes in, if it's close, is it, you know, do we go a little high, do we go a little low? Once we blur those lines, it's hard to be consistent as a commission. **Commissioner Gealy**: Troy, we don't have the comp plan map in front of us. Can you tell us if there are neighborhood core areas designated on the comp plan south of the tracks? **Chairman Young**: Are you looking on the future land use map? **Troy Behunin**: It is not within one, no. It is near a couple of them, but it is not in one, no. **Commissioner Gealy**: Can you tell us where there's a neighborhood core south of the tracks that it's near? **Troy Behunin**: Not from Memory. I can give you the intersections if the commission would like to wait, I can find out. **Chairman Young**: I've got the comp plan coming up, but it may take me a minute to find that map in this 300-page document. **Commissioner Gealy**: So we have some neighborhood commercial that is developing as the city develops. You know, there was a time when we didn't think that we would have any development outside of the downtown core, and now, then we got Paul's, which became Albertson's, and then we had Ridley's and we have a Chevron station now, there are things that were taken into account in the future land use map that would provide for some development of neighborhood commercial. Um...**Vice Chairman Weirschem**: Chairman, could I ask Troy to retrieve that map for us? **Chairman Young**: Yes, why don't we just take a 5-minute recess then. **Vice Chairman Weirschem**: Thank you. **Chairman Young**: Resume our discussion, so, Troy brought up the future land use map that shows those neighborhood zones. So these are those neighborhood zones that Stephanie and I were discussing, or talking about. Does that answer your question? **Commissioner Herther**: Yes, it does. **Commissioner Hennis**: The next closest one is further than downtown is from this project. **Chairman Young**: Well, it's, as we all know, the comp plan and the land use maps are living documents, it's not, you know, set in stone, this is where things happen, but...inaudible...looking at this, is what we were looking at. **Commissioner Gealy**: So do we have an idea of how fa this development is from the downtown area? **Troy Behunin**: Um, this property is within, it is less than a mile from the top of the property to the state bank and Enrique's common wall. **Chairman Young**: So, any other thoughts or discussions? **Commissioner Herther**: My concerns now, again, would be property management. How can we be sure that that's going to be managed properly? People are going to be screened, and all the

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things you said could be done, will be done. **Chairman Young**: Well, all we have to go on is track record, you know, there's other properties in town that are high density, and I'm not that far from one of them and I've never heard of a problem with one, within one. **Commissioner Herther**: A mention was made that the rent would be $900.00 a month. I have a question about that yes. Is that what the rent would be? Because that would have a bearing on who would be moving in. **Marty Peroni**: Quite honestly, I'm hoping it's a bit higher. Um, you know, Andrew has given me his numbers, he thinks it's about $925-$1050, that's the range that I've done my homework on, so that's as much as I know at this point in time. The going rate in Meridian is a $1 a square foot. You won't get quite that much here. That's the way I kind of analyze it. If that helps you. **Chairman Young**: Thank you very much. **Commissioner Hennis**: So, the comp map that they brought. So, we've allotted for, in the comp plan, mixed use, high density, up towards are connector, or basically, behind us right here. And across from us. But not down where we are talking about. **Chairman Young**: No, actually, more south of what we're talking about. **Commissioner Hennis**: Well, I mean, yea, way down there, but in relationship to the actual downtown, I mean, this relates to that neighborhood center, this neighborhood center would be our actual city, and that we've got the services along that main street is what we're targeting, and what was designed. **Chairman Young**: Any other thoughts, questions? Then I will stand for a motion. **Commissioner Hennis**: It's awfully close...**Chairman Young**: Is there any discussion on the motion? Hearing None

Commissioner Hennis motions a denial of Case No's 16-01-ZC (Rezone), 16-02-CPM (Comp Plan Map amendment) and 16-01-S (Subdivision) request by Steve Arnold of A-Team Land Consultants) to the Kuna City Council; Vice Chairman Weirschem Seconds,
C/Hennis, C/Wierschem and C/Herther aye;
C/Gealy no, motion carried 3-1.

6. ADJOURNMENT:

*Chairman Young motions to adjourn at 8:52 **pm**; Commissioner Hennis Seconds, all aye and motion carried 3-0.*

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department

ORDINANCE NO. 2016-27

ANNUAL APPROPRIATION ORDINANCE

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, APPROPRIATING THE SUM OF $18,064,679 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 $18,064,679 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, 2016.

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	
Operating Expenditures	*$5,121,431*
Debt Service	*$0.00*
Interfund Transfers	*$608,075*
Capital	*$0.00*
Total General Fund	**$5,729,506**
CAPITAL PROJECTS FUND	
Capital	**$663,075**
AGENCY FUND	**$64,550**
LATE COMERS FUND	**$458,923**
GRANT FUND	**$1,154,725**
PARK IMPACT FEE FUND	**$187,800.00**
WELL MITIGATION FUND	**$251,341**
PROPRIETARY FUNDS	
Water Fund	**$2,963,204**
Operating Expenditures	*$1,283,872*

Debt Service	*$0.00*
Capital	*$1,679,332*
Sewer Fund	**$3,536,178**
Operating Expenditures	*$1,791,919*
Debt Service	*$0.00*
Capital	*$1,744,259*
Irrigation Fund	**$1,380,858**
Operating Expenditures	*$644,708*
Debt Service	*$0.00*
Capital	*$736,150*
Solid Waste Collection Fund	**$1,674,519**
Operating Expenditures	*$1,674,519*
Debt Service	*$0.00*
TOTAL PROPRIETARY FUNDS	**$9,554,759**
GRAND TOTAL ALL FUNDS	**$18,064,679**

SECTION 3. That a general tax levy on all taxable property within the City of Kuna be levied in the amount of $2,055,827 for the general purposes in said City for the fiscal year beginning October 1, 2016. Included therein is the levy of foregone property taxes in the amount of $53,719.

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 6TH day of September, 2016.

_____.
Joe L. Stear, Mayor

ATTEST:

_____.
Chris Engels, City Clerk

CITY OF KUNA
PO BOX 13 KUNA, ID 83643 * 763 AVALON * PH. 208.922.5546 * FAX 208.922.5989 * JMARSH@KUNAID.GOV

TO: MAYOR STEAR AND MEMBERS OF KUNA CITY COUNCIL

FROM: John Marsh – Kuna City Treasurer

SUBJECT: **R55-2016: CERTIFICATION OF FOREGONE PROPERTY TAX LEVY**

DATE: 9/2/2016

SUMMARY DISCUSSION

Resolution R55-2016 consists of an approval request which essentially certifies one specific portion of the annual property tax levy – the foregone portion. Simply put, it is a certification by the City Council that the City Council intends to levy foregone property taxes.

This is a new requirement under 63-802(1)(e) of the Idaho State Code. The requirement is for the adopting entity to set out the portion of its annual property tax levy related to the foregone property tax amount and certify the adoption of such via separate resolution (this resolution).

The foregone property tax amount available and adopted by the City Council in both the tentative budget and Ordinance 2016-27 – *Annual Appropriation Ordinance* is $53,719.

STAFF RECOMMENDATION: Approval of R55-2016.

Thank You,

John Marsh
Kuna City Treasurer

CITY OF KUNA, IDAHO
FOREGONE PROPERTY TAX LEVY
RESOLUTION NO. R55-2016

A RESOLUTION OF THE CITY OF KUNA, IDAHO CERTIFYING THE INTENT OF THE KUNA CITY COUNCIL TO LEVY, AS PART OF THE GENERAL TAX LEVY ADOPTED PURSUANT TO ORDINANCE 2016-27, FOREGONE PROPERTY TAXES.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho the Kuna City Council certifies the levy of foregone property taxes as part of the annual property tax levy.

Furthermore, the foregone property tax amount is levied at $53,719, and is part of the overall property tax levy adopted by the Kuna City Council pursuant to Ordinance 2016-27, entitled *Annual Appropriation Ordinance*.

Additionally, the foregone property tax levy is part of the general tax levy on all taxable property within the City of Kuna for the operation of the General Fund during the fiscal year beginning October 1, 2016.

PASSED BY THE COUNCIL of Kuna, Idaho this 6th day of September, 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this 6th day of September, 2016.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

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

City Council Staff Report

To: Kuna City Council

File Numbers: 16-03-ZOA (Zoning Ordinance Amendment)
Title 5: Zoning Regulations
- KCC 5-1-6-2 (Meaning of Terms or Words)
- KCC 5-3-2 (Land Use Table)

Planner: Wendy I. Howell, PCED

Hearing Date: September 6, 2016

A. Course of Proceedings

Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states text amendments and ordinance changes are designated as public hearings, with the City Council as the final decision making body. This request was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. **Notifications**

i.	Agencies	July 21, 2016
ii.	Kuna, Melba Newspaper	August 17, 2016 August 24, 2016

B. Agency Responses

- *No responses have been received.*

C. Staff Comments:

Staff has reviewed this proposed ordinance which adds additional definitions and land uses to the current land use table of Kuna Zoning Ordinance. The changes appear to be generally consistent with the Comprehensive Plan.

The City attorney has reviewed the proposed ordinance without any objections.

D. Applicable Standards:

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

E. Proposed Decision by Council:

The Council shall consider and discuss the evidence and testimony presented at the meeting prior to rendering its decision.

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.

F. Based on the facts outlined in staff's report, the Commission's recommended approval, and public testimony as presented (if any), an Ordinance Of City Of Kuna, Idaho, amending Title 5, Chapter 1, Section 6-2 entitled "Meanings of Terms or Words" to make changes to the definitions; amending Title 5, Chapter 3, Section 2, entitled "Land Use Table" to make changes to land uses related to the requirement for either a permitted or special use permit; and providing an effective date.

ORDINANCE 2016-28
CITY OF KUNA, IDAHO
ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED "MEANINGS OF TERMS OR WORDS" TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED "LAND USE TABLE" TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENT FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article XII, Section 2 of the Idaho Constitution and Idaho Code Section 50-302 allow municipal corporations to adopt regulations which are not contrary to the general laws; and

WHEREAS, this text amendment is in agreement with the spirit and intent of Kuna Comprehensive Plan; and

WHEREAS, it is deemed to be in the best interest of the City of Kuna to amend Title 5; and

WHEREAS, this zoning amendment is pursued in accordance with Kuna City Code 5-13, "ZONING AMENDMENTS"; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, ADA COUNTY, IDAHO, as follows:

Section 1:

Title 5-1-6-2: "MEANINGS OF TERMS OR WORDS" is amended to add the following terms to the list of definitions:

LOT: For the purpose of this title, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot must meet current zoning frontage requirements on an improved public street, and consists of:

E. Lot Line, *front*: The property line dividing a lot from a public or private street and from which the required front setback has been measured.

MEAT PROCESSING FACILITY (Wild Game): A 'no-kill' facility which processes and prepares wild game meats for consumption by private person(s). Such facilities are designed for the temporary storage, preparation, treatment and packaging of wild game meats not intended for retail or wholesale distribution or commercial sales. Such facilities are subject to state and local standards for bio-hazardous waste storage and disposal.

NON-PROFIT ORGANIZATION: Any person(s), partnership, association, corporation, or other group whose activities are conducted for unselfish, civic or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group.

POWER PLANT: A facility that converts one or more energy sources, including but not limited to water powers, fossil fuels, nuclear power, or solar power into electrical energy or stream. Any plant facility and equipment for the purposes of producing, generating, transmitting, delivering, or furnishing electricity for the production of power.

Section 2:

Title 5-1-6-2: "MEANINGS OF TERMS OR WORDS" is amended to amend the following term to the list of definitions:

AUTOMOBILE REPAIR SHOP: A location designed or used for the repair of automobiles, including mechanical repair, maintenance, engine or transmission replacement or overhaul, and upholstery, but not paint nor bodywork.

Exception: An owner may repair his/her automobile (including engine or transmission repair) provided the owner is limited to working on one (1) automobile at a time. When the automobile is not being worked on, it, and any parts and equipment shall be enclosed, or screened from the view of any street, and the vehicle shall not to be parked upon a street.

BOARDING HOUSE: A dwelling or part thereof, other than a hotel, motel or restaurant, where meals and/or lodging are provided for compensation for three (3) or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Section 3:

Title 5, Chapter 3, Section 2 entitled, "LAND USE TABLE" is amended as follows:

Land Uses	**Districts**														
	A	**R-2**	**R-4**	**R-6**	**R-8**	**R-12**	**R-20**	**O**	**C-1**	**C-2**	**C-3**	**CBD**	**M-1**	**M-2**	**P**
Child Care, Group (7-12 children) 49		S	S	S	S				S	S	S	S			
Explosive/Chemical Manufacturing and Storage														S	
Farm Animals (Domestic) 2, 4	P	P	S										S	P	P
Fraternity/ Sorority/Dormitory/Residential Hall 5, 7		S	S						S	S	S	S			S
Laboratory (Medical, Dental, Optical) 5, 7, 33		S	S	S	S	S			P	P		S	P	P	

Laundry, Commercial Plant 5, 7, 33														P	
Library 5, 7, 33			P	P	P	P	P		P	P		P			P
Liquor Store 5, 33								S	P	P	P	P	P		
Locksmith 5, 7		S	S	S	S	S		S	P	P		P	P		
Manufacturing, General 5, 7											S		P	P	
Manufactured Home Park 7, 8						S	S								
Manufactured Home Sales 5, 7										S	P		P		
Marine Sales/Rentals 7										S	P		P		
Meatpacking (Wild game) (No-kill) 5, 7	S									S	P		P		
Museum or Planetarium 5, 7	S							P	P	P	P	P			P
Non-Profit Organization 5, 7								P	P	P	P	P			P
Power Plant 5, 7													S	S	
Recreational Vehicle, Trailer, or Camping Park 5, 7						S	S		S						P

Section 4:

Severability If any clause, sentence, paragraph, section, or any part of this chapter, shall be declared and adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect, invalidate, or nullify the remainder of this chapter.

Section 5:

Full Force and Effect This Ordinance shall be in full force and from and after its passage, approval and publication as required by law.

ADOPTED this ___ day of _____ 2016.

CITY COUNCIL OF THE CITY OF KUNA
Ada County, Idaho

_____
Joe L. Stear, Mayor
City of Kuna

ATTEST:

_____

Chris Engels, City Clerk
City of Kuna

ORDINANCE 2016-**
CITY OF KUNA, IDAHO
ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED "MEANINGS OF TERMS OR WORDS" TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED "LAND USE TABLE" TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENT FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article XII, Section 2 of the Idaho Constitution and Idaho Code Section 50-302 allow municipal corporations to adopt regulations which are not contrary to the general laws; and

WHEREAS, this text amendment is in agreement with the spirit and intent of Kuna Comprehensive Plan; and

WHEREAS, it is deemed to be in the best interest of the City of Kuna to amend Title 5; and

WHEREAS, this zoning amendment is pursued in accordance with Kuna City Code 5-13, "ZONING AMENDMENTS"; and

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Section 1:

Title 5-1-6-2: "MEANINGS OF TERMS OR WORDS" is amended to add the following terms to the list of definitions:

MEAT PROCESSING FACILITY (Wild Game): A 'no-kill' facility which processes and prepares wild game meats for consumption by private person(s). Such facilities are designed for the temporary storage, preparation, treatment and packaging of wild game meats not intended for retail or wholesale distribution or commercial sales. Such facilities are subject to state and local standards for bio-hazardous waste storage and disposal.

NON-PROFIT ORGANIZATION: Any person(s), partnership, association, corporation, or other group whose activities are conducted for unselfish, civic or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group.

POWER PLANT: A facility that converts one or more energy sources, including but not limited to water powers, fossil fuels, nuclear power, or solar power into electrical energy or stream. Any plant facility and equipment for the purposes of producing, generating, transmitting, delivering, or furnishing electricity for the production of power.

Section 2:

Title 5-1-6-2: "MEANINGS OF TERMS OR WORDS" is amended to amend the following term to the list of definitions:

AUTOMOBILE REPAIR SHOP: A location designed or used for the repair of automobiles, including mechanical repair, maintenance, engine or transmission replacement or overhaul, and upholstery, but not paint nor bodywork.

Exception: An owner may repair his/her automobile ~~Automobile repair~~ (including engine or transmission repair) ~~may be performed by the a private~~ provided the owner is limited to working on ~~of only~~ one (1) automobile at a time. ~~-~~When the automobile is not being worked on, it, and any ~~, only at the residence (not to be parked within a street) when the vehicle,~~ parts and equipment shall be ~~are~~ enclosed, or screened from the view of any street ~~with a weatherproof cover~~, and the ~~while repair is not being performed. The~~ vehicle shall not to be parked ~~within~~ upon a street.

BOARDING~~/ROOMING~~ HOUSE: A dwelling or part thereof, other than a hotel, motel or restaurant, where meals and/or lodging are provided for compensation for three (3) or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Section 3:

Title 5, Chapter 3, Section 2 entitled, "LAND USE TABLE" is amended as follows:

Land Uses	**Districts**														
	A	**R-2**	**R-4**	**R-6**	**R-8**	**R-12**	**R-20**	**O**	**C-1**	**C-2**	**C-3**	**CBD**	**M-1**	**M-2**	**P**
Child Care, Group (7-12 children) 49		S	S	S	S				S	S	S	S			
Explosive/Chemical Manufacturing and Storage														S	
Farm Animals (Domestic) 2, 4	P	P	S										S	P	P
Fraternity/ Sorority/Dormitory/Residential Hall 5, 7		S	S					~~S~~	S	S	S	S			S
Laboratory (Medical, Dental, Optical) 5, 7, 33		S	S	S	S	S			P	P		S	P	P	
Laundry, Commercial Plant 5, 7, 33														P	
Library 5, 7, 33			P	P	P	P	P		P	P		P			P
Liquor Store 5, 33								S	P	P	P	P	P		
Locksmith 5, 7		S	S	S	S	S		S	P	P		P	P		
Manufacturing, General 5, 7											S		P	P	
Manufactured Home Park 7, 8						S	S								
Manufactured Home Sales 5, 7										S	P		P		
Marine Sales/Rentals 7										S	P		P		
Meatpacking (Wild game) (No-kill) 5, 7	S									S	P		P		
Museum or Planetarium 5, 7	S							P	P	P	P	P			P
Non-Profit Organization 5, 7								P	P	P	P	P			P

Power Plant [5, 7]													S	S	
Recreational Vehicle, Trailer, or Camping Park [5, 7]						S	S		S						P

Section 44:

Severability If any clause, sentence, paragraph, section, or any part of this chapter, shall be declared and adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect, invalidate, or nullify the remainder of this chapter.

Section ~~5~~6:

Full Force and Effect This Ordinance shall be in full force and from and after its passage, approval and publication as required by law.

ADOPTED this ___ day of July 2016.

CITY COUNCIL OF THE CITY OF KUNA
Ada County, Idaho

_____
Joe L. Stear, Mayor
City of Kuna

ATTEST:

_____
Chris Engels, City Clerk
City of Kuna

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

City of Kuna
Planning & Zoning Department

July 21, 2016

Notice is hereby given by the City of Kuna that the following action is under consideration for:

FILE NUMBER	**16-03-ZOA – Zoning Ordinance Amendment**
PROJECT DESCRIPTION	AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED "MEANINGS OF TERMS OR WORDS" TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED "LAND USE TABLE" TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENTS FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.
SITE LOCATION	The subject of this proposed action is not associated with any site-specific location.
Requestor	City of Kuna PO Box 13 Kuna, ID 83634
SCHEDULED HEARING DATE	**Tuesday, August 9, 2016** **6:00 P.m.**
STAFF CONTACT	Wendy Howell, Planning Director whowell@kunaid.gov Phone: 922-5274 Fax: 922.5989
We have enclosed information to assist you with your consideration and responses. The public hearing is at 6:00 p.m. or as soon as it may be heard located at Kuna City Hall 763 W. Avalon Kuna, ID 83634. **No response within 15 business days will indicate you have no objection or concerns with this proposed action.** We would appreciate any information you can supply us as to how this action would affect the services your agency provides.	

CENTRAL DISTRICT HEALTH DEPARTMENT

CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

Return to:
- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

Rezone # 16-03-ZOA

Conditional Use # _____

Preliminary / Final / Short Plat _____

City of Kuna

☑ 1. We have No Objections to this Proposal.

☐ 2. We recommend Denial of this Proposal.

☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.

☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.

☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- ☐ high seasonal ground water
- ☐ bedrock from original grade
- ☐ waste flow characteristics
- ☐ other _____

☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.

☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.

☐ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
- ☐ central sewage
- ☐ community sewage system
- ☐ community water well
- ☐ interim sewage
- ☐ central water
- ☐ individual sewage
- ☐ individual water

☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☐ central sewage
- ☐ community sewage system
- ☐ community water
- ☐ sewage dry lines
- ☐ central water

☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.

☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.

☐ 12. We will require plans be submitted for a plan review for any:
- ☐ food establishment
- ☐ swimming pools or spas
- ☐ child care center
- ☐ beverage establishment
- ☐ grocery store

☐ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____ Reviewed By: Rod Baird

_____ Date: 7/27/16

RECEIVED
AUG 04 2016
CITY OF KUNA

Exhibit C-1

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028
Boise, ID 83707-2028

(208) 334-8300
itd.idaho.gov

August 8, 2016

Wendy Howell
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

RE: 16-03-ZOA ZONING ORDINANCE AMENDMENT

The Idaho Transportation Department has reviewed the referenced zoning ordinance amendment application. ITD has the following comments:

1. ITD has no objection to the zoning ordinance changes.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7190.

Sincerely,

Ken Couch
Development Services Coordinator
Ken.Couch@itd.idaho.gov

CITY OF KUNA
PO Box 13 - Kuna, ID 83634
Phone: 208-922-5274

File #'s 16-03-ZOA – Zoning Ordinance Amendment

NOTICE IS HEREBY GIVEN that the Kuna City Council will hold a public hearing on Tuesday, September 6, 2016 at 6:00 pm or as soon thereafter as it may be heard at Kuna City Hall, 763 W. Avalon, Kuna, ID. The public hearing is for the purpose of gaining input on a proposed zoning ordinance text amendment:

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED "MEANINGS OF TERMS OR WORDS" TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED "LAND USE TABLE" TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENTS FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.

The public is invited to present written and/or oral comments. Any written testimony must be received by 5:00 pm on September 1st, 2016. Mail to PO Box 13, Kuna, ID 83634, or drop off at City Hall 763 W Avalon. Please reference case #16-03-ZOA. If you require special accommodations, please contact the Planning & Zoning Department prior to the meeting at 208-922-5274.

Kuna Planning & Zoning

(No need to print anything below this line)

Please publish two times on August 17, 2016 and August 24, 2016

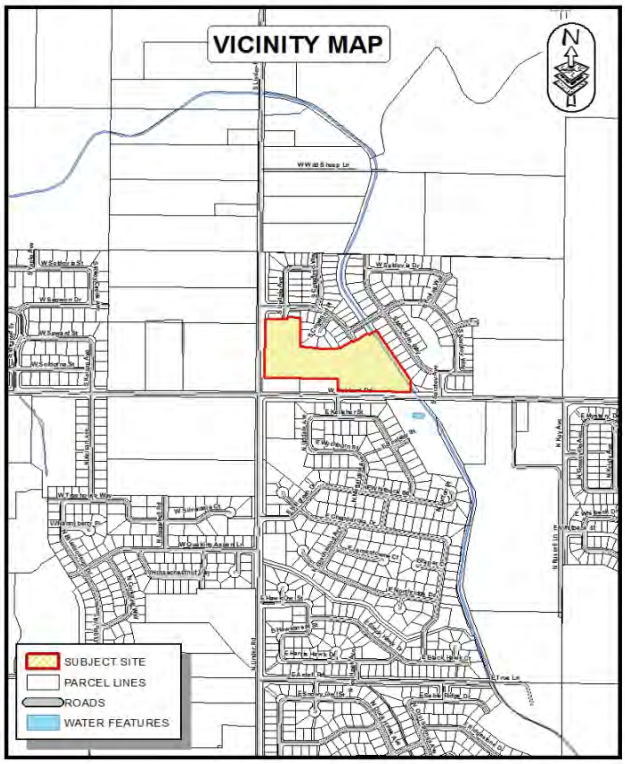
(Sent 8/10/16)

City of Kuna

763 W. Avalon St.
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
WWW.Kunacity.Id.gov

Staff Memo

To:	**Kuna City Council**
Case Number:	**16-07-FP – Final Plat;** Timbermist Subdivision No. 3
Location:	NEC of Linder and Hubbard Roads, Kuna, Idaho 83634
Planner:	Trevor Kesner, Planner II
Meeting Date:	September 6, 2015
Applicant:	**Coleman Homes, LLC.** 3103 W Sheryl Dr. Ste. 100 Meridian, ID, 83642 208.939.9135 Thomas@mycolemanhome.com
Representative:	**Engineering Solutions, LLP** 1029 N. Rosario St. Ste. 100 Meridian, ID 83642 208.938.0980 Es-beckym@qwestoffice.net



A. General Project Facts, Staff Analysis:

1. Applicant is requesting Final Plat approval for Timbermist residential Subdivision No. 3. The Final Plat for Timbermist Subdivision No. 3 proposes 47 residential lots and three (3) common lots on approximately 12.22 acres (APN #S1312336015)

2. In accordance with KCC Title 6 Subdivision Regulations, this application seeks Final Plat approval for the Timbermist Subdivision No. 3.

B. Staff Analysis:

1. After review, staff has determined the proposed Final Plat appears to be in substantial conformance with the approved Preliminary Plat for the Timbermist residential subdivision development. Applicant shall secure all signatures on the final plat check-off list prior to requesting City engineer signature on the Final Plat mylar sheets.

RECEIVED 7-25-16

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

Final Plat Checklist

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

16-07-FP

Project name:	Applicant:
Timbermist Subdivision No.3	Timbermist, LLC.

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

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

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

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

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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

For Office Use Only	
File Number (s)	16-07-FP
Project name	Timbermist Sub #3
Date Received	RECEIVED 8-2-2016
Date Accepted/ Complete	8-10-16
Cross Reference Files	Timbermist 1 & 2
Commission Hearing Date	N/A
City Council Hearing Date	09/06/16

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: Timbermist LLC	Phone Number: 208-939-9135
Address: 3103 W. Sheryl Drive, Suite 100	E-Mail: Thomas@mycolemanhome.com
City, State, Zip: Meridian, ID 83642	Fax #: 208-424-0030
Applicant (Developer): Coleman Homes LLC	Phone Number: 208-939-9135
Address: 3103 W. Sheryl Drive, Suite 100	E-Mail: Thomas@mycolemanhome.com
City, State, Zip: Meridian, ID 83642	Fax #: 208-424-0030
Engineer/Representative: Engineering Solutions, LLP	Phone Number: 208-938-0980
Address: 1029 N. Rosario Street. Suite 100	E-Mail: ES-BeckyM@qwestoffice.net
City, State, Zip: Meridian, ID 83642	Fax #: 208-939-0941

Subject Property Information

Site Address: 9360 S. Linder Road, Kuna, Idaho	
Site Location (Cross Streets): Northeast of Linder and Hubbard Roads	
Parcel Number (s): S1312336015	
Section, Township, Range: Section 12, T.2N., R.1W., B.M., Kuna, Ada County, Idaho	
Property size : 12.22 Acres	
Current land use: Agricultural	Proposed land use: Single Family Residential
Current zoning district: R-4	Proposed zoning district: R-4

Exhibit A-2a

Project Description

Project / subdivision name: Timbermist Subdivision No. 3

General description of proposed project / request: Request for final plat approval for 47 single-family residential and 3 common lots on 12.22 acres in an R-4 zone.

Type of use proposed (check all that apply):

- [x] Residential
- [ ] Commercial
- [ ] Office
- [ ] Industrial
- [ ] Other

Amenities provided with this development (if applicable): Central park and pool, tot lot and gazebo constructed with Phase 1.

Residential Project Summary (if applicable)

Are there existing buildings? [ ] Yes [x] No

Please describe the existing buildings:

Any existing buildings to remain? [ ] Yes [ ] No

Number of residential units: 47 Number of building lots: 47

Number of common and/or other lots: 3

Type of dwellings proposed:

- [x] Single-Family
- [ ] Townhouses
- [ ] Duplexes
- [ ] Multi-Family
- [ ] Other

Minimum Square footage of structure (s): 1,200 sq. ft.

Gross density (DU/acre-total property): 3.85 Net density (DU/acre-excluding roads): 4.52

Percentage of open space provided: 19.64 Acreage of open space: 2.40

Type of open space provided (i.e. landscaping, public, common, etc.): Canal lot with pathway, arterial buffer and detached sidewalks.

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: 7/25/16

Timbermist Subdivision No. 3
Final Plat Application
Project Narrative

Timbermist LLC hereby submits this application for a final plat for 47 single-family residential lots and three (3) common lots for Timbermist Subdivision No. 3. The current zoning designation is R-4, which allows for densities up to four (4) dwelling units per acre. The gross density for this 12.22-acre parcel is 3.85 dwelling units per acre (du/a), with a net density of 4.25 du/a. The overall density of the planned development complies with the conditions of approval.

Common area and open space for Timbermist Subdivision No. 3 include 2.40 acres of open space, or 19.64% of this phase of the development.

Construction plans for Timbermist Subdivision No. 3 are attached and include sewer, water, pressure irrigation, storm drainage and public street improvements. A Consent to Use Agreement has been entered into with the Bureau of Reclamation for crossing of the canal with sidewalk (culvert extension). Supporting services for the proposed development will be paid for through property taxes and user fees. No health, safety or environmental problems exist within the development.

This final plat is in conformance with the approved preliminary plat and the standards of Title 9 of the Kuna City Code. The final plat and construction drawings have been prepared in accordance with established engineering and surveying practices and local standards.

Exhibit
A-2b

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

ADA COUNTY RECORDER Christopher D. Rich AMOUNT 22.00 5
BOISE IDAHO 11/27/2013 09:58 AM
DEPUTY Nikola Olson
Simplifile Electronic Recording
RECORDED-REQUEST OF
PIONEER TITLE COMPANY OF ADA C
113128811

AFTER RECORDING, RETURN TO:
TIMBERMIST LLC
c/o Quentin M. Knipe
Stoel Rives LLP
101 South Capitol Boulevard – Suite 1900
Boise, ID 83702

539222

WARRANTY DEED

For value received, TIMBERMIST DEVELOPMENT COMPANY LLC, an Idaho limited liability company ("Grantor"), does hereby convey to TIMBERMIST LLC, an Idaho limited liability company ("Grantee"), whose address is 1859 South Topaz Way, Suite 200, Meridian, Idaho 83642, the following described property situated in Ada County, Idaho:

SEE Exhibit A attached hereto.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or otherwise appertaining, including without limitation water rights, and all estate, right, title and interest in and to the said property.

TOGETHER WITH any right, title and interest of Grantor in and to all the streets, alleys, and rights-of-way adjacent thereto.

SUBJECT TO: General real property taxes for future years and the matters set forth on Exhibit B attached hereto.

Grantor does hereby warrant that Grantor is the sole owner in fee simple absolute of said premises and that, subject to the matters above set forth, said premises are free from all liens and encumbrances. Further, subject to the matters above set forth, Grantor covenants to defend the title to the premises from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the 21st day of November, 2013.

GRANTOR:

TIMBERMIST DEVELOPMENT COMPANY LLC,
an Idaho limited liability company

By: _____
Ronald W. Van Auker, Member

74961961.1 0042597-00024

Exhibit
A-2c

STATE OF Idaho)
)ss.
COUNTY OF Ada)

On November 26th, 2013, before me, a Notary Public, personally appeared **Ronald W. Van Auker**, known or identified to me to be the Member of TIMBERMIST DEVELOPMENT COMPANY LLC, the limited liability company that executed the above instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

JULLEE D. WOLFE NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Printed Name: Jullee D. Wolfe
Commission Expires: 7-21-2016

EXHIBIT A

Description of Land

Parcel S1312346625

A tract of land situated in the SE ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

COMMENCING at an aluminum cap monumenting the Southwest corner of said Section 12;

Thence following the Southerly line of said SW ¼, South 88°53'10" East a distance of 1,321.40 feet to a 5/8" steel pin monumenting the Southwest corner of the SE ¼ of the SW ¼ of Section 12 and the POINT OF BEGINNING;
Thence leaving said Southerly line and following the Westerly line of the said SE ¼ of the SW ¼, North 00°29'12" East a distance of 1,321.84 feet to a point being the Northwest corner of said SE ¼ of the SW ¼;
Thence leaving said Westerly line and following the Northerly line of said SE ¼ of the SW ¼, South 88°41'56" East a distance of 1,321.37 feet to a point being the Northeast corner of said SE ¼ of the SW ¼;
Thence leaving said Northerly line and following the Easterly line of said SE ¼ of the SW ¼, South 00°28'59" West a distance of 762.28 feet to a 5/8" steel pin;
Thence leaving said Easterly line, North 88°50'02" West a distance of 784.05 feet to a 5/8" steel pin;
Thence South 00°28'59" West a distance of 555.96 feet to a 5/8" steel pin on the Southerly line of Section 12;
Thence following said Southerly line, North 88°53'10" West a distance of 537.36 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM:
ACHD Linder Road Right of Way at Proposed Timbernist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows:
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence North 00°29'26" East 157.00 feet along the West line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 1169.17 feet along said West section line to the South 1/16 corner common to Section 11 and 12;
Thence South 88°41'59" East 48.00 feet along the North line of the South half of the Southwest quarter to a point;
Thence South 00°29'26" West 1169.01 feet to a point;
Thence North 88°53'14" West 48.00 feet to the REAL POINT OF BEGINNING of this description.

Parcel S1312336005

The SW ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

EXCEPTING THEREFROM a parcel in the Southwest corner of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, described as follows:

Beginning at the Southwest corner of Section 12;
Thence North 25 feet;
Thence East 25 feet to the POINT OF BEGINNING;
Thence East 330 feet along the North right-of-way of the county road to a point;
Thence North 132 feet to a point;
Thence West 330 feet to a point;
Thence South 132 feet along the East right-of-way line of the county road to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a parcel in the SW ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, described as follows:

BEGINNING at the Southwest corner of Section 12;
Thence North 25 feet to a point;
Thence East 25 feet to a point;
Thence East along the North line of the right-of-way of the county road, a distance of 330 feet to the POINT OF BEGINNING;
Thence continue East along the right-of-way of the county road, a distance of 330 feet to a point;
Thence North 132 feet to a point;
Thence West 330 feet to a point;
Thence South 132 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:
ACHD Linder Road Right of Way at Proposed Timbernist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence North 00°29'26" East 157.00 feet along the West line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 1169.17 feet along said West section line to the South 1/16 corner common to Section 11 and 12;
Thence South 88°41'59" East 48.00 feet along the North line of the South half of the Southwest quarter to a point;
Thence South 00°29'26" West 1169.01 feet to a point;
Thence North 88°53'14" West 48.00 feet to the REAL POINT OF BEGINNING of this description.

ALSO EXCEPTING THEREFROM:
ACHD Hubbard Road Right of Way at Proposed Timbernist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence South 88°53'14" East 685.00 feet along the South line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 48.00 feet to a point;
Thence South 88°53'14" East 1,173.65 feet to a point;
Thence South 00°28'59" West 48.00 feet to a point on the South line of said Section 12;
Thence North 88°53'14" West 1,173.66 feet to the REAL POINT OF BEGINNING of this description.

EXHIBIT B

Permitted Encumbrances

1. Master Pathway Agreements upon the terms, provisions and consequences arising therefrom.
   Between: Nampa Meridian Irrigation District, the City of Meridian, the City of Boise and the County of Ada County
   Instrument Nos.: 100102999, 101002090, 101002091, 101009649, 101013585

2. Right, title and interest of the party herein named.
   Disclosed by: Quitclaim Deed executed by the United States Department of the Interior Bureau of Reclamation
   Party: Nampa Meridian Irrigation District
   Recorded: July 18, 2001
   Instrument No.: 101071951

3. Development Agreement upon the terms, conditions and provisions contained therein:
   Between: City of Kuna and Timbermist Partners LLC, an Idaho Limited Liability Company
   Dated: February 7, 2007
   Recorded: March 6, 2007
   Instrument No.: 107032225

4. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
   For: Public Right-of-Way Easement (Sidewalk)
   In Favor of: Ada County Highway District
   Recorded: May 14, 2009
   Instrument No.: 109055703

5. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
   For: Public Right-of-Way
   In Favor of: Ada County Highway District and Timbermist Partners, LLC
   Recorded: May 14, 2009
   Instrument No.: 109055704

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

ADA COUNTY RECORDER Christopher D. Rich AMOUNT 25.00 8
BOISE IDAHO 02/05/2014 09:47 AM
DEPUTY Victoria Bailey
Simplifile Electronic Recording
RECORDED-REQUEST OF
PIONEER TITLE COMPANY OF ADA C 114009152

Recorded at the request of:
TIMBERMIST LLC
After recording return to:
Quentin M. Knipe
STOEL RIVES LLP
101 South Capital Boulevard – Suite 1900
Boise, ID 83702

AFFIDAVIT TO CORRECT DESCRIPTION OF PROPERTY

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

Each of the undersigned, being first duly sworn, on oath, deposes and says: The Warranty Deed dated November 26, 2013, and recorded November 27, 2013, as Instrument No. 113128811 in the office of the Ada County Recorder, in which TIMBERMIST DEVELOPMENT COMPANY LLC, an Idaho limited liability company, is the grantor, and TIMBERMIST LLC, an Idaho limited liability company, is the grantee, contains an error in Exhibit A attached thereto. A corrected Exhibit A is attached to this affidavit and the undersigned hereby declare their intention that the corrected Exhibit A attached hereto be substituted in all respects for the Exhibit A attached to that Warranty Deed.

This affidavit is given by the undersigned and presented to the office of the Ada County Recorder for recording and indexing pursuant to Idaho Code section 55-816.

{signature pages follow}

GRANTOR:

TIMBERMIST DEVELOPMENT COMPANY
LLC, an Idaho limited liability company

By: _____
Ronald W. Van Auker, Member

Subscribed and sworn to before me this 22nd day of January, 2014.

_____
Notary Public
Print Name: Jullee D. Wolfe
My commission expires: 7-21-2016

STATE OF IDAHO)
) ss.
County of Ada)

See attached

On this ____ day of January, 2014, before me, a Notary Public in and for said State, personally appeared **Ronald W. Van Auker, Member of TIMBERMIST DEVELOPMENT COMPANY LLC**, an Idaho limited liability company, who subscribed said limited liability company's name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company's name.

_____
Notary Public for Idaho
Print Name: _____
My commission expires: _____

GRANTOR:

TIMBERMIST DEVELOPMENT COMPANY LLC, an Idaho limited liability company

By: _____
Ronald W. Van Auker, Member

JULLEE D. WOLFE NOTARY PUBLIC STATE OF IDAHO

Subscribed and sworn to before me this 22nd day of January, 2014.

_____
Notary Public
Print Name: Jullee D. Wolfe
My commission expires: 7-21-2016

STATE OF IDAHO)
) ss.
County of Ada)

On this 22nd day of January, 2014, before me, a Notary Public in and for said State, personally appeared **Ronald W. Van Auker, Member of TIMBERMIST DEVELOPMENT COMPANY LLC**, an Idaho limited liability company, who subscribed said limited liability company's name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company's name.

JULLEE D. WOLFE NOTARY PUBLIC STATE OF IDAHO

_____
Notary Public for Idaho
Print Name: Jullee D. Wolfe
My commission expires: 7-21-2016

GRANTEE:

TIMBERMIST LLC,
an Idaho limited liability company

By: COLEMAN HOMES LLC,
an Idaho limited liability company
Its: Manager

By: _____
Thomas M. Coleman, Jr., President

Subscribed and sworn to before me this 3rd day of January, 2014.

JESSICA JACLYN BLACK NOTARY PUBLIC STATE OF IDAHO

_____
Notary Public
Print Name: Jessica Black
My commission expires: 3-28-17

STATE OF IDAHO)
) ss.
County of Ada)

On this 3rd day of January, 2014, before me, a Notary Public in and for said State, personally appeared **Thomas M. Coleman, Jr.**, known or identified to me to be the **President of COLEMAN HOMES LLC, the Manager of TIMBERMIST LLC**, an Idaho limited liability company, who subscribed said limited liability company's name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company's name.

JESSICA JACLYN BLACK NOTARY PUBLIC STATE OF IDAHO

_____
Notary Public for Idaho
Print Name: Jessica Black
My commission expires: 3-28-17

EXHIBIT A

Parcel S1312346625

A tract of land situated in the SE ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

COMMENCING at an aluminum cap monumenting the Southwest corner of said Section 12;
Thence following the Southerly line of said SW ¼, South 88°53'10" East a distance of 1,321.40 feet to a 5/8" steel pin monumenting the Southwest corner of the SE ¼ of the SW ¼ of Section 12 and the POINT OF BEGINNING;
Thence leaving said Southerly line and following the Westerly line of the said SE ¼ of the SW ¼, North 00°29'12" East a distance of 1,321.84 feet to a point being the Northwest corner of said SE ¼ of the SW ¼;
Thence leaving said Westerly line and following the Northerly line of said SE ¼ of the SW ¼, South 88°41'56" East a distance of 1,321.37 feet to a point being the Northeast corner of said SE ¼ of the SW ¼;
Thence leaving said Northerly line and following the Easterly line of said SE ¼ of the SW ¼, South 00°28'59" West a distance of 762.28 feet to a 5/8" steel pin;
Thence leaving said Easterly line, North 88°50'02" West a distance of 784.05 feet to a 5/8" steel pin;
Thence South 00°28'59" West a distance of 555.96 feet to a 5/8" steel pin on the Southerly line of Section 12;
Thence following said Southerly line, North 88°53'10" West a distance of 537.36 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM:
Ada County Highway District Hubbard Road Right of Way at proposed Timbermist Subdivision conveyed to Ada County Highway District by Warranty Deed Instrument No. 109015185, records of Ada County, Idaho.

Parcel S1312336005

The SW ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

EXCEPTING THEREFROM a parcel in the Southwest corner of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, described as follows:

Beginning at the Southwest corner of Section 12;
Thence North 25 feet;
Thence East 25 feet to the POINT OF BEGINNING;
Thence East 330 feet along the North right-of-way of the county road to a point;
Thence North 132 feet to a point;
Thence West 330 feet to a point;

Thence South 132 feet along the East right-of-way line of the county road to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a parcel in the SW ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, described as follows:

BEGINNING at the Southwest corner of Section 12;
Thence North 25 feet to a point;
Thence East 25 feet to a point;
Thence East along the North line of the right-of-way of the county road, a distance of 330 feet to the POINT OF BEGINNING;
Thence continue East along the right-of-way of the county road, a distance of 330 feet to a point;
Thence North 132 feet to a point;
Thence West 330 feet to a point;
Thence South 132 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:
ACHD Linder Road Right of Way at Proposed Timbermist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence North 00°29'26" East 157.00 feet along the West line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 1169.17 feet along said West section line to the South 1/16 corner common to Section 11 and 12;
Thence South 88°41'59" East 48.00 feet along the North line of the South half of the Southwest quarter to a point;
Thence South 00°29'26" West 1169.01 feet to a point;
Thence North 88°53'14" West 48.00 feet to the REAL POINT OF BEGINNING of this description.

ALSO EXCEPTING THEREFROM:
ACHD Hubbard Road Right of Way at Proposed Timbermist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence South 88°53'14" East 685.00 feet along the South line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 48.00 feet to a point;
Thence South 88°53'14" East 1,173.65 feet to a point;
Thence South 00°28'59" West 48.00 feet to a point on the South line of said Section 12;
Thence North 88°53'14" West 1,173.66 feet to the REAL POINT OF BEGINNING of this description.

February 9, 2016

DESCRIPTION FOR TIMBERMIST SUBDIVISION NO. 3

A parcel located in the S ½ of the SW ¼ of Section 12, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, and more particularly described as follows:

Commencing at an aluminum cap monument marking the southwest corner of said S ½ of the SW ¼, from which a 5/8 inch diameter iron pin marking the southeast corner of said S ½ of the SW ¼ bears S 88°53'10" E a distance of 2642.80 feet;

Thence N 00°29'26" E along the westerly boundary of said S ½ of the SW ¼ a distance of 702.20 feet;

Thence leaving said westerly boundary S 89°30'34" E a distance of 48.00 feet to a 5/8 inch diameter iron pin on the easterly right-of-way of S. Linder Road marking the southwesterly corner of Timbermist Subdivision No. 2, as filed for record in Book 109 of Plats at Pages 15391 through 15393, records of Ada County, Idaho, the **POINT OF BEGINNING**;

Thence leaving said easterly right-of-way and along the southerly boundary of said Timbermist Subdivision No. 2:

Thence continuing S 89°30'34" E a distance of 200.00 feet to a 5/8 inch diameter iron pin;
Thence N 00°29'26" E a distance of 19.38 feet to a 5/8 inch diameter iron pin;
Thence S 89°30'34" E a distance of 110.00 feet to a 5/8 inch diameter iron pin;
Thence S 00°29'26" W a distance of 275.00 feet to a 5/8 inch diameter iron pin;
Thence S 84°52'02" E a distance of 191.96 feet to a 5/8 inch diameter iron pin;
Thence S 88°53'10" E a distance of 110.00 feet to a 5/8 inch diameter iron pin;
Thence N 79°11'59" E a distance of 49.19 feet to a 5/8 inch diameter iron pin;
Thence N 57°02'24" E a distance of 110.00 feet to a 5/8 inch diameter iron pin;
Thence S 32°57'36" E a distance of 12.08 feet to a 5/8 inch diameter iron pin;
Thence N 57°02'24" E a distance of 164.00 feet to a 5/8 inch diameter iron pin;
Thence S 32°57'36" E a distance of 20.00 feet to a 5/8 inch diameter iron pin;
Thence N 57°02'24" E a distance of 76.00 feet to a 5/8 inch diameter iron pin on the westerly boundary of Timbermist Subdivision No. 1, as filed for record in Book 108 of Plats at Pages 15302 through 15304, records of Ada County, Idaho;

Thence along the westerly boundary of said Timbermist Subdivision No. 1 S 32°57'36" E a distance of 686.53 feet to a 5/8 inch diameter iron pin on the northerly right-of-way of W. Hubbard Road marking the southwesterly corner of said Timbermist Subdivision No. 1;

Thence leaving said subdivision boundary and along said northerly right-of-way N 88°53'10" W a distance of 710.78 feet to a 5/8 inch diameter iron pin;

Thence leaving said northerly right-of-way N 00°29'26" E a distance of 109.00 feet to a 5/8 inch diameter iron pin;

Thence N 88°53'10" W a distance of 637.00 feet to a 5/8 inch diameter iron pin on the easterly right-of-way of S. Linder Road;

Thence along said easterly right-of-way N 00°29'26" E a distance of 545.72 feet to the **POINT OF BEGINNING**.

This parcel contains 12.22 acres.

Exhibit
A-2c

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.kunacity.id.gov

State of Idaho)
) **ss**
County of Ada)

I, Thomas M. Coleman, Jr., President of Coleman Homes LLC, Manager of Timbermist LLC, 3103 W. Sheryl Drive, Suite 100, Meridian, ID 83642

being first duly sworn upon oath, depose and say:

A. That I am the record owner of the property described on the attached, and I grant my permission to Engineering Solutions, LLP, 1029 N. Rosario Street, Suite 100, Meridian, ID 83642
to submit the accompanying applications 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 31st day of March, 2014.

Signature

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

Notary Public for Idaho

Residing at: Eagle, Idaho

My commission expires: 8/14/18

REBECCA L. MCKAY NOTARY PUBLIC STATE OF IDAHO

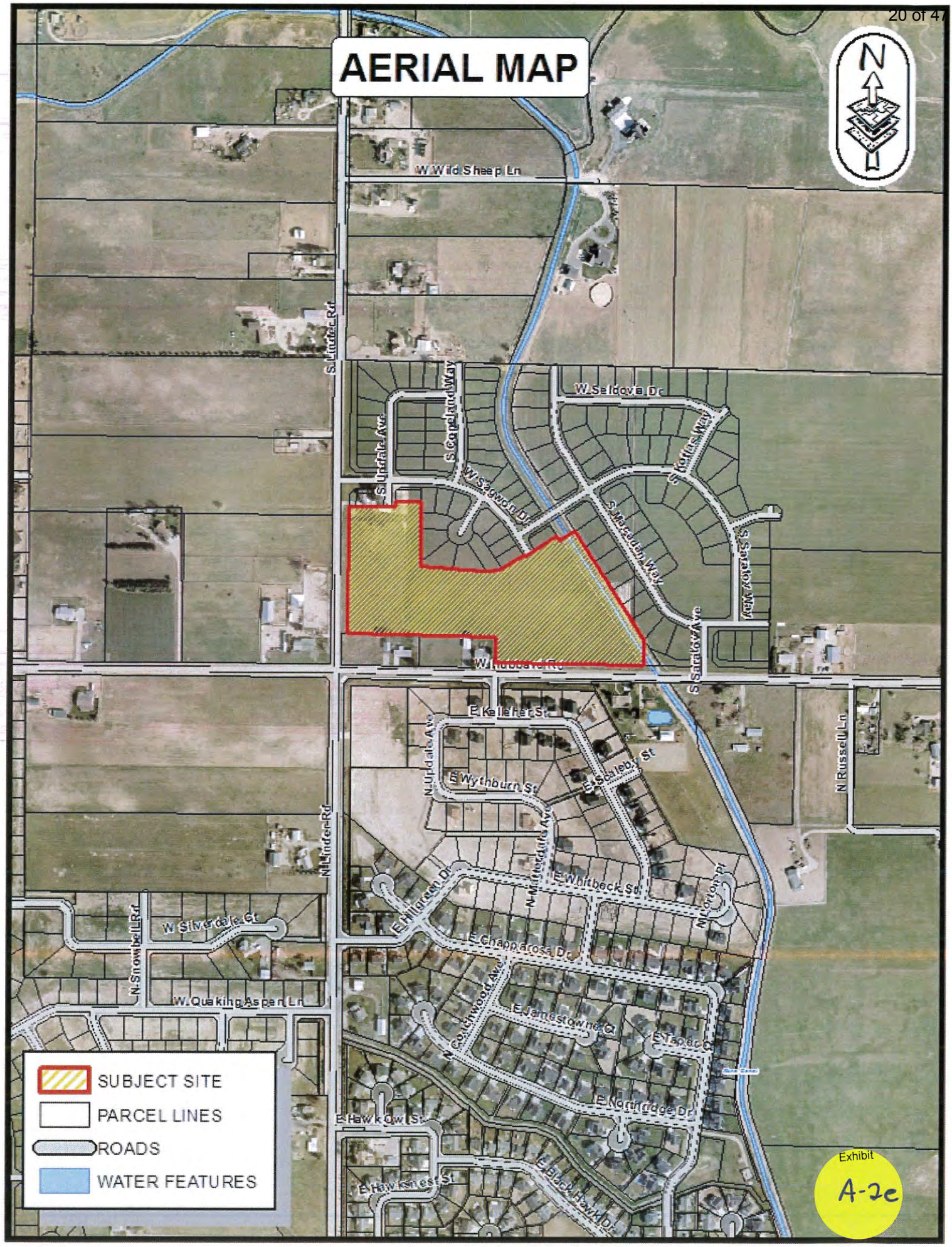
Exhibit A-2d

TIMBERMIST SUBDIVISION NO. 3

VICINITY MAP – 1"=800'

LOCATED IN THE S 1/2 OF THE SW 1/4 OF SECTION 12, T.2N., R.1W., B.M.
KUNA, ADA COUNTY, IDAHO

Exhibit
A-2c


AERIAL MAP
N
W Wild Sheep Ln
S Linder Rd
W Seldova Dr
S Copeland Way
S Updale Ave
W Sagwood Dr
S Meadow Way
S Santa Fe Way
S Santa Fe Ave
W Hubbard Rd
E Kelliher St
N Updale Ave
E Wythburn St
E Schleby St
N Russell Ln
N Linder Rd
E Whitbeck St
E Hillgreen Dr
E Chapparosa Dr
W Silverdale Ct
N Snowbell Rd
W Quaking Aspen Ln
E Jamestown Ct
E Northridge Dr
E Hawk Owl St
E Hawksnest St
E Black Hawk Dr
SUBJECT SITE
PARCEL LINES
ROADS
WATER FEATURES
Exhibit
A-2c

DRAFT

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TIMBERMIST SUBDIVISION

COLEMAN HOMES LLC
3103 W. SHERYL DRIVE, SUITE 100
MERIDIAN, IDAHO 83642
TELEPHONE: (208) 424-0020
FAX: (208) 424-0030
WWW.MYCOLEMANHOME.COM

Exhibit
A-2P

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IN WITNESS WHEREOF, the undersigned President and Secretary of the Association hereby certify that this Declaration was duly adopted as of the _____ day of _____, 2011 to amend, replace and supersede the Original Declaration in accordance with Article XVIII, Section 4 of the Original Declaration by not less than sixty-six and two-thirds percent (66-2/3%) of the votes entitled to be cast by the Owners.

TIMBERMIST HOMEOWNERS ASSOCIATION, INC., an Idaho nonprofit corporation

By: _____
President

Attest:

_____
Secretary

STATE OF IDAHO)
) ss.
County of Ada)

On this _____ day of _____, 2011, before me, a Notary Public in and for said State, personally appeared _____ and _____, known or identified to me to be the **President** and **Secretary** of **Timbermist Homeowners Association, Inc.**, an Idaho nonprofit corporation, who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that they executed the same in said corporation's name.

_____
Notary Public for Idaho
Residing at: _____
My commission expires: _____

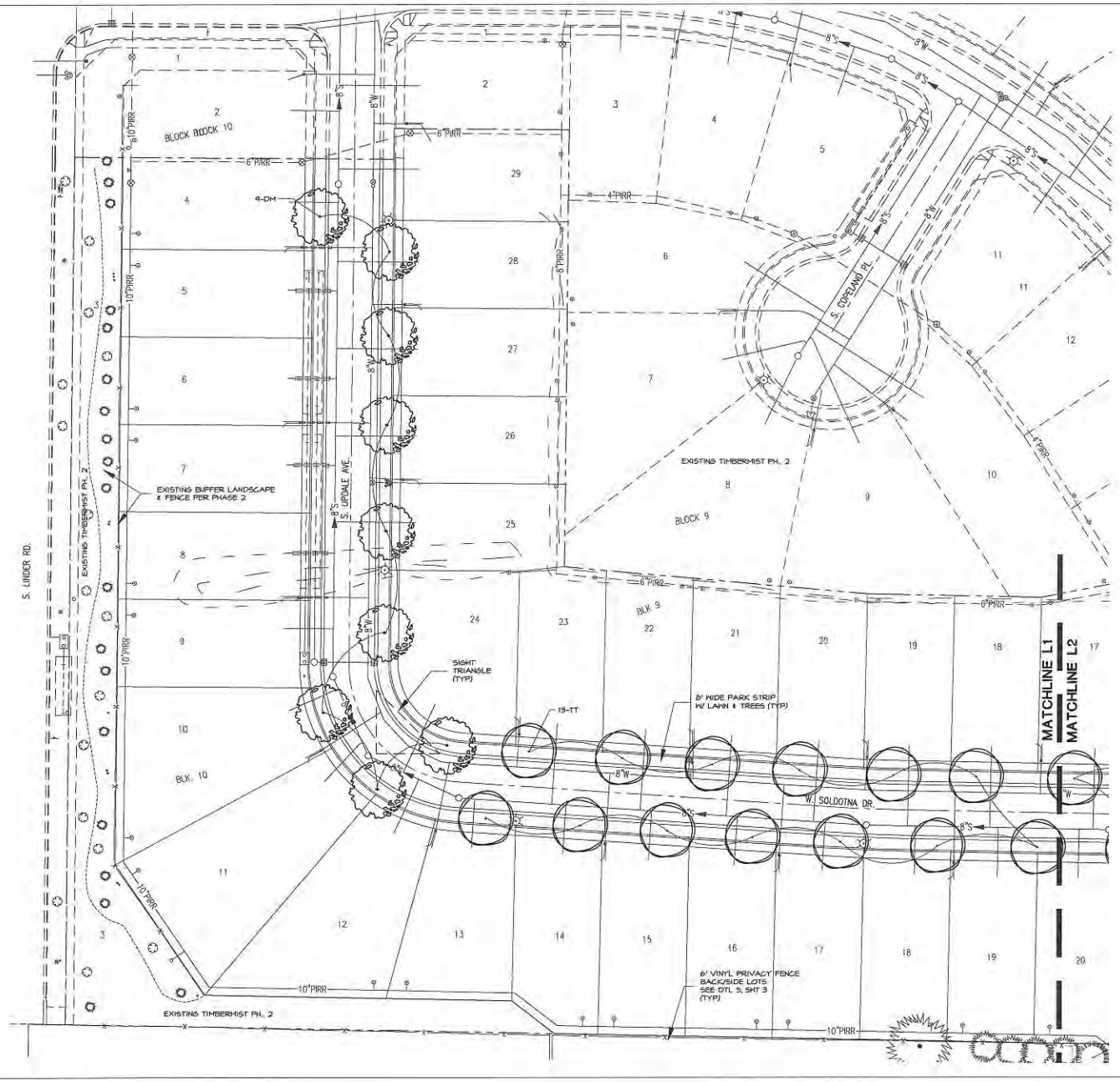
TIMBERMIST, LLC, an Idaho limited liability company

By: _____
Thomas M. Coleman, Jr., President

STATE OF IDAHO)
) ss.
County of Ada)

On this _____ day of _____, 2011, before me, a Notary Public in and for said State, personally appeared Thomas M. Coleman, Jr., known or identified to me to be the **President** of **Timbermist, LLC**, an Idaho limited liability company, who subscribed said company's name to the foregoing instrument, and acknowledged to me that he executed the same in said company's name.

_____
Notary Public for Idaho
Residing at: _____
My commission expires: _____



PLANT SCHEDULE

(REFERENCE SHT L3)

SYM	COMMON NAME
EVERGREEN TREES	
CS	COLORADO BLUE SPRUCE
NS	NORWAY SPRUCE
VP	VANDERWOLPS PINE
SHADE TREES (CLASS III)	
LP	LONDON PLANETREE
SHADE TREES (CLASS II)	
AP	AUTUMN PURPLE ASH
DM	DEBORAH MAPLE
IT	EMERALD CITY TULIP TREE
ORNAMENTAL TREES (CLASS I)	
RR	ROYAL RAINDROPS CRABAPPLE
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS	
BE	BLACK EYED SUSAN
BL	BLACK LACE ELDERBERRY
CR	RED FLOWER CARPET ROSE
DF	DWARF FOUNTAIN GRASS
DL	STELLA D'ORO DAYLILY
FY	MEADOWLARK FORSYTHIA
GL	GRO-LOW SUMAC
LD	LITTLE DEVIL NINEBARK
RS	RUSSIAN SAGE
SN	SUMMERWINE NINEBARK

LAWN

NATURAL LANDSCAPE TO REMAIN

LANDSCAPE BOULDERS

NOTE

1. REFER TO SHT L3 FOR PLANT SCHEDULE, LANDSCAPE NOTES, CALCULATIONS, AND DETAILS.

KEY MAP

DEVELOPER

COLEMAN HOMES
THOMAS COLEMAN
3103 W. SHERYL DRIVE, STE. 100
MERIDIAN, IDAHO 83642
Phone (208) 424-0020
Fax (208) 424-0030

JENSENBELTS ASSOCIATES

NORTH

SCALE 1" = 30'

Plans Are Accepted For Public Street Construction

By accepting and signing this improvement plans, the Applicant agrees to construct the improvements in accordance with these plans and specifications. Variances or waivers must be specifically noted. The City's acceptance and signature does not relieve the Applicant of these responsibilities.

BY: _____ DATE: _____
ADA COUNTY HIGHWAY DISTRICT

APPROVED FOR CONSTRUCTION
CITY OF KUNA
APPROVED BY: _____ DATE: _____

STATE OF IDAHO — Louis D. Beautrow — 10511 — LICENSED LANDSCAPE ARCHITECT

REVISIONS

ENGINEERING SOLUTIONS, LLP
1029 N. ROSARIO STREET, SUITE 100
MERIDIAN, IDAHO 83642
Phone (208) 938-0980 Fax (208) 934-0941

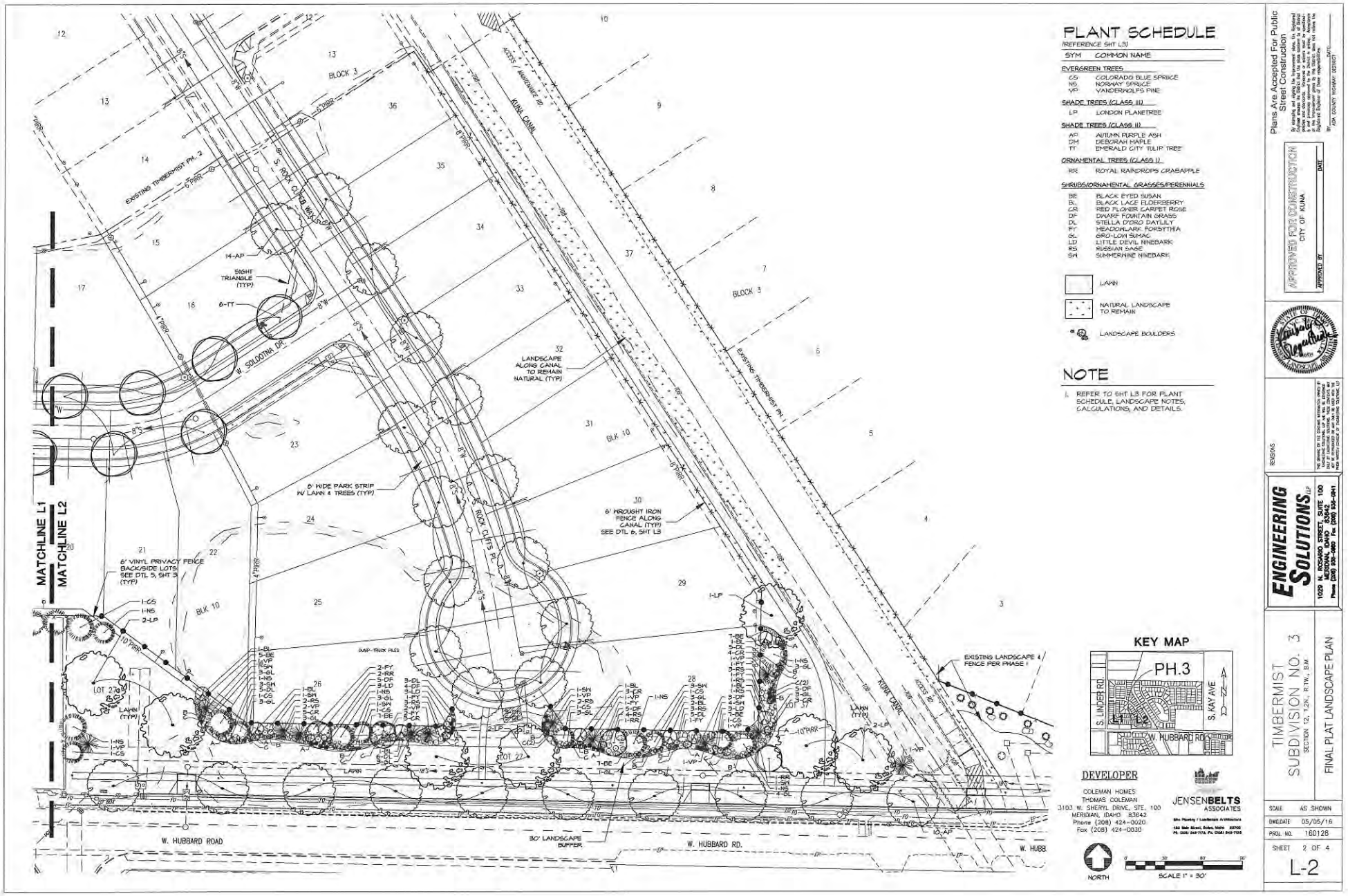
TIMBERMIST SUBDIVISION NO. 3
SECTION 12, T.2N., R.1W., B.M.

FINAL PLAT LANDSCAPE PLAN

SCALE	AS SHOWN
DWG DATE	05/05/16
PROJ. NO.	160128
SHEET	1 OF 4

L-1

Exhibit A-4



PLANT SCHEDULE

(REFERENCE SHT L3)

SYM	COMMON NAME
EVERGREEN TREES	
CS	COLORADO BLUE SPRUCE
NS	NORWAY SPRUCE
VP	VANDERWOLPS PINE
SHADE TREES (CLASS III)	
LP	LONDON PLANETREE
SHADE TREES (CLASS II)	
AP	AUTUMN PURPLE ASH
DM	DEBORAH MAPLE
TT	EMERALD CITY TULIP TREE
ORNAMENTAL TREES (CLASS I)	
RR	ROYAL RAINDROPS CRABAPPLE
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS	
BE	BLACK EYED SUSAN
BL	BLACK LACE ELDERBERRY
CR	RED FLOWER CARPET ROSE
DF	DWARF FOUNTAIN GRASS
DL	STELLA D'ORO DAYLILY
FY	MEADOWLARK FORSYTHIA
GL	GRO-LOW SUMAC
LD	LITTLE DEVIL NINEBARK
RS	RUSSIAN SAGE
SN	SUMMERWINE NINEBARK

LAWN

NATURAL LANDSCAPE TO REMAIN

LANDSCAPE BOULDERS

NOTE

1. REFER TO SHT L3 FOR PLANT SCHEDULE, LANDSCAPE NOTES, CALCULATIONS, AND DETAILS.

KEY MAP

DEVELOPER

COLEMAN HOMES
THOMAS COLEMAN
3103 W. SHERYL DRIVE, STE. 100
MERIDIAN, IDAHO 83642
Phone (208) 424-0020
Fax (208) 424-0030

JENSENBELTS ASSOCIATES

NORTH

SCALE 1" = 30'

Plans Are Accepted For Public Street Construction

By signing and dating the approved plans, the applicant acknowledges that he has read and understands the conditions of approval and agrees to comply with all conditions of approval. Failure to comply with the conditions of approval may result in the revocation of the approval. Signature of these approved plans by the district does not relieve the applicant of any responsibility.

By: _____ DATE: _____
ADA COUNTY HIGHWAY DISTRICT

APPROVED FOR CONSTRUCTION
CITY OF KUNA
APPROVED BY: _____ DATE: _____

REVISIONS

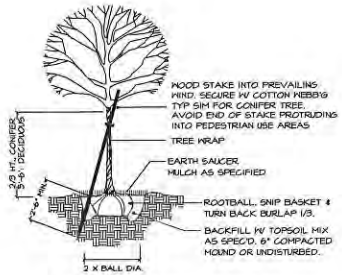
ENGINEERING SOLUTIONS, LLP
1029 N. ROSARIO STREET, SUITE 100
MERIDIAN, IDAHO 83642
Phone (208) 938-0980 Fax (208) 938-0981

TIMBERMIST SUBDIVISION NO. 3
SECTION 12, T.2N., R.1W., B.M.

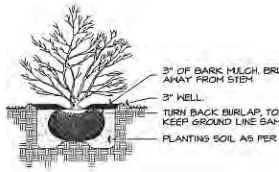
FINAL PLAT LANDSCAPE PLAN

SCALE	AS SHOWN
DWGDATE	05/05/16
PROJ. NO.	160128
SHEET	2 OF 4

L-2

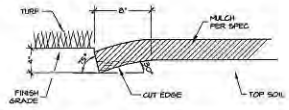


1 TREE PLANTING/STAKING
NOT TO SCALE

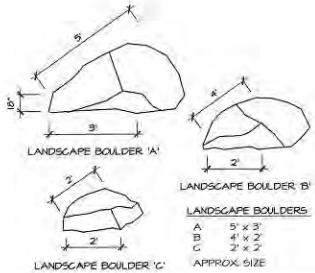


NOTE: DIG HOLE TWICE THE SIZE OF ROOTBALL.

2 SHRUB PLANTING
NOT TO SCALE



3 PLANTER CUT BED EDGE
NOT TO SCALE



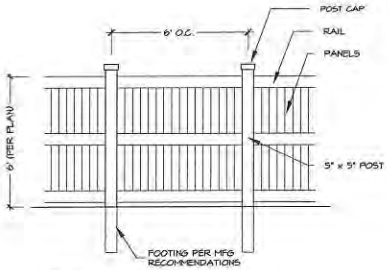
LANDSCAPE BOULDERS

A	5' x 3'
B	4' x 2'
C	3' x 2'

APPROX. SIZE

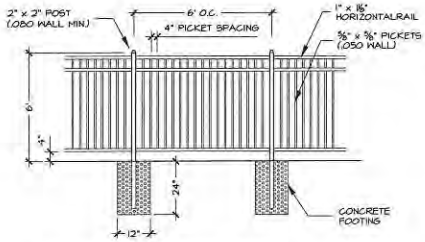
BOULDER NOTES:
1. PROVIDE/INSTALL LANDSCAPE BOULDERS. SIZES OF BOULDERS ARE APPROXIMATES. SELECTION OF BOULDERS SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO SITE DELIVERY. COORDINATE PLACEMENT OF BOULDERS WITH LANDSCAPE ARCHITECT.
2. BURY BOULDER APPROX. 1/3 OF DEPTH INTO GROUND WHEN PLACING. PLACE AT TOP OF BANK WATER LINE.

4 LANDSCAPE BOULDERS
NOT TO SCALE



NOTES:
1. FENCE TO MATCH EXISTING SUBDIVISION FENCING.
2. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.

5 VINYL PRIVACY FENCE
NOT TO SCALE



6 WROUGHT IRON FENCE
NOT TO SCALE

PLANT SCHEDULE

SYM	COMMON NAME	BOTANICAL NAME	SIZE	MATURE SIZE
EVERGREEN TREES				
CS	COLORADO BLUE SPRUCE	PICEA PUNGENS 'GLAUCA'	6-8' HT B&B	35' HT x 15' W
NS	NORWAY SPRUCE	PICEA ABIES	6-8' HT B&B	50' HT x 25' W
VP	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6-8' HT B&B	20' HT x 10' W
SHADE TREES (CLASS III)				
LP	LONDON PLANETREE	PLATANUS x ACERIFOLIA 'BLOODGOOD'	2" CAL B&B	65' HT x 50' W
SHADE TREES (CLASS II)				
AP	AUTUMN PURPLE ASH	FRAXINUS AMERICANA 'LUNGINGER'	2" CAL B&B	50' HT x 35' W
DM	DEBORAH MAPLE	ACER PLATANOIDES 'DEBORAH'	2" CAL B&B	45' HT x 40' W
TT	EMERALD CITY TULIP TREE	LIRIODENDRON TULIPIFERA 'JFS-01'	2" CAL B&B	50' HT x 35' W
ORNAMENTAL TREES (CLASS I)				
RR	ROYAL RAINDROPS CRABAPPLE	MALUS x 'JFS-KWS'	2" CAL B&B	20' HT x 15' W
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS				
BE	BLACK EYED SUSAN	RUDBECKIA FULGIDA 'GOLDSTRUM'	1 GAL, 24" O.C.	2' HT x 2' W
BL	BLACK LACE ELDERBERRY	SAMBUCUS NIGRA 'EVA'	5 GAL	8' HT x 8' W
CR	RED FLOWER CARPET ROSE	ROSA FLOWER CARPET- NOARE'	3 GAL	3' HT x 3' W
DF	DWARF FOUNTAIN GRASS	PENNISETUM ALOPECUROIDES 'HAMELN'	3 GAL	2' HT x 2' W
DL	STELLA D'ORO DAYLILY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL	1.5' HT x 1.5' W
FY	MEADOWLARK FORSYTHIA	FORSYTHIA 'COURTASOL'	5 GAL	5' HT x 5' W
GL	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	5 GAL	2' HT x 5' W
LD	LITTLE DEVIL NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DONNA MAY'	5 GAL	3' HT x 6' W
RS	RUSSIAN SAGE	PEROVSKIA ATRIPLICIFOLIA	2 GAL	3' HT x 3' W
SN	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIA 'SEWARD'	5 GAL	7' HT x 4' W

LAWN

NATURAL LANDSCAPE TO REMAIN ALONG KUNA CANAL

LANDSCAPE BOULDERS (REFER TO DTL 4, THIS SHT)

NOTES

1. ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH KUNA CITY ORDINANCE REQUIREMENTS. ALL LOTS WILL COMPLY WITH KUNA CITY ORDINANCE REQUIRING ONE (1) TREE PER LOT (PROVIDED BY DEVELOPER).
2. ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
3. ALL COMMON SPACE LANDSCAPING SHALL BE OWNED AND MAINTAINED BY A HOMEOWNER'S ASSOCIATION.
4. TREES SHALL NOT BE PLANTED WITHIN THE 10-CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.
5. NO TREES SHALL IMPEDE THE 40' STREET AND DEPARTURE VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM STOP SIGNS.
6. LANDSCAPE AND TREES IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION OF THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UTILITY LINES.
7. PLANT LIST IS REPRESENTATIVE AND SUBJECT TO SUBSTITUTIONS OF SIMILAR SPECIES BY OWNER, SUBJECT TO CITY FORESTER'S PRE-APPROVAL. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.

LANDSCAPE CALCULATIONS

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
W. HUBBARD RD.	30'	715' / 100' =	15 TREES 22 EVERGREENS 86 SHRUBS	17 TREES (15 SHADE + 4 ORNAMENTAL = 19 TOTAL) 22 EVERGREENS 185 SHRUBS

AMENITIES:
1. DETACHED 5' SIDEWALK AND 8' LOCAL STREET PARKWAY
2. 8' MULTI-USE PATHWAY ALONG KUNA CANAL

EXISTING TREES LOCATED ALONG THE KUNA CANAL TO BE REMOVED. NO MITIGATION IS REQUIRED DUE TO EXISTING TREES APPEARING NOT TO BE OF DESIRABLE SPECIES. KUNA CITY ARBORIST TO VERIFY TREE CONDITION.

DEVELOPER
COLEMAN HOMES
THOMAS COLEMAN
3103 W. SHERYL DRIVE, STE. 100
MERIDIAN, IDAHO 83642
Phone (208) 424-0020
Fax (208) 424-0030

JENSENBELTS ASSOCIATES
Site Planning / Landscape Architecture
Ph. (208) 343-7976, Fx. (208) 343-7778

Plans Are Accepted For Public Street Construction
By accepting and signing, the homeowner states: the approved plans and specifications will be followed in all phases of construction; all changes will be approved in writing by the homeowner prior to the construction of the changes; and no claims will be made against the City of Kuna.
By: _____
ADA COUNTY HIGHWAY DISTRICT

APPROVED FOR CONSTRUCTION
CITY OF KUNA
APPROVED BY: _____ DATE: _____

REVISIONS

THE DRAWINGS AND THE CONCEPTS EMBODIED THEREIN ARE THE PROPERTY OF ENGINEERING SOLUTIONS, LLP AND SHALL NOT BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ENGINEERING SOLUTIONS, LLP

ENGINEERING SOLUTIONS, LLP
1029 N. ROSARIO STREET, SUITE 100
MERIDIAN, IDAHO 83642
Phone (208) 938-0980 Fax (208) 938-0941

TIMBERMIST SUBDIVISION NO. 3
SECTION 12, T.2N., R.1W., B.M.

FINAL PLAT LANDSCAPE PLAN

SCALE	AS SHOWN
DWG.DATE	05/05/16
PROJ. NO.	160128
SHEET	3 OF 4

L-3

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

Findings of Fact & Conclusions of Law

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

Case Number(s): **14-01-PUD** (Planned Unit Development), **14-02-S** Subdivision, **06-07-DA** (Development Agreement Modification) **14-02-DR** Design Review for Timbermist Subdivision.

Location: NEC Linder & Hubbard Roads
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Meeting Date: June 10, 2014
Findings of Fact: June 24, 2014

Applicants: **Engineering Solutions, LLP,** *Becky McKay*
1029 N Rosario St. Ste. 100
Meridian, ID, 83642
208.938.0980
Es-beckym@qwestoffice.net

Timbermist LLC, *Thomas Coleman*
3103 W Sheryl Dr. Ste 100
Meridian, ID 83642
208.939.91358
Thomas@mycolemanhome.com

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 PUD (Planned Unit Development), and a Preliminary Plat for a residential subdivision is designated in Kuna City Code (KCC), 1-14-3 as public hearing matters, with the City Council as the decision making body. These land uses were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65-Local Planning Act.
   a. **Notifications**

i.	Agencies	April 21, 2014
ii.	300' Property Owners	May 23, 2014
iii.	Kuna, Melba Newspaper	May 21, 2014
iv.	Site Posted	May 31, 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 Timbermist Subdivision.

Exhibit A-6

B. General Project Facts, Staff Analysis:

1. **Request:** The applicant seeks PUD and preliminary plat re-approval for a residential subdivision in Kuna consisting of 211 buildable lots and 11 common lots over two parcels, approximately 65.14 acres in size. As a PUD, the applicant is requesting a reduction in the standard lot size within an R-4 from 6,600 S.F. lot to 6,000 S.F., and to reduce the minimum frontage for lots from 66' to 50'. In exchange for this consideration, the applicant is providing several site amenities, including a central park with playground, gazebo, a pool complex and 8.51 acres (or 13% of the project) of useable open space. The required amount of open space to qualify for consideration is 10%.

2. **Development Agreement Modification Request:**
   This section is for information purposes only for the Planning and Zoning Commission. It is to inform them of the applicant's intentions as they relate to the recorded Development Agreement. The City Council will be the body who hears this request within a public hearing and forum and then make a decision.
   2.1 - Please see Letter of intent (Page 6 of 7) from applicant (exhibit A 2 f).

3. The applicant has submitted all necessary documents and materials for review and has held the appropriate neighborhood meeting and posted the site in accordance with KCC posting requirements.

4. **History:** The applicant is proposing a revised preliminary plat for 211 lots and 11 common lots. This request reflects re-plat and a different lot arrangement than what was previously approved. The new layout reflects an effort to appeal to a larger homebuyer group, increase distribution of useable open-space and consolidate the canal crossings to a single bridge.

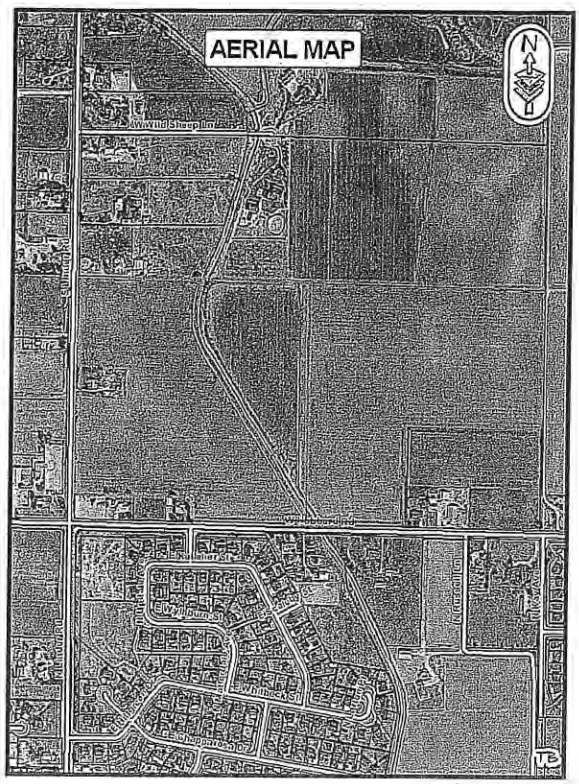
5. **Legal Description:** A legal description was included with the application.

6. **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.

7. **Land Use:**

Direction	Current Zoning and Jurisdiction	
North	RR	Rural Residential – *Ada County*
South	RR / R-4	Med. Density Res. – Kuna City / Rural Res. – *Ada County*
East	PUD	Mixed Use, Planned Unit Development – Kuna City
West	RR	Rural Residential – *Ada County*

6.1 Vicinity and Aerial Maps:
(See maps below)



6.2 **Parcel Numbers:** APN: S1312336005, S1312346625

6.3 **Parcel Sizes and Current Zoning:**
Acres: 35.20 acres and 29.43 acres
Zoning: R-4 for both parcels.

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 – New York Irrigation District
Pressurized Irrigation – City of Kuna (KMID)
Sanitation Services – J&M Sanitation

6.5 **Existing Structures, Vegetation and Natural Features:** There is a residence on the western parcel but the site is mostly vacant and relatively flat. The vegetation is what is commonly associated with a crop field, and the site has significant street frontage.

6.6 **Transportation / Connectivity:** Road frontage is on Hubbard Road & Ten Mile Roads.

6.7 **Public Services, Utilities and Facilities:** The following agencies returned comments on this project; City Engineer, Ada County Highway District, Kuna Fire Department, Department of Environmental Quality and Idaho Transportation Department.

C. **Applicable Standards:**
1. City of Kuna Zoning Ordinance No. 230.
2. City of Kuna PUD Ordinance No. 2011-10.

3. City of Kuna Design Review Ordinance, 2011-08.
4. City of Kuna Subdivision Ordinance No. 2010-15, Title 6 Subdivision Regulations.
5. City of Kuna Landscape Ordinance No. 2006-100.
6. City of Kuna Comprehensive Plan.
7. 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 for the site 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 PUD and preliminary plat use is consistent with Kuna City Code.
2. The proposed PUD and preliminary plat use meets the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a PUD and preliminary plat use.
4. The proposed PUD and preliminary plat use is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The proposed PUD and residential preliminary plat is not likely to cause adverse public health problems.
6. The proposed PUD and residential preliminary plat is in compliance with all ordinances and laws of the City.
7. The proposed PUD and 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 Nos. 14-01-PUD, 14-02-S and 14-02-DR, this proposal complies with KCC Title 6.
10. Based on the evidence contained in Case Nos. 14-01-PUD, 14-02-S and 14-02-DR, 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-PUD and 14-02-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.*

14-02-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 Nos. 14-01-PUD, 14-02-S and 14-02-DR, 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 Nos. 14-01-PUD, 14-02-S and 14-02-DR, a request by Timbermist LLC, (Thomas Coleman), with the following conditions of approval:

- Follow all staff and appropriate Government Agency comments
- Work with adjacent property owners to address necessary irrigation needs per state law.

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 New York 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 May 5, 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 PUD Site and lighting plan (date stamped 4.1.2014) and landscape and parking plan, (date stamped 3.31.2014) 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

PLAT SHOWING

TIMBERMIST SUBDIVISION NO. 3

LOCATED IN THE S 1/2 OF THE SW 1/4 OF SECTION 12, T.2N., R.1W., B.M.
KUNA, ADA COUNTY, IDAHO
2016

100 0 100 200 300
Scale: 1" = 100'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD
C1	113.43	75.00	86°39'24"	S 42°50'16" E	102.93
C2	47.47	1000.00	2°43'12"	S 87°31'34" E	47.47
C3	89.21	150.00	34°04'26"	N 74°04'37" E	87.90
C4	202.12	450.00	25°44'05"	N 20°05'33" W	200.43
C5	14.23	475.00	1°42'57"	N 32°06'07" W	14.22
C6	55.25	475.00	6°39'50"	N 27°54'44" W	55.21
C7	54.16	475.00	6°32'00"	N 21°18'49" W	54.13
C8	29.29	475.00	3°31'58"	N 16°16'49" W	29.28
C9	17.30	20.00	49°34'21"	N 39°18'01" W	16.77
C10	12.88	55.00	13°25'11"	N 57°22'36" W	12.85
C11	61.72	55.00	64°17'52"	N 18°31'04" W	58.53
C12	40.94	55.00	42°38'51"	N 34°57'17" E	40.00
C13	61.41	55.00	63°58'17"	N 88°15'51" E	58.27
C14	52.28	55.00	54°27'36"	S 32°31'12" E	50.33
C15	45.38	55.00	47°16'17"	S 18°20'45" W	44.10
C16	19.99	20.00	57°15'57"	S 13°20'55" W	19.17
C17	31.23	425.00	4°12'36"	S 17°23'22" E	31.22
C18	74.95	425.00	10°06'18"	S 24°32'49" E	74.86
C19	24.93	425.00	3°21'38"	S 31°16'47" E	24.92
C20	15.95	175.00	5°13'15"	N 59°39'02" E	15.94
C21	40.09	175.00	13°07'29"	N 68°49'24" E	40.00
C22	43.00	175.00	14°04'37"	N 82°25'27" E	42.89
C23	5.04	175.00	1°39'04"	S 89°42'42" E	5.04
C24	25.36	1025.00	1°25'03"	S 88°10'38" E	25.36
C25	23.30	1025.00	1°18'08"	S 86°49'03" E	23.30
C26	13.64	100.00	7°48'51"	S 82°15'33" E	13.63
C27	40.79	100.00	23°22'16"	S 66°39'59" E	40.51
C28	40.27	100.00	23°04'26"	S 43°26'38" E	40.00
C29	40.27	100.00	23°04'26"	S 20°22'12" E	40.00
C30	16.27	100.00	9°19'25"	S 04°10'17" E	16.25
C31	75.62	50.00	86°39'24"	N 42°50'16" W	68.62
C32	19.90	975.00	1°10'09"	S 86°45'03" E	19.90
C33	26.39	975.00	1°33'02"	S 88°06'39" E	26.39
C34	63.37	125.00	29°02'54"	N 76°35'23" E	62.70
C35	10.96	125.00	5°01'31"	N 59°33'10" E	10.96

LINE TABLE

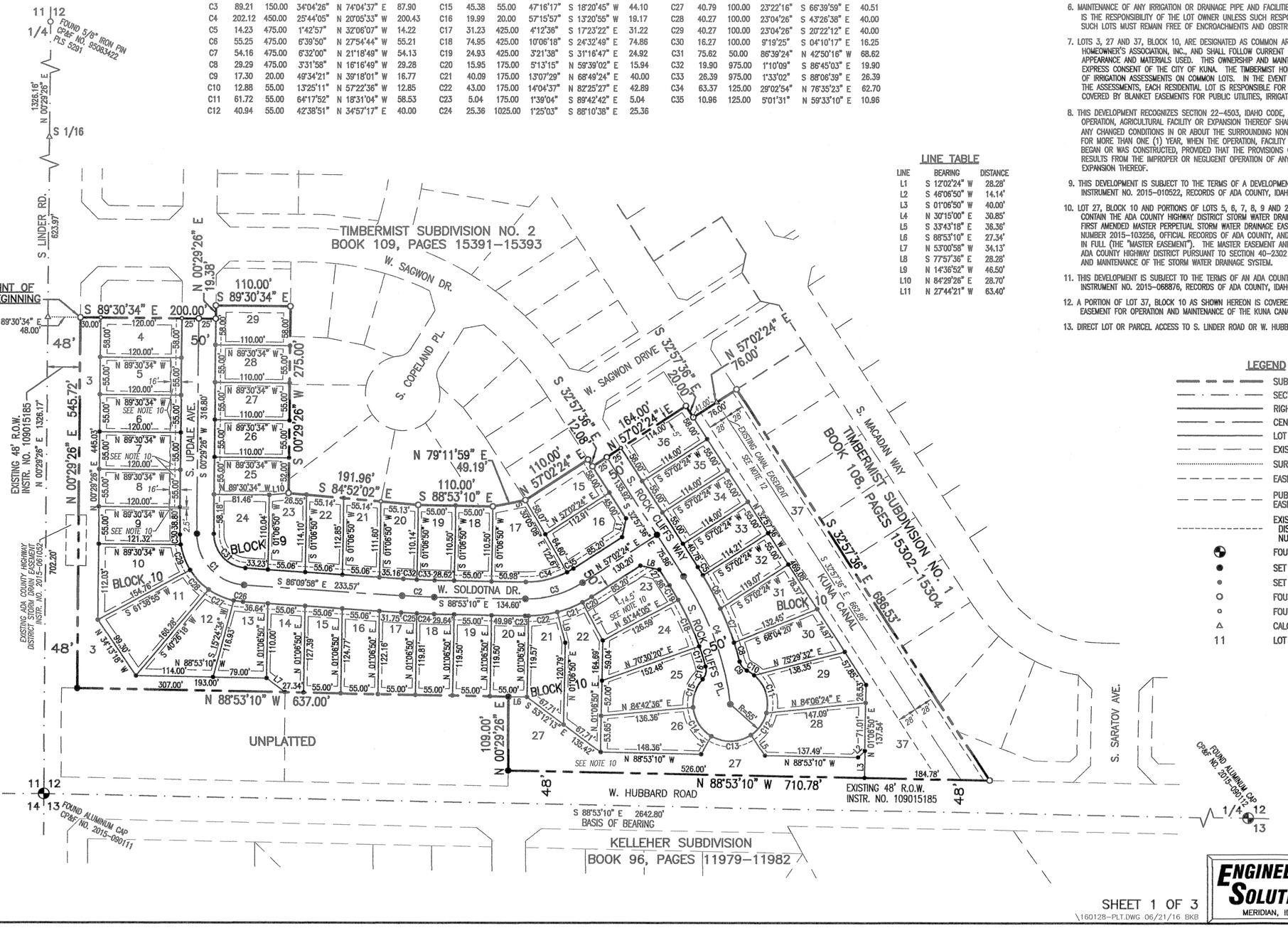
LINE	BEARING	DISTANCE
L1	S 12°02'24" W	28.28'
L2	S 46°06'50" W	14.14'
L3	S 01°06'50" W	40.00'
L4	N 30°15'00" E	30.85'
L5	S 33°43'18" E	36.36'
L6	S 88°53'10" E	27.34'
L7	N 53°00'58" W	34.13'
L8	S 77°57'36" E	28.28'
L9	N 14°36'52" W	46.50'
L10	N 84°29'26" E	28.70'
L11	N 27°44'21" W	63.40'

NOTES

1. EACH LOT IS HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE OVER THE FIFTEEN (15) FEET ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
2. UNLESS OTHERWISE SHOWN AND DIMENSIONED, EACH LOT IS HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE OVER THE FIVE (5) FEET ADJACENT TO ANY INTERIOR SIDE LOT LINE, AND OVER THE TEN (10) FEET ADJACENT TO ANY REAR LOT LINE AND SUBDIVISION OR PHASE BOUNDARY.
3. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RESUBDIVISON AND MAY REQUIRE AMENDMENT OF THE DEVELOPMENT AGREEMENT.
4. IRRIGATION WATER WILL BE PROVIDED BY THE CITY OF KUNA IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(B). ALL LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE CITY OF KUNA SUBJECT TO ORDINANCE 2015-14, ANNEXING TIMBERMIST SUBDIVISIONS INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT AND POOLING THE APPURTENANT WATER RIGHTS THEREOF, RECORDED AS INSTRUMENT NO. 2015-067095, RECORDS OF ADA COUNTY, IDAHO.
5. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA AND CONDITIONS OF THE STAFF REPORT FOR TIMBERMIST SUBDIVISION NO. 3.
6. MAINTENANCE OF ANY IRRIGATION OR DRAINAGE PIPE AND FACILITIES/COMPONENTS/ELEMENTS, OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ACCEPTED BY AN IRRIGATION/DRAINAGE ENTITY. SUCH LOTS MUST REMAIN FREE OF ENCROACHMENTS AND OBSTRUCTIONS TO SAID IRRIGATION/DRAINAGE FACILITIES.
7. LOTS 3, 27 AND 37, BLOCK 10, ARE DESIGNATED AS COMMON AREA LOTS TO BE OWNED AND MAINTAINED BY THE TIMBERMIST HOMEOWNER'S ASSOCIATION, INC., AND SHALL FOLLOW CURRENT KUNA CITY CODE FOR COMMON LOTS WITH RESPECT TO APPEARANCE AND MATERIALS USED. THIS OWNERSHIP AND MAINTENANCE COMMITMENT MAY NOT BE DISSOLVED WITHOUT THE EXPRESS CONSENT OF THE CITY OF KUNA. THE TIMBERMIST HOMEOWNER'S ASSOCIATION, INC. IS RESPONSIBLE FOR PAYMENT OF IRRIGATION ASSESSMENTS ON COMMON LOTS. IN THE EVENT TIMBERMIST HOMEOWNER'S ASSOCIATION, INC. FAILS TO PAY THE ASSESSMENTS, EACH RESIDENTIAL LOT IS RESPONSIBLE FOR A FRACTIONAL SHARE OF THE ASSESSMENT. SAID LOTS ARE COVERED BY BLANKET EASEMENTS FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE.
8. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503, IDAHO CODE, RIGHT-TO-FARM, WHICH STATES THAT NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON-AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED, PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
9. THIS DEVELOPMENT IS SUBJECT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE CITY OF KUNA RECORDED AS INSTRUMENT NO. 2015-010522, RECORDS OF ADA COUNTY, IDAHO.
10. LOT 27, BLOCK 10 AND PORTIONS OF LOTS 5, 6, 7, 8, 9 AND 23, BLOCK 10 AS SHOWN HEREON ARE SERVIENT TO AND CONTAIN THE ADA COUNTY HIGHWAY DISTRICT STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THAT CERTAIN FIRST AMENDED MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2015, AS INSTRUMENT NUMBER 2015-103256, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO THE ADA COUNTY HIGHWAY DISTRICT PURSUANT TO SECTION 40-2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.
11. THIS DEVELOPMENT IS SUBJECT TO THE TERMS OF AN ADA COUNTY HIGHWAY DISTRICT LICENSE AGREEMENT RECORDED AS INSTRUMENT NO. 2015-068876, RECORDS OF ADA COUNTY, IDAHO.
12. A PORTION OF LOT 37, BLOCK 10 AS SHOWN HEREON IS COVERED BY AN EXISTING BOISE PROJECT BOARD OF CONTROL EASEMENT FOR OPERATION AND MAINTENANCE OF THE KUNA CANAL.
13. DIRECT LOT OR PARCEL ACCESS TO S. LINDER ROAD OR W. HUBBARD ROAD IS PROHIBITED.

LEGEND

- SUBDIVISION BOUNDARY
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTERLINE
- LOT LINE
- EXISTING LOT/PARCEL LINE
- SURVEY TIE LINE
- EASEMENT LINE AS NOTED
- PUBLIC UTILITY, IRRIGATION AND LOT DRAINAGE EASEMENT LINE – SEE NOTES 1 & 2
- EXISTING PERMANENT ADA COUNTY HIGHWAY DISTRICT SIDEWALK EASEMENT – INSTRUMENT NUMBER ——–———
- FOUND ALUMINUM CAP
- SET 5/8"x30" REBAR w/PLASTIC CAP
- SET 1/2"x24" REBAR w/PLASTIC CAP
- FOUND 5/8" REBAR, PLS 11118 OR AS NOTED
- FOUND 1/2" REBAR, PLS 11118 OR AS NOTED
- CALCULATED POINT, NOT SET
- 11 LOT NUMBER



PROFESSIONAL LAND SURVEYOR REGISTERED 11118 5/6/21/16 STATE OF IDAHO CLINTON W. HANSEN

TIMBERMIST, LLC
DEVELOPER
MERIDIAN, ID

\160128-PLT.DWG 06/21/16 BKB

ENGINEERING SOLUTIONS, LLP
MERIDIAN, IDAHO

LandSolutions
Land Surveying and Consulting
231 E. 5th St. Ste. A, Meridian ID 83642
(208) 288-2040 – (208) 288-2557 fax

TIMBERMIST SUBDIVISION NO. 3

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS:

THAT TIMBERMIST, LLC, AN IDAHO LIMITED LIABILITY COMPANY, IS THE OWNER OF THE PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL LOCATED IN THE S ½ OF THE SW ¼ OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MONUMENT MARKING THE SOUTHWEST CORNER OF SAID S ½ OF THE SW ¼, FROM WHICH A 5/8 INCH DIAMETER IRON PIN MARKING THE SOUTHEAST CORNER OF SAID S ½ OF THE SW ¼ BEARS S 88°53'10" E A DISTANCE OF 2642.80 FEET;

THENCE N 00°29'26" E ALONG THE WESTERLY BOUNDARY OF SAID S ½ OF THE SW ¼ A DISTANCE OF 702.20 FEET;

THENCE LEAVING SAID WESTERLY BOUNDARY S 89°30'34" E A DISTANCE OF 48.00 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE EASTERLY RIGHT-OF-WAY OF S. LINDER ROAD MARKING THE SOUTHWESTERLY CORNER OF TIMBERMIST SUBDIVISION NO. 2, AS FILED FOR RECORD IN BOOK 109 OF PLATS AT PAGES 15391 THROUGH 15393, RECORDS OF ADA COUNTY, IDAHO, THE POINT OF BEGINNING;

THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG THE SOUTHERLY BOUNDARY OF SAID TIMBERMIST SUBDIVISION NO. 2:

THENCE CONTINUING S 89°30'34" E A DISTANCE OF 200.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 00°29'26" E A DISTANCE OF 19.38 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE S 89°30'34" E A DISTANCE OF 110.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE S 00°29'26" W A DISTANCE OF 275.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE S 84°52'02" E A DISTANCE OF 191.96 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE S 88°53'10" E A DISTANCE OF 110.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 79°11'59" E A DISTANCE OF 49.19 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 57°02'24" E A DISTANCE OF 110.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE S 32°57'36" E A DISTANCE OF 12.08 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 57°02'24" E A DISTANCE OF 164.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE S 32°57'36" E A DISTANCE OF 20.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 57°02'24" E A DISTANCE OF 76.00 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE WESTERLY BOUNDARY OF TIMBERMIST SUBDIVISION NO. 1, AS FILED FOR RECORD IN BOOK 108 OF PLATS AT PAGES 15302 THROUGH 15304, RECORDS OF ADA COUNTY, IDAHO;

THENCE ALONG THE WESTERLY BOUNDARY OF SAID TIMBERMIST SUBDIVISION NO. 1 S 32°57'36" E A DISTANCE OF 686.53 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE NORTHERLY RIGHT-OF-WAY OF W. HUBBARD ROAD MARKING THE SOUTHWESTERLY CORNER OF SAID TIMBERMIST SUBDIVISION NO. 1;

THENCE LEAVING SAID SUBDIVISION BOUNDARY AND ALONG SAID NORTHERLY RIGHT-OF-WAY N 88°53'10" W A DISTANCE OF 710.78 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY N 00°29'26" E A DISTANCE OF 109.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 88°53'10" W A DISTANCE OF 637.00 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE EASTERLY RIGHT-OF-WAY OF S. LINDER ROAD;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY N 00°29'26" E A DISTANCE OF 545.72 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 12.22 ACRES.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT AND TO DEDICATE TO THE PUBLIC, THE PUBLIC STREETS AS SHOWN ON THIS PLAT. THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNATED WITHIN THIS PLAT, AND NO PERMANENT STRUCTURES ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS. ALL LOTS WITHIN THIS PLAT WILL BE ELIGIBLE TO RECEIVE WATER FROM AN EXISTING CITY OF KUNA WATER SYSTEM AND THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE ALL THE LOTS WITHIN THIS SUBDIVISION.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20_____.

_____
THOMAS M. COLEMAN, JR.
PRESIDENT OF COLEMAN HOMES LLC
MANAGER OF TIMBERMIST, LLC

ACKNOWLEDGEMENT

STATE OF IDAHO)
) SS
COUNTY OF ADA)

ON THIS _____ DAY OF _____, 20_____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED THOMAS M. COLEMAN, JR., KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF COLEMAN HOMES LLC, AN IDAHO LIMITED LIABILITY COMPANY; THE MANAGER OF TIMBERMIST, LLC, AN IDAHO LIMITED LIABILITY COMPANY, WHO SUBSCRIBED SAID LIMITED LIABILITY COMPANY'S NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SAID LIABILITY COMPANY'S NAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

_____ _____
NOTARY PUBLIC FOR IDAHO
RESIDING AT EAGLE, IDAHO
MY COMMISSION EXPIRES: _____

CERTIFICATE OF SURVEYOR

I, CLINTON W. HANSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

PROFESSIONAL LAND SURVEYOR
REGISTERED
11118
5/04/16
STATE OF IDAHO
CLINTON W. HANSEN

CLINTON W. HANSEN, P.L.S. LICENSE NO. 11118

TIMBERMIST, LLC
DEVELOPER
MERIDIAN, ID

JOB NO. 160128
SHEET 2 OF 3
\160128-PLT.DWG 04/21/16 BKB

ENGINEERING SOLUTIONS LLP
MERIDIAN, IDAHO

LandSolutions
Land Surveying and Consulting
231 E. 5th St. Ste. A, Meridian ID 83642
(208) 288-2040 – (208) 288-2507 fax

TIMBERMIST SUBDIVISION NO. 3

ACCEPTANCE OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE _____ DAY OF _____ 20____.

_____
PRESIDENT
ADA COUNTY HIGHWAY DISTRICT

APPROVAL OF CITY ENGINEER

I, CITY ENGINEER IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

_____
CITY ENGINEER

CERTIFICATE OF COUNTY SURVEYOR

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

_____
COUNTY SURVEYOR

APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

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

_____
CENTRAL DISTRICT HEALTH DEPARTMENT

APPROVAL OF CITY COUNCIL

I, CITY CLERK IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE _____ DAY OF _____, 20____, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

_____
KUNA CITY CLERK

CERTIFICATE OF COUNTY TREASURER

I, _____, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

_____ _____
COUNTY TREASURER DATE

CERTIFICATE OF COUNTY RECORDER

INSTRUMENT NO. _____

STATE OF IDAHO)
SS
COUNTY OF ADA)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF

_____ AT _____ MINUTES PAST _____ O'CLOCK __M.,

THIS _____ DAY OF _____, 20____, IN MY OFFICE AND WAS DULY

RECORDED IN BOOK _____ OF PLATS AT PAGES _____.

_____ _____
DEPUTY EX-OFFICIO RECORDER

PROFESSIONAL LAND SURVEYOR
REGISTERED
11118
5/04/16
STATE OF IDAHO
CLINTON W. HANSEN

TIMBERMIST, LLC
DEVELOPER
MERIDIAN, ID

JOB NO. 160128
SHEET 3 OF 3
\160128-PLT.DWG 02/09/16 BKB

ENGINEERING SOLUTIONS LLP
MERIDIAN, IDAHO

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231 E. 5th St. Ste. A, Meridian ID 83642
(208) 288-2040 - (208) 288-2557 fax

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Trevor Kesner

FROM: Gordon N. Law
Kuna City Engineer

RE: Timbermist Subdivision No. 3
Final Plat Review

DATE: August 22, 2016

The City Engineer and City Mapper have reviewed the proposed Final Plat document for the above referenced project. The following comments are provided to summarize the redline markups prepared in connection with the plat review:

1. Plat Sheet 1 of 3 – No comments.
2. Plat Sheet 2 of 3 – No comments.
3. Plat Sheet 3 of 3 – No comments.

Attachment
Cc: Kuna Planning and Zoning Dept.

Exhibit
B-2

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

June 11, 2016

Kathy Stroschein P.E.
Engineering Solutions, LLP
1029 N. Rosario Street, Suite 100
Meridian, ID 83642

Re: **TIMBERMIST SUBDIVISION NO. 3**
FINAL CONSTRUCTION PLAN APPROVAL

To Whom It May Concern:

QLPE Letter

The City Engineer has reviewed the Final Construction Drawings (dated 5-31-2016 and 6-10-2016) for **TIMBERMIST SUBDIVISION NO. 3**. As stated in the attached QLPE Letter, the City Engineer finds sewer, water and pressure irrigation facilities presented in the construction plans to be in conformance with engineering standards of care and City standards.

The plans, to the extent submitted, are approved and are eligible for a city commitment to serve with water and sewer. The Final Plat, Street Light Plan, Landscape Plan and Hydrant Plan are approved by others and are not included in the scope of this approval. Please see the attached QLPE Letter for conditions of the "Will Serve" commitment. This construction plan approval is issued contingent upon the commencement of construction in a substantial way within one year of the date of this letter and the expeditious completion of the work. Failure to meet this condition may result in cancellation of the plan approval certified in this letter and the termination of any "Will Serve" commitments provided in the attached QLPE letter.

Reimbursable Improvements
As required by City Ordinance, you are required to submit before the commencement of construction an itemized list of improvements for which you will request reimbursement in accordance with the City's current Reimbursement Policy. In addition, you are required to submit detailed cost estimates for reimbursable costs.

A copy of the current reimbursement policies for water, sewer, and pressure irrigation can be obtained from the City. Once your request and cost estimates are received, they will be reviewed by the City to determine eligibility for reimbursement. Once construction is complete, a reimbursement agreement will be executed between yourself and the City of Kuna. **Please note, if you proceed with construction prior to the city approving eligibility of reimbursable improvements and cost estimates, it may jeopardize your eligibility for reimbursement.**

Inspection Fees

Pursuant to Ordinance #708, an inspection fee of one dollar ($1.00) for each lineal foot of water, sewer, and pressurized irrigation pipe is due upon the City's approval of final construction plans. Based on our review of the approved construction plans, there are 1,350 feet of sewer line, 1,538 feet of water line, 1,897 feet of pressure irrigation line improvements and a Record Drawing review fee of $200. **Consequently, inspection and other fees of $4,985.00 is now due and payable to the City of Kuna. The city does not proceed with pre-construction conferences until these fees are paid but will accept delivery of payment at the conference.**

Next Steps

Insofar as the Kuna City Engineer is concerned, you may proceed with the following steps:

1. Obtain stamped approval from ACHD for the Street Plans.
2. Provide a list of improvements for which you will seek reimbursement and a detailed cost estimate.
3. Submit clean construction plans for the stamped approval of the City Engineer.
4. Provide copies of the plans on yellow paper for the City (2), ACHD, contractors and you.
5. Submit a copy of the stamped plans and the enclosed QLPE letter to IDEQ.
6. Submit an electronic copy of stamped and approved plans to the City in PDF format.
7. Submit payment of $4,985.00 for the Inspection Fees.
8. Schedule the Pre-construction Conference.

Please call 287-1727 if there are any questions.

Sincerely,

Gordon N. Law, P.E.
Kuna City Engineer

Attachments

cc: File
Planning & Zoning (City of Kuna)

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

June 11, 2016

Todd Crutcher, P.E.
Department of Environmental Quality
Southwest Idaho Regional Office
1445 North Orchard
Boise, ID 83706

Re: CITY OF KUNA Plan Review and Will Serve Approval for Timbermist Subdivision No. 3

PLAN REVIEW

Gordon N. Law, P.E. is the Kuna City Engineer and qualified licensed professional engineer representing the City of Kuna. The City Engineer has reviewed the attached **Timbermist Subdivision No. 3** sewer and water construction plans, dated May 31, 2016 and June 10, 2016, for conformance with the engineering standards of care and City standards as of the above date. The proposed development is an extension of sewer and water lines that conform to the current City sewer and water master plans. Mr. Law finds the sewer and water facilities presented in the attached plans in general conformance with applicable engineering standards of care and City standards and hereby provides City approval of the submitted plans.

Once the City Engineer has accepted the construction and the developer has certified that the sewer and water facilities were constructed to City standards, the City will own and operate the sewer and water facilities excluding facilities which are located on private property without easements, service lines, or any temporary pressure sewer systems.

WATER SYSTEM CAPACITY

The City drinking water system has a present rated capacity of 9,408 Equivalent Dwelling Units (EDUs). As of June 11, 2016, the City has issued 6,769 EDU water permits and firm "will-serve" commitments and has made an additional 845 conditional "will serve" EDU commitments. This leaves 1,794 (9,408 – 6,769 – 845) EDUs of capacity unreserved. Conditional "will-serve"

commitments become firm commitments upon recordation of final plats in most instances and the development is then eligible to connect to the system thereafter upon payment of connection fees. There are adequate water connections available for this development and it is recommended sanitary water restrictions for this project are lifted according to the following terms:

1. A conditional "will-serve" commitment for this development is issued in connection with this QLPE letter.
2. A firm "will-serve" commitment will be issued upon recordation of the final plat;
3. If construction of this project is not commenced within one year of the date of this letter and pursued vigorously to completion thereafter, this QLPE letter and associated commitments may be withdrawn.

TREATMENT PLANT CAPACITY

The City lagoon treatment plant has a present rated capacity of 7,307 Equivalent Dwelling Units (EDUs). The City MBR treatment plant has a present rated capacity of 11,700 EDUs. As of June 11, 2016, the City has issued 12,763 EDU sewer permits and firm "will-serve" commitments and has made an additional 845 conditional "will serve" EDU commitments.. This leaves 5,399 (19,007 – 12,763 – 845) EDUs of capacity unreserved. Conditional "will-serve" commitments become firm commitments upon recordation of final plats in most instances and the development is then eligible to connect to the system thereafter upon payment of connection fees. There are adequate sewer connections available for this development and it is recommended sanitary sewer restrictions for this project are lifted according to the following terms:

1. A conditional "will-serve" commitment for this development is issued in connection with this QLPE letter.
2. A firm "will-serve" commitment will be issued upon recordation of the final plat;
3. If construction of this project is not commenced within one year of the date of this letter and pursued vigorously to completion thereafter, this QLPE letter and associated commitments may be withdrawn.

SEWER/WATER APPROVAL

In summary, the following apply:

1. **The City hereby issues Timbermist Subdivision No. 3 a "Will Serve" letter with sanitary sewer and water restrictions removed for 47 residential lots listed below in compliance with conditions noted above:**

   Lots 15-29 of Block 9
   Lots 4-26 and 28-36 of Block 10

2. **The plat for Timbermist Subdivision No. 3 includes 3 common lots for which sanitary sewer and water restrictions are not released and which are listed below:**

   Lots 3, 27 and 37 of Block 10

HOLD HARMLESS COMMITMENT

The Developer may proceed with its water and sewer line construction with the approval of DEQ at his/her own risk with the understanding that water and sewer permits can only be issued when there is remaining available capacity for permits in the water and sewer systems. The developer, in choosing to proceed with construction, will hold the City of Kuna and DEQ harmless from any damages that may be caused by a delay in receiving EDU sewer or water permits for any of its subdivision lots.

Very truly yours,

Gordon N. Law, P.E.
Kuna City Engineer

cc: Wendy Howell (Kuna P&Z)
Kathy Stroschein (Engineering Solutions, LLP)

Attachments:
Project Plans for **Timbermist Subdivision No. 3**
Declining Balance Charts for Kuna Sewer and Water

CITY OF KUNA
2016 SEWER CAPACITY DECLINING BALANCE REPORT

Facilities Capacity (EDUs)

		Sewer Treatment		Ten Mile Lift Station
		Lagoon Plant	MBR Plant	With New 16" FM
Facilities Capacity (EDUs)		7,307	11,700	4,700
Reserve For LID EDUs (w/o "will serve" commitments)		1,002	4,943	
Reserve For Pre-paid EDUs (w/o "will serve" commitments)		176	0	
Committed Will Serves (EDUs)		3,647	3,841	3,647
Unconnected Capacity (EDUs)		**3,989**	**8,912**	**1,386**
Unreserved Capacity (EDUs)		**2,483**	**2,916**	**1,053**
Issued, Reserved & Firm Will-serve (EDUs)	**12,763**			

Connection Status (EDUs)

	Date of "Will Serve"	"Will Serve" by Subdivision	Issued EDUs	Total "Will Serve" Approvals	Issued EDUs	Total "Will Serve" Approvals	Issued EDUs	Total "Will Serve" Approvals
Total as of June 11, 2016 (EDUs)			3,311	3,462	2,736	3,181	3,307	3,462
LID (Plans Without Plats)		716		150		566		150
Non-LID (Plans Without Plats)		129		35		94		35
Conditional Will-serve Commitments		**845**						
Apr-16 (+6 appl)			3.0		26.0		3.0	
May-16 (+11 appl)			4.0		25.0		4.0	
Jun-16 (+10 appl)			0.0		1.0		0.0	
Total since Apr 11, 2016 (EDUs)			7	185	52	660	7	185
Grand Total as of June 11, 2016 (EDUs)			3,318	3,647	2,788	3,841	3,314	3,647
Unused Capacity (EDUs)			**3,989**		**8,912**		**1,386**	

596 EDUs in Deerhorn Lift Station Moved From Lagoons to NWWTP
Falco Catena Discharges to Lagoons But Not Ten Mile Lift Station

U:\gordon\Kuna\Land Use Applications\EDU Record\Declining Balance\Decline Bal 11jun2016 Timber3

CITY OF KUNA
2016 WATER CAPACITY DECLINING BALANCE REPORT

Facilities Capacity (EDUs)-Water Delivery (Peak Day + Fire)		
		Kuna Water System Capacity[a,b]
Facilities Capacity (EDUs)		9,408
Committed Will Serves (EDUs)		7,614
Unconnected Capacity (EDUs)		**3,203**
Unreserved Capacity (EDUs)		**1,794**

Connection Status (EDUs)				
			Total "Will Serve" Approvals	Issued EDUs
Total EDUs (as of June 11, 2016)			6,640	6,146
Existing Danskin Well "Will Serves"			129	86
	TOTAL		**6,769**	**6,232**
LID (Plans Without Plats)			716	
Non-LID (Plans Without Plats)			129	
Prepaid EDUs (Without Plats)			0	
Apr-16	(+6 appl)			29.0
May-16	(+11 appl)			29.0
Jun-16	(+10 appl)			1.0
Total since Apr 11, 2016 (EDUs)			845	59
Grand Total as of June 11, 2016 (EDUs)			7,614	6,205
Remaining Capacity (EDUs)			1,794	3,203

NOTE - Assumes all new connections have separate pressure irrigation supply

[a] Capacity includes supply credit for Sadie Creek irrigation station.

[b] Capacity includes supply from Wells 3, 4, 5, 6, 7, 8, and 9 and Boosters 1, 2, 3 & 4.

City of Kuna

Staff Memo

763 W. Avalon St.
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
WWW.Kunacity.Id.gov

To: **Kuna City Council**

Case Number: **16-08-FP – Final Plat;**
Timbermist Subdivision No. 4

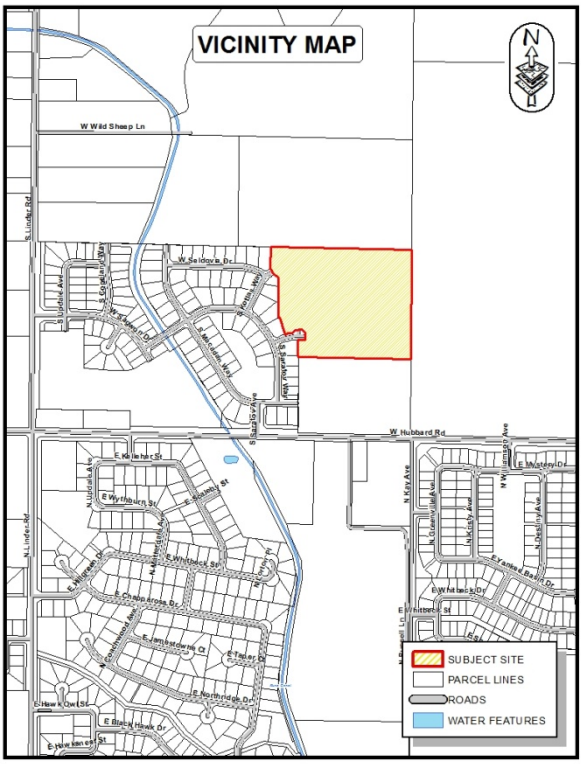
Location: NEC of Linder and Hubbard Roads, Kuna, Idaho 83634

Planner: Trevor Kesner, Planner II

Meeting Date: September 6, 2015

Applicant: **Coleman Homes, LLC.**
3103 W Sheryl Dr. Ste. 100
Meridian, ID, 83642
208.939.9135
Thomas@mycolemanhome.com

Representative: **Engineering Solutions, LLP**
1029 N. Rosario St. Ste. 100
Meridian, ID 83642
208.938.0980
Es-beckym@qwestoffice.net



A. General Project Facts, Staff Analysis:

1. Applicant is requesting Final Plat approval for Timbermist residential Subdivision No. 4. The Final Plat for Timbermist Subdivision No. 4 proposes 51 residential lots and seven (7) common lots on approximately 15.86 acres (APN #S1312346030)

2. In accordance with KCC Title 6 Subdivision Regulations, this application seeks Final Plat approval for the Timbermist Subdivision No. 4.

B. Staff Analysis:

1. After review, staff has determined the proposed Final Plat appears to be in substantial conformance with the approved Preliminary Plat for the Timbermist residential subdivision development. Applicant shall secure all signatures on the final plat check-off list prior to requesting City engineer signature on the Final Plat mylar sheets, subject to the City's recommended changes on the plat listed below:
   - Plat Sheet # 1 of 3 – Recorded Instrument Numbers in the Plat Notes are not provided
   - Plat Sheet # 2 of 3 – The dedication paragraph has a duplicate line

RECEIVED 7-25-16

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

Final Plat Checklist

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

16-08-FP

Project name:	Applicant:
Timbermist Subdivision No. 4	Timbermist, LLC.

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

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

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

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

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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

For Office Use Only	
File Number (s)	16-08-FP
Project name	Timbermist Sub #4
Date Received	RECEIVED Aug 2, 2016
Date Accepted/ Complete	8/9/16
Cross Reference Files	N/A (16-07-FP) TM #3
Commission Hearing Date	N/A
City Council Hearing Date	09/06/16

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: Timbermist LLC	Phone Number: 208-939-9135
Address: 3103 W. Sheryl Drive, Suite 100	E-Mail: Thomas@mycolemanhome.com
City, State, Zip: Meridian, ID 83642	Fax #: 208-424-0030
Applicant (Developer): Coleman Homes LLC	Phone Number: 208-939-9135
Address: 3103 W. Sheryl Drive, Suite 100	E-Mail: Thomas@mycolemanhome.com
City, State, Zip: Meridian, ID 83642	Fax #: 208-424-0030
Engineer/Representative: Engineering Solutions, LLP	Phone Number: 208-938-0980
Address: 1029 N. Rosario Street. Suite 100	E-Mail: ES-BeckyM@qwestoffice.net
City, State, Zip: Meridian, ID 83642	Fax #: 208-939-0941

Subject Property Information

Site Address: 9360 S. Linder Road, Kuna, Idaho

Site Location (Cross Streets): Northeast of Linder and Hubbard Roads

Parcel Number (s): S1312346630

Section, Township, Range: Section 12, T.2N., R.1W., B.M., Kuna, Ada County, Idaho

Property size : 15.86 Acres

Current land use: Agricultural — Proposed land use: Single Family Residential

Current zoning district: R-4 — Proposed zoning district: R-4

Exhibit A-2a

Project Description

Project / subdivision name: Timbermist Subdivision No. 4

General description of proposed project / request: Request for final plat approval for 51 single-family residential and 7 common lots on 15.86 acres in an R-4 zone

Type of use proposed (check all that apply):

- [x] Residential
- [ ] Commercial
- [ ] Office
- [ ] Industrial
- [ ] Other

Amenities provided with this development (if applicable): Central park and pool, tot lot and gazebo constructed with Phase 1.

Residential Project Summary (if applicable)

Are there existing buildings? [ ] Yes [x] No

Please describe the existing buildings:

Any existing buildings to remain? [ ] Yes [ ] No

Number of residential units: 51 Number of building lots: 51

Number of common and/or other lots: 7

Type of dwellings proposed:

- [x] Single-Family
- [ ] Townhouses
- [ ] Duplexes
- [ ] Multi-Family
- [ ] Other

Minimum Square footage of structure (s): 1,200 sq. ft.

Gross density (DU/acre-total property): 3.22 Net density (DU/acre-excluding roads): 4.31

Percentage of open space provided: 6.37 Acreage of open space: 1.01

Type of open space provided (i.e. landscaping, public, common, etc.): Collector buffer and detached sidewalks. detached sidewalks.

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: Becky Mahoney Date: 7/25/16

Timbermist Subdivision No. 4
Final Plat Application
Project Narrative

Timbermist LLC hereby submits this application for a final plat for 51 single-family residential lots and seven (7) common lots for Timbermist Subdivision No. 4. The current zoning designation is R-4, which allows for densities up to four (4) dwelling units per acre. The gross density for this 15.86-acre parcel is 3.22 dwelling units per acre (du/a), with a net density of 4.31 du/a. The overall density of the planned development complies with the conditions of approval.

Common area and open space for Timbermist Subdivision No. 4 include 1.01 acres of open space, or 6.37% of this phase of the development.

Construction plans for Timbermist Subdivision No. 4 are attached and include sewer, water, pressure irrigation, storm drainage and public street improvements. Supporting services for the proposed development will be paid for through property taxes and user fees. No health, safety or environmental problems exist within the development.

This final plat is in conformance with the approved preliminary plat and the standards of Title 9 of the Kuna City Code. The final plat and construction drawings have been prepared in accordance with established engineering and surveying practices and local standards.

Exhibit
A-26

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

ADA COUNTY RECORDER Christopher D. Rich AMOUNT 22.00
BOISE IDAHO 11/27/2013 09:58 AM
DEPUTY Nikola Olson
Simplifile Electronic Recording
RECORDED-REQUEST OF
PIONEER TITLE COMPANY OF ADA C
113128811

AFTER RECORDING, RETURN TO:
TIMBERMIST LLC
c/o Quentin M. Knipe
Stoel Rives LLP
101 South Capitol Boulevard – Suite 1900
Boise, ID 83702

539222

WARRANTY DEED

For value received, TIMBERMIST DEVELOPMENT COMPANY LLC, an Idaho limited liability company ("Grantor"), does hereby convey to TIMBERMIST LLC, an Idaho limited liability company ("Grantee"), whose address is 1859 South Topaz Way, Suite 200, Meridian, Idaho 83642, the following described property situated in Ada County, Idaho:

SEE Exhibit A attached hereto.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or otherwise appertaining, including without limitation water rights, and all estate, right, title and interest in and to the said property.

TOGETHER WITH any right, title and interest of Grantor in and to all the streets, alleys, and rights-of-way adjacent thereto.

SUBJECT TO: General real property taxes for future years and the matters set forth on Exhibit B attached hereto.

Grantor does hereby warrant that Grantor is the sole owner in fee simple absolute of said premises and that, subject to the matters above set forth, said premises are free from all liens and encumbrances. Further, subject to the matters above set forth, Grantor covenants to defend the title to the premises from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the 26th day of November, 2013.

GRANTOR:

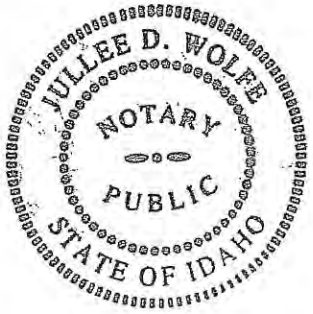
TIMBERMIST DEVELOPMENT COMPANY LLC,
an Idaho limited liability company

By: _____
Ronald W. Van Auker, Member

Exhibit
A-2c

STATE OF Idaho)
)ss.
COUNTY OF Ada)

On November 26th, 2013, before me, a Notary Public, personally appeared **Ronald W. Van Auker**, known or identified to me to be the Member of TIMBERMIST DEVELOPMENT COMPANY LLC, the limited liability company that executed the above instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.



Notary Public for Idaho
Printed Name: Jullee D. Wolfe
Commission Expires: 7-21-2016

EXHIBIT A

Description of Land

Parcel S1312346625

A tract of land situated in the SE ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

COMMENCING at an aluminum cap monumenting the Southwest corner of said Section 12;

Thence following the Southerly line of said SW ¼, South 88°53'10" East a distance of 1,321.40 feet to a 5/8" steel pin monumenting the Southwest corner of the SE ¼ of the SW ¼ of Section 12 and the POINT OF BEGINNING;
Thence leaving said Southerly line and following the Westerly line of the said SE ¼ of the SW ¼, North 00°29'12" East a distance of 1,321.84 feet to a point being the Northwest corner of said SE ¼ of the SW ¼;
Thence leaving said Westerly line and following the Northerly line of said SE ¼ of the SW ¼, South 88°41'56" East a distance of 1,321.37 feet to a point being the Northeast corner of said SE ¼ of the SW ¼;
Thence leaving said Northerly line and following the Easterly line of said SE ¼ of the SW ¼, South 00°28'59" West a distance of 762.28 feet to a 5/8" steel pin;
Thence leaving said Easterly line, North 88°50'02" West a distance of 784.05 feet to a 5/8" steel pin;
Thence South 00°28'59" West a distance of 555.96 feet to a 5/8" steel pin on the Southerly line of Section 12;
Thence following said Southerly line, North 88°53'10" West a distance of 537.36 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM:
ACHD Linder Road Right of Way at Proposed Timbernist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows:
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence North 00°29'26" East 157.00 feet along the West line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 1169.17 feet along said West section line to the South 1/16 corner common to Section 11 and 12;
Thence South 88°41'59" East 48.00 feet along the North line of the South half of the Southwest quarter to a point;
Thence South 00°29'26" West 1169.01 feet to a point;
Thence North 88°53'14" West 48.00 feet to the REAL POINT OF BEGINNING of this description.

Parcel S1312336005

The SW ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

EXCEPTING THEREFROM a parcel in the Southwest corner of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, described as follows:

Beginning at the Southwest corner of Section 12;
Thence North 25 feet;
Thence East 25 feet to the POINT OF BEGINNING;
Thence East 330 feet along the North right-of-way of the county road to a point;
Thence North 132 feet to a point;
Thence West 330 feet to a point;
Thence South 132 feet along the East right-of-way line of the county road to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a parcel in the SW ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, described as follows:

BEGINNING at the Southwest corner of Section 12;
Thence North 25 feet to a point;
Thence East 25 feet to a point;
Thence East along the North line of the right-of-way of the county road, a distance of 330 feet to the POINT OF BEGINNING;
Thence continue East along the right-of-way of the county road, a distance of 330 feet to a point;
Thence North 132 feet to a point;
Thence West 330 feet to a point;
Thence South 132 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:
ACHD Linder Road Right of Way at Proposed Timbermist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence North 00°29'26" East 157.00 feet along the West line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 1169.17 feet along said West section line to the South 1/16 corner common to Section 11 and 12;
Thence South 88°41'59" East 48.00 feet along the North line of the South half of the Southwest quarter to a point;
Thence South 00°29'26" West 1169.01 feet to a point;
Thence North 88°53'14" West 48.00 feet to the REAL POINT OF BEGINNING of this description.

ALSO EXCEPTING THEREFROM:
ACHD Hubbard Road Right of Way at Proposed Timbermist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence South 88°53'14" East 685.00 feet along the South line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 48.00 feet to a point;
Thence South 88°53'14" East 1,173.65 feet to a point;
Thence South 00°28'59" West 48.00 feet to a point on the South line of said Section 12;
Thence North 88°53'14" West 1,173.66 feet to the REAL POINT OF BEGINNING of this description.

EXHIBIT B

Permitted Encumbrances

1. Master Pathway Agreements upon the terms, provisions and consequences arising therefrom.
   Between: Nampa Meridian Irrigation District, the City of Meridian, the City of Boise and the County of Ada County
   Instrument Nos.: 100102999, 101002090, 101002091, 101009649, 101013585

2. Right, title and interest of the party herein named.
   Disclosed by: Quitclaim Deed executed by the United States Department of the Interior Bureau of Reclamation
   Party: Nampa Meridian Irrigation District
   Recorded: July 18, 2001
   Instrument No.: 101071951

3. Development Agreement upon the terms, conditions and provisions contained therein:
   Between: City of Kuna and Timbermist Partners LLC, an Idaho Limited Liability Company
   Dated: February 7, 2007
   Recorded: March 6, 2007
   Instrument No.: 107032225

4. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
   For: Public Right-of-Way Easement (Sidewalk)
   In Favor of: Ada County Highway District
   Recorded: May 14, 2009
   Instrument No.: 109055703

5. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
   For: Public Right-of-Way
   In Favor of: Ada County Highway District and Timbermist Partners, LLC
   Recorded: May 14, 2009
   Instrument No.: 109055704

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

ADA COUNTY RECORDER Christopher D. Rich AMOUNT 25.00 1 of 43
BOISE IDAHO 02/05/2014 09:47 AM
DEPUTY Victoria Bailey
Simplifile Electronic Recording
RECORDED-REQUEST OF
PIONEER TITLE COMPANY OF ADA C 114009152

Recorded at the request of:
TIMBERMIST LLC
After recording return to:
Quentin M. Knipe
STOEL RIVES LLP
101 South Capital Boulevard – Suite 1900
Boise, ID 83702

AFFIDAVIT TO CORRECT DESCRIPTION OF PROPERTY

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

Each of the undersigned, being first duly sworn, on oath, deposes and says: The Warranty Deed dated November 26, 2013, and recorded November 27, 2013, as Instrument No. 113128811 in the office of the Ada County Recorder, in which TIMBERMIST DEVELOPMENT COMPANY LLC, an Idaho limited liability company, is the grantor, and TIMBERMIST LLC, an Idaho limited liability company, is the grantee, contains an error in Exhibit A attached thereto. A corrected Exhibit A is attached to this affidavit and the undersigned hereby declare their intention that the corrected Exhibit A attached hereto be substituted in all respects for the Exhibit A attached to that Warranty Deed.

This affidavit is given by the undersigned and presented to the office of the Ada County Recorder for recording and indexing pursuant to Idaho Code section 55-816.

{signature pages follow}

GRANTOR:

TIMBERMIST DEVELOPMENT COMPANY LLC, an Idaho limited liability company

By: _____
Ronald W. Van Auker, Member

JULLEE D. WOLFE NOTARY PUBLIC STATE OF IDAHO

Subscribed and sworn to before me this 22nd day of January, 2014.

_____
Notary Public
Print Name: Jullee D. Wolfe
My commission expires: 7-21-2016

STATE OF IDAHO)
) ss.
County of Ada)

See attached

On this ____ day of January, 2014, before me, a Notary Public in and for said State, personally appeared **Ronald W. Van Auker, Member of TIMBERMIST DEVELOPMENT COMPANY LLC**, an Idaho limited liability company, who subscribed said limited liability company's name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company's name.

_____
Notary Public for Idaho
Print Name: _____
My commission expires: _____

GRANTOR:

TIMBERMIST DEVELOPMENT COMPANY LLC, an Idaho limited liability company

By: _____
Ronald W. Van Auker, Member

JULLEE D. WOLFE NOTARY PUBLIC STATE OF IDAHO

Subscribed and sworn to before me this 22nd day of January, 2014.

_____
Notary Public
Print Name: Jullee D. Wolfe
My commission expires: 7-21-2016

STATE OF IDAHO)
) ss.
County of Ada)

On this 22nd day of January, 2014, before me, a Notary Public in and for said State, personally appeared **Ronald W. Van Auker, Member of TIMBERMIST DEVELOPMENT COMPANY LLC**, an Idaho limited liability company, who subscribed said limited liability company's name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company's name.

JULLEE D. WOLFE NOTARY PUBLIC STATE OF IDAHO

_____
Notary Public for Idaho
Print Name: Jullee D. Wolfe
My commission expires: 7-21-2016

GRANTEE:

TIMBERMIST LLC,
an Idaho limited liability company

By: COLEMAN HOMES LLC,
an Idaho limited liability company
Its: Manager

By: _____
Thomas M. Coleman, Jr., President

Subscribed and sworn to before me this 3RD day of January, 2014.

JESSICA JACLYN BLACK NOTARY PUBLIC STATE OF IDAHO

_____
Notary Public
Print Name: Jessica Black
My commission expires: 3-28-17

STATE OF IDAHO)
) ss.
County of Ada)

On this 3RD day of January, 2014, before me, a Notary Public in and for said State, personally appeared **Thomas M. Coleman, Jr.**, known or identified to me to be the **President of COLEMAN HOMES LLC, the Manager of TIMBERMIST LLC**, an Idaho limited liability company, who subscribed said limited liability company's name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company's name.

JESSICA JACLYN BLACK NOTARY PUBLIC STATE OF IDAHO

_____
Notary Public for Idaho
Print Name: Jessica Black
My commission expires: 3-28-17

EXHIBIT A

Parcel S1312346625

A tract of land situated in the SE ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

COMMENCING at an aluminum cap monumenting the Southwest corner of said Section 12;
Thence following the Southerly line of said SW ¼, South 88°53'10" East a distance of 1,321.40 feet to a 5/8" steel pin monumenting the Southwest corner of the SE ¼ of the SW ¼ of Section 12 and the POINT OF BEGINNING;
Thence leaving said Southerly line and following the Westerly line of the said SE ¼ of the SW ¼, North 00°29'12" East a distance of 1,321.84 feet to a point being the Northwest corner of said SE ¼ of the SW ¼;
Thence leaving said Westerly line and following the Northerly line of said SE ¼ of the SW ¼, South 88°41'56" East a distance of 1,321.37 feet to a point being the Northeast corner of said SE ¼ of the SW ¼;
Thence leaving said Northerly line and following the Easterly line of said SE ¼ of the SW ¼, South 00°28'59" West a distance of 762.28 feet to a 5/8" steel pin;
Thence leaving said Easterly line, North 88°50'02" West a distance of 784.05 feet to a 5/8" steel pin;
Thence South 00°28'59" West a distance of 555.96 feet to a 5/8" steel pin on the Southerly line of Section 12;
Thence following said Southerly line, North 88°53'10" West a distance of 537.36 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM:
Ada County Highway District Hubbard Road Right of Way at proposed Timbermist Subdivision conveyed to Ada County Highway District by Warranty Deed Instrument No. 109015185, records of Ada County, Idaho.

Parcel S1312336005

The SW ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

EXCEPTING THEREFROM a parcel in the Southwest corner of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, described as follows:

Beginning at the Southwest corner of Section 12;
Thence North 25 feet;
Thence East 25 feet to the POINT OF BEGINNING;
Thence East 330 feet along the North right-of-way of the county road to a point;
Thence North 132 feet to a point;
Thence West 330 feet to a point;

Thence South 132 feet along the East right-of-way line of the county road to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a parcel in the SW ¼ of the SW ¼ of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, described as follows:

BEGINNING at the Southwest corner of Section 12;
Thence North 25 feet to a point;
Thence East 25 feet to a point;
Thence East along the North line of the right-of-way of the county road, a distance of 330 feet to the POINT OF BEGINNING;
Thence continue East along the right-of-way of the county road, a distance of 330 feet to a point;
Thence North 132 feet to a point;
Thence West 330 feet to a point;
Thence South 132 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:
ACHD Linder Road Right of Way at Proposed Timbermist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence North 00°29'26" East 157.00 feet along the West line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 1169.17 feet along said West section line to the South 1/16 corner common to Section 11 and 12;
Thence South 88°41'59" East 48.00 feet along the North line of the South half of the Southwest quarter to a point;
Thence South 00°29'26" West 1169.01 feet to a point;
Thence North 88°53'14" West 48.00 feet to the REAL POINT OF BEGINNING of this description.

ALSO EXCEPTING THEREFROM:
ACHD Hubbard Road Right of Way at Proposed Timbermist Subdivision deeded to Ada County Highway District by Warranty Deed Instrument No. 109015185 described as follows
A parcel of land located in the South half of the Southwest quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being more particularly described as follows:
Commencing at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian,
Thence South 88°53'14" East 685.00 feet along the South line of said Section 12 to the REAL POINT OF BEGINNING of this description;
Thence North 00°29'26" East 48.00 feet to a point;
Thence South 88°53'14" East 1,173.65 feet to a point;
Thence South 00°28'59" West 48.00 feet to a point on the South line of said Section 12;
Thence North 88°53'14" West 1,173.66 feet to the REAL POINT OF BEGINNING of this description.

April 21, 2016

DESCRIPTION FOR TIMBERMIST SUBDIVISION NO. 4

A parcel located in the S ½ of the SW ¼ of Section 12, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the southeast corner of said S ½ of the SW ¼, from which an aluminum cap monument marking the southwest corner of said S ½ of the SW ¼ bears N 88°53'10" W a distance of 2642.80 feet; thence N 00°28'59" E along the easterly boundary of said S ½ of the SW ¼ a distance of 555.24 feet to the **POINT OF BEGINNING**;

Thence leaving said easterly boundary N 88°50'02" W a distance of 784.05 feet to a 5/8 inch diameter iron pin on the easterly boundary of Timbermist Subdivision No. 1, as filed for record in Book 108 of Plats at Pages 15302 through 15304, records of Ada County, Idaho;

Thence along said easterly boundary:

Thence N 43°32'03" W a distance of 10.49 feet to a 5/8 inch diameter iron pin;
Thence N 01°09'58" E a distance of 112.50 feet to a 5/8 inch diameter iron pin;
Thence 4.65 feet along the arc of a non-tangent curve to the right, said curve having a radius of 275.00 feet, a delta angle of 00°58'04", and a long chord bearing S 89°19'04" E a distance of 4.65 feet to a 5/8 inch diameter iron pin marking a point of tangency;
Thence S 88°50'02" E a distance of 44.47 feet to a 5/8 inch diameter iron pin;
Thence N 01°09'58" E a distance of 50.00 feet to a 5/8 inch diameter iron pin;
Thence N 44°10'32" W a distance of 28.12 feet to a 5/8 inch diameter iron pin;
Thence S 88°15'35" W a distance of 50.04 feet to a 5/8 inch diameter iron pin;
Thence S 42°02'06" W a distance of 26.53 feet to a 5/8 inch diameter iron pin marking a point on a curve;
Thence 54.24 feet along the arc of a non-tangent curve to the left, said curve having a radius of 325.00 feet, a delta angle of 09°33'45", and a long chord bearing S 78°48'21" W a distance of 54.18 feet to a 5/8 inch diameter iron pin;
Thence N 18°29'19" W a distance of 121.02 feet to a 5/8 inch diameter iron pin;
Thence N 89°31'01" W a distance of 10.00 feet to a 5/8 inch diameter iron pin;
Thence N 00°28'59" E a distance of 284.00 feet to a 5/8 inch diameter iron pin;
Thence N 59°34'39" W a distance of 36.81 feet to a 5/8 inch diameter iron pin;
Thence N 28°28'35" W a distance of 50.00 feet to a 5/8 inch diameter iron pin;
Thence N 01°18'05" E a distance of 149.71 feet to a 5/8 inch diameter iron pin on the northerly boundary of said S ½ of the SW ¼ of Section 12;

Thence leaving the boundary of said Timbermist Subdivision No. 1, and along said northerly boundary S 88°41'55" E a distance of 984.07 feet to a 5/8 inch iron pin marking the northeast corner of said S ½ of the SW ¼;

Thence along the easterly boundary of said S ½ of the SW¼ S 00°28'59" W a distance of 762.28 feet to the **POINT OF BEGINNING**. This parcel contains 15.86 acres.

Exhibit A-2c

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.kunacity.id.gov

State of Idaho)
) **ss**
County of Ada)

I, Thomas M. Coleman, Jr., President of Coleman Homes LLC, Manager of Timbermist LLC, 3103 W. Sheryl Drive, Suite 100, Meridian, ID 83642

being first duly sworn upon oath, depose and say:

A. That I am the record owner of the property described on the attached, and I grant my permission to Engineering Solutions, LLP, 1029 N. Rosario Street, Suite 100, Meridian, ID 83642 to submit the accompanying applications 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 31st day of March, 2014.

Signature

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

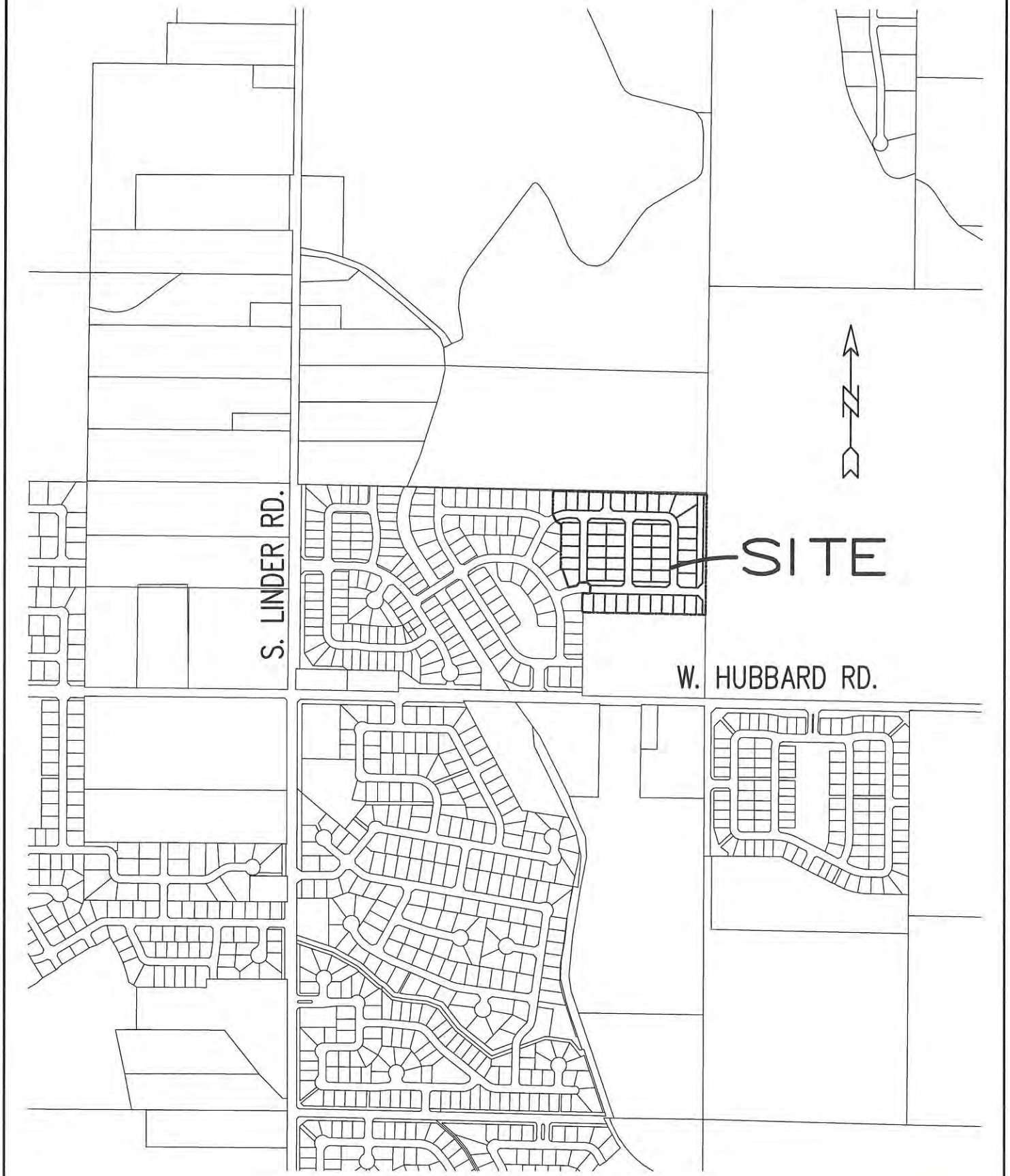
Notary Public for Idaho

Residing at: Eagle, Idaho

My commission expires: 8/14/18

REBECCA L. MCKAY NOTARY PUBLIC STATE OF IDAHO

Exhibit A-2d

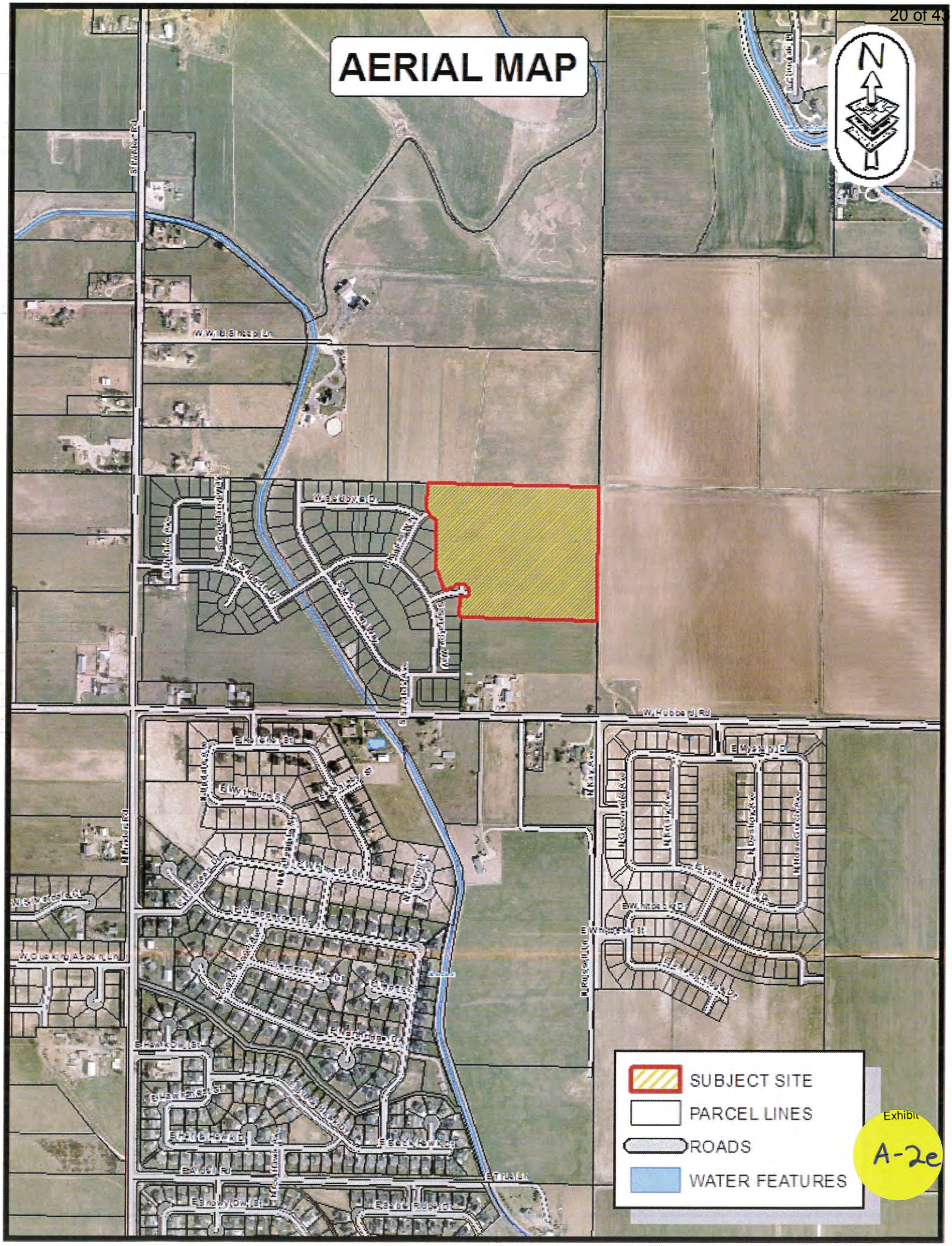


TIMBERMIST SUBDIVISION NO. 4

VICINITY MAP – 1"=800'

LOCATED IN THE S 1/2 OF THE SW 1/4 OF SECTION 12, T.2N., R.1W., B.M.
KUNA, ADA COUNTY, IDAHO

Exhibit
A-2e


AERIAL MAP
N
SUBJECT SITE
PARCEL LINES
ROADS
WATER FEATURES
Exhibit
A-2e

DRAFT

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TIMBERMIST SUBDIVISION

COLEMAN HOMES LLC
3103 W. SHERYL DRIVE, SUITE 100
MERIDIAN, IDAHO 83642
TELEPHONE: (208) 424-0020
FAX: (208) 424-0030
WWW.MYCOLEMANHOME.COM

Exhibit
A-2P

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IN WITNESS WHEREOF, the undersigned President and Secretary of the Association hereby certify that this Declaration was duly adopted as of the _____ day of _____, 2011 to amend, replace and supersede the Original Declaration in accordance with Article XVIII, Section 4 of the Original Declaration by not less than sixty-six and two-thirds percent (66-2/3%) of the votes entitled to be cast by the Owners.

TIMBERMIST HOMEOWNERS ASSOCIATION, INC., an Idaho nonprofit corporation

By: _____
President

Attest:

_____
Secretary

STATE OF IDAHO)
) ss.
County of Ada)

On this _____ day of _____, 2011, before me, a Notary Public in and for said State, personally appeared _____ and _____, known or identified to me to be the **President** and **Secretary** of **Timbermist Homeowners Association, Inc.**, an Idaho nonprofit corporation, who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that they executed the same in said corporation's name.

_____
Notary Public for Idaho
Residing at: _____
My commission expires: _____

TIMBERMIST, LLC, an Idaho limited liability company

By: _____
Thomas M. Coleman, Jr., President

STATE OF IDAHO)
) ss.
County of Ada)

On this _____ day of _____, 2011, before me, a Notary Public in and for said State, personally appeared Thomas M. Coleman, Jr., known or identified to me to be the **President** of **Timbermist, LLC**, an Idaho limited liability company, who subscribed said company's name to the foregoing instrument, and acknowledged to me that he executed the same in said company's name.

_____
Notary Public for Idaho
Residing at: _____
My commission expires: _____

IN WITNESS WHEREOF, the undersigned President and Secretary of the Association hereby certify that this Declaration was duly adopted as of the _____ day of _____, 2011 to amend, replace and supersede the Original Declaration in accordance with Article XVIII, Section 4 of the Original Declaration by not less than sixty-six and two-thirds percent (66-2/3%) of the votes entitled to be cast by the Owners.

TIMBERMIST HOMEOWNERS ASSOCIATION, INC., an Idaho nonprofit corporation

By: _____
President

Attest:

_____
Secretary

STATE OF IDAHO)
) ss.
County of Ada)

On this _____ day of _____, 2011, before me, a Notary Public in and for said State, personally appeared _____ and _____, known or identified to me to be the **President** and **Secretary** of **Timbermist Homeowners Association, Inc.**, an Idaho nonprofit corporation, who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that they executed the same in said corporation's name.

_____
Notary Public for Idaho
Residing at: _____
My commission expires: _____

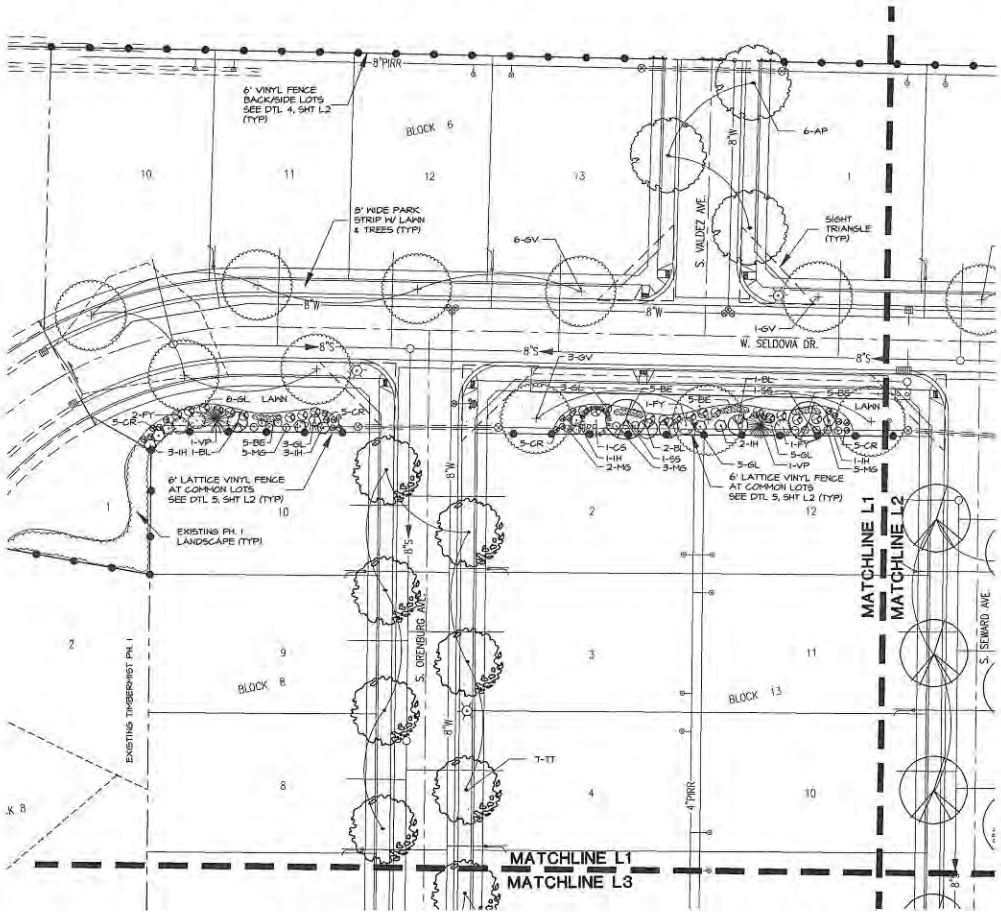
TIMBERMIST, LLC, an Idaho limited liability company

By: _____
Thomas M. Coleman, Jr., President

STATE OF IDAHO)
) ss.
County of Ada)

On this _____ day of _____, 2011, before me, a Notary Public in and for said State, personally appeared Thomas M. Coleman, Jr., known or identified to me to be the **President** of **Timbermist, LLC**, an Idaho limited liability company, who subscribed said company's name to the foregoing instrument, and acknowledged to me that he executed the same in said company's name.

_____
Notary Public for Idaho
Residing at: _____
My commission expires: _____



PLANT SCHEDULE

SYM	COMMON NAME	BOTANICAL NAME	SIZE	MATURE SIZE
EVERGREEN TREES				
CS	COLORADO BLUE SPRUCE	PICEA PUNGENS 'GLAUCA'	6-8' HT B&B	35' HT x 15' W
NS	NORWAY SPRUCE	PICEA ABIES	6-8' HT B&B	50' HT x 25' W
VP	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6-8' HT B&B	20' HT x 10' W
WS	WEEPING WHITE SPRUCE	PICEA GLAUCA 'PENDULA'	6-8' HT B&B	
SHADE TREES (CLASS II)				
AP	AUTUMN PURPLE ASH	FRAXINUS AMERICANA 'JUNGINSER'	2" CAL B&B	50' HT x 35' W
HL	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS 'SKYCOLE'	2" CAL B&B	40' HT x 35' W
GS	GREENSPIRE LINDEN	TILIA CORDATA 'GREENSPIRE'	2" CAL B&B	40' HT x 35' W
GV	GREEN VASE ZELKOVA	GREEN VASE ZELKOVA	2" CAL B&B	50' HT x 35' W
SG	CHEROKEE SWEETGUM	LIQUIDAMBAR STYRACIFLUA 'WARD'	2" CAL B&B	45' HT x 35' W
TT	TULIP TREE	LIRIODENDRON TULIPIFERA	2" CAL B&B	50' HT x 35' W
ORNAMENTAL TREES (CLASS I)				
FM	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	2" CAL B&B	25' HT x 25' W
SS	SPRING SNOW CRABAPPLE	MALUS x 'SPRING SNOW'	2" CAL B&B	25' HT x 20' W
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS				
BE	BLACK EYED SUSAN	RUDBECKIA FULGIDA 'GOLDSTRUM'	1 GAL. 24" O.C.	2' HT x 2' W
BL	BLACK LACE ELDERBERRY	SAMBUCUS NIGRA 'EVA'	5 GAL	5' HT x 5' W
CR	RED FLOWER CARPET ROSE	ROSA 'FLOWER CARPET- NOARE'	3 GAL	3' HT x 3' W
DF	DWARF FOUNTAIN GRASS	PENNISETUM ALOPECUROIDES 'HAMELN'	1 GAL	2' HT x 2' W
DL	STELLA D'ORO DAYLILY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL	1.5' HT x 1.5' W
FY	MEADOWLARK FORSYTHIA	FORSYTHIA 'COURTASOL'	5 GAL	8' HT x 8' W
GL	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	5 GAL	2' HT x 5' W
IH	IVORY HALO DOGWOOD	CORNUS ALBA 'BAILHALO'	5 GAL	4' HT x 5' W
KF	KARL FOERSTER REED GRASS	CALAMAGROSTIS ARUNDINACEA 'K.F.'	1 GAL	6' HT x 2.5' W
MG	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLIMUS'	1 GAL	5' HT x 3' W
RS	RUSSIAN SAGE	PEROVSKIA ATRIPLICIFOLIA	1 GAL	3' HT x 3' W
SH	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIA 'SEWARD'	5 GAL	7' HT x 4' W

LAWN

LANDSCAPE BOULDERS (REFER TO DTL 6, SHT L2)

NOTES

1. ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH KUNA CITY ORDINANCE REQUIREMENTS. ALL LOTS WILL COMPLY WITH KUNA CITY ORDINANCE REQUIRING ONE (1) TREE PER LOT (PROVIDED BY DEVELOPER). REFER TO SHT L5 FOR LANDSCAPE SPECIFICATIONS.
2. ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. REFER TO SHT L5 FOR IRRIGATION SPECIFICATIONS (PERFORMANCE)
3. ALL COMMON SPACE LANDSCAPING SHALL BE OWNED AND MAINTAINED BY A HOMEOWNER'S ASSOCIATION.
4. TREES SHALL NOT BE PLANTED WITHIN THE 10-CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.
5. NO TREES SHALL IMPEDE THE 40' STREET AND DEPARTURE VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM STOP SIGNS.
6. LANDSCAPE AND TREES IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION OF THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UTILITY LINES.
7. PLANT LIST IS REPRESENTATIVE AND SUBJECT TO SUBSTITUTIONS OF SIMILAR SPECIES BY OWNER, SUBJECT TO CITY FORESTER'S PRE-APPROVAL. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
8. REFER TO SHT L2 FOR LANDSCAPE AND FENCING DETAILS.

LANDSCAPE CALCULATIONS

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
S. KAY AVE	40'	715' / 100' =	15 TREES 22 EVERGREENS 86 SHRUBS	15 TREES (11 SHADE + 8 ORNAMENTAL = 19 TOTAL) 22 EVERGREENS 264 SHRUBS

RESIDENTIAL SUBDIVISION TREES: 66
NUMBER OF TREES PROVIDED ON COMMON LOTS/BUFFERS: 24
TOTAL NUMBER OF TREES: 136

THERE ARE NO EXISTING TREES ON UNDEVELOPED PORTION OF THE SITE. NO MITIGATION IS REQUIRED.

KEY MAP

DEVELOPER
COLEMAN HOMES
THOMAS COLEMAN
3103 W. SHERYL DRIVE, STE. 100
MERIDIAN, IDAHO 83642
Phone: (208) 424-0020
Fax: (208) 424-0030

JENSENBELTS ASSOCIATES
Site Planning / Landscape Architecture
400 Main Street, Boise, Idaho 83702
Ph. (208) 345-7076, Fx. (208) 345-7076

NORTH

SCALE 1" = 30'

Plans Are Accepted For Public Street Construction

By signing and signing the improvement plans, the Applicant agrees that the improvements will be installed in accordance with the plans and specifications. Approval of plans shall be conditioned upon the improvements plans by the Kuna Authority not relieve the Applicant of the responsibilities.

By: _____
ADA COUNTY HIGHWAY DISTRICT

APPROVED FOR CONSTRUCTION
CITY OF KUNA
APPROVED BY: _____ DATE: _____

REVISIONS

ENGINEERING SOLUTIONS, LLP
1029 N. ROSARIO STREET, SUITE 100
MERIDIAN, IDAHO 83642
Phone (208) 938-0980 Fax (208) 934-8811

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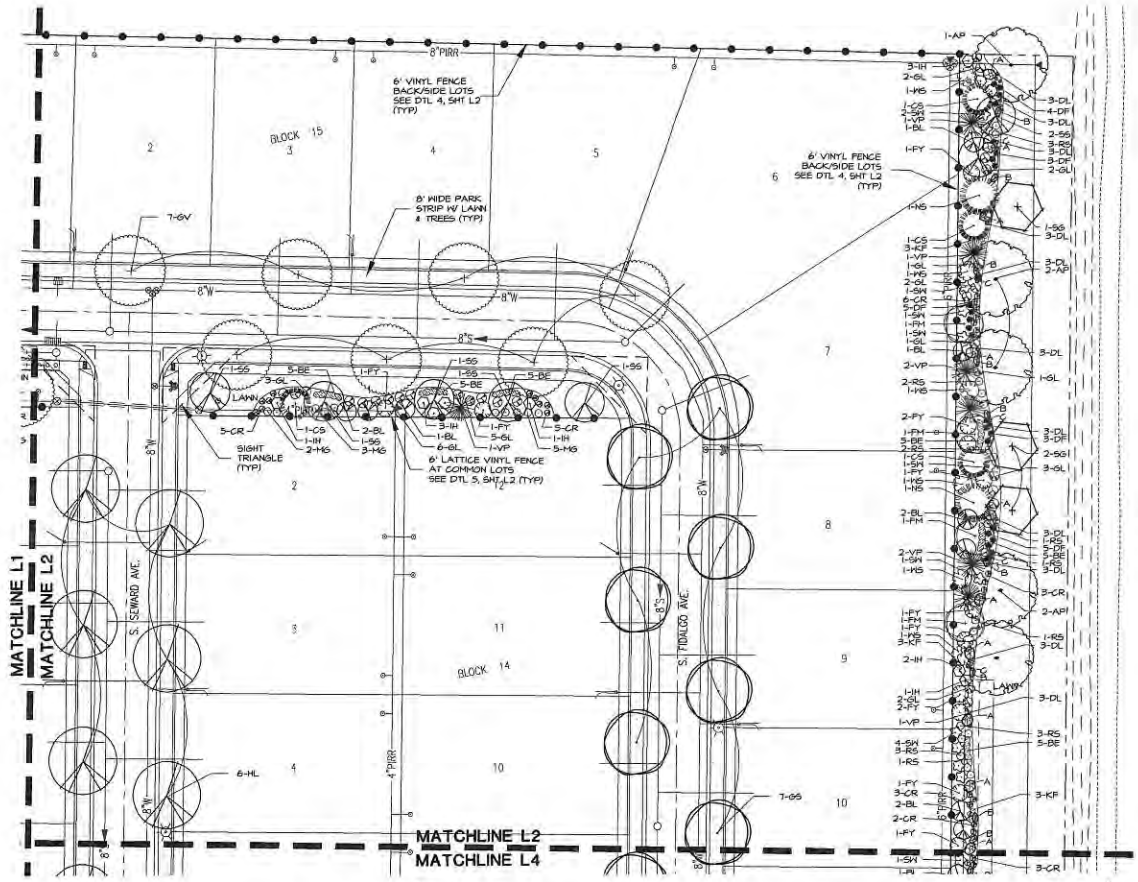
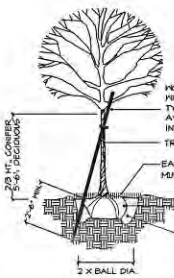
TIMBERMIST SUBDIVISION NO. 4
SECTION 12, T.2N., R.1W., B.M.
FINAL PLAT LANDSCAPE PLAN

SCALE:	AS SHOWN
DWG DATE:	05/16/16
PROJ. NO.	160304
SHEET	1 OF 5

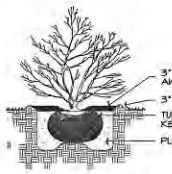
L1

Exhibit A-4



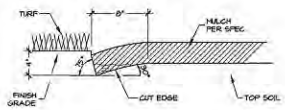


1 TREE PLANTING/STAKING
NOT TO SCALE



NOTE: DIG HOLE TWICE THE SIZE OF ROOTBALL.

2 SHRUB PLANTING
NOT TO SCALE



3 PLANTER CUT BED EDGE
NOT TO SCALE

PLANT SCHEDULE

(REFERENCE SHT L1)

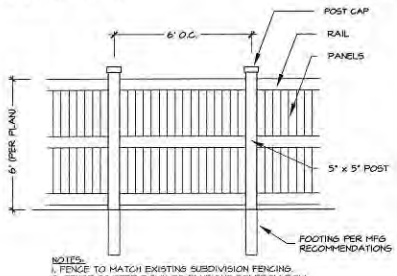
SYM	COMMON NAME
EVERGREEN TREES	
CS	COLORADO BLUE SPRUCE
NS	NORWAY SPRUCE
VP	VANDERWOLFS PINE
WS	WEEPING WHITE SPRUCE
SHADE TREES (CLASS II)	
AP	AUTUMN PURPLE ASH
HL	SKYLINE HONEYLOCUST
GS	GREENSPIRE LINDEN
GV	GREEN VASE ZELKOVA
SG	CHEROKEE SWEETGUM
TT	TULIP TREE
ORNAMENTAL TREES (CLASS I)	
FM	FLAME AMUR MAPLE
SS	SPRING SNOW CRABAPPLE
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS	
BE	BLACK EYED SUSAN
BL	BLACK LACE ELDERBERRY
CR	RED FLOWER CARPET ROSE
DF	DWARF FOUNTAIN GRASS
DL	STELLA D'ORO DAYLILY
FY	MEADOWLARK FORSYTHIA
GL	GRO-LOW SUMAC
IH	IVORY HALO DOGWOOD
KF	KARL FOERSTER REED GRASS
MG	MAIDEN GRASS
RS	RUSSIAN SAGE
SW	SUMMERWINE NINEBARK

LAWN

LANDSCAPE BOULDERS REFER TO DTL 6, THIS SHT

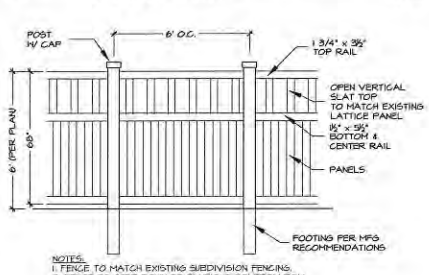
NOTE

1. REFER TO SHT L1 FOR PLANT SCHEDULE, LANDSCAPE NOTES, CALCULATIONS.
2. REFER TO SHT L2 FOR LANDSCAPE AND FENCING DETAILS.



NOTES:
1. FENCE TO MATCH EXISTING SUBDIVISION FENCING.
2. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.
3. 6" WIDE ROCK MULCH MOW STRIP ADJACENT TO LAWN AREAS TO BE INSTALLED AT BASE OF FENCE ON COMMON LOT SIDE.

4 VINYL PRIVACY FENCE
NOT TO SCALE



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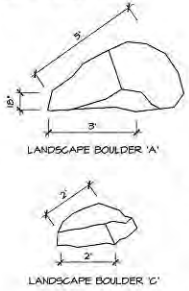
NOT TO SCALE



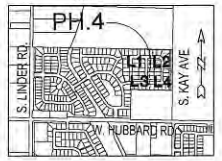
LANDSCAPE BOULDERS	
A	5' x 3'
B	4' x 2'
C	3' x 2'

APPROX. SIZE

BOULDER NOTES:
1. PROVIDE/INSTALL LANDSCAPE BOULDERS. SIZES OF BOULDERS ARE APPROXIMATES. SELECTION OF BOULDERS SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO SITE DELIVERY. COORDINATE PLACEMENT OF BOULDERS WITH LANDSCAPE ARCHITECT.
2. BURY BOULDER APPROX. 1/3 OF DEPTH INTO GROUND WHEN PLACING. PLACE AT TOP OF BANK WATER LINE.

6 LANDSCAPE BOULDERS
NOT TO SCALE

KEY MAP



DEVELOPER
COLEMAN HOMES
THOMAS COLEMAN
3103 W. SHERYL DRIVE, STE. 100
MERIDIAN, IDAHO 83642
Phone (208) 424-0020
Fax (208) 424-0030

JENSENBELTS ASSOCIATES
Site Planning / Landscape Architecture
498 Main Street, Boise, Idaho 83702
Ph. (208) 343-7374, Fx. (208) 343-7376

NORTH

SCALE 1" = 30'

Plans Are Accepted For Public Street Construction

By signing and dating, the Engineer of Work, for himself and his employer, certifies that the plans and profiles are accurate, that there is plenty of room for the proposed improvements, and that the plans are in conformance with the Improvement plans as filed in the District and to relate the Improvement plans to the District's benchmark.

ADA COUNTY HIGHWAY DISTRICT

APPROVED FOR CONSTRUCTION
CITY OF KUNA
DATE
APPROVED BY

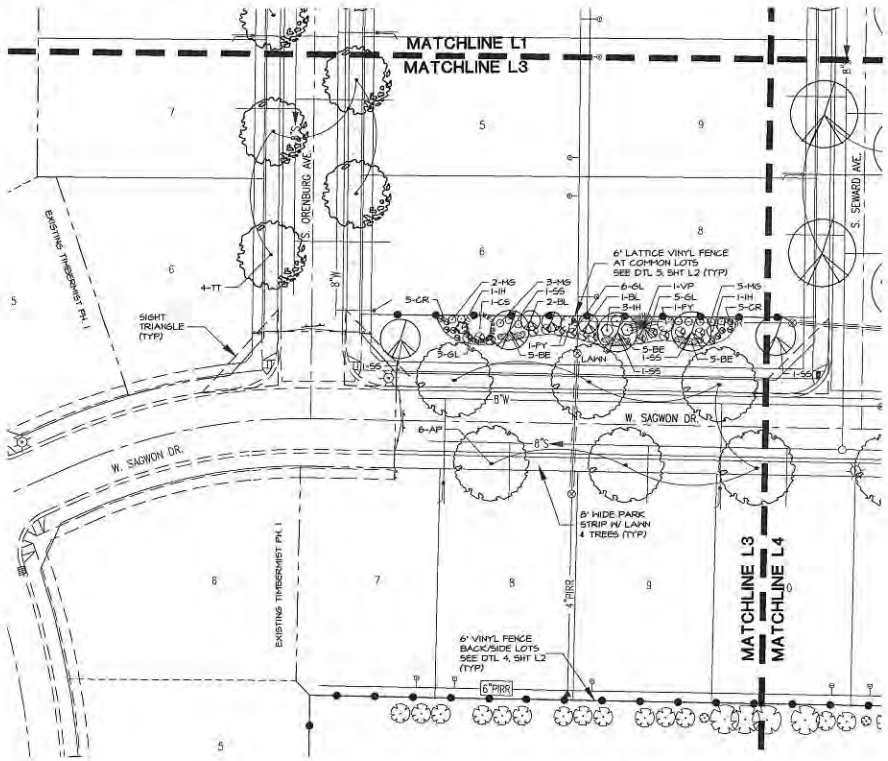
REVISIONS

ENGINEERING SOLUTIONS, LLP
1029 N. ROSARIO STREET, SUITE 100
MERIDIAN, IDAHO 83642
Phone (208) 938-0980 Fax (208) 938-0941

TIMBERMIST SUBDIVISION NO. 4
SECTION 12, T.2N., R.1W., B.M.
FINAL PLAT LANDSCAPE PLAN

SCALE	AS SHOWN
DWG DATE	05/16/16
PROJ. NO.	160304
SHEET	2 OF 5

L2



PLANT SCHEDULE

(REFERENCE SHT L1)

SYM	COMMON NAME
EVERGREEN TREES	
CS	COLORADO BLUE SPRUCE
NS	NORWAY SPRUCE
VP	VANDERWOLFS PINE
WS	WEEPING WHITE SPRUCE
SHADE TREES (CLASS II)	
AP	AUTUMN PURPLE ASH
HL	SKYLINE HONEYLOCUST
GG	GREENSPIRE LINDEN
GV	GREEN VASE ZELKOVA
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DF	DWARF FOUNTAIN GRASS
DL	STELLA D'ORO DAYLILY
FY	MEADOWLARK FORSYTHIA
GL	GRO-LOW SUMAC
IH	IVORY HALO DOGWOOD
KF	KARL FOERSTER REED GRASS
MS	MAIDEN GRASS
RS	RUSSIAN SAGE
SM	SUMMERWINE NINEBARK
	LAWN
	LANDSCAPE BOULDERS REFER TO DTL 6, THIS SHT

NOTE

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2. REFER TO SHT L2 FOR LANDSCAPE AND FENCING DETAILS.

KEY MAP

DEVELOPER
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THOMAS COLEMAN
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JENSENBELTS ASSOCIATES
Site Planning / Landscape Architecture
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Ph. (208) 343-7129, Fx. (208) 343-7129

NORTH

SCALE 1" = 30'

Plans Are Accepted For Public Street Construction

By signing and signing the statement above, the Applicant certifies that the Improvements shown hereon conform to the Improvement plans as approved by the District, and to notify the Applicant's Engineer of those inconsistencies.

BY: _____
ADA COUNTY HIGHWAY DISTRICT

APPROVED FOR CONSTRUCTION
CITY OF KUNA
APPROVED BY: _____ DATE: _____

REVISIONS

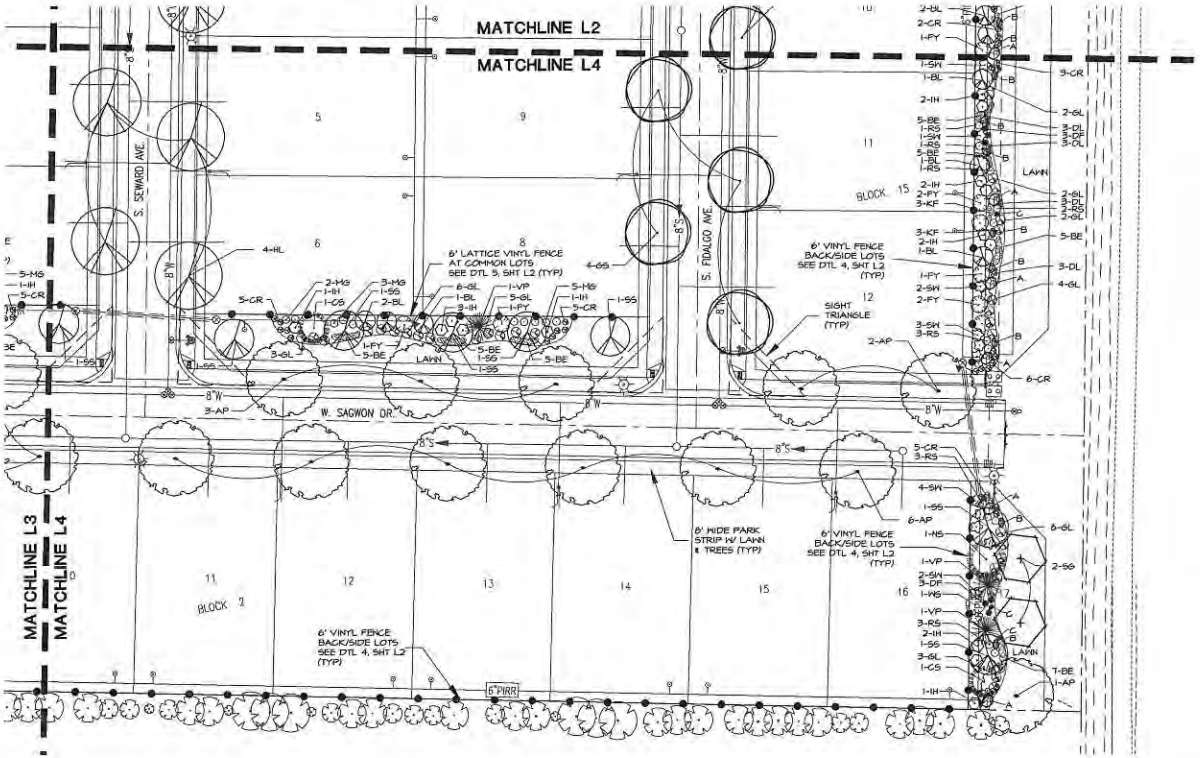
ENGINEERING SOLUTIONS, LLP
1029 N. ROSARIO STREET, SUITE 100
MERIDIAN, IDAHO 83642
Phone (208) 938-0980 Fax (208) 938-0981

TIMBERMIST SUBDIVISION NO. 4
SECTION 12, T.2N., R.1W., B.M.

FINAL PLAT LANDSCAPE PLAN

SCALE	AS SHOWN
DWG.DATE	05/16/16
PROJ. NO.	160304
SHEET	3 OF 5

L3



PLANT SCHEDULE

(REFERENCE SHT L1)

SYM	COMMON NAME
EVERGREEN TREES	
CS	COLORADO BLUE SPRUCE
NS	NORWAY SPRUCE
VP	VANDERWOLFS PINE
SHADE TREES (CLASS III)	
LP	LONDON PLANETREE
SHADE TREES (CLASS II)	
AP	AUTUMN PURPLE ASH
HL	SKYLINE HONEYLOCUST
TT	EMERALD CITY TULIP TREE
ORNAMENTAL TREES (CLASS I)	
RR	ROYAL RAINDROPS CRABAPPLE
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS	
BE	BLACK EYED SUSAN
BL	BLACK LACE ELDERBERRY
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GL	GRO-LOW SUMAC
LD	LITTLE DEVIL NINEBARK
RS	RUSSIAN SAGE
SW	SUMMERWINE NINEBARK

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LANDSCAPE BOULDERS REFER TO DTL 6, THIS SHT

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MERIDIAN, IDAHO 83642
Phone (208) 424-0020
Fax (208) 424-0030

JENSENBELTS ASSOCIATES

NORTH

SCALE (" = 30')

Plans Are Accepted For Public Street Construction

By signing and signing the improvement plans, the Applicant's engineer and surveyor certify that all improvements will be constructed in accordance with the approved plans and specifications. Failure to construct all improvements in accordance with the approved plans and specifications may result in the Applicant's engineer and surveyor being required to appear before the Board of Ada County Highway Commissioners to explain the discrepancies.

BY: _____ DATE: _____
ADA COUNTY HIGHWAY DISTRICT

APPROVED FOR CONSTRUCTION
CITY OF KUNA
APPROVED BY: _____ DATE: _____

REVISIONS

ENGINEERING SOLUTIONS, LLP
1029 N. ROSARIO STREET, SUITE 100
MERIDIAN, IDAHO 83642
Phone (208) 938-0980 Fax (208) 938-0981

TIMBERMIST SUBDIVISION NO. 4
SECTION 12, T.2N., R.1W., B.M.

FINAL PLAT LANDSCAPE PLAN

SCALE	AS SHOWN
DWG DATE	05/16/16
PROJ. NO.	160304
SHEET	4 OF 5

L4

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

Findings of Fact & Conclusions of Law

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

Case Number(s): **14-01-PUD** (Planned Unit Development), **14-02-S** Subdivision, **06-07-DA** (Development Agreement Modification) **14-02-DR** Design Review for Timbermist Subdivision.

Location: NEC Linder & Hubbard Roads
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Meeting Date: June 10, 2014
Findings of Fact: June 24, 2014

Applicants: **Engineering Solutions, LLP,** *Becky McKay*
1029 N Rosario St. Ste. 100
Meridian, ID, 83642
208.938.0980
Es-beckym@qwestoffice.net

Timbermist LLC, *Thomas Coleman*
3103 W Sheryl Dr. Ste 100
Meridian, ID 83642
208.939.91358
Thomas@mycolemanhome.com

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 PUD (Planned Unit Development), and a Preliminary Plat for a residential subdivision is designated in Kuna City Code (KCC), 1-14-3 as public hearing matters, with the City Council as the decision making body. These land uses were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65-Local Planning Act.
   a. Notifications

i.	Agencies	April 21, 2014
ii.	300' Property Owners	May 23, 2014
iii.	Kuna, Melba Newspaper	May 21, 2014
iv.	Site Posted	May 31, 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 Timbermist Subdivision.

Exhibit A-5

B. General Project Facts, Staff Analysis:

1. **Request:** The applicant seeks PUD and preliminary plat re-approval for a residential subdivision in Kuna consisting of 211 buildable lots and 11 common lots over two parcels, approximately 65.14 acres in size. As a PUD, the applicant is requesting a reduction in the standard lot size within an R-4 from 6,600 S.F. lot to 6,000 S.F., and to reduce the minimum frontage for lots from 66' to 50'. In exchange for this consideration, the applicant is providing several site amenities, including a central park with playground, gazebo, a pool complex and 8.51 acres (or 13% of the project) of useable open space. The required amount of open space to qualify for consideration is 10%.

2. **Development Agreement Modification Request:**
   This section is for information purposes only for the Planning and Zoning Commission. It is to inform them of the applicant's intentions as they relate to the recorded Development Agreement. The City Council will be the body who hears this request within a public hearing and forum and then make a decision.
   2.1 - Please see Letter of intent (Page 6 of 7) from applicant (exhibit A 2 f).

3. The applicant has submitted all necessary documents and materials for review and has held the appropriate neighborhood meeting and posted the site in accordance with KCC posting requirements.

4. **History:** The applicant is proposing a revised preliminary plat for 211 lots and 11 common lots. This request reflects re-plat and a different lot arrangement than what was previously approved. The new layout reflects an effort to appeal to a larger homebuyer group, increase distribution of useable open-space and consolidate the canal crossings to a single bridge.

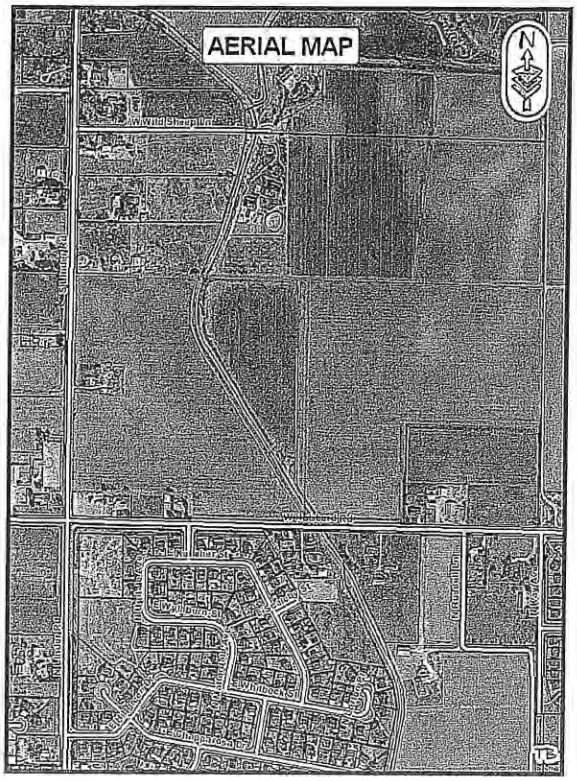
5. **Legal Description:** A legal description was included with the application.

6. **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.

7. **Land Use:**

Direction	Current Zoning and Jurisdiction	
North	RR	Rural Residential – *Ada County*
South	RR / R-4	Med. Density Res. – Kuna City / Rural Res. – *Ada County*
East	PUD	Mixed Use, Planned Unit Development – Kuna City
West	RR	Rural Residential – *Ada County*

6.1 Vicinity and Aerial Maps:
(See maps below)



6.2 Parcel Numbers: APN: S1312336005, S1312346625

6.3 Parcel Sizes and Current Zoning:
Acres: 35.20 acres and 29.43 acres
Zoning: R-4 for both parcels.

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 – New York Irrigation District
Pressurized Irrigation – City of Kuna (KMID)
Sanitation Services – J&M Sanitation

6.5 Existing Structures, Vegetation and Natural Features: There is a residence on the western parcel but the site is mostly vacant and relatively flat. The vegetation is what is commonly associated with a crop field, and the site has significant street frontage.

6.6 Transportation / Connectivity: Road frontage is on Hubbard Road & Ten Mile Roads.

6.7 Public Services, Utilities and Facilities: The following agencies returned comments on this project; City Engineer, Ada County Highway District, Kuna Fire Department, Department of Environmental Quality and Idaho Transportation Department.

C. Applicable Standards:
1. City of Kuna Zoning Ordinance No. 230.
2. City of Kuna PUD Ordinance No. 2011-10.

3. City of Kuna Design Review Ordinance, 2011-08.
4. City of Kuna Subdivision Ordinance No. 2010-15, Title 6 Subdivision Regulations.
5. City of Kuna Landscape Ordinance No. 2006-100.
6. City of Kuna Comprehensive Plan.
7. 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 for the site 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 PUD and preliminary plat use is consistent with Kuna City Code.
2. The proposed PUD and preliminary plat use meets the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a PUD and preliminary plat use.
4. The proposed PUD and preliminary plat use is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The proposed PUD and residential preliminary plat is not likely to cause adverse public health problems.
6. The proposed PUD and residential preliminary plat is in compliance with all ordinances and laws of the City.
7. The proposed PUD and 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 Nos. 14-01-PUD, 14-02-S and 14-02-DR, this proposal complies with KCC Title 6.
10. Based on the evidence contained in Case Nos. 14-01-PUD, 14-02-S and 14-02-DR, 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-PUD and 14-02-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.*

14-02-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 Nos. 14-01-PUD, 14-02-S and 14-02-DR, 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 Nos. 14-01-PUD, 14-02-S and 14-02-DR, a request by Timbermist LLC, (Thomas Coleman), with the following conditions of approval:

- Follow all staff and appropriate Government Agency comments
- Work with adjacent property owners to address necessary irrigation needs per state law.

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 New York 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 May 5, 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 PUD Site and lighting plan (date stamped 4.1.2014) and landscape and parking plan, (date stamped 3.31.2014) 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

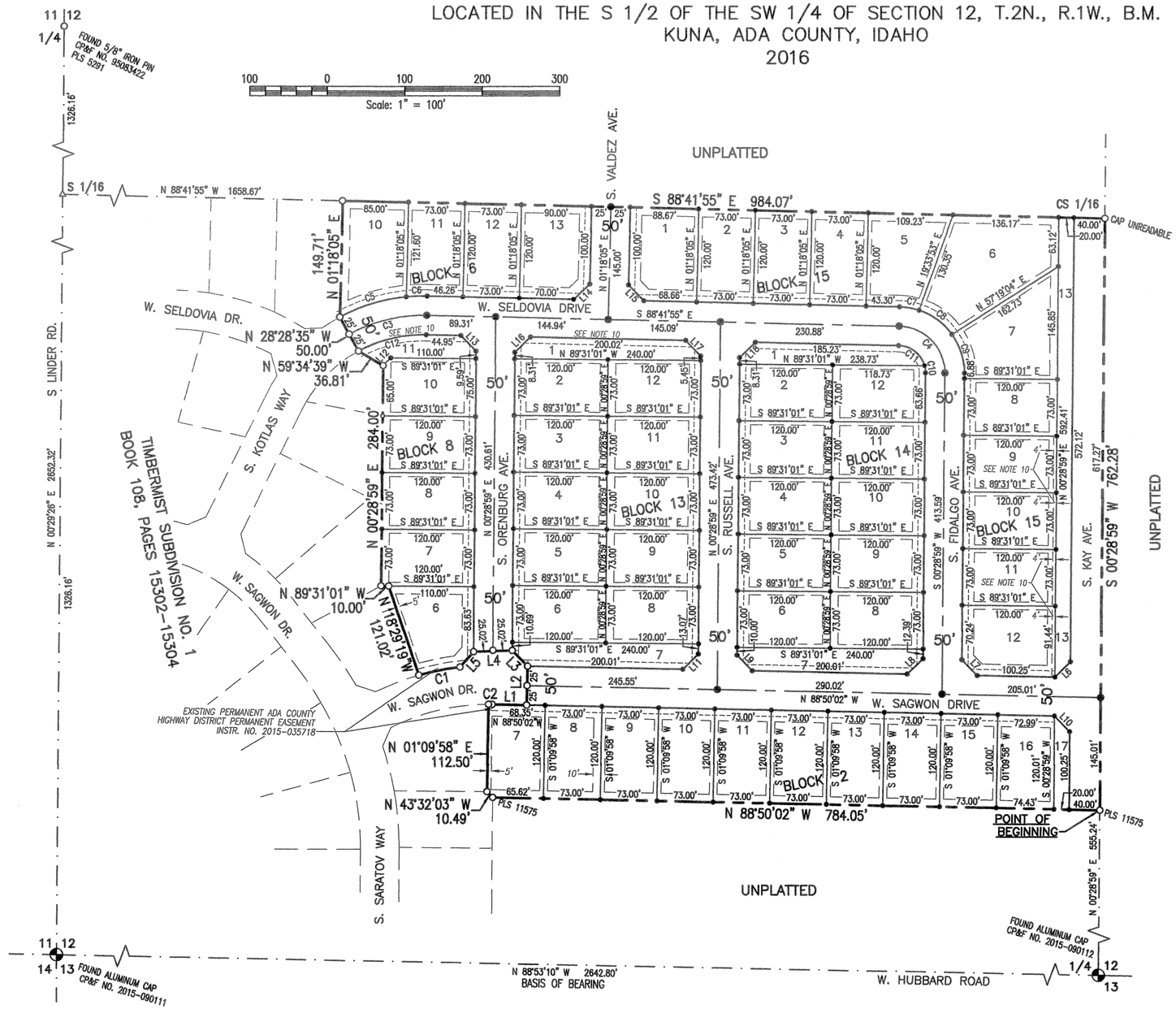
ATTEST:

Troy Behunin, Senior Planner
Kuna Planning and Zoning Department

PLAT SHOWING

TIMBERMIST SUBDIVISION NO. 4

LOCATED IN THE S 1/2 OF THE SW 1/4 OF SECTION 12, T.2N., R.1W., B.M.
KUNA, ADA COUNTY, IDAHO
2016



LEGEND

- SUBDIVISION BOUNDARY
- SECTION LINE
- RIGHT–OF–WAY LINE
- CENTERLINE
- LOT LINE
- EXISTING LOT/PARCEL LINE
- PUBLIC UTILITY, IRRIGATION AND LOT DRAINAGE EASEMENT LINE – SEE NOTES 1 & 2
- EXISTING PERMANENT ADA COUNTY HIGHWAY DISTRICT SIDEWALK EASEMENT – INSTRUMENT NUMBER ____–_____
- EASEMENT LINE AS NOTED
- FOUND ALUMINUM CAP
- SET 5/8"x30" REBAR w/PLASTIC CAP
- SET 1/2"x24" REBAR w/PLASTIC CAP
- FOUND 5/8" REBAR, PLS 11118 OR AS NOTED
- FOUND 1/2" REBAR, PLS 11118 OR AS NOTED
- CALCULATED POINT, NOT SET
- 11 LOT NUMBER

NOTES

1. EACH LOT IS HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE OVER THE FIFTEEN (15) FEET ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD–SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
2. UNLESS OTHERWISE SHOWN AND DIMENSIONED, EACH LOT IS HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE OVER THE FIVE (5) FEET ADJACENT TO ANY INTERIOR SIDE LOT LINE, AND OVER THE TEN (10) FEET ADJACENT TO ANY REAR LOT LINE AND SUBDIVISION OR PHASE BOUNDARY.
3. ANY RE–SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RESUBDIVISION AND MAY REQUIRE AMENDMENT OF THE DEVELOPMENT AGREEMENT.
4. IRRIGATION WATER WILL BE PROVIDED BY THE CITY OF KUNA IN COMPLIANCE WITH IDAHO CODE SECTION 31–3805(1)(B). ALL LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE CITY OF KUNA SUBJECT TO ORDINANCE ____–__, ANNEXING TIMBERMIST SUBDIVISION NO. 4 INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT AND POOLING THE APPURTENANT WATER RIGHTS THEREOF, RECORDED AS INSTRUMENT NO. ____–_____ RECORDS OF ADA COUNTY, IDAHO.
5. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA AND CONDITIONS OF THE STAFF REPORT FOR TIMBERMIST SUBDIVISION NO. 4.
6. MAINTENANCE OF ANY IRRIGATION OR DRAINAGE PIPE AND FACILITIES/COMPONENTS/ELEMENTS, OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ACCEPTED BY AN IRRIGATION/DRAINAGE ENTITY. SUCH LOTS MUST REMAIN FREE OF ENCROACHMENTS AND OBSTRUCTIONS TO SAID IRRIGATION/DRAINAGE FACILITIES.
7. LOT 17, BLOCK 2; LOT 11, BLOCK 8; LOTS 1 AND 7, BLOCK 13; LOTS 1 AND 7, BLOCK 14; AND LOT 13, BLOCK 15 ARE DESIGNATED AS COMMON AREA LOTS TO BE OWNED AND MAINTAINED BY THE TIMBERMIST HOMEOWNER'S ASSOCIATION, INC., AND SHALL FOLLOW CURRENT KUNA CITY CODE FOR COMMON LOTS WITH RESPECT TO APPEARANCE AND MATERIALS USED. THIS OWNERSHIP AND MAINTENANCE COMMITMENT MAY NOT BE DISSOLVED WITHOUT THE EXPRESS CONSENT OF THE CITY OF KUNA. THE TIMBERMIST HOMEOWNER'S ASSOCIATION, INC. IS RESPONSIBLE FOR PAYMENT OF IRRIGATION ASSESSMENTS ON COMMON LOTS. IN THE EVENT TIMBERMIST HOMEOWNER'S ASSOCIATION, INC. FAILS TO PAY THE ASSESSMENTS, EACH RESIDENTIAL LOT IS RESPONSIBLE FOR A FRACTIONAL SHARE OF THE ASSESSMENT. SAID LOTS ARE COVERED BY BLANKET EASEMENTS FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE.
8. THIS DEVELOPMENT RECOGNIZES SECTION 22–4503, IDAHO CODE, RIGHT–TO–FARM, WHICH STATES THAT NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON–AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED, PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
9. THIS DEVELOPMENT IS SUBJECT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE CITY OF KUNA RECORDED AS INSTRUMENT NO. ____–_____, RECORDS OF ADA COUNTY, IDAHO.
10. LOT 11, BLOCK 8; LOT 1, BLOCK 13; LOT 13, BLOCK 15 AND PORTIONS OF LOTS 9, 10, 11 AND 12, BLOCK 15 AS SHOWN HEREON ARE SERVIENT TO AND CONTAIN THE ADA COUNTY HIGHWAY DISTRICT STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THAT CERTAIN FIRST AMENDED MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2015, AS INSTRUMENT NUMBER 2015–103256, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO THE ADA COUNTY HIGHWAY DISTRICT PURSUANT TO SECTION 40–2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.
11. THIS DEVELOPMENT IS SUBJECT TO THE TERMS OF AN ADA COUNTY HIGHWAY DISTRICT LICENSE AGREEMENT RECORDED AS INSTRUMENT NO. ____–_____, RECORDS OF ADA COUNTY, IDAHO.
12. DIRECT LOT OR PARCEL ACCESS TO S. KAY AVENUE IS PROHIBITED.

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD
C1	54.24	325.00	9°33'45"	S 78°48'21" W	54.18
C2	4.65	275.00	0°58'04"	S 89°19'04" E	4.65
C3	103.94	200.00	29°46'40"	S 76°24'45" W	102.78
C4	93.39	60.00	89°10'54"	N 44°06'28" W	84.24
C5	90.13	225.00	22°57'05"	S 72°59'57" W	89.53
C6	26.81	225.00	6°49'35"	S 87°53'18" W	26.79
C7	25.46	85.00	17°09'40"	N 80°07'05" W	25.36
C8	53.45	85.00	36°01'56"	N 53°31'16" W	52.58
C9	53.39	85.00	35°59'17"	N 17°30'40" W	52.52
C10	9.45	35.00	15°28'19"	N 07°15'11" W	9.42
C11	45.03	35.00	73°42'35"	N 51°50'38" W	41.99
C12	90.95	175.00	29°46'40"	S 76°24'45" W	89.93

LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 88°50'02" E	44.47'	L10	S 44°30'54" E	28.29'
L2	N 01°09'58" E	50.00'	L11	S 45°49'28" W	28.45'
L3	N 44°10'32" W	28.12'	L12	N 45°28'59" E	14.14'
L4	S 88°15'35" W	50.04'	L13	S 44°05'58" E	28.09'
L5	S 42°02'06" W	26.53'	L14	S 46°18'05" W	28.28'
L6	S 45°28'52" W	28.29'	L15	N 43°41'55" W	28.28'
L7	N 44°10'32" W	28.12'	L16	N 45°53'32" E	28.49'
L8	S 45°49'28" W	28.45'	L17	S 44°06'28" E	28.08'
L9	N 44°10'32" W	28.12'	L18	N 45°53'32" E	28.49'

PROFESSIONAL LAND SURVEYOR REGISTERED 11118 7/06/16 STATE OF IDAHO CLINTON W. HANSEN

TIMBERMIST, LLC
DEVELOPER
MERIDIAN, ID

ENGINEERING SOLUTIONS, LLP
MERIDIAN, IDAHO

LandSolutions
Land Surveying and Consulting
231 E. 5th St. Ste. A, Meridian ID 83642
(208) 288–2040 – (208) 288–2557 fax

SHEET 1 OF 3
\160304–PLT.DWG 07/06/16 BKB

TIMBERMIST SUBDIVISION NO. 4

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS:

THAT TIMBERMIST, LLC, AN IDAHO LIMITED LIABILITY COMPANY, IS THE OWNER OF THE PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL LOCATED IN THE S ½ OF THE SW ¼ OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MONUMENT MARKING THE SOUTHEAST CORNER OF SAID S ½ OF THE SW ¼, FROM WHICH AN ALUMINUM CAP MONUMENT MARKING THE SOUTHWEST CORNER OF SAID S ½ OF THE SW ¼ BEARS N 88°53'10" W A DISTANCE OF 2642.80 FEET; THENCE N 00°28'59" E ALONG THE EASTERLY BOUNDARY OF SAID S ½ OF THE SW ¼ A DISTANCE OF 555.24 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID EASTERLY BOUNDARY N 88°50'02" W A DISTANCE OF 784.05 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE EASTERLY BOUNDARY OF TIMBERMIST SUBDIVISION NO. 1, AS FILED FOR RECORD IN BOOK 108 OF PLATS AT PAGES 15302 THROUGH 15304, RECORDS OF ADA COUNTY, IDAHO;

THENCE ALONG SAID EASTERLY BOUNDARY:

THENCE N 43°32'03" W A DISTANCE OF 10.49 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 01°09'58" E A DISTANCE OF 112.50 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE 4.65 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 00°58'04", AND A LONG CHORD BEARING S 89°19'04" E A DISTANCE OF 4.65 FEET TO A 5/8 INCH DIAMETER IRON PIN MARKING A POINT OF TANGENCY;
THENCE S 88°50'02" E A DISTANCE OF 44.47 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 01°09'58" E A DISTANCE OF 50.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 44°10'32" W A DISTANCE OF 28.12 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE S 88°15'35" W A DISTANCE OF 50.04 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE S 42°02'06" W A DISTANCE OF 26.53 FEET TO A 5/8 INCH DIAMETER IRON PIN MARKING A POINT ON A CURVE;
THENCE 54.24 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 325.00 FEET, A DELTA ANGLE OF 09°33'45", AND A LONG CHORD BEARING S 78°48'21" W A DISTANCE OF 54.18 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 18°29'19" W A DISTANCE OF 121.02 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 89°31'01" W A DISTANCE OF 10.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 00°28'59" E A DISTANCE OF 284.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 59°34'39" W A DISTANCE OF 36.81 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 28°28'35" W A DISTANCE OF 50.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;
THENCE N 01°18'05" E A DISTANCE OF 149.71 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE NORTHERLY BOUNDARY OF SAID S ½ OF THE SW ¼ OF SECTION 12;

THENCE LEAVING THE BOUNDARY OF SAID TIMBERMIST SUBDIVISION NO. 1, AND ALONG SAID NORTHERLY BOUNDARY S 88°41'55" E A DISTANCE OF 984.07 FEET TO A 5/8 INCH IRON PIN MARKING THE NORTHEAST CORNER OF SAID S ½ OF THE SW ¼;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID S ½ OF THE SW ¼ S 00°28'59" W A DISTANCE OF 762.28 FEET TO THE POINT OF BEGINNING. THIS PARCEL CONTAINS 15.86 ACRES.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT AND TO DEDICATE TO THE PUBLIC, THE PUBLIC STREETS AS SHOWN ON THIS PLAT. THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNATED WITHIN THIS PLAT, AND NO PERMANENT STRUCTURES ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS. ALL LOTS WITHIN THIS PLAT WILL BE ELIGIBLE TO RECEIVE WATER FROM AN EXISTING CITY OF KUNA WATER SYSTEM AND THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE ALL THE LOTS WITHIN THIS SUBDIVISION.
WITHIN THIS SUBDIVISION.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20_____.

_____
THOMAS M. COLEMAN, JR.
PRESIDENT, COLEMAN HOMES LLC
MANAGER OF TIMBERMIST, LLC

ACKNOWLEDGEMENT

STATE OF IDAHO)
) SS
COUNTY OF ADA)

ON THIS _____ DAY OF _____, 20_____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED THOMAS M. COLEMAN, JR., KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF COLEMAN HOMES LLC, AN IDAHO LIMITED LIABILITY COMPANY; THE MANAGER OF TIMBERMIST, LLC, AN IDAHO LIMITED LIABILITY COMPANY, WHO SUBSCRIBED SAID LIMITED LIABILITY COMPANY'S NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SAID LIABILITY COMPANY'S NAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

_____ _____
NOTARY PUBLIC FOR IDAHO
RESIDING AT EAGLE, IDAHO
MY COMMISSION EXPIRES: _____

CERTIFICATE OF SURVEYOR

I, CLINTON W. HANSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

PROFESSIONAL LAND SURVEYOR REGISTERED 11118 STATE OF IDAHO CLINTON W. HANSEN

CLINTON W. HANSEN, P.L.S. LICENSE NO. 11118

TIMBERMIST, LLC
DEVELOPER
MERIDIAN, ID

JOB NO. 160304
SHEET 2 OF 3
\160304-PLT.DWG 04/22/16 BKB

ENGINEERING SOLUTIONS, LLP
MERIDIAN, IDAHO

LandSolutions
Land Surveying and Consulting
231 E. 5th St. Ste. A, Meridian ID 83642
(208) 288-2040 – (208) 288-2557 fax

TIMBERMIST SUBDIVISION NO. 4

ACCEPTANCE OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE _____ DAY OF _____ 20____.

_____
PRESIDENT
ADA COUNTY HIGHWAY DISTRICT

APPROVAL OF CITY ENGINEER

I, CITY ENGINEER IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

_____
CITY ENGINEER

CERTIFICATE OF COUNTY SURVEYOR

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

_____
COUNTY SURVEYOR

APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

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

_____
CENTRAL DISTRICT HEALTH DEPARTMENT

APPROVAL OF CITY COUNCIL

I, CITY CLERK IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE _____ DAY OF _____, 20____, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

_____
KUNA CITY CLERK

CERTIFICATE OF COUNTY TREASURER

I, _____, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

_____ _____
COUNTY TREASURER DATE

CERTIFICATE OF COUNTY RECORDER

INSTRUMENT NO. _____

STATE OF IDAHO)
SS
COUNTY OF ADA)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF _____ AT _____ MINUTES PAST _____ O'CLOCK __M., THIS _____ DAY OF _____, 20____, IN MY OFFICE AND WAS DULY RECORDED IN BOOK _____ OF PLATS AT PAGES _____.

_____ _____
DEPUTY EX-OFFICIO RECORDER

PROFESSIONAL LAND SURVEYOR
REGISTERED
11118
STATE OF IDAHO
CLINTON W. HANSEN

TIMBERMIST, LLC
DEVELOPER
MERIDIAN, ID

JOB NO. 160304
SHEET 3 OF 3
\160304-PLT.DWG 03/04/16 BKB

ENGINEERING SOLUTIONS LLP
MERIDIAN, IDAHO

LandSolutions
Land Surveying and Consulting
231 E. 5th St. Ste. A, Meridian ID 83642
(208) 288-2040 - (208) 288-2557 fax

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Trevor Kesner

FROM: Gordon N. Law
Kuna City Engineer

RE: Timbermist Subdivision No. 4
Final Plat Review

DATE: August 22, 2016

The City Engineer and City Mapper have reviewed the proposed Final Plat document for the above referenced project. The following comments are provided to summarize the redline markups prepared in connection with the plat review:

1. Plat Sheet 1 of 3 – Recorded Instrument Numbers in the Plat Notes are not provided.
2. Plat Sheet 2 of 3 – The dedication paragraph has a duplicate line.
3. Plat Sheet 3 of 3 – No comments.

Attachment
Cc: Kuna Planning and Zoning Dept.

Exhibit B-2

City of Kuna

763 W. Avalon St.
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
WWW.Kunacity.Id.gov

Staff Memo

To: **City Council**

Case Number: **16-10-FP – Final Plat;**
Patagonia Subdivision No. 1

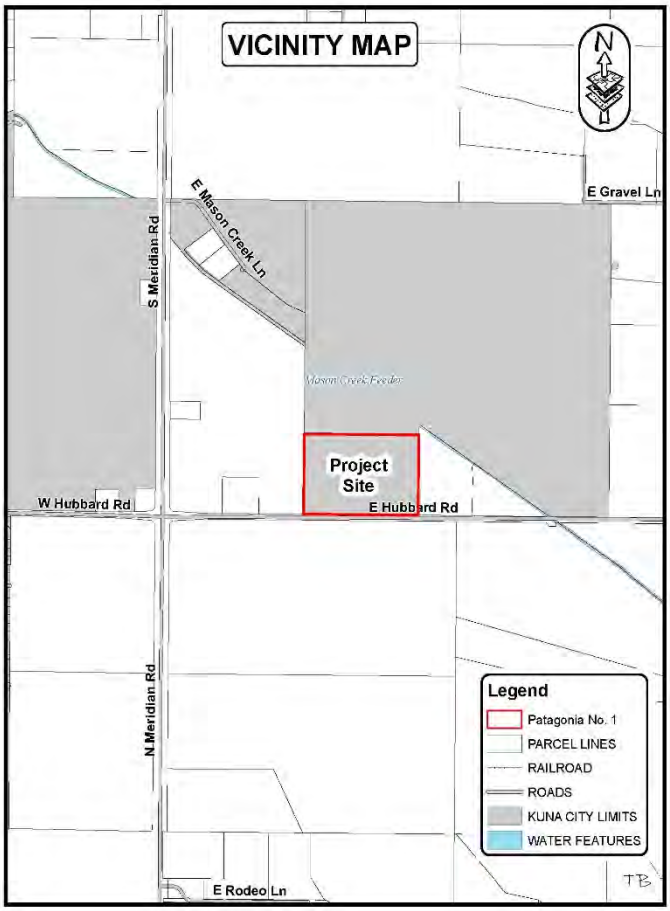
Location: NEC of Meridian and Hubbard Roads,
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Meeting Date: September 6, 2015

Applicant: **Patagonia Development, LLC**
Taylor Merrill
P.O. Box 344
Meridian, Id 83680
208.888.9946
Taylor@westparkco.com

Representative: **Kent Brown**
3161 E. Springwood Dr.
Meridian, ID 83642
208.871.6842
kentlkb@gmail.com



A. General Project Facts, Staff Analysis:

1. Applicant is requesting Final Plat approval for Patagonia residential Subdivision No. 1. The Final Plat for Patagonia Subdivision No. 1 proposes 51 residential lots and six (6) common lots over approximately 15.40 acres (APN # S1407347120)

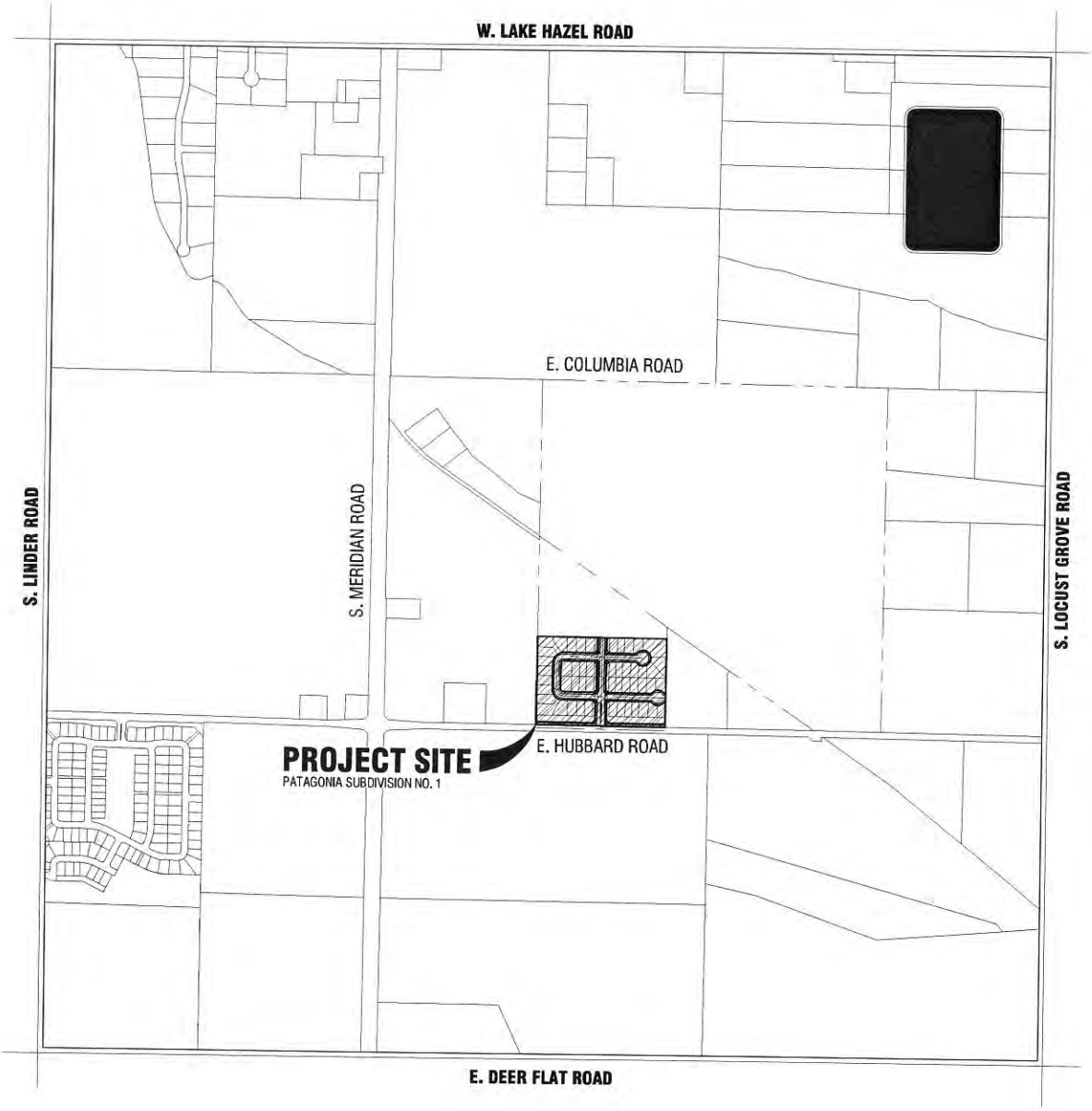
2. In accordance with KCC Title 6; Subdivision Regulations, this application seeks final plat approval for the Patagonia Subdivision No. 1.

B. Staff Analysis:

1. After reviewing the application, staff has determined the proposed final plat appears to be in substantial conformance with the approved preliminary plat for the Patagonia residential subdivision No. 1 development. Applicant shall secure all signatures on the final plat check-off list prior to requesting City engineer signature on the final plat mylar sheets, subject to the recommended changes to the final plat listed in the City Engineers report and show on the final plat Mark-up sheet sent to the applicant.

PATAGONIA SUBDIVISION NO. 1

KUNA, IDAHO - 2015

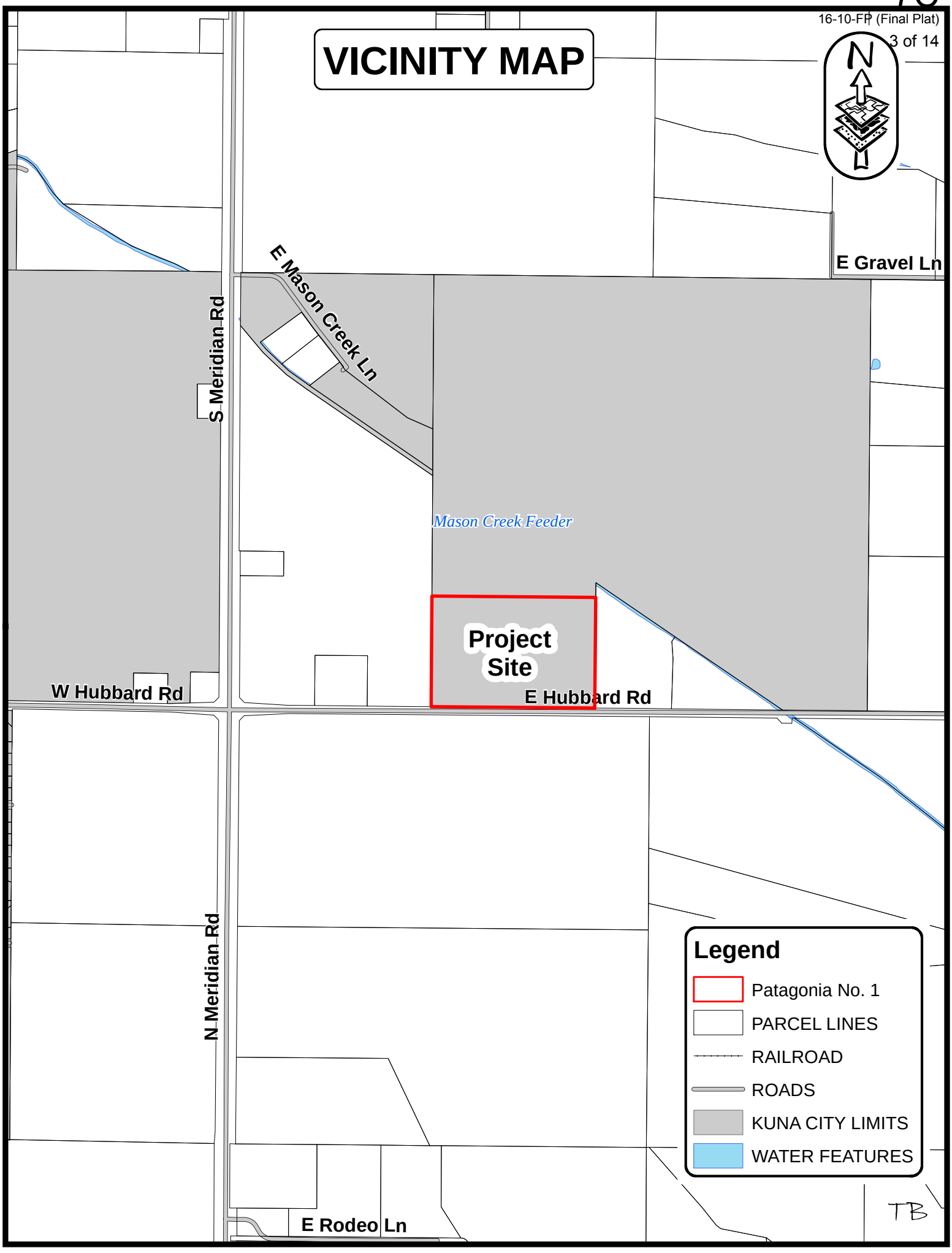


PROJECT #	15-0224-PA1
DWG FILE	EXHIBIT
DESIGNED BY	BT
DRAWN BY	KDH
CHECKED BY	BT
ISSUE DATE	05/16/2016
SCALE	AS SHOWN
SHEET	1 OF 1

PATAGONIA SUBDIVISION NO. 1
KUNA, IDAHO

VICINITY MAP

CIVIL INNOVATIONS, PLLC
1043 E. PARK BLVD. STE 101
Boise, ID 83712
PHONE: (208) 884-8181
www.civil-innovations.com


VICINITY MAP
N
E Gravel Ln
E Mason Creek Ln
S Meridian Rd
Mason Creek Feeder
Project Site
W Hubbard Rd
E Hubbard Rd
N Meridian Rd
E Rodeo Ln
Legend
Patagonia No. 1
PARCEL LINES
RAILROAD
ROADS
KUNA CITY LIMITS
WATER FEATURES

TB

4/2016
69
E Hubbard Rd
Google earth

KENT BROWN
PLANNING SERVICES

May 17, 2016

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

RE: Patagonia Subdivision No. 1 Final Plat Application

Dear Commissioners:

On behalf of Patagonia Development LLC, we are requesting approval of the Final Plat application for the Patagonia Subdivision No. 1. The site is located at northside of Hubbard Road approximately 1200 feet east of Meridian Road. The site is 15.40 acres in size, and is currently vacant.

Patagonia Subdivision No. 1 has 57 total lots, consisting of 51 buildable and 6 common. All 51buildable lots will have single-family homes. The common area totals 1.43acres, or 10.8% of the site. The common space will consist of a strip landscaping berms and buffers. The final plat complies too all the preliminary plat requirements. The proposed construction design has been done to local agency and general engineering practices.

If you have any questions regarding this or any other of our application for Patagonia No 1 feel free to contact me.

Sincerely,

Kent Brown
Planner

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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

Only For Office Use Only	
File Number (s)	16-10-FP
Project name	PATAGONIA SUB NO. 1
Date Received	5.22.16
Date Accepted/ Complete	8.16.16
Cross Reference Files	—
Commission Hearing Date	N/A
City Council Hearing Date	SEPT. 6, 2016

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: PATAGONIA DEVELOPMENT LLC	Phone Number: 208-888-9946
Address: PO Box 344	E-Mail: taylor@westparkco.com
City, State, Zip: Meridian Idaho 83680	Fax #:
Applicant (Developer): same as above	Phone Number:
Address:	E-Mail:
City, State, Zip:	Fax #:
Engineer/Representative: KENT BROWN	Phone Number: 208-871-6842
Address: 3161 E SPRINGWOOD DR	E-Mail: kentlkb@gmail.com
City, State, Zip: MERIDIAN IDAHO 83642	Fax #:

Subject Property Information

Site Address: E. Hubbard

Site Location (Cross Streets): Approx 1200ft east of Meridian Rd and Hubbard (on the north side)

Parcel Number (s): S1407347120

Section, Township, Range: 7/2N/1E

Property size : 15.40AC

Current land use: Farm land — Proposed land use: Residential

Current zoning district: R-6 — Proposed zoning district: R-6

Project Description

Project / subdivision name: PATAGONIA SUBDIVISION NO 1

General description of proposed project / request: Residential subdivision for 51 residential lots on the east side of Meridian road and on the northside of Hubbard road.

Type of use proposed (check all that apply):

- [x] Residential 51 Single Family Residential
- [ ] Commercial
- [ ] Office
- [ ] Industrial
- [ ] Other

Amenities provided with this development (if applicable): Landscaping berm, buffers and entrance

Residential Project Summary (if applicable)

Are there existing buildings? Yes [ ] No [ ]

Please describe the existing buildings:

Any existing buildings to remain? Yes [ ] No [ ]

Number of residential units: * Number of building lots: 51 51

Number of common and/or other lots: 6 6

Type of dwellings proposed:

- [x] Single-Family 51 51
- [ ] Townhouses
- [ ] Duplexes
- [ ] Multi-Family
- [ ] Other

Minimum Square footage of structure (s):

Gross density (DU/acre-total property): 3.7 Net density (DU/acre-excluding roads): 5.32

Percentage of open space provided: 10.8 Acreage of open space: 1.43

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

Non-Residential Project Summary (if applicable) N/A

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:

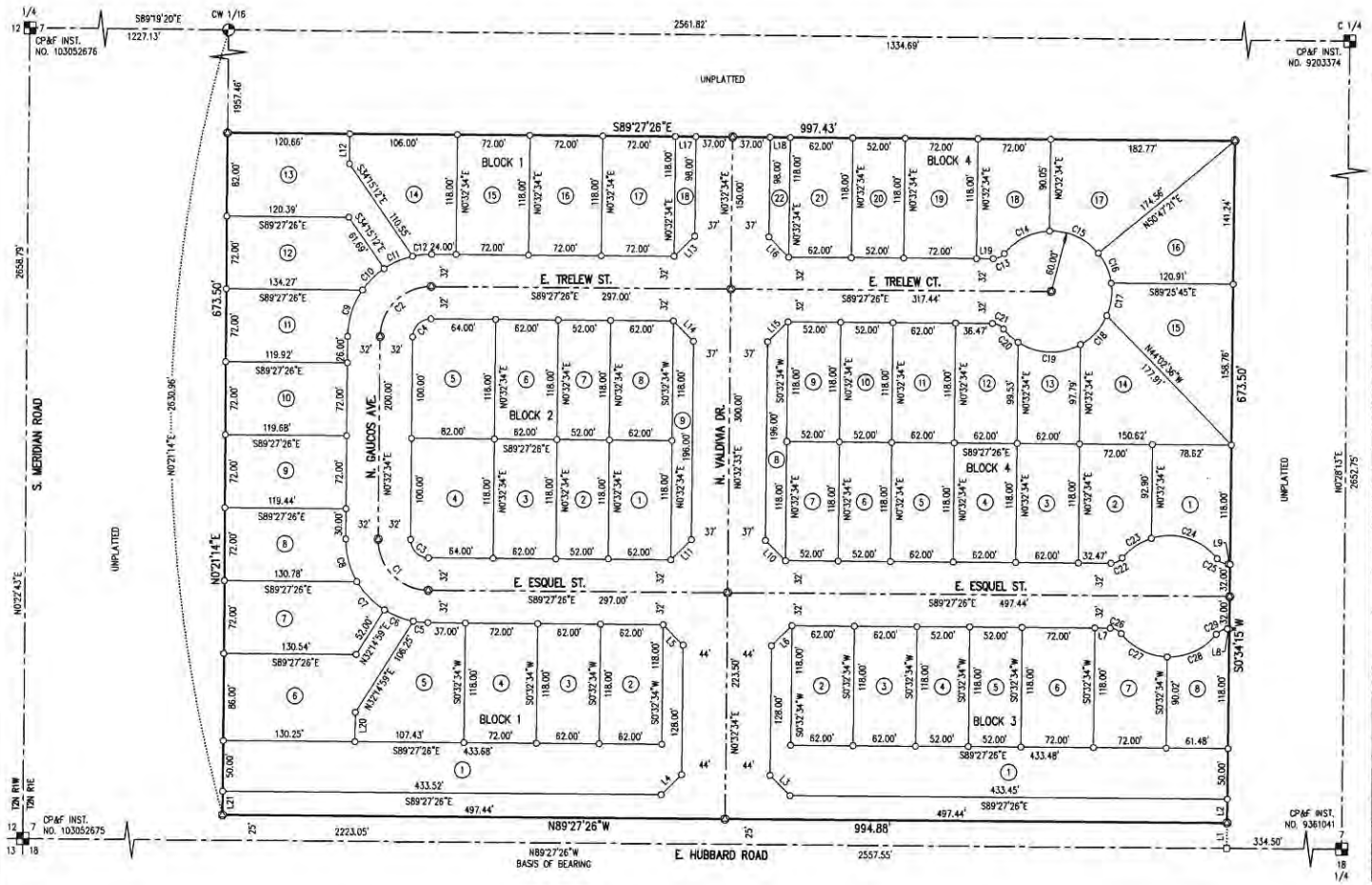
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.):
Landscaping berm, buffers and entrance

Applicant's Signature: Date: 5-19-21

PATAGONIA SUBDIVISION NO. 1

LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO
2016

BOOK ____, PAGE ____



LEGEND

- FOUND BRASS CAP MONUMENT
- FOUND ALUMINUM CAP MONUMENT
- SET 1/2" IRON PIN WITH PLS 11118 PLASTIC CAP
- SET 5/8" IRON PIN WITH PLS 11118 PLASTIC CAP
- CALCULATED POINT, NOTHING SET
- SECTION LINE
- CENTER LINE
- SURVEY TIE LINE
- BOUNDARY LINE
- PROPERTY LINE
- (18) LOT NUMBER

0 40 80 160

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	78.54'	50.00'	90°00'00"	S44°27'26"E	70.71
C2	78.54'	50.00'	90°00'00"	S45°32'34"W	70.71
C3	28.27'	18.00'	90°00'00"	S44°27'26"E	25.46
C4	28.27'	18.00'	90°00'00"	S45°32'34"W	25.46
C5	14.67'	82.00'	10°14'49"	S84°20'02"E	14.65
C6	30.71'	82.00'	21°27'36"	S68°28'49"E	30.53
C7	39.33'	82.00'	27°28'58"	S44°00'32"E	38.96
C8	44.09'	82.00'	30°48'37"	S14°51'44"E	43.57
C9	48.84'	82.00'	34°07'24"	S17°36'16"W	48.12
C10	30.17'	82.00'	21°04'50"	S45°12'23"W	30.00
C11	30.71'	82.00'	21°27'36"	S66°28'37"W	30.53
C12	19.09'	82.00'	13°20'09"	S83°52'29"W	19.04
C13	12.60'	14.00'	51°33'55"	N64°45'36"E	12.18
C14	51.56'	60.00'	49°14'06"	S63°35'42"W	49.99
C15	55.06'	60.00'	52°34'31"	N65°30'00"W	53.15
C16	32.78'	60.00'	31°17'58"	N23°33'45"W	32.37
C17	32.78'	60.00'	31°17'58"	N7°44'13"E	32.37
C18	39.42'	60.00'	37°38'22"	N42°12'24"E	38.71
C19	65.18'	60.00'	62°14'42"	S87°51'04"E	62.02
C20	19.73'	60.00'	18°50'12"	S47°18'37"E	19.64
C21	12.60'	14.00'	51°33'55"	N63°40'28"W	12.18
C22	12.60'	14.00'	51°33'55"	N64°45'36"E	12.18
C23	35.26'	60.00'	33°40'02"	S55°48'40"W	34.75
C24	72.74'	60.00'	69°27'49"	N72°37'25"W	68.37
C25	12.60'	14.00'	51°33'55"	S63°40'28"E	12.18
C26	12.60'	14.00'	51°33'55"	N63°40'28"W	12.18
C27	52.56'	60.00'	50°11'28"	S62°59'14"E	50.89
C28	55.44'	60.00'	52°56'25"	N65°26'51"E	53.49
C29	12.60'	14.00'	51°33'55"	S64°45'36"W	12.18

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	25.00'	N0°34'15"E
L2	23.50'	N0°34'15"E
L3	28.28'	S44°27'26"E
L4	28.28'	N45°32'34"E
L5	28.28'	S44°27'26"E
L6	28.28'	S45°32'34"W
L7	15.47'	S89°27'26"E
L8	2.13'	S89°27'26"E
L9	2.16'	S89°27'26"E
L10	28.28'	S44°27'26"E
L11	28.28'	N45°32'34"E
L12	29.43'	N0°32'34"E
L13	28.28'	N45°32'34"E
L14	28.28'	N44°27'26"W
L15	28.28'	S45°32'34"W
L16	28.28'	S44°27'26"E
L17	20.00'	S89°27'26"E
L18	20.00'	S89°27'26"E
L19	16.47'	S89°27'26"E
L20	28.92'	S0°32'34"W
L21	23.50'	S0°21'14"W

NOTES

1- UNLESS OTHERWISE DESIGNATED OR DIMENSIONED, THERE SHALL BE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, LOT DRAINAGE, AND PRESSURE IRRIGATION OVER THE TEN (10) FEET ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.

2- UNLESS OTHERWISE DESIGNATED OR DIMENSIONED, THERE SHALL BE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, PRESSURE IRRIGATION, AND LOT DRAINAGE ON FIVE (5) FEET ADJACENT TO SIDE LOT LINES AND ON TEN (10) FEET ADJACENT TO REAR LOT LINES.

3- NO LOTS WITHIN THIS SUBDIVISION SHALL BE ALLOWED TO TAKE DIRECT ACCESS FROM E. HUBBARD ROAD.

4- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH COUNTY CODE IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.

5- THIS DEVELOPMENT IS SUBJECT TO THE TERMS OF AN ADA COUNTY HIGHWAY DISTRICT LICENSE AGREEMENT RECORDED AS INSTRUMENT NO. _____.

6- REFERENCE RECORD OF SURVEY NUMBERS 5995, 7589, AND 9940 FOR ADDITIONAL BOUNDARY INFORMATION.

7- MAINTENANCE OF ANY IRRIGATION OR DRAINAGE PIPE OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE DISTRICT. IRRIGATION WATER HAS BEEN PROVIDED BY THE KUNA MERIDIAN IRRIGATION DISTRICT IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(B). LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM SAID DISTRICT.

8- THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503, RIGHT TO FARM ACT, WHICH STATES: NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITION IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT WAS BEGUN OR CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.

9- LOTS 1 AND 18, BLOCK 1, LOT 9 OF BLOCK 2, LOT 1 OF BLOCK 3, AND LOTS 8 AND 22 OF BLOCK 4 ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE PATAGONIA SUBDIVISION HOMEOWNERS ASSOCIATION, OR IT'S ASSIGNS. ALL OTHER LOTS IN THIS SUBDIVISION ARE FOR SINGLE FAMILY DWELLINGS.

10- LOT 77, BLOCK 7, OR A PORTION OF SAID LOT, IS SERVIENT TO AND CONTAINS THE ACHD STORM WATER DRAINAGE SYSTEM. THIS LOT IS ENCUMBERED BY THAT CERTAIN MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2015, AS INSTRUMENT NO. 2015-103256, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ACHD PURSUANT TO SECTION 40-2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.

CLINTON W. HANSEN — PLS 11118

PROFESSIONAL LAND SURVEYOR REGISTERED 11118 STATE OF IDAHO CLINTON W. HANSEN 5/17/16

LandSolutions
Land Surveying and Consulting
231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 fax (208) 288-2557
www.landsolutions.biz

JOB NO. 15-01

SHEET 1 OF 3

PATAGONIA SUBDIVISION NO. 1

BOOK ____ , PAGE ____

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT WE, THE UNDERSIGNED, ARE THE OWNERS OF THE REAL PROPERTY DESCRIBED BELOW IN ADA COUNTY, IDAHO, AND THAT WE INTEND TO INCLUDE THE FOLLOWING DESCRIBED PROPERTY IN THIS PATAGONIA SUBDIVISION NO. 1;

A PARCEL LOCATED IN THE SE ¼ OF THE SW ¼ OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SE ¼ OF THE SW ¼, FROM WHICH AN ALUMINUM CAP MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 7 BEARS N 89°27'26" W A DISTANCE OF 2557.55 FEET;

THENCE N 89°27'26" W ALONG THE SOUTHERLY BOUNDARY OF SAID SE ¼ OF THE SW ¼ A DISTANCE OF 334.50 FEET TO A POINT;

THENCE LEAVING SAID SOUTHERLY BOUNDARY N 0°34'15" E A DISTANCE OF 25.00 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE NORTHERLY RIGHT-OF-WAY OF E. HUBBARD ROAD AND THE POINT OF BEGINNING;

THENCE N 89°27'26" W ALONG SAID NORTHERLY RIGHT-OF-WAY, BEING 25.00 FEET NORTH OF AND PARALLEL TO THE SOUTHERLY BOUNDARY OF SAID SE ¼ OF THE SW ¼, A DISTANCE OF 994.88 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE WESTERLY BOUNDARY OF SAID SE ¼ OF THE SW ¼;

THENCE N 0°21'14" E ALONG SAID WESTERLY BOUNDARY A DISTANCE OF 673.50 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE LEAVING SAID WESTERLY BOUNDARY S 89°27'26" E A DISTANCE OF 997.43 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 0°34'15" W A DISTANCE OF 673.50 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 15.40 ACRES.

ALL THE LOTS IN THIS SUBDIVISION WILL BE ELIGIBLE TO RECEIVE WATER SERVICE FROM THE CITY OF KUNA. THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE ALL THE LOTS IN THIS SUBDIVISION.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. PUBLIC UTILITY, IRRIGATION AND DRAINAGE EASEMENTS ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT OF ACCESS TO, AND USE OF, THESE EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES, DRAINAGE AND FOR ANY OTHER USES AS MAY BE DESIGNATED HEREON AND NO PERMANENT STRUCTURES OTHER THAN FOR SAID USES ARE TO BE ERECTED WITHIN THE LIMITS OF SAID EASEMENTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS ____ DAY OF _____ , 20___.

PATAGONIA DEVELOPMENT, LLC, AN IDAHO LIMITED LIABILITY COMPANY

_____

BY GREGORY B. JOHNSON, PRESIDENT OF PGM CORPORATION, THE MANAGER OF PATAGONIA DEVELOPMENT, LLC.

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF ADA } S.S.

ON THIS ____ DAY OF _____ , 20___ BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED GREGORY B. JOHNSON, KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF PGM CORPORATION, AN IDAHO CORPORATION BEING THE MANAGER OF PATAGONIA DEVELOPMENT, LLC, AN IDAHO LIMITED LIABILITY COMPANY, THE PERSON WHO EXECUTED THE FOREGOING "CERTIFICATE OF OWNERS" AND ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

RESIDING AT _____

_____

NOTARY PUBLIC FOR THE STATE OF IDAHO

CERTIFICATE OF SURVEYOR

I, CLINTON W. HANSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

CLINTON W. HANSEN
IDAHO NO. 11118

LandSolutions
Land Surveying and Consulting
231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 fax (208) 288-2557
www.landsolutions.biz

JOB NO: 15-01

PATAGONIA SUBDIVISION NO. 1

BOOK ____, PAGE ____

HEALTH CERTIFICATE

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

_____
DISTRICT HEALTH DEPARTMENT, EHS DATE

APPROVAL OF ADA COUNTY COMMISSIONERS

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS ON THE ____ DAY OF _____, 20___.

_____
CHAIRPERSON
ADA COUNTY COMMISSIONERS

APPROVAL OF THE CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, DO HEREBY STATE THAT THE RECOMMENDED CONDITIONS OF THE CITY OF KUNA HAVE BEEN SATISFIED.

_____
CITY ENGINEER – KUNA, IDAHO

APPROVAL OF ADA COUNTY HIGHWAY DISTRICT

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE ____ DAY OF _____, 20___.

_____
PRESIDENT, ADA COUNTY HIGHWAY DISTRICT

CERTIFICATE OF THE COUNTY SURVEYOR

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

_____
ADA COUNTY SURVEYOR

CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

DATE: _____ _____
COUNTY TREASURER

CERTIFICATE OF COUNTY RECORDER

STATE OF IDAHO } S.S.
COUNTY OF ADA }

INSTRUMENT NO. _____

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF LAND SOLUTIONS, P.C., AT ____ MINUTES PAST ___ O'CLOCK __ M. ON THIS ____ DAY OF _____, 20___, IN BOOK ____ OF PLATS AT PAGES _____.

_____ _____
DEPUTY EX-OFFICIO RECORDER

FEE: _____

CLINTON W. HANSEN — PLS 11118

PROFESSIONAL LAND SURVEYOR REGISTERED 11118 5/17/16 STATE OF IDAHO CLINTON W. HANSEN

LandSolutions
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JOB NO. 15-01

SHEET 3 OF 3

Legal Description
Patagonia Subdivision No. 1

A parcel located in the SE ¼ of the SW ¼ of Section 7, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the southeast corner of said SE ¼ of the SW ¼, from which an Aluminum Cap monument marking the southwest corner of said Section 7 bears N 89°27'26" W a distance of 2557.55 feet;

Thence N 89°27'26" W along the southerly boundary of said SE ¼ of the SW ¼ a distance of 334.50 feet to a point;

Thence leaving said southerly boundary N 0°34'15" E a distance of 25.00 feet to a 5/8 inch diameter iron pin on the northerly right-of-way of E. Hubbard Road and the **POINT OF BEGINNING**;

Thence N 89°27'26" W along said northerly right-of-way, being 25.00 feet north of and parallel to the southerly boundary of said SE ¼ of the SW ¼, a distance of 994.88 feet to a 5/8 inch diameter iron pin on the westerly boundary of said SE ¼ of the SW ¼;

Thence N 0°21'14" E along said westerly boundary a distance of 673.50 feet to a 5/8 inch diameter iron pin;

Thence leaving said westerly boundary S 89°27'26" E a distance of 997.43 feet to a 5/8 inch diameter iron pin;

Thence S 0°34'15" W a distance of 673.50 feet to the **POINT OF BEGINNING.**

This parcel contains 15.40 acres.

Clinton W. Hansen, PLS
Land Solutions, PC
February 3, 2015

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Trevor Kesner

FROM: Gordon N. Law
Kuna City Engineer

RE: Patagonia Subdivision No. 1
Final Plat Review

DATE: August 23, 2016

The City Engineer and City Mapper have reviewed the proposed Final Plat document for the above referenced project. The following comments are provided to summarize the redline markups prepared in connection with the plat review:

1. Plat Sheet 1 of 3
   a. Please draw in all easements on the face of the plat.
   b. If the entryway feature is to be irrigated, it must be platted as a lot so that a water right can be assigned to it.
   c. Amend Plat Note No. 2 to read: "*Unless otherwise designated or dimensioned, there shall be a permanent easement for public utilities, pressure irrigation and lot drainage on five (5) feet adjacent to each side lot line and ten (10) feet adjacent to rear lot lines and exterior subdivision boundaries.*"
   d. Amend Plat Note No. 3 to read: "*No lots within the subdivision shall take direct access from E. Hubbard Road or N. Valdivia Drive.*"
   e. Amend Plat Note No. 4 to read: "*Any resubdivision of this plat shall comply with the applicable regulations in effect at the time of the resubdivision.*"
   f. Amend Plat Note No. 7 to read: "*Maintenance of any irrigation, drainage pipe or ditch crossing a lot is the responsibility of the lot owner unless such responsibility is assumed by an irrigation/drainage district.*"
   g. Add Plat Note No. 11 to read: "*Pressure irrigation water will be provided by the City of Kuna in compliance with Idaho Code Section 31-3805(b). All lots within this subdivision will be entitled to irrigation rights through New York Irrigation District, and will be obligated for assessments from the City of Kuna.*"
   h. Add Plat Note No. 12 to read: "*Building setbacks and dimensional standards in this subdivision shall be in compliance with the applicable zoning regulations of the City of Kuna and conditions of the staff report for Patagonia Subdivision.*"
   i. Amend Plat Note No, 9 to read: "*Lots 1 and 18 of Block 1, Lot 9 of Block 2, Lot 1 of Block 3 and Lots 8 and 22 of Block 4 are designated as common area lots to be*

owned and maintained by the Patagonia Subdivision Homeowners Association, or its assigns. All other lots in this subdivision are for single family dwellings. This ownership and maintenance commitment may not be dissolved without the express consent of the City of Kuna. The Patagonia Subdivision Homeowners Association is responsible for payment of irrigation assessments. In the event Patagonia Subdivision Homeowners Association fails to pay assessments, each residential lot is responsible for a fractional share of the assessment."

j. Add Plat Note No. 13 to read: "*Lot 9 of Block 2 and Lot 8 of Block 4 are subject to a blanket public utility, drainage and pressure irrigation easement.*"

2. Plat Sheet 2 of 3 – No comments.

3. Plat Sheet 3 of 3 – No comments.

Attachment
Cc: Kuna Planning and Zoning Dept.

Kuna Rural Fire District

From the Desk of
Jon Tillman
Fire Chief

Ph. 922-1144
Fax 922-1135
P.O. Box 607
Kuna, ID. 83634

TO: Troy Behunin

DATE: August 24, 2016

RE: Patagonia Phase 1

The Kuna Rural Fire District has the following comments on the above noted project.

- As per International Fire Code 2012 version Section D107, a secondary road will be required for a project of this nature that will have more than 30 dwelling units. In the past we have worked with Developers to start the next phase that would provide this before the first amount of 30 were met.

- Islands are not recognized as a secondary ingress/egress.

Please feel free to contact me at the District office should you have any questions.

Respectfully,

Jon Tillman
Fire Chief

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Reimbursement Agreement - Water Trunk
Patagonia Subdivision No. 1
Oversized Water Facilities

DATE: August 29, 2016

REQUEST: **Approve Reimbursement Agreement by Resolution**

Attached hereto is a proposed reimbursement agreement (w/ exhibits) related to over-sizing of water facilities by the developer of Patagonia Subdivision. The reimbursement methodology relies on policies adopted by Council in January 21, 2014 (Resolution R08-2014). Total reimbursement is $149,008.74 payable over ten years.

Also attached is a resolution which, if approved, authorizes the Mayor and Clerk to sign the agreement upon completion of all punch list items[1]. The City Engineer recommends approval of the resolution.

Attachments

[1] *At the time of preparation of these documents for submittal to Council, the City Engineer was awaiting passing bacteria tests.*

RESOLUTION NO. R56-2016

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $149,008.74 WITH PATAGONIA DEVELOPMENT, LLC.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that the Mayor and Clerk of said city are hereby authorized to execute that certain Agreement titled "Reimbursement Agreement – Patagonia No. 1 Water Trunk Project" regarding cost recovery for construction of water facilities related to said project and in the amount of one hundred forty-nine thousand eight dollars and seventy-four cents ($149,008.74); by and between said city and PATAGONIA DEVELOPMENT, LLC; upon completion of all punch list items; which Agreement is attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna this 6th day of September, 2016.

APPROVED BY THE MAYOR of Kuna this 6th day of September, 2016.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

REIMBURSEMENT AGREEMENT

Patagonia No. 1 Water Trunk Project

THIS AGREEMENT made this _____ day of _____ 2016, by and between the CITY OF KUNA, a municipal corporation, hereinafter called CITY, and PATAGONIA DEVELOPMENT, LLC, hereinafter called DEVELOPER:

WITNESSETH:

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

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

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

WHEREAS, DEVELOPER did construct a water system to the property known as, Patagonia Subdivision No. 1 Project, as shown on Exhibit "A," and has requested reimbursement for certain portions of the water system; and

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

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

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

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

B. Construction of Sewer System.

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

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

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

C. Reimbursement to DEVELOPER. In recognition of the fact that DEVELOPER did install, construct and erect a water system as shown on Exhibit "A" for the amounts shown in Exhibit "C", CITY shall reimburse to DEVELOPER, as directed in Paragraph M herein, up to one hundred forty-nine thousand eight dollars and seventy-four cents ($149,008.74). Reimbursement shall be provided from the funds and in the manner described in the City of Kuna Water Facilities Reimbursement Policy attached hereto as Exhibit "B".

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

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

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

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

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

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

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

K. Representations.

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

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

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

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

M. Payments under terms of this agreement are to be made and addressed to: Patagonia Development, LLC; c/o Westpark Company, Inc.; P.O. Box 344; Meridian, Idaho 83680.

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

CITY OF KUNA

_____
MAYOR

ATTEST:

_____
CITY CLERK

PATAGONIA DEVELOPMENT, LLC

_____
Greg Johnson

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, a notary pubic in and for said state, personally appeared _____ known to be to be the _____ of _____, and the person who subscribed said name to the foregoing instrument, and acknowledged to me that they executed the same.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, the undersigned, personally appeared JOE L. STEAR and _____ Mayor and City Clerk respectively of KUNA CITY, a municipal corporation, known to be to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said corporation.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

EXHIBIT "C"
PATAGONIA WATER COST RECOVERY SUMMARY

Water-Onsite & Offsite Oversized		
Total Recoverable Project Cost	$	122,138.31
Interest (4%)	$	26,870.43
TOTAL COST	$	149,008.74

EXHIBIT "C"

ONSITE OFFSITE WATER OVERSIZED

ITEM	DESCRIPTION	QTY	UNIT PRICE	% RECOVERY	TOTAL
	Onsite Water				
1	12" PVC Sewer Pipe Constructed - Onsite	1691	28.10	100.00	47,517.10
	12" Gate Valves - Onsite	5	820.00	100.00	4,100.00
	Misc. Fittings - Onsite	1	1992.00	100.00	1,992.00
#REF!	Less Reasonable Duty - Pipe	(508)	18.70	100.00	-9,499.60
	Less Reasonable Duty - Gate Valves	(508)	2.42	100.00	-1,229.36
#REF!	Less Reasonable Duty - Fittings	(508)	3.60	100.00	-1,828.80
#REF!	Less Cost of Pipe Size Needed - 8" [a]	(1183)	18.70	100.00	-22,122.10
#REF!					
#REF!	**Offsite Water**				
#REF!	12" PVC Sewer Pipe Constructed - Offsite	2558	43.68	40.74	45,520.20
#REF!	Connect to Existing	1	971.00	40.74	395.59
#REF!	12" Gate Valves - Offsite	3	2170.00	40.74	2,652.17
#REF!	Misc. Fittings - Offsite	1	5010.00	40.74	2,041.07
#REF!	Hwy 69 Bore	160	345.00	40.74	22,488.48
#REF!	Type P Pavement Repair	7020	5.40	40.74	15,443.72
#REF!	Traffic Control	1	3500.00	40.74	1,425.90
#REF!	ACHD Permit	1	2100.00	40.74	855.54
#REF!	Air Release Assembly	2	5940.00	40.74	4,839.91
#REF!	Culvert Crossing	1	790.00	40.74	321.85
#REF!	Design - Civil Innovations	1	8070.52	40.74	7,224.63
#REF!					
#REF!					
#REF!					
#REF!					
			TOTAL		**$ 122,138.31**

Note [a] L2 Excavation provided cost for 8-inch sewer.
By Council Policy, Onsite cost recovery limited to portion of cost exceeding cost of needed line size.
By Council Policy, Offsite cost recovery limited to portion of cost exceeding cost of needed line size.
By Council Policy, Design cost for Offsite Water is limited to 7% of constructed cost.

EXHIBIT "C"

ONSITE OFFSITE WATER OVERSIZED

ITEM	DESCRIPTION	QTY	UNIT PRICE	% RECOVERY	TOTAL
	Onsite Water				
1	12" PVC Sewer Pipe Constructed - Onsite	1691	28.10	100.00	47,517.10
2	12" Gate Valves - Onsite	5	820.00	100.00	4,100.00
3	Misc. Fittings - Onsite	1	1992.00	100.00	1,992.00
4	Less Reasonable Duty - Pipe	(508)	18.70	100.00	-9,499.60
5	Less Reasonable Duty - Gate Valves	(508)	2.42	100.00	-1,229.36
6	Less Reasonable Duty - Fittings	(508)	3.60	100.00	-1,828.80
7	Less Cost of Pipe Size Needed - 8" [a]	(1183)	18.70	100.00	-22,122.10
8					
9	**Offsite Water**				
10	12" PVC Sewer Pipe Constructed - Offsite	2558	43.68	40.74	45,520.20
11	Connect to Existing	1	971.00	40.74	395.59
12	12" Gate Valves - Offsite	3	2170.00	40.74	2,652.17
13	Misc. Fittings - Offsite	1	5010.00	40.74	2,041.07
14	Hwy 69 Bore	160	345.00	40.74	22,488.48
15	Type P Pavement Repair	7020	5.40	40.74	15,443.72
16	Traffic Control	1	3500.00	40.74	1,425.90
17	ACHD Permit	1	2100.00	40.74	855.54
18	Air Release Assembly	2	5940.00	40.74	4,839.91
19	Culvert Crossing	1	790.00	40.74	321.85
20	Design - Civil Innovations	1	8070.52	40.74	7,224.63
21					
22					
23					
24					
			TOTAL		**$ 122,138.31**

Note [a] L2 Excavation provided cost for 8-inch sewer.
By Council Policy, Onsite cost recovery limited to portion of cost exceeding cost of needed line size.
By Council Policy, Offsite cost recovery limited to portion of cost exceeding cost of needed line size.
By Council Policy, Design cost for Offsite Water is limited to 7% of constructed cost.

EXHIBIT "C"
REASONABLE DUTY - RECOVERY PERCENTAGE

REASONABLE DUTY

Acreage in Phase 1	15.4 acres
Acreage in Later Phases (Not Applicable)	0 acres
Interceptor Line Needed per Acre	33 LF
Reasonable Duty	508 LF
Interceptor Line Constructed	1691 LF
Net Length Reimbursible	1183 LF

OFFSITE RECOVERY PERCENTAGE

Line Size Required	8 inch
Line Size Provided	12 inch
Recovery Percentage per Policy	**40.74 %**
$p = (1-(D_1/D_2)^2/.75)*100$	

GORDON N. LAW
CITY ENGINEER

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Reimbursement Agreement - Sewer Trunk
Patagonia Subdivision No. 1
Oversized Sewer Facilities

DATE: August 29, 2016

REQUEST: **Approve Reimbursement Agreement by Resolution**

Attached hereto is a proposed reimbursement agreement (w/ exhibits) related to over-sizing of sewer facilities by the developer of Patagonia Subdivision. The reimbursement methodology relies on policies adopted by Council in January 21, 2014 (Resolution R09-2014). Total reimbursement is $24,014.11 payable over ten years.

Also attached is a resolution which, if approved, authorizes the Mayor and Clerk to sign the agreement. The City Engineer recommends approval of the resolution.

Attachments

RESOLUTION NO. R57-2016

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $24,014.11 WITH PATAGONIA DEVELOPMENT, LLC.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that the Mayor and Clerk of said city are hereby authorized to execute that certain Agreement titled "Reimbursement Agreement – Patagonia No. 1 Sewer Trunk Project" regarding cost recovery for construction of sewer facilities related to said project and in the amount of twenty-four thousand fourteen dollars and eleven cents ($24,014.11); by and between said city and PATAGONIA DEVELOPMENT, LLC, which Agreement is attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna this 6th day of September, 2016.

APPROVED BY THE MAYOR of Kuna this 6th day of September, 2016.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

REIMBURSEMENT AGREEMENT

Patagonia No. 1 Sewer Trunk Project

THIS AGREEMENT made this _____ day of _____ 2016, by and between the CITY OF KUNA, a municipal corporation, hereinafter called CITY, and PATAGONIA DEVELOPMENT, LLC, hereinafter called DEVELOPER:

WITNESSETH:

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

WHEREAS, on January 21, 2014 CITY adopted Resolution Number R09-2014 outlining the Sewer Facilities Reimbursement Policy for sewer facilities construction conforming to the Kuna Sewer System Master Plan; and

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

WHEREAS, DEVELOPER did construct a sewer system to the property known as, Patagonia Subdivision No. 1 Project, as shown on Exhibit "A," and has requested reimbursement for certain portions of the sewer system; and

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

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

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

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

B. Construction of Sewer System.

(1) DEVELOPER did install, construct and erect the sewer system and appurtenances as shown on Exhibit "A," subject to the conditions hereinafter provided.

(2) DEVELOPER did provide all engineering and surveying and contract administration for the construction of the sewer system described on Exhibit "A."

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

C. Reimbursement to DEVELOPER. In recognition of the fact that DEVELOPER did install, construct and erect a sewer system as shown on Exhibit "A" for the amounts shown in Exhibit "C", CITY shall reimburse to DEVELOPER, as directed in Paragraph M herein, up to twenty-four thousand fourteen dollars and eleven cents ($24,014.11). Reimbursement shall be provided from the funds and in the manner described in the City of Kuna Sewer Facilities Reimbursement Policy attached hereto as Exhibit "B".

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

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

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

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

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

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

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

K. Representations.

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

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

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

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

M. Payments under terms of this agreement are to be made and addressed to: Patagonia Development, LLC; c/o Westpark Company, Inc.; P.O. Box 344; Meridian, Idaho 83680.

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

CITY OF KUNA

_____
MAYOR

ATTEST:

_____
CITY CLERK

PATAGONIA DEVELOPMENT, LLC

_____
Greg Johnson

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, a notary pubic in and for said state, personally appeared _____ known to be to be the _____ of _____, and the person who subscribed said name to the foregoing instrument, and acknowledged to me that they executed the same.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, the undersigned, personally appeared JOE L. STEAR and _____ Mayor and City Clerk respectively of KUNA CITY, a municipal corporation, known to be to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said corporation.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

EXHIBIT "C"
PATAGONIA SEWER COST RECOVERY SUMMARY

Sewer-Onsite Oversized		
Total Recoverable Project Cost	$	19,683.70
Interest (4%)	$	4,330.41
TOTAL COST	$	24,014.11

EXHIBIT "C"

ONSITE SEWER OVERSIZED

ITEM	DESCRIPTION	QTY	UNIT PRICE	% RECOVERY	TOTAL
	Onsite Sewer				
1	21" PVC Sewer Pipe Constructed - Onsite	505	50.30	100.00	25,401.50
2	18" PVC Sewer Pipe Constructed - Onsite	831	40.20	100.00	33,406.20
3	Misc. Fittings - Onsite	1	1992.00	100.00	1,992.00
4	Less Reasonable Duty - Pipe[b]	(384)	50.30	100.00	-19,315.20
5	Less Cost of Pipe Size Needed - 8" [a]	(952)	22.90	100.00	-21,800.80
			TOTAL		**$ 19,683.70**

Note [a] L2 Excavation provided cost for 8-inch sewer.
By Council Policy, Onsite cost recovery limited to portion of cost exceeding cost of needed line size.
[b]Reasonable Duty adjusted to account for estimated shortfall on later phases of project.

EXHIBIT "C"

REASONABLE DUTY - RECOVERY PERCENTAGE

REASONABLE DUTY

Acreage in Phase 1	15.4 acres
Acreage in Later Phases (Not applicable)	0 acres
Interceptor Line Needed per Acre	20 LF
Shortfall from Future Phases	76 LF
Reasonable Duty	384 LF
Interceptor Line Constructed	1336 LF
Net Length Reimbursible	952 LF

OFFSITE RECOVERY PERCENTAGE

Line Size Required	0 inch
Line Size Provided	12 inch
Recovery Percentage per Policy	**100.00 %**

$$p = (1-(D_1/D_2)^2/.75)*100$$

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Reimbursement Agreement – Pressure Irrigation Trunk
Patagonia Subdivision No. 1
Oversized Pressure Irrigation Facilities

DATE: August 29, 2016

REQUEST: **Approve Reimbursement Agreement by Resolution**

Attached hereto is a proposed reimbursement agreement (w/ exhibits) related to over-sizing of pressure irrigation facilities by the developer of Patagonia Subdivision. The reimbursement methodology relies on policies adopted by Council in January 21, 2014 (Resolution R10-2014). Total reimbursement is $22,292.28 payable over ten years.

Also attached is a resolution which, if approved, authorizes the Mayor and Clerk to sign the agreement. The City Engineer recommends approval of the resolution.

Attachments

RESOLUTION NO. R58-2016

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $22,292.28 WITH PATAGONIA DEVELOPMENT, LLC.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that the Mayor and Clerk of said city are hereby authorized to execute that certain Agreement titled "Reimbursement Agreement – Patagonia No. 1 Pressure Irrigation Trunk Project" regarding cost recovery for construction of pressure irrigation facilities related to said project and in the amount of twenty-two thousand two hundred ninety-two dollars and twenty-eight cents ($22,292.28); by and between said city and PATAGONIA DEVELOPMENT, LLC, which Agreement is attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna this 6th day of September, 2016.

APPROVED BY THE MAYOR of Kuna this 6th day of September, 2016.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

REIMBURSEMENT AGREEMENT

Patagonia No. 1 Pressure Irrigation Trunk Project

THIS AGREEMENT made this _____ day of _____ 2016, by and between the CITY OF KUNA, a municipal corporation, hereinafter called CITY, and PATAGONIA DEVELOPMENT, LLC, hereinafter called DEVELOPER:

WITNESSETH:

WHEREAS, CITY has prepared, adopted and updated a Kuna Pressure Irrigation System Master Plan to guide the sizing, elevation and location of pressure irrigation system facility extensions; and

WHEREAS, on January 21, 2014 CITY adopted Resolution Number R10-2014 outlining the Pressure Irrigation Facilities Reimbursement Policy for pressure irrigation facilities construction conforming to the Kuna Pressure Irrigation System Master Plan; and

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

WHEREAS, DEVELOPER did construct a pressure irrigation system to the property known as, Patagonia Subdivision No. 1 Project, as shown on Exhibit "A," and has requested reimbursement for certain portions of the pressure irrigation system; and

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

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

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

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

B. Construction of Pressure Irrigation System.

(1) DEVELOPER did install, construct and erect the pressure irrigation system and appurtenances as shown on Exhibit "A," subject to the conditions hereinafter provided.

(2) DEVELOPER did provide all engineering and surveying and contract administration for the construction of the pressure irrigation system described on Exhibit "A."

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

C. Reimbursement to DEVELOPER. In recognition of the fact that DEVELOPER did install, construct and erect a pressure irrigation system as shown on Exhibit "A" for the amounts shown in Exhibit "C", CITY shall reimburse to DEVELOPER, as directed in Paragraph M herein, up to twenty-two thousand two hundred ninety-two dollars and twenty-eight cents ($22,292.28). Reimbursement shall be provided from the funds and in the manner described in the City of Kuna Pressure Irrigation Facilities Reimbursement Policy attached hereto as Exhibit "B".

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

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

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

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

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

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

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

K. Representations.

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

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

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

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

M. Payments under terms of this agreement are to be made and addressed to: Patagonia Development, LLC; c/o Westpark Company, Inc.; P.O. Box 344; Meridian, Idaho 83680.

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

CITY OF KUNA

_____
MAYOR

ATTEST:

_____
CITY CLERK

PATAGONIA DEVELOPMENT, LLC

_____
Greg Johnson

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, a notary pubic in and for said state, personally appeared _____ known to be to be the _____ of _____, and the person who subscribed said name to the foregoing instrument, and acknowledged to me that they executed the same.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, the undersigned, personally appeared JOE L. STEAR and _____ Mayor and City Clerk respectively of KUNA CITY, a municipal corporation, known to be to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said corporation.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

EXHIBIT "C"

PATAGONIA PRESSURE IRRIGATION COST RECOVERY SUMMARY

Pressure Irrigation-Onsite Oversized		
Total Recoverable Project Cost	$	18,272.36
Interest (4%)	$	4,019.92
TOTAL COST	$	22,292.28

EXHIBIT "C"

ONSITE PRESSURE IRRIGATION OVERSIZED

ITEM	DESCRIPTION	QTY	UNIT PRICE	% RECOVERY	TOTAL
	ONSITE PRESSURE IRRIGATION				
1	12" PVC PIRR Main Constructed - Onsite	1040	21.70	100.00	22,568.00
2	10" PVC PIRR Main Constructed - Onsite	985	18.20	100.00	17,927.00
3	12" Gate Valves - Onsite	5	2020.00	100.00	10,100.00
4	10" Gate Valves - Onsite	3	1490.00	100.00	4,470.00
5	Misc. Fittings - Onsite	1	3773.00	100.00	3,773.00
6	Less Reasonable Duty - Pipe[b]	(689)	21.70	100.00	-14,951.30
7	Less Reasonable Duty - Gate Valves[b]	(689)	7.20	100.00	-4,960.80
8	Less Reasonable Duty - Fittings[b]	(689)	1.86	100.00	-1,281.54
9	Less Cost of Pipe Size Needed - 8" [a]	(1336)	14.50	100.00	-19,372.00
			TOTAL		**$ 18,272.36**

Note [a] L2 Excavation provided cost for 8-inch PIRR Main.
By Council Policy, Onsite cost recovery limited to portion of cost exceeding cost of needed line size.
[b]Reasonable Duty adjusted to account for estimated shortfall on later phases of project.

EXHIBIT "C"
REASONABLE DUTY

Acreage in Phase 1	15.4 acres
Acreage in Later Phases (Not applicable)	0 acres
Interceptor Line Needed per Acre	33 LF
Shortfall from Future Phases	181 LF
Reasonable Duty	689 LF
Interceptor Line Constructed	2025 LF
Net Length Reimbursible	1336 LF

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Reimbursement Agreement – Irrigation Pump Station
Patagonia Subdivision No. 1
Oversized Irrigation Pump Station Facilities

DATE: August 29, 2016

REQUEST: **Approve Reimbursement Agreement by Resolution**

Attached hereto is a proposed reimbursement agreement (w/ exhibits) related to over-sizing of irrigation pump station facilities by the developer of Patagonia Subdivision. The reimbursement methodology relies on policies adopted by Council in January 21, 2014 (Resolution R10-2014). Total reimbursement is $345,826.45 payable over ten years.

Also attached is a resolution which, if approved, authorizes the Mayor and Clerk to sign the agreement upon completion of all punch list items[1]. The City Engineer recommends approval of the resolution.

Attachments

[1] *At the time of preparation of these documents for submittal to Council, the City Engineer was awaiting completion of start-up and installation of an adequately sized power transformer.*

RESOLUTION NO. R59-2016

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $345,826.45 WITH PATAGONIA DEVELOPMENT, LLC.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that the Mayor and Clerk of said city are hereby authorized to execute that certain Agreement titled "Reimbursement Agreement – Patagonia No. 1 Pressure Irrigation Pump Station Project" regarding cost recovery for construction of irrigation pump station facilities related to said project and in the amount of three hundred forty-five thousand eight hundred twenty-six dollars and forty-five cents ($345,826.45); by and between said city and PATAGONIA DEVELOPMENT, LLC; upon completion of all punch list items; which Agreement is attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna this 6th day of September, 2016.

APPROVED BY THE MAYOR of Kuna this 6th day of September, 2016.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

REIMBURSEMENT AGREEMENT

Patagonia No. 1 Pressure Irrigation Pump Station Project

THIS AGREEMENT made this _____ day of _____ 2016, by and between the CITY OF KUNA, a municipal corporation, hereinafter called CITY, and PATAGONIA DEVELOPMENT, LLC, hereinafter called DEVELOPER:

WITNESSETH:

WHEREAS, CITY has prepared, adopted and updated a Kuna Pressure Irrigation System Master Plan to guide the sizing, elevation and location of pressure irrigation system facility extensions; and

WHEREAS, on January 21, 2014 CITY adopted Resolution Number R10-2014 outlining the Pressure Irrigation Facilities Reimbursement Policy for pressure irrigation facilities construction conforming to the Kuna Pressure Irrigation System Master Plan; and

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

WHEREAS, DEVELOPER did construct a pressure irrigation pump station system to the property known as, Patagonia Subdivision No. 1 Project, as shown on Exhibit "A," and has requested reimbursement for certain portions of the pressure irrigation pump station system; and

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

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

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

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

B. Construction of Pressure Irrigation Pump Station System.

(1) DEVELOPER did install, construct and erect the pressure irrigation pump station system and appurtenances as shown on Exhibit "A," subject to the conditions hereinafter provided.

(2) DEVELOPER did provide all engineering and surveying and contract administration for the construction of the pressure irrigation pump station system described on Exhibit "A."

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

C. Reimbursement to DEVELOPER. In recognition of the fact that DEVELOPER did install, construct and erect a pressure irrigation pump station system as shown on Exhibit "A" for the amounts shown in Exhibit "C", CITY shall reimburse to DEVELOPER, as directed in Paragraph M herein, up to three hundred forty-five thousand eight hundred twenty-six dollars and forty-five cents ($345,826.45). Reimbursement shall be provided from the funds and in the manner described in the City of Kuna Pressure Irrigation Facilities Reimbursement Policy attached hereto as Exhibit "B".

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

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

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

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

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

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

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

K. Representations.

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

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

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

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

M. Payments under terms of this agreement are to be made and addressed to: Patagonia Development, LLC; c/o Westpark Company, Inc.; P.O. Box 344; Meridian, Idaho 83680.

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

CITY OF KUNA

_____
MAYOR

ATTEST:

_____
CITY CLERK

PATAGONIA DEVELOPMENT, LLC

_____
Greg Johnson

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, a notary pubic in and for said state, personally appeared _____ known to be to be the _____ of _____, and the person who subscribed said name to the foregoing instrument, and acknowledged to me that they executed the same.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, the undersigned, personally appeared JOE L. STEAR and _____ Mayor and City Clerk respectively of KUNA CITY, a municipal corporation, known to be to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said corporation.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

EXHIBIT "C"

PATAGONIA PIRR PUMP STATION COST RECOVERY SUMMARY

PIRR Station Oversized		
Total Recoverable Project Cost	$	283,464.31
Interest (4%)	$	62,362.15
TOTAL COST	$	345,826.45

EXHIBIT "C"

PIRR STATION OVERSIZED

ITEM	DESCRIPTION	QTY	UNIT PRICE	%[a] RECOVERY	TOTAL
	PIRR Station				
1	18" GIRR Main	1376	34.10	76.56	35,923.18
2	4 x 4 GIRR Box	8	3,080.00	76.56	18,864.38
3	18" CMP apron & rip-rap	2	1,790.00	76.56	2,740.85
4	Pond Excavation	1	23,952.00	76.56	18,337.65
5	Pond Liner	1	40,000.00	76.56	30,624.00
6	Perimeter Fencing	1	9,800.00	76.56	7,502.88
7	Pump Station Wet Well	1	5,040.00	76.56	3,858.62
8	Pump Station Screen Box	1	23,400.00	76.56	17,915.04
9	PI Pump Station	1	167,000.00	76.56	127,855.20
10	Design[b]	1		76.56	19,842.50
			TOTAL		**$ 283,464.31**

Note [a]By Council Policy, Offsite cost recovery limited to portion of cost exceeding cost of needed line size.
[b]By Council Policy, Design cost for Offsite Water is limited to 7% of constructed cost.

EXHIBIT "C"

REASONABLE DUTY - RECOVERY PERCENTAGE

REASONABLE DUTY

Acreage in Phase 1	15.4 acres
Acreage in Later Phases (Not Applicable)	0 acres
Interceptor Line Needed per Acre	33 LF
Reasonable Duty	508 LF
Interceptor Line Constructed	2025 LF
Net Length Reimbursible	1517 LF

RECOVERY PERCENTAGE

Project Acreage	150 acres
Pump Station Service Area	640 acres
Recovery Percentage per Policy	**76.56 %**
$p = (1-(A_1/A_2))*100$	

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Reimbursement Agreement – Sewer Lift Station
Patagonia Subdivision No. 1
Oversized Sewer Lift Station Facilities

DATE: August 29, 2016

REQUEST: **Approve Reimbursement Agreement by Resolution**

Attached hereto is a proposed reimbursement agreement (w/ exhibits) related to over-sizing of sewer lift station facilities by the developer of Patagonia Subdivision. The reimbursement methodology relies on policies adopted by Council in January 21, 2014 (Resolution R09-2014). Total reimbursement is $661,920.73 payable over ten years.

Also attached is a resolution which, if approved, authorizes the Mayor and Clerk to sign the agreement upon completion of all punch list items[1]. The City Engineer recommends approval of the resolution.

Attachments

[1]*At the time of preparation of these documents for submittal to Council, the City Engineer was awaiting completion of start-up.*

RESOLUTION NO. R60-2016

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF $661,920.73 WITH PATAGONIA DEVELOPMENT, LLC.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that the Mayor and Clerk of said city are hereby authorized to execute that certain Agreement titled "Reimbursement Agreement – Patagonia No. 1 Sewer Lift Station Project" regarding cost recovery for construction of sewer lift station facilities related to said project and in the amount of six hundred sixty-one thousand nine hundred twenty dollars and seventy-three cents ($661,920.73); by and between said city and PATAGONIA DEVELOPMENT, LLC; upon completion of all punch list items; which Agreement is attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna this 6th day of September, 2016.

APPROVED BY THE MAYOR of Kuna this 6th day of September, 2016.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

REIMBURSEMENT AGREEMENT

Patagonia No. 1 Sewer Lift Station Project

THIS AGREEMENT made this _____ day of _____ 2016, by and between the CITY OF KUNA, a municipal corporation, hereinafter called CITY, and PATAGONIA DEVELOPMENT, LLC, hereinafter called DEVELOPER:

WITNESSETH:

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

WHEREAS, on January 21, 2014 CITY adopted Resolution Number R09-2014 outlining the Sewer Facilities Reimbursement Policy for sewer facilities construction conforming to the Kuna Sewer System Master Plan; and

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

WHEREAS, DEVELOPER did construct a sewer lift station system to the property known as, Patagonia Subdivision No. 1 Project, as shown on Exhibit "A," and has requested reimbursement for certain portions of the sewer lift station system; and

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

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

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

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

B. Construction of Sewer Lift Station System.

(1) DEVELOPER did install, construct and erect the sewer lift station system and appurtenances as shown on Exhibit "A," subject to the conditions hereinafter provided.

(2) DEVELOPER did provide all engineering and surveying and contract administration for the construction of the sewer lift station system described on Exhibit "A."

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

C. Reimbursement to DEVELOPER. In recognition of the fact that DEVELOPER did install, construct and erect a sewer lift station system as shown on Exhibit "A" for the amounts shown in Exhibit "C", CITY shall reimburse to DEVELOPER, as directed in Paragraph M herein, up to six hundred sixty-one thousand nine hundred twenty dollars and seventy-three cents ($661,920.73). Reimbursement shall be provided from the funds and in the manner described in the City of Kuna Sewer Facilities Reimbursement Policy attached hereto as Exhibit "B".

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

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

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

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

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

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

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

K. Representations.

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

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

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

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

M. Payments under terms of this agreement are to be made and addressed to: Patagonia Development, LLC; c/o Westpark Company, Inc.; P.O. Box 344; Meridian, Idaho 83680.

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

CITY OF KUNA

_____
MAYOR

ATTEST:

_____
CITY CLERK

PATAGONIA DEVELOPMENT, LLC

_____
Greg Johnson

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, a notary pubic in and for said state, personally appeared _____ known to be to be the _____ of _____, and the person who subscribed said name to the foregoing instrument, and acknowledged to me that they executed the same.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, the undersigned, personally appeared JOE L. STEAR and _____ Mayor and City Clerk respectively of KUNA CITY, a municipal corporation, known to be to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said corporation.

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

_____
Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

EXHIBIT "C"

PATAGONIA LIFT STATION COST RECOVERY SUMMARY

Lift Station Oversized		
Total Recoverable Project Cost	$	542,557.98
Interest (4%)	$	119,362.76
TOTAL COST	$	661,920.73

EXHIBIT "C"

LIFT STATION OVERSIZED

ITEM	DESCRIPTION	QTY	UNIT PRICE	%[a] RECOVERY	TOTAL
	Lift Station				
1	Connect to Existing	1	4990.00	68.67	3,426.63
2	8" C900 Force Main	6415	20.20	68.67	88,984.65
3	Misc Fittings	1	13,400.00	68.67	9,201.78
4	Sewer Clean-out	13	6,640.00	68.67	59,275.94
5	Hwy 69 Bore	160	341.00	68.67	37,466.35
6	Type P Pavement Repair	29450	4.50	68.67	91,004.92
7	Traffric Control	1	6,300.00	68.67	4,326.21
8	ACHD Permit	1	3,610.00	68.67	2,478.99
9	Air Release Assembly	4	5,980.00	68.67	16,425.86
10	Culvert Crossing	1	700.00	68.67	480.69
11	Sewer Lift Station	1	294000.00	68.67	201,889.80
12	Deduct Initial Pumps	(1)	15120.00	68.67	-10,382.90
13	Design[b]			68.67	37,979.06
			TOTAL		**$ 542,557.98**

Note [a]By Council Policy, Offsite cost recovery limited to portion of cost exceeding cost of needed facility.
[b]By Council Policy, Design cost for Offsite facilities is limited to 7% of constructed cost.

EXHIBIT "C"

REASONABLE DUTY - RECOVERY PERCENTAGE

REASONABLE DUTY

Acreage in Phase 1	15.4 acres
Acreage in Later Phases (Not applicable)	0 acres
Interceptor Line Needed per Acre	20 LF
Reasonable Duty	308 LF
Interceptor Line Constructed	1336 LF
Net Length Reimbursible	1028 LF

RECOVERY PERCENTAGE

Project EDUs	470 EDUs
Lift Station Design EDUs	1500 EDUs
Recovery Percentage per Policy	**68.67 %**
$p = (1-(A_1/A_2))*100$	

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov
Phone: (208) 577-8794
Fax: (208) 922-5816
Email: bbachman@kunaid.gov

Bob Bachman, BOC 1, IBC
Facilities Director
City of Kuna

MEMO

Date: September 2, 2016

From: Bob Bachman, Facilities Director

To: City Council

RE: Update on City Hall

Construction/Project update:

- Project is still on schedule
- Project is within budget
- Currently working on flooring and will finish in the next week
- Upcoming work will be to start the finish carpentry

Everything is going smoothly at this point with no surprises.

RESOLUTION NO. R62-2016

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE IDAHO HUMANE SOCIETY TO PROVIDE ANIMAL CONTROL SERVICES WITHIN THE CITY OF KUNA, IDAHO FOR THE FISCAL YEAR OCTOBER 1, 2016 TO SEPTEMBER 30, 2017

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho that the Mayor of the City is hereby authorized to execute the contract with the Idaho Humane Society to provide animal control services in the City of Kuna for the fiscal year commencing October 1, 2016 and ending September 30, 2017 pursuant to the terms of said contract.

PASSED BY THE COUNCIL of Kuna, Idaho this 6th day of September 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this 6th day of September 2016.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

SERVICE AGREEMENT FOR ANIMAL CONTROL SERVICES BETWEEN CITY OF KUNA AND THE IDAHO HUMANE SOCIETY

This agreement is made and entered into this ___ day of September 2016, by and between the City of Kuna, hereinafter referred to as "City," and the Idaho Humane Society, Inc., hereinafter referred to as "Humane Society."

WHEREAS, the City desires to provide animal control services in the community to protect the community's health and welfare and to assure that the animals are maintained consistent with the provisions of the City Code; and,

WHEREAS, the City recognizes the Humane Society as having the necessary qualifications and capabilities to provide a full range of animal control services to the community for many years.

WITNESSETH:

In consideration of the terms and conditions contained herein, the parties agree as follows:

1. Period of Agreement. This agreement shall cover a one-year period beginning the 1st day of October 2016, and ending the 30th day of September 2017.

2. Animal Control Enforcement. The Humane Society shall be the City's Animal Control Contractor and shall be responsible for the enforcement of all animal regulatory ordinances of the City Code, except as otherwise agreed in writing by the parties to this agreement. In carrying out this responsibility, the Humane Society shall:

    a. Provide timely animal control services within the City limits including investigating complaints, responding to calls for service, patrol (as time is available), issuing citations to suspected violators and following through in court when subpoenaed, apprehending and impounding stray animals and other animals as required in the City Code, picking up dead or injured animals within the road right-of-way in the City limits and other services as appropriate.
    b. Holding, preparing records regarding, and providing disposition of impounded animals, consistent with City Code requirements and Humane Society goals.
    c. Providing other services designed to support the goal of responsible animal ownership in Kuna including, but not limited to public information, acting as the City's expert consultant regarding legislation and other matters regarding animal control in the community.
    d. The Humane Society shall be the agent of the City in enforcing Title 10, Chapter 3 of the City Code and pertinent provisions of the Idaho Code relating to animal cruelty and animal control. The Humane Society shall be responsible for selecting and training qualified officers and employees to carry out these services. The Humane

Society will coordinate their animal control services with City officials, especially regarding licensing and citations as appropriate.

e. Provide the City with a monthly update related to calls for service, citations issued and animals impounded.

3. Compensation and Payment. The City agrees to pay the Humane Society for animal control services provided within City limits during the period of this contract. Compensation to the Idaho Humane Society for Animal Control Services for FY 16/17 (October 1, 2016 through September 30, 2017), shall be $61,465, payable in twelve equal installments, beginning in October 2016. Fees will be adjusted annually based on population changes, level of service calls and cost increases.

The Humane Society agrees to collect licensing fees and other payments as required in the Municipal Code and to effect disposition of all fees so collected as required in the Kuna City Code back to the City. The Humane Society agrees to provide a monthly accounting of all fees received and dispersed to the City.

4. Compliance with Laws. The Humane Society shall undertake a continuing program of monitoring to ensure compliance with all applicable Federal, State, and City laws, regulations, ordinances, as well as directives of the designated City liaison to ensure safe and efficient operations and to safeguard funds made available to the Humane Society by the City.

5. Indemnification. The Humane Society shall indemnify and save and hold harmless City from and for any losses, claims, actions, judgment for damages, or injury to persons or property and losses and expenses caused or incurred by the Humane Society, its servants, agents, employees, guests, and business invitees, in the performance of this Agreement, and not caused by or arising out of the tortuous conduct of City or its employees. In addition, Humane Society shall maintain, and specifically agrees that it will maintain throughout the term of this Agreement, liability insurance in which City shall be a named insured in the minimum amount as specified in the Idaho Tort Claims Act set forth in Title 6, Chapter 9 of the Idaho Code. The limits of insurance shall not be deemed a limitation of the covenants to indemnify and save and hold harmless City; and if City becomes liable for an amount in excess of the insurance limits, herein provided, the Humane Society covenants and agrees to indemnify and save and hold harmless City from and for all such losses, claims, actions, or judgments for damages or liability to persons or property. The Humane Society shall provide City with a Certificate of Insurance or other proof of insurance evidencing the Humane Society's compliance with the requirements of this paragraph and file such proof of insurance with the City Clerk. The Humane Society shall provide proof of insurance for workers compensation in the statutory limits as requested by the State of Idaho. In the event the insurance minimums of the Idaho Tort Claims Act are changed, the Humane Society shall immediately submit proof of compliance with the changed limits.

6. Humane Society to be Independent Contractor. The parties hereto agree and understand that neither the Humane Society, nor any person performing the requirements of this

contract on behalf of the Humane Society, are employees of City. It is further understood that the relationship between the City and the Humane Society is that of principal-independent contractor, respectively, and nothing herein shall be construed to be inconsistent with the relationship.

7. Accounting and Documentation. The Humane Society will account for Animal Control Services separately from other functions or political subdivisions and will assure all documents (invoices, vouchers, payrolls, etc.) identify Animal Control costs. Humane Society will make all accounting information and supporting documents available to the City representative upon request.

8. Changes in Conditions. The Humane Society will inform the City in a timely manner of any changes in conditions that may significantly affect City Animal Control Services provided by Humane Society or associated costs.

9. Use and Maintenance of Animal Control Vehicles. The Humane Society will provide the animal control vehicles and collision insurance thereon, for use by the Humane Society in performing official duties under this Agreement.

10. Technical Assistance. The City will provide the Humane Society, upon request, with technical assistance if available to help in assuring the administrative system is adequate and responsive and that services are appropriate and consistent with City funded services in this contract.

11. Public Education. The Humane Society will foster sound, humane practices by owners in support of the purposes of this contract through good public relations techniques consistent with the provisions of this contract.

12. Annual Recommendations. The Humane Society will provide the City with recommendations for needed changes in City Animal Control Policy, including fees, licenses, and regulator ordinances.

13. Assignments. The Humane Society shall not assign, transfer or sublet any of its obligations or any monies due to or provided for under this Agreement without first obtaining written consent of the City.

14. Contract Amendment. This contract may be amended at any time by mutual agreement of the parties. Before any amendment is valid, it must first be reduced to writing and signed by both parties.

15. Severability. Should any term, provision, or paragraph of the contract be held in a court of law to be invalid, it is recognized by the parties herein that said terms, provisions or paragraph so held invalid may be stricken and the remainder continues in effect.

16. Default. If City is compelled to incur any expenses including reasonable attorney's fees in instituting and prosecuting any action or proceeding by reason of any default of Humane Society here under, the sum or sums so paid by City with all interest, costs and damages shall be deemed to be additional sums hereunder and shall be due from Humane Society to City on the first day of the month following the incurring of such respective

expenses. This provision shall be deemed to be a separate contract between the City and the Humane Society and shall survive any default, termination, or forfeiture of this contract.

17. Representatives of the Humane Society and the City. The Chief Executive Officer and Chief Financial Officer of the Humane Society are the representatives of the Humane Society for all provisions related to this contract. All contracts related to the provision of this contract shall be made through or coordinated with the Chief Executive Officer or Chief Financial Officer. The Mayor shall designate the City's staff representative for administering the provisions of this Agreement. Other authorized individuals may represent the City upon submittal of written designation by the Mayor to the Humane Society.

DATED this ___ day of September, 2016

APPROVED:

CITY OF KUNA
ADA COUNTY, IDAHO

_____
JOE L. STEAR
MAYOR

IDAHO HUMANE SOCIETY, INC.
ADA COUNTY, IDAHO

_____
JEFF ROSENTHAL, DVM
CHIEF EXECUTIVE OFFICER

ATTEST:

_____
CITY CLERK/TREASURER (seal)

STATE OF IDAHO)
: ss.
COUNTY OF ADA)

On this _____ day of September, 2016, before the undersigned notary public in and for the said state, personally appeared, Joe Stear, Mayor, City of Kuna, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that he or she executed the same.

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

_____
Notary Public for Idaho

Residing at:_____

My Commission Expires:_____

STATE OF IDAHO)
: ss.
COUNTY OF ADA)

On this _____ day of September, 2016, before the undersigned notary public in and for the said state, personally appeared, Jeff Rosenthal, Chief Executive Officer of the Idaho Humane Society, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that he or she executed the same.

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

_____
Notary Public for Idaho

Residing at:_____

My Commission Expires:_____

RESOLUTION NO. R63-2016
CITY OF KUNA, IDAHO

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BY AND BETWEEN THE CITY O KUNA AND THE NAMPA MERIDIAN IRRIGATION DISTRICT.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho that the Mayor of the City is hereby authorized to execute the *AGREEMENT BY AND BETWEEN THE CITY OF KUNA AND THE NAMPA AND MERIDIAN IRRIGATION District*, as attached hereto and made a part hereof, as Exhibit A.

PASSED BY THE COUNCIL of Kuna, Idaho this ___day of September 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this ___ day of September 2016.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

AGREEMENT BY AND BETWEEN THE CITY OF KUNA AND NAMPA & MERIDIAN IRRIGATION DISTRICT

THIS AGREEMENT, made and entered into this _____ day of _____, 2016, by and between THE CITY OF KUNA, a municipal corporation, and NAMPA & MERIDIAN IRRIGATION DISTRICT, an irrigation district organized and existing under the laws of the State of Idaho.

WITNESSETH:

WHEREAS, the City of Kuna may annex certain lands within the city limits of the City of Kuna into the City of Kuna Municipal Irrigation District;

WHEREAS, certain lands that may be annexed by the City of Kuna are located within Nampa & Meridian Irrigation District;

WHEREAS, under the terms of Idaho Code §50-1801 *et al*, the City of Kuna and Nampa & Meridian Irrigation District may enter into an agreement whereby the City of Kuna will assume the duty of distribution of irrigation water to certain lands located within the City of Kuna and may act as agent of Nampa & Meridian Irrigation District to collect assessments or charges of Nampa & Meridian Irrigation District;

WHEREAS, the City of Kuna and Nampa & Meridian Irrigation District wish to enter into an agreement as specified in Idaho Code §50-1801 *et al*.

NOW, THEREFORE, the parties agree as follows:

1. **DEFINITIONS.** In this Agreement certain words appear which have the following meaning:

   "annex" means include by Ordinance Corporate City of Kuna lands into Kuna Municipal Irrigation District.

   "City" means the City of Kuna.

   "District" means Nampa & Meridian Irrigation District.

   "canal" means a District canal.

   "lateral" means a District lateral.

"lateral ditch" means a lateral or pipe subject to the control or jurisdiction of the City, a private party or some person or entity other than the District.

"point of delivery" means a head gate and a weir or other measuring device (which are part of District's irrigation system) and marks the point where irrigation water is delivered by a canal or lateral to a lateral ditch and where the responsibilities of District end.

"System" means the Kuna City Municipal Irrigation System.

2. RESPONSIBILITIES OF DISTRICT. It is the general intent of the parties that the duties and responsibilities of District to deliver water shall remain the same under the terms of this Agreement as prior to the creation of the System.

3. DELIVERY BY BOARD OF CONTROL. District does not make delivery of the irrigation water on the lands which will be subject to this Agreement. These lands receive delivery of irrigation water by the Boise Project Board of Control which is a gravity flow delivery agent of District.

4. DELIVERY OF WATER. District shall deliver quantities of water at such points of delivery from time to time during the irrigation season for distribution upon lands entitled to the use thereof within the System**,** such lands being all lands within the System as such boundaries now exist or as may be modified hereafter, served by the District canals or laterals. Water from District canals or laterals shall be received into lateral ditches at the various points of delivery now existing and any to be created in the future.

5. MAINTENANCE. District shall be responsible for the maintenance and operation of its canals and laterals and City shall be responsible for the maintenance and operation of the pressurized irrigation system with the System. Neither party shall be obligated or permitted to maintain, operate or interfere with the canals, laterals or lateral ditches of the other nor shall City adjust or otherwise interfere with District's head gate and measuring devices at points of delivery. No compensation from one party to the other for maintenance or operation shall be made. The District shall not be responsible for operation, distribution or maintenance functions for any lateral ditches, beyond any District points of delivery, which carry District water into, from or through such annexed lands.

6. ASSESSMENTS. City agrees with District to act as agent of District to collect all assessments and charges which District shall levy upon the land which lies within the System

and which is also within the boundaries of the District, and City is empowered to collect, or to contract for the collection of such assessments and charges. For purposes of levy and collection of District's assessments and charges, City shall be deemed a single landowner served by District's irrigation system and subject to the provisions of Idaho Code §43-701 *et al* and District's assessment practices with respect to notice of levy, payment of levy, delinquent payments and the like.

All lands within the System which are also within the District's boundaries shall be combined on District's books of account to a single account in the name of City which shall be subject to a single assessment expense charge. City shall enter District's assessment to City upon city's assessment roll in a manner as provided by law and as City otherwise sees fit. The concept of City as a single landowner and City's consequent obligation to make its assessment payments to District when due notwithstanding, District does not by this Agreement waive any of its rights under law to enforce delinquent assessment payments from individual lands within the System which are also within the District's boundaries.

Following the annexation of lands into the System, the City shall begin collecting District assessments and charges upon the lands only following the first date of notice of levy by District. District shall retain the duty to collect District assessments and charges for lands which are within the Kuna City Municipal Irrigation District until the first date of notice of levy following annexation. Levy and collection of assessments shall by District from City be in accordance with Idaho Code Chapter 7, Title 43 and Idaho Code Chapter 50 Title 18.

7. PAYMENT. Payment by City of assessment to District shall be made on a twice yearly basis in accordance with the requirements of Idaho Code §43-707 to be made no later than December 20th of each year for one-half (1/2) of the assessment and no later than June 20th for the remaining one-half (1/2) of the assessment. City shall be responsible for its own costs, commissions or compensation for collecting assessments and making payment to District. Such costs of City will not be included in District's assessments or charges for each year.

8. ANNUAL NOTICE. On or before August 31, annually, City shall provide a copy of any ordinance of City by which City annexes land to the System. District agrees to furnish annually to City information reasonably necessary to permit City to prorate levies and assessments of District to the individual landowners within the System and District's boundaries.

9. EXAMINATION OF ASSESSMENT ROLLS. City shall have the right at

reasonable time to examine the assessment rolls of District covering land within the System and also within District, and District shall have the right at all reasonable time to examine the assessment rolls of City covering such land.

10. RENEGOTIATION OR TERMINATION. This Agreement shall be in full force and effect for the 2017 irrigation season and from year to year thereafter with the right in either party to reopen this contract for renegotiation of any of the terms thereof and with the authority of either party to terminate this contract, but such renegotiation or termination shall be pursuant to thirty (30) day written notice from the party desiring to renegotiate or terminate to the other party. It is specifically provided, however, that in the event of the termination of this Agreement it shall thereafter continue in force and effect as to the assessments and charges of District levied by District during the term of the Agreement and until the payment of such assessments and charges by the City to District.

11. ENTIRE AGREEMENT. This Agreement contains the entire agreement between the parties hereto with respect to the subject matter of this Agreement.

12. GOVERNING LAW. This Addendum shall be construed under, and governed by, the laws of the State of Idaho.

13. BINDING EFFECT. This Agreement shall bind the parties hereto and their respective heirs, personal representatives, successors and assigns.

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IN WITNESS WHEREOF, District has hereunto caused its name to be subscribed by its officers first hereunto duly authorized by resolution of its Board of Directors, and City has hereunto caused its name to be subscribed by its officers first hereunto duly authorized by resolution of its Council, this _____ day of _____, 2016.

NAMPA & MERIDIAN IRRIGATION DISTRICT

By_____
President

ATTEST:

_____
Secretary

CITY OF KUNA

By_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

STATE OF IDAHO)
) ss:
County of Canyon)

On this _____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ and _____, known to me to be the President and Secretary, respectively, of NAMPA & MERIDIAN IRRIGATION DISTRICT, the irrigation district that

executed the foregoing instrument and acknowledged to me that such irrigation district executed the same.

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

_____
Notary Public for Idaho
Residing at _____,
Idaho

My Commission Expires:_____

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

On this _____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared JOE L. STEAR and CHRIS ENGELS, known to me to be the Mayor and City Clerk of the City of Kuna, Idaho, who executed the within instrument, and acknowledged to me that the City of Kuna executed the same.

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

_____
Notary Public for the State of Idaho
Residing at _____, Idaho
My commission expires: _____

ORDINANCE NO. 2016-29

AN ORDINANCE AMENDING KUNA CITY CODE 1-4-1 SETTING FORTH SEPARATE PARAGRAPHS FOR THE OFFENSES OF INFRACTION AND MISDEMEANOR PENALTIES; PROVIDING FOR A SEVERANCE CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article XII, Section 2 of the Idaho Constitution and Idaho Code §50-302 allow municipal corporations to adopt regulations which are not contrary to the general laws.

BE IT ORDAINED by the Mayor and Council of the City of Kuna, Idaho as follows:

Section 1. Title 1, Chapter 16 shall be amended as follows

1-4-1: - GENERAL PENALTIES:

Infraction: A violation of any provision of this code declared to be an infraction shall be punishable by a fine as provided for in the specific section of the Kuna City Code. For infractions where the fine is not provided, the fine shall be twenty-five dollars ($25.00) plus court costs.

Misdemeanor: A violation of any provision of this code declared to be a misdemeanor is punishable by a fine not to exceed one thousand dollars ($1,000.00) for any offense and such person may be confined in jail for a period of not more than six (6) months. Either or both such fine and imprisonment may be imposed; and in addition thereto, any person so convicted shall pay such costs as the court may assess.

Section 2. This ordinance shall become effective after its adoption and publication as required by law.

Adopted this ____ day of September 2016.

CITY COUNCIL OF THE CITY OF KUNA
Ada County, Idaho

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

ORDINANCE NO. 2016-

AN ORDINANCE AMENDING KUNA CITY CODE 1-4-1 SETTING FORTH SEPARATE PARAGRAPHS FOR THE OFFENSES OF INFRACTION AND MISDEMEANOR PENALTIES; PROVIDING FOR A SEVERANCE CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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1-4-1: - GENERAL PENALTIES~~Y~~:

Infraction: A violation of any provision of this code declared to be an infraction shall be punishable by a fine as provided for in the specific section of the Kuna City Code. For infractions where the fine is not provided, the fine shall be twenty-five dollars ($25.00) plus court costs.

Misdemeanor: A ~~Unless otherwise declared to be an infraction, a~~ violation of any provision of this code ~~is~~ declared to be a misdemeanor ~~and a violator m~~is punishable by ~~ay b~~a fine ~~e fined in a sum n~~not to exceed one thousand dollars ($1,000.00) for any offense and such person may be confined in jail for a period of not more than six (6) months. Either or both such fine and imprisonment may be imposed; and in addition thereto, any person so convicted shall pay such costs as the court may assess.

Section 2. This ordinance shall become effective after its adoption and publication as required by law.

Adopted this ____ day of September 2016.

CITY COUNCIL OF THE CITY OF KUNA

Ada County, Idaho

_____
Joe Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

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