



CITY OF NAMPA
Regular Council Meeting – AMENDED AGENDA
February 21, 2023
City Hall – 411 Third Street South
Livestreaming at <https://livestream.com/cityofnampa>
Regular Council – 5:30 PM
Public Hearings – 6:00 PM*

Call to Order and Pledge to Flag

Invocation

Roll Call

Proposed Amendments to Agenda

Adoption of Agenda (Action Item)

(1) Consent Agenda (Action Items)

All matters listed within the Consent Agenda are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests in which case the item will be removed from the Consent Agenda and placed on the Regular Agenda.

- 1-1. Minutes
 - a. Regular Council Meeting – February 6, 2023
 - b. Joint Special Council Meeting (City Council & Nampa Development Corporation) – February 2, 2023
 - c. Planning & Zoning Commission – January 24, 2023
 - d. Bicycle & Pedestrian Advisory Committee – January 12, 2023
 - e. Airport Commission – January 9, 2023
 - f. Council on Aging – January 10, 2023
- 1-2. The City Council dispenses with the three (3) reading rule of Idaho code § 50-902 for all ordinances
- 1-3. Authorize Public Hearings
 - a. Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district and potential development agreement for 905 Midland Blvd (a 1.33 acre parcel #R3136000000 located in the SE ¼ of Section 17, T3N, R2W, BM, Nampa), for Blake Wolf, representing Lance & Racheal Givens (ANN-00264-2022). Original Concept: Annex for a future subdivision to 2-unit townhomes in 6 buildings - for a total of 12 units. To be considered by City Council on March 6, 2023.
 - b. Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district and potential development agreement for 0, 0, & 1121 Southside Blvd (Parcels #R3230700000, R3230800000, R3230701000, totaling 3.39 acres and located in the NE ¼ of Section 35, T3N, R2W, BM, Nampa), for Centurion Engineers, representing Francis Pearce (ANN-00259-2022). Original Concept: Annex all three parcels for a subdivision to be applied for at a future date. To be considered by City Council on March 6, 2023.



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- c. Vacation of a .861 acre portion of an existing utility easement at 1510 N Happy Valley Rd. (parcel #R3050400000) a 50' by 1812.16' easement described in detail in a legal description found at the Nampa Planning & Zoning office; located in the NE 1/4 of the SW 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM); for Gardner Nampa Gateway LC (VAC-00059-2023). Original Concept: Vacate easement not vacated with right-of-way vacation, in preparation for future development of the area. To be considered by City Council on March 6, 2023.

1-4. Authorization for Execution of Contracts and Agreements

- a. Authorize Mayor and Public Works Director to sign Task Order with J-U-B Engineers, Inc. to provide survey, design and engineer of record services for the Annual Irrigation Replacement FY24 project in the amount of \$118,900.00 (T&M NTE). (Approved in FY23 Budget)
- b. Authorize Mayor and Public Works Director to sign Task Order for attached scope of work between the City of Nampa and J-U-B Engineers, Inc. for the Zone C Sewer Rehab FY24 (Design) project in the amount of \$198,028 (T&M NTE). (Approved in FY23 Budget)
- c. Authorize Mayor to sign Professional Services Agreement, as required by the FAA for AIP-38 grant funding, with J-U-B Engineers, Inc., in the amount of \$98,930.00, for engineering assistance. (Approved in FY23 Budget) (Approved by Legal)

1-5. Monthly Cash Report

- a. January 2023

1-6. Formal Findings

- a. Formal Findings for Denial of the Annexation and Zoning to BC (Community Business) zoning district for 4.69 acres addressed as 2522 & 2508 N Middleton Rd (Parcel #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N, R2W, BM), Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 12.48 acres addressed as 2440 & 0 Karcher Rd, 2522 & 2508 N Middleton Rd (Parcel #R2445600700, #R24456007B1, #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N, R2W, BM), and potential development agreement for the Northwest Village development for Randy Haverfield, representing TV Holdings, LLC & Zion Ventures, LLC (ANN-00253-2022 & CUP-00295-2022). Original Concept: Mixed Use Development with 1 commercial building and 264 dwelling units in 11 apartment buildings. **(Public Hearing was 02-06-2023)**

1-7. Miscellaneous

- a. Economic Development requesting adoption of the 2023 Community Development Block Grant Program Year Application Guidelines.



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(2) Items Moved From Consent Agenda (Action Items)

(3) Proclamations

3-1. None

(4) Public Forum

Nampa residents wishing to speak on an agenda (5 person limit) or non-agenda item (5 person limit); 3-minute limit per speaker. ***Comments related to Zoning and Land Use matters may only be made during properly noticed Public Hearings.***

(5) Agency & Commission Reports

5-1. None

(6) Staff Communications

- 6-1. Planning & Zoning Staff Report - 2022 Annual Density Report
- 6-2. Public Works Staff Report
- 6-3. Police Staff Report

(7) New Business

- 7-1. **Action Item:** Council consideration of amendment to Agave Liquor License Conclusions of Law dated June 7, 2021 to convert revocation to a suspension until February 21, 2023.
- 7-2. **Action Item:** Authorize Mayor to sign agreement for the Police Department to purchase a portable digital X-ray panel and X-ray source for the Bomb Squad from Logos Imaging LLC in the amount of \$52,615.35, utilizing grant funding received from the Idaho Office of Emergency Management.
- 7-3. **Action Item:** Economic Development requesting additional Community Development Block Grant funding in the amount of \$120,000 for the Home Repair Loan Program. (Approved in FY23 Budget)
- 7-4. **Action Item:** Authorize Parks and Recreation to sign Change Order No. 1 with Compliance Solutions and Contracting LLC to expand the parking lot in Phase 2 at Midway Park in the amount of \$182,658 (funded through Park Impact Fees). (Approved in FY23 Budget)
- 7-5. **Action Item:** Authorize the Mayor and Chief Information Officer to sign a 3-year contract with Springbrook to upgrade the Utility Billing System in the amount of \$104,900 for year one of the contract. (Approved in FY23 Budget) (Approved by Legal)



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- 7-6. **Action Item:** Authorize Mayor to sign Federal Aviation Administration Grant Application for Airport Improvement Program (AIP-38), Install Perimeter Fencing at the Nampa Municipal Airport, with a City match of \$17,650. (Approved in FY23 Budget) (Approved by Legal)
- 7-7. **Action Item:** Authorize Mayor and Public Works Director to sign Task Order for attached scope of work between the City of Nampa and Burgess & Niple for services to draft the 2023 MPDG Franklin Blvd. Project Application in the amount of \$73,640 T&M NTE. (Approved in FY23 Budget)
- 7-8. **Action Item:** 1st reading of Street Naming Ordinance for South Halibut Lane.
- 7-9. **Action Item:** 1st reading of Street Naming Ordinance for North Margot Lane.
- 7-10. **Action Item:** Authorize Mayor to sign a Purchase Sales Agreement for approximately 498.93 acres of golf course property from the State of Idaho in the amount of \$5,690,775. (Approved by Legal)

(8) Public Hearings

- 8-1. **Action Item:** Public hearing to present recommended FY23 new Airport Land Lease fee.
 - a. **Action Item:** Authorize the Mayor to sign the Resolution creating a modified leasehold fee at the rate of \$0.23 per square foot per year.
- 8-2. **Action Item:** Annexation and Zoning to RD Townhouse (Residential Duplex) zoning district, potential development agreement, and Subdivision Preliminary Plat for Lady Bird Landing Subdivision at 3809 & 0 Greenhurst Rd (Parcels #R2909800000 & R909701200, totaling 3.333 acres in the NW ¼ of Section 1, T2N, R2W, BM), for Adam and Canada Bayne (ANN-00260-2022 & SPP-00118-2022). Revised Concept: 25 townhouse units in 9 buildings, 1 private shared road, and 6 common lots.
- 8-3. **Action Item:** APPEAL of Planning & Zoning Commission Decision to Approve a Conditional Use Permit for a Multi-Family Building (6-plex) in a BC (Community Business) zoning district addressed as 1516 1st St N (a .22 acre parcel #R1690400000 located in the SE ¼ of Section 22, T3N, R2W, BM) for Simon Hernandez, Applicant/Owner - Appeal submitted by Beatriz Sandoval at 508 W Ustick Rd, Caldwell, ID (CUP-00277-2022 & APL-00017-2023).
- 8-4. **Action Item:** Vacation of a .176 Acre (7,687 sq. ft.) portion of an existing water line easement as recorded September 21, 2009, under Inst.# 2009047968 at 1232 & 1250 N Galleria Rd. (parcels #R3049800000 & R3049801100) a 20' by approximately 309', and 20' by 75' easement described in detail in a legal description found at the Nampa Planning & Zoning office; located in the NE 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM); for Gardner Nampa Gateway LC (VAC-00058-2023). Original concept: Vacate a portion of easement without a waterline currently located in that easement, in preparation for future development of the area.



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- 8-5. **Action Item:** Variance of NCC 10-8-5.C requiring a 5' minimum side and rear property structure and parking setback to allow an existing accessory structure that extends into the public ROW - alley, to be rebuilt in its current location at 503 10th Ave S. in the RS6 (Single-Family Residential) zoning district, a .16 acre parcel #R1384900000 (located in the SW 1/4 of Sec. 22, T3N, R2W, BM) for Cody Murray (VAR-00139-2023).

(9) Unfinished Business

- 9-1. **Action Item:** 1st reading of ordinance for the Annexation and Zoning to BC (Community Business) zoning district, potential development agreement, and conditional use permit for multiple-family residential in a BC zoning district for the Southside Lofts at 2416 & 2424 Southside Blvd (Parcel #'s R211430100 & R211430000, totaling 4 acres in the NW ¼ of Section 1, T2N, R2W, BM, Nampa), for Joshua Hubert (ANN-00238-2022 & CUP-00270-2022). Original Concept: 84 unit apartments in 6 buildings. **(PH was 06-06-2022)**

(10) Pending Ordinances (Postponed Due to Lack of Supporting Documentation)

- 10-1. Zoning Map Amendment from BC (Community Business) to RS6 (Single Family Residential 6,000 sq. ft.) and Modification of Development Agreement Ordinance #3561 rescinding the conditions for a commercial building to match nearby architectural facades, building orientation, limiting impact of commercial lighting and fencing to the neighborhood, specifying commercial signage, landscaping, etc. for a commercial building at 904 7th Ave N (a .58 acre portion of land in the Sylvan Heights Subdivision in the NE 1/4 of Section 22, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for James K. Hagen representing Zechariah P. Dean (ZMA 125-20, DAMO 038-20) **(PH was 12-07-2020)** (with City Attorney for ordinance and DA)
- 10-2. Zoning Map Amendment from RS6 (Single Family Residential 6,000 sf) to RP (Residential Professional) zoning district; and potential development agreement, at 3 N Midland Blvd. - Parcel # R1613101000; (a .45 acre parcel located in the SE 1/4 of Section 20, T3N, R2W, BM) for Ronald J Pierce (ZMA 159-21). Original Concept: to allow the conversion of an existing home into a three- bedroom apartment upstairs and two office spaces downstairs **(PH was 02-22-2022)**
- 10-3. Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement; at 0 & 16989 Madison Rd, (parcels #R3100900000 & R3104700000) totaling 21.09 acres and located in the N 1/2 of Section 10, T3N, R2W, BM) for William Juarez representing Jim Cox (ANN-00227-2021). Original Concept: A partially completed office industrial building at 16989 Madison and construction of a 4,800 sf shop with 3 overhead doors, an office, restroom, utility room and storage on the property addressed as 0 Madison Rd. **(PH was 04-18-2022)**



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- 10-4. Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning district and potential development agreement at 2912 Caldwell Blvd (Parcel # R2046900000); a 35.88 acre parcel (located in the NE 1/4 of Section 7, T3N, R2W, BM) for Jeff Bower/Givens Pursley LLP representing Black Creek Ltd. Partnership & Pleasant Valley Ltd Partnership (ZMA-00167-2022). Original Concept: Development of a Class A industrial business park with two buildings totaling approximately 670,000 SF. **(PH was 08-01-2022)**
- 10-5. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sf) and RD (Two-Family Residential) zoning districts, potential development agreement, and Subdivision Preliminary Plat for Seven Maples Ranch Subdivision at 3000 Southside Boulevard, 0, 3204, and 3303 E Oklahoma Avenue (parcel #R2115700000, R2115600000, R2115800000, R2909300000, & R2115601000) totaling 43.05 acres in the SW ¼ of Section 01, T2N, R2W, BM, Canyon County), for Gem State Planning representing Charles Kunerth/Corey Barton (ANN-00252-2022 & SPP-00113-2022). Original Concept: 53 single-family attached townhouse dwelling units, 1 existing single-family detached home, 125 new single-family detached dwelling units, 8 common lots, and 20 qualified open space lots. **(PH was 10-17-2022)**
- 10-6. Development Agreement Modification (Ord. 4582 - July 27, 2021) to specify land uses permitted in the IP (Industrial Professional) zoning district at date of this application, excepting those prohibited in the existing Development Agreement, for the Fuller 84 Business Park addressed as 5350 & 5300 E Franklin Rd (parcels #R3040600000 & R3040601300) totaling 61.62 acres (located in the SE 1/4 of Section 7, T3N, R1W, BM) for Givens Pursley LLP representing RE II Industrial V LLC and RE II Industrial VII LLC (DAMO-00057-2022). **(PH was 12-19-2022)**
- 10-7. Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement for four parcels totaling 35.86 acres addressed as 0 Ustick Rd (parcels #R3436101000, R3436101100, R3436101200, & R3436301000, located in the SW ¼ of Section 33, T4N, R2W, BM), for River Range Idaho LLC representing Dana Devlin and Hilda Devlin (ANN-00254-2022). Original Concept: Future industrial development. **(PH was 01-17-2023)**
- 10-8. Expansion of the City’s Area of Impact to the west, bound approximately by Lake Ave, Lone Star Rd, Indiana Ave, Roosevelt Ave, and Lake Lowell Ave, including portions to the southwest bound approximately by Greenhurst Rd, Midland Blvd, and Lake Lowell; Adoption of the State Highway 16 Specific Area Plan; Adoption of the Highway 20/26 Specific Area Plan; Comprehensive Plan Map Amendment modifying the Agricultural land use setting to “Very Low Density Residential”, modifying designations to reflect the State Highway 16 Specific Area Plan and the Highway 20/26 Specific Area Plan, and modifying designations in multiple areas throughout the impact area; and Comprehensive Plan Text Amendment to Chapter 5 including: a) Removal of grammatical errors, b) Cleanup of syntax to provide clarity, c) Further clarification on Nampa’s four quadrants, d) Additional information on Canyon County’s role in preserving agricultural land, d) The addition of Common and Qualified Open Space language, f) A revised definition of Density, g) Revised language on the allowance of commercial development in Medium and High-Density Residential land uses, h) The addition of a pre-annexation policy for subdivision development in the Area of City Impact on County parcels and



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proposed expansion of the City’s Area of Impact boundaries, i) Additional residential mixed use definition including borrowed land uses, j) The addition of a ratio of land uses in the mixed use settings, k) The Agricultural land use setting changed to Very Low Density Residential, l) ~~The addition of language to address development within ¼ mile from Agricultural and Low/Very Low Density areas,~~ m) The addition of a definition of Intelligent Communities, n) Updates to the Education, Public Administration, Health Care and Other Institutions Designation, o) addition of language to encourage the protection of City trees; Chapter 6 update including additional corridors for planning purposes; and Chapter 15 updating the specific Plan areas and the addition of mid-level planning for the City of Nampa (CTA-00013-2022 and CMA-00054-2022). (PH was 02-06-2023)

(11) Executive Sessions

- 11-1. **Action Item:** Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)(c) and (1)(f).
- Idaho Code 74-206 (1)(c) To acquire an interest in real property not owned by a public agency.
 - Idaho Code 74-206 (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

Adjournment

Next Meeting

Regular Council at 5:30 PM – Monday, March 6, 2023 - City Council Chambers

- ◆ Individuals, who require language interpretation or special assistance to accommodate physical, vision, hearing impairments, please contact the City Clerk’s Office at Nampa City Hall, (208) 468-5415. Requests should be made at least three (3) days prior to the meeting to allow time to arrange accommodations
- ◆ Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the City Clerk