



CITY OF NAMPA
Regular Council Meeting
March 6, 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 Daniel Mangeac – Good News Community Church

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. Special Council Meeting – February 16, 2023
- b. Regular Council Meeting – February 21, 2023
- c. Planning & Zoning Commission – February 14, 2023
- d. Arts & Historic Preservation – January 9, 2023
- e. Venue Management – January 19, 2023
- f. Golf Commission – January 17, 2023
- g. Golf Commission Special Meeting – January 24, 2023

1-2. The City Council dispenses with the three (3) reading rule of Idaho code § 50-902 for all ordinances

1-3. Plat Approvals

a. Final

- Subdivision Final Plat Approval of Reflections Edge No. 2 subdivision in an RS 4 (Single-Family Residential) zoning district - a 9.07 acre parcel #R3239201100 & R3239200000 at 0 E Railroad St (located in the NE 1/4 of Section 36, T3N, R2W, BM) for KB Homes, LLC (SPF-00227-2023). Original Concept: 48 single-family detached lots, 3 common lots and 2.56 acres of right-of-way.

b. Short

- Subdivision Short Plat Approval of Northside Logistics Center Subdivision in a IL (Light Industrial) zoning district - a 35.216 acre parcel #R3129700000 at 216 Shannon Dr (located in the NE 1/4 of Section 16, T3N, R2W, BM) for T-O Engineers, representing LDK Ventures (SPS-00048-2022). Original Concept: 3 Industrial lots.



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- Subdivision Short Plat Approval of Madison Logistics Center Subdivision in an IL (Light Industrial) zoning district - a 19.51 acre parcel #R3104100000 at 16677 Madison Rd (located in the NW 1/4 of Section 10, T3N, R2W, BM) for T-O Engineers, representing LDK Ventures (SPS-00047-2022). Original Concept: 3 Industrial lots.

1-4. Authorize Public Hearings

- a. Comprehensive Plan Map Amendment from Commercial to Industrial designation, Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning district, & potential Development Agreement at 1508 & 1510 W Karcher Rd. (parcel #s R2446800000 & R2446900000, located in the SE 1/4 of Section 8, T3N, R2W, BM) for Tyler Delay representing Doris Young (CMA-00055-2022 & ZMA-00170-2022). Original Concept: Obtain the correct zoning for the existing land use of outdoor storage of equipment for Young's Equipment addressed at 1502 W Karcher Rd and in order to construct a chain link security fence around the property. To be considered by City Council on March 20, 2023.
- b. Nampa City Code Text Amendment to change Title 5, Chapter 2, Tree Service to add definitions, add references to the Treasure Valley Tree Selection Guide, add where signs and other items can be located, clarify permit requirements, describe Heritage Trees, clarify licensing and safety procedures, add suspension authority, describe front yard trees, add a section for utilities and tree mitigation for new development; Title 10 Planning and Zoning, Chapter 3-Establishment of Districts and Provisions for Nonconforming Uses to include changing footnotes for Cluster Developments; Chapter 6-AG Agriculture District for changes to density requirements; Chapter 7-RA Suburban Residential for changes to density requirements; Chapter 8-RS Single-Family Residential District for changes to density requirements; Chapter 10-RD Two-Family Residential District for changes to density requirements; Chapter 11-RML Limited Multiple Family Residential District for changes to density requirements; Chapter 12-RMH Multiple Family Residential District for changes to density requirements; Chapter 13-RP Residential Professional for changes to density requirements; Chapter 22-Off Street Parking and Loading for drought tolerant landscaping requirements; Chapter 26-Planned Unit Developments and Master Planned Communities in regards to density, lot sizes, open space calculations, ratio of land uses in mixed use developments, add section for Cottage/Cluster developments; Chapter 27-Subdivisions in regards to density, lot sizes, open space calculations, remove Cottage/Cluster developments; Chapter 31-Airport Zoning to rescind the entire chapter and adopt a new specific area plan chapter that includes the airport overlay district, the State Highway 16 Specific Area Plan, State Highway 20/26 Specific Area Plan and reserves space for future Specific Area and Corridor Plans; Chapter 33-Landscaping and Corridor Beautification to include drought tolerant landscaping provisions, for the City of Nampa (ZTA-00030-2022). To be considered by City Council on March 20, 2023.



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- c. Nampa City Code Text Amendment to change Title 10 Planning & Zoning, Chapter 34 Design Review and adopt the associated Design Review Guideline document. Changes to Chapter 34 include: Reference to the new guideline document; add the IP (Industrial Park), IL (Light Industrial) and IH (Heavy Industrial) zoning districts to the applicability of the chapter; clarify multiple-family units; add exception for IL and IH zoned projects to be reviewed by staff; add that significant IL and IH design exception requests shall go to Design Review Committee; reorder paragraphs in 10-34-10.A for clarity; change primary wall facades to 3 materials, leaving other walls with 2 materials; add requirements for metal sided structures; change wall lengths on standard commercial structures to 50' for jogs and offsets; add durable materials to description of trash enclosures; add section 10-34-10B with all new requirements for IL and IH zoned properties (ZTA-00028-2022). To be considered by City Council on March 20, 2023.
- 1-5. Authorize to Proceed with Bidding Process
 - a. Authorize Engineering Division to proceed with formal bidding process for the Idaho Center and Cherry Lane Roundabout Phase 2 project. (Approved in FY23 Budget)
 - b. Authorize Engineering to proceed with formal bid process for Traffic Signal Materials Restock FY23. (Approved in FY23 Budget)
 - 1-6. Authorization for Execution of Contracts and Agreements
 - a. Authorize Mayor to sign, (1) Agreement to Waive First Right of Refusal and Terminate Lease with Balmoral Properties, LLC, dated December 22, 2020, and (2) Nampa Municipal Airport Land Lease Agreement with Mad River, LLC, effective March 7, 2023, for Lot 2034. (Approved by Legal)
 - b. Authorize Mayor to sign: (1) Agreement to Waive First Right of Refusal and Terminate Lease with Brian Paden. dated February 5, 2019; and (2) Nampa Municipal Airport Land Lease Agreement with Balmoral Properties, LLC, effective March 7, 2023, for Lot 2020. (Approved by Legal)
 - 1-7. Miscellaneous items
 - a. Six month extension of Conditional Use Permit for Multi Story Conditioned Storage at District 208 for conditioned public storage units on two floors in an existing building in the BC (Community Business) zoning district in a 5.55 acre portion of a parcel addressed as 1509 Caldwell Blvd (A 34.86 acre portion of Lot 4, in Block 1 of Karcher Mall Subdivision situated in the NE ¼, Section 17, T3N, R2W, BM) for RHINO Holdings Nampa, LLC (CUP-00271-2022).
 - b. Authorize Notice of Intent to proceed with Sole Source procurement with Etherwan for new intelligent transportation switches after a fourteen-day notice period. (Approved in FY23 Budget) (Approved by Legal)



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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. None

(7) New Business

- 7-1. **Action Item:** Request for Reconsideration 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.
- 7-2. **Action Item:** Approve the Municipal Irrigation District Assessment Roll for 2023, as modified by City staff, per Idaho Code Section 50-1807.
- 7-3. **Action Item:** Authorize Oakview Group to award bid and sign a construction contract with Terraco Excavation & Demo LLC for the Ford Idaho Center amphitheater floor replacement, for the not to exceed contract amount of \$334,478. (Approved in FY23 Budget) (Approved by Legal)
- 7-4. **Action Item:** Authorize Mayor and Public Works Director to sign Task Order with J-U-B Engineers, Inc. to provide survey, design and bidding services for the asset management Zone C (Sherman Elementary) Fire Flow Upgrade project in the amount of \$108,612. (Approved in FY23 Budget)



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- 7-5. **Action Item:** Award bid and authorize Mayor to sign contract for the Local Children Pedestrian Safety Program Grant (Sherman Elementary Pedestrian Improvements) project with Hawkeye Builders, Inc. in the amount of \$249,538.55. (Approved in FY23 Budget)
- 7-6. **Action Item:** Authorize Mayor to sign task order for attached scope of work with HDR Engineering, Inc. for the Idaho Center Boulevard and Cherry Lane Roundabout Phase 2 project construction engineering and inspection services in the amount of \$306,635.00 (T&M NTE). (Approved in FY23 Budget)
- 7-7. **Action Item:** Authorize Mayor to sign: (1) Rail Pros Utility Construction Observation Agreement; and (2) Rail Pros Flagging Services Agreement for the Wastewater Treatment Plant Recycled Pipeline Project. (Approved in FY23 Budget) (Approved by Legal)
- 7-8. **Action Item:** Authorize (1) Public Works submission of a Columbia River Basin Restoration Funding Assistance Program application for the Water Quality Improvement Project; and (2) Authorize Mayor to sign a letter of commitment in the amount up to \$442,560.00 to accompany the application. (Approved by Legal)
- 7-9. **Action Item:** Authorize Mayor to sign Resolution amending the Nampa 2040 Comprehensive Plan for the City of Nampa, including amendments to Chapter 5 Land Use, Chapter 6 Transportation, Chapter 15 Specific Area Plans, inclusion of the Highway 16 Specific Area Plan, inclusion of the Highway 20/20 Specific Area Plan and the revised Future Land Use Map (CTA-00013-2022 and CMA-00054-2022). (Approved by Legal)
- 7-10. **Action Item:** 1st reading of ordinance rescinding Exhibit E (918 W Greenhurst Rd) from Pressurized Irrigation Annexation Ordinance 4679. (Approved by Legal)
- 7-11. **Action Item:** 1st reading of ordinance and approval of publication of ordinance summary for the Pressurized Irrigation Annexation Ordinance annexing 918 W Greenhurst Rd, 2909 E Victory Rd, & 11127 Lake Lowell Ave from the underlying Irrigation Districts into the Municipal Irrigation District of the City of Nampa. (Approved by Legal)

(8) Public Hearings

- 8-1. **Action Item:** 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.
- 8-2. **Action Item:** 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.



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- 8-3. **Action Item:** 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.
- 8-4. **Action Item:** Confirm Assessment Roll for Local Improvement District No. 160 for the Purpose of Construction Concrete Curbs, Gutters, Sidewalks, Pedestrian Ramps, Drive Approaches, and Street Improvements in Zone B.

(9) Unfinished Business

- 9-1. **Action Item:** 1st reading of ordinance for the 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. (**PH was 02-21-2023**) (Approved by Legal)
- 9-2. **Action Item:** 1st reading of ordinance and approval of publication of ordinance summary amending Nampa City Code Title 9 (Public Ways and Property), Chapter 3 (Improvements within Right-Of-Way). (Approved by Legal)

(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**)



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- 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)**
- 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 Nampa Area of City Impact, amending Section 10-30-3 of the Nampa City Code and adopting the revised Area of City Impact Geographic Area Map. **(PH was 02-06-2023)** (Pending Canyon County Board of Commissioners' approval)



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10-9. 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. (**PH was 02-21-2023**)

(11) Executive Sessions

11-1. None

Adjournment

Next Meeting

Regular Council at 5:30 PM – Monday, March 20, 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