



City of Nampa
Regular Council Meeting
Livestreaming at <https://livestream.com/cityofnampa>
April 18, 2022
Regular Council – 5:30 PM
Public Hearings – 6:30 PM*

Call to Order and Pledge to Flag

Invocation Craig Hanson, Valley Springs Assembly of God

Roll Call

Proposed Amendments to Agenda

(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 or citizen 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 7, 2022
- b. Special Council Meeting – February 17, 2022
- c. Regular Council Meeting – February 22, 2022
- d. Regular Council Meeting – March 7, 2022
- e. Special Council Meeting – March 17, 2022
- f. Regular Council Meeting – April 4, 2022
- g. Planning and Zoning – March 15, 2022
- h. Library Board of Trustees – March 8, 2022
- i. Council on Aging – March 8, 2022
- j. Airport Commission – February 14, 2022
- k. Arts & Historic Preservation Commission – March 7, 2022
- l. Golf Commission – March 15, 2022
- m. Housing Authority – March 9, 2022

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

- Diamond Peak Towns at 7 6th St N (a .74 acre Parcel #R1265000000) in the RP (Residential Professional) zoning district, located in the SW 1/4 of section 15, T3N, R2W, BM, Canyon County) for Jake Woodward (SPF-00189-2022). Original Concept: 16 single family attached building lots in three 3-story buildings; a gross density of 21.6

b. Preliminary

- None

1-4. Authorize Public Hearings

- a. Adoption of resolution for pre-annexation fees and zoning text amendment request to change portions of Nampa City Code in Title 2, Boards & Commissions; Title 6, Police; and Title 10 Planning & Zoning, for the City of Nampa Planning & Zoning Department (ZTA-00026-2022 & 316-2022-Note)
- b. Variance of NCC 10-1-8.D.1 to allow a 6' fence to extend into the front yard area on an eastern portion of Parcel #R3078023300 at 7714 E Willard Dr. to permit a personal trailer and RV storage - in the NW 1/4 of Sec. 2, T3N, R2W, BM; for Danny Heydorn (VAR-00121-2022)
- c. Reconsideration of Zoning Map Amendment from RS6 PUD (Single Family Residential 6,000 sf) to RD (Two-Family DUPLEX Residential) zoning district; development agreement modification to rescind and replace the existing agreement (Ordinance 3610); and Subdivision Preliminary Plat for Middlebury North Subdivision at 0, 0, & 0 Midway Road (Parcel #'s R32799010A0, R3279800000, & R32799010B0); totaling 121.09 acres (located in the S 1/2 of Section 13, T3N, R3W, BM) for Jane Suggs - Gem State Planning representing Endurance Holdings LLC (ZMA-00156-2021, DAMO-00051-2021, & SPP-00097-2021). Original Concept: 244 single family lots, 36 duplex lots, 38 4-plex lots, 69 common lots, and 28.79 acres of right-of-way - totaling 468 dwelling units and over 24% common area, for a gross density of 3.86 and a net density of 7.57

1-5. Authorize to Proceed with Bidding Process

- a. Council to authorize Engineering to negotiate with a contractor for a contract price for the Annual Irrigation Pipeline Replacement FY22 project (Approved in FY22 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 Mad River, LLC dated July 19, 2021, and (2) Nampa Municipal Airport Land Lease Agreement with TK Leasing, LLC, effective April 19, 2022, for Lot 2040 (Approved by Legal)



- b. Authorize Mayor to sign, (1) Agreement to Waive First Right of Refusal and Terminate Lease with Mad River, LLC dated July 19, 2021, and (2) Nampa Municipal Airport Land Lease Agreement with Ivan Sudac, effective April 19, 2022, for Lot 2042 (Approved by Legal)
- c. Authorize Mayor to sign, (1) Agreement to Waive First Right of Refusal and Terminate Lease with Mad River, LLC dated July 19, 2021, and (2) Nampa Municipal Airport Land Lease Agreement with Waypoint Structures, LLC, effective April 19, 2022, for Lot 2044 (Approved by Legal)
- d. Authorize Mayor to sign, (1) Agreement to Waive First Right of Refusal and Terminate Lease with Mad River, LLC dated July 19, 2021, and (2) Nampa Municipal Airport Land Lease Agreement with Shoe Air, LLC, effective April 19, 2022, for Lot 2046 (Approved by Legal)
- e. 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 Zone B Sewer Rehab FY23 (Design) in the amount of \$122,061.00 (T&M NTE) (Approved in FY22 Budget)

1-7. Monthly Cash Report

- a. March 2022

1-8. Planning & Zoning Formal Findings

- a. None

1-9. Resolutions

- a. Destruction of Workforce Development Records

1-10. Licenses for 2022

- a. Alcohol Renewal

Name	Address	Type	Points
Sushi Sushi	16734 N. Marketplace Blvd	On Premise Beer & Wine	0
Little Saigon	1305 2nd St S. Ste 100	On & Off Premise Beer & Wine	0
Asian Grocery	453 Caldwell Blvd.	Off Premise Beer & Wine	0
Bob's Trolley House	1411 Shilo Dr.	On Premise Beer, Wine & Liquor	0
Pete's Tavern	11 12 th Ave S.	On Premise Beer & Wine	0

- b. Alcohol New
 - None
- c. Precious Metal Dealers
 - The Jewelry People – 210 S Midland Blvd.

1-11. Miscellaneous items

- a. None



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1-12. Approval of Agenda

(2) Proclamations

2-1. Fair Housing Month

Nampa Residents Wishing to Speak on an Agenda (5 persons limit) or Non-Agenda Item (5 persons limit) (3-minute limit). Comments Related to Zoning and Land Use Matters May Only be Made During Properly Noticed Public Hearings

- Recognition of Jude Kelso and his award for the Board of Imagination

(3) Agency & Commission Reports

3-1. None

(4) Staff Communications

- 4-1. Planning and Zoning Staff Report - Rodney Ashby
4-2. Public Works Staff Report – Tom Points

(5) New Business

- 5-1. **Action Item:** Authorize the Mayor to sign the second amendment to the Professional Services Agreement for Plan Review and Building Inspection Services with SAFEbuilt, LLC to increase the total not to exceed contract amount to \$250,000 (Approved by Legal) (Approved in FY22 Budget)
- 5-2. **Action Item:** Accept resignation letter from Councilmember Sandi Levi
- 5-3. **Action Item:** Authorize the Mayor and Parks and Recreation Director to sign an agreement to perform survey professional services for the Golf Course/State Land for the amount not to exceed \$66,000 (Approved in FY22 Budget)



- 5-4. **Action Item:** Approve aspects of a non-exclusive easement for a node cabinet at Skyview Park which include: (Approved by Legal)
- a. The language of the TDS easement agreement (Exhibit C)
 - b. A one-time lease fee for TDS requested non-exclusive easements at \$8/SF, or other fee as Council deems appropriate
 - c. The general location of the requested easement as shown on the TDS plans (Exhibit B) and authorize staff and City Attorney to work with TDS to finalize the easement agreement and corresponding exhibits and draft required resolution for final approval by Council
- 5-5. **Action Item:** Authorize Mayor to sign, (1) Agreement to Terminate Lease with Mission Aviation Fellowship dated October 18, 2021 for lot 2445, and (2) Nampa Municipal Airport First Amendment to Lot 2450, and Memorandum of Amendment for lot 2450 with Mission Aviation Fellowship, effective April 18, 2022, for Lot 2450 (Approved by Legal)
- 5-6. **Action Item:** Authorize Mayor and Public Works Director to sign task order for attached scope of work with Kittelson & Associates for Midland Boulevard Corridor Study in the amount of \$161,289 T&M NTE (Approved in FY22 Budget)
- 5-7. **Action Item:** Authorize Mayor and Public Works Director to sign task order for attached scope of work with Paragon Consulting for Franklin Road and Birch Lane Roundabout project Construction Engineering and Inspection services in the amount of \$121,490 T&M NTE (Approved in FY22 Budget)
- 5-8. **Action Item:** Authorize Mayor and Public Works Director to sign Task Order Amendment with Parametrix, Inc. to provide final design and bid package for the Franklin Road Widening - Utilities project in the amount of \$65,420.00 T&M NTE (Approved in FY22 Budget)
- 5-9. **Action Item:** Award bid and authorize Mayor to sign contract for the non-mandatory Sidewalk Local Improvement District (LID) 172 project with Hess Construction, Inc. in the amount of \$138,892.60 (Approved in FY22 Budget)



(6) Public Hearings

- 6-1. **Action Item:** Zoning Map Amendment to adjust the boundaries of existing zoning districts to the following areas: RP (Residential Professional) to 4.31 acres, RS4 (Single-family Residential 4,000 sf) to 5.2, 9.85, 19.46, 15.4, & 7.81 acres, RS6 (Single-family Residential 6,000 sf) & CB (Community Business) to 4.57 acres; from RS6 (Single Family Residential 6,000 sf) to 10.81 acres, RS7 (Single-family Residential 7,000 sf) to 13.10 acres, & RP (Residential Professional) to 4.31 acres; and potential development agreement; and Preliminary Plat for Reflections Edge Subdivision all located on parcel #'s R3239201100, R32392000000, R32394010D0, R32394010C0, R32394010F0, R3239501200, and R3239500000 - all addressed as 0 E Railroad St (parcels totaling 97.8 acres located in the NE 1/4 of Section 36, T3N, R2W, BM) for Estates 81, LLC (ZMA-00165-2021 & SPP-00102-2021). Original Concept: 1 commercial lot, 28 RP zoned residential lots, 261 RS4 zoned residential lots, 37 RS6 zoned residential lots, and 36 RS7 residential lots, 25 common lots (14.45 acres), and 26.04 acres of right of way
- 6-2. **Action Item:** 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.
- 6-3. **Action Item:** Annexation and Zoning to GB2 (Gateway Business) zoning district; potential development agreement; and Conditional Use Permit for Dwelling, Multiple Family - up to 3 Stories - Towne Creek Apartments; at 0, 16940, & 16896 Idaho Center Blvd (parcels #R30413000, R30411000, & R3041201000, totaling 6.69 acres and located in the NW 1/4 of Section 7, T3N, R1W, BM) for Rama Group, LLC (DBA Biltmore Co.) representing Gerald T. Keulman & Steven D. Shaw (ANN-00226-2021 & CUP-00256-2021). Original Concept: 100 unit apartment complex with ground floor commercial for building facing Idaho Center Blvd.
- 6-4. **Action Item:** Development Agreement Modification of Ordinance #3443 and Subdivision Short Plat approval for Greenbriar Estates No. 3, to allow for 7 residential lots and 1 common lot in a RP (Residential Professional) zoning district at 0 S Stanford St (a 1.7 acre parcel #R292630110, located in the SE 1/4 of the SW 1/4 of Section 4, T2N, R2W, BM) for John Esposito (DAMO-00053-2021 & SPS-00042-2021). Original concept: 7 single-family detached homes for 55+ residents and one common lot with a gross density of 4.12
- 6-5. **Action Item:** CDBG funding allocation Non-Public Service Allocation
- 6-6. **Action Item:** Fiscal Year 2022 Budget amendment
 - a. **Action Item:** 1st reading of ordinance adopting the FY2022 budget amendment



(7) Unfinished Business

- 7-1. **Action Item:** 1st reading of ordinance for Creation of Sidewalk LID 172 (**PH was 02-07-2022**)
- 7-2. **Action Item:** 1st reading of ordinance for Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district, potential development agreement, and Subdivision Preliminary Plat for Fenway Subdivision at 0 Alma Ln (Parcel #R2952901200, a 28.25 acre parcel in NE ¼ of the SW ¼ of Section 12, T2N, R2W, BM, Nampa, Canyon County), for Trilogy Idaho (Shawn Brownlee) representing Endurance Holdings LLC (ANN 208-21 & SPP 085-21). Original Concept: 85 single family lots (totaling 16.08 acres), 18 common lots (totaling 5.68 acres), and 6.49 in ROW and other; for a gross density of 3.01 and a net density of 5.28 (**PH was 12-06-2021**)
- 7-3. **Action Item:** Authorize the Mayor to sign a resolution to amend the 2040 Nampa Comprehensive Plan incorporating by reference the Capital Improvements Plan and associated Fees (including Impact Fees) for the City of Nampa and Nampa Fire Protection District, as "Appendix D"
- 7-4. **Action Item:** 1st reading of ordinance for adoption of an ordinance and summary amending Title 3, Chapter 7 of the Nampa City Code pertaining to impact fees, specifically amending sections 3-7-1, 3-7-4, 3-7-5 and 3-7-12 to adopt proposed revisions to the city's Impact Fee Capital Improvement Plan and associated impact fees for Police, Parks, and Fire, and to add Wastewater, Domestic Water, and Pressurized Irrigation Impact Fee Capital Improvement Plans and associated impact fees (**PH was 04-04-2022**) (Approved by Legal)
- 7-5. **Action Item:** 1st reading of ordinance for Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district, potential development agreement, and Subdivision Preliminary Plat for Magnolia Estates Subdivision at 0 and 18189 Northside Blvd. (Parcels #R3435700000 and #R343570100 totaling 23.6 acres in SE ¼ of Section 33, T4N, R2W, BM, Nampa, Canyon County), for Trilogy Development, representing Corey Barton and Melodee Barrus (ANN 215-21 & SPP 091-21). Original Concept: 38 single family lots, 14 fourplex lots (56 units), 13 common lots (totaling 6.2 acres), and ROW (totaling 2.17 acres); for a gross density of 4.24 and a net density of 8.44 (**PH was 12-06-2021**)



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

- 8-1. 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)
- 8-2. Vacation of an approximately 322' by 5.45' (approximately 1,754 sq. ft) water main easement, a portion of 0 S Rising Sun Dr., county parcel #R3210338400 (located in the NW 1/4 of Section 32, T3N, R2W, BM) for Epic Development Idaho, LLC (VAC-049-21) (**PH was 04-19-2021**)
- 8-3. Annexation and Zoning to BC (4.5 acres), IL (3.66 acres), RMH (16.15 acres), & RS6 (22.09 acres) - all located within four parcels numbered: #R3078101100, R3078100000, R3078301100, & R3078300000 (addressed as 7755, 0, 0, & 0 Ustick Rd), and potential development agreement, for Trestle Creek Subdivision (to be subdivided at a future date), a mixed-use development including commercial, industrial, multi-family, single-family attached and detached, and open space land uses (located in the NW 1/4 of Section 2, T3N, R2W, BM, Canyon County) for Jane Suggs/Gem State Planning representing Endurance Holdings LLC (ANN 212-21) (**PH was 12-06-2021**)
- 8-4. Zoning Map Amendment from IP (Industrial Park) to RS6 (Single-Family Residential, 6,000 sf) zoning district and potential Development Agreement at 16127 N Franklin Blvd (a .38 acre parcel #R2200900000 located in the SE ¼ of Section 10, T3N, R2W, BM, Nampa, Canyon County) for Albert Bradley (ZMA 151-21). Original Concept: Continue as residential (**PH was 12-20-2021**)
- 8-5. Zoning Map Amendment from RS6 (Single-Family Residential 6,000 sf) and RA (Suburban Residential) to RD (Two-Family Residential - Duplex) zoning district and potential development agreement at 941 Davis Ave (a 1.67 acre parcel #R1616300000 located in the NW ¼ of Section 21, T3N, R2W, BM, Canyon County) for Taylor Jene Homes Inc. (ZMA 152-21). Revised Concept: 18 residential units in five separate buildings to be platted at a future date into 4 four-plex lots and one duplex lot; a gross and net density of 12 (**PH was 01-03-2022**)
- 8-6. Annexation and Zoning to RS8.5 (Single-Family Residential 8,500 sf.) zoning district, potential Development Agreement, and Subdivision Preliminary Plat for Terrace Falls Subdivision at 0 E Locust Lane (parcel # R2886601100, located in the SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 6, T2N, R1W, BM) for Cleve & Murrelle Cushing Trust representing Cushing Family Trust (ANN 219-21 & SPP 094-21). Original Concept: 97 single-family lots; and 21 common lots; for a 2.12 gross density and a 3.58 net density (**PH was 02-07-2022**)



- 8-7. 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**)
- 8-8. Annexation and Zoning of 126.27 acres south of Amity Rd and west of Happy Valley Rd to RS6 (Single-Family Residential 6,000 sf. - 64.33 acres), RMH (Residential Multiple Family - 15.86 acres), BC (Community Business - 5.24 acres), & IL (Light Industrial 40.84 acres) zoning districts, and potential development agreement, for Chisum Estates Subdivision at 0, 0, 0, 3915, & 3611 Amity Ave, and 0, 0, & 0 E Railroad St. (parcel #s R3238900000, R221600000, R323900000, R3239100000, R3239501200, R32394010F0, R32392011A0, R3238901000); and Planned Unit Development for the proposed RS6 zoned properties, and Subdivision Preliminary Plat for Chisum Estates Subdivision for the above referenced properties excluding parcels R32392011A0, R32394010F0, & R3239501200; (all located in the N 1/2 of Section 36, T3N, R2W, BM, City of Nampa, Canyon County, Idaho, for Triple Crown Investments LLC / Lance Thueson representing Thornton-Gallup LLC (ANN 220-21, PUD-008-21, & SPP 095-21). Original Concept: 191 single-family lots; 1 multi-family lot for 186 units, 2 commercial lots, 11 industrial lots, 35 common lots, and 24.26 acres of right-of-way, for a RS6 gross density of 2.97 and a 6.98 net density; a RMH gross density of 11.73 and a net of 30.74; with 19.7% in open space (**PH was 03-07-2022**)
- 8-9. Annexation and Zoning to IL (Light Industrial) zoning district for 17530 Midland Blvd, and potential development agreement; a .36 acre portion of parcel #R3086301000 (located in the NW 1/4 of Section 4, T3N, R2W, BM) for Kent Brown representing Adler Midland LLC (ANN-00224-2021). Original concept: Industrial development (**PH was 03-21-2022**)
- 8-10. Variance of Nampa City Code 10-23-20 limiting sign area to 200 sq. ft. and sign height to 25' in order to construct a sign 145 sq. ft. and 39' in height at 16174 N. Merchant Way (parcel #R3098501000) for Batteries Plus (located in the SW 1/4 of Section 9, T3N, R2W, BM, Canyon County) for applicant: Image National representing Tom Sellin (VAR-00120-2022) (**PH was 03-21-2022**)
- 8-11. Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning districts, and potential development agreement; at 0 E Chisholm Dr (parcel #R3118700000); located on a 13.10 acre portion of the NW ¼ of Section 14, T3N, R2W, BM) for Jeff Hatch - Hatch Design Architecture representing Brivan Idaho LLC (ZMA-00154-2021). Original Concept: 120,000 sf industrial flex complex (**PH was 03-21-2022**)



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- 8-12. Zoning Map Amendment from RA (Suburban Residential) to RD (Two-Family DUPLEX Residential) zoning district; potential development agreement; Planned Unit Development; and Subdivision Preliminary Plat for Sugar Creek Townhomes Subdivision at 2205 3rd St N., 0 Sugar St, & 0 E Victory Rd. (Parcel #'s R3188200000, R3188800000, & R3188701000); totaling 7.678 acres (located in the NE 1/4 of the NW 1/4 of Section 26, T3N, R2W, BM) for John Dixon representing Bunker Development LLC (ZMA-00161-2021, PUD-00009-2021, & SPP-00100-2021). Original Concept: 85 dwelling units in 22 residential buildings including duplex, triplex, and fourplex buildings, and 3 common lots (16.2% qualified open space) for a gross density of 11.08 (**PH was 03-21-2022**)

(9) Executive Sessions

- 9-1. **Action Item:** None

Adjourn

Next Meeting

Regular Council at 5:30 PM – Monday May 2, 2022 - 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) 468-5426. 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