



City of Nampa  
Regular Council Meeting  
Livestreaming at <https://livestream.com/cityofnampa>  
May 3, 2021  
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 – April 19, 2021
- b. Planning & Zoning Commission – April 13, 2021
- c. Nampa Housing Authority – March 10, 2021
- d. Airport Commission – March 8, 2021
- e. Nampa Library Commission – March 9, 2021

#### 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 for Franklin Village No. 9 (phase) in a RS6 (Single-Family Residential 6,000 sq. ft) zoning district; for 69 single-family lots, 8 common lots, and 2 shared driveway lots, with a 4.89 gross lot density and a 6.94 net lot density; located at 7527 Cherry Lane - County Parcel #R2094400000 (a 16.13 acre portion of land located in the E 1/2 of the NW 1/4 of Section 11, T3N, R2W, BM) for Franklin Village Development, LLC representing Don Brandt and Joan Brandt (SPF 162-21)
- Subdivision Final Plat Approval for Sonata Pointe West No. 2 (phase) in a RS8.5 (Single-Family Residential 8,500 sq. ft) zoning district at 0 Lone Star Rd (County Parcel #R3203801000) for 47 single-family lots and 5 common lots, with a 3.49 gross lot density and a 4.51 net lot density (a 13.46 acre portion of land located in the E 1/2 of the NE 1/4 of Section 30, T3N, R2W, BM) for Trilogy Idaho & Kent Brown representing Heartland Townhomes Property Management (SPF 159-21)

##### b. Preliminary

- None



1-4. Authorize Public Hearings

- a. Development Agreement Modification originally recorded for Lakebrook Subdivision - Ordinance No. 3610, modifying the site plan, eliminating the proposed church to be replaced with additional single-family residential, removal of narrow private streets and gated neighborhoods, and revising the dimensional standards, for Middlebury Subdivision in an RS6 zoning district (334 buildable lots, 1 existing home, and 36 common lots on 105.78 acres); located at 12246 Orchard Ave - County Parcel #s - R3280300000, R328001100, & R3279901000b(located in S 1/2 of Section 13, T3N, R3W, BM) for Jane Suggs - Gem State Planning representing Clinton R. Wissel (DAMO 040-20)
- b. Annexation and Zoning to RS6 (Single-family Residential 6,000 sf) Approval for Chase Subdivision (113 single family lots and 13 common lots) at 0 Middleton Rd - Parcel #R3145601200 (A 32.92 acre portion of land located in the NE ¼ of Section 19, T3N, R2W, BM, Canyon County, Idaho, for Schultz Development (ANN 190-20)
- c. Development Agreement Modification to modify the concept plan Ordinance No. 3528, "Exhibit B" from 3 commercial buildings and associated parking to a concept plan for single-family townhome residential for Sterling Commons Subdivision in an BN (Neighborhood Business) zoning district, for 50 buildable town-home lots and 8 common lots on 4.82 acres for 10.37 gross lot density and 12.77 net lot density and a reduction of the 25' landscape strip buffer requirement to 15'; all located at 0 & 905 S Middleton Rd - County Parcel #s - R3206300000 & R3206401200 (located in NE 1/4 of Section 31, T3N, R2W, BM) for Bonnie Layton representing Sterling Land Development, Inc. (DAMO 041-21)
- d. Annexation and Zoning to RS4 (Single-Family Residential 4,000 sq. ft) zoning district for Sharpe's Orchard Subdivision, at 7928 Birch Ln (County Parcel #2095400000) for thirty-three (33) single-family residential buildable lots and four (4) common lots, for a gross density of 4.9 and a net density of 6.09; (a 6.68 acre portion of the NW ¼ of Section 11, T3N, R2W, BM) for Taylor Schmidt representing Dennis Sharpe, LLC (ANN-193-21)

1-5. Authorize to Proceed with Bidding Process

- a. None

1-6. Authorization for Execution of Contracts and Agreements

- a. (1) Agreement to Waive First Right of Refusal and Terminate Lease with Robert Gordon, (2) Nampa Municipal Airport Land Lease Agreement, and (3) Memorandum of Lease for Recording with Tim Delaney, effective May 10, 2021, for Lot 2374 (Standard Documents Reviewed/Approved by Legal)

1-7. Monthly Cash Report

- a. None

1-8. Planning & Zoning Formal Findings

- f. None



- 1-9. Licenses for 2021
  - a. Alcohol Renewal
    - See attached memo and list
  - b. Alcohol New
    - None
- 1-10. Miscellaneous items
  - a. None
- 1-11. Approval of Agenda

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## **(2) Proclamations**

- 2-1. None

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**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**

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## **Mayor & Council Comments**

- Recognition of Nampa Civic Center Employees Bob Crisman & Jim Sample

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## **(3) Agency & Commission Reports**

- 3-1. Morgan Browning – EideBailly FY20 Audit Report

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## **(4) Staff Communications**

- 4-1. Staff Report – Tom Points

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## **(5) New Business**

- 5-1. **Action Item:** Approve waiver for ICAN FOODS INC dba The Griddle located at 1124 Caldwell Blvd to Allow a Liquor License to be added to an existing beer and wine license within 300' of a school and two churches
- 5-2. **Action Item:** Discussion/Approval of the support for the Snake River Stampede and God & Country Rally
- 5-3. **Action Item:** Approval of Public Hearing Applicants Presentation Criteria
- 5-4. **Action Item:** Authorize additional funding from the Police Impact Fee CIP in the amount of \$75,000 to be reconciled in the FY21 year-end budget amendment and authorize the Mayor to sign a construction contract with EKC, Inc. for the HNPSB 2nd Floor Remodel (approved in FY21 budget) (approved by legal)



- 5-5. **Action Item:** 1st reading of ordinance to contract the boundaries of the Nampa Municipal Irrigation District by removal of the following described real property, and direct the City Engineer and Planning & Zoning Director to alter the Use and Area Map accordingly: 0 2nd St N Lots 4, 5 & 6 in Block 91 of Griffith and King's Addition, according to the plat thereof, filed in Book 1 of Plats at page(s) 10, records of Canyon County, Idaho
- 5-6. **Action Item:** Approve summary of publication for preceding ordinance
- 5-7. **Action Item:** Authorize the Mayor to sign an agreement for hookup of Terrace Falls Estates subdivision to the City of Nampa water and sewer system and agreement to be annexed into the City of Nampa with Cleve and Murvelle Cushing (approved by legal)
- 5-8. **Action Item:** Approve request for waiver of subdivision improvements for the Windmill Ranch Subdivision
- 5-9. **Action Item:** Authorize Mayor and Public Works Director to sign Task Order Amendment for attached Scope of Work with Paragon Consulting, Inc. for Lake Lowell Avenue Rebuild (Midland Blvd to 12th Ave Rd) project right of way acquisition services in the amount of \$162,470.00 (T&M N.T.E.) (Approved in FY21 budget)
- 5-10. **Action Item:** Authorize the Engineering Division to proceed with the formal request for contractor qualifications for the Annual Waterline Replacement FY21 project (approved by legal) (approved in FY21 budget)
- 5-11. **Action Item:** Authorize Mayor to sign, (1) Nampa Municipal Airport Land Lease Agreement, and (2) Memorandum of Lease for Recording with Air Assets, Inc. dba Spirit of Flight, effective May 3, 2021, for Lot 2425 (Standard Documents Reviewed/Approved by Legal)
- 5-12. **Action Item:** Authorize Mayor and Public Works Director to sign a task order for attached scope of work with Horrocks Engineers to complete the SH-45 Realignment Planning and Environmental Linkages (PEL) Assessment in the amount of \$499,971.85 T&M NTE (Approved in FY21 Budget) (Approved by Legal counsel)
- 5-13. **Action Item:** Authorize Mayor to sign resolution to adopt revised Domestic and Irrigation Water Miscellaneous Fees rate sheet to change "Description" of the "Past Due Fee" to "Disconnect/Reconnect Fee," and remove "Monthly Budget Billing-Inside City" and "Monthly Budget Billing-Outside City" fees (Approved by Legal Counsel)

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## (6) Public Hearings

- 6-1. **Action Item:** Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district for Sunnyvale West Subdivision, at 0 W Flamingo Ave (County Parcel #3144900000) for ninety- three (93) single-family residential buildable lots, five (5) common (storm drain & buffers) lots, and eleven (11) common open space lots, for a gross density of 3.55 and a net density of 5.75; (a 26.22 acre portion of the NW ¼ of Section 18, T3N, R2W, BM, for Providence Properties, LLC/Patrick Connor representing Paul Mercier (ANN-191-21)



- 6-2. **Action Item:** Variance of Section 10-1-8.D.1, to allow a six foot closed vision fence to enclose the front yard; Section 10-1-7.D.3 to allow for 3 accessory structures on a single-family property; and, 10-8-6.D to allow an accessory structure to encroach into the side yard setback at 3716 E Park Ridge Dr., an approximate .80 acre lot, in an RS6 (Single-Family 6,000 sq. ft) zoning district - county parcel #R1406457500 (Located in the NW 1/4 of Section 25, T3N, R2W, BM, Nampa) for Scott & April Brown (VAR-103-21)
- 6-3. **Action Item:** Variance of Section 10-10-9 requiring a 20' front yard setback and a 10' side yard setback on a legally split corner lot at 504 15th Ave N., an approximate 4,000 sq. ft. lot, in order to allow a porch, veranda, and deck to extend no closer than 6.5' from the property line along 15th Ave N. and 4.7' from the front property line along 5th St N., in an RD (Two-Family/Duplex Residential) zoning district - county parcel #R0895900000 (Located in the SW 1/4 of Section 23, T3N, R2W, BM, Nampa) for Branden & Cheri Durst (VAR-102-21)
- 6-4. **Action Item:** Zoning Map Amendment from RP (Residential Professional) to RML (Limited Multiple-Family Residential) zoning district; and, Subdivision Plat Short Approval of Mercy Creek No. 2 Subdivision, at 821/823 and 827/829 17th Ave S. (parcel #R0984101000) for division into 2 duplex lots for a total of 4 existing dwelling units (a .32 acre parcel situated in block 16 of the Interstate Addition Subdivision in the NE ¼ of Section 27, T3N, R2W, BM) for Joshua Morrison (ZMA-0138-21, SPS-037-21)
- 6-5. **Action Item:** Nampa Impact Fee Advisory Committee
  - **Action Item:** 1st reading of Ordinance Sections 12(J): Replaces Title 3, Chapter 7, Section 12(J) of the Nampa City Code to align Nampa City Code with newly enacted State legislation regarding the membership on municipal development Impact Fee Advisory Committee. The ordinance provides for an effective date, summary publication, severability and repeal of conflicting ordinances, resolutions, and orders.
  - **Action Item:** Authorize summary of publication for preceding ordinance

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## (7) Unfinished Business

- 7-1. **Action Item:** Amend City of Nampa Fiscal Year 2019 Transportation Master Plan by authorizing intersection design changes of five intersections, and the addition of four new intersections
- 7-2. **Action Item:** 1<sup>st</sup> reading of ordinance for Annexation and Zoning to IL (Light Industrial) zoning district at 245 N Happy Valley Rd and 4513 Airport Rd, lots P, Q, & Z of the Home Acres #2 Subdivision (4.45 acres portion of the NE ¼ of Section 24, T3N, R2W, BM, for Petersen Holdings LLC (ANN-189-20) (PH was 03-01- 2021)



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

- 8-1. Annexation and zoning to RS22 (Single Family Residential - 22,000 sq. ft.) on the west side of N. Kings Rd. adjacent and north of 39 N. Kings. Rd. at 0 N. Kings Rd. (A 2.43-acre parcel in Plat A Tax 04145 in Lot 37 in the SE ¼, SE ¼, Section 33, T3N, R2W, BM, Nampa, Canyon County, Idaho) for a parcel split for 2 new dwellings for Jay Walker representing Miguel Ballesteros. (ANN 164-20) (PH was 04-27-2020)
- 8-2. Annexation and zoning to RML (Limited Multiple-Family Residential) at 1165 S. Powerline Road (A 2.02-acre portion of Block 169, Kurtz Addition, also known as Tax 04696 in the NE ¼ of Section 34, T3N, R2W, BM, Nampa, Canyon County, ID) for multiple-family residential zero lot line buildings and multiple-family residential 4-plex buildings for Zenith Homes (ANN 169-20) (PH was 04-27-2020)
- 8-3. Annexation and zoning to RD (Two-Family Residential) at 44 S. Kings Rd. (A 4.1-acre or 178,596 sq. ft. portion of the NW ¼ Section 25, T3N, R2W, BM also identified as Tax 6 in Tracts 15 and 16 of Nampa Heights Addition – for fourplex apartments for Tim Kristovich, Whispering Pines LLC (ANN 170-20) (PH was 05-04-2020)
- 8-4. Zoning Map Amendment from IP/RS (Industrial Park/Single-Family Residential) to RMH (Multiple-Family Residential) at 335 N. Gateway St. (A 1.25-acre or 54,450 sq. ft. portion of the SW ¼ Section 15, T3N, R2W, BM also identified as Lots 23 and 24, Block 13, Nampa City Acres Addition No. 1 – for a 100 unit multiple-family apartment project for Tim Kristovich, Whispering Pines LLC (ZMA 117-20) (PH was 05-04-2020)
- 8-5. Resolution for Comprehensive Plan Future Land Use Map Amendment from Medium Density Residential to Community Mixed Use, Annexation and Zoning to BC (Community Business), and Conditional Use Permit for a public storage development at 0 E Locust Lane, southeast of the Southside Blvd and Locust Lane intersection (An 18.92 parcel described as County Parcel R2953001000 in the NW ¼ of the NW ¼, Section 12, T2N, R2W, BM) for BC zoning to allow for public storage units and restaurant for Linda Claiborne (CMA 047-20, ANN 179-20 and CUP 191-20) (PH was 10-05-2020)
- 8-6. 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)





- 8-7. Annexation and Zoning to RD (Two-Family/Duplex Residential) zoning district at 216 N. Middleton Rd – Parcel#R1602200000 (A 2.59-acre portion of the NW ¼ Section 20, T3N, R2W, B) for an existing single-family home and barn to connect to city water service, for Cecilia Shields (ANN 181-20) (PH was 12-07-2020)
- 8-8. Zoning Map Amendment from RSPUD to RS6 (Single-Family Residential 6,000 sf minimum), for Middlebury Subdivision in an RS6 zoning district (334 buildable lots, 1 existing home, and 36 common lots on 105.78 acres); located at 12246 Orchard Ave - County Parcel #s - R3280300000, R328001100, & R3279901000b(located in S 1/2 of Section 13, T3N, R3W, BM) for Jane Suggs - Gem State Planning representing Clinton R. Wissel (ZMA 129-20) (PH was 03-15-2021)
- 8-9. Annexation and Zoning to RMH (Multiple-Family Residential) for the proposed vacated right-of-way described below, and 623, 613, 607 and 523 N Happy Valley Rd, totaling 3.8 acres (a portion of the SE ¼ of the SE ¼ of Section 13, and the NE 1/4 of the NE 1/4 of Section 24, T3N, R2W, BM and the NW 1/4 of the NW 1/4 of Section 19, and the SW 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM) – for development of Station at Gateway No. 2 multi-family development of 110 dwelling units for a net density of 28.95; and Vacation of an approximately 368' by 25' (9,200 sq. ft) rectangular portion of E Orchard Ave. right-of-way, north of 623 N Happy Valley Rd. (a portion of the SE 1/4 of the SE 1/4 of Section 13, T3N, R2W, BM) for development of the Station at Gateway No. 2 multi-family development; all for Brandon Whallon representing Colby Halker (ANN-192-21, VAC-048-21) ) (PH was 04-05-2021)
- 8-10. Development Agreement Modification, originally recorded as Ordinance No. 3997, modifying the concept plan and allow light industrial and commercial uses; and, Zoning Map Amendment from GB1 (Gateway Business #1) to IP (Industrial Park) for the Fuller 84 Business Park, located at the northwest corner of the Star Rd and E Franklin Rd intersection, parcel #R3040600000 (in SW 1/4 of Section 7, T3N, R1W, BM) for Bow River Capital representing Franklin Star Development LLC (DAMO 042-21 & ZMA 134-21) (PH was 04-19-2021)
- 8-11. 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)



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## (9) Executive Sessions

- 9-1. **Action Item:** Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)
- Idaho Code 74-206 (1) (c) To acquire an interest in real property not owned by a public agency;
  - Idaho Code 74-206 (1) (j) To consider labor contract matters authorized under section 74-206A (1)(a) and (b), Idaho Code

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## Adjourn

## Next Meeting

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## Regular Council at 5:30 PM – Monday, May 17, 2021 - City Council Chambers

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- ◆ 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 five (5) 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