



City of Nampa  
Regular Council Meeting  
Livestreaming at <https://livestream.com/cityofnampa>  
August 16, 2021  
Regular Council – 5:30 PM  
Public Hearings – 6:30 PM\*

## **Call to Order and Pledge to Flag**

**Invocation** Kelli Sears – Christian Faith Center

## **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. Planning & Zoning Commission – July 27, 2021
  - b. Board of Appraisers – July 1, 2021
  - c. Airport Commission – April 12, 2021
  - d. Airport Commission – April 21, 2021
  - e. Airport Commission – June 14, 2021
  - f. Airport Commission – July 12, 2021
  - g. Arts & Historic Preservation Commission – July 12, 2021
  - h. Nampa Council on Aging - July 13, 2021
  - i. Golf Commission – July 2, 2021
  - j. Nampa Housing Authority – June 6, 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
    - None
  - b. Preliminary
    - None
- 1-4. Authorize Public Hearings
  - a. Zoning Map Amendment from DH (Downtown Historic) to DV (Downtown Village); in order to build the Old Towne Nampa concept plan under the streetscape requirements of the DV



zoning district, at 1015 3rd St S., 311 11th Ave S., 315 11th Ave S., 323 11th Ave S., 304 10th Ave S., and 316 10th Ave. S. - parcel #'s R1360700000, R1360800000, R1361000000, R1361300000, R1361100000, and R1361101000 (a total of 1.94 acres located in the SW ¼ of Section 22, T3N, R2W, BM, Nampa, Canyon, Idaho) for Mussell Construction Inc., representing self, Latimer Investments LLC, and International Church of the Foursquare Gospel (ZMA 147-2021)

- b. Variance of Nampa City Code 10-22-6.B requiring off-street parking, in order to build the Old Towne Nampa concept plan in the proposed DV (Downtown Village) zoning district, by using the existing on-street parking at 1015 3rd St S., 309 11th Ave. S., 311 11th Ave S., 315 11th Ave S., and 323 11th Ave S. - parcel #'s R1360700000, R1360900000, R1360800000, R1361000000, and R1361300000 (located in the SW ¼ of Section 22, T3N, R2W, BM, Nampa, Canyon, Idaho) for Mussell Construction Inc. (VAR-105-2021)
- c. Annexation and Zoning to RS6 (Single-family Residential 6,000 sq. ft.) zoning district and development agreement, at 0 E Locust Ln., a small portion of 0 Robinson Rd., 0 & 4417 S Happy Valley Rd (Parcel #'s: R2891801000, R2891700000, R29512010A0, R2951401000) for Harvest Creek Subdivision including two hundred fourteen (214) detached single-family lots on approximately 39 acres and thirty-five (35) common lots on 14.88 acres; for a gross density of 3.05 and a net density of 5.5; a 70.28 acre portion of the proposed 76.2 annexation area, located on the east side of S Happy Valley Rd (NW ¼ of Section 7, T2N, R1W, BM), for Hayden Homes Idaho LLC/Tim Mokwa representing multiple property owners (ANN-199-21)
- d. Annexation and Zoning to IL (Light Industrial) zoning district at 0 Madison Blvd. in order to develop property with light industrial land uses (a 20.06 acre parcel #R3104100000, located in NW ¼ of Section 10, T3N, R2W, BM), for LDK Ventures, LLC representing NXEdge, Inc. (ANN-201-21)

1-5. Authorize to Proceed with Bidding Process

- a. Authorize Engineering to proceed with the formal bid process for the Waterworks Material Restock FY22 (Approved in FY22 Budget)

1-6. Authorization for Execution of Contracts and Agreements

- a. None

1-7. Resolutions

- a. Disposal of Property
- b. Transfer of Property

1-8. Monthly Cash Report

- a. July 2021

1-9. Planning & Zoning Formal Findings

- a. None



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- 1-10. Licenses for 2021
  - a. Alcohol Renewal
    - None
  - b. Alcohol New
    - None
- 1-11. Miscellaneous items
  - a. None
- 1-12. 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**

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

- 3-1. None

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## **(4) Staff Communications**

- 4-1. Joe Borton - Legislative Update
- 4-2. Tom Points – Public Works Department Staff Report

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## **(5) New Business**

- 5-1. **Action Item:** Resolution to amend the 2021 budget and authorizing the public hearing
- 5-2. **Action Item:** 1<sup>st</sup> Reading of Ordinance Amending Title 8, Chapter 9, Section 4 Wastewater Pretreatment Regulations of Nampa City Code (Approved by Legal)



- 5-3. **Action Item:** Authorize Fleet Services Division Superintendent to Sign Service Level Agreement with Nampa Rural Fire District for Maintenance and Repair of Nampa Rural Fire District Vehicles and Equipment (Approved by Legal)
- 5-4. **Action Item:** Authorize the Mayor to sign the agreement for Hookup of Estates at Lake Lowell Subdivision to the City of Nampa Water System and Agreement to be Annexed in the City of Nampa (Exhibit A) with MRCT, LLC (Approved by Legal)
- 5-5. **Action Item:** 1<sup>st</sup> Reading of Irrigation Annexation Ordinance to Annex into the Municipal Irrigation District of the City of Nampa the described real properties listed in Exhibit A and direct the City Engineer to alter the Use and Area Map accordingly
- 5-6. **Action Item:** Approve Summary of Publication for preceding ordinance
- 5-7. **Action Item:** Authorize the installation of a No Parking zone along Roosevelt Avenue between Middleton Road and Midland Boulevard.
- 5-8. **Action Item:** Award bid and authorize Mayor to sign contract for Canyon Street & Smith Avenue Waterline Improvement project with Capital Paving Co., Inc in the amount of \$981,136.49
- 5-9. **Action Item:** 1st reading of ordinance changing the Mayor's Salary
- 5-10. **Action Item:** 1st reading of ordinance retroactively correcting the Council's Salary
- 5-11. **Action Item:** 1st reading of ordinance changing the Council Salary
- 5-12. **Action Item:** Approve \$2,800,000 of funding for the transition period of October 1 to December 31, 2021 for Nampa Rural Fire District. Funding to come from City of Nampa fund reserves
- 5-13. **Action Item:** Authorize the Finance Director to sign FY22 Blue Cross Health Contract

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## (6) Public Hearings

- 6-1. **Action Item:** Fiscal Year 2022 Budget
  - a. **Action Item:** 1<sup>st</sup> Reading of Ordinance Adopting the FY2022 budget
- 6-2. **Action Item:** 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)



- 6-3. **Action Item:** Variance of Section 10-1-6.C.4 requiring a 15' landscape buffer along 6th St. N., reducing the landscape buffer to approximately 3' from Right-of-Way, in order to pave the overflow parking lot for vehicle sales at 603 10th Ave N, and 920 and 916 6th St. N. (Parcels #R0902500000, #R0902600000, & #R0902700000) at Tom Scott Motors (located in the NE 1/4 of Sec. 22, T3N, R2W, BM, Nampa) for G Connie Runia representing Gunnar Properties LLC (VAR-109-21)
- 6-4. **Action Item:** Variance of Section 10-34-10.A.1.f.(1) requiring Mechanical Units protruding from the roof to be screened from public view and proposing to paint them the same color as the building for the existing and new Idaho Arts Charter School buildings at 525 and 515 N Boradmore Way – Parcel #R1303401200 & #R1303400000 (Located in the NE ¼ of Sec. 16, T3N, R2W, BM, Nampa) for Mussell Construction representing Jackie Collins/Idaho Arts Charter School (VAR-108-21)
- 6-5. **Action Item:** Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft.) zoning district to connect to city utilities for a single family home at 1028 N Middleton Rd (a 1.09 acre parcel #R3139100000 in the SW ¼ of Section 7, T3N, R2W, BM) for James Cornell (ANN-202-21)

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## (7) Unfinished Business

- 7-1. **Action Item:** Resolution for Comprehensive Plan Map Amendment from Medium Density Residential to Residential Mixed Use for property located at 14095 N Nana Ln (in the SE 1/4 of Section 19, T3N, R2W, BM) for Kristen Lawrence (CMA-048-21)
- 7-2. **Action Item:** 1<sup>st</sup> reading of ordinance for Zoning Map Amendment from RS 8.5 (Single-Family Residential, 8,500 sq. ft.) zoning district to BN (Neighborhood Business) to allow additional structures on a 3.78 acre parcel currently operating as a wedding and event venue (The Vintage Rose), located at 14095 N Nana Ln (in the SE 1/4 of Section 19, T3N, R2W, BM) for Kristen Lawrence (ZMA-135-21) (**PH was 7-19-2021**)
- 7-3. **Action Item:** Resolution for Comprehensive Plan Future Land Use Map Amendment from Medium Density Residential to Community Mixed Use 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)
- 7-4. **Action Item:** 1<sup>st</sup> reading of ordinance for Annexation and Zoning to BC (Community Business) 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 (ANN 179-20) (**PH was 10-05-2020**)
- 7-5. **Action Item:** 1<sup>st</sup> reading of ordinance for Vacation of an approximately 2-4' by 51' (approximately 112 sq. ft) sewer easement, a portion of 1817 Sunny Ridge Rd. in the Parkwood Apartments, parcel #R3226601100 (located in the SE 1/4 of the SW 1/4 of Section 34, T3N, R2W, BM) for Tom Wilson, representing Parkwood Association LLC (VAC-051-21) (**PH was 8-02-2021**)



- 7-6. **Action Item:** 1<sup>st</sup> reading of ordinance for Vacation of an approximately 12' by 145' (approximately 1,740 sq. ft) utility easement, a portion of 1104 and 1112 W Flamingo Ave. (parcels #R1214910100 & #R12151010B0) in the Chloe and Marks Subdivisions (located in the NE 1/4 of Section 17, T3N, R2W, BM) for Joseph Luna representing Terry MacDonald (VAC-052-21) (**PH was 8-02-2021**)
- 7-7. **Action Item:** 1<sup>st</sup> reading of ordinance for Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district for East Canyon Elementary, at 18408 Northside Blvd, in order to connect the school to utility services; (a 10 acre portion of the SW ¼ of Section 34, T4N, R2W, BM), for Kristen McNeill (The Land Group, Inc) representing Vallivue School District No. 139 (ANN-197-21) (**PH was 7-19-2021**)
- 7-8. **Action Item:** 1<sup>st</sup> reading of ordinance for Vacation of an approximately 20' by 70' (approximately 1,434 sq. ft) storm drain easement, a portion of 504 Bayhill Dr., Lot 16, Block 1 of Bayhill Subdivision No. 1, parcel #R077605150 (located in the SW 1/4 of the NE 1/4 of Section 4, T2N, R2W, BM) for Greg Bullock (VAC-050-21) (**PH was 8-02-2021**)

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

- 8-1. 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**)
- 8-2. 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**)
- 8-3. 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)
- 8-4. 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**)



- 8-5. 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)**
- 8-6. 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)**
- 8-7. 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)**
- 8-8. 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) **(PH was 6-14-2021)**
- 8-9. 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) **(PH was 6-14-2021)**
- 8-10. 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) **(PH was 6-14-2021)**
- 8-11. Annexation and Zoning to IL (Light Industrial) zoning district for Manufacturing, Compounding, Processing or Treatment of Building Materials (including organic non-animal materials) to be used for animal bedding, mulch, and composting, by Timber Creek Recycling; at 0 Northside Blvd (County Parcel #R3097500000); a 34.02 acre parcel in the NE ¼ of Section 09, T3N, R2W, BM, for MM Properties - Thompson Rd. LLC. representing John L Chapman (ANN-198-21) **(PH was 6-14-2021)**



- 8-12. Zoning Map Amendment from RA (Suburban Residential) to IL (Light Industrial) zoning district, at 620 N 39th St. (parcel #R316970000) to allow construction of two new warehouse buildings (a 1.26 acre parcel (located in the NE ¼ of Section 24, T3N, R2W, BM) for WFS LLC./Nick Barnes (ZMA-0140-21) (**PH was 6-14-2021**)
- 8-13. Annexation and Zoning to RP (Residential Professional) zoning district for Maple Leaf, at 0, 4921, & 5009 Stamm Lane (County Parcel #'s R2501100000, R2501101000, R2501000000; a portion of lots 3 and 4 of the Orchalara Heights Subdivision) and Development Agreement for a future subdivision to 30 single-family detached residential, 24 single-family attached residential (townhomes), 1 commercial, and 3 common lots; a gross density of 7.62 and a net density of 9.18; (a 7.81 acre portion of the South ½ of the SW ¼ of Section 18, T3N, R1W, BM, for Landmark Pacific Development, Inc. representing William and Linda Larson (ANN-195-21) (**PH was 7-6-2021**)
- 8-14. Zoning Map Amendment from RS6 (Single-Family Residential 6,000 sq. ft) to RD (Duplex Residential) zoning district, and Preliminary Plat approval for Smith Townhomes, at 0, 336, & 322 Smith (County Parcel #s: R1614450100, R16142010, R161420100), for twenty (20) single-family zero-lot line attached lots (seven 2-unit buildings and two 3-unit buildings), for a gross density of 12.42 and a net density of 14.84; (a 1.61 acre portion of the NW ¼ of Section 21, T3N, R2W, BM), for Mateo Echeverria representing Trifecta Development (ZMA-142-21 & SPP-075-21) (**PH was 7-19-2021**)
- 8-15. Zoning Map Amendment from RA to RS6 (Single-Family Residential 6,000 sq. ft) zoning district and Short Plat approval for Lion's View Estates Subdivision, at 707 Davis Ave (County Parcel #RS1615700000), for 4 single-family home detached dwelling units, for a gross density of 3.85 and a net density of 5.21; (a 1.04 acre portion of the NW ¼ of Section 21, T3N, R2W, BM, for Kenneth B. Moore (ZMA-141-21 & SPS-039-21) (**PH was 7-19-2021**)
- 8-16. Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district for Spyglass Ridge Subdivision, at 11544 and 11642 Iowa Ave, (an 8.88 acre portion of the NW ¼ of Section 31, T3N, R2W, BM), for Copium Investment LLC (ANN-194-21) (**PH was 8-02-2021**)

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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) (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. The mere presence of legal counsel at the executive session does not satisfy this requirement





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## **Adjourn**

## **Next Meeting**

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### **Regular Council at 5:30 PM – Monday, September 6, 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