



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

**Invocation** David Ferdinand

## **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 – October 4, 2021
  - b. Planning & Zoning Commission – September 28, 2021
  - c. Venue Management Advisory Commission – September 16, 2021
  - d. Bike and Pedestrian Advisory Committee – September 9, 2021
  - e. Council on Aging – May 10, 2021
  - f. Council on Aging – September 21, 2021
  - g. Council on Aging – October 12, 2021
  - h. Nampa Arts and Historic Preservation Commission – June 14, 2021
  - i. Nampa Arts and Historic Preservation Commission – July 12, 2021
  - j. Nampa Arts and Historic Preservation Commission – August 9, 2021
  - k. Nampa Arts and Historic Preservation Commission – September 13, 2021
  - l. Nampa Housing Authority – August 11, 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 Broadmore Business Park No. 1 in the IL (Light Industrial) and BC (Community Business) zoning district, for 5 lots on 4.67 acres at 490 N Broadmore Way - County Parcel #R130340100 (located in E 1/2 of the NE 1/4 & SE 1/4 of Section 16, T3N, R2W, BM) for Richard Evans/Silver Lining LLC representing AgEquity Holdings, LLC/Jon Brennan (SPF 172-21). Approved by P&Z 9/28/21



- Subdivision Final Plat Approval for Spring Hollow Ranch No. 3 Subdivision in a RS8.5 (Single-Family Residential 8,500 sq. ft) zoning district; for 66 single family lots and 11 common lots with a 3.42 gross lot density and a 4.39 net lot density; addressed as 0 Ustick Rd. - parcel #R30373011B0 (a 20.16 acre parcel located in the S 1/2 of the NE 1/4 of Section 6, T3N, R1W, BM) for Trilogy Idaho representing Heartland Townhomes Property MGMT LLC (SPF 170-21). P&Z 10/12/21

b. Preliminary

- None

1-4. Authorize Public Hearings – October 25, 2021

- a. Vacation of an approximately 7,834 sq. ft. portion of right-of-way abutting the north and east property line of 1204 11th Ave. (parcel #R1428564400) along 11th Ave. N and Stampede Dr. and abutting the east and south property line of 0 11th Ave N. (parcel #R14285644A0) along Stampede Dr. (located in the NW 1/4 of Section 23, T3N, R2W, BM) for Austin Whiting (VAC 053-21).
- b. Variance of Sections 10-10-6.A in the RD (Two Family {Duplex} Residential) Zoning District at 220 High St and 0 High Street (Tax Parcel #'s R1673701000 and R1673700000 respectively) to allow for a lot line adjustment creating two substandard sized lots – an approximate 4,268 sq. ft. lot fronting High St. and including an existing single family home, and a 4,614 sq. ft. buildable lot for a new single-family home to be constructed north of the existing home (Tax #1 & #01149, Block 78, of the Yale Park Addition Subdivision, within the SE ¼ of Section 21, T3N, R2W) for Eusebio Cervantes (VAR 114-21).
- c. Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district and potential development agreement, at 2307 Lonestar Rd (Parcel #R3203300000), in order to connect to city water utility services; (a .26 acre parcel in the NW ¼ of Section 29, T3N, R2W, BM), for Lee Robinson (ANN 210-21).
- d. Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district, potential development agreement, and Subdivision Preliminary Plat for Cayuse Meadows Subdivision at 826 W Dooley Ln (Parcel #R2927900000, a 6.46 acre parcel in SW ¼ of the NW ¼ of Section 4, T2N, R2W, BM, Nampa, Canyon County), for Jon Pascoe (ANN 209-21 & SPP 088-21). Original Concept: 18 residential lots (totaling 3.44 acres), common lots totaling 2.81 acres, and open space totaling .21 acres; for a gross density of 2.80 and a net density of 5.23

1-5. Authorize Public Hearings – November 1, 2021

- a. Vacation of an approximately 7,834 sq. ft. portion of right-of-way abutting the north and east property line of 1204 11th Ave. (parcel #R1428564400) along 11th Ave. N and Stampede Dr. and abutting the east and south property line of 0 11th Ave N. (parcel #R14285644A0) along Stampede Dr. (located in the NW 1/4 of Section 23, T3N, R2W, BM) for Austin Whiting (VAC 053-21).



- b. Variance of Sections 10-10-6.A in the RD (Two Family {Duplex} Residential) Zoning District at 220 High St and 0 High Street (Tax Parcel #'s R1673701000 and R1673700000 respectively) to allow for a lot line adjustment creating two substandard sized lots – an approximate 4,268 sq. ft. lot fronting High St. and including an existing single family home, and a 4,614 sq. ft. buildable lot for a new single-family home to be constructed north of the existing home (Tax #1 & #01149, Block 78, of the Yale Park Addition Subdivision, within the SE ¼ of Section 21, T3N, R2W) for Eusebio Cervantes (VAR 114-21).
  - c. Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district and potential development agreement, at 2307 Lonestar Rd (Parcel #R3203300000), in order to connect to city water utility services; (a .26 acre parcel in the NW ¼ of Section 29, T3N, R2W, BM), for Lee Robinson (ANN 210-21).
  - d. Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district, potential development agreement, and Subdivision Preliminary Plat for Cayuse Meadows Subdivision at 826 W Dooley Ln (Parcel #R2927900000, a 6.46 acre parcel in SW ¼ of the NW ¼ of Section 4, T2N, R2W, BM, Nampa, Canyon County), for Jon Pascoe (ANN 209-21 & SPP 088-21). Original Concept: 18 residential lots (totaling 3.44 acres), common lots totaling 2.81 acres, and open space totaling .21 acres; for a gross density of 2.80 and a net density of 5.23
- 1-6. Authorize to Proceed with Bidding Process
- a. Authorize the Parks and Recreation Department to advertise for the design and construction of a playground at Lakeview Park. (Approved in FY22 Budget)
  - b. Authorize the Engineering Division to proceed with the formal bidding process for the Culvert Replacement FY22 project
- 1-7. Resolutions
- a. Disposal of Surplus Fleet Property
- 1-8. Authorization for Execution of Contracts and Agreements
- a. None
- 1-9. Monthly Cash Report
- a. September 2021
- 1-10. Planning & Zoning Formal Findings
- a. None



- 1-11. Licenses for 2021
  - Vista Pawn - 130 Caldwell Blvd.
- 1-12. Miscellaneous items
  - a. None
- 1-13. Approval of Agenda

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## (2) Proclamations

- 2-1. Safe Infant Sleep Awareness Month

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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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## (3) Agency & Commission Reports

- 3-1. None

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## (4) Staff Communications

- 4-1. Quarterly Density Report – Rodney Ashby
- 4-2. Staff Report – Tom Points

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## (5) New Business

- 5-1. **Action Item:** Council decision on the appeal filed by Phoenix Aviation regarding the denial by the Nampa Airport commission to provide flight training and aircraft rental services at the Nampa Municipal Airport
- 5-2. **Action Item:** Declaration and explanation of council's intent to exchange the property owned by the city located at *11 13th Ave S. Nampa; 7 13th Ave S. Nampa; 5 13th Ave S. Nampa;* for property not current owned by the city located at *824 1st St S. Nampa; ~~824 13th Ave S. Nampa;~~* and authorize November 15th public hearing for property exchange (Approved by legal)
- 5-3. **Action Item:** Authorize Mayor on behalf of the city to participate and execute the Opioid Settlement Agreements (Approved by legal)



- 5-4. **Action Item:** Authorize Mayor to sign MOU with Nampa Fire Protection District for snow removal at fire stations and training grounds (Approved by legal)
- 5-5. **Action Item:** Authorize Mayor to sign MOU with Nampa Fire Protection District for use of fire training grounds by the Nampa Police Department (Approved by legal)
- 5-6. **Action Item:** 1<sup>st</sup> reading of Ordinance Amending Title 4 Building Regulations, Chapter 9 Flood Damage Prevention, Sections 1, 2, 3, 4, and 5 (Approved by legal)
- 5-7. **Action Item:** Council award bid and authorize Mayor to sign contract for the Midland Boulevard & Lake Lowell Avenue Intersection - Signal Equipment Procurement project with Quality Electric, Inc. for \$228,237.00 (Approved in FY22 budget)
- 5-8. **Action Item:** Award bid and authorize Mayor to sign contract for the Birch Redundant Force Main project with Knife River Corporation - Mountain West in the amount of \$1,960,000.00 (Approved in FY22 budget)
- 5-9. **Action Item:** Authorize the Mayor and Public Works Director to sign contract for the Waterworks Materials Restock FY22 project with Ferguson Waterworks for \$164,029.88 (Approved by Legal) (Approved in FY22 budget)
- 5-10. **Action Item:** Authorize Mayor to sign Memorandum of Understanding between the City of Nampa, Canyon Highway District No. 4, and Nampa Highway District No.1 to perform the Ustick Road Corridor Planning Study (Approved by Legal) (Approved in FY22 budget)
- 5-11. **Action Item:** Authorize Mayor to sign task order with Six Mile Engineering for the Ustick Road Corridor Planning Study in the amount of \$148,466.50 (Approved by Legal) (Approved in FY22 budget)

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## (6) Public Hearings

- 6-1. **Action Item:** Zoning Map Amendment from RP (Residential Professional) to IL (Light Industrial) zoning district and potential Development Agreement at 512 N 39th St (a .47 acre parcel #R3170000000 located in the NE ¼ of Section 24, T3N, R2W, BM, Nampa, Canyon County) for Nick Barnes/WFS LLC (ZMA 149-21). Original Concept: Warehouse building
- 6-2. **Action Item:** 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 300 sq. ft. and 65' in height at 16188 N. Merchant Way (parcel #R3098400000) for Idaho Guns & Outdoors (located in the SW 1/4 of Section 9, T3N, R2W, BM, Canyon County) for applicant: Image National representing Turtle Creek West, LLC (VAR 113-21)
- 6-3. **Action Item:** Annexation and Zoning to RS8.5 (Single-Family Residential 8,500 sq. ft) zoning district, at 1525 Southside Blvd, in order to connect to sewer utility services; (a 1.06 acre parcel in the SE ¼ of Section 35, T3N, R2W, BM), for Bryan C Warren (ANN 203-21)
- 6-4. **Action Item:** Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district, at 1427 Southside Blvd, in order to connect to sewer utility services; (a .62 acre parcel in the NE ¼ of Section 35, T3N, R2W, BM), for Brian and Sharon Depue (ANN 207-21)



- 6-5. **Action Item:** Amendment of Title 6: Police Regulations, Chapter 5: Bicycles and Title 9: Public Ways and Property, Chapter 5: Public Parks, Section 2.E.: Prohibited Acts, pertaining to eBikes and eScooters; revising the bicycle definition and adding eBike definition, adding eBikes and eScooters to the regulations defining the locations bicycles can be ridden, stating a maximum speed, and requiring eBikes and eScooter providers to enter into a contractual agreement with the city before beginning operation, for the City of Nampa (ZTA 022-21)

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## (7) Unfinished Business

- 7-1. **Action Item:** 1st reading of an ordinance for Annexation and Zoning for multiple portions of road right-of-way to include the following: 1) a section of Midway Rd to be zoned RA (Suburban Residential); 2) a section of Cherry Ln to be zoned BC (Community Business); 3) a section of Northside Blvd. to be zoned IL (Light Industrial); 4) a section of Cherry Ln. to be zoned IL (Light Industrial); 5) a section of Madison Rd. to be RS 7 (Single Family Residential 7000 sq. ft.); 6) a section of Star Rd. to be zoned RS 8.5 (Single Family Residential 8500 sq. ft.); 7) sections of N. Kings Rd. and E. Victory Rd. to be zoned RS 6 (Single Family Residential 6000 sq. ft.) and IL (Light Industrial); and 8) property necessary for the recently constructed Happy Valley Rd and Victory Rd round-about to be zoned IL (Light Industrial) - for Daniel Badger representing City of Nampa, Engineering Division (ANN 206-21). (PH was 10-04-2021)
- 7-2. **Action Item:** 1st reading of an ordinance for De-annexation of a 50' wide section of 11th Avenue N. beginning immediately north of Cherry Ln. and running approximately 2,626' north to the Miller Lateral totaling 152,255 sq. ft. - for Daniel Badger representing City of Nampa, Engineering Division (DANX 014-21) (PH was 10-04-2021)
- 7-3. **Action Item:** 1<sup>st</sup> reading of ordinance for 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)
- 7-4. **Action Item:** 1<sup>st</sup> reading of ordinance for Annexation and Zoning to RMH (Multiple-Family Residential) for 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 the Station at Gateway No. 2 multi-family development; all for Brandon Whallon representing Colby Halker (ANN-192-21) (PH was 04-05-2021)
- 7-5. **Action Item:** 1<sup>st</sup> reading of ordinance for 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 (VAC-048-21) ) (PH was 04-05-2021)



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

- 8-1. 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**)
- 8-2. 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)
- 8-3. 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**)
- 8-4. 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. Wisel (ZMA 129-20) (**PH was 03-15-2021**)
- 8-5. 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**)
- 8-6. 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. Wisel (DAMO 040-20) (**PH was 8-16-2021**)
- 8-7. 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) (**PH was 9-7-2021**)

- 8-8. 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) (**PH was 9-7-2021**)
- 8-9. Zoning Map Amendment of lots created in the Indian Creek Estates Preliminary Plat including: Parcel 1 Block 1 (20.4 acres) from BC (Community Business), IL (Light Industrial), and IH (Heavy Industrial) zoning districts to RS6 (single-family residential 6,000 sq. ft) zoning district, Parcel 1 Block 2 (6.7 acres) from IH to RS6 zoning district, Parcel 2 Block 1 from IL & IH (7.8 acres) to RS4 (Single-Family Residential 4,000 sq. ft.) zoning district, Parcel 2 Block 2 (7.4 acres) from IL & IH to RS4 zoning district, Parcel 3 Block 1 less Right of Way (3.5 acres) from BC & IL to RP (Residential Professional) zoning district, Parcel 3 Block 2 (11.7 acres) from IL & IH to RS7 (Single-Family Residential 7,000 sq. ft.) zoning district, Parcel 4 Block 2 (6.6 acres) from IL to RS4, Parcel 5 Block 2 (7.7 acres) from IL to RS4 zoning district, Parcel 6 Block 2 less Right of Way (8.6 acres) from BC to RS6 zoning district, Parcel 7 Block 2 (4.6 acres) from IL & BC to BC zoning district; (located in the NE 1/4 of Section 36, T3N, R2W, BM) for Landmark Pacific Development Inc. representing David Washburn and Troy Summers (ZMA-145-21). The Nampa Planning & Zoning Commission recommended adoption of a Development Agreement to define residential design guidelines for the future development (**PH was 9-20-2021**)
- 8-10. Development Agreement Modification to modify the concept plan (Exhibit B) and conditions of approval (Exhibit C) of Ordinance No. 3631, changing the use from commercial buildings and associated parking to a concept plan for 3 multiple-family residential buildings; and, Conditional Use Permit for Multi-Family Residential in a BC (Community Business) zoning district, for 60 residential units on 3.09 acres for 19.41 gross lot density; located at 3211, 3217, 3225, and 3255 E Greenhurst Rd - County Parcel #s - R2113800000, R2113900000, R2114001000, & R2114000000 (located in NW 1/4 of Section 1, T2N, R2W, BM) for Vertical Equity, LLC representing Jones Development, LLC (DAMO 044-21 & CUP 232-21) (**PH was 9-20-2021**)
- 8-11. Zoning Map Amendment from GB1 (Gateway Business) to IL (Light Industrial) zoning district and Development Agreement; in order to build a Ditch Witch of the Rockies equipment dealership and rental location with garage for the "Equipment or implement sales, large or heavy equipment" land use category at 0 E Hunt Ave - Parcel #R3106712800 (a 5.04 acre parcel located in the SE ¼ of Section 12, T3N, R2W, BM, Nampa, Canyon, Idaho) for Dru Bridwell representing Orange Power Group LLC (ZMA 146-2021) (**PH was 10-04-2021**)





City of Nampa  
Regular Council Meeting  
Livestreaming at <https://livestream.com/cityofnampa>  
October 18, 2021  
Regular Council – 5:30 PM  
Public Hearings – 6:30 PM\*  
**AMENDED**

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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 an executive session does not satisfy this requirement;

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## Adjourn

### Next Meeting

**Special Council at 5:30 PM – Monday, October 25, 2021 - City Council Chambers**

**Regular Council at 5:30 PM – Monday, November 1, 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