

NAMPA CITY COUNCIL REGULAR MEETING MINUTES
May 16, 2022

Mayor Kling called the meeting to order at 5:33 p.m.

Clerk made note that Councilmembers Rodriguez, Bruner, Jangula, Haverfield, and Bower were present.

❖ **(1) Consent Agenda (Action Items)** ❖

Councilmember Bruner announced that he would be abstaining.

Char Tim, Clerk's Office responded to questions from Council on Item #1-10.a, Alcohol Renewal Licenses.

MOVED by Haverfield and **SECONDED** by Bower to **Approve the Consent Agenda** which had the following items presented:

Item #1-1. - Minutes

- a. Regular Council Meeting – April 18, 2022
- b. Regular Council Meeting – May 2, 2022
- c. Planning Commission – April 26, 2022
- d. Golf Commission Regular Meeting – April 19, 2022
- e. Golf Commission Special Meeting – April 21, 2022
- f. Housing Authority – April 13, 2022

Item #1-2. - The Nampa City Council dispenses with the Three (3) Reading Rule of Idaho Code § 50-902 for all ordinances

Item #1-3. - Plat Approvals

- a. Final
 - Subdivision Final Plat Approval for Spyglass Ridge; two parcels totaling 8.88 acres at 11642 and 11544 Iowa Ave (Parcel #: R32087010 & R32087013) in the RS7 (single-family residential) zoning district, located in the SE ¼ of the NW ¼ of Section 31, T3N, R2W, BM; for Copium Investment LLC represented by Will Mason (SPF-00199-2022). Original concept: 38 buildable lots and 18 common lots.
- b. Preliminary
 - None

Item #1-4. - Authorize Public Hearings

- a. Zoning Map Amendment from IP (Industrial Park) to IL (Light Industrial) zoning district, and potential development agreement; in order to expand the display of Campbell Tractor Co. used equipment for sale at 0 N. Franklin Blvd. (Parcel #R3121400000); located on 5.04 acres in the NW ¼ of Section 14, T3N, R2W, BM) for Fran Kar Properties LLC (ZMA-00162-2021)

- b. Zoning Map Amendment from IP (Industrial Park) to IL (Light Industrial) zoning district, and potential development agreement; in order to allow storage of materials and equipment (including recycling containers) outside, rather than within a building as required in the IP zone, at 1517 Madison Ave (a.48 acre parcel in the NW ¼ of Section 15, T3N, R2W, BM) for Dennis Harmon representing Sheli Sandlin (ZMA-00163-2021).
- c. Zoning Map Amendment from RA (Suburban Residential) to RD (Two-Family DUPLEX Residential) zoning district; potential development agreement; and Subdivision Preliminary Plat for Sierra Meadows Subdivision at 3 S. Sugar St (Parcel # R3188300000); totaling 1.83 acres (located in the NE 1/4 of the NW 1/4 of Section 26, T3N, R2W, BM) for David Crawford representing Robert Corral (ZMA-00132-2021 & SPP-00068-2021). Original Concept: 20 multi-family units in 5 fourplex buildings.
- d. Annexation and Zoning to BC (Community Business) zoning district, potential development agreement, and conditional use permit for multiple-family residential in a BC zoning district for the Southside Lofts at 2416 & 2424 Southside Blvd (Parcel #'s R211430100 & R211430000, totaling 4 acres in the NW ¼ of Section 1, T2N, R2W, BM, Nampa), for Joshua Hubert (ANN-00238-2022 & CUP-00270-2022). Original Concept: 84 unit apartments in 6 buildings.
- e. To consider adding a vacant building registry code with associated fee schedule to the Nampa City Code, Title 4 - Building Regulations.
- f. To consider changes to the Business Improvement District Ordinance 2647, an amendment to Ordinance 1946, that changes the fee assessment for vacant building in the Business Improvement District.

Item #1-5. - Authorize to Proceed with Bidding Process

- a. Authorize Engineering Division to proceed with formal bidding process for the Stoddard Pathway Phase 3 project.

Item #1-6. - Authorization for Execution of Contracts and Agreements

- a. None

Item #1-7. - Monthly Cash Report

- a. None

Item #1-8. - Planning & Zoning Formal Findings

- a. None

Item #1-9. - Resolutions

- a. Property Disposal Request: Demo and dispose of a 1,200 s.f. modular classroom located at the fire training center. The Nampa Fire District will fund all demo and disposal costs.

Item #1-10. - Licenses for 2022

- a. Alcohol Renewal

Name	Address	Type	Points
La Rosita Mexican Store	711 E Lincoln Ave	Off Premise Beer & Wine	0
Nampa Gusher	324 3 rd St S	Off Premise Beer & Wine	0
Extra Mile #198	3030 E Greenhurst	Off Premise Beer & Wine	0
Extra Mile #184	4624 E Amity Ave	Off Premise Beer & Wine	0
Extra Mile #183	1400 Franklin Blvd	Off Premise Beer & Wine	0
Extra Mile #182	1604 2 nd St S	Off Premise Beer & Wine	0
Extra Mile #181	323 Caldwell Blvd	Off Premise Beer & Wine	0
Extra Mile #180	111 S Midland Blvd	Off Premise Beer & Wine	0
Extra Mile #179	1520 S Middleton Rd	Off Premise Beer & Wine	0
Extra Mile #144	11950 W Karcher Rd	Off Premise Beer & Wine	0
Jacksons #85	612 Northside Blvd	Off Premise Beer & Wine	0
Jacksons #62	100 Caldwell Blvd	Off Premise Beer & Wine	0
Jacksons #61	927 Caldwell Blvd	Off Premise Beer & Wine	0
Jacksons #60	224 22 nd Ave S	Off Premise Beer & Wine	0
Jacksons #59	2513 Caldwell Ave	Off Premise Beer & Wine	0
Jacksons #5	1407 Franklin Blvd	Off Premise Beer & Wine	0
Jacksons #117	4315 Garrity Blvd	Off Premise Beer & Wine	0
Labyrinth Escape Rooms	1213 ½ 1 st St S	On & Off Premise Beer and Wine	0
O Crab	16808 N Marketplace Blvd	On Premise Beer, Wine & Liquor	0
La Playita	1516 1 st St S	On & Off Premise Beer and Wine	0
V-Cut Lounge	217 14 th Ave S	On & Off Premise Beer, Wine and Liquor	0
IOU Sushi II	2107 N Cassia St	On & Off Premise Beer, Wine and Liquor	0
JP Thailand Express	2025 12 th Ave Rd	On Premise Beer & Wine	0
Pantera Market #2	1802 N Franklin Blvd	On & Off Premise Beer and Wine	0
JaK's Place Neighborhood Grill	6026 Birch Ln	On & Off Premise Beer, Wine and Liquor	0
Outback Steakhouse	2011 Karcher Rd	On Premise Beer, Wine and Liquor	0
Olive Garden Italian Restaurant #1731	16401 N Marketplace Blvd	On Premise Beer, Wine and Liquor	0

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Belle Event Center	120 13 th Ave S	On Premise Beer & Liquor	0
Redhawk Golf Course	12225 S Hunters Pt	On Premise Beer & Wine	0
Airport Inn	3111 Garrity Blvd	On Premise Beer, Wine and Liquor	0
Walmart #3739	5875 E Franklin Rd	Off Premise Beer & Wine	0
Walmart #4180	175 S Middleton St	Off Premise Beer & Wine	0
Walmart #2781	2100 12 th Ave Rd	Off Premise Beer & Wine	0
1918 Lounge	10 13 th Ave S	On Premise Beer, Wine and Liquor	0
Wingers Restaurant	16250 N Marketplace Blvd	On & Off Premise Beer, Wine and Liquor	0
Fiesta Guadalajara	1202 N Jacob Alcott Way	On Premise Beer & Liquor	0
Roccos Roadhouse	1911 1 st St	On Premise Beer & Liquor	0
Smashburger #1588	1467 Caldwell Blvd	On Premise Beer & Wine	0
Mesa Tacos & Tequila	2114 N Elder St	On Premise Beer, Wine & Liquor	0
Tobacco Connection #16	1107 12 th Ave S	Off Premise Beer & Wine	0
Tobacco Connection #23	16428 N Merchant Rd	Off Premise Beer & Wine	0
Tobacco Connection #12	197 Caldwell Blvd, #6	Off Premise Beer & Wine	0
Tobacco Connection #1	323 11 th Ave N	Off Premise Beer & Wine	0
Tobacco Connection #32	2918 Greenhurst	Off Premise Beer & Wine	0
4T Sports Bar*	112 13 th Ave S	On & Off Premise Beer, Wine and Liquor	0
2C Family Brewing Company*	1215 1 st St S	On Premise Beer & Wine	0
Aguililla Restaurant*	324 11 th Ave N	On Premise Beer & Wine	0
Buffalo Wild Wings #592*	2101 N Cassia, Ste 211	On Premise Beer, Wine & Liquor	0
Big Smoke #113	4211 Garrity Blvd	Off Premise Beer & Wine	0
Big Smoke #109	2318 12 th Ave	Off Premise Beer & Wine	0
Bud's	16345 N Merchant Way	Off Premise Beer & Wine	0
Best Western Plus Peppertree	205 3 rd St	On Premise Beer, Wine & Liquor	0
Brick 29	320 11 th Ave S, Ste 300	On Premise Beer, Wine & Liquor	0
Cracker Barrel #683*	16853 N Marketplace Blvd	On & Off Premise Beer and Wine	0
Crescent Brewery*	1521 Front St	On Premise Beer & Wine	0
Centennial Golf Course*	2600 Centennial Dr	On Premise Beer & Wine	0
Chapala Restaurant III	2117 12 th Ave Rd	On Premise Beer, Wine & Liquor	0
Chapala Mexican Restaurant #7, Inc*	525 Caldwell Blvd	On Premise Beer, Wine & Liquor	0
Chicago Connection*	523 12 th Ave Rd	On Premise Beer	0
Chicago Connection*	5830 E Franklin Rd	On Premise Beer	0
Campos on Lonestar*	135 Lonestar	On & Off Premise Beer and Wine	0
Campos Market Nampa*	3302 Caldwell Blvd	On & Off Premise Beer and Wine	0
County Line Wine Company	14095 N Nana Lane	On Premise Beer & Wine	0
Alondra's Store*	515 3 rd St S	On Premise Beer	0
Pollos Y Mariscos El Guero	1204 12 th Ave S	On & Off Premise Beer, Wine and Liquor	0
Fred Meyer Store*	50 2 nd St	Off Premise Beer & Wine	0

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Flying Pie Pizzeria 2 LLC	1021 12 th Ave S	On & Off Premise Beer and Wine	0
Fast Mart*	306 N Franklin Blvd	Off Premise Beer & Wine	0
Grocery Outlet Nampa	1215 12 th Ave S	Off Premise Beer & Wine	0
The Griddle	1124 Caldwell Blvd	On Premise Beer & Wine	0
Hispanic Cultural Center*	315 Stampede Dr	On Premise Beer, Wine & Liquor	0
Garrity 66*	4426 Garrity Blvd	Off Premise Beer & Wine	0
Hong Kong Restaurant*	117 12 th Ave S	On Premise Beer, Wine & Liquor	0
Holiday Inn Nampa*	16245 N Merchant Way	On Premise Beer, Wine & Liquor	0
Italianesque	1338 N Galleria Dr	On Premise Beer, Wine & Liquor	0
Jacksons #239*	5950 E Franklin Rd	Off Premise Beer & Wine	0
Jalapeno's Bar & Grill*	1921 Caldwell Blvd	On Premise Beer, Wine & Liquor	0
Kickback Bar	3116 Garrity Blvd, #145	On & Off Premise Beer & Liquor	0
Applebee's	1527 Caldwell Blvd	On Premise Beer, Wine & Liquor	0
Big Smoke #115	5687 E Franklin Rd	Off Premise Beer & Wine	0
Messenger	1224 1 st St S	On & Off Premise Beer and Wine	0
Mother Earth Micro Brews	1428 Madison Ave	On & Off Premise Beer and Wine	0
Maverik #522*	2516 Karcher Rd W	Off Premise Beer & Wine	0
Maverik #178*	723 N 12 th Rd	Off Premise Beer & Wine	0
Maverik #551*	555 Northside Blvd	Off Premise Beer & Wine	0
Maverik #287*	2211 N Franklin Blvd	Off Premise Beer & Wine	0
Nampa Elks Lodge #1389	1116 1 st St S	On Premise Beer, Wine & Liquor	0
Eagles Aerie #2103*	118 11 th Ave N	On Premise Beer, Wine & Liquor	0
Pantera Market 4	1323 2 nd St S	On & Off Premise Beer and Wine	0
Prefunk Beer Bar II	1214 1 st St S	On & Off Premise Beer and Wine	0
Red Robin America's Gourmet Burgers and Brews*	2222 Cassia St	On Premise Beer, Wine & Liquor	0
Swirl Wine Shop & Lounge	116 13 th Ave S	On Premise Beer, Wine & Liquor	0
Slick's Bar*	525 E Karcher Rd	On Premise Beer, Wine & Liquor	0
La Copa	1524 1 st St N	On & Off Premise Beer and Liquor	0
Target Store T-2206*	16300 N Marketplace Blvd	Off Premise Beer & Wine	0
The Tower Grill*	105 Municipal Dr	On & Off Premise Beer, Wine and Liquor	0
Texas Roadhouse	1830 Caldwell Blvd	On Premise Beer, Wine & Liquor	0
Tiny's Cocktail and Lounge	10 12 th Ave S	On Premise Beer, Wine & Liquor	0

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Tacos El Ray #5	2707 Garrity Blvd #1	On & Off Premise Beer and Wine	0
The Tilted Ace*	306 N Kings Rd	On & Off Premise Beer, Wine and Liquor	0
The Tackle Shop	1707 Garrity Blvd	Off Premise Beer & Wine	0
TNT's Dynamite Bar & Grill	817 E Karcher Rd	On Premise Beer, Wine & Liquor	2
TGI Fridays	16225 N Marketplace Blvd	On Premise Beer, Wine & Liquor	0
Whiskey River	2039 W Honey Dew	On Premise Beer, Wine & Liquor	0
Winco Foods*	1175 N Happy Valley Rd	Off Premise Beer & Wine	0
Winco Foods*	2020 Caldwell Blvd	Off Premise Beer & Wine	0
Walgreens #5648	700 12 th Ave S	Off Premise Beer & Wine	0
Walgreens #10672	2219 12 th Ave Rd	Off Premise Beer & Wine	0
Walgreens #12483	932 Caldwell Blvd	Off Premise Beer & Wine	0

* Contingent upon issuance of State and/or County Licenses

b. Alcohol New

Name	Address	Type
La Esperanza Market	623 Caldwell Blvd	On & Off Premise Beer

Item #1-11. - Miscellaneous items

a. None

Item #1-12. - Approval of Agenda

Mayor asked for a roll call vote with Councilmembers Rodriguez, Jangula, Haverfield and Bower voting **YES** and Councilmember Bruner **ABSTAINING**.

MOTION CARRIED

❖ (2) Public Forum ❖

- Christian Case, 435 Arrowhead Dr spoke on a movie regarding the 2020 election and encouraged everyone to watch it.

❖ (3) Proclamation ❖

Item #3-1 – Public Works Week

Tom Points, Public Works accepted the Proclamation and thanked his team for all of their hard work.

Item #3-2 – National Police Week

Lt. Oren McGuire, Police accepted the Proclamation and thanked Council and the public for their support.

Item #3-3 – HOPE Week

Mayor spoke on HOPE Week and invited Council and others to participate in High Five Fridays.

❖ (4) Agency/External Communications ❖

Item #4-1. – None

❖ (5) Staff Communications ❖

Item #5-1. – Finance Department

Kristen Diggs, Eide Bailey presented the City's audit results.

NO ACTION TAKEN.

Item #5-2. – Public Works Department – Tom Points

Tom Points, Public Works provided a departmental update and invited the Mayor and Council to the Public Works Staff Appreciation lunch later that week in celebration of Public Works Week. Trent Bothwell, Streets was honored with two awards from LHTAC (Local Highway Technical Assistance Council), Road Scholar and Road Masters.

NO ACTION TAKEN.

❖ (6) New Business ❖

Item #6-1 – Request for Reconsideration of 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 #R29263011 0, 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.

Todd Lakey, Legal reminded Council that for a Reconsideration request, they do not take additional testimony and just the letter that was submitted should be considered as the basis for the reconsideration request.

MOVED by Rodriguez and **SECONDED** by Bower to **Deny** the request. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-2 – Confirm the appointment of Dale Reynolds to Nampa City Council Seat 4.

Rick Hogaboam, Mayor's Office presented the item to Council.

Several Councilmembers voiced some discontent on the two-tier interview process as they would have been interested in interviewing all candidates.

MOVED by Haverfield and **SECONDED** by Jangula to **Confirm the appointment** of Dale Reynolds to Nampa City Council Seat 4. Mayor asked for a roll call vote with Councilmembers Bruner, Jangula, Haverfield and Bower voting **YES** and Councilmember Rodriguez voting **No**.

MOTION CARRIED

Clerk's Note: Mayor announced that it was slightly past 6:30pm and Council would now move to the Public Hearing portion of the agenda.

Item #6-3 – Authorize Mayor and Public Works Director to sign task order with J-U-B Engineers, Inc. for the Five-Year Transportation Plan in the amount of \$180,373 T&M NTE.

MOVED by Bruner and **SECONDED** by Haverfield to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-4 – Authorize Mayor to sign resolution authorizing the Public Works Director to sign and submit the U.S. Department of Interior, Bureau of Reclamation WaterSMART Drought Response Program: Drought Resiliency Projects for Fiscal Year 2023 Grant Funding Application.

Tom Points, Public Works responded to questions from Council.

MOVED by Haverfield and **SECONDED** by Rodriguez to **Pass the Resolution as presented**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**. Mayor declared the resolution passed, numbered it **35-2022** and directed the Clerk to record it as required.

MOTION CARRIED

Item #6-5 – Award quote and authorize Mayor to sign contract for the 11th Avenue South Pedestrian Improvements project with Hess Construction, Inc. in the amount of \$95,625.00.

MOVED by Haverfield and **SECONDED** by Bower to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-6 – Authorize Engineering Division to proceed with execution of the Utility Relocation Cost Agreement in the amount of \$72,765 with Idaho Power for the Midland Boulevard and Lake Lowell Avenue Intersection project.

Daniel Badger, Engineering responded to questions from Council.

MOVED by Haverfield and **SECONDED** by Rodriguez to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-7 – Authorize Engineering Division to proceed with execution of the Utility Relocation Cost Agreement in amount of \$112,959 with Idaho Power for the Kings Rd and Victory Rd Intersection Improvements project.

MOVED by Haverfield and **SECONDED** by Bower to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-8 – Authorize Mayor to sign the Development Agreement for Jack’s Place Subdivision, located northeast of E Lewis Lane and Sunnyridge Road, on behalf of the city.

MOVED by Bruner and **SECONDED** by Haverfield to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-9 – Authorize Mayor to sign the Memorandum of Understanding with Hayden Homes of Idaho LLC for the Intersection of Happy Valley Road and Locust Lane Roundabout Concept Design.

MOVED by Rodriguez and **SECONDED** by Jangula to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #6-10 – Engineering Division requesting the following:

- a. Council to approve the language of the TDS Easement Agreement (Exhibit C).**
- b. Council to approve a one-time lease fee for TDS requested non-exclusive easements at \$8/SF, or other fee as Council deems appropriate.**
- c. Council to approve 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 for the West Roosevelt Park site and draft required resolution for final approval by Council.**

Daniel Badger, Engineering responded to questions from Council.

MOVED by Bruner and **SECONDED** by Rodriguez to **Approve** the item. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

❖ (7) Public Hearings ❖

Item #7-1 – Annexation and Zoning to IL (Light Industrial) zoning district at 29 N Happy Valley Rd (a 1.49 acre parcel # R3174300000, located in the SE 1/4 of Section 24, T3N, R2W, BM) for Rogelio H. Gallegos (ANN-00232-2022). Original Concept: Establish the existing shop on the property as an auto repair business w/ caretaker residence.

Mayor opened the public hearing.

Rogelio and Maria Gallegos, Applicants, 29 N Happy Valley Rd presented the request.

Kristi Watkins, Planning & Zoning presented the item to Council.

No one appeared in favor of or in opposition to the request.

MOVED by Haverfield and **SECONDED** by Rodriguez to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Rodriguez and **SECONDED** by Bruner to **Approve** the Annexation and Zoning to IL zoning district at 29 N Happy Valley Rd (a 1.49 acre parcel # R3174300000, located in the SE 1/4 of Section 24, T3N, R2W, BM) for Rogelio H. Gallegos (ANN-00232-2022) with all conditions listed in the staff report. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-2 – Annexation and Zoning to RS22 (Single-family Residential 22,000 sq. ft.) zoning district at 703 W Dooley Ln (a 3.47 acre parcel # R2926101000, located in the SW 1/4 of Section 4, T2N, R2W, BM) for Blake Wolf representing Robert & K. Virginia Peirsol Revocable Trust (ANN-00231-2022). Revised Concept: To enable a future subdivision of four single-family homes.

Mayor opened the public hearing.

Blake Wolf, Applicant Representative, 843 W Horizon Way presented the request.

Rodney Ashby, Planning & Zoning presented the item to Council. Daniel Badger, Engineering responded to Council's questions.

Tom Dale, 713 W Bitterroot Cir appeared in favor of the request.

MOVED by Haverfield and **SECONDED** by Rodriguez to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Bower and **SECONDED** by Haverfield to **Approve** the Annexation and Zoning to RS22 zoning district at 703 W Dooley Ln (a 3.47 acre parcel # R2926101000) for Blake Wolf (ANN-00231-2022) with all conditions and conclusions of law contained in the staff report **with the addition of a new condition for the 4 foot fence, as discussed, and the correction to reference four lots**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-3 – Annexation and Zoning to RS22 (Single-Family Residential 22,000 sq. ft.) zoning district, potential development agreement, and Subdivision Short Plat for Happy Rails Subdivision at 0 S. Happy Valley Rd. (Parcel #R3239601000, a 3.02 acre parcel in SE ¼ of Section 36, T3N, R2W, BM, Nampa, Canyon County), for HECO Engineers, representing Luis Arizmendi (ANN-00228-2021 & SPS-00041-2021). Original Concept: 4 single family lots, 1 common lot.

Mayor opened the public hearing.

Jesse Christensen, Applicant Representative, 2157 W Willow Pointe Ave presented the request.

Kristi Watkins, Planning & Zoning presented the item to Council. Daniel Badger, Engineering responded to Council's questions.

No one appeared in favor of or in opposition to the request.

MOVED by Haverfield and **SECONDED** by Rodriguez to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Bower to **Approve** the Annexation and Zoning to RS22 zoning district and Subdivision Short Plat for Happy Rails Subdivision at 0 S. Happy Valley Rd. for HECO Engineers, representing Luis Arizmendi (ANN-00228-2021 & SPS-00041-2021) with all conditions listed in the staff report. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Item #7-4 – Development Agreement Modification to modify the concept plan (Exhibit B) and conditions of approval (Exhibit C) of Ordinance No. 3584, changing the site plan, the number of buildings, associated parking, and conditions, and future Subdivision Preliminary Plat for the Falcon Townhouses Subdivision on 3 parcels addressed as 0 Lake Lowell Ave. - parcel #'s R32045000, R32045012, & R32045013 in a RD (Two-Family Residential) zoning district (three parcels totaling 7.8 acres in the SE 1/4 of Section 30, T3N, R2W, BM, Nampa, Canyon County) for Delta LLC/M Ataul Karim (DAMO-00054-2022). Revised Concept: 56 single-family attached townhouse units in 14 buildings, and 2 common lots (50,205 sq. ft.), and 1 open space lot (41,823 sq. ft.).

Mayor opened the public hearing.

Ataul Karim, Applicant, 1297 W Pine Ave, #C101, Meridian presented the request.

Parker Bodily, Planning & Zoning presented the item to Council. Rodney Ashby, Planning & Zoning and Daniel Badger, Engineering responded to Council’s questions.

The following appeared in favor of or in opposition to the request:

Name	Address	Speak	Favor/Opp
Michael Williams	2433 Coneflower St	Yes	Opposed
Chrissy Williams	2433 Coneflower St	no	Opposed
Rod Jussel	739 S. Alyssa Ave	no	Opposed
Pamela Jussel	739 S. Alyssa Ave	no	Opposed
Darrell Broughtan	757 S. Alyssa Ave	Yes	Opposed
Elena Broughtan	757 S. Alyssa Ave	no	Opposed
Philips Rees	11174 W. Carriage Hill Court	no	Opposed
Gregg Newcomb	12550 S. Carriage Hill Court	no	Opposed
Toinette Barry	2283 W. Skylar St	Yes	Opposed
Mark Schumacher	11375 W Shay Park WaY		Opposed
Tom Camara	13213 S Coqville River Ave		Opposed
Alexis Jarvis	2429 W. Yellowbell St	Yes	Opposed
Mikael Rios	3229 S Rosa Parks Way		Support
Courtney Williams	9185 S Lava Springs Loop		Support
Cheryl Higley	12441 S Abbot Downing Way	Yes	Opposed
Bob Higley	12441 S Abbot Downing Way	no	Opposed

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Robert Swanson	11518 W. Pram Dr	Yes	Opposed
Bonnie Varner	2445 W. Skylar St		Opposed
Randy Rieken	724 S Lancaster Dr		Opposed
Becky Miles	11344 W. Rosette Dr		Opposed
Craig Miles	11344 W. Rosette Dr		Opposed
Sondra Wesner	12868 S. Orenco Way		Opposed
Jim Wesner	12868 S. Orenco Way		Opposed
Bill Varner	2445 W. Skylar St		Opposed
Bonnie Varner	2445 W. Skylar St		Opposed
Judith Holm	11571 W. Pram Dr		Opposed
Earnest J. Holm	11571 W. Pram Dr		Opposed
Lynn Watkins	11505 W. Pram Dr		Opposed
Pauleen Stancic	706 S. Lancaster Dr	Yes	Opposed
Slobodian Sfevanovic	11244 W Rosette Dr	Yes	Opposed
Denise Martinz	11900 W. Taneo		Opposed
Jordan Martinez	12871 S Salerno Ave		Opposed
Blair Wade	12921 S. Verclli Way	Yes	Opposed
Dana Miller	12899 S Carriage Hill Way	no	Opposed
Marilyn Salai	11175 W Troyer Carriage Hill	no	Opposed

MOVED by Bower and **SECONDED** by Haverfield to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Rodriguez to **Deny** the Development Agreement Modification as presented. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Clerk's Note: Mayor announced a short recess at 9:26 p.m.

Item #7-5 – Approve the allocation of prior year CDBG funding to the 11th Ave pedestrian ramp and City Acres/West Park basketball court improvements as recommended.

Mayor opened the public hearing.

Matt Jamison, Economic Development presented the item to Council.

No one appeared in favor of or in opposition to the request.

MOVED by Haverfield and **SECONDED** by Rodriguez to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by Bruner to **Approve** the allocation of \$108,024 as presented in the Council packet. Mayor asked for a roll call vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Clerk's Note: Mayor announced that with the end of the public hearings, Council would return to the regular agenda order, starting with New Business agenda Item #6-3.

❖ **(8) Unfinished Business** ❖

Item #8-1 – Authorize mayor to sign a resolution for pre-annexation fees for City of Nampa Planning & Zoning Department.

MOVED by Rodriguez and **SECONDED** by Haverfield to **Pass the Resolution as presented**. Mayor asked for a roll call vote with all Councilmembers present voting **YES**. Mayor declared the resolution passed, numbered it **34-2022** and directed the Clerk to record it as required.

MOTION CARRIED

Item #8-2 – 1st reading of ordinance and approval of summary ordinance amending 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).

Mayor presented the request to pass the Ordinance under suspension of rules.

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO AMENDING TITLE 2, CHAPTER 16 OF THE NAMPA CITY CODE, REVISING DESIGN REVIEW COMMITTEE MEMBERSHIP AND POWERS, DUTIES AND RESPONSIBILITIES; CHAPTER 8 REGARDING THE PLANNING AND ZONING COMMISSION MEETINGS; AND CHAPTER 10 REGARDING THE ARTS AND HISTORIC PRESERVATION COMMISSION MEMBERSHIP AND MEETINGS; AND AMENDING TITLE 6, CHAPTER 2 REGARDING KENNEL LICENSES; AND AMENDING TITLE 10, CHAPTER 1 REGARDING DEFINITIONS OF KENNELS, CERTAIN LAND USES, RESIDENTIAL DWELLINGS, HOME OCCUPATIONS, SWIMMING POOLS, LOT SPLITTING AND PROPERTY BOUNDARY ADJUSTMENTS, TEMPORARY RESIDENCES, SETBACKS AND SELF STORAGE FACILITIES; CHAPTER 2 REGARDING ANNEXATION, DEANNEXATION, PREANNEXATION AND REMANDING; CHAPTER 3 REGARDING USE DISTRICTS; CHAPTER 10 REGARDING DENSITY REQUIREMENTS; CHAPTER 12 REGARDING BUILDING HEIGHT AND SETBACKS; CHAPTER 15 REGARDING STRUCTURE HEIGHT, COLORING, COMMERCIAL SPACE, SIGNS, PARKING, LANDSCAPING AND HISTORIC BUILDINGS; CHAPTER 21 REGARDING KENNEL REQUIREMENTS; CHAPTER 22 REGARDING PARKING; CHAPTER 23 REGARDING SIGN DEFINITIONS, MURAL APPLICATION PROCEDURES, REMOVING NUMBERED IDENTIFICATION DECALS, REMOVING SIGN VARIANCES, AND ADDING SIZE LIMITS TO ELECTRONIC MESSAGE CENTERS USED AS WALL SIGNS; CHAPTER 24 REGARDING VARIANCES AND CORRESPONDING APPLICATIONS, NOTICE AND APPEALS; CHAPTER 25 REGARDING MOBILE HOME PARKS; CHAPTER 26 REGARDING UTILITY AREAS, BUILDING SEPARATION AND HEIGHT, DENSITY AND LOT SIZE, BUILDABLE ACREAGE AND DENSITY ALLOWANCE, QUALIFIED OPEN SPACE AND MAINTENANCE; CHAPTER 27 REGARDING ESTABLISHMENT AND ENFORCEMENT, PLAT INFORMATION, LANDSCAPE PLANS, LOT AREA AND DENSITY, PRELIMINARY AND FINAL PLATS, LANDSCAPING, OPEN SPACE AND LAND DIVISIONS; CHAPTER 28 REGARDING SECTION HEADINGS, ZONING DISTRICT PROVISIONS DELETING CERTAIN EXCEPTIONS, MOBILE HOME PARKS, SITE PLAN REVIEW, COMMISSIONER ACTION, APPEALS, FEES AND PROVIDING EXCEPTIONS; CHAPTER 32 REGARDING RECREATIONAL VEHICLE PARKS; CHAPTER 33 REGARDING LANDSCAPING AND CHAPTER 34 REGARDING ZERO LOT LINES, EXTERIOR FACADES AND FENCING AND SCREENING; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; ALLOWING FOR A SUMMARY OF THIS ORDINANCE TO BE PUBLISHED; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH.

MOVED by Bruner and **SECONDED** by Haverfield to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4671** and directed the Clerk to record it as required.

MOTION CARRIED

Item #8-3 – 1st reading of ordinance for 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.

Mayor presented the request to pass the Ordinance under suspension of rules.

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 0, 16940 AND 16896 IDAHO CENTER BLVD., NAMPA, IDAHO, (PARCEL NUMBERS R30413000, R30411000, & R3041201000) COMPRISING APPROXIMATELY 6.69 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED GB2 (GATEWAY BUSINESS); DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION AND ZONING ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, AND TO DESIGNATE SAID PROPERTY AS GB2 (GATEWAY BUSINESS) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND, DIRECTING THE CITY CLERK TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215.

MOVED by Haverfield and **SECONDED** by Rodriguez to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4670** and directed the Clerk to record it as required.

MOTION CARRIED

Item #8-4 – 1st reading of ordinance for 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.

Mayor presented the request to pass the Ordinance under suspension of rules.

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO TO PROVIDE RS6 (SINGLE-FAMILY RESIDENTIAL, 6,000 SF) ZONE DESIGNATION FOR CERTAIN LANDS, COMMONLY KNOWN 16127 N. FRANKLIN BLVD., NAMPA, IDAHO (COUNTY PARCEL R2200900000), COMPRISING APPROXIMATELY .38 ACRES, MORE OR LESS; DETERMINING THAT SAID ZONING IS IN THE BEST INTEREST OF THE CITIZENS AND CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; REZONING SAID PROPERTY FROM IP (INDUSTRIAL PARK) TO RS6 (SINGLE-FAMILY RESIDENTIAL, 6,000 SF); PROVIDING FOR RECORDATION; INSTRUCTING THE CITY ENGINEER TO DESIGNATE SAID PROPERTY AS RS6 (SINGLE-FAMILY RESIDENTIAL, 6,000 SF) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH.

MOVED by Haverfield and **SECONDED** by Bruner to **Pass the Ordinance under suspension of rules.** Mayor asked for a roll call vote with all Councilmembers present voting **YES.** Mayor declared the ordinance duly passed, numbered it **4672** and directed the Clerk to record it as required.

MOTION CARRIED

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

- 9-1. 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)**
- 9-2. 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)**
- 9-3. 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)**
- 9-4. 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 & Murvelle 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)**
- 9-5. 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)**

- 9-6. 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)**
- 9-7. 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)**
- 9-8. 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)**
- 9-9. 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) & BC (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, R3239200000, 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. (PH was 04-18-2022)

- 9-10. 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. (PH was 05-02-2022)

❖ (10) Executive Session ❖

Item #10-1 – None

MOVED by Haverfield and **SECONDED** by Bower to **Adjourn the meeting** at 10:10 p.m. Mayor asked for a voice vote with all Councilmembers present voting **YES**.

MOTION CARRIED

Passed this 6th day of June 2022.

MAYOR

ATTEST:

NAMPA CITY CLERK