



## Call to Order and Pledge to Flag

**Invocation** - Debra Curry

## 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 5, 2021
- b. Planning & Zoning Commission – March 23, 2021
- c. Board of Appraisers – April 7, 2021
- d. Nampa Arts & Historic Preservation Commission – March 15, 2021
- e. Nampa Arts & Historic Preservation Commission – March 26, 2021
- f. Nampa Housing Authority – March 10, 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

- Summit Ridge No. 5 (phase) Subdivision in a RS6 (Single-Family Residential 6,000 sq. ft) zoning district; for 69 single family lots and 3 common lots with a 3.43 gross lot density and a 5.15 net lot density; located at 1354 W Tenzing St. - County Parcel # - R2929101100 (a 20.39 acre portion of land located in NE 1/4 of Section 5, T2N, R2W, BM) for M3 Companies/Mark Tate representing M3 ID Greenhurst LLC (SPF 160-21)
- Subdivision Plat Final Approval for Lekeitio Village No. 1 (Phase 1) for 26 single family detached lots and 6 common lots in an RS8.5 (Single-Family Residential 8,500 sq. ft.) zoning district, on 10.66 acre portion of 17390 N Can Ada Rd for a 2.44 gross density and a 3.79 net density (a portion of land located in the N1/2 of the SW ¼ of Section 6, T3N, R1W, BM, Canyon County, Nampa, also referred to as Parcel #R3039201100 & R3039000000) for Isaac Josifek (Hayden Homes) representing Encore Lekeitio Village LLC (SPF 161-21)

##### b. Preliminary

- None



c. Short

- Court Subdivision in a RS6 (Single-Family Residential 6,000 sq. ft.) zoning district, at 0 Southside Blvd (parcel #R3231000000) for division into 7 buildable lots and 1 private roadway for a 3.22 gross density (a 2.17 acre parcel located in the NE 1/4, Section 35, T3N, R2W, BM) for Danny Chervak representing Zenith Homes (SPS-038-21)

1-4. Authorize Public Hearings

- a. 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). Authorize to Proceed with Bidding Process
- b. 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).
- c. 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).
- d. 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).

1-5. Authorization for Execution of Contracts and Agreements

- a. Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease for Recording with Oldrock Companies Inc., dba Base Constructors effective April 19, 2021, for Lot 2400
- b. Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease for Recording with Oldrock Companies Inc., dba Base Constructors effective April 19, 2021, for Lot 2405



- c. Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease for Recording with Oldrock Companies Inc., dba Base Constructors effective April 19, 2021, for Lot 2410
- d. Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease for Recording with Oldrock Companies Inc., dba Base Constructors effective April 19, 2021, for Lot 2411
- e. Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease for Recording with Oldrock Companies Inc., dba Base Constructors effective April 19, 2021, for Lot 2412
- f. Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease for Recording with Oldrock Companies Inc., dba Base Constructors effective April 19, 2021, for Lot 2413
- g. Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease for Recording with Oldrock Companies Inc., dba Base Constructors effective April 19, 2021, for Lot 2414
- h. Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease for Recording with Oldrock Companies Inc., dba Base Constructors effective April 19, 2021, for Lot 2415
- i. Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease for Recording with Oldrock Companies Inc., dba Base Constructors effective April 19, 2021, for Lot 2410-2415 Common Area

Airport contracts have been Reviewed/Approved by Legal

- 1-6. Monthly Cash Report
  - a. March 2021
- 1-7. Planning & Zoning Formal Findings
  - a. None
- 1-8. Licenses for 2020
  - a. Alcohol Renewal
    - None
  - b. Alcohol New
    - O' Seafood 16808 North Marketplace Blvd. – On Premise Beer, Wine & Liquor
  - c. Alcohol Transfer
    - Friendly Fred's 507 16<sup>th</sup> Ave N. – Off Premise Beer & Wine
- 1-9. Miscellaneous items
  - a. None
- 1-10. Approval of Agenda



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## (2) Proclamations

- 2-1. 2021 Fair Housing Month
- 2-2. Arbor Day
- 2-3. Nampa... A Community of Unity

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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

Legislative Update

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## (3) Agency & Commission Reports

- 3-1. None

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## (4) Staff Communications

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

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## (5) New Business

- 5-1. **Action Item:** 1st reading of Ordinance for amendment of Title 6 Chapter 1 Disorderly Conduct
- 5-2. **Action Item:** Approve summary of publication for preceding ordinance
- 5-3. **Action Item:** 1st reading of Ordinance for amendment of Title 6 Chapter 1 Stop and Identify
- 5-4. **Action Item:** Approve summary of publication for preceding ordinance
- 5-5. **Action Item:** 1st reading of ordinance to amend Title 2 Chapter 4 duties of appointed officials
- 5-6. **Action Item:** Approve summary of publication for preceding ordinance
- 5-7. **Action Item:** Amend City of Nampa Fiscal Year 2019 Transportation Master Plan by authorizing intersection design changes of 5 intersections, and the addition of 4 new intersections
- 5-8. **Action Item:** Award bid and authorize Mayor to sign contract for the Sidewalk Local Improvement District (LID) 170 project with Hess Construction, Inc. in the amount of \$96,195.55 (approved by legal)



- 5-9. **Action Item:** Authorize Mayor to sign task order for attached scope of work with Keller Associates for Culvert Replacement FY21 project design services in the amount of \$131,575.00 (T&M N.T.E.) (approved in FY21 budget)
- 5-10. **Action Item:** 1<sup>st</sup> reading of Ordinance annexing portions of the underlying irrigation districts into the Municipal Irrigation District of the City of Nampa
- 5-11. **Action Item:** Approve summary of publication for preceding ordinance
- 5-12. **Action Item:** Authorize Mayor to sign task order for the attached scope of work with Paragon Consulting, Inc. for Midland Boulevard & Lake Lowell Avenue Intersection project design and CEI services in the amount of \$131,500.00 Time and Materials Not to Exceed (T&M N.T.E.) (Approved in FY21 budget, 55% from impact fees)
- 5-13. **Action Item:** Authorize Mayor to sign Midway Park Phase 2 Design Development, Construction Documents and Bidding Services agreement with Jensen Belts for the amount, not to exceed, \$195,250.00 (Funded by Park Impact Fees FY21)
- 5-14. **Action Item:** Authorize Public Works Department staff to work with legal on a franchise agreement with Bird Rides, Inc to operate scooters in the City of Nampa
- 5-15. **Action Item:** Authorize Mayor and Public Works Director to sign a task order for attached scope of work with Parametrix for SH-16 South Connection Study in the amount of \$220,000.00 T&M NTE (Approved in FY21 Budget)
- 5-16. **Action Item:** Authorize Mayor and Public Works Director to sign Contributed Funds Agreement with the U.S. Department of the Interior, Bureau of Reclamation for the Nampa Recycled Water Program Project in the amount of \$39,700.00 T&M NTE (Reviewed/Approved by Legal) (Approved in FY21 Budget)
- 5-17. **Action Item:** Authorize Mayor to sign resolution authorizing the Public Works Director to sign and submit the U.S. Department of Interior, Bureau of Reclamation WaterSMART Title XVI WIIN Water Reclamation and Reuse Projects Grant Funding Application (Reviewed/Approved by Legal)
- 5-18. **Action Item:** Six Month Extension of 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 (CUP 191-20) until October 21, 2021



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## (6) Public Hearings

- 6-1. **Action Item:** Appeal of a Conditional Use Permit (CUP-209-21) approved by Nampa Planning & Zoning Commission on 03/09/2021 to Edmark Toyota/EFHC, LLC for a vehicle Aftermarket and Reconditioning Center - per NCC 10-3-2B in a GB1 (Gateway Business) zoning district at 16115 and 16027 Idaho Center Boulevard (two parcels comprising 2.74 acres, described as lots 3 and 4, Block 1, of the Empire Business Park Subdivision - SE 1/4 of Section 12, T3N, R2W, BM, Nampa) for Kirk Houston representing Century Property Development Group, LLC, Comprehensive Dermatology of Idaho, and Reasonable Rentals, LP (APL-012-21)
- 6-2. **Action Item:** 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)
- 6-3. **Action Item:** Variance of Section 10-8-6 requiring a 6,000 sq. ft. minimum lot size, in order to allow a property split and a second home to be constructed; Lot A: 5,227 square feet, and Lot B: 5,133 sq. ft., in an RS6 (Single-Family Residential 6,000 sq. ft. minimum) zoning district at 512 S Elder St - county parcel #R1114600000, (Lot 2B and Lot 3, Block 61 of the Resubdivision of Kurtz Addition, Located in the SW 1/4 of the SE 1/4 of Section 27, T3N, R2W, BM, Nampa) for Tyler Delay representing Sean Rosin (VAR-098-20)
- 6-4. **Action Item:** 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)
- 6-5. **Action Item:** Public Hearing 2021 CDBG Administration/Planning and Non-Public Service Activities Allocation
  - **Action Item:** Allocate the 2021 Community Development Block Grant funding for Administration/Planning and Non-Public Service Activities as presented

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## (7) Unfinished Business

- 7-1. **Action Item:** None

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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. 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)**



- 8-9. 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**)
- 8-10. 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**)

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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) (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 3, 2021 - City Council Chambers

- ◆ Individuals, who require language interpretation or special assistance to accommodate physical, vision, hearing impairments, please contact the City Clerk's Office at Nampa City Hall, (208) 468-5426. Requests should be made at least 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