



City of Nampa
Regular Council Meeting
Livestreaming at <https://livestream.com/cityofnampa>
May 17, 2021
Regular Council – 5:30 PM
Public Hearings – 6:30 PM*

Call to Order and Pledge to Flag

Invocation Jim Halbert - Crossroads Church

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 – April 27, 2021
 - b. Nampa Police Protective Agency – April 20, 2021
 - c. Nampa Police Protective Agency – May 4, 2021
 - d. Nampa Housing Authority – April 14, 2021
 - e. Design Review Committee – March 15, 2021
 - f. Nampa Golf Commission – April 20, 2021
 - g. Nampa Arts and Historic Preservation Commission – April 12, 2021
 - h. Nampa Bike & Pedestrian Advisory Committee – February 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
 - Southern Ridge No. 9 (phase) Subdivision in a RS6 (Single-Family Residential 6,000 sq. ft) zoning district; for 47 single family lots and 2 common lots with a 4.33 gross lot density and a 5.56 net lot density; located at 0 Locust Ln. - County Parcel # - R2908701200 (a 10.84 acre portion of land located in SE 1/4 of Section 1, T2N, R2W, BM) for Kent Brown representing Southern Ridge Properties (SPF 165-21)
 - b. Preliminary
 - None



1-4. Authorize Public Hearings

- a. Appeal of Planning Commission Denial of Conditional Use Permit (CUP-210-21) for multi-family housing in a Community Business (BC) zoning district for an 11.87 acre portion of a 12.56 acre parcel addressed as 609 S Grays Lane (SW 1/4 of Section 25, T3N, R2W, BM, Nampa) for 252 dwelling units in Copper Depot Apartments with a gross dwelling unit of 20.06 and net density of 23.21, for Inland Group (APL-013-21)
- b. Reconsideration of Zoning Map Amendment from RS6 (Single Family Residential – 6,000 sq. ft.) to RMH (Multiple-Family Residential), at 916 E. Colorado Ave., 915 E. Bird Ave. and 908 and 912 S. Elder St. (Parcels R11455011, R11455010, R11451012, R11451013 totaling an approximate 3.936 acre portion of the NE ¼ of Section 34, T3N, R2W, BM, Nampa, Canyon County, Idaho) and modification of concept to 2-story (townhome style) multi-family apartments, for Brandon Whallon representing Kennedy Family Ventures, LLC for Broadstone Apartments (ZMA-143-20)
- c. Zoning Map Amendment from RP (Residential Professional) to RS (Single-Family Residential, 6,000 sq. ft.) for the previously approved Lava Falls Subdivision originally addressed as 2718 E Locust Ln, an approximate 11.84 acre portion of land (located in a portion of the SE ¼ of the SE ¼ of Section 2, T2N, R2W, BM, Nampa, Canyon, Idaho) for Sawtooth Land Acquisition LLC representing all property owners of lots within the Lava Falls Subdivision (ZMA 137-21)
- d. Development Agreement Modification, rescinding the agreement attached to Ordinance #4321 allowing self-storage; and, Zoning Map Amendment from BC (Community Business) to RMH (Multiple-Family Residential) for 12.4 acre parcel (#R3203001100) at 0 S. Middleton Rd (in NW 1/4 of Section 29, T3N, R2W, BM) for City of Nampa/Kristi Watkins representing Endurance Holdings LLC (DAMO 043-21 & ZMA 136-21)
- e. Authorize advertisement of public hearing on Monday, June 7, 2021, to adopt new Industrial Wastewater Capacity Policy (approved by legal)

1-5. Authorize to Proceed with Bidding Process

- a. Authorize the Engineering Division to proceed with the formal bidding process for the Pump Maintenance Projects FY21 (approved in FY21 budget)
- b. Council authorize Engineering Division to proceed with the formal bid process for the Midland Boulevard and Greenhurst Road Turn Lanes project (approved in FY21 budget)

1-6. Authorization for Execution of Contracts and Agreements

- a. None

1-7. Monthly Cash Report

- a. April 2021



- 1-8. Planning & Zoning Formal Findings
 - a. None
- 1-9. Licenses for 2021
 - a. Alcohol Renewal
 - See attached lists
 - b. Alcohol New
 - None
- 1-10. Miscellaneous items
 - a. None
- 1-11. Approval of Agenda

(2) Proclamations

- 2-1. Hope Day in Nampa

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

Mayor & Council Comments

Legislative Update

(3) Agency & Commission Reports

- 3-1. None

(4) Staff Communications

- 4-1. Public Works Staff Report – Tom Points

(5) New Business

- 5-1. **Action Item:** 1st reading of Ordinance Sections 12(J): Replaces Title 3, Chapter 7, Section 12(J) of the Nampa City Code to align Nampa City Code with newly enacted State legislation regarding the membership on municipal development Impact Fee Advisory Committee. The ordinance provides for an effective date, summary publication, severability and repeal of conflicting ordinances, resolutions, and orders (approved by legal)
- 5-2. **Action Item:** Authorize summary of publication for preceding ordinance



- 5-3. **Action Item:** 1st reading of ordinance amending Title 5 chapter 12 of Nampa City Code clarifying alcohol code (approved by legal)
- 5-4. **Action Item:** Authorize summary of publication for preceding ordinance
- 5-5. **Action Item:** Authorize Mayor and Public Works Director to sign Task Order Amendment with Keller Associates to provide survey, design, and bidding services for the Annual Irrigation Replacement FY22 project in the amount of \$59,380.00 (T&M N.T.E.) (approved in FY21 budget)
- 5-6. **Action Item:** Authorize the Mayor to sign a registration service agreement between the City of Nampa and Canyon County for a youth canoe camp (Reviewed/Approved by Legal Counsel)
- 5-7. **Action Item:** Authorize Mayor to sign Memorandum of Understanding (MOU) with the Nampa Business Improvement District (approved by legal)
- 5-8. **Action Item:** Authorize the Engineering Division to proceed with Scope of Work negotiations with Keller and Associates for the Domestic Water and Pressure Irrigation Master Plans, and Murry Smith and Associates for the Sewer Collection System Master Plan (approved in FY21 budget)
- 5-9. **Action Item:** Authorize Engineering staff to proceed with negotiations for right-of-way acquisition for the Idaho Center Boulevard and Cherry Lane Intersection Improvements project and authorize Mayor to sign right-of-way acquisition contracts up to the estimated amount of \$1,450,000.00

(6) Public Hearings

- 6-1. **Action Item:** 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). **Public hearing will be continued to 6/21/21**
- 6-2. **Action Item:** Development Agreement Modification to modify the concept plan Ordinance No. 3528, "Exhibit B" from 3 commercial buildings and associated parking to a concept plan for single-family townhome residential for Sterling Commons Subdivision in an BN (Neighborhood Business) zoning district, for 50 buildable town-home lots and 8 common lots on 4.82 acres for 10.37 gross lot density and 12.77 net lot density and a reduction of the 25' landscape strip buffer requirement to 15'; all located at 0 & 905 S Middleton Rd - County Parcel #s - R3206300000 & R3206401200 (located in NE 1/4 of Section 31, T3N, R2W, BM) for Bonnie Layton representing Sterling Land Development, Inc. (DAMO 041-21)



- 6-3. **Action Item:** 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)
- 6-4. **Action Item:** Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district for Sunnyvale West Subdivision, at 0 W Flamingo Ave (County Parcel #3144900000) for ninety-three (93) single-family residential buildable lots, five (5) common (storm drain & buffers) lots, and eleven (11) common open space lots, for a gross density of 3.55 and a net density of 5.75; (a 26.22 acre portion of the NW ¼ of Section 18, T3N, R2W, BM, for Providence Properties, LLC/Patrick Connor representing Paul Mercier (ANN-191-21). **Continued from May 3, 2021**
- 6-5. **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) **Public hearing continued from 3/15/21 council meeting**

(7) Unfinished Business

- 7-1. **Action Item:** Authorize Mayor to sign e-scooter license agreement with Bird Rides, Inc., to operate e-scooters in City of Nampa (Reviewed/Approved by Legal Counsel)
- 7-2. **Action Item:** 1st reading of ordinance for Zoning Map Amendment from RP (Residential Professional) to RML (Limited Multiple-Family Residential) zoning district, 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)
- 7-3. **Action Item:** 1st reading of correcting ordinance 4489 for Annexation and Zoning to RD (Two-Family Residential) at 1111 E. Iowa Ave. (A .34 acre or 14,938 sq. ft. portion of NE ½, SE ¼ Section 34, T3N, R2W, BM)

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

- 8-1. Annexation and zoning to RS22 (Single Family Residential - 22,000 sq. ft.) on the west side of N. Kings Rd. adjacent and north of 39 N. Kings. Rd. at 0 N. Kings Rd. (A 2.43-acre parcel in Plat A Tax 04145 in Lot 37 in the SE ¼, SE ¼, Section 33, T3N, R2W, BM, Nampa, Canyon County, Idaho) for a parcel split for 2 new dwellings for Jay Walker representing Miguel Ballesteros. (ANN 164-20) **(PH was 04-27-2020)**



- 8-2. Annexation and zoning to RML (Limited Multiple-Family Residential) at 1165 S. Powerline Road (A 2.02-acre portion of Block 169, Kurtz Addition, also known as Tax 04696 in the NE ¼ of Section 34, T3N, R2W, BM, Nampa, Canyon County, ID) for multiple-family residential zero lot line buildings and multiple-family residential 4-plex buildings for Zenith Homes (ANN 169-20) **(PH was 04-27-2020)**
- 8-3. Annexation and zoning to RD (Two-Family Residential) at 44 S. Kings Rd. (A 4.1-acre or 178,596 sq. ft. portion of the NW ¼ Section 25, T3N, R2W, BM also identified as Tax 6 in Tracts 15 and 16 of Nampa Heights Addition – for fourplex apartments for Tim Kristovich, Whispering Pines LLC (ANN 170-20) **(PH was 05-04-2020)**
- 8-4. Zoning Map Amendment from IP/RS (Industrial Park/Single-Family Residential) to RMH (Multiple-Family Residential) at 335 N. Gateway St. (A 1.25-acre or 54,450 sq. ft. portion of the SW ¼ Section 15, T3N, R2W, BM also identified as Lots 23 and 24, Block 13, Nampa City Acres Addition No. 1 – for a 100 unit multiple-family apartment project for Tim Kristovich, Whispering Pines LLC (ZMA 117-20) **(PH was 05-04-2020)**
- 8-5. Resolution for Comprehensive Plan Future Land Use Map Amendment from Medium Density Residential to Community Mixed Use, Annexation and Zoning to BC (Community Business), and Conditional Use Permit for a public storage development at 0 E Locust Lane, southeast of the Southside Blvd and Locust Lane intersection (An 18.92 parcel described as County Parcel R2953001000 in the NW ¼ of the NW ¼, Section 12, T2N, R2W, BM) for BC zoning to allow for public storage units and restaurant for Linda Claiborne (CMA 047-20, ANN 179-20 and CUP 191-20) **(PH was 10-05-2020)**
- 8-6. Zoning Map Amendment from BC (Community Business) to RS6 (Single Family Residential 6,000 sq. ft.) and Modification of Development Agreement Ordinance #3561 rescinding the conditions for a commercial building to match nearby architectural facades, building orientation, limiting impact of commercial lighting and fencing to the neighborhood, specifying commercial signage, landscaping, etc. for a commercial building at 904 7th Ave N (a .58 acre portion of land in the Sylvan Heights Subdivision in the NE 1/4 of Section 22, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for James K. Hagen representing Zechariah P. Dean (ZMA 125-20, DAMO 038-20) **(PH was 12-07-2020)** (with City Attorney for ordinance and DA)
- 8-7. Annexation and Zoning to RD (Two-Family/Duplex Residential) zoning district at 216 N. Middleton Rd – Parcel#R1602200000 (A 2.59-acre portion of the NW ¼ Section 20, T3N, R2W, B) for an existing single-family home and barn to connect to city water service, for Cecilia Shields (ANN 181-20) **(PH was 12-07-2020)**
- 8-8. Zoning Map Amendment from RSPUD to RS6 (Single-Family Residential 6,000 sf minimum), for Middlebury Subdivision in an RS6 zoning district (334 buildable lots, 1 existing home, and 36 common lots on 105.78 acres); located at 12246 Orchard Ave - County Parcel #s - R3280300000, R328001100, & R3279901000b(located in S 1/2 of Section 13, T3N, R3W, BM) for Jane Suggs - Gem State Planning representing Clinton R. Wisel (ZMA 129-20) **(PH was 03-15-2021)**



- 8-9. Annexation and Zoning to RMH (Multiple-Family Residential) for the proposed vacated right-of-way described below, and 623, 613, 607 and 523 N Happy Valley Rd, totaling 3.8 acres (a portion of the SE ¼ of the SE ¼ of Section 13, and the NE 1/4 of the NE 1/4 of Section 24, T3N, R2W, BM and the NW 1/4 of the NW 1/4 of Section 19, and the SW 1/4 of the SW 1/4 of Section 18, T3N, R1W, BM) – for development of Station at Gateway No. 2 multi-family development of 110 dwelling units for a net density of 28.95; and Vacation of an approximately 368' by 25' (9,200 sq. ft) rectangular portion of E Orchard Ave. right-of-way, north of 623 N Happy Valley Rd. (a portion of the SE 1/4 of the SE 1/4 of Section 13, T3N, R2W, BM) for development of the Station at Gateway No. 2 multi-family development; all for Brandon Whallon representing Colby Halker (ANN-192-21, VAC-048-21)) (PH was 04-05-2021)
- 8-10. Development Agreement Modification, originally recorded as Ordinance No. 3997, modifying the concept plan and allow light industrial and commercial uses; and, Zoning Map Amendment from GB1 (Gateway Business #1) to IP (Industrial Park) for the Fuller 84 Business Park, located at the northwest corner of the Star Rd and E Franklin Rd intersection, parcel #R3040600000 (in SW 1/4 of Section 7, T3N, R1W, BM) for Bow River Capital representing Franklin Star Development LLC (DAMO 042-21 & ZMA 134-21) (PH was 04-19-2021)
- 8-11. Vacation of an approximately 322' by 5.45' (approximately 1,754 sq. ft) water main easement, a portion of 0 S Rising Sun Dr., county parcel #R3210338400 (located in the NW 1/4 of Section 32, T3N, R2W, BM) for Epic Development Idaho, LLC (VAC-049-21) (PH was 04-19-2021)
- 8-12. 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 5-3-2021)

(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)
 - Idaho Code 74-206 (1) (c) To acquire an interest in real property not owned by a public agency

Adjourn

Next Meeting

Regular Council at 5:30 PM – Monday, June 7, 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