



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

Call to Order and Pledge to Flag

Invocation Craig Hanson - Valley Springs Assembly of God

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 – May 3, 2021
- b. Regular Council Meeting – May 17, 2021
- c. Regular Council Meeting – June 7, 2021
- d. Regular Council Meeting – June 21, 2021
- e. Special Council Meeting – April 22, 2021
- f. Special Council Meeting – May 14, 2021
- g. Special Council Meeting – May 24, 2021
- h. Special Council Meeting – June 3, 2021
- i. Special Council Meeting – June 14, 2021
- j. Alcohol Review Committee – April 28, 2021
- k. NPPA Labor Contract Negotiations – May 4, 2021
- l. NPPA Labor Contract Negotiations – May 11, 2021
- m. NPPA Labor Contract Negotiations – June 1, 2021
- n. NPPA Labor Contract Negotiations – June 3, 2021
- o. Planning & Zoning Commission – June 15, 2021
- p. Nampa Housing Authority – May 12, 2021
- q. Venue Management Advisory Commission – April 15, 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

- Silver Star No. 1 Subdivision in a RS8.5 (Single-Family Residential 8,500 sq. ft) zoning district; for 44 single family lots and 9 common lots with a 2.47 gross lot density and a 4.39 net lot density; located at 0 & 0 Star Rd (a 17.84 acre portion of parcel #3036301300 and R303600000, located in NW 1/4 of Section 5, T3N, R1W, BM) for Toll West Inc. (SPF 167-21)
- Silver Star No. 2 Subdivision in a RS8.5, RS12, & RS18 (Single-Family Residential) zoning districts; for 448 single family lots and 6 common lots with a 2.9 gross lot density and a 3.88 net lot density; located at 0 Star Rd (a 16.57 acre portion of parcel #303600000, located in NW 1/4 of Section 5, T3N, R1W, BM) for Toll West Inc. (SPF 168-21)

b. Preliminary

- None

1-4. Authorize Public Hearings

- a. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district for Spyglass Ridge Subdivision, at 11544 and 11642 Iowa Ave, for forty eight (48) single-family attached (townhome) lots, fourteen (14) single-family detached residential lots, and seventeen (17) common (pathways, open space, storm drain & buffers) lots, for a gross density of 7.43 and a net density of 13.17; (an 8.88 acre portion of the NW ¼ of Section 31, T3N, R2W, BM), for Copium Investment LLC (ANN-194-21)
- b. Zoning Map Amendment from RS6 (Single-Family Residential 6,000 sq. ft) to RD (Duplex Residential) zoning district, and Preliminary Plat approval for Smith Townhomes, at 0, 336, & 322 Smith (County Parcel #s: R1614450100, R16142010, R161420100), for twenty (20) single-family zero-lot line attached lots (seven 2-unit buildings and two 3-unit buildings), for a gross density of 12.42 and a net density of 14.84; (a 1.61 acre portion of the NW ¼ of Section 21, T3N, R2W, BM), for Mateo Echeverria representing Trifecta Development (ZMA-142-21 & SPP-075-21)
- c. Comprehensive Plan Map Amendment from Medium Density Residential to Residential Mixed Use; and Zoning Map Amendment from RS 8.5 (Single-Family Residential, 8,500 sq. ft.) zoning district to BN (Neighborhood Business) to allow additional structures on a 3.78 acre parcel currently operating as a wedding and event venue (The Vintage Rose), located at 14095 N Nana Ln (in the SE 1/4 of Section 19, T3N, R2W, BM) for Kristen Lawrence (CMA-048-21, ZMA-135-21).
- d. Zoning Map Amendment from RA to RS6 (Single-Family Residential 6,000 sq. ft) zoning district and Short Plat approval for Lion's View Estates Subdivision, at 707 Davis Ave (County Parcel #RS1615700000), for 4 single-family home detached dwelling units, for a gross density of 3.85 and a net density of 5.21; (a 1.04 acre portion of the NW ¼ of Section 21, T3N, R2W, BM, for Kenneth B. Moore (ZMA-141-21 & SPS-039-21)



- e. Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district for East Canyon Elementary, at 18408 Northside Blvd, in order to connect the school to utility services; (a 10 acre portion of the SW ¼ of Section 34, T4N, R2W, BM), for Kristen McNeill (The Land Group, Inc) representing Vallivue School District No. 139 (ANN-197-21)
- 1-5. Authorize to Proceed with Bidding Process
 - a. Authorize the Engineering Division to proceed with the qualified bidding process for the Annual Waterline Replacement FY21 project (Approved by Legal) (Approved in FY21 budget)
- 1-6. Authorization for Execution of Contracts and Agreements
 - a. None
- 1-7. Monthly Cash Report
 - a. None
- 1-8. Planning & Zoning Formal Findings
 - b. None
- 1-9. Licenses for 2021
 - a. Alcohol Renewal
 - Local First – 1228 N Galleria Dr. - On & Off Premises Beer, Wine & Liquor
 - b. Alcohol New
 - Pho 7 – 732 Caldwell Blvd – On Premise Beer
 - Family Dollar #30025 – 204 11th Ave N – Off Premise Beer & Wine
 - El Cafetal Columbian Restaurant – 3116 Garrity Blvd #114 – On Premise Beer & Wine
- 1-10. Miscellaneous items
 - a. None
- 1-11. Approval of Agenda

(2) Proclamations

- 2-1. Snake River Stampede Days
- 2-2. Designation of July as Parks and Recreation Month

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

(3) Agency & Commission Reports

- 3-1. Nampa Fire Protection District M.A.P. Fund - Fire Station #1 Concrete Driveway Replacement & 2nd floor Remodel

(4) Staff Communications

- 4-1. Public Works – Jeff Barnes

(5) New Business

- 5-1. **Action Item:** Authorize Mayor to sign resolution for the appointment of Hubert Osborne to the Development Impact Fee Advisory Committee to fill a new seat as a citizen member for an 18-month term, effective 7/6/2021 with the term ending on 1/6/2023
- 5-2. **Action Item:** Authorize Mayor to sign resolution for the appointment of Jeff Cornilles to the Development Impact Fee Advisory Committee to fill a new seat as a citizen member for an 18-month term, effective 7/6/2021 with the term ending on 1/6/2023
- 5-3. **Action Item:** Authorize the Nampa Recreation Center Proposed No Contract Monthly Membership Fees and the membership policies as presented
- 5-4. **Action Item:** Authorize application for Idaho Opportunity Fund to the Idaho Department of Commerce for Project Custom in the amount of \$300,000
- 5-5. **Action Item:** Authorize Mayor to sign contract in the amount of \$199,980 with Garland/DBS for roof replacement at Fleet Services Building (Pending FY20 Budget amendment) (Approved by Legal)
- 5-6. **Action Item:** Authorize staff to distribute \$155,207.66 from the Wastewater connection fee G/L to Title One to cover the uncollected Birch Latecomers Fees for 370 new homes built between the spring of 2018 and April of 2021 (Approved by legal)
- 5-7. **Action Item:** 1st reading of Ordinance for the Annexation of property into the Municipal Irrigation District of the City of Nampa, Idaho, the real properties listed in Exhibit A and direct the City Engineer to alter the Use and Area Map accordingly
- 5-8. **Action Item:** Authorize summary of publication for preceding ordinance
- 5-9. **Action Item:** Authorize the Mayor to sign Resolution to adopt the Post-Construction Stormwater Management Plan and O&M Agreement (Approved by legal)
- 5-10. **Action Item:** Authorize Engineering staff to proceed with negotiations for right-of-way acquisition for the Kings Road and Victory Road Roundabout project and authorize Mayor to sign right-of-way acquisition contracts up to the estimated amount of \$750,000.00 (Approved in FY21 budget)



- 5-11. **Action Item:** Council to award bid and authorize Mayor to sign contract for Midland Boulevard and Greenhurst Road Turn Lanes project with Idaho Materials & Construction, in the amount of \$285,457.84 (Approved in FY21 budget)

(6) Public Hearings

- 6-1. **Action Item:** Adoption of City of Nampa Industrial Wastewater Capacity Policy, effective July 1, 2021 (**Staff requested that this public hearing be continued until July 19, 2021**)
- Action Item: Authorize Mayor to sign Resolution declaring the City's intent to adopt the City of Nampa Industrial Wastewater Capacity Policy effective July 1, 2021 (Reviewed by Legal)
- 6-2. **Action Item:** 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).
- 6-3. **Action Item:** Zoning Map Amendment from RP/BC (Residential Professional/Community Business) to BC (Community Business) to allow a coffee shop with a drive thru at 1 6th St. N (also addressed as 3 6th St. N); a .89 acre county parcel #R1264900000 (located in the SW ¼ of Section 15, T3N, R2W, BM, Nampa, Canyon, Idaho) for Wendy Shrief/JUB representing Thornton - Gallup, LLC (ZMA-139-21)
- 6-4. **Action Item:** Variance of Section 10-8-6 requiring a 20' front yard setback, in order to construct a patio cover and carport at a reduced front yard setback of up to 0' from the front property line in a RS6 (Single-Family Residential 6,000 sq. ft.) zoning district at 624 7th Ave N. - a .15 acre parcel #R1471350800 (Lots 11 & 12 of the Robert Noble's Resubdivision (Located in the NE 1/4 of Section 22, T3N, R2W, BM, Nampa) for Gerry Vizenor (VAR-104-21)
- 6-5. **Action Item:** Variance of Section 10-1-8.D.1 limiting a residential fence height to 6' on the perimeter of the back yard, to allow a vinyl fence extension of an additional 18-20" to provide privacy from the neighboring property which sits at a higher elevation in a RS6 (Single-Family Residential 6,000 sq. ft.) zoning district at 4453 S Gabbro Way - a .35 acre parcel #R29454295 (Lot 14 Block 3 of the Lava Springs No. 5 Subdivision (Located in the NE 1/4 of Section 11, T2N, R2W, BM, Nampa) for James and Charlene Moss (VAR-106-21)

(7) Unfinished Business

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



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

- 8-1. Annexation and zoning to RD (Two-Family Residential) at 44 S. Kings Rd. (A 4.1-acre or 178,596 sq. ft. portion of the NW ¼ Section 25, T3N, R2W, BM also identified as Tax 6 in Tracts 15 and 16 of Nampa Heights Addition – for fourplex apartments for Tim Kristovich, Whispering Pines LLC (ANN 170-20) (**PH was 05-04-2020**)
- 8-2. Zoning Map Amendment from IP/RS (Industrial Park/Single-Family Residential) to RMH (Multiple-Family Residential) at 335 N. Gateway St. (A 1.25-acre or 54,450 sq. ft. portion of the SW ¼ Section 15, T3N, R2W, BM also identified as Lots 23 and 24, Block 13, Nampa City Acres Addition No. 1 – for a 100 unit multiple-family apartment project for Tim Kristovich, Whispering Pines LLC (ZMA 117-20) (**PH was 05-04-2020**)
- 8-3. 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**)
- 8-4. 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)
- 8-5. 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**)
- 8-6. 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**)
- 8-7. 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)

- 8-8. 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)
- 8-9. 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) (PH was 6-7-2021)
- 8-10. 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) (PH was 6-7-2021)
- 8-11. 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) (PH was 6-14-2021)
- 8-12. Annexation and Zoning to RS4 (Single-Family Residential 4,000 sq. ft) zoning district for Sharpe's Orchard Subdivision, at 7928 Birch Ln (County Parcel #2095400000) for thirty-three (33) single-family residential buildable lots and four (4) common lots, for a gross density of 4.9 and a net density of 6.09; (a 6.68 acre portion of the NW ¼ of Section 11, T3N, R2W, BM) for Taylor Schmidt representing Dennis Sharpe, LLC (ANN-193-21) (PH was 6-14-2021)
- 8-13. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district for Sunnyvale West Subdivision, at 0 W Flamingo Ave (County Parcel #3144900000) for ninety-three (93) single-family residential buildable lots, five (5) common (storm drain & buffers) lots, and eleven (11) common open space lots, for a gross density of 3.55 and a net density of 5.75; (a 26.22 acre portion of the NW ¼ of Section 18, T3N, R2W, BM, for Providence Properties, LLC/Patrick Connor representing Paul Mercier (ANN-191-21) (PH was 6-14-2021)



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- 8-14. Annexation and Zoning to RS6 (Single-family Residential 6,000 sf) Approval for Chase Subdivision (113 single family lots and 13 common lots) at 0 Middleton Rd - Parcel #R3145601200 (A 32.92 acre portion of land located in the NE ¼ of Section 19, T3N, R2W, BM, Canyon County, Idaho, for Schultz Development (ANN 190-20) (**PH was 6-14-2021**))
- 8-15. Annexation and Zoning to IL (Light Industrial) zoning district for Manufacturing, Compounding, Processing or Treatment of Building Materials (including organic non-animal materials) to be used for animal bedding, mulch, and composting, by Timber Creek Recycling; at 0 Northside Blvd (County Parcel #R3097500000); a 34.02 acre parcel in the NE ¼ of Section 09, T3N, R2W, BM, for MM Properties - Thompson Rd. LLC. representing John L Chapman (ANN-198-21) (**PH was 6-14-2021**)
- 8-16. Zoning Map Amendment from RA (Suburban Residential) to IL (Light Industrial) zoning district, at 620 N 39th St. (parcel #R316970000) to allow construction of two new warehouse buildings (a 1.26 acre parcel (located in the NE ¼ of Section 24, T3N, R2W, BM) for WFS LLC./Nick Barnes (ZMA-0140-21) (**PH was 6-14-2021**))

(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) (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;
 - Idaho Code 74-206(1) (c) – to consider acquiring an interest in real property not owned by a public agency



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Adjourn

Next Meeting

Regular Council at 5:30 PM – Monday, July 19, 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