



City of Nampa
Regular Council Meeting
Livestreaming at <https://livestream.com/cityofnampa>
September 7, 2021
Regular Council – 5:30 PM
Public Hearings – 6:30 PM*

Call to Order and Pledge to Flag

Invocation Dan Mangeac - Good News Community 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. Arts and Historic Preservation Committee – July 12, 2021
- b. Planning & Zoning Commission – August 10, 2021
- c. Nampa Housing Authority – July 14, 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
 - None
- b. Preliminary
 - None

1-4. Authorize Public Hearings

- a. Annexation and Zoning to RS8.5 (Single-Family Residential 8,500 sq. ft.) zoning district to connect to city utilities and construct a single family home; and Variance of Nampa City Code 10-8-6 requiring 22' of roadway frontage, at 0 Madison Rd (a .69 acre parcel #R34370010B0 in the SE ¼ of Section 34, T4N, R2W, BM) for Matthew Richardson (ANN-200-21, VAR-107-21)
- b. Zoning Map Amendment of lots created in the Indian Creek Estates Preliminary Plat including: Parcel 1 Block 1 (20.4 acres) from BC (Community Business), IL (Light Industrial), and IH (Heavy Industrial) zoning districts to RS6 (single-family residential 6,000 sq. ft) zoning district, Parcel 1 Block 2 (6.7 acres) from IH to RS6 zoning district, Parcel 2 Block 1 from IL & IH (7.8 acres) to RS4 (Single-Family Residential 4,000 sq. ft.) zoning district, Parcel 2 Block 2 (7.4 acres) from IL & IH to RS4 zoning district, Parcel 3 Block 1



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less Right of Way (3.5 acres) from BC & IL to RP (Residential Professional) zoning district, Parcel 3 Block 2 (11.7 acres) from IL & IH to RS7 (Single-Family Residential 7,000 sq. ft.) zoning district, Parcel 4 Block 2 (6.6 acres) from IL to RS4, Parcel 5 Block 2 (7.7 acres) from IL to RS4 zoning district, Parcel 6 Block 2 less Right of Way (8.6 acres) from BC to RS6 zoning district, Parcel 7 Block 2 (4.6 acres) from IL & BC to BC zoning district; (located in the NE 1/4 of Section 3, T3N, R2W, BM) for Landmark Pacific Development Inc. representing David Washburn and Troy Summers (ZMA-145-21). The Nampa Planning & Zoning Commission recommended adoption of a Development Agreement to define residential design guidelines for the future development.

- c. Development Agreement Modification to modify the site plan Ordinance No. 3983, "Exhibit B" to allow construction of Elevate Charter School, a non-profit public school, instead of future phases of the existing church; at 11437 and 0 W Orchard Ave. (parcel #R3145400000 & R3145401100) in a RS6 (Single Family Residential 6,000 sq. ft.) zoning district (located in NE 1/4 of Section 19, T3N, R2W, BM) for Cole Coba representing Harvest Life Church/David Whaley (DAMO 046-21).
- d. Development Agreement Modification to modify the concept plan (Exhibit B) and conditions of approval (Exhibit C) of Ordinance No. 3631, changing the use from commercial buildings and associated parking to a concept plan for 3 multiple-family residential buildings; and, Conditional Use Permit for Multi-Family Residential in a BC (Community Business) zoning district, for 60 residential units on 3.09 acres for 19.41 gross lot density; located at 3211, 3217, 3225, and 3255 E Greenhurst Rd - County Parcel #s - R2113800000, R2113900000, R2114001000, & R2114000000 (located in NW 1/4 of Section 1, T2N, R2W, BM) for Vertical Equity, LLC representing Jones Development, LLC (DAMO 044-21 & CUP 232-21)

1-5. Authorize to Proceed with Bidding Process

- a. Authorization to advertise and proceed with RFQ process to create a qualified professional third-party plan review and inspection roster for the building Safety Department for fiscal years 2022, 2023, with an option to renew for one fiscal year 2024
- b. Authorize Engineering Division to proceed with formal bidding process for Birch Redundant Force Main project (Approved in FY21 Budget)

1-6. Authorization for Execution of Contracts and Agreements

- a. None

1-7. Monthly Cash Report

- a. None

1-8. Resolutions

- a. Authorize Mayor to sign resolution to adopt revised Domestic and Irrigation Water Miscellaneous Fees rate sheet to remove "Irrigation Service Charge" fee (Approved by legal)
- b. Destruction of Records – Fleet Services



c. Destruction of Records – Public Works Admin

1-9. Licenses for 2021

a. Alcohol Transfer

- Sushi Sushi 16734 N Marketplace Blvd. – On Premise Beer & Wine

b. Alcohol New

- None

1-10. Miscellaneous items

a. None

1-11. Approval of Agenda

(2) Proclamations

2-1. Elevate our Everyday Hero's Day

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

(3) Agency & Commission Reports

3-1. None

(4) Staff Communications

4-1. None

(5) New Business

5-1. **Action Item:** Authorize the Mayor to sign a resolution for the Parks and Recreation Department to change the name of the Nampa Recreation Center to the "Harward Recreation Center" in Honor of former longtime Nampa Finance Director Ken Harward

5-2. **Action Item:**

- 1st reading of Ordinance adding an additional commissioner position to the Nampa Development Corporation Board of Commissioners.
- Consider Mayor's Appointment of Jeff Cornilles and Adam Hutchings to appointment on the Nampa Development Corporation Board of Commissioners



- 5-3. **Action Item:** Decision on Request for Reconsideration of 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 42 buildable townhome lots and 8 common lots on 4.82 acres for 8.71 gross lot density all located at 0 & 905 S Middleton Rd - County Parcel #s - R3206300000 & R3206401200
- 5-4. **Action Item:** Authorize the Mayor to sign a Memorandum of Understanding for the Sunnyvale Subdivision regional pressure irrigation pump station on behalf of the City (Approved by legal)
- 5-5. **Action Item:** Authorize Mayor to sign change order #2 in the amount of \$164,813.33 for the redesign due to additional rock excavation associated with construction of underground utilities prior to Taxilane Construction to complete the Nampa East Airport Taxilane Hangar Sewer and Water Extension (Approved in FY21 Budget)
- 5-6. **Action Item:** 1st Reading of Street Naming Ordinance for North Gernika Place and North Quasi Place
- 5-7. **Action Item:** Authorize Mayor to sign Resolution for State-Local Agreement (Design) for Grimes City Pathway Extension project, Key No. 23025 (Approved by Legal)
- 5-8. **Action Item:** Award bid and authorize the Mayor and Public Works Director to sign a contract with Challenger Companies, Inc. to construct the Lions Park Lift Station Upgrades project in the amount of \$159,000.00 (Approved in FY21 Budget)
- 5-9. **Action Item:** Award bid and authorize Mayor to sign contract for the Zone G Sewer Rehab FY21 project with Insituform Technologies, LLC in the amount of \$1,499,697.50 understanding that there will be a subsequent change order issued to reduce the value of the contract to be within the remaining project budget (Approved in FY21 Budget)
- 5-10. **Action Item:** Authorize purchase of water meters for FY22 upgrades from Hydro Specialties Company at the contract unit price, not to exceed the budget amount \$1,217,246.37 (Approved in FY22 Budget)
- 5-11. **Action Item:** Authorize purchase of meter transmission units for FY22 upgrades from Aclara Technologies, LLC at the contract unit price, not to exceed the budget amount of \$975,544.28 (Approved in FY22 Budget)
- 5-12. **Action Item:** Authorize Engineering Division to proceed with formal bid process for Midland Boulevard & Lake Lowell Avenue Intersection - Signal Equipment Procurement (Approved in FY21 Budget)



(6) Public Hearings

- 6-1. **Action Item:** Public hearing to consider increases in wastewater utility rates and fees, residential erosion control permit fee, wastewater and domestic water hookup fees
- a. **Action item:** Authorize resolution implementing fiscal year 2022 increases in the service fees charged by the City of Nampa for wastewater rates and user fees, effective October 1, 2022 (Approved by legal)
 - b. **Action item:** Authorize resolution implementing fiscal year 2022 increases in the fees charged by the City of Nampa for residential Erosion Control Permits set forth in title 9, chapter 6 section 4 of Nampa City code, effective October 1, 2021 (Approved by legal)
 - c. **Action item:** Authorize resolution implementing fiscal year 2022 increases in service fees charged by the city of Nampa for wastewater hookup fees, effective October 1, 2021 (Approved by legal)
 - d. **Action item:** Authorize resolution implementing fiscal year 2022 increases in service fees charged by the City of Nampa for domestic water hookup fees, effective October 1, 2021 (Approved by legal)
- 6-2. **Action Item:** Fiscal Year 2021 Budget amendment
- a. **Action Item:** 1st reading of ordinance adopting the FY2021 budget amendment
- 6-3. **Action Item:** Zoning Map Amendment from DH (Downtown Historic) to DV (Downtown Village); in order to build the Old Towne Nampa concept plan under the streetscape requirements of the DV zoning district, at 1015 3rd St S., 311 11th Ave S., 315 11th Ave S., 323 11th Ave S., 304 10th Ave S., and 316 10th Ave. S. - parcel #'s R1360700000, R1360800000, R1361000000, R1361300000, R1361100000, and R1361101000 (a total of 1.94 acres located in the SW ¼ of Section 22, T3N, R2W, BM, Nampa, Canyon, Idaho) for Mussell Construction Inc., representing self, Latimer Investments LLC, and International Church of the Foursquare Gospel (ZMA 147-2021)
- 6-4. **Action Item:** Variance of Nampa City Code 10-22-6.B requiring off-street parking, in order to build the Old Towne Nampa concept plan in the proposed DV (Downtown Village) zoning district, by using the existing on-street parking at 1015 3rd St S., 309 11th Ave. S., 311 11th Ave S., 315 11th Ave S., and 323 11th Ave S. - parcel #'s R1360700000, R1360900000, R1360800000, R1361000000, and R1361300000 (located in the SW ¼ of Section 22, T3N, R2W, BM, Nampa, Canyon, Idaho) for Mussell Construction Inc. (VAR-105-2021)



- 6-5. **Action Item:** Annexation and Zoning to RS6 (Single-family Residential 6,000 sq. ft.) zoning district and development agreement, at 0 E Locust Ln., a small portion of 0 Robinson Rd., 0 & 4417 S Happy Valley Rd (Parcel #'s: R2891801000, R2891700000, R29512010A0, R2951401000) for Harvest Creek Subdivision including two hundred fourteen (214) detached single-family lots on approximately 39 acres and thirty-five (35) common lots on 14.88 acres; for a gross density of 3.05 and a net density of 5.5; a 70.28 acre portion of the proposed 76.2 annexation area, located on the east side of S Happy Valley Rd (NW ¼ of Section 7, T2N, R1W, BM), for Hayden Homes Idaho LLC/Tim Mokwa representing multiple property owners (ANN-199-21)
- 6-6. **Action Item:** Annexation and Zoning to IL (Light Industrial) zoning district at 0 Madison Blvd. in order to develop property with light industrial land uses (a 20.06 acre parcel #R3104100000, located in NW ¼ of Section 10, T3N, R2W, BM), for LDK Ventures, LLC representing NXEdge, Inc. (ANN-201-21)
- 6-7. **Action Item:** Amendment of Title 10: Planning & Zoning, for clarity, formatting, and policy changes (ZTA 023-21)

(7) Unfinished Business

- 7-1. **Action Item:** 1st Reading of ordinance for 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**)
- 7-2. **Action Item:** 1st Reading of ordinance for 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**)
- 7-3. **Action Item:** 1st Reading of ordinance for 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) (**PH was 7-19-2021**)
- 7-4. **Action Item:** 1st Reading of ordinance for Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft.) zoning district to connect to city utilities for a single family home at 1028 N Middleton Rd (a 1.09 acre parcel #R3139100000 in the SW ¼ of Section 7, T3N, R2W, BM) for James Cornell (ANN-202-21) (**PH was 8-16-2021**)



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

- 8-1. Zoning Map Amendment from IP/RS (Industrial Park/Single-Family Residential) to RMH (Multiple-Family Residential) at 335 N. Gateway St. (A 1.25-acre or 54,450 sq. ft. portion of the SW ¼ Section 15, T3N, R2W, BM also identified as Lots 23 and 24, Block 13, Nampa City Acres Addition No. 1 – for a 100 unit multiple-family apartment project for Tim Kristovich, Whispering Pines LLC (ZMA 117-20) (**PH was 05-04-2020**)
- 8-2. Zoning Map Amendment from BC (Community Business) to RS6 (Single Family Residential 6,000 sq. ft.) and Modification of Development Agreement Ordinance #3561 rescinding the conditions for a commercial building to match nearby architectural facades, building orientation, limiting impact of commercial lighting and fencing to the neighborhood, specifying commercial signage, landscaping, etc. for a commercial building at 904 7th Ave N (a .58 acre portion of land in the Sylvan Heights Subdivision in the NE 1/4 of Section 22, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for James K. Hagen representing Zechariah P. Dean (ZMA 125-20, DAMO 038-20) (**PH was 12-07-2020**) (with City Attorney for ordinance and DA)
- 8-3. Annexation and Zoning to RD (Two-Family/Duplex Residential) zoning district at 216 N. Middleton Rd – Parcel#R1602200000 (A 2.59-acre portion of the NW ¼ Section 20, T3N, R2W, B) for an existing single-family home and barn to connect to city water service, for Cecilia Shields (ANN 181-20) (**PH was 12-07-2020**)
- 8-4. Zoning Map Amendment from RSPUD to RS6 (Single-Family Residential 6,000 sf minimum), for Middlebury Subdivision in an RS6 zoning district (334 buildable lots, 1 existing home, and 36 common lots on 105.78 acres); located at 12246 Orchard Ave - County Parcel #s - R3280300000, R328001100, & R3279901000b(located in S 1/2 of Section 13, T3N, R3W, BM) for Jane Suggs - Gem State Planning representing Clinton R. Wisel (ZMA 129-20) (**PH was 03-15-2021**)
- 8-5. 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**)
- 8-6. 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**)
- 8-7. 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**))

- 8-8. 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**))
- 8-9. 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**)
- 8-10. 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**))
- 8-11. 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 Orcharara Heights Subdivision) and Development Agreement for a future subdivision to 30 single-family detached residential, 24 single-family attached residential (townhomes), 1 commercial, and 3 common lots; a gross density of 7.62 and a net density of 9.18; (a 7.81 acre portion of the South ½ of the SW ¼ of Section 18, T3N, R1W, BM, for Landmark Pacific Development, Inc. representing William and Linda Larson (ANN-195-21) (**PH was 7-6-2021**))
- 8-12. 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) (**PH was 7-19-2021**))
- 8-13. Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district for Spyglass Ridge Subdivision, at 11544 and 11642 Iowa Ave, (an 8.88 acre portion of the NW ¼ of Section 31, T3N, R2W, BM), for Copium Investment LLC (ANN-194-21) (**PH was 8-02-2021**)
- 8-14. 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



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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) (**PH was 8-16-2021**)

(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) (c) To Acquire an Interest in Real Property Which is Not Owned by a Public Agency
 - 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;

Adjourn

Next Meeting

Regular Council at 5:30 PM – Monday, September 20, 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