



City of Nampa
Regular Council Meeting
Livestreaming at <https://livestream.com/cityofnampa>
November 1, 2021
Regular Council – 5:30 PM
Public Hearings – 6:30 PM*

Call to Order and Pledge to Flag

Invocation Aaron Bear - Mission Aviation Fellowship

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. Alcohol Review Committee - September 29, 2021
 - b. Special Council Meeting – September 23, 2021
 - c. Special Council Meeting – October 25, 2021
 - d. Planning & Zoning Commission – October 12, 2021
 - e. Design Review – September 20, 2021
 - f. Nampa Council on Aging – September 21, 2021
 - g. Nampa Council on Aging – October 12, 2021
 - h. Venue Management – October 21, 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 RD (Two-Family Residential - Duplex) zoning district, potential development agreement, and Subdivision Preliminary Plat for Valente Subdivision at 0 Ustick Rd. (Parcel #R3083300000, a 37.72 acre parcel in SW ¼ of the NW ¼ of Section 3, T3N, R2W, BM, Nampa, Canyon County), for Jarom Wagoner & Trilogy Development, representing Corey Barton/Endurance Holdings LLC (ANN 205-21 & SPP 083-21). Original



Concept: 115 single family lots (totaling 19.44 acres), 18 common lots (totaling 6.25 acres), and ROW (totaling 9.02 acres); for a gross density of 3.05 and a net density of 5.9.

- b. 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)
- c. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft.) zoning district to connect to city utilities for an existing single family home and future lot split at 907 W Greenhurst Rd (a .98 acre parcel #R2928500000 in the NW ¼ of Section 4, T2N, R2W, BM) for Jose L and Martha Diaz (ANN 214-21)

1-5. Authorize to Proceed with Bidding Process

- a. Authorize Engineering Division to proceed with formal bid process for the Crushed Aggregate for Chip Seal FY22 project (Approved in FY22 Budget)

1-6. Authorization for Execution of Contracts and Agreements

- a. None

1-7. Resolutions

- a. Disposal of Streets Records

1-8. Monthly Cash Report

- a. None

1-9. Planning & Zoning Formal Findings

- a. None

1-10. Licenses for 2021

- a. Alcohol Renewal
 - None
- b. Alcohol New
 - None

1-11. Miscellaneous items

- a. None

1-12. Approval of Agenda



(2) Proclamations

- 2-1. None

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

- Northwest Nazarene University Baseball Team

(3) Agency & Commission Reports

- 3-1. None

(4) Staff Communications

- 4-1. Development Services - Cliff Long
4-2. Public Works - Tom Points

(5) New Business

- 5-1. **Action Item:** Police Meeting Disclosure
- 5-2. **Action Item:** Resolution for the re-appointment of Aaron Bear to a five (5) year term (1/1/2022 – 12/31/2026) on the Nampa Airport Commission
- 5-3. **Action Item:** Authorize the I.T. Director to purchase computer disaster recovery storage hardware as approved in the FY22 budget for the amount of \$97,525.00 (Approved in FY22 budget)
- 5-4. **Action Item:** 1st Reading of Ordinance to Amend Title 4, Chapter 2, Section 4-2-1 to adopt the provisions of the 2021 International Building Code relating to mass timber construction as required by 2021 IDAPA revisions
- 5-5. **Action Item:** Authorize Summary of publication for preceding ordinance
- 5-6. **Action Item:** Authorize the Mayor to sign the Idaho Opportunity Fund Agreements with the Idaho Department of Commerce and the Stow Company (Approved by Legal)
- 5-7. **Action Item:** Approval of letter to Governor and Legislators regarding HB389 impacts and suggested solutions



(6) Public Hearings

- 6-1. **Action Item:** 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 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 048-21 & SPP 087-21). - Revised Concept: 48 single-family attached townhouse units in 12 buildings (4.3 acres), 28 multi-family units in 7 buildings (2.5 acres), and 1 common lot (.96 acres); for a gross and net density of 9.74
- 6-2. **Action Item:** Zoning Map Amendment from RS8.5 (Single-Family Residential 8,500 sq. ft.) to RS7 (Single-Family Residential 7,000) zoning district, Development Agreement Modification Ordinance No. 3564, and Subdivision Preliminary Plat to allow for 226 residentially zoned parcels totaling 41.7 acres, 32 common lots totaling 17.2 acres (9.91 of open space), and 5 common drive lots totaling 17 acres (parcel #'s R343710100 and R343710000 - addressed as 0 and 8620 Ustick Rd.) a sum total of 75.9 acres (located in the SW 1/4 of Section 34, T4N, R2W, BM) Sweetwater Glen Subdivision for Toll Bros, Inc. representing Louie M. Asumendi (ZMA 148-21, DAMO 047-21, & SPP 086-21)
- 6-3. **Action Item:** Vacation of a 2' x 36' portion of the 5' public utility easement along the west property line and 2' x 25' portion of the 5' public utility easement along the southern property (both originating from the southwest corner of the property and totaling 126 sf); and variance of Nampa City Code 10-1-7.F.5 requiring a minimum 5' setback from the property line for any permanent swimming pool, and in order to construct a swimming pool within 3' of the rear and side property lines and 3' from the existing home at 2711 E Rhyolite Ct. (a 0.17 acre Parcel #R2945419600) in an RS6PUD (Single Family Residential 6,000 sq. ft.) zoning district (located in the SE 1/4 of Section 28, T3N, R2W, BM, Nampa, Canyon County) for Diana and Chris Carswell (VAC 054-21 & VAR 111-21)
- 6-4. **Action Item:** Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district, potential development agreement, and Subdivision Preliminary Plat for Wood Poppy Subdivision at 0 Northside Blvd. (Parcel #R34373011, a 9.51 acre parcel in SW ¼ of the SW ¼ of Section 34, T4N, R2W, BM, Nampa, Canyon County), for Jarom Wagoner & Trilogy Development, representing Corey Barton/Endurance Holdings LLC (ANN 204-21 & SPP 083-21). - Original Concept: 72 multi-family units on 18 buildable lots (totaling 6.94 acres) and 7 common lots/ROW (totaling 2.57 acres); for a gross density of 7.57 **PUBLIC HEARING WILL BE CONTINUED TO NOVEMBER 15, 2021 COUNCIL MEETING**

(7) Unfinished Business

- 7-1. **Action Item:** 1st reading of ordinance for Zoning Map Amendment from RP (Residential Professional) to IL (Light Industrial) zoning district and potential Development Agreement at 512 N 39th St (a .47 acre parcel #R3170000000 located in the NE ¼ of Section 24, T3N, R2W, BM, Nampa, Canyon County) for Nick Barnes/WFS LLC (ZMA 149-21). Original Concept: Warehouse building (**PH was 10-18-2021**)



- 7-2. **Action Item:** 1st reading of ordinance for Annexation and Zoning to RS8.5 (Single-Family Residential 8,500 sq. ft) zoning district, at 1525 Southside Blvd, in order to connect to sewer utility services; (a 1.06 acre parcel in the SE ¼ of Section 35, T3N, R2W, BM), for Bryan C Warren (ANN 203-21) (**PH was 10-18-2021**)
- 7-3. **Action Item:** 1st reading of ordinance for 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 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 36, T3N, R2W, BM) for Landmark Pacific Development Inc. representing David Washburn and Troy Summers (ZMA-145-21). (**PH was 9-20-2021**)

(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. Wissel (ZMA 129-20) (**PH was 03-15-2021**)
- 8-5. 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**)
- 8-6. 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) (**PH was 8-16-2021**)
- 8-7. 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) (**PH was 9-7-2021**)
- 8-8. 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) (**PH was 9-7-2021**)
- 8-9. 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) (**PH was 9-20-2021**)



- 8-10. Zoning Map Amendment from GB1 (Gateway Business) to IL (Light Industrial) zoning district and Development Agreement; in order to build a Ditch Witch of the Rockies equipment dealership and rental location with garage for the "Equipment or implement sales, large or heavy equipment" land use category at 0 E Hunt Ave - Parcel #R3106712800 (a 5.04 acre parcel located in the SE ¼ of Section 12, T3N, R2W, BM, Nampa, Canyon, Idaho) for Dru Bridwell representing Orange Power Group LLC (ZMA 146-2021) (**PH was 10-04-2021**)
- 8-11. Annexation and Zoning to RS6 (Single-Family Residential 6,000 sq. ft) zoning district, at 1427 Southside Blvd, in order to connect to sewer utility services; (a .62 acre parcel in the NE ¼ of Section 35, T3N, R2W, BM), for Brian and Sharon Depue (ANN 207-21) (**PH was 10-18-2021**)
- 8-12. Amendment of Title 6: Police Regulations, Chapter 5: Bicycles and Title 9: Public Ways and Property, Chapter 5: Public Parks, Section 2.E.: Prohibited Acts, pertaining to eBikes and eScooters; revising the bicycle definition and adding eBike definition, adding eBikes and eScooters to the regulations defining the locations bicycles can be ridden, stating a maximum speed, and requiring eBikes and eScooter providers to enter into a contractual agreement with the city before beginning operation, for the City of Nampa (ZTA 022-21) (**PH was 10-18-2021**)
- 8-13. Vacation of an approximately 7,834 sq. ft. portion of right-of-way abutting the north and east property line of 1204 11th Ave. (parcel #R1428564400) along 11th Ave. N and Stampede Dr. and abutting the east and south property line of 0 11th Ave N. (parcel #R14285644A0) along Stampede Dr. (located in the NW 1/4 of Section 23, T3N, R2W, BM) for Austin Whiting (VAC 053-21) (**PH was 10-25-2021**)
- 8-14. Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district and potential development agreement, at 2307 Lonestar Rd (Parcel #R3203300000), in order to connect to city water utility services; (a .26 acre parcel in the NW ¼ of Section 29, T3N, R2W, BM), for Lee Robinson (ANN 210-21) (**PH was 10-25-2021**)
- 8-15. Annexation and Zoning to RS7 (Single-Family Residential 7,000 sq. ft) zoning district, potential development agreement, and Subdivision Preliminary Plat for Cayuse Meadows Subdivision at 826 W Dooley Ln (Parcel #R2927900000, a 6.46 acre parcel in SW ¼ of the NW ¼ of Section 4, T2N, R2W, BM, Nampa, Canyon County), for Jon Pascoe (ANN 209-21 & SPP 088-21). - Original Concept: 18 residential lots (totaling 3.44 acres), common lots totaling 2.81 acres, and open space totaling .21 acres; for a gross density of 2.80 and a net density of 5.23 (**PH was 10-25-2021**)

(9) Executive Sessions

- 9-1. **Action Item:** None

Adjourn



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Public Hearings – 6:30 PM*

Next Meeting

Regular Council at 5:30 PM – Monday November 15, 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 three (3) 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