



## City of Nampa Engineering Business Item

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<b>TO:</b>	Mayor and Council
<b>FROM:</b>	Daniel Badger
<b>NUMBER:</b>	{{section.number}}-8
<b>DATE:</b>	July 5, 2023
<b>SUBJECT:</b>	Action Item: Request Council authorization for City Engineer to sign "Agreement for Deferral of Sidewalk and Curb/Gutter Construction for 1321 Madison Ave LLC"

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### Background Summary:

Idaho Precast has submitted for commercial permit with the Nampa Building Department (COM-03778-2023) to construct a new 4,033 square foot office building at their property located at 1315 & 1319 Madison Ave, owned by 1321 Madison Ave LLC. Madison Ave is classified as a local road. Nampa City Code Section 9-3-1 requires sidewalk, curb/gutter construction for new development adjacent to local road rights-of-way. The proposed development would trigger these improvements. Nampa City Code Section 9-3-1 allows for deferral of sidewalk construction if all the following conditions are met:

- The property is not located on an arterial street
- There is no sidewalk located within three hundred feet (300') of the property, or on the block where development occurs
- The development is a detached, single-family residence

Idaho Precast has requested to establish a deferral agreement for both sidewalk and curb/gutter along their frontage.

### Reason for Project:

The development does not meet all the conditions for allowing a deferral of sidewalk construction as stated by City Code, specifically the development is not associated with a detached, single-family residence. This in addition to the request to also defer curb/gutter construction requires City Council authorization to establish the agreement.

There is no sidewalk or curb/gutter along this section of Madison Ave. The nearest improved frontage is approximately 0.5-miles south of the property at property addressed 312 6<sup>th</sup> Street North. Additionally, the City has previously established deferral agreements for both sidewalk and curb/gutter at the following nearby properties:

- 1208 Madison Ave
- 1389 Madison Ave
- 1415 Madison Ave
- 1517 Madison Ave

Engineering Division supports the requested deferral agreement based on these factors.

**Funding/Project Costs:**

Not applicable – No cost.

**Staff Recommendation:**

Engineering Division has reviewed the "Agreement for Deferral of Sidewalk and Curb/Gutter Construction for 1321 Madison Ave LLC" and recommends establishing the agreement.

Legal review is not required since the Owner did not request changes to the City's boilerplate agreement.

**Attachments:**

Exhibit A – Deferral Letter

Exhibit B – Deferral Agreement

Exhibit C - Location Map