AGENDA
Middleton Planning and Zoning Commission

Date: Monday, August 12, 2019   Time: 7:00 p.m.   Location: 6 N. Dewey Ave., Middleton ID

1. Call To Order - Pledge of Allegiance

2. Roll Call

3. Information Items

4. Action Items
   A. Consider approving minutes of July 8, 2019 regular meeting.
   B. Public Hearing: Consider approving a request by Lourdes Matsumoto for a special use permit to except from Middleton City Code 4-1-1 (H): reduce the driveway width from the full garage width to 20’ and install a gravel driveway from the dwelling to the abutting public road instead of a hard surface driveway. The subject property is located at 126 Whiffin Ln., Middleton, Idaho.
   C. Consider approving a design review permit for Republic Storage at 22791 Duff Lane, Middleton, Idaho. The subject property is located along the North side of Highway 44, West of Duff Lane with the new business entrance approximately 800’ West of Duff Lane.
   D. Consider changing upcoming Planning and Zoning Commission meeting dates from October 14, 2019 (Columbus Day) and November 11, 2019 (Veterans Day) to other non-holiday dates.

5. Public Comments

6. Commission/Staff Comments

7. Adjourn

Posted by: [Signature]
Bruce Bayne, Planning and Zoning Official

Date: August 9, 2019 at 3:00 p.m.
The July 8, 2019 Planning and Zoning Commission Meeting was called to order by Chairwoman Gregor at 7:00 p.m.

Roll Call: Commissioners Jackie Hutchison, Whitney Springfield, Vice Chair Ray Waltemate were and Chairwoman Jenet Gregory were present.

3. Information Items: Planning and Zoning Official Bruce Bayne announced that William Deaver will join the Planning and Zoning Commission starting in October as a voting body but will start attending meetings for informational purposes starting in August.

4. Action Items

A. Consider approving minutes of May 13, 2019 regular meeting.

Motion: Motion by Vice Chairman Waltemate to approve the minutes for the regular meeting was seconded by Commissioner Springton and carried unanimously.

B. Consider approving a request by Mineral Rights Leasing ID LLC to approve a preliminary plat for the Crescent Lake Subdivision consisting of 105 single-family dwelling lots on 35.13 acres. The subject property is located at 23223 Kingsbury Rd. on the West side of the road.

Chairwoman Gregory called the agenda.

Motion: Motion by Vice Chair Waltemate to move the agenda item to the end of the meeting was seconded by Commissioner Springfield and carried unanimously.

C. Consider recommending approving a design review permit for EMJ Building at 21817 Cobalt Ave., Middleton Idaho. The subject property is located along the southwest corner in Middleton Industrial Park.

Chairwoman Gregory called the agenda item and Planning and Zoning Official Bruce Bayne gave a short staff report. Jo Greer from Rule Steel then gave a very brief overview of the application and the request.

Motion: Motion by Commissioner Springston to approve the permit was seconded by Commissioner Hutchison and carried unanimously.

B. Consider approving a request by Mineral Rights Leasing ID LLC to approve a preliminary plat for the Crescent Lake Subdivision consisting of 105 single-family dwelling lots on 35.13 acres. The subject property is located at 23223 Kingsbury Rd. on the West side of the road.

Chairwoman Gregory called the agenda. Commissioner Hutchison let the commission know that she lives in the Lakes at Talega and had received numerous phone calls regarding this subject and that she may have made a comment. If the Commission was uncomfortable with her making a decision based on what she just disclosed she would step down for this agenda item. The commission was comfortable with Commission Hutchison staying and having a vote.

Planning and Zoning Official Bruce Bayne gave a brief staff report before Sabrina Durschi representing KM Engineering gave a brief overview of the proposed project. James Roberts the managing member of...
Mineral Rights Leasing ID LLC, addressed the Commission regarding some of the concerns from the surrounding neighbors. Mr. Roberts stated that this subdivision would have their own HOA and amenities relieving any undue burdens to the neighboring subdivisions. Mr. Roberts stated that there are things that his development company would like to do differently from the pervious developer and that there are things that are just done differently within their company but that these things will be a benefit in the long run for not only the city but for the surrounding community. Mr. Roberts stated that the developments plan for landscaping were to build a landscaped berm between the Lakes at Talega and Crescent Lakes if there was plenty of extra dirt leftover from the ground work in the subdivision, if that was not a viable option then the plan was to plant a row of trees as a barrier between the two subdivisions.

Commissioner Hutchison asked Mr. Roberts who was paying to bring city service to the subdivision, which Mr. Roberts responded that the developer to the north has paid to have it stubbed to The Lakes at Talega and the city has committed to bring the water to the north side which is referred to as the school site, and that they have agreed to go to the very north site and bring it all the way through to Crescent Lakes. Commissioner Hutchison followed up with asking if there would be any damage to residents’ yards with the services being run through. Mr. Roberts responded that as he understood all lines would be run through the street in the city right-of-way.

Mark Christansen, Josh Martinez, Mathew Bradshaw, Rich Thompson, Sarah Post, Eric Stine, and Justin Plowright all voice a dislike for the number of homes being raised from 32 to 105 and all want to have the access to the subdivision to be at Kingsbury/Fountain Brook Street not at Kingsbury/Cornell.

Motion: Motion by Commissioner Hutchison to recommend that City Council approve the preliminary plat for Crescent Lake Subdivision with the conditions that are outlined in the administrative review and to included language clarifying landscaping was seconded by Commissioner Springston and carried unanimously.

Public Comments, Commission/Staff Comments: Planning and Zoning Official Bruce Bayne brought to the Commissions attention that the Planning and Zoning meetings in the months of October and November fall on holidays and to let him know at the next meeting if they would like to move the meeting dates.

Adjourn
Chairwoman Gregory adjourned the meeting at 8:58 p.m.

ATTEST:  
Janet Gregory, Chairwoman

Dawn M. Dalton, Deputy Clerk
Approved: August 12, 2019
ADMINISTRATIVE REVIEW AND REPORT

Middleton Planning and Zoning Commission

126 Whiffin Lane, Single-Family Dwelling – Exception from Driveway Standards

SUMMARY OF APPLICATION

An application by Lourdes Matsumoto for a special use permit to except 126 Whiffin Ln., single-family dwelling from Middleton City Code 4-1-1 (H): reduce the driveway width from full garage width to 20’ and install a gravel driveway from the house to the abutting public road instead of a hard surface driveway. The subject property is located along the West side of Whiffin Ln., South of Main Street approximately 800’, Middleton, Idaho.

Applicant: Lourdes Matsumoto
PO Box 112
Middleton, ID 83644

Representative: Same as Applicant

1. APPLICATION: The application was accepted by the city on June 25, 2019.

2. NOTICE OF PUBLIC HEARING:
   Published Notice Idaho Press Tribune: July 23, 2019
   Letters to 300’ Property Owners: July 19, 2019
   Letters to Agencies: July 19, 2019
   Property Posted: July 19, 2019

3. APPLICABLE CODES AND STANDARDS:
   Idaho Code Title 67, Chapter 65
   Middleton City Code (MCC) 1-14-1, 1-14-2, 1-14-4, 1-15-2, 1-15-7 and 4-1-1 (H)
4. **PLANNING AND ZONING OFFICIAL REVIEW COMMENTS:**

The applicant is requesting a special use permit to except from the driveway requirement in building code. The request is to have a 20' wide driveway from the single-family dwelling to the abutting public road and install the driveway with gravel.

The applicant is requesting the gravel driveway so as to maintain the same look as adjacent neighbors on Whiffin Lane, South of Main Street.

A neighborhood meeting was held on June 11, 2019 at the subject site. The applicant states that no opposition was voiced by any of the neighbors that attended. Please refer to the sign-in sheet and attached written comments.

**Written Agency Responses Received to Date:** None

**Written Landowner Responses Received to Date:** None

5. **CONCLUSION:**

The request for a special use permit to except from Middleton City Code 4-1-1 (H): reduce the driveway width from full garage width to 20' and install a gravel driveway from the garage adjacent concrete pad to the abutting public road instead of a hard surface driveway will not cause injury, damage or hardship to another person or property.

Drafted by: Bruce Bayne
Date: August 9, 2019
Applicant:

Lourdes Matsumoto  208-870-9604  lourdesmatsumoto@gmail.com

Name  Phone  Email

P.O. Box 114  Middleton, ID  83644

Mailing Address  City, State  Zip

Representative:

see Applicant Information

Name  Phone  Email

Mailing Address  City, State  Zip Code

PUBLIC HEARINGS **

☐ Annexation and Zoning

☐ Rezone

☐ Vacate Right-of-Way

☐ Comprehensive Plan Map or Text Amendment

PUBLIC MEETINGS *

☐ Design Review

☐ Preliminary Plat

☐ Construction Plans

☐ Final Plat

PUBLIC HEARINGS **

☐ Special Use Permit

☐ Development Agreement

☐ Variance

☐ Ordinance Amendment

* Public Meetings: individuals have a right to observe at an open meeting.

** Public Hearings: a neighborhood meeting is required before filing an application, and individuals have a right to participate in the hearing by offering comments.

Site Information:

Site Address: Lake Whiffin Ln.  Total Acres: 0.68

Assessor's Tax Parcel No(s): 176100180

Crossroads: Whiffin Ln. + Hwy 44

Existing Zoning: Residential  Proposed Zoning: Residential

Floodplain Zone: N/A  Hillside (grades exceeding 10%): N/A

Lourdes Matsumoto  6/3/19

Applicant's Printed Name  Date  Applicant's Signature

PLANNING AND ZONING APPLICATION

PAGE 1 OF 2
Planning and Zoning Department

Application

Rev: 12/13/2018

Fee Paid: $ _______________
Application Accepted by: ____________________
Date Application Accepted: ________________

Checklist - A complete Planning and Zoning Application must include the following.

☑ Application Form

☑ Application Fee (see Fee Schedule). Note: City Engineer and City Attorney expenses incurred by the city throughout the approval process that are related to relating to this Application are billed to the applicant in addition to the Application Fee. ________________ Applicant Initial

☑ Vicinity Map: attach an 8 ½" x 11" map showing the subject property in relation to land around it that includes the nearest public roads.

☑ Narrative: describe and explain your request, anticipated adverse impacts on neighbors, and other information helpful to decision-makers. Please attach the following if applicable.

☐ Applicable ☑ Not Applicable
- Describe how request is consistent with comprehensive plan (for annexation, zoning, comprehensive plan or ordinance amendments only)
- Design review materials and information (design review application only)
- Proposed preliminary plat, drainage calculations, traffic impact study
- Proposed construction drawings (construction plans application only)
- Proposed final plat (for final plat application only)
- Proposed development agreement
- Worksheet (for special use permit or variance only)

☐ Proof of Ownership or Owner’s Consent: attach a copy of landowner’s deed and, if applicable, a letter from the landowner that authorizes the applicant to file an application.

☑ Property Boundary Description including reference to adjoining road and waterway names that is signed and stamped by a land surveyor registered in the State of Idaho. If more than one zoning designation is being requested, separate legal descriptions are required for each zoning designation.

☑ Neighborhood Meeting: If applicable, attach original sign-up sheet.

☑ Mailing Labels: Adhesive mailing labels containing the names and addresses of property owners within 300 feet of the external boundaries of the subject property (available at Canyon County Assessor’s office or title companies). Two(2) sets if application requires a public hearing.

☑ Complete Application (City use only: check box and Initial if Application is complete): ________
NARRATIVE FOR APPLICATION FOR
SPECIAL USE PERMIT - EXEMPTION

We hereby submit our application for an exemption to Ordinance § 4-1-1(H) requiring a paved or asphalt approach extending 30' from the road to our driveway and also to have a driveway narrower than the width of our garage with a 20' neck. Please see site plane herein attached. We are constructing a new home on 126 Whiffin Lane and request the ability to have a gravel driveway in lieu of paving and while the plan is to have a concrete pad the width of the driveway we would like to have a narrower neck to the end of the pad. This home is not part of a development or subdivision and, in fact, the property has been in the Matsumoto family for a century. As such, Lourdes has resided on the lane for her entire life and has personal knowledge that no other home on the lane currently has nor has ever had a paved or asphalt driveway approach, and those with a concrete pad have not been required to have it the width of the garage. We are simply requesting the ability to maintain a gravel driveway as all of our neighbors currently do.

Pursuant to City Ordinance § 1-14-1 we held a neighborhood meeting the sign-up sheet for which is attached to this application. At the meeting no neighbors expressed any concern or potential adverse effects that they could foresee if we are granted this exemption. Additionally, we have had several conversations with individuals who live outside a 300-foot radius of our property and no one else who lives on the lane has expressed any concern of any negative impact from a gravel driveway on our property. Similarly, we have been unable to identify any negative impact to our neighbors. The requirement to pave our driveway would additionally result in a significant cost to us. Based on the reasons stated, we respectfully request that our exemption be granted.
Measure distance

Total area: 29,686.90 ft² (2,758.00 m²)
Total distance: 738.07 ft (224.96 m)
Measure distance
Total area: 29,686.90 ft² (2,758.00 m²)
Total distance: 738.07 ft (224.96 m)
# NEIGHBORHOOD MEETING SIGN UP SHEET

**Per City Ordinance § 1-14-1(A):**

Prior to filing an application for rezone, development agreement, comprehensive plan amendments, special use permit or variance, applicants shall conduct a special meeting. (emphasis added)

## SITE INFORMATION

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<tr>
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<th>ZIP</th>
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<tbody>
<tr>
<td>126 Whiffin Ln.</td>
<td>Middleton</td>
<td></td>
<td>83644</td>
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## APPLICANT INFORMATION

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<td>Jeff and Lourdes Christensen</td>
<td>122 Whiffin Ln.</td>
<td>Middleton</td>
<td></td>
<td>83644</td>
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<tr>
<th>PHONE</th>
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<tr>
<td>208-870-9604; 208-317-8780</td>
<td><a href="mailto:lourdesmatsumoto@gmail.com">lourdesmatsumoto@gmail.com</a></td>
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## MEETING INFORMATION

**DATE OF MEETING:** June 11, 2019  
**MEETING LOCATION:** 126 Whiffin Ln, Middleton (site location)

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<th>MEETING START TIME</th>
<th>MEETING END TIME</th>
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<tr>
<td>1. Jeff Cook</td>
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<td>11 Whiffin Ln.</td>
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<tr>
<td>2. Leslie Cook</td>
<td></td>
<td>11 Whiffin Ln.</td>
</tr>
<tr>
<td>4. Tom Matsumoto</td>
<td></td>
<td>193 Whiffin Ln.</td>
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"Whatever you guys want to do is fine with us," stated Leslie Cooke.

Steve Holland said "it doesn't affect us, so we don't care."

There were no questions and no one voiced any opposition.

Meeting adjourned promptly at 4:15 pm.
James and Leslie Cook
118 Whiffin Ln.
Middleton, ID 83644

Stephen Hensley
125 Whiffin Ln.
Middleton, ID 83644

Merle and Kevin Laeger
107 Whiffin Ln.
Middleton, ID 83644

Matsumoto Bros. Inc/Morio and Hayako Matsumoto LLC
PO Box 112
Middleton, ID 83644

Martin and Ida Collins
101 Whiffin Ln.
Middleton, ID 83644

Daniel and Jeanette Gleich
102 Whiffin Ln.
Middleton, ID 83644
ADMINISTRATIVE REVIEW AND REPORT

Middleton Planning and Zoning Commission

Republic Storage Middleton

SUMMARY OF APPLICATION

An application by Republic Storage Middleton for a Design Review Permit to construct a new storage facility and office building on the West side of Duff Lane, North of East Main Street (State Highway 44). The new business entrance will be approximately 800' West of Duff Lane along East Main Street. Proposed Phase 1 occupies approximately 17.39 acres of the 37.29 acres site. The encompassing properties address is 22791 Duff Lane, Middleton, Idaho.

Applicant: Republic Storage Middleton – Richard M. Phillips
210 Murray Street
Boise, Idaho 83714

Representative: Nate Mitchell
1470 N. Rookway
Star, Idaho 83669

1. APPLICATION: The application was accepted by the City on August 8, 2019.

2. APPLICABLE CODES AND STANDARDS: Middleton City Code (MCC) 1-15-8

3. PLANNING AND ZONING REVIEW COMMENTS:

A. Republic Storage Middleton will be a new business located at 2200 East Main Street, Middleton, Idaho. The subject property is zoned C-2, Light Commercial, and mini-warehouse storage is an allowed use in that zone.

B. Design review is required for all nonresidential structures and residential structures containing more than three (3) residences (MCC 1-15-8-1). The purpose of design review is to maintain and enhance aesthetics and ornament of new commercial,
industrial and public buildings in the city, and to protect and promote the economic base and general welfare of the community.

C. Years ago, the applicant widened pavement along a portion of the north side of State Highway 44. Transportation improvements, including a detached 10-foot wide asphalt pathway along highway 44 and pavement widening if not done previously.

D. A traffic study is required to determine the applicant’s pro-rata share of traffic impacts at Highway 44/Duff Ln. and Cornell St./Duff Ln. for the Phase 1 construction area.

E. Each building should contain three or more of the following design-review elements: A-frame or gable, some stucco, brick or rock, vertical or horizontal metal siding and roofing, some timber work, and a public art feature.

4. CONCLUSION

Application materials were received. Building colors and materials are compatible with the townscape, surrounding neighborhoods and adjoining structures. The proposed new buildings include gable roofs, some stucco, rock, vertical metal siding and roofing. The office has white siding, gray trim, rock accent with asphalt shingle roof. The storage units have white vertical metal siding, gray trim, rock accent with white metal roof; it does not include some timer work or a public art feature.

Parking requirements comply with city code. Pedestrian circulation needs to be revised from East Main Street to the office. The applicant needs to have marked Americans with Disabilities parking space(s) complying with city code.

These nonresidential buildings, if constructed as proposed, comply with Middleton’s design review standards with the following conditions of approval:
A) Fix the pedestrian circulation from East Main Street onto the site, to the office.
B) Revise the chain link fencing along East Main Street to be at a minimum; 6’ high rock posts to match the buildings with 6’ high wrought iron fence paneling. Chain link fencing is acceptable along the East perimeter and all interior site fences.
C) Drawing SP-1 requires dimensions on the entire boundary. Also dimensioning from the Phase 1 boundary to all adjacent property lines. Add right-of-way widths of adjacent roads and proposed right-of-way (if any).
D) The site requires an on-site screened/fences dumpster.
E) Re-label the existing sanitary sewer line around the property to be 21”.
F) Show the maximum heights for all the different building types.
G) Drawing RA-3 requires dimensions for the building exterior plus elevations.
H) Drawing RA-3 and one of the storage building drawings (A14 for example) need to be color drawings showing the actual building colors. Also, label the colors

Administrative Review and Report
Design Review Permit Application by Republic Storage Middleton - P&Z – August 12, 2019
Page 2 of 3
and type of rock on the subject plan sheets.

I) Submit an irrigation plan.

J) Show all exterior lighting locations on the office and at least one storage building (horizontal and vertical) if it is typical of all. If it is not typical of all, then show locations of lighting on all buildings.

K) Cut sheet(s) of the exterior lighting fixture(s). Exterior lighting must be shielded downlighting.

L) Transportation improvements as required along the Highway 44 North frontage. The City will determine the required improvements after receipt of adequate plans showing the entire Highway 44 right-of-way width and existing roadway improvements.

M) After the applicant has constructed the office and two storage buildings (applies for a construction permit for the third storage building), the applicant will complete a traffic study and pay to the city for intersection control estimated at $2,000,000 an amount equal to the applicant’s pro-rata share of traffic impacts to the Highway 44/Duff Ln. intersection and also associated Cornell St./Duff Ln. intersection.

Drafted by: Bruce Bayne
Date: August 9, 2019
Planning and Zoning Department
Land Use Application
Rev: 4/24/2019

Fee Paid: $150.00 Rec. 1234916
Application Accepted by: __________
Date Application Accepted: __________

Applicant:

Republic Storage - Middleton - Richard M. Phillips
Name Phone Email
210 Murray Street Boise, Idaho 83714
Mailing Address City, State Zip

Representative:

Nate Mitchell 205 941-2688 nate.mitchell@gmail.com
Name Phone Email
140 N. Road Way Star, Idaho 83669
Mailing Address City, State Zip Code

PUBLIC HEARINGS**
☐ Annexation and Zoning ☐ Rezone ☐ Vacate Right-of-Way ☐ Comprehensive Plan Map or Text Amendment

PUBLIC MEETINGS*
☒ Design Review ☐ Preliminary Plat ☐ Construction Plans ** ☐ Final Plat

PUBLIC HEARINGS**
☐ Development Agreement ☐ Ordinance Amendment ☐ Special Use Permit ☐ Variance

* Public Meetings: Individuals have a right to observe, not comment, at an open meeting at which the application is being considered by decision makers. Plats designed to city code and standards do not require a neighborhood meeting or public hearing.

** Public Hearings: A neighborhood meeting is required before filing an application, and individuals have a right to participate in the hearing by offering comments. Plats not designed to city code and standards require a neighborhood meeting and public hearing.

*** Administratively: reviewed and approved by the City Engineer and Zoning Official.

Subdivision or Project Name: Republic Storage Middleton

Site Address: 22791 Duff Lane Total Acres: 31.27

Crossroads: Highway 44 and Duff Lane

Existing Zoning: 6.2 Proposed Zoning: N/A

Floodplain Zone: ———— Hillside (grades exceeding 10%): ————

Richard M. Phillips 8-8-19
Applicant’s Printed Name Date

LAND USE APPLICATION
PAGE 1 of 2
Checklist - A complete Planning and Zoning Application must include the following.

☐ Application Form

☐ Application Fee (see Fee Schedule). Note: City Engineer and City Attorney expenses incurred by the city throughout the approval process that are related to relating to this Application are billed to the applicant in addition to the Application Fee. ☑ Applicant Initial

☐ Vicinity Map: attach an 8 1/2" x 11" map showing the subject property in relation to land around it that includes the nearest public roads.

☐ Narrative: describe and explain your request, anticipated adverse impacts on neighbors, and other information helpful to decision-makers. Please attach the following if applicable.

Applicable Not Applicable

☐ Describe how request is consistent with comprehensive plan (for annexation, zoning, comprehensive plan or ordinance amendments only)

☒ Design review materials and information (design review application only)

☐ Proposed preliminary plat, drainage calculations, traffic impact study

☐ Proposed construction drawings (construction plans application only)

☐ Proposed final plat (for final plat application only)

☒ Proposed development agreement

☐ Worksheet (for special use permit or variance only)

☐ Proof of Ownership or Owner’s Consent: attach a copy of landowner’s deed and, if applicable, a letter from the landowner that authorizes the applicant to file an application.

☐ Property Boundary Description including reference to adjoining road and waterway names that is signed and stamped by a land surveyor registered in the State of Idaho. If more than one zoning designation is being requested, separate legal descriptions are required for each zoning designation.

☐ Neighborhood Meeting: If applicable, attach original sign-up sheet.

☐ Mailing Labels: Adhesive mailing labels containing the names and addresses of property owners within 300 feet of the external boundaries of the subject property (available at Canyon County Assessor’s office or title companies). Two(2) sets if application requires a public hearing.

☐ Complete Application (City use only: check box and Initial if Application is complete): __________
August 8, 2019

City of Middleton
Planning and Zoning Department
1103 West Main Street
Middleton, Idaho 83644

Re: Republic Storage Middleton / Design Review Application / 22791 Duff Lane

Dear Sirs:

The Republic Storage Middleton project is proposed as a self storage project consisting of 125,700 square feet of enclosed storage buildings and 50,460 square feet of covered RV storage buildings. In addition, there is an on site managers residence and office for the site managers of 1,568 square feet. The site also consists of 216 outdoor RV storage spaces. The proposed future buildings will be added as the demand dictates. The site will be paved around all the enclosed and covered storage buildings. The outdoor RV Storage will be gravel to allow for future expansion of the enclosed storage buildings. All the utilities are to the site or will be extend to the site as required by the City or public utility.

The buildings are designed as pre-engineered metal structures with metal siding and roofing. They are white in color with gray trim. The buildings facing Highway 44 will have a stone wainscot that is four feet high along the south side to enhance the look along Highway 44. We have included some photos of a similar project that has been completed in Star, Idaho to give you a feel for the proposed look of the project. We are proposing to provide trees and sod along Highway 44 as a landscape buffer. The residence will be a wood frame building and will look residential in character with stone along the south side, white siding and gray trim. The windows will be a low E glass and will have a gray tint with a vinyl frame.

Phase Two of the project would consist of adding additional buildings to the east on an as needed basis. Once the Phase Two site is completed Phase Three would include moving the outdoor RV storage to the north and adding buildings to the north of Phase One. The Owner is also proposing two sale of develop pad sites along Highway 44 and Duff Lane. These pad sites will be developed as needed and based on demand.

We would also like to obtain the City’s approval of the signage for the project and again we have attached some signage designs from the Star, Idaho project for your use. In addition, we have included the following items for your use.

1. Sheets SP-1, SP-2 and SP-3 to illustrate how the site is proposed to develop.
2. Sheets A-9 through A-17 showing the proposed building elevations.
3. A Landscaping Plan.
4. A Vicinity Map.
5. The completed application.
6. A copy of the deed to the land.
7. A letter from the Land Owner stating it is acceptable to file this application.
8. Photos of the Star, Idaho project
9. Idaho Department of Transportation Access Permit

We hope the City will see the need for the this project and will approve the Design Review Application. Please feel free to contact us with questions.

Sincerely,
Larson Architects

[Signature]

Cornel Larson
Right-Of-Way Encroachment Application And Permit Approaches And Other Encroachments

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<th>Application Date</th>
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<td>June 7, 2006</td>
<td>5.374 9(3)</td>
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<th>C/L Station</th>
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<td>5.307</td>
<td>221225</td>
<td>800 Feet West of Duff Lane</td>
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<th>Sight Distance</th>
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<th>Access Control Type (I-V)</th>
<th>Roadway Type (Urban, Rural)</th>
<th>Number of Lanes</th>
<th>Median Type</th>
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<tr>
<td></td>
<td>Rural</td>
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<table>
<thead>
<tr>
<th>Access Permit Type</th>
<th>New Approach</th>
<th>Modification to Existing Approach (Select all that apply)</th>
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<tbody>
<tr>
<td></td>
<td>Location</td>
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<table>
<thead>
<tr>
<th>Approach</th>
<th>Quantity</th>
<th>Width / Size</th>
<th>Multiple Approaches</th>
<th>Est. Volume (Vehicles/Day)</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Max. 1</td>
<td>40 F: Full Access</td>
<td>Yes - Attach page for each additional approach</td>
<td>4,950 (2011)</td>
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<tr>
<th>Culvert (If req'd)</th>
<th>Residential (SF, MF)</th>
<th>Lt. Commercial</th>
<th>Heavy Commercial</th>
<th>Agricultural</th>
<th>Joint Use</th>
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Remarks: Mixed Commercial

Attach the following:
1. A completed Encroachment Checklist, applicable ownership documents, multiple approach permit sheets.
2. Written authorization from the owner (If needed).
3. Plans or drawings (3 sets) showing proposed work, approach locations, drainage details, landscaping, striping plans, and traffic control. (Include Department roadway alignment or project plans when available.)

I certify that I am the Owner or Authorized Representative of the property to be served and request permission to construct the above facilities within the State Highway Rights-of-Way in accordance with the General Provisions printed on the reverse side of this form, the Special Provisions, and the Plans made a part of this permit. This permit SHALL BE VOID if all work is not completed and the Department has not made final inspection and approval within one year of the issuance date.

---

<table>
<thead>
<tr>
<th>Owner's Name (Printed)</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
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</thead>
<tbody>
<tr>
<td>Willowbrook Development Inc.</td>
<td>210 Murray St.</td>
<td>Boise</td>
<td></td>
<td>83714</td>
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<table>
<thead>
<tr>
<th>Owner's Signature</th>
<th>Owner's Phone</th>
<th>Owner's Fax</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>208-376-4665</td>
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<table>
<thead>
<tr>
<th>Authorized Representative's Name (Printed)</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
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</thead>
<tbody>
<tr>
<td>Dick Phillips</td>
<td>210 Murray St.</td>
<td>Boise</td>
<td></td>
<td>83714</td>
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<table>
<thead>
<tr>
<th>Authorized Representative's Signature</th>
<th>Representative's Phone</th>
<th>Representative's Fax</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>376-4665</td>
<td></td>
</tr>
</tbody>
</table>

Subject to all terms, conditions, and provisions shown on this form or attachments, permission is hereby granted to the above-named applicant to perform the work described.

---

**Note:** Permit will be considered **Temporary** until final inspection and approval by a Department representative.
General Provisions

1. During the progress of all work, traffic control devices shall be erected and maintained as necessary or as directed for the protection of the traveling public. All traffic control devices shall conform to the Manual on Uniform Traffic Control Devices for Streets and Highways, as adopted by the State. Parked equipment and stored materials shall be as far from the main traveled way as feasible. Items left overnight within 30 feet of the main traveled way shall be marked and/or protected.

2. By signing this permit, the permittee, his designated representative or successors, agree to indemnify, save harmless, and defend regardless of outcome the State from the expenses of and against all suits or claims, including costs, expenses, and attorney fees that may be incurred by reason of any act or omission, neglect, or misconduct of the permittee or its contractor in the design, construction, and maintenance of the work, which is the subject of this permit.

3. Approaches shall be for the bona fide purpose of securing access and not for parking, conducting business, or servicing vehicles on the highway right-of-way.

4. Any disturbance of the highway and/or traffic control devices shall be restored to the satisfaction of the District Engineer.

5. If the work done under this permit interferes in any way with the drainage of the state highway, the permittee shall, at his sole expense, make such corrections as necessary or as directed by the District Engineer.

6. Upon completion of the permitted work, all rubbish and debris shall be immediately removed from the work area to the satisfaction of the District Engineer.

7. All work herein permitted shall conform to current government and industry standards under the supervision and to the satisfaction of the District Engineer, and the entire expense of said supervision shall be borne by the permittee.

8. This permit or privilege granted under ITD 02109 shall not be deemed or held to be an exclusive one and shall not prohibit the State from using any of its highways, streets, or public places or affect its right to full supervision and control over any or all of them, none of which is hereby surrendered. The State reserves the right to make at any time such modification, addition, repair, relocation, or removal of an existing encroachment(s) or its appurtenances or an encroachment(s) or subject(s) authorized by this permit within the highway right-of-way as may be necessary to permit the relocation, reconstruction, widening, and maintenance of the highway and/or to provide proper protection to life and property on or adjacent to the highway.

9. Any modification, relocation, or removal required due in part to negligence of the permittee shall be made at the sole expense of the permittee. All such modifications, relocation, or removal by the permittee shall be done in such a manner as will cause the least interference with the traveling public or any of the State’s work.

10. The State may revoke, amend, amplify, or terminate this permit or any of the conditions herein enumerated if the permittee fails to comply with any or all of its provisions, requirements, or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with the State’s work.

11. The permittee shall maintain at its sole expense the encroachment for which this permit is granted.

12. Inspection of the permitted work may be performed at any time to ensure compliance with the requirements of this permit. The State shall be reimbursed by the permittee for any additional inspection required under the Special Provisions of this permit.

13. The permittee shall furnish all material, labor, and equipment involved in the construction of the approach and its appurtenances. This shall include furnishing drainage pipe of a size specified on the permit (12-inch minimum), curb, gutter, concrete sidewalk, etc., where required. Materials and workmanship shall conform to current government and industry standards and are subject to inspection by the State.

14. No work shall commence until the permittee is given notice to proceed by an authorized representative of the State. The permittee shall notify the State five (5) working days prior to commencing the permitted work if work does not commence immediately upon notice by the State.

15. The original permit or a copy must be kept on the job site whenever work is taking place. Any modification, relocation, or removal of an encroachment or subject granted by this permit shall require a new permit prior to commencement of such work.

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**Headquarters Staff Review**

<table>
<thead>
<tr>
<th>Review</th>
<th>Reviewer</th>
<th>Date</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>Traffic</td>
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<td>12/67</td>
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<td>Bridge</td>
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<td>Utilities</td>
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<td>Right-of-Way</td>
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<td>Design</td>
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<td>Environmental</td>
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**District Staff Review**

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<tbody>
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<td>Traffic</td>
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<tr>
<td>Maintenance</td>
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<tr>
<td>Right-of-Way</td>
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<tr>
<td>Planner</td>
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<td>12/67</td>
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</tbody>
</table>

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*Attach reason(s) for denial and/or recommendations*
Embassy, Inc.
210 Murray St.
Garden City, ID

August 7, 2019

To Whom It May Concern:

Please consider this written permission for Larson Architects to file application for Zoning Permits, Building Permits and Design Review for Republic Storage Idaho.

Sincerely,

Richard M. Phillips
President
Embassy, Inc.
WARRANTY DEED

For Value Received Staci P. Smith, as Trustee of the Staci Phillips Trust, U/T/A dated January 1, 1995
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto
Embassy, Inc
hereinafter referred to as Grantee, whose current address is 210 Murray ST Boise, ID 83714

The following described premises, to-wit:

That portion of the Northeast Quarter of the Northeast Quarter of Section 8, Township 4 North,
Range 2 West, Boise Meridian, Canyon County, Idaho described as follows:

COMMENCING at the Northeast section corner of Section 8, Township 4 North, Range 2 West,
Boise Meridian, Canyon County, Idaho, (the basis of bearings for this survey is the East section line
of said Section 8 between the North 1/16 corner and the Northeast corner of said Section 8, said line
bears N 01° 02' 16" E); thence along the North line of said Section 8

North 89° 42' 00" West 25.00 feet to the POINT OF BEGINNING, thence continuing along said
North section line

North 89° 42' 00" West 1,308.52 feet to the East 1/16 corner of said Section 8, thence

South 00° 56' 56" West 1,279.01 feet along a 1/16 line to a point on the North right-of-way of
State Highway No. 44, thence along said right-of-way

South 89° 45' 56" East 25.72 feet to a point, thence on a curve to the left whose radius is
7,579.44 feet, whose length is 1,288.59 feet, whose delta is 9° 44' 27" and whose long chord bears

North 85° 21' 30" East 1,287.04 feet to a point common to the North right-of-way of State
Highway No. 44 and the West right-of-way of Duff Lane, thence along the West right-of-way of Duff
Lane parallel to the East section line

North 01° 02' 16" East 1,168.13 feet to the POINT OF BEGINNING.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are
free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those
made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
WARRANTY DEED

For Value Received Staci P. Smith, as Trustee of the Staci Phillips Trust, U/T/A dated January 1, 1995
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto
Embassy, Inc
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North 89° 42' 00" West 25.00 feet to the POINT OF BEGINNING, thence continuing along said North section line

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North 85° 21' 30" East 1,287.04 feet to a point common to the North right-of-way of State Highway No. 44 and the West right-of-way of Duff Lane, thence along the West right-of-way of Duff Lane parallel to the East section line
North 01° 02' 16" East 1,168.13 feet to the POINT OF BEGINNING.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies,
and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 13, 2018

Staci Philips Trust u/t/a January 1, 1995

By: ____________________________
    Staci P. Smith, Trustee

State of Idaho, County of Ada

This record was acknowledged before me on 4/16/18 by Staci P. Smith, as Trustee of The Staci Philips Trust.

______________________________
Signature of notary public

Commission Expires:

Residing at Caldwell, ID
My Commission Expires: 05-05-2023

SUSAH J. MERETT
NOTARY PUBLIC
STATE OF IDAHO