

**CITY OF EMMETT, IDAHO**  
**ZONING COMMISSION**  
[www.cityofemmett.org/zoningmeeting](http://www.cityofemmett.org/zoningmeeting)  
**AGENDA**

Monday, January 6, 2025, 6:00 P.M.  
Emmett City Hall, 501 E. Main St.

**REGULAR MEETING**

1. Call to Order:
2. Roll Call:
3. Pledge of Allegiance:
4. Review Agenda:
5. Approval of Minutes: December 2, 2024 Action Item
6. New Business: Action Items
  - a. Nomination of Chairman, Vice Chairman
7. Unfinished Business: Action Items
8. Items from the Commission:
9. Items from the Building Official/Zoning Administrator:
10. Upcoming Meeting(s): Monday, February 3, 2025
11. Adjournment

*This institution is an equal opportunity provider. Any person needing special accommodations to participate in the above noticed meeting should contact City Hall prior to the meeting at 501 East Main Street, Emmett, Idaho (208-365-6050)*

Posted, January 3, 2025, at \_\_\_\_\_ am/pm by: \_\_\_\_\_

**EMMETT CITY ZONING COMMISSION**  
**December 2, 2024**

The Emmett City Zoning Commission held a Regular Meeting at 501 E. Main Street, Emmett, Idaho.

**Chairman Earls called the meeting to order at 6:06 p.m.**

Chairman Earls led the **Pledge of Allegiance**.

**Commissioners Present:** Gwen Earls, Brian Gregory, Tracy Howard

**Commissioners Online:** none

**Commissioners Absent:** Kim Butler Larry Jenkins

**Staff Present:** Zoning Administrator, Brian Sullivan; City Attorney, Jake Sweeten; Recording Clerk, Shannon Ferraro

**Staff Online:** none

**Public Present:**

Tisha Vanderwiel and Jason Gyer, 203 W 1<sup>st</sup> Street, Emmett

Spencer and Janet Murphy 908 E 4<sup>th</sup> Street, Emmett

Angel Montalbo 906 E 4<sup>th</sup> Street, Emmett

Symone and Randy Ballingherg 920 E 4<sup>th</sup> Street, Emmett

**Review of Agenda:** Chairman Earls calls for review of agenda and last meetings minutes.

**Approval of Minutes:** Commissioner Gregory made a motion to approve the minutes from November 4, 2024  
Commissioner Howard seconded the motion. Motion Carried. All in favor, minutes approved.

**Public Hearing:** Continued public hearing for SUP24-001 Special Use Permit for a nursery for children and a private preschool.

**Administrator Sullivan** comes forward. Tonight, we have the continuation of the public hearing for SUP24-001. The first Zoning Commission hearing date was November 4, 2024, and tonight is the continuation. The owner is Tisha Vanderwiel, and Jason Gyer 203 W 1<sup>st</sup> St., Emmett, Idaho 83617. The subject property is 905 E 4<sup>th</sup> St., Emmett, Idaho 83617. Located at Township 6N, Range 01W, Section 08. Parcel Number RP06N01W085415. The applicant Tisha Vanderwiel has applied for a Special Use Permit to operate a nursery, and private preschool facility in a Residential Zone within city limits. The size is approximately .50 acres located on E 4<sup>th</sup> Street. The property is currently in a residential zone. The applicant intends to provide a nursery service to children, and a private preschool. Business will operate Monday through Friday 7am to 6pm. The following are the questions that the Commission requested on the November 4, 2024 meeting, followed by the answers.

1. Proper site lines coming out of the driveway
  - A. There is a fence on the west boundary, the fence sits back from the curb along 4<sup>th</sup> St 15 feet giving adequate vision looking both directions.
2. The muddy area along 4<sup>th</sup> St.
  - A. The applicant is proposing parallel parking along 4<sup>th</sup> St that will be graveled. There will be enough space for about four vehicles and that is on site not on the street.
3. A map of the property with driveway included
  - A. Provided in Commissioners Packet, the driveway itself is 28 feet wide, the photo in the packet shows two vehicles with plenty of room on both sides, so that there can be two-way traffic in that driveway.
4. Fire Department inspection to establish the occupancy load for children.
  - A. 37 occupants is the occupancy load established by the Fire Department.
5. Hours of operation, and days open
  - A. 7am to 6pm Monday-Friday.

6. Clarification on the sign
  - A. A wall sign is all that would be allowed, and a maximum of 6 sq ft.
7. Lighting for the property
  - A. Exterior lighting will be on a timer, during the hours of operation.
8. Possible “no parking” condition for the opposite side of the street
  - A. This is a public street, and will need to be discussed. It will be very difficult to propose.

Those are the eight questions that the Commission came up with.

**Commissioner Gregory** asks **Administrator Sullivan** about a sidewalk in front of the property. **Administrator Sullivan** answers that there is not a side walk in front of the subject property. **Commissioner Gregory** then asks if the church that is suppose to go in next door will be required to put a sidewalk in? **Administrator Sullivan** replies that the church may or may not build next door, but if and when it goes in yes, they will be required to put a sidewalk in. **Commissioner Gregory** makes another comment about the parking spots, and an irrigation ditch. **Administrator Sullivan** comments about the irrigation ditch being covered, and that all parking is off the street.

**Chairman Earls** calls the applicants forward. Tisha Vanderwiel, and Jason Gyer step up to the podium. **Chairman Earls** then opens up for questions from the Commission. **Commissioner Gregory** Thanks the applicants for clarifying some of the questions. His only concern is the traffic that this is going to create. It looks like some of those issues have been addressed, parking is going to be in the back, people will be able to go in and out of the driveway in both direction side-by-side, and the hours of operation have been addressed. Tisha and Jason sit back down.

**Chairman Earls** then opens the floor up to the public. Simone Ballingherg steps forward. She states that she lives East of the subject property. She brings to attention how dark it is in that area, and the parallel parking. Also, how fast people travel down that street is mentioned. Spencer Murphy then steps up, and agrees with Simone about the darkness in that specific area. He corrects himself from the last meeting, that there actually IS a street light right on the corner of the subject property, on the West side. Spencer then brings up the early mornings and late afternoon hours, and potential weather conditions impairing the vision of the public and students. He then mentions that the amount of parking spaces they are proposing, is not adequate to meet the needs of students and parents. Angel Montello comes forward and brings up the parking in the front.

**Chairman Earls** calls Tisha Vanderwiel and Jason Gyer to come back up to address the publics concerns. Jason then remarks that the parking spots in front of the school would be solely for employee parking. The two parking spots by the door would be for drop off, and the regular parking will be in the back. The house side of the driveway will have two, three-foot lights that will be timed with the hours of operation. Tisha then states that there will be plenty of room to park in the back of the property, and children will not be present in the front of the property. She then clarifies what she means by “extended care”, and that means from 7-9am before preschool starts, and from 11:30am until the rest of the day until the parent can pick their chidren up. Tisha also states that if they do end up offering care for children outside of the preschool/kindergarten age range, that they would acquire a van to pick up kids to bring them to the school. Children will not be out walking by themselves for any reason. **Chairman Earls** then asks the Commission if they have any other questions, **Commissioner Gregory** speaks up. He states he notices on the map that there is a roundabout/cul-de-sac in the back. He asks if they have a holiday celebration at the school, where would everyone that would be attending park? Mr. Gyer answers that the back parking area is 80 feet by 100 feet.

**Chairman Earls** then asks if anyone in the Commission has any more questions for **Administrator Sullivan**. **Commissioner Gregory** does. He asks if they can put stipulations on the Special Use Permit. **Administrator Sullivan** answers yes. **Chairman Earls** than asks for a motion from the Commission. **Commissioner Howard** makes a motion to approve Special Use Permit SUP24-001 and adopt the staff report as part of the approval. **Commissioner Gregory** does not second. **Chairman Earls** withdraws the motion due to it not getting a secondto the motion.

**Commissioner Gregory** then motions to approve Special Use Permit SUP24-001 with the following conditions. That parking off the street be adequate for the size of the facility, that the front four parking

spots be limited to staff use only, and to also adopt the staff report. Commissioner Howard seconds. All in favor, none opposed. Motion Carried.

**New Business:** Accessory Dwelling Workshop to be continued at next meeting.

Chairman Earls calls for review of the 2025 Zoning Commission meeting schedule. Commissioner Gregory motions to approve the 2025 schedule. Commissioner Howard seconds, all in favor, none opposed. Motion Carried.

**Unfinished Business:** none

**Items from the Commission:** none

**Items from the Building Official/ Zoning Administrator:** none

Next Regular Meeting -January 6, 2024

Commissioner Howard made a motion to adjourn. Commissioner Gregory seconds the motion. Motion Carried.

Meeting adjourned at 6:28 pm

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Chairman Gwen Earls

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Acting Secretary