

**Planning and Zoning Commission**  
**Meeting Minutes for Wednesday, August 25<sup>th</sup>, 2025**

Planning and Zoning Called to Order @ 5:30 PM

Roll call: **White, Hernesmaa, Councilor Roose, Heil, Palcher.** *Staff Kochendorfer.*

**Excused: Anderson, Burke**

**Approval of Minutes from July 16<sup>th</sup>, 2025.**

**Motion Palcher to approve the July 16<sup>th</sup>, 2025 Minutes/ Second White. Motion carried.**

**Additions or Deletions from Agenda**

**Requests to Appear**

1. Contented Critters – Teresa Floberg gave an overview of the mission of Contented Critters non-profit animal rescue. Currently, the rescue is being ran out of a private residence just outside of Ely, but the intent is to have a location in Ely to house the dogs and cats, not any farm animals. The animal rescue works closely with the college vet tech program, as well as the local veterinary.

The proposed location for the rescue is on Miners Drive, next to the Hub Building. The property is unique, and poses some challenges, but there is interest from the rescue to build a successful shelter at this location. There are no set plans at this time as this is dependent on how the space is laid out, and what all would be approved by the commission. This location would only be for dogs and cats, as the farm sanctuary would stay where it is. The current kenneling capacity is 12 dogs, and 12 cats which has worked well.

There was further discussion amongst the commission of previous conversations of dog boarding facilities in that area, and some questions/concerns that arose from that conversation. Floberg explained that the boarding wouldn't be long term, as they try and relocate the dogs when possible. She explained that having the trail close by to walk the dogs, and having an area on site where the dogs can exercise would be beneficial. She explained that their insurance is also very strict, and they are not allowed to take dangerous animals in.

Kochendorfer then explained the proposal further. The surveying of the land is irregular, and actually goes over the roadway in portions of the property, as well as a portion of the property goes through the existing outdoor rec rink. Kochendorfer further explained some of the complexities of the land, the elevation, and the need for a plat/lot line adjustment. The property is large enough to fit a sizeable building. The zoning would make sense to change from P1 to C1, as the neighboring properties are all C1 zoning. The C1 zoning would allow less restrictions on set-back requirements, but this plat is located in the Business Park, which has more restrictions on building set-backs, and overall building requirements. This use also is not currently under our permissible uses, so that would need to be added, as well as what zoning would allow that use.

This plat was originally leased to the State of Minnesota as extra parking for the Department of Revenue. Further discussion on where the zoning and permissible uses would fit.

Clerk Langowski explained that a lot of the Plats in the Business Park changed over the years, but a right of way must be maintained. This parcel has some uniqueness, and also some separation from the neighborhoods above the bluff. The right of way was never vacated where the current outdoor rink sits.

Kochendorfer will work on next steps of the project.

### **Reports**

- a. Planning and Zoning Administrator – Kochendorfer welcomed new commission member Anna Heil. There continues to be a lot of projects this summer. The new Trailhead Building Grand Opening will be on Wednesday August 27<sup>th</sup> from 5-8 PM, with the ribbon cutting at 6 PM. There will be another variance hearing on September 17<sup>th</sup>, at 5 PM.
- b. Projects Committee – (minutes in packet). Hernesmaa mentioned there is talk of putting solar panels on the water treatment plant, the anticipated completion of Harvey St is slated for October 2<sup>nd</sup>, and the trailhead grand opening.
- c. Council – Roose explained a payment plan was set up for a property that had a special assessment on it. The IUP Ordinance draft is with the City Attorney. The permissible uses for RV and Tattoo were approved and added to the ordinance.

### **New Business**

1. Business Park Covenant- Kochendorfer explained the current ordinance that exists related to the business park, and current businesses that are in the business park. Most of the businesses in the business park are not manufacturing other than Steger's, and the uses of the business park have changed from when it was originally written in the 1990's. Kochendorfer posed the question on whether or not the ordinance should be changed, or just fully repealed.

Roose explained that repealing the ordinance seems to be the best route. Having this covenant makes it harder for other businesses to be built, and just creates more overall restrictions for building, which is what the commission has been working on to eliminate, via the current comprehensive plan updates. Kochendorfer agreed, and explained that these lots are not selling or being used, so the restrictions aren't helping.

There was consensus amongst the commission to streamline the process, to allow growth of other businesses.

Motion Palcher to move forward with modifying the ordinance to be inclusive and support future projects, and to be flexible with development/ second White.

There was further discussion related to the current zonings within the business park, as well as the covenant ordinance.

**Motion Palcher to move forward with modifying the ordinance to be inclusive and support future projects, and to be flexible with development/ second White. Motion carried without objection.**

2. Dog Park Plaques- Kochendorfer presented the proposed plaques that the dog park would like place on the fencing when people donate money, to recognize the donors. The varying sizes would be 8"x8", 8"x18", and 18"x20". There was discussion on the reasoning for the signs, and the scope of the project. The approval is necessary because this is on city property, and PZ approved the original CUP. This will then go to Park and Rec for approval as well.

**Motion White to approve the plaques/ signs as presented/ second Hernesmaa. Motioned carried without objection.**

3. Fence Ordinance- Kochendorfer explained that the current fence ordinance is outdated, and could use some updates, to include language on fence heights related to streets or avenues, and over fence heights in other zoning districts. There was further discussion on what changes may be needed, and what some of the interpretation of the current ordinance is. The fence heights in the front yard could be increased, but the fence type may have to be see through. This will continue to "old business" for the next meeting.

**Old Business:**

- a. IUP Process Update- The City Attorney is drafting changes and these will come back to PZ when there done.
- b. Permissible Uses List- Further discussion at a later meeting.
- c. Update City Comprehensive Plan from 2016- Continued discussion and updates to goals and objectives related to the comprehensive plan on land use controls. Changes were made in real time to pages 26-27.

**Adjournment at 6:45 PM without objection.**