

**ELY PLAN AND ZONING COMMISSION
SPECIAL MEETING NOTES
MONDAY FEB 5, 2018
6:00 p.m.**

ELY CITY COUNCIL CHAMBERS –1570 ROWLEY ST

1. Call to order – 6:00
 - a. Present; Marty Lamb, Annie Palas, Ben Symonds, Brian Palas, Josh Entler, Bob Mreen.
 - b. Absent & Excused: Heidi Kiser
2. Approval of
 - a. Agenda – Motion to approve by Annie Palas, 2nd; Ben Symonds
 - Roll Call: All Ayes, Motion Passes
3. Request for Zoning Change: 1695 Dows Street, Ely Iowa
 - a. Request submission by Veronica Driessen
 - C1A Downtown Commercial to C2 Highway Commercial Zoning Change
 - Purpose: C2 zoning has a special exception for Kennels for a pet boarding and grooming business.
 1. Veronica gave an overview of the business, started in 2009 as a grooming, obedience training and dog boarding business as a new opportunity and has grown to now include additional employees.
 2. 1695 Dows Street location does have a couple structure issues with the building. Part of the renovation for the business would be to add sound proofing and fencing (7' vinyl fence) in the rear yard. The old ball room area on 2nd floor of the building is somewhat structurally deficient, but would be used as a training area to limit loading. Veronica provided information on sound proofing ideas and has researched several concepts including people in the business of sound proofing dog kennels.
 - Comments from the community:
 1. A neighboring business has received feedback from customers that that this start up could mean the loss of business. Also, the effectiveness of sound proofing was a concern.
 2. Concerned citizens made a plea for acceptance of this idea. Referring to Veronica as a good neighbor and someone that cares about the impact of her business on others near her business.

3. Veronica talked about the business being more central in the structure Dow street structure. The reason for her relocation needs are current Linn County requirements include rezoning her current location to agriculture and hard surface the road to her location.
 4. Another discussion included concerns for the fencing in the back and the potential to block visibility for the Legion parking lot traffic.
 5. Bob Mreen reviewed other neighbor town codes concerning kennel zoning. Some were similar to Ely, a common theme was that zoning that includes kennel activities are generally more preferred in the fringe areas within City Limits.
 6. P&Z Member Annie Palas, wondered if the building issues may be a bigger problem and potential concerns with typical City activities causing the dogs to bark, especially in the summer during such things as the 4th of July parade, Fall fest, street dances and typical traffic.
 - C2 Zoning would not guaranty the special exception approval by the board of adjustments allowing Veronica to move forward with her plans.
 - Brian Palas (P&Z member) commented on the current zoning class along both side of Dow Street from State Street to Main Street all being zoned C1A and cautioning that a re-zoning like this will create a “Spot Zoning” situation for the City of Ely.
 - Zoning concerns, Input from the Ely P&Z commission is that spot zoning is a very challenging position for the City to allow. Typically looked at as a “not to do” zoning action that often sets an unsustainable precedent situation for the City.
4. Recommendation, Ely P&Z Commission to the Ely City Council.
 - The P&Z Commission recommends to the Ely City Council to not approve the rezoning request concerning 1695 Dows Street.
 - b. Motion to Recommend by Bob Mreen, 2nd Ben Symonds
 - Roll Call: All Ayes, Motion Passes
5. Adjourn
 - a. Motion to adjourn 6:53: Motion by Marty Lamb, 2nd Ben Symonds.
 - b. Roll call: All Ayes, motion passed.