

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, February 20, 2023

The Linn County Planning and Zoning Commission meeting was called to order at 6:30 p.m. by Chair, Tina DuBois. The meeting was held in the Jean Oxley Public Service Center Formal Board Room, 935 2nd Street SW, Cedar Rapids, Iowa.

QUORUM DETERMINED:

PRESENT:	Tina DuBois, Chair	2025
	Brock Grenis, Vice-Chair	2023
	Griffin Kuntz	2026
	Allen Wagner	2024
	George Maxwell	2025

ABSENT:	Diane Brecht	2025
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STAFF:	Stephanie Lientz, Planning & Zoning Division Manager
	Mike Tertinger, Senior Planner
	Brad Wylam, Planner II
	Jessie Black, Recording Secretary

See attendance sheet for community sign in.

APPROVAL OF MINUTES

The minutes of the January 17, 2023 Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

JPS23-0001	Miles Farms Addition	Residential Parcel Split
JF23-0005	Skoron Second Addition	Final Plat
JLPS23-0002	Skaff First Addition	Land Preservation Parcel Split

**Motion by Maxwell to approve the consent agenda, subject to the conditions of the staff reports.
Second by Wagner.**

Wagner	Aye
Kuntz	Aye
Maxwell	Aye
Grenis	Aye
Brecht	Absent
DuBois	Aye

**REGULAR
AGENDA
JF23-0007**

Whiting Addition

Final Plat

Stephanie Lientz presented the staff report.

The applicant is proposing a 1-lot final plat combining Lot 1 of Kramer’s First Addition with Parcel A of Plat of Survey No. 2693, containing 3.13 total acres. An additional 0.032 acres or additional dedicated road right-of-way is proposed (Lot A). There will be no increase of buildable lots. There is an existing dwelling constructed in 1988, accessory structure, well and septic system on proposed Lot 1. The subject property is designated as RRD3 (Rural Residential 3-Acre Development Area) on the Linn County Rural Land Use Map.

A Minor Boundary Change application (case JMBC-0002) is running concurrently with the proposed replat. The boundary change will allow the expansion of the residential lot and must be completed prior to the recording of replat as a condition of approval.

An associated rezoning case (JR23-0002) is running concurrently with this final plat case, to rezone the subject property from the AG (Agricultural) and RR1 (Rural Residential 1-Acre) zoning districts to the RR3 (Rural Residential 3-Acre) zoning district.

This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code. Minor subdivisions that do not create any additional buildable lots are not subject to Minimum Levels of Service (MLS) or Land Evaluation Site Assessment (LESA) requirements.

Staff recommends approval subject to the conditions of the staff report.

There were no questions from the commission or members of the public.

Motion by Grenis to recommend approval of case JF23-0007, subject to the conditions of the staff report. Second by Kuntz.

Kuntz	Aye
Wagner	Aye
Grenis	Aye
Maxwell	Aye
DuBois	Aye
Brecht	Absent

JR23-0002

Rezoning

Drew & Jenna Whiting, Owners

Stephanie Lientz presented the staff report.

The applicant is requesting to rezone 0.84 acres from RR1 (Rural Residential 1-Acre) district and 2.32 acres from AG (Agricultural) district to the RR3 (Rural Residential 3-Acre) zoning district. A Minor Boundary Change case (JMBC23-0002) and a 1-lot Final Plat case (JF23-0007) are running concurrently with this case, and must be completed prior to final consideration of this rezoning.

This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code. Minor subdivisions that do not create any additional buildable lots are not subject to Minimum Levels of Service (MLS) or Land Evaluation Site Assessment (LESA) requirements.

Staff recommends approval subject to the conditions of the staff report.

There were no questions from the commission or members of the public.

Motion by Wagner to recommend approval of case JR23-0002, subject to the conditions of the staff report. Second by Maxwell.

Brecht	Absent
DuBois	Aye
Kuntz	Aye
Wagner	Aye
Maxwell	Aye
Grenis	Aye

JF23-0004 Vernon Valley Tenth Addition Final Plat

Mike Tertinger presented the staff report.

The applicant is requesting a 1-lot replat to combine Lot 1 of Vernon Valley Second Addition and Parcel A of Plat of Survey 2710 containing a total of 3.14 acres. There will be no increase in the number of buildable lots with this proposal. The purpose of the replat will expand Lot 1, Vernon Valley Second Addition into the developable space currently unused in Parcel A, Plat of Survey 2710 east of the existing Caseys gas station.

A Minor Boundary Change application (case JMBC-0004) is running concurrently with the proposed replat. The boundary change will allow the expansion of the commercial lot and must be completed prior to the recording of replat as a condition of approval.

A Conditional Use Permit application (case JC23-0001) is running concurrently with the proposed replat. The purpose of the conditional use permit is to develop commercial contractor condos in the HC (Highway Commercial) zoning district.

This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code. Minor subdivisions that do not create any additional buildable lots are not subject to Minimum Levels of Service (MLS) or Land Evaluation Site Assessment (LESA) requirements.

Minor Boundary Change case JMBC23-0004 must be completed prior to recording of case JF23-0004 and prior to Board of Adjustment approval of Conditional Use Permit case JC23-0001.

The proposal falls within the Bertram Commercial Area of the City of Bertram/Linn County Strategic Growth Agreement and will require Bertram approval of the proposed subdivision prior to recording the plat.

Staff recommends approval subject to the conditions of the staff report.

There were no questions from the commission or members of the public.

Motion by Wagner to recommend approval of case JF23-0004, subject to the conditions of the staff report. Second by Kuntz.

Maxwell	Aye
Wagner	Aye
Kuntz	Aye
Grenis	Aye
Brecht	Absent
DuBois	Aye

JC23-0001 **Conditional Use – Contractor’s Yard/Condo** **Chipokas Development, Owner
Ben Dahl, Petitioner**

Mike Tertinger presented the staff report.

The applicant is requesting a Conditional Use Permit for the purpose of developing commercial contractor condos and flex business lease units in the HC (Highway Commercial) zoning district. The proposed units will be accessible to the lessees 24 hours per day and 7 days per week. There will be no employees of the property owner on site at any time. The applicant has proposed 34 units with each unit containing 1 bathroom. The applicant anticipates 60-120 vehicles coming to the site per day at full capacity. The proposal requires a minimum of 82 parking spaces and the applicant has shown 94, 34 of which are interior parking spaces. The type of business the applicant anticipates renting to include, but is not limited to, small startup businesses needing commercial space, construction contractors, cabinet makers, and audio installation contractors. Water and sewer service is to be provided through connection to City of Cedar Rapids services adjoining the property.

A Final Plat (case JF23-0004) is running concurrently with the proposal for the purpose of expanding the existing Lot 1, Vernon Valley Second Addition into Parcel A, Plat of Survey 2710 east of the existing Caseys gas station.

A Minor Boundary Change application (case JMBC-0004) is running concurrently with the proposed replat. The boundary change will allow the expansion of the commercial lot and must be completed prior to the recording of replat as a condition of approval.

It appears that the proposal meets all of the standards for approval for Conditional Use Permits in Article IV, Section 107-73, § (4) of the Linn County Unified Development Code. However, the parking space requirements require further staff review. Linn County Conservation will also be reviewing the necessity of the proposed trail easement along the east side of the property.

The proposal falls within the Bertram Commercial Area of the City of Bertram/Linn County Strategic Growth Agreement and will require Bertram review of the proposed subdivision prior to Board of Adjustment approval.

It appears that the proposal meets all of the standards for approval for Conditional Use Permits in Article IV, Section 107-73, § (4) of the Linn County Unified Development Code. However, the parking space requirements require further staff review. Linn County Conservation will also be reviewing the necessity of the proposed trail easement along the east side of the property.

The proposal falls within the Bertram Commercial Area of the City of Bertram/Linn County Strategic Growth Agreement and will require Bertram review of the proposed subdivision prior to Board of Adjustment approval.

Staff recommends approval subject to the conditions of the staff report.

There were no questions from the commission or members of the public.

Motion by Grenis to recommend approval of case JC23-0001, subject to the conditions of the staff report. Second by Kuntz.

Brecht	Absent
Wagner	Aye
Grenis	Aye
Kuntz	Aye
DuBois	Aye
Maxwell	Aye

JP23-0001 Dows Farm Agri-Community Addition Preliminary Plat

Stephanie Lientz presented the staff report.

The applicant is proposing a 223-lot preliminary plat of 116.73 total acres, which will result in a net increase of 223 buildable lots, containing 251 dwelling units. Of the proposed lots, 153 will be for single-family dwellings, 57 will be for multi-family dwellings, and 13 will be for commercial uses. These numbers may be slightly adjusted on future final plats. Outlot C includes land to be used as a farm in conjunction with the agri-community development. There are multiple lettered lots that will be maintained as community open-space. Lot layout and location, as well as public space and utility locations are consistent with the approved Dows Farm Governing Plan.

This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code (UDC). The parcel meets both Minimum Levels of Service (MLS) and Land Evaluation and Site Assessment (LESA) requirements. The subject property is zoned Urban Services Residential (USR) with a Planned Unit Development (PUD) overlay. In accordance with section 107-148, all development occurring within a PUD must conform to an approved governing plan, which specifies provisions for: development goals, traffic analysis, bulk requirements, street design standards, parking design standards, signage, stormwater management, and phasing.

Staff recommends approval subject to the conditions of the staff report.

Chad Pelley, Dows Farm Agri-Community developer, offered to answer questions from the commission. He stated that construction will start in May/June 2023.

Motion by Grenis to recommend approval of case JP23-0001, subject to the conditions of the staff report. Second by Wagner.

Wagner	Aye
Brecht	Absent
DuBois	Aye
Grenis	Aye
Kuntz	Nay
Maxwell	Nay

JF23-0008 Dows Farm Agri-Community First Addition Final Plat

Stephanie Lientz presented the staff report.

The proposed final plat is a 39-lot replat of Parcel A of Plat of Survey No. 2694, containing 6.33 acres, which will result in a net increase of 39 buildable lots. The subject property is zoned Urban Services Residential (USR) with a Planned Unit Development (PUD) overlay. There are no existing structures on the subject property. Proposed lot size, layout and location, as well as public space and utility locations are consistent with the approved Dows Farm Governing Plan.

An associated preliminary plat case (JP23-0001) is also running concurrently with this case.

The main access to the proposed subdivision will be on Mount Vernon Road. Access for the proposed lots will be from internal roads. Practices including topsoil remediation and bioretention cells are proposed to address stormwater management on the subject property. This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code (UDC). The parcel meets both Minimum Levels of Service (MLS) and Land Evaluation and Site Assessment (LESA) requirements.

Ownership of the parent parcel will be transferred to the developer prior to recording of this final plat.

Staff recommends approval subject to the conditions of the staff report.

There were no questions from the commission or members of the public.

Motion by Grenis to recommend approval of case JF23-0008, subject to the conditions of the staff report. Second by Wagner.

Grenis	Aye
Brecht	Absent
Maxwell	Nay
DuBois	Aye
Kuntz	Nay
Wagner	Aye

JA23-0001

UDC Text Amendment – Accessory Dwelling Units

Stephanie Lientz presented the staff report.

Staff is proposing several text amendments to the UDC related to the construction of an accessory structure prior to a principal structure/dwelling on a legal lot of record; increasing the allowable size of an accessory dwelling unit from 800 square feet to 1,200 square feet; and adding the softball field use to the category of use that describes standards for baseball fields, soccer fields, and other similar uses. The most significant change is the proposed increased size of accessory dwelling units. Staff has reported an increase in interest in these types of dwelling units over the past two years, and most of the interest was for an area greater than the 800 square feet currently allowed. Staff will continue to review how floor area for these units is calculated, and another amendment will be presented related to this in the future.

Motion by Maxwell to recommend approval of case JA23-0001. Second by Grenis.

Wagner	Aye
Brecht	Absent
Maxwell	Aye

DuBois	Aye
Grenis	Aye
Kuntz	Nay

OTHER BUSINESS

COMMISSION COMMENTS

STAFF COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Tina DuBois, Chair

Jessie Black, Recording Secretary