

**LINN COUNTY PLANNING & ZONING COMMISSION**

**MINUTES**

**Monday, March 21, 2022**

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 2<sup>nd</sup> Street SW, Cedar Rapids, Iowa.

**QUORUM DETERMINED:**

<b>PRESENT:</b>	Tina DuBois, Chair	2025
	Erin Detterbeck, Vice-Chair	2025
	Griffin Kuntz	2026
	Curt Eilers	2022
	Allen Wagner	2024
	Brock Grenis	2023
	George Maxwell	2025

**ABSENT:**

**STAFF:** Stephanie Lientz, Planning & Zoning Division Manager  
Mike Tertinger, Senior Planner  
Desire Irakoze, Planner I  
Jessie Black, Recording Secretary

See attendance sheet for community sign in.

**APPROVAL OF MINUTES**

The minutes of the February 21, 2022 Planning & Zoning Commission meeting were approved as submitted.

**CONSENT AGENDA**

JF22-0010	Kaske Fifth Addition	Final Plat
JF22-0009	Bannockburn Estates Tenth Addition	Final Plat

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

<b>Kuntz</b>	<b>Aye</b>
<b>DuBois</b>	<b>Aye</b>
<b>Maxwell</b>	<b>Aye</b>
<b>Grenis</b>	<b>Aye</b>
<b>Detterbeck</b>	<b>Aye</b>
<b>Eilers</b>	<b>Aye</b>
<b>Wagner</b>	<b>Aye</b>

**REGULAR AGENDA**

<b>JF22-0008</b>	<b>Dobson Parcel First Addition</b>	<b>Final Plat</b>
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Desire Irakoze presented the staff report.

The applicant is proposing a 2-lot final plat of 6.50 acres, which will result in one new buildable lot. Proposed Lot 1 will contain 3.41 acres with an existing dwelling constructed in 2019, well and septic. Proposed Lot 2 will contain 3.09 acres and an existing accessory structure. The subject property is designated as AA (Agriculture Area) on the Linn County Rural Land Use Map.

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 Site Assessment (LESA) requirements, and earned a LESA score of 122.5 (the minimum threshold needed to pass with an AA land use designation is 115).

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

Eilers asked what the setback requirements were for Lot 2. Irakoze said 10 ft.

**Motion by Kuntz to recommend approval of case JF22-0008, subject to the conditions of the staff report. Second by Eilers.**

<b>Kuntz</b>	<b>Aye</b>
<b>Wagner</b>	<b>Aye</b>
<b>Eilers</b>	<b>Aye</b>
<b>Maxwell</b>	<b>Aye</b>
<b>Detterbeck</b>	<b>Aye</b>
<b>DuBois</b>	<b>Aye</b>
<b>Grenis</b>	<b>Aye</b>

**JF22-0011**

**Clinton Acres First Addition**

**Anthony Clinton, Owner**

Mike Tertinger presented the staff report.

The applicant is proposing a 2-lot final plat of 3.63 total acres, with no acres of additional road right-of-way. The proposal will result in one additional buildable lot and two nonbuildable outlots; Outlot A (0.81 ac.) & Outlot B (0.82 ac.). Proposed Lot 1 (1.0 ac.) contains an existing dwelling, accessory structure, well and septic. Proposed Lot 2 (1.0 ac.) contains one existing accessory structure. The subject property is located within the MUSA (Metro Urban Service Area) on the Linn County Rural Land Use Map. An associated rezoning case (JR22-0006) is running concurrently with this case, which proposes to rezone the subject property from the RR3 (Rural Residential 3-Acre) zoning district to the USR (Urban Services Residential) zoning district.

This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code (UDC). The parcel meets Minimum Levels of Service (MLS) and Land Evaluation Site Assessment (LESA) requirements, and earned a LESA score of 116.70 (the minimum threshold needed to pass in areas designated as MUSA is 105).

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

Eilers asked why the applicant created outlots, rather than creating two larger lots. Tertinger explained that USR zoning contains a 1 acre maximum lot size.

Maxwell asked how high the water level was on the subject property during the flood of 2008. Tertinger said the water level was within the 500-year floodplain boundary and referred to the Floodplain & Wetlands map for visual support.

Mike Brain, Brain Engineering, offered to answer questions on behalf of the applicant.

Anthony Clinton, petitioner, offered to answer questions and insisted the water was nowhere near the dwelling in 2008.

**Motion by Detterbeck to recommend approval of case JF22-0011, subject to the conditions of the staff report. Second by Maxwell.**

<b>Eilers</b>	<b>Aye</b>
<b>Maxwell</b>	<b>Aye</b>
<b>Grenis</b>	<b>Aye</b>
<b>Detterbeck</b>	<b>Aye</b>
<b>DuBois</b>	<b>Aye</b>
<b>Wagner</b>	<b>Aye</b>
<b>Kuntz</b>	<b>Aye</b>

**JR22-0006**

**Rezoning from RR3 to USR**

**Anthony Clinton, Owner**

Mike Tertinger presented the staff report.

The applicant is proposing to rezone the 3.62 acre subject property from the RR3 (Rural Residential 3-Acre) zoning district to the USR (Urban Services Residential) zoning district. The subject property is located within the MUSA (Metro Urban Services Residential Area) on the Linn County Rural Land Use Map. A 2-lot final plat case (JF22-0011) is running concurrently with this case.

This proposal meets the standards for approval per Article IV, Section 107-69 and Section 107-70 of the Linn County Unified Development Code (UDC). The parcel meets Minimum Levels of Service (MLS) and Land Evaluation and Site Assessment (LESA) requirements in the UDC, and earned a LESA score of 116.70 (the minimum threshold score needed to pass in areas designated as MUSA is 105).

Staff recommends approval subject to the conditions of the staff report

**Motion by Grenis to recommend approval of case JR22-0006 subject to the conditions of the staff report. Second by Wagner.**

<b>Grenis</b>	<b>Aye</b>
<b>Wagner</b>	<b>Aye</b>
<b>Eilers</b>	<b>Aye</b>
<b>Kuntz</b>	<b>Aye</b>
<b>Detterbeck</b>	<b>Aye</b>
<b>DuBois</b>	<b>Aye</b>
<b>Maxwell</b>	<b>Aye</b>

**OTHER BUSINESS**

**COMMISSION COMMENTS**

## **STAFF COMMENTS**

## **PUBLIC COMMENTS**

There were several members of the public present for a Conditional Use proposal submitted by Camp Tanager, case JC22-0002, which had been postponed and removed from the meeting agenda.

Brad Salazar, 1649 Berry Drive, spoke in opposition of the Camp Tanager Conditional Use proposal to host special events and corporate retreats. He expressed concerns about privacy, noise, lighting, traffic, and lack of supervision during events. Salazar spoke very highly of Camp Tanager's current operation, but did not agree with the proposal.

Bob Pearson, 1670 Berry Drive, agreed with Salazar and spoke in opposition of the Conditional Use proposal. He shared concerns about alcohol consumption during special events, and whether or not there would be any campers on-site during these events. Pearson was also displeased with the language reflected in the Staff Report, claiming that certain details of the proposal were too vague.

Phil Coonrod, 1576 Ironwood Drive, also spoke in opposition of the request. He asked what conditions would be applied to the Conditional Use proposal. DuBois advised him to talk with staff after the meeting.

Bernie Friedl, 1650 Berry Drive, spoke in opposition of the proposal. He expressed concerns about the water level in the area. Friedl suggested, based on a previous recommendation from the county engineer, that Camp Tanager build a retention pond to alleviate some of the issue. He would like to see the water problems resolved prior to proceeding with any other proposals on the property.

Gary Thompson, 1575 Ironwood Drive, also spoke in opposition. Thompson has lived in the area for 35 years, his concerns were mostly based around noise level, lighting, and commercial activity in an otherwise residential area.

Joe Kruth, 1683 Berry Drive, spoke in opposition of the proposal. Kruth feels like there is a lack of communication regarding the proposal and he would like to be more informed.

## **ADJOURNMENT**

The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

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Tina DuBois, Chair

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Jessie Black, Recording Secretary