

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, April 18, 2022

The Linn County Planning and Zoning Commission meeting was called to order at 6:33 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
	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 March 21, 2022 Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

JF22-0012	Cedar Valley Humane Society First Addition	Final Plat
JF22-0013	Ashbacher First Addition	Final Plat
JF22-0014	Timber Creek Second Addition	Final Plat
JPS22-0004	Hoge's First Addition	Residential Parcel Split
JPS22-0005	Barner Farms First Addition	Residential Parcel Split
JPS22-0006	Horning Addition	Residential Parcel Split

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

Maxwell	Aye
Grenis	Aye
Eilers	Aye
Detterbeck	Aye
DuBois	Aye
Wagner	Aye
Kuntz	Abstain

REGULAR AGENDA

**JC22-0003 Conditional Use Home Occupation - Karen & Edward Fisher Trust, Owner
Lawn Care & Snow Removal Business Joseph Ernzen, Petitioner**

Mike Tertinger presented the staff report.

The applicant is requesting a Conditional Home Occupation for a lawn care and snow removal business on the subject property, which contains 33.66 acres, and is zoned AG (Agricultural). The applicant is constructing a 7,200 square foot pole building: 2,500 square feet will be partitioned for the business, while the remaining 4,700 square feet is proposed to be utilized as personal space. The applicant proposes that no non-resident employees will be on site, no customers will be coming to the site and the business use is to occur entirely within the accessory building.

A Conditional Home Occupation allows the applicant to use up to 2,500 square feet for the home occupation business on parcels that are 10 acres or greater in size. A home occupation with one or more nonresident employees or that will use part of an accessory structure for the business requires a Conditional Use Permit for a Home Occupation in the AG (Agricultural) zoning district. **The proposal conforms to the standards for approval in Article IV, Section 107-73, § (4). However, the proposal is not yet in conformance with Article VI, Section 107-113, § (h) of the Linn County Unified Development Code as 838 Hodgin Rd is not yet the primary residence of the proposed home occupation business owner. As a condition of approval, the applicant must confirm relocation to this address before operation of the business may commence.**

Staff recommends approval subject to the conditions of the staff report

Mike Brain, Brain Engineering Inc., offered to answer any questions from the commission or staff.

Motion by Kuntz to recommend approval of case JC22-0003 , subject to the conditions of the staff report . Second by Detterbeck .

DuBois	Aye
Kuntz	Aye
Wagner	Aye
Maxwell	Aye
Grenis	Aye
Detterbeck	Aye
Eilers	Aye

**JC22-0004 Conditional Use - SALTS Development, Owner
Rock Crushing & Recycling Business SAS Construction, Petitioner**

Stephanie Lientz presented the staff report.

The applicant is proposing continued operation of a rock/concrete crushing and recycling facility on approximately 10.5 acres of the subject property. The applicant was previously granted a Temporary Use Permit (JTU17-0001) for the same use on the subject property from March 1, 2017 to December 3, 2019. Sometime after that period ended, the operation recommenced at the same location. The applicant is proposing to operate the facility on site permanently, therefore, staff has determined that a Conditional Use Permit will be required.

Materials stored on the site will include: raw broken concrete, raw broken asphalt, dirt, recycled aggregate, recycled asphalt millings, and recycled granite. Proposed hours of operation are 6:30 a.m. to 7:00 p.m., Monday through Friday, with four (4) part-time employees coming to the site.

The proposed use of recycling facility or solid waste hauling and transfer station is allowed with a Conditional Use Permit in the AG (Agricultural) zoning district. 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 (UDC). Other development standards which must be met include: those requirements for a major site plan, dust control on parking areas and drives, and parking standards found in Article V, Section 107-93, § (e) of the UDC. Buffering requirements in Article V, Section 107-93, § (d) must be met. All standards in Article VI, Section 107-116, § (d), must be met. All required federal, state, and/or local permits must be maintained for the duration of the use.**

Staff recommendation is pending; additional information is needed from the applicant

Kuntz asked for clarification on the vegetative screening condition. Lientz said the vegetative buffer would only be required on the west side of the property at this time to provide a visual screen from the traveling public along 80th St SW, which is a hard surfaced road. Lientz added that if use changes to residential on the property to the north, then a condition requiring vegetative screening along the northern boundary will be triggered at that time.

Eilers asked if the property was used for agricultural purposes prior to the Temporary Use permit. Lientz said yes.

Shane Schrader, petitioner, offered to answer any questions from the commission or staff.

Motion by Eilers to recommend approval of case JC22-0004, subject to the conditions of the staff report . Second by Kuntz.

Kuntz	Aye
Detterbeck	Aye
Wagner	Aye
Eilers	Aye
DuBois	Aye
Maxwell	Aye
Grenis	Aye

OTHER BUSINESS

COMMISSION COMMENTS

Detterbeck informed staff and other members of the commission that she recently closed on a new house in an incorporated area, therefore her time on the Planning & Zoning Commission would come to an end.

Maxwell shared that he would be getting a knee replacement in a couple of weeks, so he was unsure if he would be able to attend the next meeting on May 16th.

STAFF COMMENTS

Lientz informed the commission that the Technical Review Committee Meeting for the Duane Arnold Solar I and II project would take place on May 19, 2022 at 9am in the Informal Board Room.

PUBLIC COMMENTS

ADJOURNMENT

The meeting was adjourned at 7:03 p.m.

Respectfully submitted,

Tina Dubois, Chair

Jessie Black, Recording Secretary