

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, May 16, 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
	Griffin Kuntz	2026
	Curt Eilers	2022
	George Maxwell	2025

ABSENT:	Brock Grenis	2023
	Allen Wagner	2024

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.

ELECTION OF OFFICERS

Kuntz nominated Grenis to replace former Commission member, Detterbeck, as Vice-Chair for the Planning & Zoning Commission for the remainder of 2022. Eilers seconded. Commission members voted unanimously to approve the nomination.

APPROVAL OF MINUTES

The minutes of the April 18, 2022 Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

JF22-0016	First Presbyterian Addition	Final Plat
JLPS22-0001	Lang Acres First Addition	Land Preservation Parcel Split
JPS22-0007	Webster's First Addition	Residential Parcel Split
JPS22-0008	Smith Acres First Addition	Residential Parcel Split
JPS22-0009	Kendall Acres First Addition	Residential Parcel Split
JF22-0017	Houlahan First Addition	Final Plat
JF22-0015	Munson First Addition	Final Plat

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

Kuntz	Aye
Maxwell	Aye
Grenis	Absent
Eilers	Aye
DuBois	Aye

Wagner **Absent**

REGULAR AGENDA

JF22-0018

Ammeter Addition

Dan Ammeter, Owner

Mike Tertinger presented the staff report.

The applicant is proposing a 2-lot final plat of 7.01 total acres, which will result in one new buildable lot. Proposed Lot 1 will contain 3.01 acres and no existing structures. Proposed Lot 2 will contain 3.87 acres, with a dwelling constructed in 1972, accessory structure, well and septic. Another 0.13 acres (proposed Lot A) is to be dedicated as additional road right-of-way. The subject property is located within the AA (Agricultural Area) on the Linn County Rural Land Use Map. The property is currently zoned RR3 (Rural Residential 3-Acre) which requires a minimum lot size of 3 acres.

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 126.5 (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.

Lacey Stutzman, surveyor with MMS Consultants, offered to answer any questions from the Commission or members of the public.

Motion by Kuntz to recommend approval of case JF22-0018, subject to the conditions of the staff report. Second by Maxwell.

DuBois	Aye
Kuntz	Aye
Wagner	Absent
Maxwell	Aye
Grenis	Absent
Eilers	Aye

JF22-0007

Probasco First Addition

Final Plat

Mike Tertinger presented the staff report.

This applicant is proposing a 1-lot final plat of 4.56 acres (proposed Lot 1), with an additional 0.44 acres (proposed Lot A) of dedicated road-right-of way, for the purpose of constructing a new utility substation. The siting and operation of a utility substation requires an approved Conditional Use Permit prior to obtaining any building permits, construction, or operation of the substation. A conditional use application (JC22-0001) has been submitted and is running concurrently with this case. There are no existing structures on proposed Lot 1.

A note shall be included on the plat on proposed Lot 1 stating, "This parcel may only be developed in accordance with all development regulations in effect at the time development is proposed." The note will ensure that only the uses that require a minimum lot size equal to or less than the size of proposed Lot 1 in the AG (Agricultural) zoning district shall be permitted on this lot, and that development regulations are met if the substation is removed or canceled prior to construction.

This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code. No minimum lot size is required for the proposed use per Article VII, Section 107-132, § (e)(1)(f), and utility substations are not subject to Minimum Levels of Service (MLS) or Land Evaluation Site Assessment (LESA) requirements per Article IV Section 107-70 § (1)(f). The remainder of the parent parcel (P.O.S. #2604, Parcel A) will be over 35 acres.

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

Kevin Stucker, applicant, Linn County REC, offered to answer any questions from the Commission or members of the public.

Motion by Maxwell to recommend approval of case JF22-0007, subject to the conditions of the staff report. Second by Eilers.

Maxwell	Aye
Kuntz	Aye
DuBois	Aye
Grenis	Absent
Eilers	Aye
Wagner	Absent

JC22-0001	Conditional Use – Utility Substation	Linn County REC, Petitioner Margaret Probasco, Owner
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Mike Tertinger presented the staff report.

The applicant is proposing to construct an electrical distribution substation on 4.56 acres of land on the subject property. An accompanying Final Plat case (JF22-0007) is running concurrently with this application.

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). The use appears to be compatible with surrounding property uses. Prior to construction, the applicant is also required to obtain a Federal Aviation Administration (FAA) permit for permission to build in the approach path to the Eastern Iowa Airport.

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

Motion by Eilers to recommend approval of case JC22-0001, subject to the conditions of the staff report. Second by Kuntz.

Wagner	Absent
DuBois	Aye
Eilers	Aye
Grenis	Absent
Maxwell	Aye
Kuntz	Aye

OTHER BUSINESS

COMMISSION COMMENTS

STAFF COMMENTS

Lientz advised the Commission that the Technical Review Committee meeting for the Duane Arnold Solar Projects I & II were scheduled for May 19 at 9:00 a.m. in the Informal Board Room of the Jean Oxley Public Service Center. Lientz stated that additional dates would be forthcoming, as soon as schedules could be finalized, and that information would be shared via email with Commission members.

PUBLIC COMMENTS

ADJOURNMENT

The meeting was adjourned at 6:52 p.m.

Respectfully submitted,

Brock Grenis, Vice-Chair

Jessie Black, Recording Secretary