

**LINN COUNTY PLANNING & ZONING COMMISSION**

**MINUTES**

**Monday, June 21, 2021**

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 Informal Board Room, 935 2<sup>nd</sup> Street SW, Cedar Rapids, Iowa.

**QUORUM DETERMINED:**

**PRESENT:**

Tina DuBois, Chair	2025
Allen Wagner	2024
George Maxwell	2025
Griffin Kuntz	2021

**ABSENT:**

Brock Grenis	2023
Erin Detterbeck	2025
Curt Eilers, Vice-Chair	2022

**STAFF:**

Stephanie Lientz, Planning & Zoning Division Manager  
Mike Tertinger, Senior Planner  
Jessica Black, Recording Secretary

See attendance sheet for community sign in.

**APPROVAL OF MINUTES**

The minutes of the May 17, 2021 Planning & Zoning Commission meeting were approved as submitted.

**CONSENT AGENDA**

JPS21-0011	Baumann Acres First Addition	Residential Parcel Split
JF21-0010	Witches' Second Addition	Final Plat
JPS21-0012	Etzwel Farm First Addition	Residential Parcel Split
JF21-0011	Hillview Addition	Final Plat

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

<b>Maxwell</b>	<b>Aye</b>
<b>Eilers</b>	<b>Absent</b>
<b>DuBois</b>	<b>Aye</b>

<b>Wagner</b>	<b>Aye</b>
<b>Kuntz</b>	<b>Aye</b>
<b>Grenis</b>	<b>Absent</b>
<b>Detterbeck</b>	<b>Absent</b>

## REGULAR AGENDA

<b>JC21-0006</b>	<b>Conditional Use – Floodplain – Bridge #1053</b>	<b>City of Cedar Rapids, Owner Linn County Secondary Road Dept., Petitioner</b>
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The applicant is requesting a Conditional Use Floodplain Permit for excavation within the floodway. The applicant is proposing to remove the existing Bertram Road Bridge over Indian Creek and replace it with a new concrete beam bridge. The project involves removing the existing 16' X 191' truss bridge, and constructing a 188'-10" x 40' pre-tensioned pre-stressed concrete beam bridge. Bertram and Berry Roads will be realigned as part of the project, although no overall change is proposed to the channel of Indian Creek. Once excavation activities and bridge construction is complete, the impacted area will be reseeded.

With excavation occurring within the floodway, it is important to ensure that the excavation will not cause a rise in flood heights or velocities by requiring the submittal of a "No-Rise" certificate. The applicant must obtain all relevant permits required by state and federal entities. The proposal appears to meet all applicable standards for approval in Article VII, Section 107-144 of the Unified Development Code. The existing Bertram Road Bridge is on the National Register of Historic Places, therefore, a review of this proposed project has been conducted by the State Historic Preservation Office. The Linn County Historic Preservation Commission must also review the proposal and provide comment as part of a Section 106 review.

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

Garret Reddish, on behalf of the petitioner, Linn County Secondary Road Department, offered to answer questions.

Maxwell wondered if the old bridge would be torn out. Reddish said yes, but added that they intended to save a portion of the truss to put on display at the nature trail.

Kuntz asked if Reddish anticipated hearing anything from the State Historic Preservation Office. Reddish stated that he expects SHPO to suggest some type of mitigation strategy, hence the proposal to save a portion of the bridge truss for display.

Reddish and Maxwell both agreed that the bridge needs to be replaced. Reddish said the bridge cannot be driven on by snow plows, firetrucks or ambulances.

Mike Dulaney, 1307 Oak Drive, expressed his concerns about the impact this project would have on traffic and the roads that will have to be used as a detour. He suggested adding a condition that the Secondary Road Department would agree to resurface Berry Road for safety and to avoid further erosion.

Larry Nelson, 6313 Berry Road, shared his concerns about the stretch of gravel road that would be traveled as part of the detour around the proposed project. He requested there be some sort of dust control.

Sean Lewis, 1306 Bertram Road, wondered what would be involved in “restoring and reseeded” the project area post-construction. Lewis was concerned about the number of trees that will be removed during the project.

Reddish answered Nelson’s question by stating that dust control is included as part of the proposal. He added that this project could take approximately 9-12 months to complete. Reddish said Bertram Road could be completely closed to through traffic for 1-3 months, depending on the weather. He stated that there is no plan to replace trees lost during this project because they are all currently located within the county right of way. Reddish clarified the definition of “restoring and reseeded” as smoothing out construction tracks in excavated areas and planting native grasses.

Kuntz asked if there was potential for re-prioritization of work on the involved roads once the project is complete, based on residents’ concern. Reddish said yes, if traffic counts indicate a need. Reddish explained that the Secondary Road Department will perform traffic counts during and after construction to determine this.

**Motion by Maxwell to recommend approval of case JC21-0006, subject to the conditions of the staff report. Second by Kuntz.**

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

**JA21-0004**

**UDC Text Amendment – Floodplain Update**

**Linn County Planning &  
Development, Petitioner**

Linn County Planning and Development staff are proposing amendments to the Unified Development Code in Article VI, Section 107-113, Table 107-113 Home Occupation Requirements Summary and Article VII, Section 107-144 Floodplain Overlay District.

The Home Occupation Table needs to be updated to reflect changes to the size ranges of lots, which were previously adopted for accessory building size limitations. The update of this table to

standardize lot size ranges will help prevent confusion. The primary reason a change to the Floodplain Overlay District is needed is due to the adoption of new FEMA flood maps. The new maps will be effective July 20, 2021, and the ordinance language will reflect that new date. Several other revisions of the Floodplain Overlay District language were suggested by the Iowa Department of Natural Resources to ensure the county continues to comply with the minimum requirements of the National Flood Insurance Program (NFIP).

Staff recommends approval of the proposed Unified Development Code text amendments.

No questions from the commission members or public.

**Motion by Wagner to recommend approval of case JA21-0004, subject to the conditions of the staff report. Second by Maxwell.**

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

## **OTHER BUSINESS**

## **COMMISSION COMMENTS**

## **STAFF COMMENTS**

Lientz informed the commission of the potential for new commercial solar applications from NextEra and Clenera. Planning & Development has not received any applications yet, but it is anticipated that once an application is received, the process for review and approval will take longer than the typical development review process. Lientz explained that the Planning & Development Department is considering the possibility of hiring a consultant to assist with the review of any applications that are received.

## **PUBLIC COMMENTS**

Sarah Alden, 4124 Greens Grove Road, spoke in opposition to utility-scale solar installations. Alden mentioned concerns related to environmental impacts, aesthetics, impact on rural character, and long-term effects of such large-scale solar.

Charlene Allaire, 3553 County Home Road, also spoke in opposition to utility-scale solar installations, citing concerns about wildlife and natural resources.

Sheryl Schumacher, 3845 Hagerman Road, spoke in opposition of utility-scale solar installations. She expressed concern for the impact the project would have on industrial organizations such as ADM or Cargill.

**ADJOURNMENT**

The meeting was adjourned at 7:48 p.m.

Respectfully submitted,

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Curt Eilers, Vice- Chair

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Jessica Black, Recording Secretary