

# LINN COUNTY PLANNING & ZONING COMMISSION

## MINUTES Monday, April 19, 2021

The Linn County Planning and Zoning Commission meeting was called to order at 6:30 p.m. by Planning Director, Charlie Nichols.

Special Statement: As a result of the ongoing COVID-19 pandemic, this meeting was held electronically. All county buildings are closed to the public until further notice.

### QUORUM DETERMINED:

#### PRESENT:

Tina DuBois, Chair	2025
Curt Eilers, Vice-Chair	2022
Griffin Kuntz	2021
Brock Grenis	2023
Allen Wagner	2024
George Maxwell	2025

**ABSENT:** Erin Detterbeck 2025

#### STAFF:

Charlie Nichols, Director  
Stephanie Lientz, Senior Planner  
Mike Tertinger, Planner II  
Cathy Coppess, Recording Secretary

### APPROVAL OF MINUTES

The minutes of the March 15, 2021 Planning & Zoning Commission meeting were approved as submitted.

### CONSENT AGENDA

JPS21-0006	Rinken Acres First Addition	Residential Parcel Split
JPS21-0007	Owen's Farm First Addition	Residential Parcel Split
JPS21-0008	Reierson Addition	Residential Parcel Split
JPS21-0009	Peyton's Second Addition	Residential Parcel Split
JLPS21-0003	G & M Fourth Addition	Land Preservation Parcel Split
JLPS21-0004	Brown on Yeisley First Addition	Land Preservation Parcel Split
JF21-0002	Noah Acres First Addition	Final Plat
JF21-0003	Novey Third Addition	Final Plat
JF21-0004	McMahan Acres First Addition	Final Plat
JF21-0005	Slezak First Addition	Final Plat

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

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

## **REGULAR AGENDA**

<b>JC21-0002</b>	<b>Conditional Use - Contractor's Yard &amp; Outdoor Storage</b>	<b>FURLOU Bail Holdings, Owner Hall &amp; Hall Engineers Inc., Surveyor</b>
------------------	--	---

Stephanie Lientz presented the staff report.

The applicant is proposing to construct two (2) buildings connected by a loading dock, totaling 22,570 square feet for contractor's storage. The applicant is also proposing to permanently install four (4) storage containers on the south side of the parking area to store equipment related to the business. Each container is 40' x 8' or 320 square feet total. The subject property is legally described as Lot 2 of Vernon Valley 8th Addition, and contains approximately 1.93 acres. The applicant is proposing to hard surface 1.25 acres (65%) of the 1.93 acre subject property, including the buildings and paved parking area. The subject property is zoned HC (Highway Commercial), and has a land use designation of MUSA (Metro Urban Service Area).

The proposed use of contractor's yard or outdoor storage is allowed with a Conditional Use Permit in the HC (Highway Commercial) 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 found in Article IV, Section 107-115, § (z) must be met, including requirements for a major site plan, and a requirement to hard-surface parking areas and drives for commercial uses in the MUSA (Metro Urban Service Area). Staff has approved a request for an administrative reduction in the number of parking spaces required in Article 5, Section 3, § (5) of the UDC, as well as a 10% reduction of the buffering requirements in Article V, Section 107-93, § (d). The business will connect to city services for water and wastewater. Vehicles, trailers, and materials associated with the business will be stored outside the buildings. Vegetative screening will be installed as shown on the site plan along the western property boundary; a privacy fence is proposed along the southern property boundary.**

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

Eilers asked if the space will be used by the owner or if they will be renting. Lientz answered the owners may rent a portion of the space for a year or two. Little to no customer traffic is expected, it will be only for storage. Rich Gardner, the applicant, was available for questions.

**Motion by Kuntz to recommend approval of case JC21-0002 , subject to the conditions of the staff report . Second by Grenis .**

<b>Detterbeck</b>	<b>Absent</b>
<b>Maxwell</b>	<b>Aye</b>
<b>Grenis</b>	<b>Aye</b>

<b>DeBois</b>	<b>Aye</b>
<b>Eilers</b>	<b>Aye</b>
<b>Kuntz</b>	<b>Aye</b>
<b>Wagner</b>	<b>Aye</b>

<b>JC21-0003</b> (related case: JF21-0006)	<b>Conditional Use - Alliant Substation</b>	<b>Mary Costello Trust, Owner</b> <b>Interstate Power &amp; Light, Petitioner</b>
--	---	--

Stephanie Lientz presented the staff report.

The applicant is proposing a 1-lot replat of Lot 2 & Outlot A of Novey Second Addition. There will be no increase in the number of buildable lots. Proposed Lot 1 will contain 1.0 acre, proposed Outlot A will contain 3.95 acres and there is no dedication of additional road-right-of-way. Lot 1 includes an existing dwelling, accessory structure and above ground pool. The applicant desires to adjust the existing property boundaries in order to encompass the new pool and septic system into Lot 1.

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 MLS or LESA requirements.

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

Stan Vandavort, Alliant project manager, stated they are about 4 years out from construction.

**Motion by Kuntz to recommend approval of case JC21-0003 , subject to the conditions of the staff report . Second by Eilers .**

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

<b>JF21-0006</b> (related case: JC21-0003)	<b>Final Plat - CR WPC First Addition</b>	<b>Mary Costello Trust, Owner</b> <b>Interstate Power &amp; Light, Petitioner</b>
--	---	--

Stephanie Lientz presented the staff report.

This applicant is proposing a 1-lot final plat of 7.0 total acres (proposed Lot 1), for the purpose of constructing a new utility substation. The siting and operation of a utility substation requires a Conditional Use Permit prior to obtaining any building permits, construction, or operation of the

substation. A conditional use application (JC21-0003) 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.

This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code (UDC). 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 MLS or LESA requirements per Article IV, Section 107-72, § (3)(b). The remainder of the parent parcel shall be combined with an adjacent parcel via a deed restriction.

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

**Motion by Maxwell to recommend approval of case JF21-0006 , subject to the conditions of the staff report . Second by Wagner .**

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

**JP21-0001 Preliminary Plat - Dows Farm**

**Linn County, Owner  
Dows Agri-Community  
Development LLC, Petitioner**

Charlie Nichols presented the staff report.

The applicant is proposing a 247-lot preliminary plat of 181 total acres, which will result in a net increase of 247 buildable lots. Outlot C includes land to be used as a farm in conjunction with the agri-community development. 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, storm water management, and phasing.

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

**Commission Comments:**

Kuntz asked phase 2 showing an outlet on Dows Road that appears to have been removed. He wanted to know if the traffic survey was accounting for traffic coming and going on Dows Road. Nichols said because of the outreach from the surrounding property owners being opposed to the added traffic on Dows Road, that one was removed. Said outlet will still be accessible to First Responders if needed, but will not be a through street. There are still two other access roads for the development.

Mawell asked why Linn County is now going to produce vegetables against hard working truck drivers. They work hard producing groceries and Linn County will be supplementing what they do there. Maxwell stated it is just not fair. Nichols responded to Maxwell that Linn County will not be farming the land. They have selected SILT, Sustainable Iowa Land Trust, as the farmer that will take over and manage it. This preliminary plat is only contemplating the lot layout and infrastructure layout.

**Public Comments:**

Chad Pelley, with Ahmann Companies, applicant, thanked everyone for their work on this process for the past several years and stated they are wanting the infrastructure in place late this year.

Les Beck, 3406 Sycamore Ct NE, complimented the staff and developer for creating a partnership with the Secondary Roads department, the City of Cedar Rapids, and the Sustainable Iowa Land Trust. He stated this is the first project of this kind, they check all the boxes in the counties comprehensive plan, the preliminary plat meets all the standards for approval. Beck is excited to see this project moving forward and encourages the commission to recommend approval to the Board of Supervisors.

Beth, 1025 Eastern Dr, wanted to know the number of units and the median dwelling price of the units. Nichols said 251 units. Pelley said this development will be owner occupied residences as well as market rate rentals. Price points would vary from entry level up to custom homes that could reach up to \$500,000, rentals at low \$100's per unit valuation.

Commission member Kuntz also asked clarification on how many units will actually be in the community. It was stated 251, but the application states 247. Nichols had technical difficulties, so Les Beck, former Linn County Planning Director, answered that the cap on the number of units for this layout is 251. The developer has planned for 247 units.

Commission member DuBois said she is excited that Linn County will have more locally grown food available. Her time spent on the Linn County Food Systems Council and learned that 80% of food in Iowa is not produced in Iowa. She is excited that the plan meets the comprehensive plan so closely and that it meets the goals and objectives and will produce more food crops in Iowa.

**Motion by Grenis to recommend approval of case JP21-0001 , subject to the conditions of the staff report . Second by Wagner .**

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

## **COMMISSION COMMENTS**

### **STAFF COMMENTS**

Nichols gave an update on the proposed utility-scale solar facility located near the former Duane Arnold Energy site. Nichols stated that NextEra Energy has a Facebook page and web site, and are anticipating a June application date for a rezoning case. Prior to their application submittal, NextEra is planning an open to the public work shop. This is not a meeting where votes would be taken, but questions will be answered by Planning & Development staff and by Next Era project managers. This work shop will be held at the Palo Community Center and Nichols stated that the Planning and Zoning Commission is invited to attend as spectators.

### **PUBLIC COMMENTS**

### **ADJOURNMENT**

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

---

Tina DuBois, Chair  
Secretary

Cathy Coppess, Recording