

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, December 20 , 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 Formal Board Room, 935 2nd Street SW, Cedar Rapids, Iowa.

QUORUM DETERMINED:

PRESENT:	Tina DuBois, Chair	2025
	Curt Eilers, Vice-Chair	2022
	Allen Wagner	2024
	Brock Grenis	2023
	Griffin Kuntz	2021
	George Maxwell	2025
	Erin Detterbeck	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 November 15, 2021 and November 29, 2021 Planning & Zoning Commission meetings were approved as submitted.

CONSENT AGENDA

JF21-0027	Wall & Walvatne First Addition	Final Plat
JPS21-0022	Randall First Addition	Residential Parcel Split
JPS21-0023	Jones Third Addition	Residential Parcel Split

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

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

REGULAR AGENDA

JF21-0026 Crouse Addition

Final Plat

Mike Tertinger presented the staff report.

The applicant is proposing a 2-lot final plat of 20.31 total acres, including 3.0 acres of dedicated road right-of way; (2.39 acres for Lot A and 0.61 acres for Lot B). The proposed plat will result in a net increase of 1 buildable lot. Proposed Lot 1 will contain 5.11 acres and proposed Lot 2 will contain 12.19 acres. The land use map designation for the property is AA (Agricultural Area), and each lot is proposed to contain over the 2-acre minimum requirement. There are no existing structures on the parent parcel.

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 135.75 (the minimum threshold needed to pass in areas designated as AA is 115).

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

There were no questions from the commission or public.

Motion by Kuntz to recommend approval of case JF21-0026 , subject to the conditions of the staff report . Second by Eilers .

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

JC21-0017

Conditional Use Home Occupation

Aesthetic Services

Mike Tertinger presented the staff report.

The applicant is requesting a Conditional Use Permit - Home Occupation for an Aesthetic Services business. The applicant has constructed a 4,800 square foot accessory building: 800 square feet will be used for the business, while the remaining 4,000 square feet is to be used as personal space. The applicant proposes a maximum of 1 non-resident employee on site and the business use is proposed to occur entirely within accessory building. The proposal indicates that 4 to 6 customers per week will be visiting the site by appointment only. The applicants also indicated that the person performing the aesthetic services is a licensed nurse practitioner in the State of Iowa.

A Conditional Home Occupation allows the applicant to use up to 1,750 square feet for the home occupation business on a parcel of this 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) and Article VI, Section 107-113, § (h) of the Linn County Unified Development Code.

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

Kuntz asked what aesthetic services were proposed by the applicant. Tertinger read a list of services as noted on the application; neurotoxin injections, micro-needling facials and dermal fillers.

DuBois asked if the applicant anticipated the business growing beyond what the home occupation allows. Tertinger stated the applicant was looking for potential commercial properties for that reason. DuBois expressed concerns regarding the location of the home occupation at the intersection of Ely Rd and Wright Brothers Blvd. She was worried that a future expansion of the business could result in a higher amount of traffic, leading to more car accidents.

Motion by Grenis to recommend approval of case JC21-0017 , subject to the conditions of the staff report . Second by Detterbeck .

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

OTHER BUSINESS

COMMISSION COMMENTS

DuBois discussed her involvement in the Linn County Solar Task Force, and specifically called attention to a task force recommendation that locations for future solar/renewable energy projects be identified in advance of proposed development. Lientz confirmed with DuBois that Planning & Development Director Charlie Nichols is also a member of the solar task force, and advised that he would be able to take the recommendations to the Board of Supervisors. It would ultimately be up to the Board of Supervisors to pursue these recommendations if they so desired.

Lientz advised Commission members on the upcoming dates for the Coggon Solar meetings before the Board of Supervisors. First consideration is schedule for January 10, Second consideration for January 13, and Third consideration on January 18. All meetings

will be held at the Linn County Fairgrounds at 6:00 p.m. If the Board votes to disapprove the project at any of the meetings, then any other future considerations will be canceled.

Lientz asked Commission members Eilers and Wagner if they could clarify their vote on the motions at the November 29, 2021 Coggon Solar meeting. On a motion to recommend approval of the solar project, they both voted "Yes," and that motion failed 3 to 4. On a subsequent motion to recommend denial of the application they both maintained their "Yes" votes, effectively changing the way they voted. That motion passed 6 to 1. Eilers stated that he found the motion confusing and that he meant to vote "Nay" on the motion to recommend denial. Wagner concurred that he also would have voted "Nay" for the same reason.

STAFF COMMENTS

PUBLIC COMMENTS

Vic Jones, 3252 56th Street Trail, came to the podium and asked for clarification regarding the status of his case, JPS21-0023. The commission members explained to him that his case was on the Consent Agenda, and was approved with one sweeping motion, rather than being pulled for individual review.

ADJOURNMENT

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

, Chair

Jessie Black, Recording Secretary