

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, June 17, 2024

The Linn County Planning and Zoning Commission meeting was called to order at 6:00 p.m. by Chair, Tina DuBois. The meeting was held in the Jean Oxley Public Service Center Informal Board Room, 935 2nd Street SW, Cedar Rapids, Iowa.

QUORUM DETERMINED:

PRESENT:	Tina DuBois, Chair	2025
	Brock Grenis, Vice-Chair	2028
	Allen Wagner	2024
	Diane Brecht	2025
	Griffin Kuntz	2026
	Bob Doubek	2027

ABSENT:	George Maxwell	2025
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STAFF:	Stephanie Lientz, Planning & Zoning Division Manager
	Ben Schmidt, Planning Intern
	Brad Wylam, Planner II
	Amy Speed, Recording Secretary

See attendance sheet for community sign in.

APPROVAL OF MINUTES

The minutes of the May 20, 2024 Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

PF24-0004	Prairie Landing 5 th Addition	Final Plat
PPS24-0007	Kramer on Drexler Road First Addition	Residential Parcel Split
PPS24-0006	Biedenbach Addition	Residential Parcel Split
PPS24-0008	Stallman Farm Addition	Residential Parcel Split

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

Grenis	Aye
Maxwell	Absent
Brecht	Aye
DuBois	Aye
Kuntz	Aye
Doubek	Aye
Wagner	Aye

REGULAR AGENDA

PP24-0001

WAUBEEK BLUFFS FIRST ADDITION

PRELIMINARY PLAT

Brad Wylam presented the staff report.

The applicant is proposing a 4-lot replat of part of Government Lot 2, part of Government Lot 3, and Parcel A, Plat of Survey No. 1121 for a total of 63.88 acres. The proposal will result in three new buildable lots. Proposed Lot 1 is 10.28 acres. Proposed Lot 2 is 11.90 acres. Proposed Lot 3 is 20.79 acres. Proposed Lot 4 is 20.06 acres. Lots 1 and 4 utilize a private road and proposed Lots 2 and 3 receive access by easement that leads to the private road. Lot A (0.63 acres) and Lot B (0.22 acres) are proposed for road right-of-way dedication. The subject property is designated as a Critical Natural Resource Area (CNRA) on the Linn County Rural Land Use Map and currently zoned Critical Natural Resources (CNR).

Final Plat case PF24-0008 is running concurrently with the preliminary plat.

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 127.92 (the minimum threshold needed to pass in CNRA land use designation is 115).

Property zoned CNR within the subwatershed of the Cedar or Wapsipinicon rivers have a minimum lot size requirement of 10 acres per Article VII, Section 107-142.

Preliminary Plat case PP24-0001 is running concurrently and will need to be approved by the Board of Supervisors prior to Final Plat approval.

Staff recommends that the case be referred to the applicant for more information.

Wylam stated that a mitigation plan would need to be in place before any building can commence. Grenis asked if this was just a part of the Boy Scout camp and not all of it. Brecht stated that the Scouts kept the north portion of the camp.

Motion by Wagner to recommend approval of case PP24-0001, subject to the conditions of the staff report. Second by Grenis.

DuBois	Aye
Kuntz	Aye
Wagner	Aye
Maxwell	Absent
Grenis	Aye
Doubek	Aye
Brecht	Aye

PF24-0008	WAUBEEK BLUFFS FIRST ADDITION	Final Plat
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Brad Wylam presented the staff report.

The applicant is proposing a 4-lot replat of part of Government Lot 2, part of Government Lot 3, and Parcel A, Plat of Survey No. 1121 for a total of 63.88 acres. The proposal will result in three new buildable lots. Proposed Lot 1 is 10.28 acres. Proposed Lot 2 is 11.90 acres. Proposed Lot 3 is 20.79 acres. Proposed Lot 4 is 20.06 acres. Lots 1 and 4 utilize a private road and proposed Lots 2 and 3 receive access by easement that leads to the private road. Lot A (0.63 acres) and Lot B (0.22 acres) are proposed for road right-of-way dedication. The subject property is designated as a Critical Natural Resource Area (CNRA) on the Linn County Rural Land Use Map and currently zoned Critical Natural Resources (CNR).

Preliminary Plat case PP24-0001 is running concurrently with the final plat.

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 127.92 (the minimum threshold needed to pass in CNRA land use designation is 115).

Property zoned CNR within the subwatershed of the Cedar or Wapsipinicon rivers have a minimum lot size requirement of 10 acres per Article VII, Section 107-142.

Preliminary Plat case PP24-0001 is running concurrently and will need to be approved by the Board of Supervisors prior to Final Plat approval.

Staff recommends that the case be referred to the applicant for more information.

Motion by Kuntz to recommend approval of case PF24-0008, subject to the conditions of the staff report. Second by Brecht.

Grenis	Aye
Kuntz	Aye
Wagner	Aye
DuBois	Aye
Maxwell	Absent
Brecht	Aye
Doubek	Aye

PF24-0009

REC MILBURN ROAD ADDITION

Final Plat

Ben Schmidt presented the staff report.

This applicant is proposing a 1-lot final plat of 5.0 acres (proposed Lot 1), with no additional dedication of 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 permit (case# PC24-0004) and Residential Parcel Split (case#PPS24-0008) application have been submitted and are running concurrently with this case. There are no existing structures on proposed Lot 1.

A note is 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 utility substation use shall be permitted on this lot without re-platting, 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 (NW ¼ SE ¼ 25-84-8) is being platted via concurrent Residential Parcel Split (Case# PPS24-0008 - Stallman Farm Addition). The Final Plat case (PF24-0009) must be recorded prior to PPS24-0008 per condition of approval.

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

Tred Schnoor with Schnoor-Bonifazi prepared the final documents. He said the detention basin is at the NE corner. The fence is just around the substation area itself. REC will let the remainder of the site be farmed as it is now.

Kevin Stucker with Linn County REC stated that there will be standard LED down lights with 2–100-watt bulbs. The noise from the new transformer will meet the national requirements. Fans will kick off and on for cooling purposes. He mentioned there will be more noise during construction but after that, there will hardly be anyone onsite since most of it can be operated remotely.

The floor was then opened up for public comments.

Russ Hines- 6303 Oak Grove Road, Cedar Rapids- asked if there was anything else to put around instead of just a fence to make it look better?

Curt Jensen-7700 Milburn Road, Cedar Rapids- explained that he is in the line of sight of this development. He would also like it to look better and not just a fence. Also wanted to know if this is for future development and will there be huge transmission lines coming out of it?

Joe Fischer- 6095 Brisa Ln- He is speaking on behalf of the HOA that is close by. They are concerned about lighting and looks. Can trees be planted?

Lientz noted that the Commission can add a condition for screening if they believe it is necessary.

Stucker and Schnoor then returned to the podium. Stucker said that the substation will support future development in the area. The existing substations are either over or almost at capacity. He confirmed the existing poles will be replaced with taller poles but the transmission lines will not be any bigger. REC is a not-for-profit company and building walls around the substation would add a significant cost to the project, and would not be as safe for workers who need to see inside the facility if there is an issue. They could provide a shorter tree to keep it out of the lines.

At this time, all comments were closed.

Motion by Kuntz to recommend approval of case PF24-0009, subject to the conditions of the staff report. Second by Doubek.

Brecht	Aye
Doubek	Aye
Wagner	Aye
DuBois	Aye
Maxwell	Absent
Grenis	Aye
Kuntz	Aye

PC24-0004

CONDITIONAL USE PERMIT

UTILITY SUBSTATION

Ben Schmidt presented the staff report.

The applicant is proposing to construct an electrical distribution substation on 5.0 acres of land on the subject property. An accompanying Residential Parcel Split (case# PPS24-0008) and Final Plat (case# PF24-0009) are running concurrently with this application. The Final Plat case will sever the 5 acres needed to accommodate the substation project and the Residential Parcel Split will account for the remainder of the parent parcel; creating a 21.91-acre buildable lot south of Oak Grove Road and a 10.19-acre nonbuildable outlot north of Oak Grove Road.

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.

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

Wagner felt like there should be some kind of vegetation screening, Grenis agreed. Wagner would also like the BOA to decide.

Brecht said the screening needs to be respectful of height.

Doubek asked if a berm was feasible. DuBois stated she would like to leave that up to REC.

Motion by Wagner to recommend approval of case PC24-0004, subject to the conditions of the staff report and with an updated site plan and condition requiring vegetative screening to be brought to the BOA prior to approval. Second by Grenis.

Maxwell	Absent
Brecht	Aye
Grenis	Aye
Doubek	Aye
Wagner	Aye
Kuntz	Aye
DuBois	Aye

OTHER BUSINESS

- a. Discuss and decide on proposed updates to the Planning & Zoning Commission Rules of Procedures. This was tabled as not all members were present.
- b. Discuss and decide on Ely & Linn County Fringe Area Plan.

Tom Gruis from ECICOG spoke. They partnered with the County to update the agreement within a two miles radius of Ely. They held an open house at City Hall and agreed to go from 4 to 2 areas. They will be the County Service Area that follows County standards and NMUSA that follows the city standards.

Grenis asked if this was a general sentiment that the area will grow and that is what this is for. Gruis replied that it is more for interest in services and amenities.

Dubois stated she was happy to see it happening. She likes that it is proactive.

Gruis mentioned there were still 2 public meetings to go.

Lientz said we have had a plan with Ely since 2007 and we are just updating.

Gruis said this was just simplifying the process.

Wagner stated it was more an Ely concern than a County.

**Motion by Grenis to recommend approval of the Ely & Linn County Fringe Area Plan.
Second by Brecht.**

Wagner	Aye
Brecht	Aye
Grenis	Aye
Dubois	Aye
Kuntz	Aye
Doubek	Aye
Maxwell	Absent

COMMISSION COMMENTS- none

STAFF COMMENTS- Lientz reminded Commission about the upcoming ISU Extension workshop on July 18. She will send out information.

PUBLIC COMMENTS- none

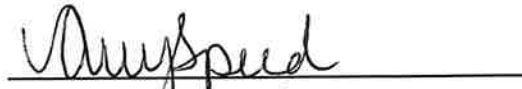
ADJOURNMENT

The meeting was adjourned at 6:59 p.m.

Respectfully submitted,



Tina Dubois, Chair



Amy Speed, Recording Secretary