

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, July 29, 2024

Rescheduled from July 15, 2024

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

QUORUM DETERMINED:

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

ABSENT:	George Maxwell	2025
	Tina DuBois, Chair	2025

STAFF:	Stephanie Lientz, Planning & Zoning Division Manager
	Brad Wylam, Planner II
	Ben Schmidt, Planning Intern
	Sue Bennett, Recording Secretary

See attendance sheet for community sign in.

APPROVAL OF MINUTES

The minutes of the June 17, 2024 Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

PPS24-0011	Aberle Farm First Addition	Residential Parcel Split
PPS24-0010	Batchelder Farms First Addition	Residential Parcel Split
PPS24-0009	Batchelder Farms Second Addition	Residential Parcel Split

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

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

REGULAR AGENDA

PC24-0006

Conditional Use Home Occupation

Landscaping Business

Ben Schmidt presented the staff report.

The applicant is requesting a Conditional Home Occupation to run a small lawn care company on the 37.94-acre property. The applicant requests utilizing part of an existing 2,800 square foot pole building: 400 square feet will be used for personal items, while the remaining 2,400 square feet is proposed to be used for the small lawn care service business. Additionally, a 100 sq foot outdoor storage site is proposed. The petitioner will have 3-5 non-resident employees and the use is proposed to occur primarily within the accessory building.

A Conditional Home Occupation allows the applicant to use up to 2,500 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.

Grenis asked if there needed to be a landscaping buffer, Schmidt said yes, along the southern side. Lientz clarified that the buffer could be all vegetation.

Devin LeBeau, 3182 Jordans Grove Road, spoke regarding the debris piles. He stated that the piles are a combination of debris left over from when the gravel driveway was restored, as well as additional debris from the derecho, updating the septic, and several ash trees which got Emerald Ash Borer and had to be taken down. The addition to the house also created additional material due to excavation.

Motion by Brecht to recommend approval of case PC24-0006, subject to the conditions of the staff report. Second by Kuntz.

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

PC24-0005

Conditional Use

**Contractor's Yard & Outdoor
Storage**

Stephanie Lientz presented the staff report.

The applicant is proposing to operate a contractor's yard and outdoor storage on the subject property related to the business use(s) of general contractor/developer/property manager. The subject property is zoned GC (General Commercial) and has a land use designation of MUSA (Metro Urban Service Area). The applicant is proposing two phases of development, as shown on the site plan, primarily to reduce the amount of hard-surfacing required initially. The applicant is proposing an expansion of the shop during Phase 2, with two existing structures to be removed in the future. Materials proposed to be stored in the outdoor storage include: dirt, fill, gravel, rock, logs, trees, shrubs, mulch, and pavers. The applicant indicates between 5 to 10 full-time and 2 to 10 part-time employees will be coming to the site daily, depending on the season.

The proposed use of contractor's yard or outdoor storage is allowed with a Conditional Use Permit in the GC (General Commercial) zoning district. The proposal appears to meet 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), as well as the standards for commercial uses in Article VI, Section 107-115, § (z). Any outdoor storage of materials must be screened from view from adjacent residential properties and the public road.

Development standards in Article IV, Section 107-115, of the UDC appear to be met, including requirements for a major site plan. Additional requirements in Article V, Section 107-93 of the UDC must be met including: buffer and screening requirements, hard-surfacing of drives and parking areas, and other requirements related to parking and loading. The applicant requested and was granted an administrative 10% reduction of the buffer distance requirement in Article V, Section 107-93, § (d). The buffer has been reduced from 50 feet to 45 feet.

A future proposed use of mini-warehouse and self-service storage of recreational vehicles and/or boats must be approved by the Board of Supervisors and Board of Adjustment prior to commencing operation of that use. In addition to standards listed above, the mini-warehouse and self-service storage use must meet standards in Article VI, Section 107-115, § (y) of the UDC.

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

Motion by Kuntz to recommend approval of case PC24-0005, subject to the conditions of the staff report. Second by Wagner.

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

PR24-0002

REZONING

**EU-1 (Exclusive Use -1
Sanitary Landfill) to HC
(Highway Commercial)**

Stephanie Lientz presented the staff report.

The applicant is proposing to rezone the 15.5-acre subject property from the EU-1 (Exclusive Use-1, Sanitary Landfill) zoning district to the HC (Highway Commercial) zoning district. The subject property is located within the MUSA (Metro Urban Service Area) on the Linn County Rural Land Use Map.

The EU-1 zoning district and associated regulations pertain only to the sanitary landfill use. The subject property is owned by Linn County and is not used as part of the adjacent landfill. It is currently used by the Secondary Road department for storage of material and equipment, which is characterized as a public safety facility use. The subject property is the proposed future site of the main offices for the Secondary Road Department. Prior to constructing a new facility, a Major Site Plan case will be required to be submitted to Planning & Development.

This proposal meets the Minimum Levels of Service (MLS) requirements in Article IV, Section 107-69 and Appendix A of Linn County Unified Development Code (UDC), except minimum distance to a fire station. As discussed in the staff report, this requirement can be met by obtaining a letter from the Marion Fire Department indicating services can be provided to the subject property. The proposal is exempt from Land Evaluation and Site Assessment (LESA) requirements per Article IV, Sec. 107-70, § (1)d of the UDC, as the property is to be rezoned to a district of lesser intensity. The proposal meets the geographic location standards for the HC zoning district per Article VII, Section 107-139 § (b).

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

Susan Forinash, Hall and Hall Engineers, volunteered to answer any questions. There were none.

William Robinson, 1000 Holiday Lane, stated that he was open to Allan Custom Homes occupying the property, but he was opposed to the proposal for outdoor storage, as there are plenty of places along 16th Avenue where that would be a better fit.

Motion by Kuntz to recommend approval of Case PR24-0002 subject to the conditions of the staff report. Second by Wagner.

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

OTHER BUSINESS

- a. Discuss & Decide on proposed updates to the Planning & Zoning Commission Rules of Procedure. This was postponed to a later meeting, as the full Commission must be present in order to vote.

COMMISSION COMMENTS

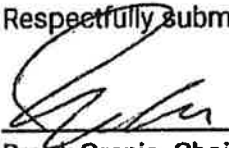
STAFF COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

The meeting was adjourned at 6:55 p.m.

Respectfully Submitted,



Brock Grenis, Chair

Sue Bennett, Recording Secretary