

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, October 21, 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 Formal 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
	Bob Doubek	2027
	Griffin Kuntz	2026

ABSENT:

STAFF:	Stephanie Lientz, Planning & Zoning Division Manager
	Mike Tertinger, Senior Planner
	Brad Wylam, Planner II
	Sue Bennett, Recording Secretary

See attendance sheet for community sign in.

APPROVAL OF MINUTES

The minutes of the September 16, 2024, Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

There were no cases on this month's consent agenda.

REGULAR AGENDA

PF24-0005

DHARMA'S SANDBAR ADDITION

FINAL PLAT

Mike Tertinger presented the staff report.

The proposal is a 2-lot re-plat of Lots 1 through 4 and Lot 6 of Irregular Survey NW ¼ SE ¼ 5-86-7. There is no increase in the number of buildable lots as a result of this plat; five existing parcels are being combined into two new parcels. Proposed Lot 1 contains 0.42 acres, proposed Lot 2 contains 0.30 acres, and 0.11 acres (Lot A) is dedicated to additional road right-of-way. The applicant is seeking to increase the size of the parcel that includes an existing restaurant and bar to allow for two detached structures to be combined into one building. The subject property is zoned VM (Village Mixed).

A similar plat was recently approved by the Planning and Zoning Commission on April 15, 2024, but was not subsequently recorded. Following the previous commission plat approval, the applicant purchased the adjoining parcel to the south and has decided to incorporate that land into this altered final plat proposal.

This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code (UDC). Minor subdivisions that do not create any additional buildable lots are not subject to Minimum Levels of Service (MLS) or Land Evaluation Site Assessment (LESA) requirements. The Final Plat must be recorded prior to issuance of final building permit that connects the existing detached structures.

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

Motion by Kuntz to recommend approval of case PF24-0005, subject to the conditions of the staff report. Second by Brecht.

DuBois	Aye
Kuntz	Aye
Wagner	Aye
Grenis	Aye
Doubek	Aye
Brecht	Aye

PP24-0002

FRENCH FARM FOURTH ADDITION

PRELIMINARY PLAT

Brad Wylam presented the staff report.

The applicant is proposing a 4-lot replat of three existing legal lots of record for a total of 21.7 acres. The proposal will result in one new buildable lot. Proposed Lot 1 is 4.94 acres. Proposed Lot 2 is 1.95 acres. Proposed Lot 3 is 1.95 acres. Proposed Lot 4 is 10.12 acres. Lot 1 contains an existing dwelling and currently receives access by easement. The subject property is designated as a Critical Natural Resource Area (CNRA) on the Linn County Rural Land Use Map. Lots 1, 2, and 3 and Outlots B and C are currently zoned Village Residential (VR). Lot 4 and Outlot A are zoned Critical Natural Resources (CNR).

Final Plat case PF24-0014 is running concurrently with this 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. The CNR zoned property earned a LESA score of 148.25 whereas the VR zoned property earned a LESA score of 116.5 (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.

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

Motion by Grenis to recommend approval of case PP24-0002, subject to the conditions of the staff report. Second by Wagner.

Grenis	Aye
Kuntz	Aye
Wagner	Aye
DuBois	Aye
Brecht	Aye
Doubek	Aye

PF24-0014

FRENCH FARM FOURTH ADDITION

FINAL PLAT

Brad Wylam presented the staff report.

The applicant is proposing a 4-lot replat of three existing legal lots of record for a total of 21.7 acres. The proposal will result in one new buildable lot. Proposed Lot 1 is 4.94 acres. Proposed Lot 2 is 1.95 acres. Proposed Lot 3 is 1.95 acres. Proposed Lot 4 is 10.12 acres. Lot 1 contains an existing dwelling and currently receives access by easement. The subject property is designated as a Critical Natural Resource Area (CNRA) on the Linn County Rural Land Use Map. Lots 1, 2, and 3 and Outlots B and C are currently zoned Village Residential (VR). Lot 4 and Outlot A are zoned Critical Natural Resources (CNR).

Preliminary Plat case PP24-0002 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. The CNR zoned property earned a LESA score of 148.25 whereas the VR zoned property earned a LESA score of 116.5 (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 PP24-0002 is running concurrently and will need to be approved by the Board of Supervisors prior to Final Plat approval.

Staff recommends approval, subject to conditions on the staff report.

Motion by Kuntz to recommend approval of case PF24-0014, subject to the conditions of the staff report. Second by Doubek.

Doubek	Aye
Grenis	Aye
DuBois	Aye
Wagner	Aye
Kuntz	Aye
Brecht	Aye

PP24-0003

DOWS AGRI-COMMUNITY ADDITION

PRELIMINARY PLAT

Stephanie Lientz presented the staff report.

The applicant is proposing a 158-lot preliminary plat of approximately 96.39 total acres. The number of dwelling units for the entire Dows Farm Agri-Community is proposed to increase from 251 to a maximum of 295. This preliminary plat excludes the 16.56-acre Dows Farm Agri-Community First Addition (PF24-0001), but the 295 dwelling unit calculation includes that previously approved platted area. Of the proposed lots, 106 will be for single-family dwellings, 26 will be for multi-family dwellings, and 10 will be for commercial uses. These numbers may be slightly adjusted on future final plats. Outlot C includes land to be used for as a farm for agricultural purposes in conjunction with the agri-community development. There are multiple lettered lots that will be maintained as community open space. Lot layout and location, as well as public space and utility locations are generally consistent with the approved Dows Farm Governing Plan.

The approximately 60.74-acre area (described as Parcel B of Plat of Survey No. 2474 AMENDED EX Plat of Survey No. 2531 & EX. Plat of Survey No. 2694 and EX. public roads) identified in the Dows Farm Governing Plan and Master Plan as the Conservation Area is not included in this Preliminary Plat. The developer does propose a future boundary change with this area in order to reflect the existing fence line along the eastern boundary of Outlot C (adding approximately 1.37 acres to Outlot C).

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, stormwater management, and phasing. The development will access City of Cedar Rapids water and wastewater systems. A future minor boundary change may be requested by the developer as mentioned above. The proposed increase in dwelling units from 251 to 295 must be approved by the Board of Supervisors and amendments to the Dows Farm Governing Plan must also be adopted by the Board.

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

Lientz stated that she did receive a phone call from Sally Smith, who is concerned about the density changes regarding Dows Road. There was a discussion regarding road conditions, and that they will be monitored for safety by Engineering and Secondary Roads.

Brecht asked about the farming portion of the development. Lientz stated that there is a conservation easement in place to ensure that area is never developed into housing.

Chad Pelley, applicant, 6407 Partners Avenue, Marion, spoke. He explained that the intent was always to have 158 buildable lots, but the 55+ facility and the apartment building units were not counted correctly, and that is why there is an increase in density and not building units. He stated that he understands the concerns about the traffic, but that the road study did deem the increase in traffic on Dows Road as not substantial.

Kuntz said it seemed that the development was losing the farming aspect. Kelly stated that it is not being lost – the farm must exist per the Governing Plan. He said that they are in contact with several farmers and farming operations, including a beekeeper, to start farming operations.

Kuntz asked how many dwellings were estimated in the traffic study. Lientz stated she did not remember.

Sally Smith, 605 Dows Road, spoke against the application. She stated that she lives right across from the old barn and has been there for 37 years. She stated that Dows was originally a gravel road, and that the neighbors paid to have it seal coated. She said the road isn't wide enough or safe enough to handle the influx of traffic from this development. She also stated that the Bertram Fire Department is staffed by volunteers – are they equipped to handle the additional people? She also stated that in the past, the farm was just pasture and cows. She doesn't agree with the additional density that is being proposed.

Motion by Grenis to recommend approval of case PP24-0003, subject to the conditions of the staff report. Second by Wagner.

Brecht asked who is responsible for maintaining the seal coat on Dows Road. Lientz stated the County is responsible for maintaining the road, but the County doesn't necessarily have to keep it seal coated. Brecht stated she was concerned about the increase of traffic on the gravel road and what would happen to the road if it doesn't stay seal coated. Lientz said that the Engineering and Secondary Roads Department will monitor traffic on that road, ensuring it is safe for travelers.

Doubek	Aye
Grenis	Aye
DuBois	Aye
Wagner	Aye
Kuntz	Aye
Brecht	Aye

PA24-0007

UDC TEXT AMENDMENTS

Stephanie Lientz presented the staff report. Staff is proposing several text amendments to the Unified Development Code (UDC) related to: adding language to allow some administrative exceptions to bulk standards (i.e.: setbacks, minimum lot area, lot width, floor area); adding a definition of tiny houses, and adding language allowing tiny houses as accessory dwelling units and within planned unit development overlay zoning districts under specific circumstances; and proposing new setback requirements in some zoning districts.

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

Motion by Brecht to recommend approval of case PA24-0007, subject to the conditions of the staff report. Second by Grenis.

Doubek	Aye
Grenis	Aye
DuBois	Aye
Wagner	Aye
Kuntz	Aye
Brecht	Aye

OTHER BUSINESS

- a. Discuss & Decide on proposed changes to the Governing Plan for the Dows Farm Agri-Community

Motion by Grenis to recommend approval of case proposed amendments to the Dows Governing Plan. Second by Wagner.

Doubek	Aye
Grenis	Aye
DuBois	Aye
Wagner	Aye
Kuntz	Aye
Brecht	Aye

- b. Discuss & Decide on proposed updates to the Planning & Zoning Commission Rules of Procedure.

Motion by Grenis to recommend approval of the proposed updates to the Planning & Zoning Commission Rules of Procedure. Second by Brecht.

Doubek	Aye
Grenis	Aye
DuBois	Aye
Wagner	Aye
Kuntz	Aye
Brecht	Aye

COMMISSION COMMENTS

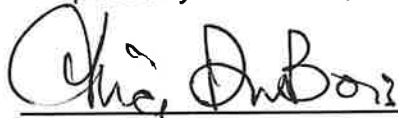
STAFF COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

The meeting was adjourned at 7:21 p.m.

Respectfully submitted,



Tina Dubois, Chair



Sue Bennett, Recording Secretary