

# LINN COUNTY PLANNING & ZONING COMMISSION

## MINUTES Monday, April 17, 2017

The Linn County Planning and Zoning Commission meeting was called to order at 6:30 p.m. by Chair, Les Marquart. The meeting was held in the Jean Oxley Public Service Center Board Room, 935 2<sup>nd</sup> Street SW, Cedar Rapids, Iowa.

### QUORUM DETERMINED:

#### PRESENT:

Christine Landa, Vice Chair	2020
Les Marquart, Chair	2017
R.J. Carson	2018
George Maxwell	2020
Ted Grenis	2019
H. Frank Bellon	2021

**ABSENT:** Kimberly Dickey 2017

**STAFF:** Stephanie Lientz, Planner II  
Mike Tertinger, Planner I  
Ryan Sampica, Recording Secretary

See attendance sheet for community sign in.

### APPROVAL OF MINUTES

The minutes of the March 20, 2017 Planning & Zoning Commission meeting were approved as submitted.

### CONSENT AGENDA

JF17-0003	Edgerly Family Second Addition	Final Plat
JPS17-0006	Klima Iowa Road Addition	Residential Parcel Split
JPS17-0007	Bahr Addition	Residential Parcel Split
JPS17-0008	Grishaber Addition	Residential Parcel Split

Motion by Maxwell to approve the consent agenda, subject to the conditions of the staff report. Second by Grenis.

Marquart	Aye
Bellon	Aye
Grenis	Aye
Carson	Aye
Landa	Aye
Dickey	Absent
Maxwell	Aye

## REGULAR AGENDA

**JC17-0003 Linn County, Owner  
City of Cedar Rapids, Petitioner**

**Conditional Use - Floodplain**

Mike Tertinger presented the staff report.

The applicant is requesting a Conditional Use Floodplain Permit for excavation within the floodway. The applicant proposes to remove and replace the existing 8" clay sanitary sewer line and the Portland Cement Concrete (PCC) encasement. The replacement line will be an 8" PVC C900 sanitary sewer. The new encasement will be longer than the existing in anticipation of any future widening of the stream channel.

The applicant must obtain all relevant permits as required by state and federal entities as well as a Certification of No-Rise signed by a licensed professional engineer. The project will be contained within the Covington Road right-of-way over Morgan Creek and not encroach upon the property to the east. The proposal must meet all of the standards for approval found in Article 7, Section 13 of the Unified Development Code (UDC).

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

Landa asked if there was a driveway on the west side of this bridge or a residence. With the topography map that was shown, she assumed this was a blind area. Loren Snell, City of Cedar Rapids, said that there is a driveway on the east side of the bridge but it is far enough away from the bridge to not put anyone in danger during construction.

Bellon asked about the stabilization of the creek and the timeframe for which it will be finished. Snell said they will use existing soil and seeding. Snell also stated that the DNR would prefer that they do not use riprap. He said they are looking to begin this project in late summer (August or September).

Snell then stated that in their contracts they automatically have a 1-year monitoring clause that an inspector from the City will handle. He stated that they the encasement is no longer covered by the stream bank on either side due to its recession over time, and they are now extending the encasement and stabilizing the bank.

Carson asked who will monitor the bank after the project is complete. Snell replied that a City Inspector will monitor. During construction, it will be checked weekly and post-construction it will be checked quarterly, although they can do it monthly.

Chip Davis, 1811 Covington Rd stood up and stated he is an adjacent landowner to the project area. He appreciates the Commission discussion regarding erosion control issues, because he has seen the deterioration after previous work on the creek banks

has occurred. He also requested that someone from the City of Cedar Rapids maintain contact with him as the project progresses.

**Motion by Carson to recommend approval of case JC17-0003 subject to the conditions of the staff report, and adding a condition that the applicant shall monitor the project area on a monthly basis for two years after the project is completed. Second by Grenis.**

<b>Carson</b>	<b>Aye</b>
<b>Landa</b>	<b>Aye</b>
<b>Dickey</b>	<b>Absent</b>
<b>Maxwell</b>	<b>Aye</b>
<b>Marquart</b>	<b>Aye</b>
<b>Grenis</b>	<b>Aye</b>
<b>Bellon</b>	<b>Aye</b>

**JR17-0002 Gerdin Family Investments, Owner Rezoning - GC to AG  
Clete Younger, Petitioner**

Stephanie Lientz presented the staff report.

The applicant is proposing to rezone the 9.82 acre subject property from the GC (General Commercial) zoning district to the AG (Agricultural) zoning district. The property is located within the AA (Agricultural Area) on the Linn County Rural Land Use Map.

The applicant indicated that they are interested in constructing a single-family dwelling on the property. A single-family dwelling is not an allowable use in the GC zoning district; therefore, this request has been submitted to rezone the property to the AG zoning district, where a single-family dwelling is a permitted use. The property is located within the AA (Agricultural Area) on the Rural Land Use Map.

This proposal meets the standards for approval per Article 4, Section 4 and Article 4, Section 6 of the Linn County Unified Development Code (UDC). The parcel meets both MLS and LESA requirements, and earned a LESA score of 167.25 (the minimum threshold needed to pass in AA areas is 115). However, a LESA analysis is not required per Article 4, Section 6, subsection 1(d) of the UDC, as the proposed rezoning is to a zoning district of lesser intensity.

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

Clete Younger, 6413 Grant Court SW, said he and his family currently live approximately ¼ mile from this site, and they love the area and the place they live in now they just need more space. This property is available and they want to build one single-family dwelling there.

Carson asked if the property is rezoned to Agricultural, can it be rezoned back to General Commercial in the future. Lientz said that single-family dwellings are not an

allowed use in the General Commercial zoning district, so in order for it to be rezoned to General Commercial the proposed dwelling would have to be demolished.

Carson also asked if the property could be split further in the future and if another house could be built on this land. Lientz stated that while the property does meet LESA requirements, a final plat application would need to be submitted and approved before further subdivision of the property could occur.

**Motion by Maxwell to recommend approval of case JR17-0002, subject to the conditions of the staff report. Second by Bellon.**

Carson	Aye
Landa	Aye
Dickey	Absent
Maxwell	Aye
Marquart	Aye
Grenis	Aye
Bellon	Aye

**OTHER BUSINESS**

**COMMISSION COMMENTS**

**STAFF COMMENTS**

**PUBLIC COMMENTS**

**ADJOURNMENT**

The meeting was adjourned at 7:03 p.m.

Respectfully submitted,

  
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Les Marquart, Chair

  
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Ryan Sampica, Recording Secretary