

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, September 17, 2018

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

QUORUM DETERMINED:

PRESENT:

Christine Landa, Chair	2020
H. Frank Bellon, Vice Chair	2021
Ted Grenis	2019
Curt Eilers	2022

ABSENT:

R J Carson	2018
George Maxwell	2020

STAFF:

Les Beck, Director
Stephanie Lientz, Planner II
Mike Tertinger, Planner I
Sue Bennett, Recording Secretary

See attendance sheet for community sign in.

APPROVAL OF MINUTES

The minutes of the August 20, 2018 Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

JPS18-0021	Maier 3 rd Addition	Residential Parcel Split
JPS18-0022	Kuntz Addition	Residential Parcel Split
JLPS18-0007	Platner Museum Addition	Land Preservation Parcel Split
JLPS18-0016	Klima Iowa Road 2 nd Addition	Residential Parcel Split
JPS18-0017	Franck Second Addition	Residential Parcel Split
JPS18-0018	Arp Ivanhoe Rd Addition	Residential Parcel Split
JPS18-0019	Indian Creek Way 1 st Add.	Residential Parcel Split
JPS18-0020	Buck First Addition	Residential Parcel Split

Motion by Bellon to approve the consent agenda, subject to the conditions of the staff reports. Second by Eilers.

Eilers	Aye
Bellon	Aye
Grenis	Aye
Landa	Aye
Maxwell	Absent
Carson	Absent

REGULAR AGENDA

**JC18-0009 Patrick & Amanda Madison, Owners Conditional Use Home Occupation
– Construction Business**

Lientz presented the staff report.

The applicants are requesting a Conditional Use Permit for a Home Occupation for a home construction and remodeling business. The applicants are proposing to construct a 1,600 square foot dwelling with a 1,440 square foot attached garage (3,040 square feet total). The 750 square feet for the proposed home occupation will be located in the attached garage, and will be partitioned from the personal storage/garage area. An additional 3,750 accessory structure has been proposed for personal storage. The applicants indicated that there will no outside storage of business related equipment, no nonresident employees coming to the site, no customers visiting the site, and no deliveries made to the business.

A Conditional Home Occupation allows the applicant to use up to 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 107-173, §(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.

Motion by Eilers to recommend approval of case JC18-0009, subject to the conditions of the staff report. Second by Grenis.

Carson	Absent
Landa	Aye
Maxwell	Absent
Eilers	Aye
Grenis	Aye
Bellon	Aye

JC18-0008 Heidi & Patrick Liegl, Owners

Conditional Use – Event Center & Winery

Tertinger presented the staff report.

The applicant is proposing construction of a 17,624 square foot facility for a winery and event center on Lot 63 of Browns Addition in Viola. A winery and associated event center is a permitted use via a Conditional Use Permit and a Major Site Plan in the Village Mixed (VM) zoning district. Phase one includes rehabilitation of the existing gymnasium, primarily for use as a wedding reception venue accommodating up to 275 guests. Phase two involves construction of a new building with uses that include wine production, a retail store, catering kitchen, equipment storage, bridal suite and meeting space. Site design includes cherry trees, grape vines, an apiary, an outdoor pavilion and onsite parking for 117 vehicles. It also includes a vegetative buffer along the majority of the property and a stormwater management basin along Summer Street.

It appears that the proposal does not meet all of the standards for approval for Conditional Use Permits in Article IV, Section 107-73, §(4), the standards for industrial uses provided in Article VI, Section 107-116, §(a), the general regulations for uses found in Article V, Section 107-93, § (d&e), and the retail, service, and the commercial use standards in Article VI, Section 107-115 § (i&r) of the Linn County Unified Development Code. Legal title to ROW along the east property line is still in question. The applicant is claiming ownership of School Street and is contesting the County requirement to hard surface to the second proposed entrance along Summer Street. Prior to operation, all applicable local, state and federal requirements regarding wine production, sales and consumption of food or alcohol, permitting for a public well and septic systems, and proper removal of asbestos contamination prior to demolition shall be required as a condition of approval. Other development standards include those requirements for a major site plan, and a requirement that the site shall have access to a hard surfaced road of sufficient capacity to accommodate the anticipated uses.

Staff recommends approval of case JC18-0009, subject to the conditions of the staff report.

There were no Commission questions for the staff.

Surveyor Doug Brain (1540 Midland Court) and applicant Heidi Liegl (2085 County Home Road) came forward to answer any questions the Commission might have.

Bellon asked what type of road improvements were required. Brain replied double seal coat and widening of the road.

Grenis asked what type of building did the applicant plan to build. Would it be a metal pole building? Liegl responded that yes, it would be a metal frame building. She showed her sketches of the proposed building. She noted that her contractor is using as much of the brick from the old school as he can for decorative elements in the new building.

Grenis asked about the landscaping – how tall would the trees be when they were planted? Liegl responded that at planting, the trees would be 3’, but they would reach full height within 3 to 4 years. She said the cherry trees and the grape vines will also mature within 3 years.

Grenis asked if Liegl was making wine now. Liegl showed him a bottle of her esprit wine, which is made from white grapes native to Iowa. Liegl stated she is a beekeeper by trade, and showed the Commission a bottle of the honey she will be selling in her store. She also said the store will feature Crows Creek meats, as Crows Creek will be taking all her fruit scraps and feeding them to their stock.

Grenis asked if she will provide food for the people who rent the venue. Liegl stated that she will allow renters to bring in outside caterers as she has no plans to cater. She said for wine tastings she will provide meat and cheese platters, and that she might do some baking. They will not have a restaurant.

Motion by Grenis to recommend approval of case JC18-0008, subject to the conditions of the staff report. Second by Bellon.

Eilers	Aye
Landa	Aye
Maxwell	Absent
Carson	Absent
Grenis	Aye
Bellon	Aye

OTHER BUSINESS

COMMISSION COMMENTS

STAFF COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

The meeting was adjourned at 7:06 p.m.

Respectfully submitted,

Christine Landa, Chair

Sue Bennett, Recording Secretary

