

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, February 15, 2021

The Linn County Planning and Zoning Commission meeting was called to order at 6:30 p.m. by Chair, Tina DuBois

Special Statement: As a result of the ongoing COVID-19 pandemic, this meeting was held electronically. All county buildings are closed to the public until further notice.

QUORUM DETERMINED:

PRESENT:	Tina DuBois, Chair	2025
	Curt Eilers, Vice-Chair	2022
	Griffin Kuntz	2021
	Brock Grenis	2023
	Allen Wagner	2024
	George Maxwell	2025
	Erin Detterbeck	2025

ABSENT:

STAFF:	Charlie Nichols, Director
	Stephanie Lientz, Senior Planner
	Mike Tertinger, Planner II
	Cathy Coppess, Recording Secretary

APPROVAL OF MINUTES

The minutes of the January 19, 2021 Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

JPS21-0002	Huber Farm Subdivision	Residential Parcel Split
JPS21-0005	Mattke's First Addition	Residential Parcel Split
JLPS21-0001	Konkowski First Addition	Land Preservation Parcel Split
JLPS21-0002	Tomash Hilltop Addition	Land Preservation Parcel Split

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

DuBois	Aye
Maxwell	Aye
Wagner	Aye
Grenis	Aye
Kuntz	Abstain
Eilers	Aye
Detterbeck	Aye

REGULAR AGENDA

**JF21-0001 Final Plat, Brecke’s First Addition Brecke Construction Services LLC,
Owners**

Stephanie Lientz presented the staff report.

The applicant is proposing a 2-lot final plat of 2.55 total acres, with approximately 0.05 acres is proposed for additional road right-of-way (Lot A). The subdivision has been proposed in order to separate the existing dwelling at 7004 N Glen Drive from an existing business, located at 2001 Covington Road. No new buildable lots will be created. Proposed Lot 1 will contain approximately 1.5 acres, and includes two structures associated with an existing contractor’s yard and outdoor storage business, and a shared well. Future construction of a 4,800 square foot structure is anticipated. Proposed Lot 2 will contain 1.0 acre, and includes a dwelling constructed in 1972, a septic system that is shared with the business, and a community well serving five (5) dwellings to the east. The subject property is located within the MUSA (Metro Urban Service Area) on the Linn County Rural Land Use Map. The property is currently zoned VM (Village Mixed) and VR (Village Residential).

An associated rezoning case (JR21-0001) is running concurrently with this case, which proposes rezoning 0.37 acres of the subject property from the VR (Village Residential) zoning district to the VM (Village Mixed) zoning district.

A single-family dwelling is a permitted use in the VM zoning district. A contractor’s yard and outdoor storage business is allowed in the VM zoning district with an approved Conditional Use Permit. A Conditional Use Permit case (JC21-0001) is running concurrently with these cases.

This proposal meets the standards for approval per Article IV, Section 107-72 of the Linn County Unified Development Code (UDC). The parcel meets Land Evaluation Site Assessment (LESA) requirements, and earned a LESA score of 147.0 (the minimum threshold needed to pass in areas designated as USA is 105). The subject property does not currently meet the Minimum Levels of Service (MLS) requirement of being located within 2.5 miles of a fire station; however, the property is located within the Palo Fire District, and the Palo Fire Station has provided a letter affirming their ability to serve this location. Therefore, staff considers the MLS requirements to be met.

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

Grenis asked if there was any outreach from any of the surrounding property owners. Lientz replied there was none.

Motion by Kuntz to recommend approval of case JF21-0001 , subject to the conditions of the staff report . Second by Detterbeck .

Detterbeck	Aye
Eilers	Aye
Kuntz	Aye
Grenis	Aye
Wagner	Aye
Maxwell	Aye
DuBois	Aye

JR21-0001 Rezoning, VR to VM

**Brecke Construction Services LLC,
Owners**

Stephanie Lientz presented the staff report.

The applicant is proposing to rezone the 0.37 acre subject property from the VR (Village Residential) zoning district to the VM (Village Mixed-Use) zoning district. The property is located within the MUSA (Metro Urban Service Area) on the Linn County Rural Land Use Map. A Conditional Use case (JC21-0001) and a 2-lot final plat case (JF21-0001) are running concurrently with this case. The 0.37 acre area is included on the proposed final plat as part of proposed Lot 1, which contains the business. If approved, the rezoning will prevent dual zoning on the subject property, as the rest of proposed Lot 1 is currently zoned VM.

This proposal meets the listed standards for approval in Article IV, Section 107-70 of the Linn County Unified Development Code (UDC). The parcel meets LESA requirements, and earned a LESA score of 147.0 (the minimum threshold needed to pass in areas designated as USA is 105). The subject property does not currently meet the Minimum Levels of Service (MLS) requirement of being located within 2.5 miles of a fire station; however, the property is located within the Palo Fire District, and the Palo Fire Station has provided a letter affirming their ability to serve this location. Therefore, staff considers the MLS requirements to be met.

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

Motion by Maxwell to recommend approval of case JR21-0001, subject to the conditions of the staff report . Second by Grenis .

Maxwell	Aye
Grenis	Aye
DuBois	Aye
Detterbeck	Aye
Kuntz	Aye
Eilers	Aye
Wagner	Aye

JC21-0001 Conditional Use

**Brecke Construction Services LLC,
Owners**

Stephanie Lientz presented the staff report.

The applicant is currently operating a contractor's yard and outdoor storage business on the subject property, located within the unincorporated village of Covington. This use is allowed in the VM (Village Mixed) zoning district with a Conditional Use Permit. There are two existing structures related to the business (1634 sq. ft. & 2,422 sq. ft.), and the applicant indicated that a new 4,800 sq. ft. structure is proposed in the future. The combined floor area of the 3 buildings will total 8,856 sq. ft. (10,000 sq. ft. is the maximum allowed). There is an outdoor storage area proposed, which must be screened from adjacent residential properties and the public road. The applicant will be required to hard surface the parking areas and provide dust control on the outdoor storage areas.

An associated final plat case (JF21-0001) and associated rezoning case (JR21-0001) are running concurrently with this case.

The proposed use of contractor's yard or outdoor storage is allowed with a Conditional Use Permit in the VM (Village Mixed) zoning district. 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. Other development standards include those requirements for a major site plan, and a requirement to hard-surface parking and drives for commercial uses in the MUSA (Metro Urban Service Area). The proposal must meet the parking standards found in Article 5, Section 3, § (5) of the UDC. Buffering requirements in Article VI, Section 107-115, § (z) must be met. Commercial uses in the VM zoning district shall be limited to a maximum floor area of 10,000 square feet, and the outdoor storage area shall not exceed 5,000 square feet in size.

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

There was some discussion with Tom Popelka, 6900 N Glenn Rd, and Adam Recker, with Fehr Graham, about the location of required fencing around the outdoor storage area. Popelka was also concerned about the appearance coming onto N Glen Dr. Recker said there would be fencing on the north and east side, but that the owner was planning to ask the Board of Adjustment to change the condition regarding fencing to allow the owner to delay installing it south of the storage area until such time as the residence was sold. Lientz said that adjustments to the conditions in the staff report could be recommended by the Planning & Zoning Commission or determined by the Board of Adjustment. Presently, fencing is required to be installed north, east, and south of the outdoor storage area within 6 months of approval of the case.

Motion by Kuntz to recommend approval of case JC21-0001, subject to the conditions of the staff report. Second by Wagner.

Wagner	Aye
Eilers	Aye
Kuntz	Aye
Detterbeck	Aye
DuBois	Aye
Grenis	Aye
Maxwell	Aye

COMMISSION COMMENTS

STAFF COMMENTS

PUBLIC COMMENTS

Kristin Orr, 3986 Highway 382 NE, Solon, had a question about an item that was on the consent agenda. Lientz provided details about the proposed Land Preservation Parcel Split cases JLPS21-0001 and JLPS21-0002. was concerned about any development in the area. She is the property owner to the north of Konkowski, west of Tomash.

ADJOURNMENT

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Tina DuBois, Chair

Cathy Coppess, Recording Secretary