



## ROBINS PLANNING AND ZONING COMMISSION MINUTES OF THE AUGUST 16<sup>TH</sup>, 2017 MEETING

Chairperson Ed Rathgeber called the meeting to order at 5:30 p.m. in the Robins City Hall on Wednesday, August 16<sup>th</sup>, 2017. Roll call was taken with Ed Rathgeber, Dennis Trachta, Tim O'Hara, Dan Ries, Todd Roberts, AJ Hester and Bob Huffman present along with Planning and Zoning Administrator Dean Helander, Attorney Ryan Tang, Engineer Kelli Scott, City Clerk/Treasurer Lori Pickart and around 100 guests present. O'Hara moved to approve the Agenda, Roberts seconded, all voted aye. There were no Chairperson or Zoning Administrator reports. Huffman moved to approve the Minutes of the July 26<sup>th</sup> meeting, Roberts seconded, all voted aye.

Preliminary Plat - Ramler Second Addition to Robins. Property owner Fred Ramler advised the Commission of his desire to divide the property at 404 N. Mentzer Road to allow construction of two new homes. He noted the existing garages on the property are 10' apart adding the property would be split right between making both lots conforming. He added he is planning on building homes on them in the very near future. Huffman moved to approve Resolution No. 2017-7 recommending approval of the preliminary plat to the City Council, O'Hara seconded and all voted aye.

Final Plat – Ramler Second Addition to Robins. Ries moved to approve Resolution No. 2017-8, recommending approval of the Final Plat of the Ramler Second Addition to Robins to the City Council, Roberts seconded and all voted aye.

Future Land Use Map (FLUM) Amendment – Public Hearing. Rathgeber opened the public hearing to hear comments and concerns relating to amending the FLUM at 5:34 p.m. Developer Geoff Franzenburg explained to the Commission several changes have been made from the last public hearing when he asked the item to be tabled to allow a neighborhood meeting to get hear the concerns from the surrounding property owners. He thanked several neighbors for taking the time to meet with him. He noted the benefits of changing the FLUM to a Planned Unit Development (PUD) is to allow the City Council and staff to place additional restrictions on the property. He noted with C-1 zoning he could legally construct a 35' tall building 10' from the property line and be within the zoning requirements. He added residential is allowed in C-1 on the second story of a commercial building. He noted the height limit in C-1 is limited to 2 ½ stories or 35'. He added his plan is 36', but could be 35' by changing the peak of the roof. He noted the PUD would allow the proposed 3 story townhouses with the bottom story being garages versus businesses. He noted the setback requirements in C-1 are 10' adding the PUD has much more restrictive setbacks and requires a buffering of a berm and fence. He noted the original plan was for 59 units with 18,000 s/f of commercial business. He noted the new plan is for 45 residences and 28,000 s/f of commercial business. He added the building would be built 50' from the northerly property line and 40' from the easterly property line. He noted he had two meetings with the residents; has worked with the existing business owners; talked with the Fire Department; increased the setbacks; and is trying going to keep as many of the mature trees as possible. He noted the detention basin will be corrected to make sure the runoff will not increase. He added the rental amounts would be between \$1,500 and \$1,600/month rent. He reiterated this will not be low income housing. He noted he is proposing a 6' solid fence on top of a 2-3' berm along the northerly and easterly sides of the property.

Rathgeber reviewed the items in the packet which included the revised site plan, a recommendation letter from Robins Economic Development Initiative, two letters dated 8/11/17 from SaveRSquare which consists of property owners, an e-mail from Todd Santel, a letter from Alice Maxfield, a letter from Paul Rodenneffer, and a petition. He asked city staff to review the petition. Pickart noted there were 955 signatures on the petition with 766 valid signatures. She noted some signatures were not property owners and some were not Robins residents. She said they found a few duplicates. Rathgeber noted there are approximately 1,200 homes in Robins and approximately 2,400 property owners. He said

the 766 valid signatures represent 30-35% of the property owners who do not want to see this happen. Rathgeber then opened the floor to property owners who commented as follows.

- ~ Brian Cohen, 125 Brougham Road commented he doesn't feel the development will work. He feels the metro area is saturated with developments like this.
- ~ Cathy Welton, 1485 Maple Street noted in the 90's this area was spot zoned as commercial, adding the neighbors were opposed then. Now the city wants to make it apartments. She noted the area has covenants to assure the area would be developed commercial and tasteful.
- ~ Paul Rodeneheffer, 955 Oak Street noted this development is only 40' and 50' from the property lines of the neighboring properties. He noted there will be a lot of noise, dust and a lot of risk to the city of Robins. He added he feels the demand for apartments has gone down, adding what if the economy tanks. He noted he doesn't want 85% of the trees to be gone as the community is used to the trees. He feels the developer should downsize the project to fit on the property.
- ~ Mike Leibold, 1105 Maple Street noted REDI was created to promote Robins. He read the list of directors from the REDI webpage and stated he feels that there is a conflict of interest having Geoff Franzenburg in the group. It was explained to Mr. Leibold Geoff is not able to vote on this development.
- ~ Dan Mussell, 130 Jennifer Drive asked if anyone has looked at the infrastructure impact, necessary fire equipment, and sewer capacity. He added the cost to take care of these issues could be more than the tax income from the property for several years.
- ~ Gunther Frank, 360 Landau Street asked how the property values couldn't be hurt from this development. He noted the taxes will go up due to this development, adding it just is not a good way to treat the Robins residents.
- ~ John Gaffney, 365 Landau Street thanked Geoff for having the meetings. He noted this is too big for Robins Square. He noted everyone is overlooking the existing residents, adding there will be continual noise and excessive lights.
- ~ Mike Dupont, 945 Oak Street noted the Robins survey specifically said the residents do not want apartments. He noted these people have no vested interest. He added this is the only area in Robins that could be an opportunity for businesses. He encouraged the developer not to do this project. He adding waiting for the right fit is better than doing something wrong just to get the property developed.
- ~ Terry Martin, owner of Little Learners noted she was an anchor business when Robins Square was developed in 1998. She noted the development was very heated then adding the covenants were designed to help insure the land would develop correctly. She added she feels the developer should develop within the covenants and build commercial, not high density residential.
- ~ Austin Goss, 325 Landau Street asked why some of the names were thrown out of the petition. He noted he is 18 and lives in Robins and asked why his voice wasn't heard. It was explained to Mr. Goss that only property owners are counted in a petition such as this.
- ~ Judy Rohrsen, 935 Oak Street reiterated the letter of concerns she supplied at the June 14<sup>th</sup> meeting. She noted she was impressed with Robins when she moved to town. She noted the 2013 Comprehensive Plan states Robins wants to retain a small town atmosphere, adding apartments were on the very bottom of the list. Nowhere does it mention 3 story buildings or the destruction of fully mature trees. She noted this will have a negative impact on the community.
- ~ Carol Gaffney, 365 Landau Street noted the 2013 survey shows the desire for apartments last. She reiterated people don't want apartments and rentals. She feels the city needs to promote quality businesses in Robins Square, not this.
- ~ Jim White, 45 Pinecrest Drive agrees with the comments of the others. He noted this is too dense, adding with the Cedar Rapids growth to the south of town traffic is increasing. He noted he has had several kids walk through his yard destroying items.
- ~ Steve Peot, 640 Woodland Drive noted he was on the P&Z and voted against spot zoning back when Robins Square was developed. He asked to not let Robins become like Hiawatha.
- ~ Doug Lane, 405 Phaeton Drive questions the data provided by the developer. He asked how many development such as this are dropped in the dead center of town. He added removing the trees will make Robins just like all the other towns.

- ~ Mike Claussen, noted this is a small area and will be overcrowded or have a lot of vacancies. He asked the commission to consider the impact.
- ~ Jennifer Prowant, 345 Landau Street said it is the government's responsibility to protect its residents from this kind of development.

The public hearing closed at 6:30 p.m.

Resolution No. 2017-4 recommending approval of the FLUM amendment. O'Hara moved to vote on Resolution No. 2017-4 which is a resolution recommending approval of an amendment to the Future Land Use Map amending lots 3 and 4 from C-1 Central Commercial Business District to Mixed Use District to the Robins City Council. Hester seconded the motion. On the vote Huffman, Hester, Ries, O'Hara and Rathgeber voted nay. Roberts and Trachta voted aye. The P&Z recommends the City Council does not amend the Future Land Use Map from C-1 Commercial to a Mixed Use District.

Rezoning – Public Hearing. Rathgeber opened the public hearing to hear comments and concerns to rezone lots 3 and 4 in Robins Square from C-1 Commercial Business District to Robins Square Planned Unit Development (PUD) at 6:44 p.m. Comments received were as follows:

- ~ Paul Rodenhoffer noted he feels Ordinance No. 1705 does not match the site development plan.
- ~ Judy Rohrssen asked if there were 49 units of 45 units?
- ~ John Gaffney, 365 Landau Street noted he feels if these lots are rezoned and allowed to build high density apartments, the city should throw out the 2013 Comprehensive Plan and the citizen survey as this development is against both documents; the covenants; many city ordinances; and the resident's desires.
- ~ Gunther Frank, 360 Landau Street noted he feels the city needs to look into saving the trees on the property.

The public hearing closed at 6:52 p.m.

Rathgeber noted he feels the Ordinance needs to be corrected to match the current site development plan. Huffman moved to vote on the proposed Ordinance No. 1705 rezoning lots 3 and 4 in Robins Square from C-1, Central Commercial Business District to the Robins Square PUD, O'Hara seconded. On the vote Hester, Ries, O'Hara, Rathgeber and Huffman nay, Roberts and Trachta ayes. The Planning and Zoning Commission recommends the City Council does not rezone the two parcels in Robins Square from C-1 Central Commercial Business District to the Robins Square PUD.

Trachta moved to adjourn at 6:55 p.m., O'Hara seconded and all voted aye.

Ed Rathgeber  
Chairperson

Dean Helander  
Planning and Zoning Administrator