

**CITY OF COLUMBUS
PLANNING COMMISSION MEETING
INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTES SECTION 13D.021
UNIVERSAL SERVICES – CUP FOR PUD AMENDMENT
9-06-2023**

The 9-06-2023 Public Hearing to consider a request for the conditional use permit amendment for a planned unit development to amend fencing materials and location and requesting a deviation from section 7A-813 letter C of the city code, which requires the enclosure of dumpsters, was called to order by Planning Commission Chair Lynn Carver-Quinn at the City Hall at 6:04 PM. Present were Planning Commission members Judy Huntosh, Barb Bobick, and Bethany Barrette, City Council Liaison Sue Wagamon, City Administrator Elizabeth Mursko, City Planner Dean Johnson, and Planning and Zoning Permit Tech Eleanor Hahn. Also in attendance were Ron Hanegraaf, Jon Williams, Justin Vick, Dave Povolny, Brandon Haskins, Gan Mizrachi, and Kathy and Rob Osterberg.

In attendance via interactive technology were Jennifer Waletzko, Brian Nyberg, Rochelle Busch, and Tom Olson.

The meeting was held in an interactive technology meeting format.

Carver-Quinn: Eleanor, would you read us the notice published in the Forest Lake Times for our first public hearing for CU P for PUD Amendment Universal services for 14045 Lake Dr. NE

Hahn: Yep, I can do that for you.

At this time the Public Notice was read by Planning and Zoning Technician Eleanor Hahn

Carver-Quinn: Thank you. Eleanor. Would the applicant please come forward and have a seat at the table? Give us your name and address and make sure you speak into the microphone so that those online can hear you as well.

Vick: Hi, I'm Justin Vick with Universal Services. My address is 14045 Lake Drive.

Carver-Quinn: OK. Let's see. The Commission has reviewed your application as normal protocol for the record, did you receive a copy of the staff report developed by Dean Johnson dated August 29th, 2023 regarding the application? This report contains certain findings numbered 1-13.

Vick: I did.

Carver-Quinn: It also has recommendations numbered 1-18, and do you understand the recommendations and conditions, and do you have any questions or comments about them?

Vick: I do understand, and I do not have any questions or comments.

Carver-Quinn: OK, I will open it up for the Commissioners. Do you have any questions?

Barrette: I don't currently have any questions, OK.

Huntosh: I do not.

Bobick: This is Barb. I have no questions.

Mursko: Madam Chair, maybe we can have the applicant just make a few brief words on what he's asking the Commission for?

Carver-Quinn: OK, so do you have anything else to add to for us?

Vick: I can just reiterate what's been submitted. I started with the company in March and was handed the project of get the fence figured out in in May. I looked at everything that had been done and the fencing materials selected are probably not the best thing for a 12-foot-tall fence. So looked at the appearance of it, what we had existing on site and made some corrections or recommendations to use some different materials to more closely match the building and be more suitable for a for a 10 foot fall fence for that area. I looked at the trash situation, and the way that we handle trash our industry generates a ton of garbage. We have a 40-yard dumpster that gets removed weekly. That's 8 foot by 8 foot by 20 feet. The process of that is to bring a dumpster in that's empty. Set it in our yard. Take the dumpster that is full. Put it on the truck. Move it to another area in the yard. Grab the empty dumpster and then put it back in the location where it sits. And that's why we've requested to screen the entire property instead of trying to screen the garbage area. That process is just I going to open itself up to damaging the fence continuously and it's not very conducive to how we actually throw the trash away with the crews and everything like that. We really need to be able to access all three sides to get the trash in it.

Bobick: And this is Barb. And you will also complete the extra parking. I noticed that when I went by there, they were parking on the grass. So you're going to put in - ?

Vick: Yeah, absolutely.

Bobick: OK, good.

Carver-Quinn: Thank you. Is there anybody in the audience that would like to speak to this issue? Come on up to the table and state your name and address.

Rob Osterberg: Hi, I'm Rob Osterberg. I'm 14063 Lake Dr. NE, right behind 14045 to the east. And this is my wife.

Kathy Osterberg: I'm Kathy Osterberg, same address.

Rob Osterberg: Yeah, we've got a few little concerns. You know, the original CUP was finalized back on November 22nd of 2021 and it was supposed to be a wood fence in front of our property, and now they're proposing a metal fence to match the sides going down our driveway. We're concerned about it being nice looking and also sound resistant. You know, they don't put metal fences along the highways for sound resistance. You know your hours are stated as 7:00 AM to 5:00 PM, but they're there much earlier than that. We can attest, and all my neighbors can, too. And much later than that. Up to 9:00,

9:30 sometimes. You know, I got my sheet back there. It was supposed to be a 12-foot wooden fence, stained to match the color of the building. You know, matching the existing fence that's on the driveway coming down, which is what they're proposing to do, is not within city ordinance and not in the original CUP. They're just trying to save some money, is basically the way I gather it.

Kathy Osterberg: Our main concern is that - we're looking at the existing one now, but we're just driving by. This other fence that's going to be put up adjacent to our property. We're going to be looking at it all the time. So looking at metal of that color, it's just going to stand out like a sore thumb.

Rob Osterberg: And believe me, we're looking forward to a fence, so we don't have look at all your cabling and all that. We've asked Dan and Ray numerous times. And we're going on two years here. Nothing's been done. Our other concern is the garbage. I'm frequently coming down the driveway and picking up garbage. I've talked to a couple of your workers and just told them, I know it's not your fault, but if you could talk to Ray, you know your supervisor, to do something about it.

Kathy Osterberg: And I don't know if containing the fence, you know, all the way around is going to stop the garbage because there's an opening along the driveway that it can still blow out of. There are openings underneath the fence that it can still blow out of. So, we are frequently picking up garbage and the type of garbage that it is, it's apparent that it's from their business.

Rob Osterberg: It's like she said, it's basically blowing underneath the fence and then they have two large gates. You know, so it's blowing out the gates when they're open.

Carver-Quinn: Do the trash containers have lids on them?

Vick: The dumpsters do not.

Rob Osterberg: If they do, they're regularly opened up so you guys constantly haul the stuff in.

Vick: Yeah, we do have one cardboard receptacle, and that one gets opened and closed. That's a standard. You know, your truck would pick that up and dump it in what you would see in a normal commercial property. But the large dumpsters, the 20 and 40 yard dumpsters, do not have any sort of covering.

Bobick: This is Barb. What do you mean by garbage?

Rob Osterberg: What's that?

Bobick: What is the substance of garbage?

Rob Osterberg: Plastic bags, wrappers, invoices, cardboard boxes. You know.

Bobick: Do they blow into your yard also?

Rob Osterberg: Yeah. You can come down my driveway tonight after this.

Carver-Quinn: OK. Well, thank you. We will take that into account.

Rob Osterberg: Yeah, we've got a couple other. OK, you know, I mean, we know this isn't part of it, but we also just want to address the lighting, which needs to be toned down. I know that's part of their conditional use permit. But like I say, nothing's been done about that. They're excessive and way too bright. Talking about the wood fence for being sound resistant, you know, there is a lot of noise with backup beepers on your equipment, your forklifts, your big trucks and music. But I did talk to the Planning Commission. We talked about CST companies, the prior company, they were going to have some backup, not a beeper, but a backup light, which is legal now. So that would be great. That would help prevent the noise, you know. Like I said, it's been going on two years since the CUP was finalized. Nothing has been done. I'm just here. I am back here again, bugging Elizabeth and Eleanor for this and wondering why hasn't this been done already in a year and a half? Why am I up here worrying about this again?

Kathy Osterberg: And why are we having to deal with the metal fence, which I think is against your ordinance to begin with, is metal fences.

Rob Osterberg: Right. And the original one was the 12-foot wood fence, stained to match the building. You know on the sides. That's fine. What they want to do there. And the location - I'm fine with that. I looked at the plan for that. That looks good, you know.

Mursko: Mr. Osterberg can you just clarify are the lights too bright or are they not shrouded?

Rob Osterberg: They're not shrouded. Our front yard there is lit up, especially in the wintertime when the vegetation is sparse.

Kathy Osterberg: The bedroom windows? I have to have it closed at night. Otherwise, it's just right there. Now, will the fence help? I don't know.

Rob Osterberg: Yeah. And the reason I bring up the lighting, I talked to Ray about the fencing and the lighting. He said, well, we kind of want to wait and see what the fencing does. But those lights will go up and above the fence.

Kathy Osterberg: Because we'll be able to see it from our second floor too.

Rob Osterberg: And I guess when a decision is made we'd like to see a time frame because we've been more than patient here. It's like I say, going on two years and I'm looking at that on a daily basis. You know. I guess that's all.

Barrette: OK. Thank you.

Carver-Quinn: Yeah. Thank you. Did you take some notes?

Vick: I've got notes here. I believe we did a lighting study. I'll have to reference that. I looked at that with, I believe his name was Frank. He was new on the job when we reviewed that. I thought that had shown that the lighting levels were appropriate for the commercial building. It didn't extend into the residential area. I can definitely see that in the winter, that's probably more of an issue than it is in the summer. When you look out the residential home, you know it's very wooded, right. There's a good line of trees and a lot of undergrowth there. We do have some dead Arbor, right that are on the other side

of it that are really doing nothing and they would be placed in between the fence and that tree line. The property line for the property does actually go about 30 feet on the other side of the tree line. We wanted to leave that greenery in because it's just common sense that that's far better for any residential property to look at than a fence or anything like that. And bringing that fence to a property line would definitely be something that would be incredibly inconvenient for the residents. So I completely understand that, you know, in the winter there's a possibility that there's some light pollution there. I'll have to reference that lighting study to see if you know. I'm sure there's certain rules and regulations on it, and then see if there's anything we can do about possibly timing those lights out. You know that anything that's eastward facing there or anything like that so. Yeah, I definitely took some notes. I know I am late coming into it to try to help resolve things, but I'm really motivated to get this done as soon as we can because it's got to be inconvenient for us in the winter. We can't take anything off the ground because we don't have a fence up yet. So we're constantly moving all of our materials that are in the yard and plowing and everything like that. And you know, on windy days, sometimes the trash gets pulled out of that bin and there are materials that we do have in the yard that have paperwork attached to them and things like that. So definitely take some notes on doing a little bit better with that housekeeping and possibly even keeping that gate swung shut for the majority of the of the day if possible. That gate itself pretty much extends to the ground, so there's probably less of a chance of anything blowing through there. There's definitely some stuff that we can do to maybe put some chain link or something underneath that fence because it does stick up about 8 to 8 to 10 inches in some areas, so we can probably like we put some chain link or screening of some sort. In terms of the hours of operation, I know we are there early, and we do bring the vehicles back late at night, but in general the crew should not be operating. Maybe just unloading their truck and moving on, but they shouldn't be working and operating for an extended period of time. So I'll take some notes. And do some observation on that operation that they're doing in the evenings and see if there's anything that we can do to help make that a little bit more convenient for the neighbors.

Carver-Quinn: OK. Is there anybody else in the audience that wanted to speak on this issue? Then we'll close the public hearing.

At this time, Chair Carver-Quinn closed the Public Hearing. Hearing closed at 6:19.

Eleanor Hahn

Respectfully submitted, Recording Secretary Eleanor Hahn