

CITY OF COLUMBUS
PUBLIC HEARING IN INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTES SECTION 13D.021
VACANT PROPERTY PID #24-32-22-11-0008
APOLLO DEVELOPMENT APARTMETNS CONDITIONAL USE PERMIT
FOR PLANNED UNIT DEVELOPMENT – PC22-107
05-18-2022

The 05-18-2022 Public Hearing to consider a Conditional Use Permit for a Planned Unit Development to permit a proposed 150 unit, 3-story apartment building in the Mixed-Use High Density (MU-H) district. The meeting was called to order at 6:32pm by Chair Ron Hanegraaf at the City Hall. Present were Commission members Kris King, Barb Bobick and Bob Berens, City Administrator Elizabeth Mursko, City Planner Dean Johnson and Permit Coordinator Carissa Kranz.

In attendance via interactive technology were City Council members Shelly Logren, Rob Busch and Sue Wagamon, Apollo Development Representatives Chris Harchanko and David Harchanko.

Also, in attendance in person were Residents Myron and Cindy Angel, and City Council member Janet Hegland and Mayor Jesse Preiner.

The meeting was held in an interactive technology meeting format.

Hanegraaf: Item number 5. which is a Public Hearing – CUP for PUD Apollo Development Apartment Building Agenda Pages 1-50 and 4 Enclosures. Carissa, would you like to read the notice as published?

Notice was read at this time by the recording secretary.

Hanegraaf: Thank you Carissa. I don't know what that sound was, for anybody that's online or on zoom there, it didn't come from this building. At this time, for the record with David Harchanko, the applicant representing Apollo Development acknowledged their presence and state their name and current address.

D Harchanko: This is David Harchanko, and my address is 19724 227th Ave NW in Big Lake, MN.

Hanegraaf: Well, thank you. Can we call you David, Mr. Harchanko?

D Harchanko: Yes please.

Hanegraaf: Thank you, first of all I just want to start off by saying thank you for approaching Columbus for this development, we are very pleased that you picked our city to look at. But as we go on to the public hearing here. There's items I have to ask you a as a normal protocol and for the record, could you brief us a little about your company and the project you're presenting to us tonight?

D Harchanko: Well, our company is a combination of our three disciplines we do. We're active in development also. We have an architectural practice, and we also do general contracting and we're most effective when we can vertically integrate all three of those into one and make sure that we have

the appropriate project and budget and construction team set up to have success, so I don't know if our operations team is available tonight, but Chris on our team has more specific details about the project.

C Harchanko: Yes hi, this is Chris Harchanko with Apollo Development. Our project, as was stated earlier, is a three-story apartment complex with 150 units located above with underground heated parking. I mean, Homme had a market study performed that suggested market rate apartments would be suitable for this location with a good mix of amenities and luxurious finishes. Homme, some of those you can see in these renderings as we go down the line, big windows, private balconies, flat modern roof, lots of stone on the exterior elevations. I believe the next page there's a shot from, yeah, from 35 E. And then the last one is a view of the front entrance.

Hanegraaf: Chris, could you give us your address also? For the record.

C Harchanko: Yes, 2130 Cypress St, Lino Lakes, MN.

Hanegraaf: Thank you. Also, for tonight's record, did you receive a copy of the report developed by Dean Johnson of Resource Strategies Corporation, dated May 12th, 2022, noting your project with his findings of fact and recommendations? And do you have any questions or comments about them that you'd like to express tonight?

C Harchanko: We did receive that, and we've forwarded that on to our civil engineer to review and make those requested changes.

Hanegraaf: Okay, and then also the city engineer Kevin Bittner, he wrote a letter, also dated May 12th also, did you receive that letter?

C Harchanko: We did.

Hanegraaf: Do you have any questions or anything, or did you respond to him about that?

C Harchanko: We have not responded to him directly yet. I believe those were all civil issues that were he brought up and that those will be addressed by our civil engineer. They have them, they're working on them, but we haven't received any updated drawings yet.

Hanegraaf: Okay, before we get into the Commissioners asking questions, I'd like to how many apartment buildings have you built?

D Harchanko: We've focused mainly on hotels. This is the first apartment project of this scale that we've undertaken. But we've been very active in the hospitality commercial construction for many, many years. Most recently, locally on the running Aces Hotel, just across the road.

Hanegraaf: Okay, I see on your website you have an AmericInn. Did you build an AmericInn also or?

D Harchanko: Yeah, our architectural practice, Truman Hall Architects has been the corporate architect for AmericInn for the past five decades, so we've been the architect for probably 90-95% of all the AmericInns. And we've built many dozens of AmericInns and still hold some in our portfolio of ownership. Also, build other hotels and continue to do a lot of architectural work around the country.

We're licensed in 36 states. We currently have probably 15 projects going in other states with all the major hotel brands.

Hanegraaf: Okay, I'd like to ask a quick question to Chris on your opening page there. I think it was page 27 of that big display. You got pictures of decks sitting there is that the way the decks are going to look all the way around on the complex?

C Harchanko: Are you able to pull that picture up? I don't have it in front of me.

Hanegraaf: Along with that, I stick that one right there.

C Harchanko: Yeah, yeah all the balconies for all the units will be similar the ground, some of the ground floor ones are at grade, so those would actually be patios. But as you taper away from that entrance, there they the main level ones will be a deck above grade.

Hanegraaf: Okay, and that's all wood except for the railing?

C Harchanko: Yeah, wood decks and aluminum railing you know.

Hanegraaf: Okay, alright I was just wondering because on like picture I forget which one this is, it's hard to tell which if you, page A1. Yeah, A1 it's hard to see if the decks are on there or not so.

C Harchanko: Yeah, some of those, they're kind of in the shadows and hard to see, but yeah, all the all the decks are designed to be the same for a uniform look, and you know, kind of are our goal or our idea is to have everything be maintenance free and you know last a long time. So yeah, aluminum railings, maintenance free decking be wood framing for the decks. That kind of stuff.

Hanegraaf: I don't know if this question is plausible, or even I should be asking it, but you say luxury apartments and I'm trying to figure out I don't know. Can we ask what the rate is? Is the rate higher than a normal apartment? It's been years since I've rented an apartment. In fact, it's spent decades.

C Harchanko: Yeah, so market rate luxury is it's kind of the top of the market rate, you know. It can be cheap market rate with very few amenities, which kind of drives down the rent or luxury market rate has lots of nicer finishes like 9-foot ceilings and granite countertops, stainless steel appliances, a large fitness room, resort like two story lobby with fireplace, a bicycle room, a pet spa, a rooftop deck and rooftop community room. So just all those amenities bundled together is what kind of makes it a luxury apartment.

Hanegraaf: Okay, thank you I don't know it's a lot of it is marketing, but I don't know if there's a term in apartment buildings that you know you go certain levels up, you know whatever. But anyway, I'll tell you what we're going to do. We're going to open up any questions from the Planning Commissioners here and if they have any, anybody want to come forth?

Bobick: This is Barb Bobick. I do have a few questions. Kind of for clarification for me in your statement you said that you are award winning because of your vertical integration and I really didn't understand what that meant? Can you kind of explain that terminology just for my education?

D Harchanko: Sure, as previously mentioned, it's all marketing. It's a good starting point, but beyond just marketing, it is something that is unique in the field, typically in development and in construction every entity is a separate entity, so the ownership would then hire an architect who would then help the owner secure a general contractor, and while that's very commonly done and successful when it's done right each one of those entities is self-serving. So, in other words, those are adversarial relationships when it comes to contracts, the architect is mostly concerned about protecting his bottom line and his work, and the contractor is the same concerned about his bottom line. And I'm sure everybody's heard of situations where there are change orders and cost overruns and arguments between you know the contractor and the owner and the cost and whose fault it was, was at the architects and because we are all one, we don't have to argue with ourselves. We still have issues that we have to decide how are we going to resolve this problem and that problem, but it isn't a situation that requires us to get the cooperation of outside entities. We are vertically organized so that when we put the budget together, we do so with the participation of the architect of record and with the input of the contractor who will be building it. And what comfort that brings to lenders and our investors which both have the same bottom line, interest is it's pretty hard for me to convince myself that I forgot to put in the fire escape or the fire doors. So therefore, there should be a costing increase we don't even bother with the argument. If we find that we've missed something or a new condition arises that we have to change, we can avoid all of that back and forth and arguing about how much it should cost or who should have to pay for it and just get it done. So, our track record of developing our projects is that we do exactly what we say we're going to do. We hit the budgets directly without any cost overruns, time delays or any problems so, it really is a more effective solution to developing.

Bobick: Yeah, that's the very thorough explanation. I appreciate it. So, your companies are Apollo, Truman Howell Architects, True Line Construction and the Halverson Blaiser group. Is that correct?

D Harchanko: The first three are, I'm part of all three of those. Halverson and Blaiser are an outside property management agency and the reason that we involve them is because they're essentially the contact to the customer. They're the ones who are going to actively lease the facility and take care of the day-to-day operation of it. Construction oriented people usually aren't too concerned about people's feelings and the operations guys they really care about how people feel about their things so, we decided it was better to have professionals who are oriented towards caring for customers, caring for tenants as opposed to a bunch of construction minds yelling at people though.

Bobick: Yeah, that makes sense. Have you used Halverson and Blaiser before? Or, you know, were they recommended to you or?

D Harchanko: We have not, we vetted them for some other projects we were pursuing and found their qualifications to be extraordinary. We are very familiar at using management companies to manage the hospitality projects so that is the model that we've found is successful is to have highly qualified, very experienced teams running the project. What I like to make sure we do though is engage them on the front end so that as we are putting together these amenities and their rents and how this will operate and how it will look and what features they need for success, we make sure that we budget those into the project, and we've designed those into the project, and we're prepared to deliver them. So, I think it's key to have that operations input very early in the project.

Bobick: Sounds good. Let's see what else. Oh, you see, the legal ownership entity will be TBD LLC, which is unique to this property. Who is that? And what are?

D Harchanko: I think that's "to be determined", and that's because there's interest from some Equity Partners that want to be the major investors and the money to back the project. So, we're waiting to define exactly how that ownership structure looks.

Bobick: Okay, so that's and it'll be unique to this property.

D Harchanko: Correct.

Bobick: Okay, and then I heard you were thinking of building in Centerville. Are you still planning on doing it? 63 unit building you were talking about it in 2019.

D Harchanko: We are not we've changed our mind and felt that this location is more suitable to the scale of project that works for us. So, we're not looking at Centerville currently.

Bobick: Okay, can you speak at all about, well, you probably can't about the parking is going to be assigned on the property, are they going to use stickers or something on the cars so that staff will identify whose vehicle is what and who belongs there and who doesn't belong there? Do you have any idea about that, or is it too soon?

D Harchanko: This is David, I didn't see if, Halverson Blaiser was able to join the meeting?

Mursko: Mr. Harchanko, This is Elizabeth Mursko. They are not on zoom.

D Harchanko: Okay, I think they were out of out of the country actually. So, just my attempt to speak for them is that our intent is to park all of the residents on site, and I know there's been concern about the topic of charging for the covered parking and obviously for market rate you know the goal is to charge as much as the market will bear. I think the strategy and I'm speaking for the operations side, but the strategy would be to offer the parking underneath for free at first, if needed to fill up the units and as demand rises then possibly change that. If there's a waiting list for parking underneath, then obviously you can then market it at a cost so there is no it would not be our goal to have an empty underground parking facility in a building like this, that's a pretty strong amenity in our climate, and we believe it's going to be a very strong attraction for marketing. So, obviously there's a balance there, if we can get revenue from the parking we certainly would need that to help pay for the cost of developing it, but the goal is to park all of the residents on the site.

Bobick: Correct, because that's going to be a problem because you're required to have so many parking spaces and if you charge for them, that could create a problem.

D Harchanko: Yes, and we've been working with staff on that issue and Halverson Blaiser might be more articulate than I am on how they intend to approach that. We do also have additional land on the narrow strip that is to the north that we can develop for additional surface parking too or more garages or something else. We've talked to staff about that option as well.

C Harchanko: Yeah, this is Chris. I can chime in a little bit on that too and one of these slides has the primary market area defined that was from the market study and the market study actually recommends that the building charges for indoor parking and they go around and survey all the

apartment buildings in that primary market area and figure out what everybody else is doing, what they're charging for, that they're including, and what they're charging for it, and they provide recommendations based on that. So, if everybody else was given away for free or they were vacant, they would have had different recommendation.

Bobick: Excuse me, Dean, does that cause a problem if they charge when they need a certain amount of spaces?

Johnson: This is Dean Johnson, the City Planning Consultant, the question, if I understand it correctly is, is there problem if they're charging, there's only a problem if the City approves the entire development on the basis of parking that's consistent with City ordinance, and if that parking ends up not being utilized, then it's not consistent with City requirements. The recommendation in my staff report includes that if all garage units are not leased, they need to be given away because we need a guarantee of X number of parking spaces on the entire development.

Bobick: Thank you, that's what I needed to know, appreciate it. I guess that's all the questions I have now.

Hanegraaf: Kris?

King: Sure, good evening, David and Chris, my name is Kris. I do have a couple questions and one of this too is for the staff and you were brought up that the potential for a garage in the narrow piece of property that faces Hornsby, correct? Do we really want a garage that's along Hornsby? I mean, I think and Ron had brought up one issue with garages along a main Ave is crime but the other is the look, right? I personally don't think that's, we're going to have an apartment building that's going for a look of being, what was the word again? Luxury, and then we're going to put garages out front, so I kind of have an issue with that and I'm not sure how anybody else thinks but is there another option here for the additional parking spaces without doing garages out front, that's one of my concerns and I think being that's something that you will kind of take note of.

Johnson: This is Dean Johnson. There there's actually no proposal for garages. There would have to be an amendment in the future. These are labeled as potential future. The initial site plan included a lot more potential garages, then, is shown at the current time because we recommended or are requiring that there be a proof of parking area and so that the actual desirability of this is a determination at some point in the future if they requested it, a conditional use permit amendment to construct those. The fact that you're voicing a personal opinion at this time is perfectly fine.

King: Well and I only question it because a lot of times when we've had site plans in front of us, if they've had any idea of future use of that property, we've had them put it on there and I do see that here. So, I'm kind of looking at it that it's on the plan and there's the possibility of it, and so they can do it and does that mean they have to come in for an amended site plan or an amended CUP PUD? Or because it's on the plan, it's considered something that they can just do?

Johnson: This is Dean Johnson. Again, I'll review all of the conditions to make certain that any intensification in the future does in fact require an amendment, that's fairly standard language and without looking it up now, I'm not certain, but I appreciate that comment. We don't have specific standards per say about those garages that would be any different than what the general building

standards are. The appropriateness of those in that location will be part of that site plan review process and as a future potential item, it's difficult for me. I didn't spend any time considering that, but again, I think expressing that issue or concern now is certainly appropriate. At the end of this I will bring up another issue that may eliminate that potential. But we can wait until you ask your questions.

King: Okay, thank you, I noticed too in the narrative it talks about a dog park and then I believe I read somewhere else about a dog walking area and looking at the site plan in that I and I might have missed it, but I didn't seem to see a dog park. I see the future playground area for the kids and a little patio area, but I didn't see any dog park or walking area, did I miss it?

C Harchanko: This is Chris Harchanko, no, you did not miss it, that did not make it onto the civil plan. It's more of a management call. They'll figure out the best probably 2 spots for it close to elevators and put out puppy cleaning poop bag spots and areas for them to go to the bathroom.

King: So, then my question to staff is do we need that shown on the site plan so I would think yes? And then with that being said, I know there is under the recommendations for "pet waste shall be promptly removed" can we specify too that if they put in a walking path that there are doggie bags and somebody to maintain all this? Because we, I'm sure the residents and I'm sure the apartment building wouldn't like it either but just to make sure that it's cleaned up and taken care of.

D Harchanko: I think Chris had talked to Halverson Blaiser about their, they've dealt with this before. Chris, can you explain what they do?

C Harchanko: Yes, so they the management company has a protocol for anybody who has a pet in the building, it's part of the application process. I don't know, I don't want to speak on their behalf. I don't know if it's a standard procedure or if it's only if it becomes a problem, but they have taken DNA samples of the pets when they register them, and in that way, they can test if it becomes a problem and figure out who the culprit is and assess a fine to that person. So, they may have many methods of controlling pet waste and you know they want it cleaned up to it, but they don't want to be out there cleaning it up all day. So, they're pretty experienced and finding a way to take care of it.

King: Perfect thank you, and I noticed too it talks about engineered siding and then it calls EFIS Siding is most of the siding. Is it EFIS or LP, or what is what is engineered siding? What is that product?

D Harchanko: It's an engineered siding.

King: Okay, and then the parking is totally underground. The last apartment we had was half above. Or is this totally underground? Because looking at the elevations and that to me it looks like it's totally underground. Am I looking at this wrong?

C Harchanko: This is Chris Harchanko. Yeah, you could call it mostly underground and if you know it's completely underground at the front entrance, but it tapers down to the to the garage entrance at each side, so the ends are lower than the middle but around the backside, I think it's about 3/4 buried.

King: Okay, I would like to say too that the Running Aces Hotel is beautiful and it's a lovely addition to our City and it is gorgeous. The inside is just gorgeous. So nice job there.

C & D Harchanko: Thank you.

King: Let's see. Now, do you have to sprinkle? And I know this is a fire department thing but are there sprinklers underneath each of the decks is that per code.

C Harchanko: Yeah, underneath the decks or I don't, there's no sprinklers outside. Yes, it is up to the fire department, but the building is sprinkler to the parking garage is sprinklered.

King: I think Barb there was one thing you touched on and Dean, you're going to kind of address it as the handicap parking in the garage. After, other than that, I think that's it for now. Thank you.

Hanegraaf: Bob, do you have any questions?

Berens: Yeah, this is Commissioner Berens. I've got a few questions for you. I'm trying to get a better handle on the ownership relationship between the contractors and the developers, so just bear me out here while I try to explain this and correct me if I'm wrong. So, Apollo is the developer who has ownership in companies called True Line and Truman Howell Architecture? Is that correct?

D Harchanko: That's correct.

Berens: Is there any other ownership between any other subcontractor that will be used on this property.

D Harchanko: Not that I'm aware of.

Berens: Okay, can you tell me with that vertical integration of management how a performance bond works related to this type of project?

D Harchanko: We haven't done performance bonds for projects.

Berens: So how do you, how do you manage the risk of liability for incomplete projects and or labor issues and or other types of development issues that are pretty much inherent in most projects, so there's always that amount of risk when you have such a large project, so many contractors on site? I'm just curious how you manage that risk.

D Harchanko: Well, for private development it's very uncommon to have performance bonds because lenders are very effective at making sure that nothing is paid for that hasn't been delivered. So, we do a monthly draw, that monthly draw has to match with what the banks with lender lenders appraisal called for, and they'll send inspectors out to make sure that before they release any funds that the funds they release are in place on the site. They don't release funds for materials elsewhere. They don't pay for work that isn't done. So, that process is very effective. We're very familiar with how to do that. We provide lien waivers and partial lien waivers, partial lien waivers at every drawer request so that there are no, there's no reversal of billing per say, so everything has a partial lien waiver along with progress up to the final lien waiver at the end, and therefore there's no need for a performance bond.

Berens: You had mentioned earlier that there are some potential investors yet that could raise capital on behalf of this project?

D Harchanko: So, we're in the process of defining who the investors will be as the equity behind the project, which is typically where we, how we do these projects as we find a group of investors that are interested in investing in the project and then we establish the lending and that provides the funding.

Berens: Is this project fully funded at this time?

D Harchanko: No, and that's common also. The investors with the money to invest are reluctant to invest in projects that do not have PUD approval or aren't ready to go, so they're keeping their powder dry. They're watching how we get ready and when things are prepared to move forward, that's when they get activated.

Berens: So, each project has a financial portfolio of equity and debt. Have you have you got the debt secured on this project?

D Harchanko: No, it's a chicken or the egg thing. The investors come when the projects ready and when the debts ready and the lenders come when the investors are known. So, it's a lot of getting ready for them to act.

Berens: On your more recent projects in the last year or two, have you had any labor issues with any of your subcontractors that have caused delays in the project?

D Harchanko: You know, during the pandemic I think everybody's been challenged with the with supply chain issues. I would like to comment on this late arrival from this agency that the Council, they have never, I've never talked to them, they've never met with me. They may have met with one of my partners once. I can I see that they've identified a number of charges about overtime hours and independent contractors being misclassified and paying cash without withholding. None of those things have ever been alleged, as far as I'm aware none of these things have ever been adjudicated and nothing has ever happened. I am aware that Black Diamond Contracting, who was named as one of the complainants, they alleged that they were exploited. I think two months before lumber arrived on our job site in International Falls, so I can't imagine how exploitive it is for carpenters to not be paid overtime before there's any lumber on site. I think later on, they determined that it was a job in Chicago that they were they were mistreated on and had nothing to do with our project what so ever. I think I think people who go around and make claims ought to be very careful with whose names they sully. Because I've seen nothing from this author of this letter to lead me to believe that they're legitimate. So, no, we haven't had the challenges like I said we pride ourselves on knowing what we're doing before we get started that's part of being a developer. That's also the architect, it's also the builder, we're not going into this thing without knowing how we plan to get to the end, so I think that's far different from someone who makes those kind of accusations.

Berens: I wasn't actually referring to any letter. These are normal questions that I ask any developer. So sorry for the misinterpretation of that. Any rate Widseth then is your civil engineer?

D Harchanko: Widseth Consulting yes.

Berens: And then once again tell me the relationship between Halverson and Senko?

D Harchanko: Halverson and Blaiser is a, they are a professional property management company, so they take care of a number of properties. I don't know how big their portfolio is, it probably says that in some of the literature, but are very qualified. I know, Clint Blaiser has been extremely active in the Minneapolis Police Department's proactive efforts in helping control problems and issues in apartment buildings. He's done that for many decades. So, very seasoned, very very good operators.

Berens: Okay, very good. A couple more questions here on the landscaping plan that you've put together for us. Can you tell me on the initial plantings what your tallest trees will be, how high they will be?

D Harchanko: I cannot but, Chris, do you have any specific knowledge?

C Harchanko: I do not, I doesn't look like the civil engineer is joining us tonight either to answer that question, but I can make a note of that and get back to you.

Berens: Yeah, I'm curious as part of your landscaping plan, it's important for us to understand what the initial landscape would look like, so that's the reason for that question. Another question I had is related to the playground area for the children. Is that still on the slate to be a part of this site plan?

C Harchanko: Yes, it is.

Berens: Okay, can you tell me in relationship to the main road Hornsby, how close that playground might be to the road?

C Harchanko: Not offhand no. I don't have that in front of me.

Berens: What I'm concerned about, and you may want to take note on this, is that even though there's fencing around playground areas, children seem to find a way out and being close to the road like that, it probably doesn't make much sense to have a playground next to the road. So, when you look at your design for that you know, I'd be curious to see how you manage that piece of it on your site plan.

C Harchanko: We've placed it behind the coffee site. So quite a ways off of Hornsby on the southwest or excuse me, southeast corner of our parcel.

Berens: Southeast corner? Right?

C Harchanko: Yes.

Berens: Alright, those are all the questions I have at this time, appreciate it.

C Harchanko: Thank you.

Hanegraaf: Thanks Bob. I just have one question for Elizabeth, maybe when I know it was a few months, maybe years ago or whatever, we get a letter or something from Blaine saying they're going to build something on the corner. Do we have to notify the City of Forest Lake or anybody? Or is it just.

Mursko: We are we are not required to contact the adjoining city. However, they get a notice. The adjoining property owner would get a notice and that would be the DNR.

Hanegraaf: Okay, thank you, I just remember those letters that came in and said they were thinking. Maybe that was just them being cooperative. Right? Dean, do you have any comments?

Johnson: I could make one comment about parking. I made a mistake in my memo. I don't know if you want to talk about that now or after public input? I'm happy to do it now. One of our esteemed Commissioners said what about handicapped parking in the garage? And yes, it is a requirement, so I need to be certain to let our developers know that the surface parking lot is compliant with ADA standards for accessible parking, but there's none in the garage and I simply overlooked it. And what that really means is we're going to lose a few spaces down there based on 151 total parking spaces. It would require another seven, and actually when the final layout is done, it'll probably squeeze in 147, so it'll be 6 parking spaces that would be required in the parking garage itself in addition to the surface part. That's just going to reduce the grand total. It'll mean the proof of parking area will need to be expanded somewhat based upon what that actual parking loss turns out to be. There are some other comments that the City Engineer made about grading in some parking areas, and whether that results in other changes or loss of parking may also increase that proof of parking area and that touches on the Commissioner's question about are garage is appropriate up there? There may not be any room depending on what the proof of parking is and I will go back and make certain that in my final memo at the next meeting that that those numbers are changed and I will certainly make those comments available as I did previously with this review, I'll make those available to the developer.

Hanegraaf: Well, thank you. Any other questions?

Bobick: Yeah, this is Barb I did think of another question here that since your on site management isn't here and you don't have some of the information, I was wondering if you could get us maybe a print out of what there addendum to their lease is? You know I was in property management, and we always had an addendum to the lease that would list the rules and regulations and the specifications, the hours for the laundry, all kinds of things like that and it applied to the rules for the residents and the responsibility and rules for the management. Would it be possible to get a copy of something like that from this management company?

D Harchanko: I don't see why not.

Bobick: Okay, good.

Hanegraaf: Anything else Barb? Bob? Kris? Okay, it's time to open up the public hearing for the public. Anyone who has an interest in this manner and wants to present testimony as evidence on the issues please acknowledge themselves by stating their name and address, after which you have the floor to speak.

Mursko: Mr. Chair, you will have to accept the Carson Starkey email and comments into the public hearing and recognize that we did receive a comment in writing.

Hanegraaf: Do I have to read this out?

Mursko: You do not have to read it; you can just accept it for the record.

Hanegraaf: Okay, we'll accept it and have it put in the minutes.

Email from Carson Starkey Researcher, North Central States Regional Council of Carpenters Serving Iowa, Minnesota, Nebraska, North Dakota, South Dakota and Wisconsin dated May 18, 2022, 2:29pm.
Subject: Apollo Development-Truline City of Columbus Comment.

Apollo Development-Truline City of Columbus Comment

This body should demand some answers from Apollo Development before issuance of a conditional use permit for the proposed "Landings of Columbus" project. This project comes at a time of growing public recognition and concern about the need for strong protections on behalf of construction workers. The developer's selected general contractor Truline Construction has used Otto Drywall, Inc. and Black Diamond Nationwide in the past. Workers performing work for both Otto Drywall and Black Diamond Nationwide have reported being subjected to exploitative working conditions and wage theft on past projects. Wage theft includes not being paid overtime premiums on all hours over 40 per week, being misclassified as independent contractors, being paid by cash or check without withholdings on all wages.

When unethical subcontractors allow workers to be paid as independent contractors, off-the-books by cash, or by check with no withholdings, they contribute to the erosion of the middle class and the tax base that supports our community. They cheat the public of tax revenue and tilt the playing field against competitors who support the middle class. A simple solution to this problem exists. Developers can choose to ensure that subcontractors on their projects directly employ the workers performing work under their supervision. The wellbeing of our communities and the safety of working people should be more important than any financial outcome. Responsible contractors who invest in our communities should not have to play this "race to the bottom," having to choose whether they start doing the wrong thing or stay in business. This issue boils down to leveling the business playing field.

New housing should be a priority for Minnesotans. Local governments should incentivize the construction of such units by responsible developers. This council should ensure that workers and tenants are protected when development occurs. That means doing development the right way-relying on contractors that pay family-supporting wages, preserving a level playing field for local workers and contractors, and guaranteeing wage transparency to prevent worker exploitation.

Hanegraaf: Is there anybody who would like to make a comment or statement? Having no one coming forward, we'll close the public hearing and we're going to open it up for discussion next at our next meeting, which will be June 1st. We'll adjourn this public hearing and it's closed. Go on to item number. Thank you again, I'm sorry.

D Harchanko: Thank you.

Hanegraaf: Hey, thanks for coming and it looks like a beautiful building.

Berens: Thank you very much for taking our questions today.

D Harchanko: Thank you appreciate the time gentlemen and ladies.

Bobick: Excuse me, Ron, did you see the discussion will be on June 1st?

Hanegraaf: Yes, at our next meeting on June 1st. We'll go on to item number 6, which is an open public open form. Is there anybody you'd like to make a comment, statement or anything?

Johnson: Chairman, yes this is Dean Johnson, Planning Consultant, I wasn't quick enough. I wanted to respond to one question that Bob had regarding the landscaping. So, our requirements for shade trees is based upon the dimension of the tree, the caliper, the width, if you will rather than the height, and so depending on the tree stock you're going to have varying heights. Our standards required for evergreens or conifers are a minimum 6 feet planting height. So again, certain trees you will get a bigger tree now that we've requested an increase from 2 inch which was on the landscape plan to 2 1/2 inch they will be larger trees but they come in eight feet heights, they come in 16 feet heights.

Berens: Commissioner Berens, that's exactly the type of information I was hoping to hear from the developer, their response to our ordinances and they talked about extra amenities due to their expansion of parking availability, so I was trying to determine what their expanded landscape design might look like, so that was my purpose for the question.

Johnson: And if I could just quickly address that, I think I use some words that I often don't in my reviews. I've got to find it here regarding that landscaping. They dramatically, they almost doubled our minimum requirements and landscaping. So, as you debate issues like why are we making concessions in our PUD or through the PUD procedure? Does a playground, does more extensive landscaping, do those balance those concessions that you make? That's a personal decision. I won't be making that for you, but the landscape plan was far in excess of what the City requires.

Berens: Right, right, very good, I appreciate that explanation, yep.

Hanegraaf: Chris, you're on, did you hear that?

C Harchanko: Yes, I heard that yeah.

Hanegraaf: Okay, thanks.

King: Generous was the word you used.

Hanegraaf: Yeah, I think on page 45 of the letter that Dean wrote #18 and number item number 18 talks about your landscape. Okay, that we close the public hearing.

At this time Chair Hanegraaf closed the Public Hearing. Hearing closed at 7:18pm.

Carissa Kranz

Respectfully submitted: Carissa Kranz, Recording Secretary