

**Le Sueur Planning Commission
Public Hearing
January 2, 2008**

Members Present: Bill von Lehe, Pete Miller, Scott Schlueter, Teresa Tebbe, Doug Malm, Jo Anderson, John Wentworth

Members Absent: None

Others Present: Planning Director Tana Nereson,

Chairman von Lehe called the meeting to order at 6:30 p.m. in the Council Chambers at the City of Le Sueur Municipal Building located at 203 South Second Street.

Approval of Minutes from December 19th, 2007 Public Hearing

A motion by Commissioner Malm, seconded by Commissioner Wentworth approving the minutes of the December 19th Public Hearing as written. All voting in favor. Motion carried.

Public Hearing – City of Le Sueur, MN. Consideration of a proposed amendment to Zoning Ordinance, Article XIV. Mining and Extraction, Sections 27-84, 27-85, 27-86, 27-87, & 27-88. Request is for an amendment to the Zoning Code Ordinance of the City of Le Sueur, MN.

Chairman von Lehe opened the public hearing.

Planning Director Nereson requested a continuation.

Chairman von Lehe closed the public hearing.

A motion by Commissioner Wentworth, seconded by Commissioner Schlueter to continue the public hearing to consider the amendment to the Zoning Code Ordinance of the City of Le Sueur, MN, until January 23rd, 2008 at 6:30 p.m. in the Le Sueur City Hall. All voting in favor. Motion carried.

Public Hearing – City of Le Sueur, MN. Consideration of a proposed amendment to the Official Zoning Map for purpose of rezoning a portion of North Main Street, located between Swan and Church Streets from a C-1, Light Industrial to a B-1, Central Business District and the rezoning of North Second Street, located between Swan and Church Streets from an R-4, Multi-family High Density District to a B-1, Central Business District. Request is for an amendment to the Official

Zoning Map of the City of Le Sueur, MN.

Chairman von Lehe opened the public hearing.

Planning Director Nereson advised that she spoke with County Assessor Dave Armstrong and he assured her that this type of rezone would not affect personal home owner's taxes. She also attempted to relieve some misconceptions about non-conforming uses, by defining this type of use.

Owner of 113 Swan Street questioned what would happen if the property would burn down. Staff and commissioners advised homeowner that she is already a non-conforming use, so what would happen currently is no different than what would happen after her property was rezoned B-1. The property would be eligible to be rebuilt as its current use if there was less than 50% damage. If more than 50% damage existed, the property owner would be required to comply with the current zoning code upon rebuilding the property.

Roger Sax, owner of 125 Oak Street Apartments, questioned where this request for a rezone originated. Staff and Commissioners advised Mr. Roger Sax, that they City is attempting to be proactive allowing for business expansion in the downtown area.

Chairman von Lehe clarified for all homeowners present that they are not being forced to sell out their property. Explained that was not the intention of this rezone.

Bruce Olness, owner of Cornerstone State Bank, spoke about the need for a Downtown Business District. He felt this rezone would allow for property value increases and may draw interested developers to the area. He also spoke about community enthusiasm for expansion and growth after the 2007 visit of the MN Design Team.

Dan Morgan, property owner and real estate agent, questioned the inability to have second mortgage financing on non-conforming use properties. He requested that Staff and/or Commissioners check into how insurance coverage for these property owners would be affected by this rezone. Dan questioned why the Commission is omitting block 11 of North Second Street from the rezone.

Several property owners expressed concern with the potential loss of utilizing secondary financing and were fearful that insurance may be affected by this rezone. Many of these same property owners requested that the Commission consider denying this rezone and remaining an R-4 district. Tammy Johnson, property owner, expressed concern about how this rezone might affect her

resale capabilities. Sue Bauleke, property owner, recommended doing road improvements before the rezone. Staff responded by saying, the rezone may affect certain aspects of this upcoming road improvement project.

Chairman von Lehe closed the public hearing.

A motion by Commissioner Wentworth, seconded by Commissioner Schlueter to include block 11 of North Second Street in it's entirety in this proposed rezone. All voting in favor. Motion carried.

A motion by Commissioner Miller, seconded by Commissioner Malm to continue the public hearing to consider the amendment to the Official Zoning Map of the City of Le Sueur, MN, to March 19, 2008 at 6:30 p.m. in the Le Sueur City Hall. All voting in favor. Motion carried.

Adjournment

A motion by Commissioner Wentworth, seconded by Commissioner Miller and duly carried to adjourn.

/s/ Bill von Lehe _____
Chairman