

**Le Sueur Planning Commission
Public Hearing
July 9, 2008**

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

Members Absent: None

Others Present: Tana Nereson, Planning Director
Monica Muchow, Recorder
Jared Brandt, Representative for Davisco Foods, Applicant
Marvin Bartlett, Representative for Davisco Foods, Applicant
Jeff Shodean, Representative for Davisco Foods, Applicant
Diane Culbert, 833 North Commerce
Jerry Moeller, 526 North 4th Street
John & Chris Moske, Moske's Auto

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 June 18, 2008 Public Hearing

A motion by Commissioner Wentworth, seconded by Commissioner Malm approving the minutes of the June 18th, 2008 Public Hearing. All voting in favor. Motion carried.

Public Hearing - Davisco Foods International, Le Sueur, MN. Owner is requesting a Conditional Use Permit for the purpose of allowing a Planned Unit Development for the redevelopment of the following property:

Lots 1 through 12, both inclusive, Block 13, Town of Middle Le Sueur, together with that portion of vacated Elm Street accruing thereto, pursuant to Ordinance No. 401 filed of record April 27, 1989, as Document No. 214035, also an together with adjoining vacated 1/2 of Jane Street accruing thereto.

And;

Together with that portion of vacated Elm Street, pursuant to Ordinance No. 421, filed of record April 2, 1992, as Document No. 228834

And;

Together with that portion of vacated Elm Street described as follows:

Lying to the right of the following described line: Beginning at the Northwest corner of Block 13, of said MIDDLE LE SUEUR; thence in a northeasterly direction to the Southwest corner of Block 14, of said MIDDLE LE SUEUR and there terminating;

AND

Lying left of the following described line: Commencing at the Northwest corner of said Block 13; thence North 30 degrees 58 minutes 38 seconds East, an assumed bearing on the northerly extension of the west line of said Block 13, a distance of 6.70 feet; thence South 59 degrees 12 minutes 24 seconds East being parallel to the north line of said Block 13, a distance of 273.50 feet to the point of beginning; thence North 01 degrees 13 minutes 29 seconds West, a distance of 62.86 feet to a point on the south line of

said Block 14, (said point being a distance of 240.00 feet, as measured on said south line, from the Southwest corner of said Block 14) and there terminating.

And;

The North 1/2 of Lot 2, all of Lots 3, 4, 5, 6, 7, 8 and 9, and the North 10 feet of Lot 10, Block 12, Town of Middle Le Sueur, together with vacated South 1/2 of Jane Street accruing thereto.

And;

Lots 7, 8, & 9 in Block 11, in the Town of Middle Le Sueur, County of Le Sueur and State of Minnesota, said description being in accordance with the maps and plats thereof, on file and of record in the Office of the County Recorder in and for Le Sueur County, Minnesota.

And;

All of Lots 5, 6, 7, and South 10.00 feet of Lot 4, Block 14, MIDDLE LE SUEUR, according the recorded plat thereof; AND that part of Lot 1, Block 14 and that part of Commerce Street, as dedicated per the plat of QUACKENBUSH AND BORIGHT'S ADDITION, now vacated per ordinance 411, that lies southerly of the of the northerly line of the south 10.00 feet of said Lot 4 and its easterly extension, City of Le Sueur, Minnesota.

Property Description is subject to a Title Opinion.

Chairman von Lehe opened the public hearing.

Planning Director Nereson explained that all those living within 500 feet of the proposed CUP would be notified via mail, per State Statute. The purpose of Davisco Foods Conditional Use Permit is to allow for a more inventive use of the parcel than strict adherence to the Zoning Code would allow. Nereson also explained that the PUD will allow the anticipated retail cheese establishment to be combined with the existing use of the facility.

Jared Brandt, Representative for Davisco Foods, explained the proposed development of new milk receiving drive-through facilities, two additional back-in bays, additional office space, laboratories, and retail shops. It was explained to the public that all drive-through traffic for the milk deliveries would enter this area from Main and exit either northbound or southbound onto Second Street.

Council Liason Kerkow questioned the April 2, 1992 date regarding the vacation of Elm Street in the legal description. Nereson agreed to verify this.

Diane Culbert and others from the public expressed concern about residential safety relative to the increased truck traffic on Commerce Street.

Jeff Shodean, Representative for Davisco Foods, explains the volume of trucks will not change. It will remain approximately 32 trucks in a 24-hour period. However, these renovations will alleviate any trucks having to wait on Elm or Main to unload, thus doubling the "unloading capabilities" of Davisco Foods.

Commissioner Anderson feels that traffic flow pattern recommendations by Davisco Foods International would be in the best interest of the community and its citizens.

Much discussion took place relative to the proposed Second Street reconstruction and how this would be affected by this project.

Chairman von Lehe closed the public hearing.

A motion by Commissioner Tebbe, seconded by Commissioner Miller to recommend approval to the City Council for the request by Davisco Foods International to be granted a Conditional Use Permit for the purpose of allowing a Planned Unit Development with conditions outlined below. All voting in favor. Motion carried.

1. The use shall not create an excessive burden on existing parks, schools, streets, and other public facilities and utilities which serve the area.
2. The use is reasonably related to the overall needs of the City and is compatible with the surrounding land use.
3. The PUD is an effective and unified treatment of the development possibilities on the project site.
4. The use proposed shall not have an undue and adverse impact on the reasonable enjoyment of neighborhood property and shall not be detrimental to surrounding areas.

Davisco Foods International, Le Sueur, MN. Owner is requesting approval of a Preliminary Plat for the redevelopment of the same property as described above to be re-platted as Middle Le Sueur, 1st Addition.

Chairman von Lehe opened the public hearing.

Planning Director Nereson explained Davisco was compelled to re-plat the property to essentially "clean up" previous street vacations and setback encroachments into one lot of record.

A brief discussion was help regarding the existing infrastructure and easements within the site.

Nereson explained that all infrastructure concerns have been addressed by Directors and Staff will continue to work cooperatively with Davisco regarding concerns expressed in the memo to Nereson from City Engineer, Owen Todd.

Chairman von Lehe closed the public hearing.

A motion by Commissioner Anderson, seconded by Commissioner Malm to recommend approval to the City Council for the Preliminary Plat for the redevelopment of the same property as described above to be re-platted as Middle Le Sueur, 1st Addition. All voting in favor. Motion carried.

Adjournment

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

/s/ Bill von Lehe _____
Chairman