



CITY OF LE SUEUR
REQUEST FOR COUNCIL ACTION

TO: Mayor and City Council

FROM: Nate Sparks, City Planner
Justin Nielsen, Zoning Administrator & Building Official

SUBJECT: Resolution R2026-010: Miller Homes Minor Subdivision

DATE: For the City Council Meeting of Monday, February 9th, 2026

PURPOSE

Consider Resolution R2026-010, approving a Minor Subdivision application for a proposed development at the southwest corner of Turril Street and Elmwood Avenue.

SUMMARY

Miller Homes has made an application for a minor subdivision and planned unit development to divide a property located at the southwest corner of Turril Street and Elmwood Avenue into three lots. Miller Homes is seeking to divide the property into three lots that would all front on Turril Street. The lots are proposed for single family residential uses. The applicant is seeking to do the division with a minor subdivision rather than a plat.

The City's Subdivision allows for subdivisions via City Code Section 152.021, which states that such divisions must be processed in the same manner as a preliminary plat. This requires a public hearing and consideration of the division against the City's review criteria for preliminary plats. The Planning Commission conducted the required hearing at their January 8, 2026 meeting.

The Planning Commission found that the minor subdivision generally meets City requirements and recommended approval with conditions. At its January 26, 2026 regular meeting, the City Council voted to direct staff to bring back to the Council findings of approval for the Minor Subdivision. These findings are outlined in the attached resolution approving the subdivision application: R2026-010.

ACTION REQUESTED

City staff recommend City Council adopt Resolution R2026-010 as presented.

Alternate Actions:

- No action / Denial: First Reading of ordinance as presented will not be conducted unless otherwise directed by City Council.
- Modification of Recommendation: This is always an option for City Council.

CITY OF LE SUEUR, MINNESOTA
CITY COUNCIL RESOLUTION **R2026-010**

RESOLUTION APPROVING A MINOR SUBDIVISION FOR MILLER HOMES AT THE
SOUTHWEST CORNER OF TURRIL STREET & ELMWOOD AVENUE

WHEREAS, the City of Le Sueur (the “City”) received a request from Miller Homes (the “Applicant”) for a Minor Subdivision on property located at the southwest corner of Turril Street and Elmwood Avenue; and

WHEREAS, the Applicant is seeking a subdivision of the following legally described property (the “Property”):

Tract I: That part of the Southeast Quarter of the Northeast Quarter of Section 2, Township 111 North, Range 26 West, Le Sueur County, Minnesota described as follows: Commencing at the East Quarter corner of Section 2; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing) along the east line of the Northeast Quarter of Section 2, a distance of 557.00 feet to the point of beginning; thence North 89 degrees 45 minutes 15 seconds West, 263.00 feet; thence South 00 degrees 00 minutes 00 seconds West along a line parallel with the east line of the Northeast Quarter of Section 2, a distance of 13.00 feet; thence South 89 degrees 45 minutes 15 seconds East, 263.00 feet to a point on the east line of the Northeast Quarter of Section 2; thence North 00 degrees 00 minutes 00 seconds East, along said east line, 13.00 feet to the point of beginning. Said 13 foot wide parcel contain 3,419 square feet, subject to an easement for Hwy 112 purposes over and across the easterly boundary; also subject to any other easements of record. AND Tract II: Commencing at the quarter-post on the East side of Section 2, Township 111 North, Range 26 West; thence North along the East line of said Section 2 a distance of 557 feet to a point, which point is hereby designated as the point of beginning; thence continuing North along the East line of said Section 2 a distance of 159 feet to a point; thence deflecting left 89 degrees 45 1/4 minutes a distance of 263 feet to a point; thence deflecting left 90 degrees 14 3/4 minutes parallel to the East line of said Section 2 a distance of 159 feet to a point; thence deflecting left 89 degrees 45 1/4 minutes parallel to the South line of the Northeast Quarter of Section 2 a distance of 263 feet to the point of beginning. Subject to a right of way and easement for driveway purposes over the Westerly thirty feet of the above-described parcel of land.

; and

WHEREAS, the Applicant is seeking to divide the 1.04 acre parcel into three lots to be utilized as single family residential dwellings as depicted in “Exhibit A”; and

WHEREAS, the Property is guided for a Low Density Residential Land Use; and

WHEREAS, the Property is zoned R-2, Single Family Residential; and

WHEREAS, the City approved a Planned Unit Development (PUD) Overlay on the Property via Ordinance No. 619; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 8, 2026 and recommended approval of the request for subdivision; and

WHEREAS, the City Council finds that the proposed subdivision meets the standards of the Zoning Ordinance and Subdivision Ordinance; and

WHEREAS, the City Council finds that the minor subdivision meets the requirements of Section 152.021 of the Subdivision Ordinance.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LE SUEUR, LE SUEUR COUNTY, STATE OF MINNESOTA that the minor subdivision for Miller Homes is hereby approved subject to the following conditions:

1. The Easement Vacation in R2026-08 shall be approved.
2. The Planned Unit Development (PUD) Overlay in Ordinance No. 619 is placed into effect.
3. The applicant shall meet all requirements of the City Engineer and Le Sueur County.
4. Park dedication shall be provided in the form of cash-in-lieu at \$4,666.
5. The applicant shall dedicate drainage and utility easements on the perimeter of each lot at a minimum of 10 feet along the front and rear lot lines and 5 feet on the side lot lines.
6. A utility easement shall be dedicated along the sewer line on the western side of the property centered on the line and planned for 30 feet in width.
7. The front of the buildings shall include the brick veneer as depicted on the plans submitted by the Applicant, and as required by the PUD in Ordinance No. 619.

PASSED by the Le Sueur City Council this the 9th day of February 2026.

ATTEST

Shawn Kirby, Mayor

Lindsey Dhaene, City Clerk

VOTE: ___ HUNTINGTON ___ KIRBY ___ SCHLUETER

___ SULLIVAN ___ SMITH ___ NELSON ___ WILLIAMS

§ 152.050 CONCEPT PLAN.

(A) In order to ensure that all applicants are informed of the procedural requirements and minimum standards of this chapter and the requirements or limitations imposed by other city ordinances, code provisions, or plans prior to the development of a preliminary plat, all applicants shall present a concept plan to the Zoning Administrator prior to filing a preliminary plat. Comments on the concept plan shall not be considered binding in regard to subsequent plat review. The Zoning Administrator shall have the authority to refer the concept plan to the Planning Commission and/or City Council for review and comment.

(B) The concept plan submission shall include, but not be limited to, the following:

1. Application and fee;
2. A deposit or escrow security in an amount determined necessary by the Zoning Administrator to pay review costs of the city staff and consultants; and
3. Plan information including a scaled drawing, written description, or other information determined necessary by the Zoning Administrator.

(C) The city will review the concept plan for adherence to site design considerations such as driveway access, lot size, block size, encroachment on wetlands or steep slopes, circulation, etc. After the review, the city will inform the applicant of its findings and suggest changes or improvements to the plan prior to submittal of a preliminary plat.

§ 152.051 PRELIMINARY PLAT.

- a) Pre-application meeting. Prior to submitting a preliminary plat application (following a concept plan review, if one occurs), the property owner/applicant shall meet with city staff to discuss the application. Through this meeting, the Zoning Administrator or designee may summarize the city's concept plan review comments and offer suggestions pertaining to additional information or design changes that may assist in expediting the preliminary plat review. The developer shall schedule the meeting with the City Administrator in advance.
- b) Neighborhood meeting. While not required, the city recommends that the property owner/applicant hold a neighborhood meeting for informal comment and feedback prior to preliminary plat application.
- c) The person applying for preliminary plat approval shall submit to the city a complete application and all other information required according to the deadline and meeting schedule established by the city. The application shall address the informational requirements of § 152.051(B) and also any issues identified through the concept plan review procedure.
- d) A complete preliminary plat application shall include:
 1. A graphic and written description of the information requirements outlined in this chapter.
 2. Applications shall be accompanied by a fee and processing escrow established by the City Council.
- e) The Zoning Administrator, upon receipt of the application, shall notify the applicant in writing within 15 business days if the application is found to be incomplete.

§ 152.052 FINAL PLAT.

(A) Filing and requirements for application. Approval of a preliminary plat by the City Council is an acceptance of the plat and indicates the developer may proceed toward final plat approval in accordance with the City Council approval of the preliminary plat, including conditions.

OFFICE USE ONLY	
Date Received:	Amount Paid:
Date Approved:	Approved By:



City of Le Sueur, MN
Conditional Use/Planned Unit Development
Permit Application
 \$400 Application Fee plus \$1,000 Escrow

APPLICANT INFORMATION	
Name: Miller Homes LLC	
Street Address: 103 Elm Ave SW	City/State/Zip: Montgomery, MN 56069
Phone: 507-210-0696	Email: nicolemillerhomes@hotmail.com
PROPERTY INFORMATION	
Site Address: 800, 802, 804 Turril St., Le Sueur	PID#: 21.002.3300
NOTES TO APPLICANT	
<p>Submittal Checklist: ___ Certificate of Survey and Site plan including necessary exhibits (drawn to a tenth scale). ___ Letter detailing reason for the conditional use permit request.</p> <p>I hereby acknowledge the following: I have reviewed and understand the requirements of Le Sueur City Code 153.023 regarding conditional use permits.</p> <p>By signing this application form, I agree that all fees and expenses incurred by the City for the processing of this application, including costs for professional services, are the responsibility of the property owner to be paid immediately upon receipt or the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes 366.012 as amended. All fees and expenses are due whether the application is approved or denied or withdrawn. Escrow fees may also be collected but may not cover actual expenses; any additional fees will be billed.</p> <p>I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge. I further understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.</p> <p>Applicant(s) <u>Peter Miller</u> Date: <u>11/11/25</u></p> <p>Owner(s): _____ Date: _____</p>	

§ 153.023 CONDITIONAL USE PERMITS.

(A) Purpose. The purpose of a conditional use permit is to provide the city with a reasonable degree of discretion in determining the suitability of certain designated uses upon the general welfare, public health and safety. A conditional use is a use which because of certain characteristics cannot be properly classified as a permitted use in the zoning district within which it is proposed. Conditional use permits are designed to meet the problem which arises where certain uses, although generally compatible with the basic use classification of a particular zone, should not be permitted to be located as a matter of right in every area included within the zone because of hazards inherent in the use itself or special problems which its proposed location may present. In making this determination, whether or not the conditional use is to be allowed, the city may consider the nature of the adjoining land or buildings, the effect upon traffic into and from the premises, or on any adjoining streets, and all other or further factors as the city shall deem a prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.

*continued on next page.

(B) Procedure. An application for a conditional use permit requires a public hearing and is to be processed in accordance with the procedures outlined in § 150.20 of this chapter.

(C) Application requirements. The information required for all conditional use permit applications generally consists of the following items and shall be submitted when requested by the city.

- 1) Site development plan. A site development plan, which shall include:
 - a. The location of all buildings on lots, including both existing and proposed structures;
 - b. The location of all adjacent buildings located within 200 feet of the exterior boundaries of the property in question;
 - c. The location and number of existing and proposed parking spaces;
 - d. Vehicular circulation;
 - e. Architectural elevations (type and materials used in all external surfaces);
 - f. The location and candle power of all luminaries; and
 - g. Curb cuts, driveways, and number of parking spaces.
- 2) Dimension plan. A dimension plan, which shall include:
 - a. Lot dimensions and area;
 - b. Dimensions of proposed and existing structures;
 - c. Building floor plan;
 - d. Setbacks of all buildings located on the property in question;
 - e. Proposed setbacks; and
 - f. A sanitary sewer and water plan with estimated use per day.
- 3) Grading plan. A grading plan, which shall include:
 - a. Existing contours;
 - b. Proposed grading elevations;
 - c. Drainage configurations;
 - d. Storm sewer catch basins and invert elevations;
 - e. Spot elevations; and
 - f. A proposed road profile.
- 4) Landscape plan. A landscape plan, which shall include:
 - a. (a) The location of all existing trees, their type and diameter, and which trees will be removed;
 - b. (b) The location, type, and diameter of all proposed plantings; and
 - c. (c) The location of and material used for all screening devices.
- 5) A legal description of the property under consideration.
- 6) Proof of ownership of the land for which a conditional use permit is requested.

(D) Criteria. The Planning Commission and City Council shall consider possible effects of the proposed conditional use. Its judgment shall be based upon, but not limited to, the following factors:

- 1) The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the comprehensive plan;
- 2) The proposed use is or will be compatible with present and future land uses of the area;
- 3) The proposed use conforms with all performance standards contained in this chapter;
- 4) The proposed use can be accommodated with existing public services and will not overburden the city's service capacity; and
- 5) Traffic generation by the proposed use is within capabilities of streets serving the property.

(E) Additional conditions. In permitting a new conditional use or in the event of the modification of an existing conditional use, the City Council may impose, in addition to the standards and requirements expressly specified by this chapter, additional conditions which the City Council considers necessary in its sole discretion to protect the best interests of people in the surrounding area and the community as a whole.

(Ord. 422, passed 6-8-1992; Ord. 444, passed 8-25-1997; Ord. 583, passed 8-26-2019

OFFICE USE ONLY	
Date Received:	Amount Paid:
Date Approved:	Approved By:

MINOR SUBDIVISION - PROPOSED

~for~ MILLER HOMES, LLC

~Part of~ Southeast Quarter of the Northeast Quarter
Section 2, Township 111, Range 26,
City of Le Sueur, Le Sueur County, MN

DESCRIPTION OF RECORD AS PROVIDED (per DOC. No. 445797)

Tract I:
That part of the Southeast Quarter of the Northeast Quarter of Section 2, Township 111 North, Range 26 West, Le Sueur County, Minnesota described as follows:

Commencing at the East Quarter corner of Section 2; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing) along the east line of the Northeast Quarter of Section 2, a distance of 557.00 feet to the point of beginning; thence North 89 degrees 45 minutes 15 seconds West, 263.00 feet; thence South 00 degrees 00 minutes 00 seconds West along a line parallel with the east line of the Northeast Quarter of Section 2, a distance of 13.00 feet; thence South 89 degrees 45 minutes 15 seconds East, 263.00 feet to a point on the east line of the Northeast Quarter of Section 2; thence North 00 degrees 00 minutes 00 seconds East, along said east line, 13.00 feet to the point of beginning.

Said 13 foot wide parcel contain 3,419 square feet, subject to an easement for Hwy 112 purposes over and across the easterly boundary; also subject to any other easements of record.

AND

Tract II:
Commencing at the quarter-post on the East side of Section 2, Township 111 North, Range 26 West; thence North along the East line of said Section 2 a distance of 557 feet to a point, which point is hereby designated as the point of beginning; thence continuing North along the East line of said Section 2 a distance of 159 feet to a point; thence deflecting left 89 degrees 45 1/4 minutes a distance of 263 feet to a point; thence deflecting left 90 degrees 14 3/4 minutes parallel to the East line of said Section 2 a distance of 159 feet to a point; thence deflecting left 89 degrees 45 1/4 minutes parallel to the South line of the Northeast Quarter of Section 2 a distance of 263 feet to the point of beginning.

Subject to a right of way and easement for driveway purposes over the Westerly thirty feet of the above-described parcel of land.

ZONED: R-2 SETBACK ORDINANCES

- PRINCIPAL FRONT YARD SETBACK = 30 FEET
- SIDE (INTERIOR) YARD SETBACK = 7.5 FEET
- SIDE (CORNER) YARD SETBACK = 20 FEET
- REAR YARD SETBACK = 30 FEET
- IMPERVIOUS SURFACE MAXIMUM = 50%

NOTES

- Bearings shown as "M." are based on the Le Sueur County Coordinate System NAD83.
- Parcel ID Number: 21.002.3300.
- Field survey was completed by E.G. Rud and Sons, Inc. on 03/31/21.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Subsurface and environmental conditions were not examined or considered during the process of this survey. No statement is made concerning the existence of underground or overhead containers or facilities that may affect the use or development of the surveyed premises.
- Utility information shown hereon was provided by the City of Le Sueur Public Utility Department, and was supplemented by information from a previous site plan created by Bolton & Menk, INC.

PARCEL 1 IMPERVIOUS SURFACE CALCULATIONS

TOTAL LOT AREA 15,808 SQFT
PROPOSED HOUSE AND GARAGE 2,136 SQFT
PROPOSED DRIVEWAY 488 SQFT
PROPOSED WALK 145 SQFT
TOTAL IMPERVIOUS SURFACE 2,769 SQFT
PERCENT IMPERVIOUS 17.5%

PARCEL 2 IMPERVIOUS SURFACE CALCULATIONS

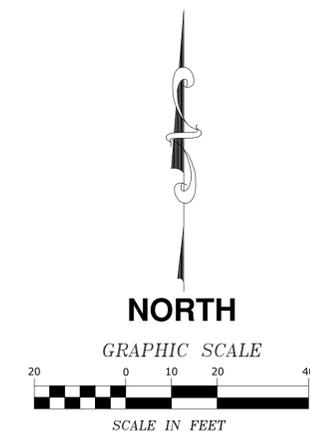
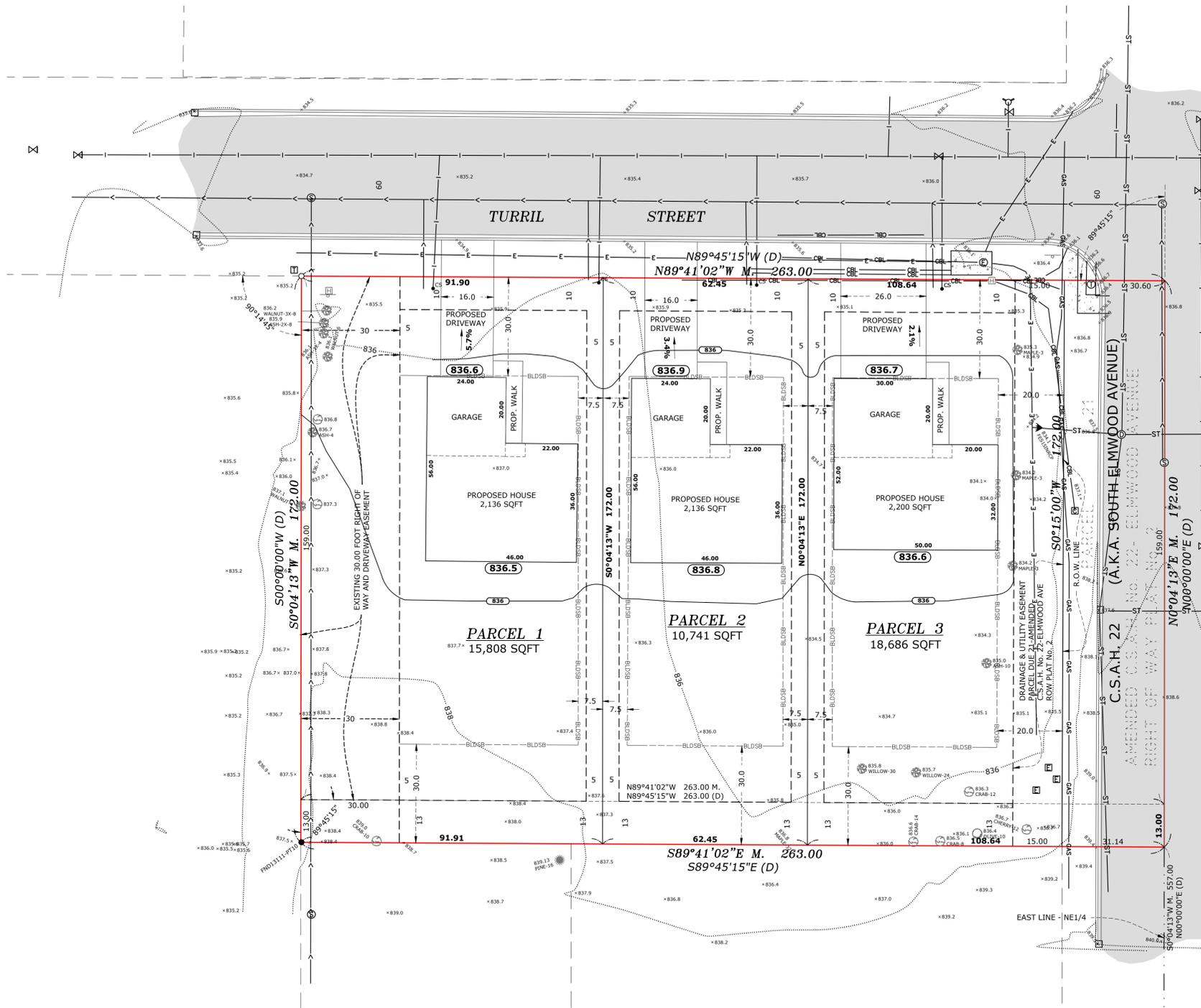
TOTAL LOT AREA 10,741 SQFT
PROPOSED HOUSE AND GARAGE 2,136 SQFT
PROPOSED DRIVEWAY 488 SQFT
PROPOSED WALK 145 SQFT
TOTAL IMPERVIOUS SURFACE 2,769 SQFT
PERCENT IMPERVIOUS 25.8%

PARCEL 3 IMPERVIOUS SURFACE CALCULATIONS

TOTAL LOT AREA 18,686 SQFT
PROPOSED HOUSE AND GARAGE 2,200 SQFT
PROPOSED DRIVEWAY 785 SQFT
PROPOSED WALK 135 SQFT
TOTAL IMPERVIOUS SURFACE 3,120 SQFT
PERCENT IMPERVIOUS 16.7%

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 45356/52705
- ⊕ DENOTES STORM SEWER MANHOLE
- DENOTES CATCH BASIN
- CS DENOTES CURB STOP
- ⊞ DENOTES ELECTRICAL BOX
- ⊞ DENOTES ELECTRICAL MANHOLE
- ⊞ DENOTES EXISTING SPOT ELEVATION
- ⊞ DENOTES SANITARY SEWER MANHOLE
- ⊞ DENOTES LIDAR CONTOURS
- SS DENOTES EXISTING SANITARY SEWER
- ST DENOTES EXISTING STORM SEWER
- DENOTES EXISTING WATER MAIN
- DENOTES BUILDING SETBACK LINE
- M. DENOTES BEARING PER COUNTY COORDINATES
- (D) DENOTES BEARING PER RECORD DEED



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

KURT D. NELSON
Date: 10/10/25 License No. 45356

DRAWN BY: EMS	JOB NO: 250571PP	DATE: 10/10/25	
CHECK BY: CBS	FIELD CREW: N/A		
1			
2			
3			
NO.	DATE	DESCRIPTION	BY

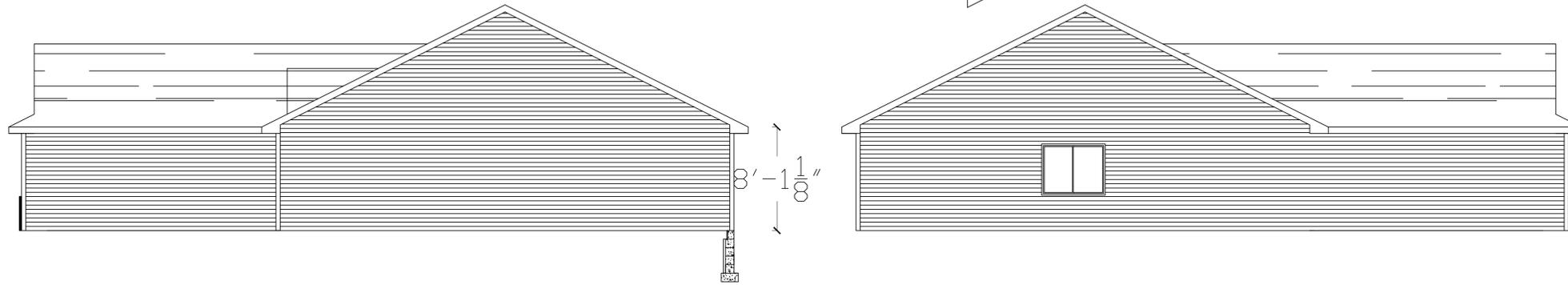
E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
990 5th Ave SE, Suite 2
Hutchinson, MN 55350
Tel. (320) 587-2025
www.egrud.com

General Notes

All Roof Lines 6/12



6 12



All Roof Lines 6/12

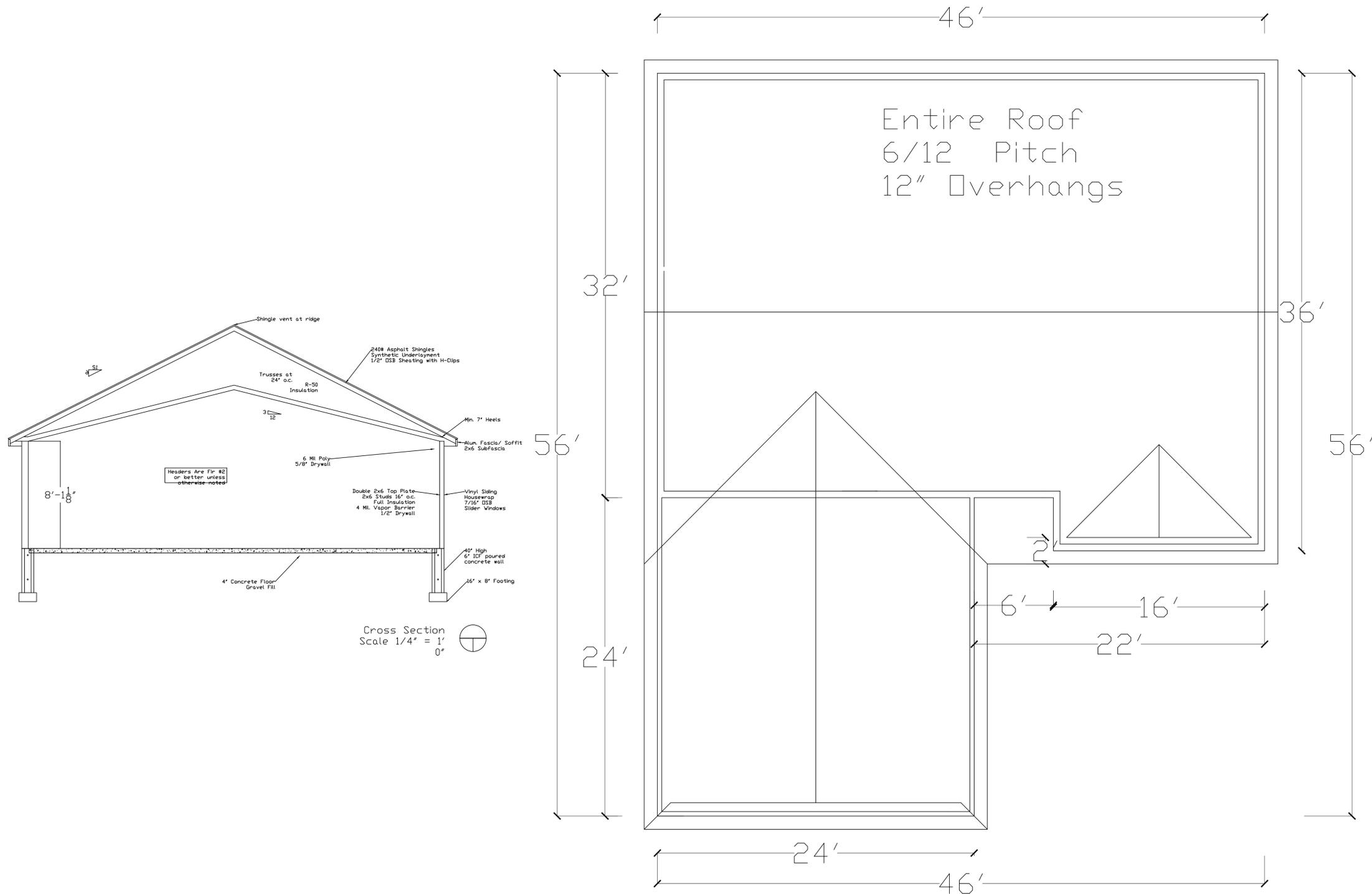


No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address
2025 The Spruce
Elevation E
Left Hand Garage

Project Spec House	Sheet 1
Date 11/11/2025	
Scale As Noted	

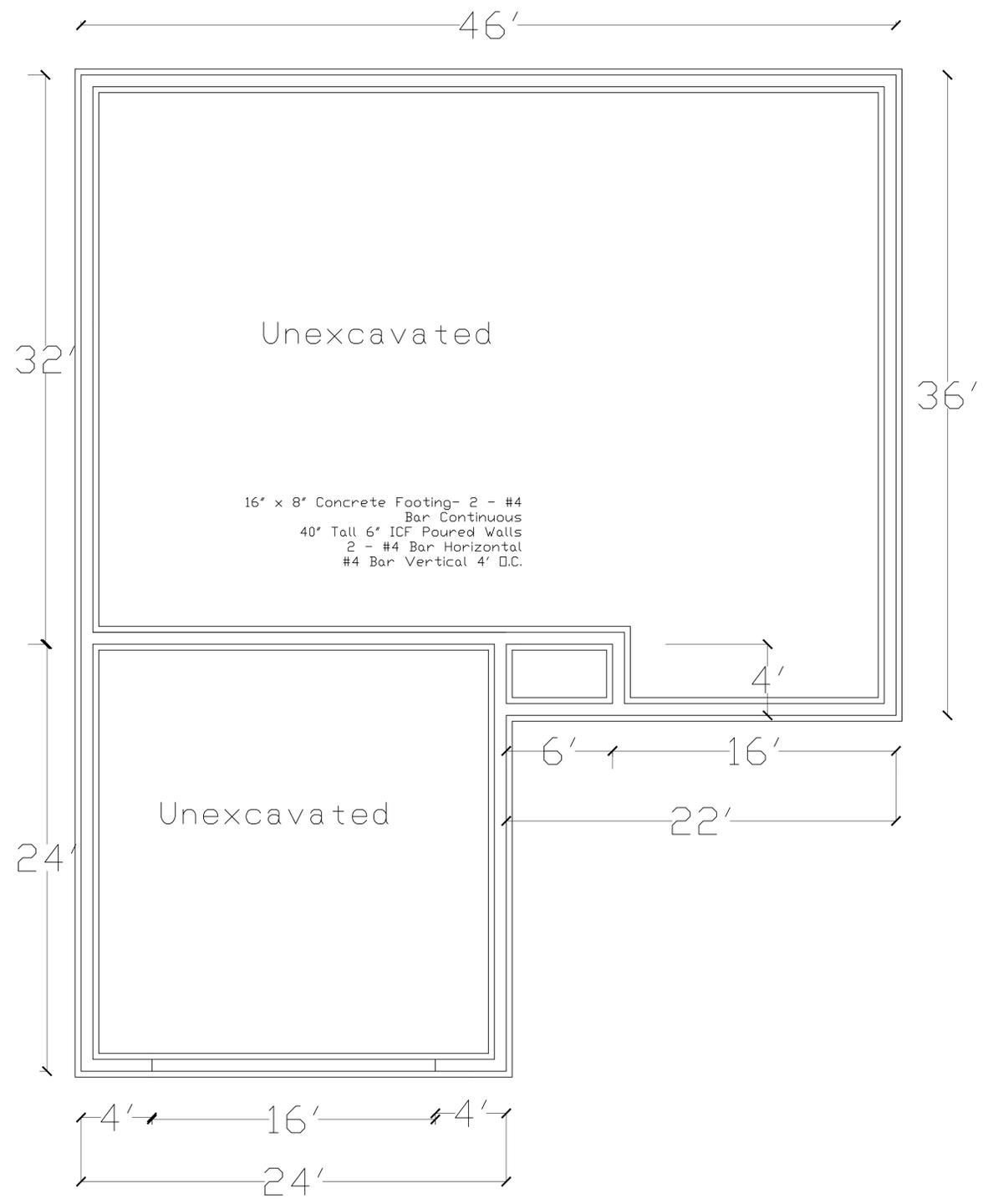


No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address
2025 The Spruce
Elevation E
Left Hand Garage

Project Spec House	Sheet 3
Date 11/11/2025	
Scale As Noted	



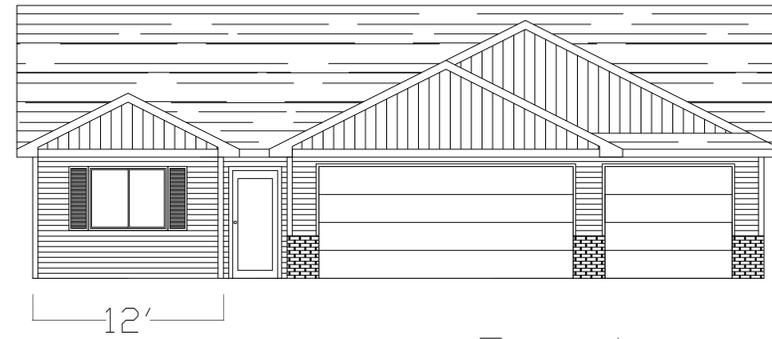
General Notes

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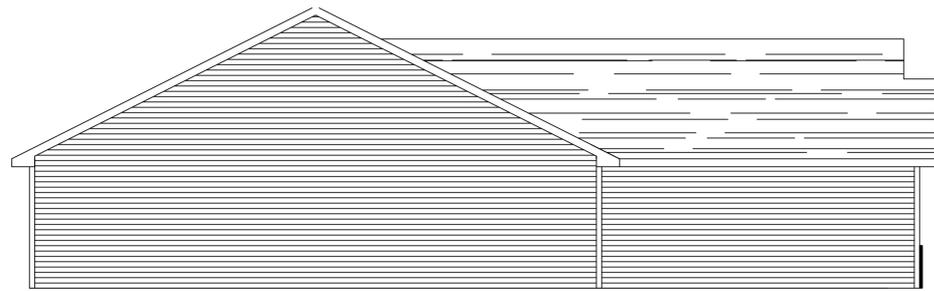
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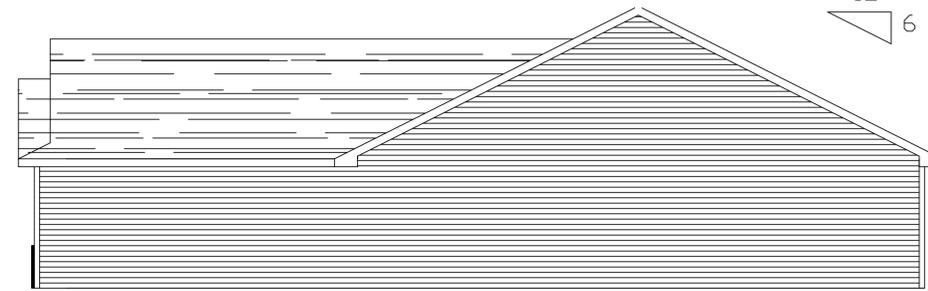
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Date 11/11/2025	
Scale As Noted	



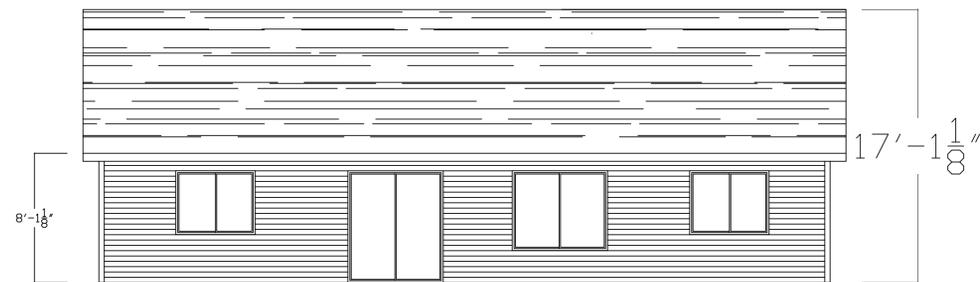
Front
Elevation



Left Elevation



Right Elevation



Rear
Elevation

General Notes

No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address
2025 The Spruce
Elevation B
Right Hand Garage

Project Spec House	Sheet 1
Date 3-15-23	
Scale As Noted	

General Notes

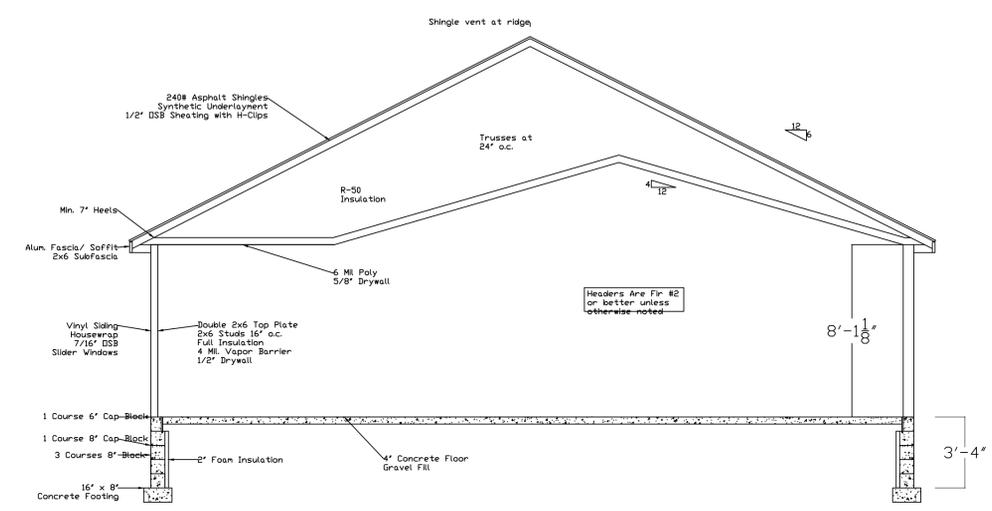
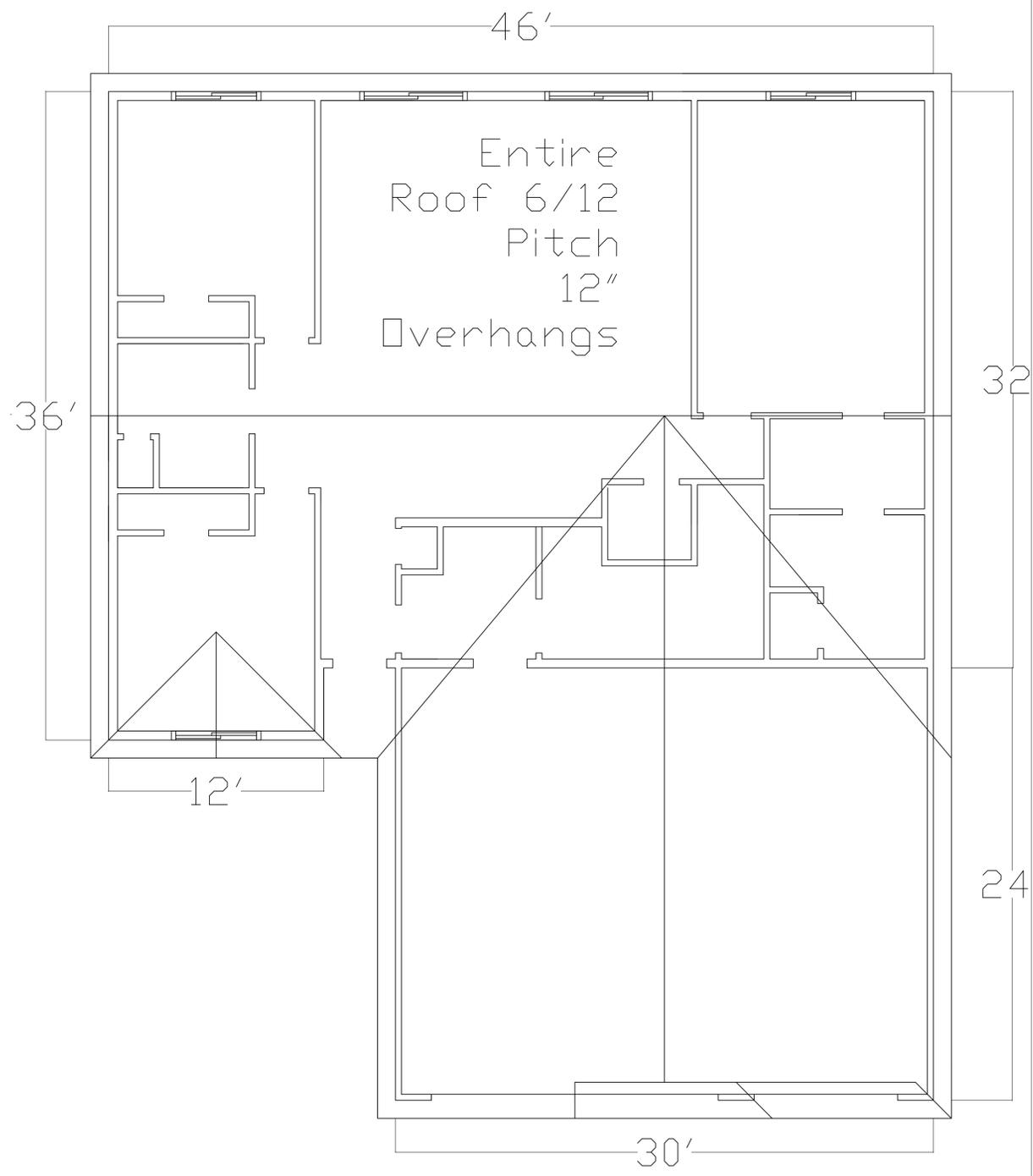
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Firm Name and Address

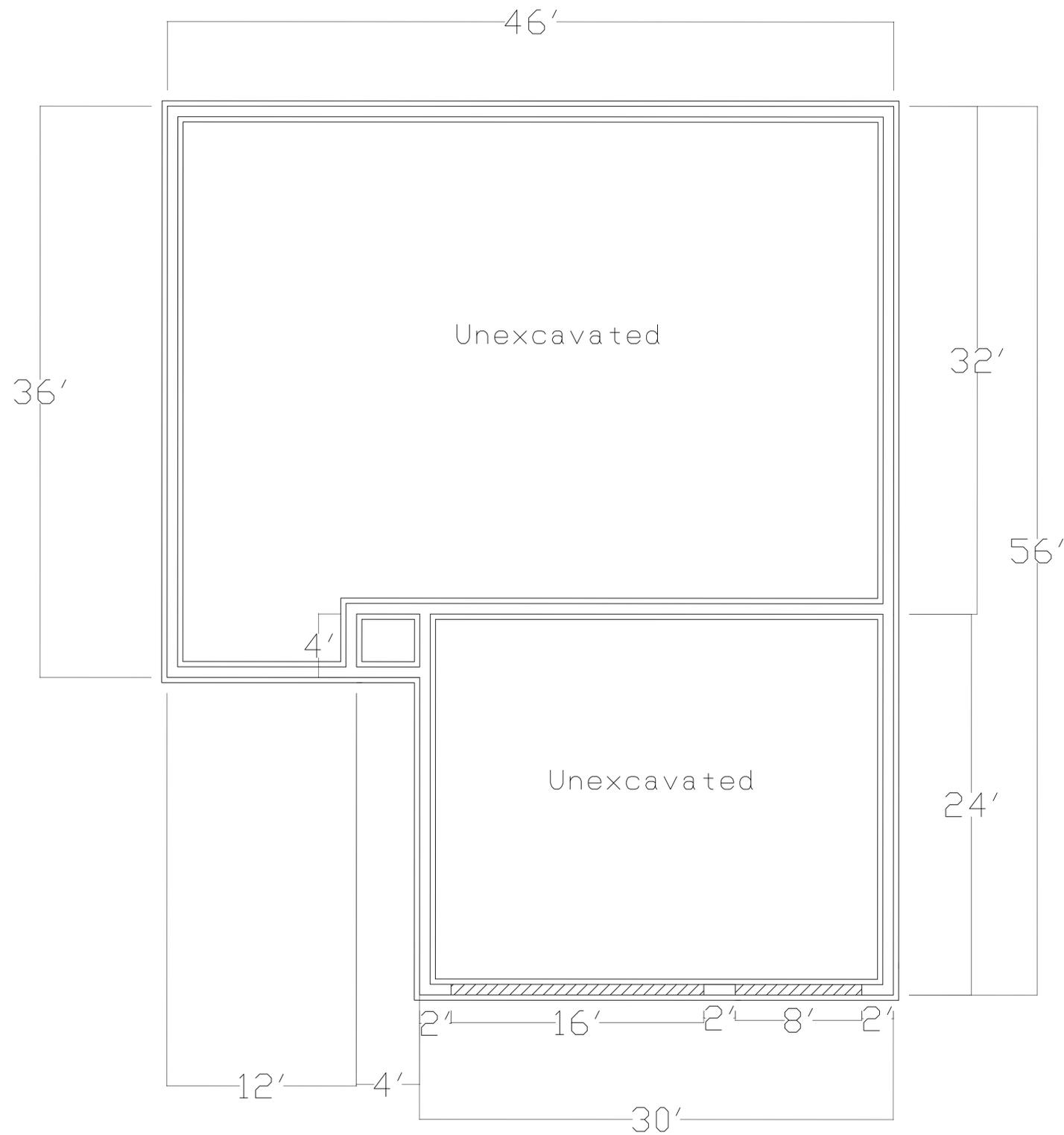
Project Name and Address
 2025 The Spruce
 Elevation B
 Right Hand Garage

Project Spec House	Sheet 3
Date 3-15-23	
Scale As Noted	

Entire
 Roof 6/12
 Pitch
 12"
 Overhangs



Cross Section
 Scale 1/4" = 1'
 0"



General Notes

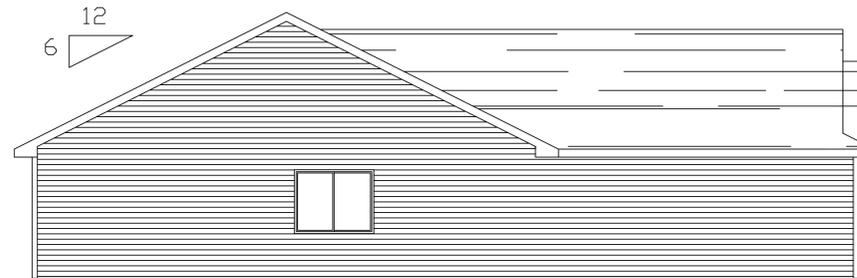
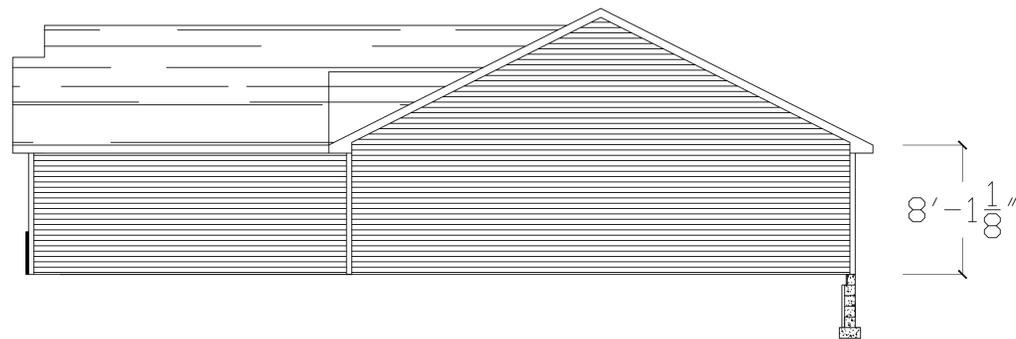
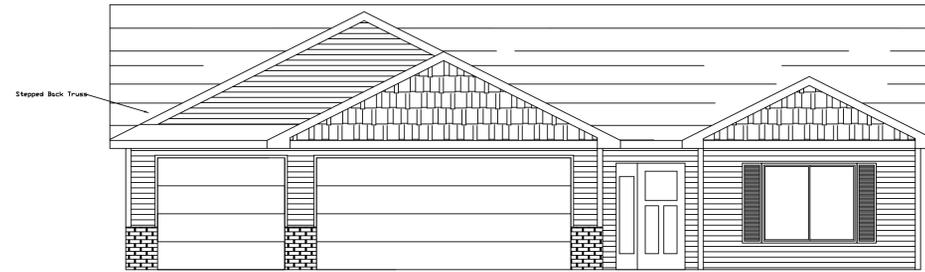
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 Elevation B
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Project Spec House	Sheet 4
Date 3-15-23	
Scale As Noted	

All Roof Lines 6/12



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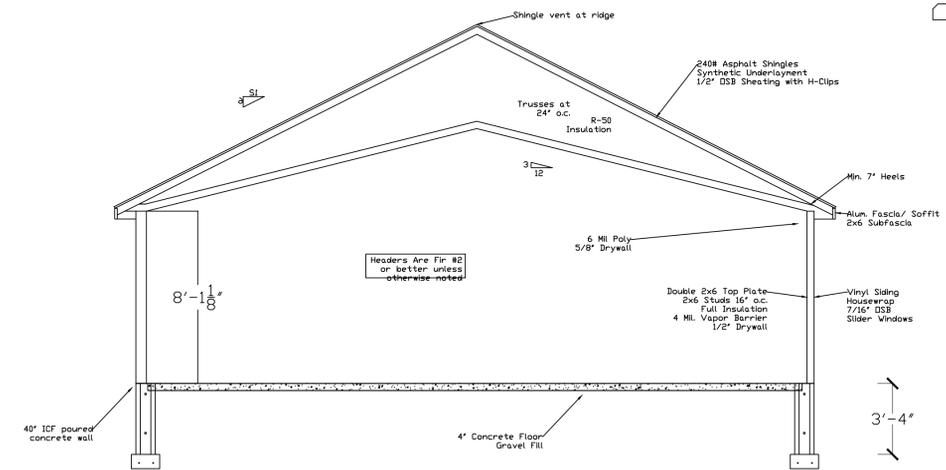
Firm Name and Address

Project Name and Address
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Elevation B
Left Hand Garage
2025

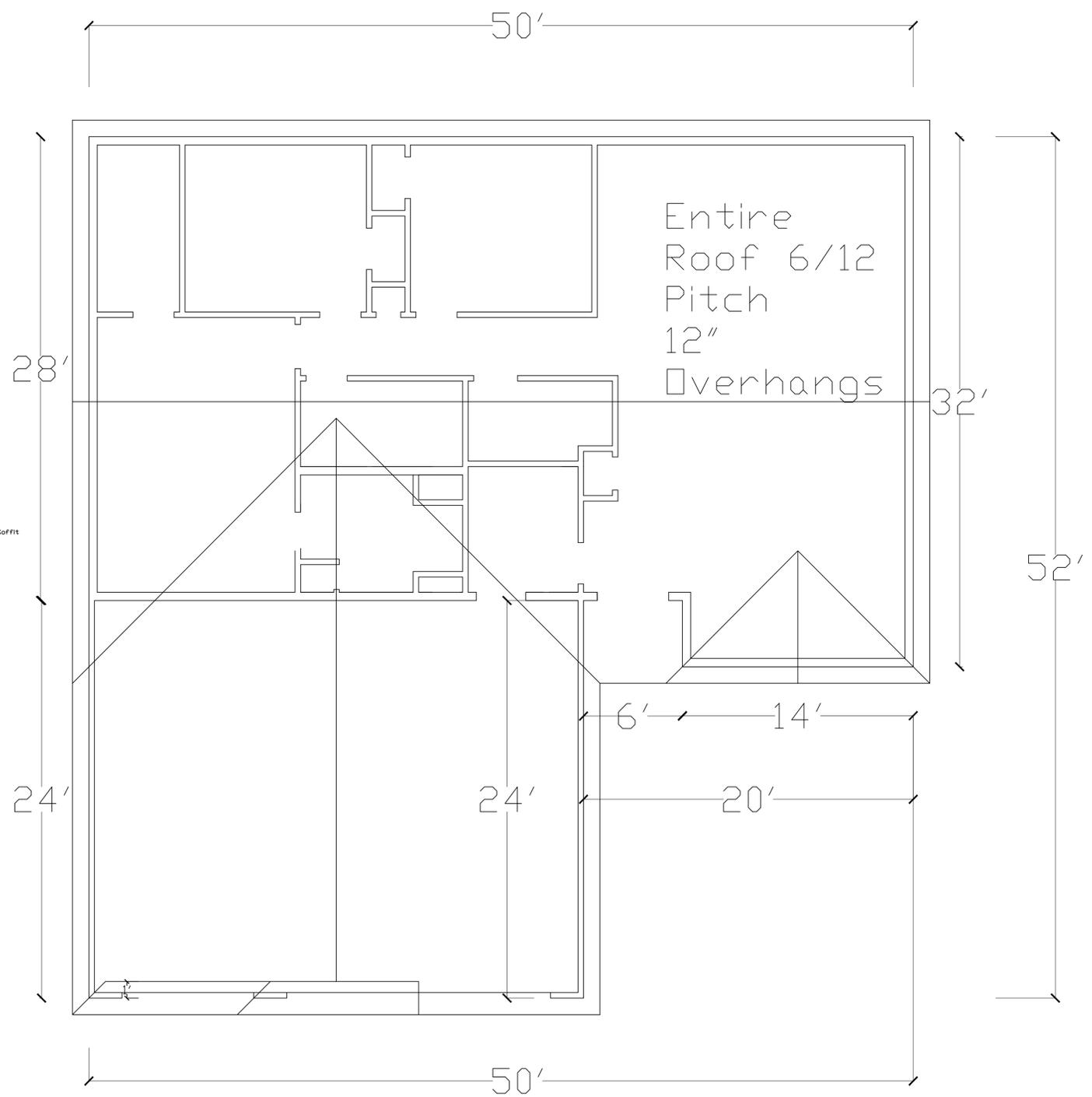
Project Spec House	Sheet 1
Date 7/8/2025	
Scale As Noted	

General Notes

Entire
Roof 6/12
Pitch
12"
Overhangs



Cross Section
Scale 1/4" = 1'
0"

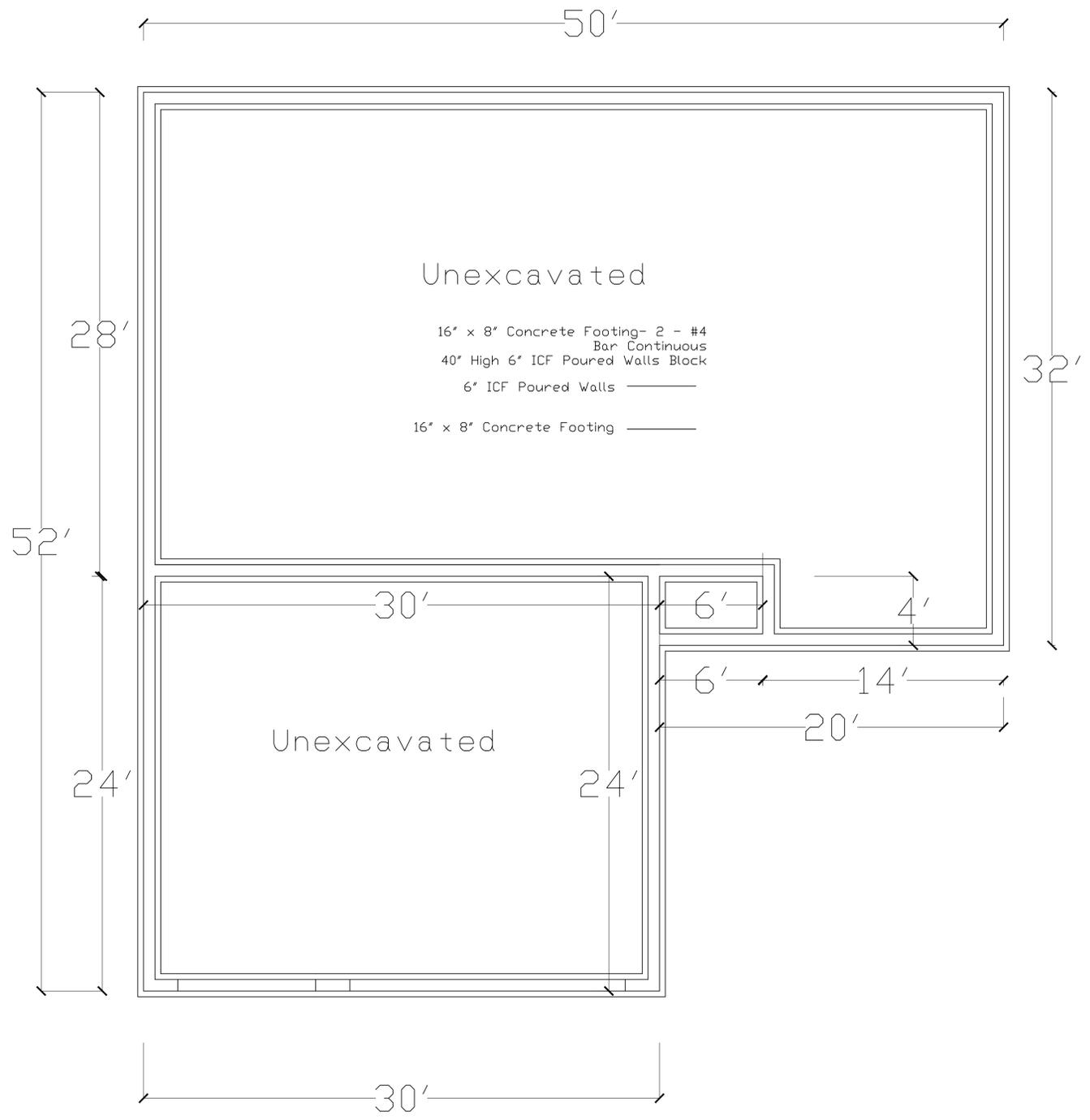


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2025

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