



118 Central Avenue North, New Prague, MN 56071  
phone: 952-758-4401 fax: 952-758-1149

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## MEMORANDUM

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TO: PLANNING COMMISSION  
FROM: KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: REQUEST FOR FINAL PLAT REVIEW OF STIENESSEN ADDITION  
CONSISTING OF 3 LOTS ON 4.1 ACRES IN THE LE SUEUR COUNTY R1,  
URBAN/RURAL RESIDENTIAL ZONING DISTRICT, AS PROPOSED BY  
BEN STIENESSEN, APPLICANT.  
DATE: 7/16/24

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### Background / History

Ben Stienessen submitted an application for a final plat of Stienessen Addition. The plat would consist of three lots on 4.1 acres in the Le Sueur County R1 Urban/Rural Residential Zoning District. Mr. Stienessen is the current owner of the property which contains one residential home and one outbuilding. The plat would create two additional lots that would be sold off for home construction.

At the Planning Commission meeting on June 26<sup>th</sup>, the Preliminary Plat public hearing was held with one public comment received regarding if proposed Lot 3 was going to be separate from the existing rental home and it was noted that Lot 3 contains the existing rental home.

The City Council approved the Preliminary Plat at their meeting on July 1<sup>st</sup> with the following finding and conditions:

1. The plat complies with the purpose and intent of the New Prague Subdivision Ordinance.

And with the following conditions:

1. Approval is granted in general accordance with the Preliminary Plat submittal dated 6/2/2024 on file with the New Prague Planning Department.
2. The Preliminary Plat is issued for a permit of twelve (12) months and shall become null and void without further action from the Planning Commission or City Council unless the final plat is filed within twelve (12) months of the City Council granting Preliminary Plat approval.
3. Preliminary Approval is subject to all requirements of the City Attorney including review and approval of the Title Commitment.

4. Approval is subject to all requirements of LeSueur County Planning and Zoning and Environmental Services Departments, including approval of lot size variances for proposed Lots 1 & 2.
5. A Wetlands Conservation Act “Certificate of No Loss or Exemption” must be filed prior to the final plat approval.
6. City Park Land Dedication (including a future trail segment along 15<sup>th</sup> Street SW), Saw and Seal Fee, Sidewalk Fee and Emergency Warning Siren Fee and city utility area charges and connection fees are being delayed until the time at which the property is annexed to the City and at the rates applicable at that time.
7. No new driveway access to 15<sup>th</sup> Street SW will be permitted as it is a future major collector road.

As noted previously, while the land being platted is located outside of the City Limits, the City has the platting authority to review the plat because the City originally extended its extraterritorial subdivision authority via a resolution on November 17, 1997 (recorded as LeSueur County Document #262723) which was updated via resolution by the City on 12/21/2020 (recorded as Le Sueur County Document #433458). These resolutions and extension of the subdivision ordinance were adopted so that the City can regulate growth of areas within 2 miles of the City Limits where the City may eventually annex and develop into the future. These resolutions only provide the City with the subdivision review authority, whereas all other land use authority for zoning and permits are retained by LeSueur County.

LeSueur County approved variances related to minimum lot size for proposed Lots 1 & 2 on June 20<sup>th</sup>, 2024.

#### Legal Description

Beginning at a point on the South line of Section 4, Township 112, Range 23, said point being 603.42 feet West of the Southeast corner of said Section 4 and also being the Southwest corner of Maplewood Subdivision of said Section 4; thence North 01 degrees 36 minutes East on the West line of said Subdivision, 633 feet to the Northwest corner of Lot 12, of said Maplewood Subdivision; thence West 158.00 feet; thence South 01 degrees 36 minutes West 324.93 feet; thence West 253.00 feet; thence South 01 degrees 31 minutes West, 308.07 feet; thence East 411 feet to the point of beginning; All lying and being in the Southeast Quarter of the Southeast Quarter of Section 4, Township 112, Range 23, LeSueur County, Minnesota.

#### Zoning / Lot Size / Setbacks / Easements

The property is zoned by LeSueur County as R1 Urban/Rural Residential which has minimum lot size requirements as follows:

- 40,000 sq. ft. minimum lot area
- 150’ lot width at the setback line
- 260’ minimum lot depth

As noted earlier, LeSueur County approved variances related to minimum size for proposed Lots 1 & 2 on June 20<sup>th</sup>, 2024.

### Wetland Conservation Act

The City is not the Local Government Unit (LGU) for the WCA in this area. Le Sueur County SWCD is the review authority in this area outside of City Limits.

While the National Wetlands Inventory does not show any wetlands on the site, Le Sueur County Environmental Resources Specialist Holly Buschman has noted that before they issue any construction permits, they will require a wetland delineation, but that the delineation can occur after the plat is filed.

### City Attorney Comments

Scott Riggs, City Attorney, was provided a copy of the preliminary plat, final plat and title commitment but had not yet provided comments at the time of writing this report.

### Staff Recommendation

Staff recommends that the Planning Commission approve the final plat of Stienessen Addition with the following findings:

1. The plat complies with the purpose and intent of the New Prague Subdivision Ordinance.

And with the following conditions:

1. Approval is granted in general accordance with the Final Plat submittal dated 7/2/2024 on file with the New Prague Planning Department.
2. The final plat must be recorded within 90 days of the date of the City Council granting approval per Chapter 051 (E) of the Subdivision Ordinance.
3. Final Approval is subject to all requirements of the City Attorney including review and approval of the Title Commitment.
4. City Park Land Dedication (including a future trail segment along 15<sup>th</sup> Street SW), Saw and Seal Fee, Sidewalk Fee and Emergency Warning Siren Fee and city utility area charges and connection fees are being delayed until the time at which the property is annexed to the City and at the rates applicable at that time.
5. No new driveway access to 15<sup>th</sup> Street SW will be permitted as it is a future major collector road.

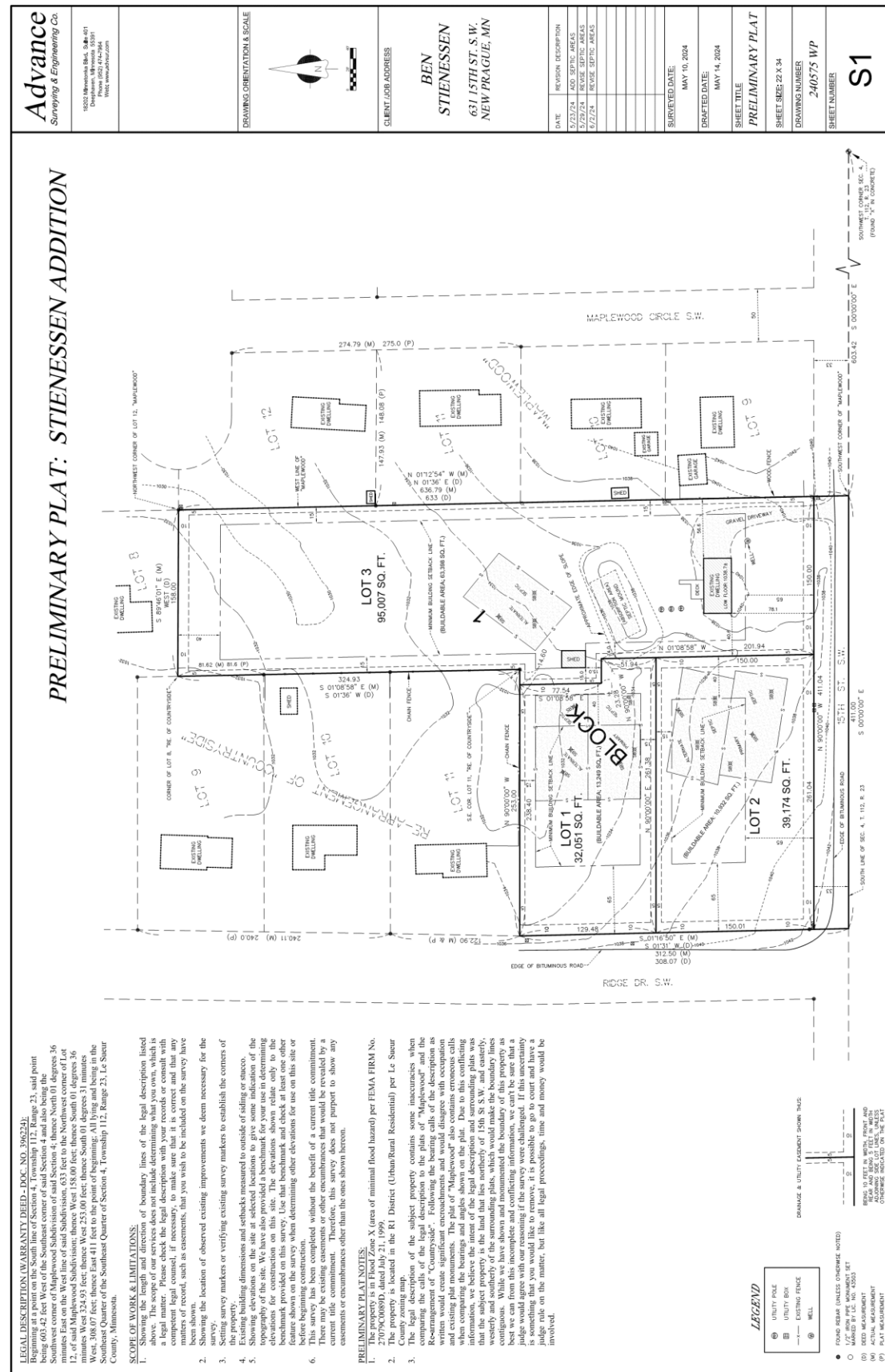
### ATTACHMENTS

1. Site Map Aerial – Dated 6/10/24
2. Site Map Aerial Detail – Dated 6/10/24
3. Preliminary Plat Drawing – Dated 6/2/24
4. Final Plat Drawing – Dated 7/2/24
5. Google Street View Photos – Dated June 2023









**STIENESSEN ADDITION**

**INSTRUMENT OF DEDICATION**  
Know all men by these presents: That Benjamin D. Stienessen, a single person, owner of the following described property:

Beginning at a point on the South line of Section 4, Township 112, Range 23, said point being 402.22 feet West of the Southeast corner of said Section 4 and also the Northwest corner of Lot 12, of said Maplewood Subdivision; thence West 158.00 feet, thence South 01 degrees 31 minutes West 224.91 feet, thence West 253.00 feet, thence South 01 degrees 31 minutes West, 208.07 feet, thence East 411 feet to the point of beginning; All lying and being in the Southeast Quarter of the Southeast Quarter of Section 4, Township 112, Range 23, Le Sueur County, Minnesota.

have caused the same to be surveyed and platted as STIENESSEN ADDITION and do hereby donate and dedicate to the public for public use forever the same as shown on this plat for drainage and utility purposes only.

In witness whereof Benjamin D. Stienessen, a single person, have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Benjamin D. Stienessen  
Notary Public  
State of Minnesota  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Benjamin D. Stienessen, a single person.  
(Signature)

(Print)  
My Commission Expires \_\_\_\_\_ County, Minnesota  
Notary Public

**SURVEYOR'S CERTIFICATE**  
I, Wayne W. Preulis, Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat, prepared this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that the same has been correctly and lawfully surveyed and platted in accordance with the laws of the State of Minnesota. I am duly licensed as a Land Surveyor under the laws of the State of Minnesota, License Number 43503. I have caused the same to be surveyed and platted as STIENESSEN ADDITION and do hereby donate and dedicate to the public for public use forever the same as shown on this plat for drainage and utility purposes only.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Wayne W. Preulis, Land Surveyor  
Minnesota License Number 43503  
Notary Public  
State of Minnesota  
County of \_\_\_\_\_

The instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Wayne W. Preulis, Land Surveyor, Minnesota License No. 43503  
(Signature)

(Print)  
My Commission Expires \_\_\_\_\_ County, Minnesota  
Notary Public

**COUNTY ENGINEER**  
I hereby certify that this plat of STIENESSEN ADDITION has been reviewed and approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Date: \_\_\_\_\_  
Rory Jensen, Le Sueur County Engineer  
Minnesota License Number 19799

**REVIEW**  
It is known that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Le Sueur Planning Commission did duly review this plat.  
Chairperson \_\_\_\_\_ Secretary \_\_\_\_\_  
APPROVALS  
It is further known that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the County Commissioners of Le Sueur County, did duly approve this plat.  
Chairperson \_\_\_\_\_ County Administrator \_\_\_\_\_  
This plat was approved by the County Engineer on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Le Sueur County Engineer \_\_\_\_\_  
COUNTY TREASURER/AUDITOR  
All errors 20\_\_\_\_, taxes are paid in full and there are no delinquent taxes as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Dan Dugan, Le Sueur County Treasurer/Auditor  
I hereby certify this instrument was filed in the office of the County Recorder for record on this day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded as Document Number \_\_\_\_\_.  
Sharon J. Beal, Le Sueur County Recorder

**STIENESSEN ADDITION**

**RE-ARRANGEMENT OF "COUNTRYSIDE"**

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**LOT 4**

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**LOT 737**

**LOT 738**

**LOT 739**

**LOT 740**

**LOT 741**

**LOT 742**

**LOT 743**

**LOT 744**

**LOT 745**

**LOT 746**

**LOT 747**

**LOT 748**

**LOT 749**

**LOT 750**

**LOT 751**

**LOT 752**

**LOT 753**

**LOT 754**

**LOT 755**

**LOT 756**

**LOT 757**

**LOT 758**

**LOT 759**

**LOT 7**







Google Street View looking south from 15<sup>th</sup> Street SW looking to the NW.



Google Street View looking NE from intersection of 15<sup>th</sup> Street SW and Ridge Drive SW.



Looking East from Ridge Drive SW at area for the two new created lots.



Looking SE from Ridge Drive SW - two new lots on the left side of the photo.