

**CITY OF LAFAYETTE, MINNESOTA  
ORDINANCE 141**

An Ordinance Rezoning Part of a Parcel of Land from  
the Residential District to the Commercial District

WHEREAS, the City has adopted municipal zoning ordinances, pursuant to Minnesota Statutes section 462.357, which have been codified as City Code Title XV;

WHEREAS, two parcels: EAST PARCEL Tract A: Block 9, Union Addition to the Village of Lafayette, Minnesota, according to the Plat thereof on file and of record in the office of the County Recorder in and for Nicollet County, Minnesota, EXCEPTING THEREFROM that portion of the West 16 feet of said Block 9 that adjoins the North 150 feet of Block 10 of Union Addition to the Village of Lafayette, Minnesota; And Tract B: All that part of the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 2, Twp. 111N, Rge. 30W, Nicollet County, Minnesota, described as follows: Commencing at the Southeast corner of the tract of land now known as Block 9 of the Union Addition to the Village of Lafayette, thence West along the full length of the Southern line of said Block 9 being 264 feet, more or less to the Northeast corner of the following described parcel: All that part of the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 2, Twp. 111N, Rge. 30W, Nicollet County, Minnesota, described as follows: Commencing at the Southwest corner of Block No. 10, Union Addition to the Village of Lafayette, thence due South 10.65 rods, thence East 18 rods; thence North 10.65 rods and thence West 18 rods to the place of beginning and containing 1.2 acres more or less; thence South a distance of 175.725 feet, more or less, along the eastern boundary of said referenced parcel, thence East 264 feet to the East line of the SW  $\frac{1}{4}$  of Sec. 2, Twp. 111N, Rge. 30W, and thence North a distance of 175.725 feet more or less to the point of beginning;

Subject to Easements of record.

WEST PARCEL: Tract A: The South 142.9 feet of Block 10, Union Addition to the Village of Lafayette, Nicollet County, Minnesota; And Tract B: All that part of the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 2, Twp. 111N, Rge. 30W, Nicollet County, Minnesota, described as follows: Commencing at the Southwest corner of Block No. 10, Union Addition to the Village of Lafayette, thence due South 10.65 rods, thence East 18 rods; thence North 10.65 rods and thence West 18 rods to the place of beginning and containing 1.2 acres more or less.

Together with a permanent, non-exclusive easement for access and utilities Fourteen (14) feet in width, being Seven (7) feet on either side of the following described line: Commencing at the Northwest corner of lot 9, Union Addition to the Village of Lafayette, Minnesota, according to the Plat thereof on file and of record in the office of the County Recorder in and for Nicollet County, Minnesota, thence Easterly along the North boundary of said Block 9 a distance of 43 feet to the point of beginning; thence southerly on a line parallel to the West boundary line of said Block 9 a distance of 130 feet; thence continuing southerly on a line parallel to the easterly boundary of Block 10, Union Addition, a distance of 64 feet; thence westerly on a parallel to the Northerly boundary line of said Block 10 to the easterly boundary line of said Block 10.

WHEREAS, Heimat Properties, LLC, the current owner of these parcels, submitted an application for consideration dated October 1, 2022, and received 10/21/2022, requesting that the property be rezoned from the residential (R1) district to the commercial (C) district;

WHEREAS, the City Council, serving as the Planning Commission, on November 14, 2022 set the public hearing and after giving proper notice via publication on November 30, 2022, and held a public hearing, on December 12, 2022, to provide an opportunity for public input and comment on the request. The Council received staff and/or public comments regarding the rezoning request;

WHEREAS, the City Council has determined the following:

1. The property is no longer used as a school, and the owner desires to make commercial use of the entire property;
2. It is in the best interests of the community to allow the school property to be repurposed, for other reasonable uses of the property;
3. Rezoning these parcels is logical to make the parcels commercial property for future use of this property;
4. Granting the re-zoning request would not adversely affect property values of adjacent landowners to an unreasonable degree;
5. No additional public services will be required if the request is granted;
6. The capacity of existing roads and sewer and water facilities are sufficient to accommodate the proposal;
7. There was no error or oversight in preparing the original zoning map which indicates that this zoning should have been included at that time;
8. This change is beneficial to the community and not merely a convenience to the applicant.

NOW, THEREFORE, THE CITY COUNCIL OF LAFAYETTE ORDAINS:

1. The certain real property described above shall be rezoned from the residential district to the commercial (C) district.
2. The Official Zoning Map of the City shall be amended to reflect the rezoning of this parcel.

This Ordinance shall be published after adoption.

ADOPTED by the Lafayette City Council this 9th day of January 2023. Said motion

was made by Polich and seconded by Tauber.

Sandie Peterson, Mayor

Attest:

Sandy Burger, City Clerk

Roll Call:

Ayes: Polich, Tauber, Reed, Portner Peterson

Nays:

Absent:

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