

City of Marine on St. Croix  
Planning Commission and Public Hearing  
Tuesday, October 26, 2010

The City of Marine on St. Croix Planning Commission meeting of October 26, 2010 was called to order by Chairman Willenbring at 7:32 pm. Roden, Warren and Brenner present Creager, and Zajac Absent.

Citizens Present: Rollin & Becky Alm

**Agenda:**

1. Call to Order 7:30pm
2. Rollin & Rebecca Alm – 400 Judd Street – Discussion of future plans of property. Possible CUP.
3. Status of open position
4. Old/New Business: T-Mobile
5. Approval of September 28, 2010 minutes.
6. Review Codes in the SFR, SFU, SCR, SCU, VC Districts.
7. Adjournment

**Rollin & Rebecca Alm:** Rollin and Rebecca Alm purchased the at 400 Judd Street approximately four weeks ago with intention of requesting a Special Use Permit from the City of Marine for the use of an Artist Gallery business in the future. The property known as the Charlie Brown house is located on the south west corner of Burkey and Judd Street. The property falls in the St. Croix Urban Residential district and the St. Croix overlay district. The property size is .43 acres which includes three parcels two 150 feet by 50 feet lots and one 75 foot by 50 foot lot. Currently there is no well or septic system and it is not on the city sewer system.

Willenbring reviewed the zoning in the St. Croix Urban Residential and St. Croix overlay district and explained the permitted uses. The primary use in our residential districts is residential and not businesses. Willenbring also explained how the Planning Commission works with the applicants; however they are not able to change the ordinances to fix the residences. The Planning Commission reviewed several areas including accessory uses, conditional uses, interim uses, home occupations, sewer hookups and zoning changes. The consensus of the Planning Commission was there are two areas of concern the first is the sewer system and the second is the use of the property. The history of the City has been not to add any additional hookups to the system. Years ago if you paid the hookup fee to the sanitary sewer system then it is still available however there is no capacity for additional households. With the ground water being so high a mound system also didn't look favorable. The third option would be a holding tank and approval from the Washington County would be needed. Willenbring briefly reviewed the sewer ordinance. Mr. and Mrs. Alm will review the information regarding the City Codes, Zoning Ordinances and contact Washington County regarding other options. Concerning the use of the property the Planning Commission also reviewed the Performance Standards for the district section 507.7. The requirements included lot standards, minimum lot size is one acre; the site should be capable of supporting a standard septic system compliant with the city's Sewer

Ordinance. The Planning Commission recommended the Alms work with the county and go before the City Council for any approvals at a later date. Brenner also noted a change to the Zoning Ordinance was an option however this would require a Public Hearing and is a longer process and could be very expensive.

**Status of open position:**

Willenbring acknowledged a letter of interest from Jerry Mroska who is interested in a position on the Planning Commission. Mr. Mroska will meet with the City Council at the next scheduled meeting on Wednesday November 10, 2010.

The Planning Commission also discussed Mike Zajac and his position with the Planning Commission. Mr. Zajac currently has a conflict for the next several Planning Commission meetings however would like to remain on the Planning Commission if possible. Mr. Zajac would also step down if it would make room for other applicants that are interested. After a short discussion the consensus of the Planning Commission is to allow Mr. Zajac to remain on the Planning Commission for the next couple months and review again.

**Old/New Business:**

T-Mobile – T-Mobile has supplied a new plan however Willenbring still needs to meet up with Amy Dresch with his response to confirm the plans will still fall within the same parameters. Warren talked to Ms. Dresch and confirmed that the same trees would be used for the elevation.

Grant Property update. – The minor sub-division had been approved by the City Council contingent on the acceptance upon the utility easement and encroachment agreements. Warren noted there will be a meeting with the City Attorney, Washington County, Parks and Trails Committee and Lynette Peterson City Clerk, Jack Warren and Andy Creager Planning Commission member from the City of Marine on St. Croix to work out the arrangements with the Easement and Encroachment agreements on Wednesday October 27, 2010 in Stillwater.

**Approval of Minutes** Warren moved and Roden seconded to accept the September 28, 2010 Planning Commission Minutes as drafted with the following two changes. First change to page 2 paragraph 5 replace “Quant” with “County Road 4/ Ostrum Trail”. Second change is page 8 under Old/New Business insert the words “top of antenna” before “elevation” in the second sentence. Motion Passed unanimously.

**Review of Codes in the SFR, SFU, SCR, SCU, VC Districts.** The Planning Commission reviewed a list of variances that had been granted over the past 5 years. The Planning Commission was surprised to see there were only a total of six variances. With the recent Minnesota Supreme Court changes Willenbring thought the Planning Commission should take a look at these variances to see if the city needs to modify the code and to allow for council review without a variance. The common denominator was placement of accessory buildings.

Member Roden also commented on the seminar “Death of a Variance” she attended regarding the Minnesota Supreme Court ruling and felt that the City of Marine had a well constructed Zoning Plan and we don’t seem to run into all these other issues that need a variance. Roden also

explained what she got from attending the seminar. The City needs to establish what expansion and reasonable use is. The seminar explained what the cities options would be:

1. Continue to grant variances using the new standard that clearly defines what expansion is including height and width.
2. Seek legislative amendment
3. Establish variance process for expansions of non conforming uses
4. Move sub-division use requirements to ordinances
5. Increase the use of Planned Unit Developments,
6. Conditional Use Permits or rezoning
7. Create alternative standards in the ordinance, not conforming that goes up not out.

The Planning Commission set a time line of the spring to address the adaptability for types of variances we have approved a Public Hearing will follow at a City Council meeting when this is complete.

**Adjournment:** Brenner moved and Roden seconded to adjourn the October 26, 2010 Planning Commission meeting at 8:51pm. Motion passed unanimously.

Minutes taken by Mary Tomnitz, Assistant City Clerk