

3. PLANNING CASE 12-12 – CHURCH OF THE EPIPHANY CUP AND SITE  
PLAN FOR CEMETERY – PUBLIC HEARING

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It was noted the applicant is requesting approval of a site plan and conditional use permit for an expansion of their cemetery. Staff reviewed the site plan in detail with the Commission noting the location of the proposed cemetery and recommended approval with one condition.

Commissioner Lipinski asked if Epiphany Church had been working with the Great River Energy property on an easement. Planner Harlicker was unaware if the properties had previously reached an agreement.

Commissioner Stephenson questioned if the rear property line had a significant change in grade, and if the rear line would be fenced. Planner Harlicker explained a fence was not proposed.

Commissioner Stephenson suggested a fence be recommended along the rear property line.

Commissioner Schwartz asked why access to the cemetery was not made through Epiphany Church property instead of through the Great River Energy property. Planner Harlicker was uncertain but noted the shared access did allow for Great River Energy to reach the property behind their substation.

Acting Chair Lattimore inquired if a fence were recommended by the Planning Commission, at what height should this fence be. Planner Harlicker recommended the fence be no more than six feet in height.

Acting Chair Lattimore opened the public hearing at 6:42 p.m.

Ken Ziegler, 10986 Eagle Street NW, reviewed the gravel mining history of the Epiphany Church property with the Commission. He reviewed several photos with the Commission and expressed concern with the dumping of dirt and debris in the mining hole. He then expressed concern with the location of the proposed cemetery and how the property would be cleaned up.

Commissioner Stephenson questioned who owned the property to the south. Planner Harlicker noted Epiphany Church owns the property to the south. He noted the church did receive all necessary watershed permits to put a cemetery on this property.

Acting Chair Lattimore closed the public hearing at 6:51 p.m.

Commissioner Geisler recommended a second condition for approval stating any work on the site, from this point forward, would need approval by the City. She noted the City does not currently have a grading plan for this site and for this reason, the item could be tabled to allow staff to discuss the item further.

Commissioner Stephenson was in favor with this recommendation. He suggested that the Commission also recommend the property to the south be cleaned up, and that fencing along the south property line be reviewed.

Commissioner Schwartz questioned if the City would have a concerns with the 60 day review limit if the item were tabled this evening. City Attorney Brodie recommended the case be denied with findings instead of tabled. This would allow the applicant to bring forward a new CUP and Site Plan addressing the Commission's concerns.

**MOTION BY COMMISSIONER SCHWARTZ, SECONDED BY COMMISSIONER STEVENS, TO DENY THE CHURCH OF THE EPIPHANY REQUEST BASED ON THE FACT THE APPLICATION WAS INCOMPLETE AND HAD NO GRADING PLAN. THE MOTION PASSED UNANIMOUSLY.**

After further review, City Attorney Brodie commented the Church of the Epiphany CUP and Site Plan for a Cemetery could be given a 60 day extension if the Commission would like to table action this evening instead of denying the request.

**MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER GEISLER, TO RECONSIDER THE MOTION MADE FOR THE CHURCH OF THE EPIPHANY REQUEST.**

Commissioner Geisler stated it was reasonable to reconsider this request, table action and allow for Staff to meet with the applicant regarding the concerns of the Commission to allow the applicant to provide a more complete submittal of plans at a future meeting.

**THE MOTION PASSED UNANIMOUSLY.**

Commissioner Stephenson requested that the applicant in attendance be informed that this item was indeed tabled and not denied this evening.

**MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER SCHWARTZ, TO TABLE ACTION ON THE CHURCH OF THE EPIPHANY REQUEST TO THE JULY 19, 2012 PLANNING COMMISSION MEETING. THE MOTION PASSED UNANIMOUSLY.**

The Planning Commission will review this item at its July 19, 2012 meeting.