

MANKATO TOWNSHIP PLANNING COMMISSION
Regular Meeting July 17, 2024 - 6:30 p.m.
Mankato Township Hall
788 South Victory Drive, Mankato MN

Any person speaking to the Commission shall give to the Secretary of the
Commission the NAME and HOME ADDRESS of such person prior to speaking.

1. **CALL TO ORDER**

2. **APPROVAL OF AGENDA**

3. **APPROVAL OF MINUTES**

1. **Draft April 17, 2024 Mankato Township Planning Commission meeting minutes**

4. **BUSINESS ITEMS**

1.

CYM05-24

Request of Tivoli Cemetery Association for a Conditional Use Permit to allow for an expansion of the existing cemetery on the abutting North-facing property. The subject property is described as Tracts A and B, Section 25, Township 108, Range 26 West, Blue Earth County (59698 203rd Street, Blue Earth County PID R430925200008).

5. **MISCELLANEOUS**

6. **ADJOURNMENT**

Mankato Township Planning Commission

3. 1.

Meeting Date: 07/17/2024

Title

Draft April 17, 2024 Mankato Township Planning Commission meeting minutes

Attachments

Draft April 17, 2024 Mankato Township Planning Commission minutes

Mankato Township Planning Commission

4-17-24

Planning Commission Meeting

Meeting was called to order by Roxanne Johnson at 6:30 PM on 4-17-24. PC members present: Roxanne, Dan Rotchdl, Roger Funfsinn, Dave Turner, and Jim Jensen. Meeting of the PC on 2-29-24 minutes were approved as sent, motion made by Roger to approve, second by Dan Rotchdl, motion carried with all in favor.

Planning report: Jim Zarn CUP request was read by the planning staff. Attached is the planners report and recommendations.

Heidi Danielson 217 Red Ridge Road asked is the PC recommending with the planners report, they would not be concerned.

Roxanne closed the public hearing. Jim Jensen moved for approval as per recommendation second by Roger Funfsinn. All moved to approve.

Meeting was adjourned at 6:55 PM.

Respectfully submitted,

Dan Fogal

Clerk

Meeting Date: 07/17/2024

Title

CYM05-24

Request of Tivoli Cemetery Association for a Conditional Use Permit to allow for an expansion of the existing cemetery on the abutting North-facing property. The subject property is described as Tracts A and B, Section 25, Township 108, Range 26 West, Blue Earth County (59698 203rd Street, Blue Earth County PID R430925200008).

Applicant

Tivoli Cemetery Association are the applicants and property owners.

Request

Request of Tivoli Cemetery Association for a Conditional Use Permit to allow for an expansion of the existing cemetery on the abutting North-facing property. The subject property is described as Tracts A and B, Section 25, Township 108, Range 26 West, Blue Earth County (59698 203rd Street, Blue Earth County PID R430925200008).

Location

The subject property is described as a 1.87-acre Tracts A and B, Section 25, Township 108 North, Range 26 West, Blue Earth County (59698 203rd Street, Blue Earth County PID R430925200008).

Existing Land Use

The land consists of two parcels, R430925200008 and R4309252000016, consisting of 1.87 acres and 2.5 acres. The first parcel, ending in 0008, currently has the existing cemetery on the land and the second parcel, ending in 0016, will be used as the expanded cemetery.

Zoning

The site is zoned Agricultural by the Mankato Township Zoning Ordinance.

Environmentally Sensitive Areas

There are environmentally sensitive areas in both parcels of land. There is an Archaeological site Ghost Town and a ravine showing on the environmental sensitive map for parcel R430925200008. The second most northern parcel (R4309252000016) and is the proposed extension for the cemetery showing an Archaeological site, Ghost Town. While the maps represent this as the location of a historic town, it does not appear to indicate any potential known barriers to the proposed development.

Review

Tivoli Cemetery Association is requesting a Conditional Use Permit to allow for an expansion of the existing cemetery on the abutting North-facing property.

The subject property is legally described as Tracts A and B, Section 25, Township 108 North, Range 26 West, Blue Earth County. The address is 59698 203rd Street, Blue Earth County PID R430925200008. It is located south of State Highway 83 and northwest of the Le Sueur River. The site is bordered by agriculturally zoned districts with mainly open land or farmland.

A previous plat for Tivoli Cemetery was completed in 1986 and shows cemetery development plans that include gravesites and driveways for sections A and B.

The applicant is proposing to extend the current Tivoli cemetery lot which contains 1.87 acres (R430925200008) to the north parcel, which is a 2.5-acre parcel (R4309252000016). The plans submitted show a shared access point centrally located on the existing parcel ending in 0008; coming off of 203rd Street.

The subject site is located in the Agricultural District where Mankato Township Code section 0100.062 Agricultural Districts Uses Subpart 2. Conditional uses Part D states Cemeteries are a conditional use within the district.

The plans show a centrally located access point from 203rd Street that continues northbound to the proposed additional lot. The submitted document depicts the driveway going through gravesites 3 and 21 on existing Lot A. The applicant has indicated gravesites 3 and 21 are not being utilized and have not been sold. A condition herein states Lot 3, 21, and any other impacted gravesites shall be removed from the plat.

The current and extended cemetery must comply with Blue Earth County ordinances surrounding wells, wetlands and septic systems. The applicant has indicated that there are no facilities proposed on the site, and so a sewage treatment system is not necessary. A condition has been added that if, in the future, plans include facilities which require sanitary systems, the applicant will need to request for a permit through Blue Earth County and shall adhere to county code standards for addressing sewage treatment systems.

Any future refuse and garbage disposal services on the property shall be conducted in accordance with Blue Earth County's code (Chapter 16 Solid waste management) to create no health hazards, rodent, harborage, insect breeding areas, accidents or fire hazards, or air pollution.

Maintenance, updates, or changes to current signage shall adhere to the Mankato Township Ordinances found in Section 15. The applicant will be required to apply for a construction permit prior to the placement of any additional signage desired.

Currently, parking during events, visits, and funerals is available either along 203rd Street or within the cemetery along the interior roads. This is the current arrangement and the applicant has indicated that with the expansion, the current parking arrangement will continue. While occasional increases in traffic may occur, it will be for a short period of time and should not create any traffic congestion or traffic hazards.

The landscaping of Tivoli Cemetery shall adhere to the standards listed in Section 100.1303 Performance Standards Subpart 1 landscaping standards. All required yards shall either be landscaped or be left in a natural state. Any areas left in a natural state shall be properly maintained in a well-kept condition.

Any exterior lighting shall be directed away from adjoining properties, according to Section 100.1303 Performance Standards subpart 5 Exterior lighting.

Findings

Staff respectfully submits the following findings of fact for the proposed Conditional Use Permit:

1. The proposed use conforms with the Township Land Use Plan. Cemeteries are considered conditional uses in the Agricultural District. The applicant is requesting to expand the existing cemetery use to the abutting property.
2. The applicant has demonstrated the need for the proposed use.
3. The proposed use will not degrade the water quality of the Township since there are no existing wells, septic systems, or wetlands within the proposed parcels.
4. The proposed use will not adversely increase the quantity of water runoff. There are no known adverse impacts from water runoff.
5. The soil conditions are adequate to accommodate the proposed use. There are no known soil issues with the current cemetery use.
6. The proposed use does not create a potential pollution hazard. There are no known pollution hazards with the

proposal.

7. Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.
8. Adequate measures have been taken by the applicant to continue to provide sufficient off-street parking and loading space to serve the cemetery during funerals, events, and visits.
9. The proposed conditional use permit is not proposed to increase traffic congestion or traffic hazards. With infrequent activity and the general nature of a cemetery, the expansion should not create traffic congestion or hazards.
10. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted. The proposed use will be the same as the current; an extension of the current cemetery.
11. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses of agricultural and conservation districts in the area.
12. Adequate measures have been taken to prevent or control offensive odors, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance. The applicant will control any lighted signs and other lights in such a manner that does not cause a disturbance to neighboring properties.
13. Site-specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare have been established and are included herein.

Recommendation

Staff recommends approval of the conditional use permit to allow for an expansion of the existing cemetery with the following conditions:

1. A construction permit from Mankato Township shall be in place prior to the start of the work for the new access route.
2. The development of the cemetery shall be according to the submitted cemetery plat. Any changes shall be requested and submitted to the Mankato Township.
3. The applicable plat(s) shall be updated to remove gravesites number 3, 21, and any other impacted gravesites from the plat to accommodate the proposed accessway.
4. For future developments with septic, well, or sewage treatment systems, the applicant shall comply with Blue Earth County standards and apply for permits when applicable.
5. The applicant shall comply with Blue Earth county standards surrounding solid waste management services if any additions occur in the future.
6. If the applicant installs exterior lighting, signage, or fencing, it shall conform to the Mankato Township Zoning Ordinance.

Attachments

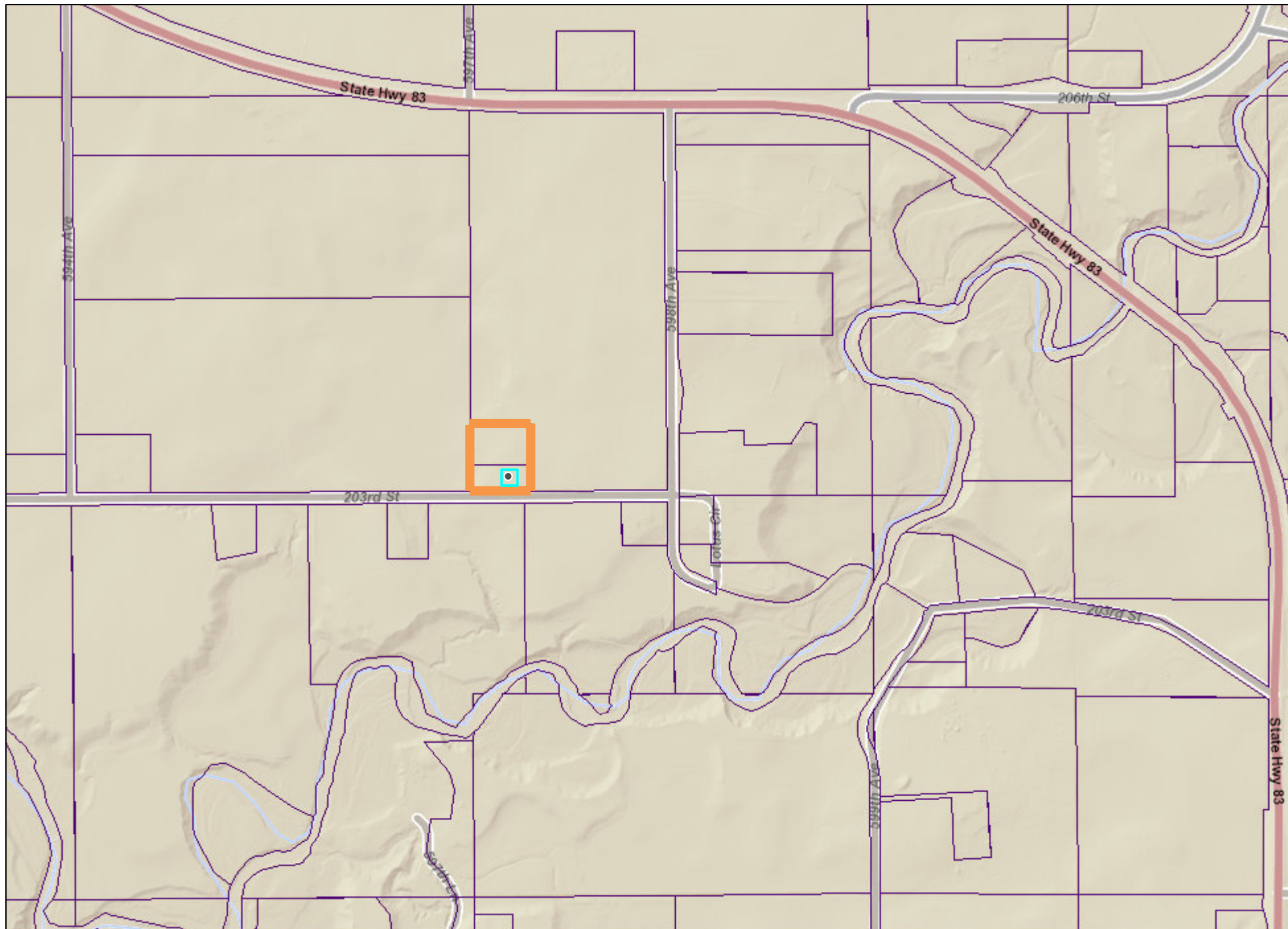
General Location Map

Aerial Map

Site Plan

Previous 1986 Plat

General Location Map



Date: June 2024

Author:

This information is to be used for reference purposes only. The City of Mankato does not guarantee accuracy of the material contained herein and is not responsible for misuse or misinterpretation.



Aerial Location Map



Date: June 2024

Author:

This information is to be used for reference purposes only. The City of Mankato does not guarantee accuracy of the material contained herein and is not responsible for misuse or misinterpretation.

TIVOLI CEMETERY NORTH

BLUE EARTH COUNTY, MINNESOTA



DESCRIPTION

That part of the Southwest Quarter of the Northeast Quarter of Section 25, Township 108 North, Range 26 West, Blue Earth County, Minnesota, described as:

Commencing at on iron pipe monument designating the Center of Section 25; thence North 89 degrees 47 minutes 33 seconds East, (assumed bearing) along the East - West center line of Section 25 a distance of 391.00 feet to the southeast corner of Addition "B" to Tivoli Cemetery, according to the plat thereof on file and of record with the Blue Earth County Recorder; said point being the point of beginning; thence North 00 degrees 03 minutes 10 seconds West, along the east line of said Addition "B" to Tivoli Cemetery a distance of 209.00 feet to the northeast corner of said Addition "B" to Tivoli Cemetery; thence South 89 degrees 47 minutes 33 seconds West, along the north line of said Addition "B" to Tivoli Cemetery and along the north line of Addition "A" to Tivoli Cemetery and along the north line of Tivoli Cemetery, according to the plats thereof on file and of record with the Blue Earth County Recorder, a distance of 392.67 feet to the point of intersection with the North - South center line of said Section 25; thence North 00 degrees 30 minutes 41 seconds West, along said North - South center line, a distance of 270.50 feet; thence North 89 degrees 47 minutes 33 seconds East, 399.84 feet; thence South 00 degrees 03 minutes 10 seconds East, 479.50 feet to a point on the East - West center line of said Section 25 distant 5.00 feet east of the point of beginning as measured along said East - West center line; thence South 89 degrees 47 minutes 33 seconds West, along said East - West center line, 5.00 feet to the point of beginning.

Said parcel contains 2.50 acres, subject to an easement for 203 Street purposes over and across the most southerly boundary; ALSO subject to any other easements of record.

AND

Addition "B" to Tivoli Cemetery.

AND

Addition "A" to Tivoli Cemetery.

DEDICATION

We the undersigned President and Secretary of the The Cemetery Board of Tivoli Cemetery, owners of the herein described land, hereby certify that we have caused the same to be surveyed and platted as a burial place for the human dead, that the same be designated, known, and named as TIVOLI CEMETERY NORTH as shown hereon, and we hereby accept such plat as evidenced by our hands this _____ day of _____, 2024.

SIGNED: Cemetery Board of Tivoli Cemetery

Tom Oachs, President

Mark Oachs, Secretary

NOTARY CERTIFICATE

State of Minnesota)
ss
County of Blue Earth)

On this the _____ day of _____, 2024, before me a Notary Public within and for said County, personally appeared Tom Oachs, and Mark Oachs, to me personally known, who being duly sworn, did say that they are the President and Secretary of the THE CEMETERY BOARD OF TIVOLI CEMETERY, and that said instrument was signed in behalf of said association by authority of its Board of Directors and said Tom Oachs and Mark Oachs acknowledged said instrument to be the free act and deed of said cemetery board.

Notary Public

SURVEYOR'S CERTIFICATION

I, Michael M. Eichers, Registered Land Surveyor, State of Minnesota, do hereby certify that this survey was made at the request of the owners of the property platted, that all measurements are correct as shown hereon, and that as per Minnesota Statutes 307.01 the cemetery monuments as shown hereon have been set for the guidance of future surveys.

Michael M. Eichers
Minn. License No. 46564

On this the _____ day of _____, 2024, before me a Notary Public in and for said County, appeared Michael M. Eichers who being duly sworn did say that he executed the foregoing instrument.

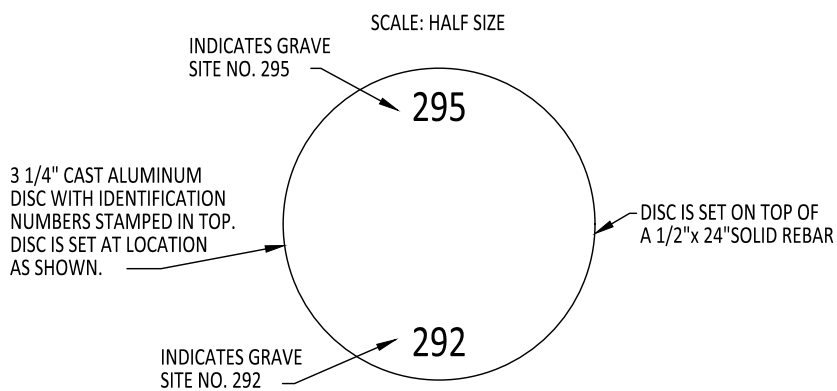
Notary Public

COUNTY RECORDER

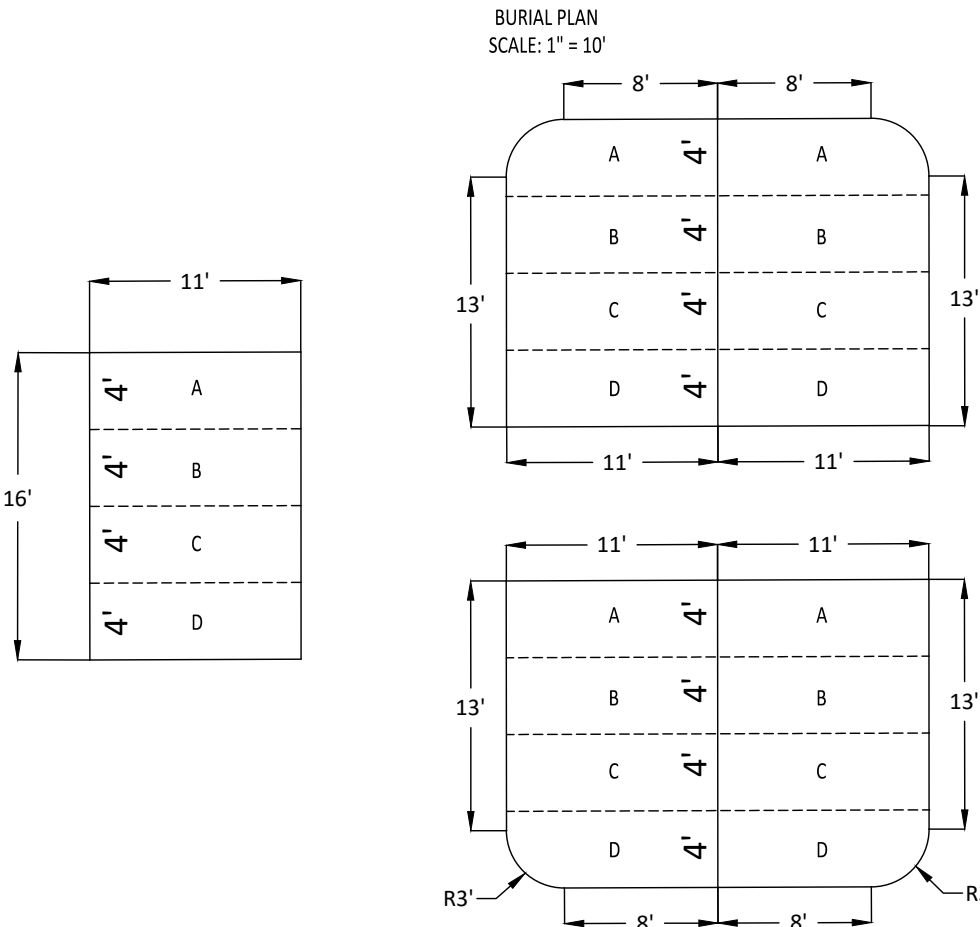
I hereby certify that the within instrument was filed in my office for record on this the _____ day of _____, 2024, at ____ o'clock, ____M. and was duly recorded in _____ of Plats, Number _____.

County Recorder
Blue Earth County, MN.

TYPICAL MONUMENT DETAIL



TYPICAL UNIT DETAIL



BLUE EARTH COUNTY, MINNESOTA

A tract of land situated in the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-Five (25), Township One hundred Eight (108) North of Range Twenty-Six (26) West, circumscribed as follows, to wit:

Commencing at a point on the East and West Quarter line 300 feet East of the center of said Section 25, Township 108 North Range 26 West, thence running North 209 feet, thence East 91 feet, thence South 209 feet, thence West 91 feet to the place of beginning, containing .43 of an acre, and designated hereon as ADDITION "B" TO TIVOLI CEMETERY,

We the undersigned President and Secretary of THE CEMETARY BOARD OF TIVOLI CEMETERY, owners of the herein described land, hereby certify that we caused the same to be surveyed and platted as a burial place for the human dead, that the same be designated, known, and named as ADDITION "B" TO TIVOLI CEMETERY, as shown hereon, and we hereby accept such plat as evidenced by our hands and seal this _____ day of _____, 1986.

President

Secretary

State of Minnesota)
County of Blue Earth) ss

On this the _____ day of _____, 1986, before me, a notary public within and for said County, personally appeared Leslie H. Morse and Ester Farm, to me personally known, who being each by me duly sworn did say that they are respectively the President and Secretary of THE CEMETERY BOARD OF TIVOLI CEMETERY, and that said instrument was signed and sealed in behalf of said board by authority of its Board of Directors and said Leslie H. Morse and Ester Farm, acknowledged said instrument to be the free act and deed of said board.

Notary Public

I, Bradley C. Evans, Registered Land Surveyor, State of Minnesota, do hereby certify that this survey was made at the request of the owners of the property platted, that all measurements are correct as shown hereon, and that as per Minnesota Statutes 307.01 the cemetery monuments as shown hereon have been set for the guidance of future surveys.

Reg. No. 13114

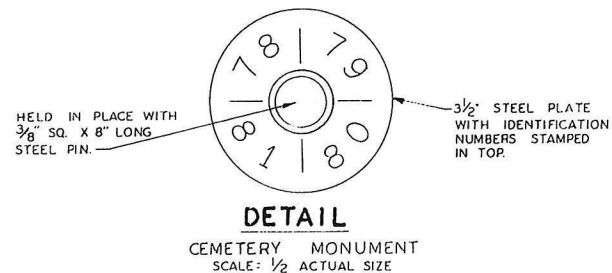
On this the _____ day of _____, 1986, before me a notary public in and for said County, appeared Bradley C. Evans who being duly sworn did say that he executed the foregoing instrument.

Notary Public

COUNTY RECORDER
BLUE EARTH COUNTY, MINNESOTA

I hereby certify that the within instrument was filed in my office for record on this the _____ day of _____, 1986, at _____ o'clock, _____ M. and was duly recorded in Book _____, page _____.

County Recorder
Blue Earth County, Minnesota



4 x 11
Buras