

Denmark Township Memorandum

To: Denmark Township Planning Commission

Copies: Troy Gilchrist, Town Attorney
 Cara Geheren, PE, Town Engineer

From: Kim Lindquist, Denmark Township Planning Consultant

Date: May 18, 2026

WSB Project No. 026620-000, Phase 08

Requests: Major Subdivision to split one lot into two lots and three outlots to allow development.

Conditional Use Permit to allow the construction of a veterinary clinic at 13030 Maycrest Avenue Ct. S.

Applicant Owner: Diane Brown
 Point Douglas Properties

Project Location: 13030 Maycrest Avenue Court. S.

Existing Land Use / Zoning: Vacant/Outbuildings for agricultural use
 Single Family Estate (SFE)

Surrounding Land: North – Single Family Estate (SFE)
 East – Single Family Estate (SFE) and Commercial/Industrial (CI)
 South – Single Family Estate (SFE)
 West – Single Family Estate (SFE)

Comprehensive Plan: The Denmark Township (2040) Comprehensive Plan guides this property as Single Family Estate.

Deadline for Agency Action: Application Date: April 20, 2026
 60 Days: June 20, 2026
 120 Days: August 20, 2026

REQUESTED ACTION

The applicant and property owner request approval of a major subdivision, preliminary and final plat approval, and a conditional use permit for the 20.2-acre property at 13030 Maycrest Avenue Court S, located south of Highway 10. The applicant, owner of Hastings Vet Clinic, proposes to build a veterinary clinic on one of the newly created lots. The property owner, which is not the clinic owner, is subdividing the property to allow sale of one buildable lot for construction of the clinic. In total, two lots for development and three outlots will be created out of the subdivision along with dedication of right of way for a potential future public road.

The property is zoned and guided for Single Family Estate use. By definition, a major subdivision is a land division creating four or more lots, or any size subdivision requiring any new street or extension of an existing street. The subdivision will ultimately create five new parcels and has

dedicated right of way, requiring approval of a preliminary plat and final plat, Laws Valley View 2nd Addition, which are both requested at this time.

Veterinary clinics are allowed as conditional uses in the Single Family Estate District. (Chapter 2, Section 7.1). The clinic will be constructed on Lot 2 in the southwest portion of the overall site, just south of the platted Mary Avenue South right of way. Further details about the clinic site plan and compliance with the conditional use permit standards are below.

Presently, most of the parcel is vacant, except for two outbuildings and a gravel parking and drive aisle, located in the southeast portion of the overall site. These buildings will remain and will be housed on Lot 1.

STAFF REVIEW

The Preliminary Plat and Final Plat of Laws Valley View 2nd Addition will create two platted lots and three outlots. Lot 1 will include the existing two outbuildings and a gravel drive with parking to serve the structures. At this time there is no additional development proposed on that site. The buildings meet existing ordinance setbacks.

The newly created Lot 2 will house the veterinary clinic. The lot is south of the dedicated Mary Avenue South right of way. The public road will not be constructed at this time. Rather the right of way is made available in case Mary Avenue to the west is extended in the future. At present, Mary Avenue serves several lots in the Kummer's Cliff plat. The road has not been extended to its western border because all of the lots within the subdivision have not been developed. Should the lots be developed, the public road would be extended and then could also be extended through the current project site. This would allow construction of a looped road rather than a long cul de sac. At this time, staff is unaware of any interest in developing more residential lots or a desire to extend Mary Avenue. It is, however, prudent to make provisions for its extension if needed in the future.



Outlot A, north of Lot 2, would be set aside for future development. Typically, staff would prefer to see a proposed layout to ensure that development can occur without the need of variance. However, the lot is large at 8.67 acres and while there are some significant grades in the north and a transmission line easement, there should be ample space to develop the site. Two smaller outlots, Outlots B and C, south of Lot 2 are also being created. Staff has been told that these outlots will be combined with Lots 4 and 5 Block 1 Laws Valley View Addition directly to the south. Combining these lots is a condition of approval, as the outlots are small and are not buildable on their own. Further, staff does not want them to become tax forfeited and therefore they should be combined with the adjacent parcels or not created.

The acreage of each lot and outlots is as follows:

Lot 1: 3.68 acres

Lot 2: 6.12 acres

Outlot A: 8.67 acres

Outlot B: .38 acres

Outlot C: .35 acres

Proposed ROW: .97 acres

The minimum lot size in the Single Family Estate (SFE) zoning district is 3 acres. Both proposed lots will meet the minimum lot size requirements of the district. In addition, the density allowance of one residential dwelling unit per 3 acres is also being met with this subdivision.

As part of any plat, the Town requires dedication of drainage and utility easements that may be necessary for regional ponding, and public and private utilities. The plat dedicates easements along the perimeter of each lot as required by ordinance. There are no easements depicted on Outlots B & C and they should be added along the north, west and east lot lines. There are no public utilities or regional systems that require dedication of additional easements. The applicant shall pay a park dedication fee that is consistent with Section 12 of the Subdivision regulations. Staff does not anticipate dedication of land for the park fee but rather payment in lieu of land dedication.

One issue that has not been addressed is to ensure that Mary Avenue can be constructed, if need be, within the dedicated right of way and not require grading into adjoining private lots. The applicant should submit a grading plan which depicts a generalized grading plan for the future roadway. If grading outside of the right of way boundary is needed for installation, temporary easements should be dedicated.

STAFF REVIEW-Conditional Use Permit

The applicant, Diane Brown of Hastings Veterinary Clinic, proposes to construct an 8,600 square foot veterinary clinic on Lot 2 of the subdivision. A veterinary clinic is allowed as a conditional use in the Single Family Estate (SFE) district, subject to review and approval of a Conditional Use Permit. There are no performance standards listed in the ordinance specifically for veterinary clinics. The applicant indicates that the clinic will be for companion animals and if bigger animals are treated, it will be where the animal is, not at the clinic. The clinic operates from 8-5 Monday through Friday.

The proposed site plan includes an 8,600 square foot building and 55 parking stalls. Based on the zoning ordinance requirement of one parking stall per 200 square feet of office space and six spaces per doctor for medical uses, staff finds that the site plan meets the applicable parking requirements. Parking stalls are required to be at least 9 feet by 18 feet, and the site plan demonstrates compliance with this standard. The plan also complies with the required setbacks of 40 feet in the front yard from the existing Maycrest Avenue and the future Mary Avenue, 20 feet on the side yards, and 50 feet in the rear yard.

Access to the site is proposed by a private drive from Maycrest Avenue. The drive is positioned within the Mary Avenue right of way in case the road is constructed in the future. The construction of Mary Avenue will shift the driveway access to Mary Avenue rather than Maycrest Avenue, which is desirable. When Outlot A is developed, the driveway should also be placed within Mary Avenue right of way.

The zoning ordinance does not establish specific supplemental development standards for veterinary clinics under Chapter 2, Part 3, Section 2.47. Based on the submitted plans, the proposed use does not include outdoor dog runs or outdoor boarding areas and is expected to operate in a manner similar to a standard commercial clinic. There are a couple of fenced enclosures, located in the southeast, which will be used for outdoor pet examination areas. These are used intermittently depending upon the pet. The site plan shows an animal relief yard at the rear of the building. Delivery activity is shown on the north side of the building near the front of the site.

The submitted landscape plan includes a variety of trees, both deciduous and coniferous. There are five Black Hills Spruce located in the south corner of the parking lot to provide screening to the south, where there are two residences. By ordinance parking areas serving six or more vehicles adjacent to a residential district, the parking lot must be screened by a fence or other screening at least four feet in height along the shared property line. Staff recommends extending the evergreen plantings on both sides of the 5 trees, with 2 more on each side. It appears that the clinic is at the similar elevation to the southern houses, meaning vegetation along the south property line would provide screening. Another option is to install some taller shrubbery to infill between the trees.

Other site landscaping is a combination of 24 overstory trees, along with 6 ornamental trees which ring the building and parking area. Additional landscaping is located along the perimeter of the building, generally at entrances. The landscape plan depicts sod in the area immediately around the parking lot and in the front yard, with the remainder of the disturbed area seeded with natural seed mix. Staff is comfortable with the proposal to seed, although the applicant is responsible for the seed taking hold and ensuring that the site is adequately restored.

The building height is 29' below the 35' ordinance standard. The building elevations present an attractive business view which has residential characteristics such as a pitched roof and exterior materials consistent with residential development. Materials used on the building include flat meal panels, horizontal lap siding, vertical board and batten siding, manufactured stone and shake siding.

Plans submitted to date do not include a lighting plan or dumpster enclosure details. These items should be submitted and reviewed before a building permit is issued.

The Town Engineer has provided the following comments in her engineering staff report, and these items will be included in the conditions of approval for the site:

1. The proposed subdivision includes dedication of right-of-way for Mary Avenue South, consistent with previous Township planning. The applicant proposes to access the site via a driveway constructed within the dedicated right-of-way. This approach is appropriate given the unknown timing of any future construction of Mary Avenue South to the west. It is recommended that any future development of Outlot A be required to access Outlot A via a shared driveway located within Mary Avenue South or via a future public street constructed within the Mary Avenue South right-of-way.
2. Stormwater management plans have been submitted to the South Washington Watershed District for review and comment. Any comments or conditions issued by the Watershed District shall be addressed in the final construction plans.
3. Final construction plans shall be submitted to the Township Engineer for final review and approval prior to the commencement of construction.
4. A stormwater maintenance agreement shall be required for the proposed infiltration basins.

5. A copy of the NPDES Construction Permit shall be provided to the Town when available.
6. Erosion control until measures must be installed prior to construction and maintained throughout the duration of the project. Additional erosion control measures may be required to prevent sedimentation during construction until turf is established. A rock construction entrance shall be provided to prevent tracking of materials onto Township roads during hauling and construction activities. Any tracking of materials shall be immediately addressed in accordance with the project SWPPP and NPDES permit requirements. Erosion control measures shall remain in place until turf is a minimum of 70 percent established.
7. A final inspection shall be scheduled with the Township Engineer upon completion of grading and installation of restoration measures.
8. The Town Board may require a bond or other financial guarantee to ensure compliance with permit conditions and acceptable site restoration.

Conditional Use Permit Standards

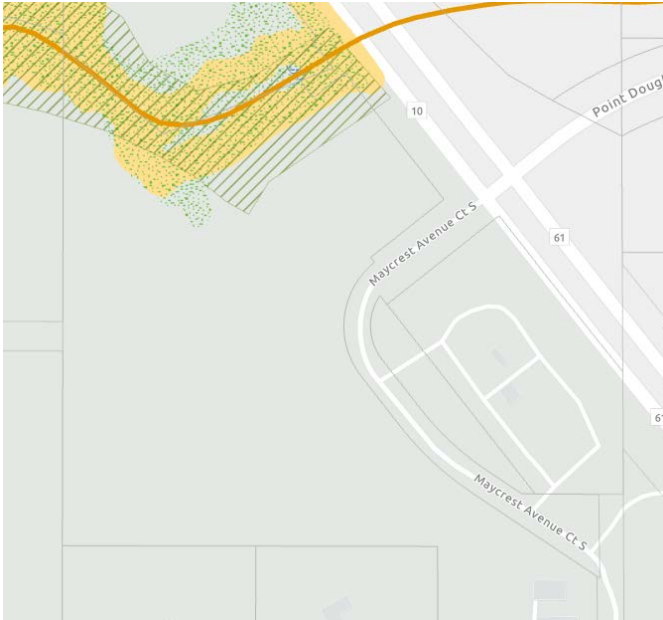
As set forth in Chapter 1 Section 10.3 of the development code, the Planning Commission shall consider the following criteria when deciding to grant a Conditional Use Permit:

1. The impact of the proposed use on the health, safety and general welfare of the occupants of the surrounding lands.
2. Existing and anticipated traffic conditions, including parking facilities on adjacent streets and lands.
3. The effect of the proposed use on utility and school capacities.
4. The effect of the proposed use on property values and scenic views in the surrounding area.
5. The effect of the proposed use on the Comprehensive Plan.
6. The ability of the proposed use to meet the standards of the Development Code.
7. The effects of the proposed use on groundwater, surface water and air quality.
8. That the proposed use is allowed with a Conditional Use Permit in the designated zoning district in which it is proposed.

Based on the staff review, the proposed veterinary clinic meets the criteria for approval of a Conditional Use Permit. The use is allowed in the Single Family Estate zoning district with a Conditional Use Permit, and the site plan demonstrates compliance with applicable setback, parking, and other ordinance criteria. Subject to the recommended conditions, the proposal is not expected to create adverse impacts on surrounding properties, traffic, utilities, or environmental resources, and is consistent with the Township's Comprehensive Plan and Development Code.

MRCCA

The site is located within the designated Mississippi River Corridor Critical Area and is designated SR meaning Separated from River. The vast majority of the parcel does not have any regulatory features such as a shore impact zone or significant existing vegetative stands. However there is a natural drainage area indicated in the northern portion of the site which will need to be reviewed when Outlot A is developed. The site grading and revegetation plan is consistent with the standards for the SR district. There are not identified native plant communities on the clinic site or any connections to a regional park or trails system so not conservation areas are required. The building placement meets ordinance setback standards, and the impervious surface is 16.3%, leaving 83.7% as open space.



RECOMMENDATION

Staff is recommending approval of the Preliminary and Final Plat Laws Valley View 2nd Addition subject to the following conditions:

1. The property owner and applicant enter into a development agreement with the Town regarding the potential construction of Mary Avenue South in the future.
2. The applicant pay park dedication fee consistent with the ordinance prior to release of the final plat for filing.
3. The applicant provide a general grading plan which indicates grading for the future construction of Mary Avenue South for the Town Engineer's approval. If grading outside of the proposed right of way is needed, a temporary easement shall be provided in favor of Denmark Township.
4. The proposed driveway within the dedicated Mary Avenue right-of-way may serve the site until a future public street is constructed. Any future development of Outlot A shall take access from a shared driveway or future public street within the Mary Avenue right-of-way, subject to Township approval.
5. Outlots B and C shall be combined with the adjacent residential parcels. Perimeter drainage and utility easements shall be provided along the north, east and west perimeters of the two outlots.

Staff recommends approval of the Conditional Use Permit for construction of a veterinary clinic, subject to the following conditions:

1. Prior to issuance of a building permit, the applicant shall submit final building plans for Township review. The plans must substantially comply with the plans submitted and dated 4/17/2026.
2. The applicant shall submit final lighting and trash enclosure plans for staff review and approval prior to issuance of a building permit.

3. No outdoor storage of any kind shall be permitted on the site.
4. The proposed access drive within the dedicated Mary Avenue South right-of-way may serve the site until a future public street is constructed.
5. All application fees and escrow amounts shall be paid in full to reimburse the Township for the costs of processing and acting on the application.
6. All comments or conditions issued by the South Washington Watershed District shall be addressed in the final construction plans.
7. Final construction plans shall be submitted to the Township Engineer for review and approval before construction begins. All conditions listed in the Town Engineer's memo dated May 5, 2026, shall be addressed by the applicant.
8. The applicant submit a final landscape plan which modifies site screening subject to staff review and approval prior to issuance of a building permit.
9. The applicant shall comply with all standards required by the South Washington Watershed District letter dated 5/11/2026.
10. The applicant shall comply with any conditions imposed by the DNR or NPS relating to the MRCCA standards.

Attachments: Applicant submittal Plans dated April 17, 2026

Town Engineer Memo dated May 5, 2026

South Washington Watershed District letter dated May 11, 2026