DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2026-___

RESOLUTION GRANTING PRELIMINARY AND FINAL APPROVAL FOR A MAJOR SUBDIVISION OF PROPERTY LOCATED AT 13030 MAYCREST AVENUE COURT SOUTH

WHEREAS, Point Douglas Properties ("Applicant") submitted an application to Denmark Township ("Town") for a major subdivision for the property (PID 06.026.20.32.0008) owned by Point Douglas Properties, Inc. located at 13030 Maycrest Avenue Court South, Hastings, MN 55033, which is legally described in the attached Exhibit A ("Property");

WHEREAS, the Property is zoned Single Family Estate (SFE) and contains approximately 20.17 acres;

WHEREAS, the Applicant proposes to plat the Property as Laws Valley View 2nd Addition, with a total of four lots and a dedicated right-of-way ("Plat");

WHEREAS, Lot 1, which is proposed to contain approximately 3.68 acres; Lot 2, which is proposed to contain approximately 6.12 acres; Outlot A, which is proposed to contain approximately 8.67 acres; Outlot B, which is proposed to contain approximately 0.61 acres; and ROW, which is proposed to contain approximately .97 acres;

WHEREAS, the proposed use of the lots within the Plat are as follows:

- Lot 1 has two existing outbuildings with a gravel drive with parking to serve the structures;
- Lot 2 will be the location of the proposed veterinary clinic, for which a conditional use permit application has been submitted to the Town;
- Outlot A will be set aside for future development; and
- Outlot B will be combined with Lot 5 of Block 1 Laws Valley View Addition directly to the south;

WHEREAS, the minimum lot size in the SFE zoning district is 3 acres;

WHEREAS, the maximum density for the SFE zoning district is one residential dwelling unit per 3 acres;

WHEREAS, the Denmark Township Planning Commission conducted a public hearing, after due notice having been provided, on the proposed Plat at its meeting on May 18, 2026, and acted to forward the application to the Town Board with a recommendation that it be approved with certain conditions; and

WHEREAS, the Town Board hereby finds and determines as follows:

a. Additional information regarding the proposed major subdivision is provided in the Town Planner's report ("Planner's Report") dated May 18, 2026, which is incorporated herein by reference, except that the conditions contained in this Resolution are controlling.

b. The Property is zoned Single Family Estate ("SFE") as provided in the Denmark Township Development Code ("Development Code").

c. Chapter Three, Section 7 of the Development Code governs major subdivisions, including those containing four or more lots and any subdivision that requires a new street or the extension of an existing street.

d. The Town determined that processing the Plat as a major subdivision was appropriate since it involves four lots and involves the dedication of additional public right-of-way. However, since two of the lots being created are outlots, and the fact the Applicant is not being required to build the road at this time, as a practical matter the Plat is functionally a minor subdivision.

e. Proposed Lot 1, Lot 2, and Outlot A being established by the Plat conform to the Development Code requirements for lot size, width, and setbacks.

f. Proposed Outlot B does not comply with the lot size requirement of the SFE district, but the sole purpose of establishing Outlot B is to combine it with the property to the south to provide an additional buffer for that property.

g. The property (PID 06.026.20.33.0015) to the south to which Outlot B is to be combined is owned by Scott & Karen Esler, is located at 12083 129th St Ct S, and is legally described as Lot 5, Block 1, Laws Valley View Addition, Washington County, Minnesota ("Southern Property").

h. Chapter Three, Section 12 of the Development Code requires payment to the Town of a park dedication fee when a subdivision creates a new buildable lot. The current payment in lieu of park dedication amount is $2,000 for each new buildable lot created. The proposed Plat creates two lots, with Lot 1, Block 1 containing an existing principal structure, and Lot 2, Block 1 being the site of a proposed new veterinarian clinic. Because Lot 2, Block 1 is the only lot being created for new construction, the total park dedication fee for the current Plat is $2,000. A separate park dedication will apply and will need to be paid if Outlot A is subdivided in the future. Outlot B is not buildable and will be eliminated when it is combined with the Southern Property.

i. Density units for the Plat are as follows:

PARCEL	TOTAL DENSITY UNITS	DENSITY UNITS USED	DENSITY UNITS REMAINING
Lot 1	1	0	1

			(Will be used by the veterinary clinic)
Lot 2	1	1	0
Outlot A	2	0	2
Outlot B	0	0	0

j. Lot 1, Block 1 will continue to be served by the existing access to Maycrest Avenue Court South. Lot 2, Block 1 will be accessed from the new public right-of-way being dedicated to the public in the plat as Mary Avenue South ("Dedicated ROW").

k. The proposed Dedicated ROW runs from Maycrest Avenue Court South to the west and connects to the publicly dedicated right-of-way to the west of the Property. The Town is not requiring the Applicant to construct the Dedicated ROW at this time as it is not currently needed to connect to the property to the west. The owner of the proposed veterinary clinic will construct a driveway within the Dedicated ROW to serve its business on Lot 2.

l. Lot 2 is proposed to contain two infiltration basins, that are not being dedicated to the public as part of the Plat.

m. The proposed Plat was prepared by a registered land surveyor.

n. The proposed Plat does not require the extension of municipal facilities.

o. The proposed Subdivision will not adversely affect the remainder of the parcel or adjoining properties.

p. As indicated in the Planner's Report, the proposed minor subdivision satisfies the requirements and standards imposed by the Development Code.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, based on the Planner's Report, the record of this matter, and the findings and determinations made herein, does hereby grant preliminary and final approval of the above-described Plat as proposed in the preliminary and final plats attached hereto as Exhibit B, which will result in four parcels, conditioned on compliance with all of the following:

1. Density Units. The density units applicable to the Property are, as the result of this Subdivision, divided as shown on the chart above and the remaining availability of those units are as indicated therein.

2. Development Agreement. The Applicant shall enter into a Development Agreement that is prepared by the Town Attorney. More specifically, the Development Agreement shall include provisions related to, but not limited to, the number of density units and their availability, the future improvement of the Dedicated Road, and such other provisions as the Town Attorney determines are appropriate.

3. Park Dedication. The Applicant is required to pay the Town a park dedication fee in the total amount of $2,000 before the Plat may be recorded with the County. Additional park dedication fees will apply if Outlot A is developed in the future.

4. Town Engineer. The Applicant shall address the comments in the Town Engineer's memo regarding the Plat, which is incorporated herein by reference.

5. Grading Plan. The Applicant shall provide the Town 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.

6. Dedicated ROW. 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 Town approval.

7. Outlot B. Outlots B shall be combined with the Southern Property within 90 days of the date of the recording of the final plat. Perimeter drainage and utility easements shall be provided along the north, east and west perimeters of Outlot B.

8. Representations. All representations, written and oral, made by the Applicant, including their agents and representatives, to the Town contained in and concerning the application must have been true, complete, and accurate at the time they were made.

9. Compliance. The Applicant shall obtain all other permits and permissions that may be required and shall comply, and remain in compliance at all times, with all applicable federal, state, and local laws, rules, regulations, and ordinances.

10. Fees. The Applicant shall pay all planning, engineering and legal fees and costs incurred by the Towns for processing this approval application. In the event any fees are outstanding they will be paid by the Applicant within fourteen (14) days of receiving a bill from the Town. In the event the fees are not paid, this approval shall terminate automatically upon recording of a Notice of Nonpayment by the Town.

11. Inspections. The Town, its officers, and consultants may enter the Property, after providing reasonable notice to the Applicant or Owners, at all reasonable times to conduct inspections for the purpose of ensuring compliance with this approval. Prior notice to inspect the Property is not required in the event of an emergency.

BE IT FINALLY RESOLVED, the Town Board Chairperson and the Town Clerk-Treasurer are hereby authorized and directed to do each of the following:

1. To execute a development agreement for this Plat on behalf of the Town once it is in a form acceptable to the Town Attorney.

2. To execute such other documents and to take such other actions as may be required to carry out the intent of this Resolution.

Adopted this 1st day of June 2026.

BY THE TOWN BOARD

_____
John Strohfus, Chairperson

Attest:_____
Jessica Maurer, Clerk-Treasurer

EXHIBIT A

Legal Description of the Existing Property

Outlot A, Laws Valley View Addition, Washington County, Minnesota.

EXHIBIT B
Preliminary and Final Plats

(attached hereto)