DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution 2026-__

RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR THE PROPERTY LOCATED AT 13030 MAYCREST AVENUE COURT SOUTH

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

WHEREAS, the Owner has applied for preliminary and final plat approval to plat the Property as Laws Valley View 2nd Addition, with a total of four lots and a dedicated right-of-way ("Plat")

WHEREAS, the Applicant proposes to construct an 8,600 square foot veterinary clinic ("Clinic") and 55 parking stalls ("Parking Lot") (collectively the "Business") on Lot 2, Block 1 of the Plat;

WHEREAS, the use of the Business is for the medical care of animals, and is not intended to operate as an outdoor dog run, outdoor boarding area, or for general boarding of animals;

WHEREAS, the Applicant proposes to construct a driveway down the public right-of-way being dedicated to the public within the Plat to access the Parking Lot;

WHEREAS, the approximately 6.12-acre Lot 2 of the Plat is located in the Single Family Estate (SFE) District;

WHEREAS, the Denmark Township Planning Commission ("Planning Commission") held a public hearing on May 18, 2026, considered the Town Planner's May 18, 2026 Report ("Planner's Report"), received public comments, and voted 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 the following:

a. The Planner's Report is incorporated herein by reference, except that the conditions in this Resolution are controlling;

b. "Veterinary Clinic" is an allowed use in the SFE District with the issuance of a conditional use permit;

c. Chapter Two, Section 2.47 of the Denmark Township Development Code ("Development Code") defines "Veterinary Clinic" as "uses concerned with the diagnosis, treatment and medical care of animals, including animal or pet hospitals";

d. The intended use of the Business falls within the Development Code's definition of a "Veterinary Clinic";

e. The proposed Clinic is approximately 8,600 square feet. The approximately 6.12-acre Lot 2 of the Plat exceeds the minimum 3-acre lot size and 1-acre building area requirement. Total lot coverage of the Business will be approximately 16.3%, which is below the 25% maximum;

f. The Business meets all setback requirements, building height requirements, and its design and exterior materials are consistent with a residential aesthetic;

g. The landscape plan for the Business includes various trees and shrubs around the Business to provide screening to the south, where there are two residences;

h. The Parking Lot complies with the Development Code's parking requirements;

i. The use of Lot 2 of the Plat as a Veterinary Clinic satisfies the standards for issuance of a CUP set forth in Chapter One, Section 10.3 of the Development Code as set out in the Planner's Report; and

j. The Town Board determines that approving the requested CUP is consistent with the Development Code.

NOW, THEREFORE, BE IT RESOLVED, the Town Board, based on the Planner's Report, the record of this matter, and the findings and determinations contained herein, hereby approves and issues the requested conditional use permit ("CUP"), subject to the following conditions:

1. Scope. This CUP authorizes the construction and operation of the Business, as shown on the approved site plan, with the following restrictions:

   a. The Business will be conducted indoors at the site, which the exception of a limited times in which outdoor treatment is required.

   b. No farm animals or other animals that need to be trailered will be treated at the site.

   c. The Business will not include a grooming or kennel business.

2. Building Plans. Prior to issuance of any building permits, the Applicant shall submit final building plans to the Town for review and administrative approval. The plans must substantially comply with the plans submitted and dated 4/17/2026.

3. Lighting. The Applicant shall submit a final lighting plan to the Town for review and administrative approval prior to issuance of a building permit. The Applicant shall conform with the Town's lighting regulations and shall ensure that all exterior lighting is directed or shielded as needed so that the light does not cast onto neighboring properties.

4. Trash Enclosure. The Applicant shall submit a trash enclosure plan to the Town for review and administrative approval prior to issuance of a building permit.

5. Animal Waste. All animal waste shall be properly stored and disposed of regularly to avoid generating smell or other nuisance conditions at the site.

6. Plat Approval. A condition precedent of the approval for this CUP is that the Town Board grant preliminary and final approval of the proposed Plat and the recoding of the final Plat.

7. Hours of Operation. The hours of operation when the Business is open to the public are 8:00 a.m. to 5:00 p.m. Monday through Friday.

8. Outdoor Storage. There shall be no outdoor storage of any kind.

9. Access. Access to the Business shall be through Mary Avenue South, as shown on the approved plans. Once Mary Avenue South is to be constructed, the access shall be adjusted as needed to accommodate the construction of the street.

10. Septic. The Applicant shall comply with all applicable Washington County septic permits and obtain updated permits if required.

11. Signage. All signage shall comply with Denmark Township and Washington County regulations. A sign permit is required prior to installation of any exterior signage other than those shown on the approved plans.

12. Landscaping and Screening. A final landscaping plan shall be submitted to Town for review and administrative approval prior to issuance of a building permit. The final landscaping plan shall address and incorporate the additional screening identified in the Planner's Report. All landscaping shall be maintained and replaced as needed. Disturbed areas shall be restored with grading, topsoil, seeding, mulch, or other materials identified in the approved plans.

13. Drainage and Erosion. Final grading and drainage plans shall be submitted to the Town for review and administrative approval prior to issuance of a building permit.

14. Street Repair. The Applicant shall repair any public streets damaged caused by construction of its Business.

15. Driveways and Parking. Driveway permits are required for new access points. All drives and customer parking areas shall conform to the approved site plan and be paved and striped.

16. Engineering Approval. Final construction plans shall be submitted to the Town 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.

17. Watershed Review. All comments or conditions issued by the South Washington Watershed District shall be addressed in the final construction plans, including the standards required in the Watershed's letter dated May 11, 2026;

18. DNR and NPS Review. The Applicant shall comply with any conditions imposed by the Minnesota Department of Natural Resources and the National Park Service.

19. Representations. All representations, written and oral, made by the Applicant and the Applicant's 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.

20. 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.

21. Costs. The Applicant shall pay all planning, engineering and legal fees and costs incurred by the Town for processing its 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.

22. Inspections. The Town, its officers, and consultants may enter the Property, after providing reasonable notice to the Applicant, 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.

23. Revocation. The violation of any terms or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of this permit. The Applicant shall be given written notice of any violation and reasonable time to cure the violation before a revocation of the permit may occur. Adherence to the terms of this permit shall be monitored on a complaint basis.

24. Binding. This permit and its conditions are binding on the Applicant, its successors and assigns, and shall run with the Property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership, until the permit is revoked as provided herein. The obligations of the Applicant under this permit shall also be the obligations of the current and any subsequent owners of the Property.

25. Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance by the Applicant of, and agreement to, the terms and conditions of this permit without qualification, reservation, or exception.

26. Amendments. Any alteration or expansion of uses authorized by this CUP, or the alteration of any plans submitted related to those uses, shall not be allowed unless an amended conditional use permit is obtained from the Town.

Adopted on the 1st day of June 2026.

BY THE TOWN BOARD

_____
John Strohfus, Chairperson

Attest:_____
Jessica Maurer, Clerk-Treasurer

EXHIBIT A

Legal Description of the Property

Lot 2, Block 1, Laws Valley View 2nd Addition, Washington County, Minnesota.