

ITEM #:	26
DATE:	07-08-25
DEPT:	P&H

### **COUNCIL ACTION FORM**

**SUBJECT:** MINOR FINAL PLAT FOR HY-VEE SUBDIVISION SECOND ADDITION

**BACKGROUND:**

Jeff Stein, Director of Site Planning for Hy-Vee, Inc. is requesting approval of a Final Plat for Hy-Vee Subdivision, Second Addition, for the site at 4018 Lincoln Way that contains the West Hy-Vee gas station (see Proposed Final Plat attached). A minor subdivision includes three or fewer lots and does not require additional public improvements. A minor subdivision does not require a Preliminary Plat and may be approved by the City Council as a Final Plat only, subject to the applicant completing the necessary requirements.

The proposed Hy-Vee Subdivision, Second Addition, is generally located south of Lincoln Way between Beedle Drive on the west and Dotson Drive on the east.

**The Final Plat includes approximately 1.78 acres for commercial development. This plat divides one existing lot into two lots.** The Proposed Lot 1 (1.07 acres) includes the existing Hy-Vee Fast & Fresh convenience store and will continue to be addressed as 4018 Lincoln Way. The proposed Lot 2 (0.71 acres) is currently vacant and will be addressed as 4030 Lincoln Way. This lot could be developed as a separate commercial use.

Proposed Lot 1 will continue to have direct access from Dotson Drive to the east. Proposed Lot 2 currently has direct access to Beedle Drive. The driveway currently extends through Lots 1 and 2 and will be designated as an access easement to provide cross-access across the property line that will separate the two lots (see Access Easement Exhibit).

The City does not require that the cross connection exist because each lot has access to a public street. However, because the driveway exists it needs to be in an easement to allow for the site improvements as they currently exist once the new lot line is established. No access to Lincoln Way is permitted with this subdivision.

The proposed subdivision is located within the "HOC" (Highway-Oriented Commercial) zoning district. There is also a large public utility easement across the Lincoln Way frontage of the proposed lots. The proposed subdivision alters the development requirements from current conditions, as each of the lots must meet zoning requirements for the occupancy and use of its site. As a result, both Lot 1 and Lot 2 were evaluated to determine that each lot as proposed is in full compliance with the requirements of the Zoning Ordinance and the Highway Oriented Commercial District as well as the Subdivision Ordinance.

The existing gas station site was determined to comply with zoning standards with approval of the new lot configuration. The new vacant lot, while small in size and encumbered by a public utility easement, can feasibly be developed with a small commercial building and related site improvements.

Public utilities and public sidewalk currently serve both proposed lots. Street trees are not required for commercially zoned subdivisions. No other improvements are required with the

Plat.

**ALTERNATIVES:**

1. Approve the Final Plat, with the cross-access easement, for the Hy-Vee Subdivision Second Addition, based upon the findings and conclusions stated above.
2. Deny the Final Plat for Hy-Vee Subdivision Second Addition, on the basis that the City Council finds the proposed subdivision does not comply with applicable ordinances, standards, or plans.
3. Refer this request back to staff or the applicant for additional information.

**CITY MANAGER'S RECOMMENDED ACTION:**

**The proposed Final Plat for Hy-Vee Subdivision Second Addition is consistent with the City's existing subdivision and zoning regulations.**

**The provision of the cross-access easement ensures that access is provided across the property line that separates the two sites for circulation between Beedle Drive and Dotson Drive in accordance with site improvement requirements for paving and landscaping.**

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1.

**ATTACHMENT(S):**

[Subdivision Code Excerpt](#)

[Proposed Final Plat.pdf](#)

[Access Easement Exhibit.pdf](#)

[Location Map.pdf](#)