**P&Z PARTICIPANTS:** Johnny Alcivar, Kayla Berkson, Francis Boggus, Chris Draper, John Erpelding, Todd Garner, Laura Kessel, Andrew Lorentzen, Will Page, Jane Rongerude, Leah Rudolphi, Rick Trower and Emily Webb.

**P&Z ABSENT:** Katie Gillette and Carolyn Jenison.

**STAFF PARTICIPANTS:** Sreyoshi Chakraborty, Bert Drost, Tanner Hiemer, Jillian Sommer, Jason Van Essen, Michelle Wall and Chas Cahill.

Chris Draper made a motion to approve May 1, 2025, Plan and Zoning Commission meeting minutes. Motion carried 7-0-5 (Johnny Alcivar, John Erpelding, Todd Garner, Andrew Lorentzen and Emily Webb passed. Jane Rongerude had not yet arrived)

Leah Rudolphi asked if any members of the public or Commission wished to speak on the consent agenda items 1-3. No one requested to speak.

Todd Garner made a motion for approval of the consent agenda items. Motion carried 13-0.

## CONSENT AGENDA PUBLIC HEARING ITEMS

### Item 1

Request from Bell Avenue Properties, INC (owner), represented by Jonathan Koehn (officer), for vacation of two (2) irregular shaped segments of undeveloped right-of-way, measuring approximately 2,550 square feet and 11,228 square feet in area, in the vicinity of 6200 Scout Trail, to allow the vacated area to be assembled and maintained for private use.

## STAFF REPORT TO THE PLANNING COMMISSION

## I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed vacation would enable the adjoining property owner (Waldinger Corporation) to assemble two (2) irregular shaped portion of undeveloped right-of-way with their property. These segments of land had been designated as right-of-way for the future continuation of Scout Trail. Those plans have since been abandoned, and the City does not intend to extend Scott Trail to connect further east.

2. **Size of Site:** 2,550 square feet and 11,228 square feet (total of 13,778 square feet).

3. **Existing Zoning (site):** “EX” Mixed-Use District.

4. **Existing Land Use (site):** The subject area consists of undeveloped right-of-way.

5. **Adjacent Land Use and Zoning:**

***North –*** "EX" and "P2"; Uses are Mid-Iowa Council Boy Scouts of America campus.

***South –*** "EX", Uses are industrial including Waldinger Corporation office and parking lot.

***East –*** "EX"; Uses are part of Waldinger Corporation property which is currently undeveloped.

***West –*** "ROW" and "EX", Uses are Scout Trail right-of-way and Mid-Iowa Boy Scouts of America property.

6. **General Neighborhood/Area Land Uses:** The applicant's adjoining property consists of the Waldinger Corporation office and warehouse building, and paved surface parking. The surrounding area consists of predominantly light industrial uses along the east side of Southwest 63rd Street and the Browns Woods open space area to the west within the City of West Des Moines.

7. **Applicable Recognized Neighborhood(s):** The subject property is within the Southwestern Hills Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on April 25, 2025, and of the Final Agenda on May 9, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on April 25, 2025 (20 days prior to the public hearing) and May 5, 2025 (10 days prior to the public hearing) to the Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

   All notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Services Department on the date of the mailing.

8. **Relevant Zoning History:** None.

9. **PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** Business Park.

10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Utilities:** There is an existing sanitary sewer conduit within the northwest corner of the eastern segment of requested right-of-way. Additionally, a sanitary sewer line runs along the eastern tip of the western parcel within the requested right-of-way. Because existing utilities have been identified within the right-of-way, easements

must be reserved for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

2. **Traffic/Access:** The requested vacation would not negatively impact access to private properties or traffic patterns.

## III. STAFF RECOMMENDATION

Staff recommends approval of the requested right-of-way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense and provision of any necessary no-build easements.

## SUMMARY OF DISCUSSION

Leah Rudolphi asked if any member of the public or commission desired to speak on the item. No one requested to speak.

## COMMISSION ACTION

Todd Garner made a motion for approval of the requested right-of-way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense and provision of any necessary no-build easements.

**THE VOTE: 13-0**

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**Item 2**

Request from Goliath Properties, LLC (owner), represented by Michael Barkley (officer), for vacation of approximately 1,434 square feet of an east/west dead end alley right-of-way in the vicinity of 1924 Capitol Avenue, which is within the block bounded by East 19th Street to the west and the Union Pacific Railroad right-of-way to the east, to allow the vacated area to be assembled and maintained for private use.

## STAFF REPORT TO THE PLANNING COMMISSION

## GENERAL INFORMATION

1. **Purpose of Request:** The proposed vacation would enable the property owner to assemble a portion of the dead-end east/west alley right-of-way with their adjoining properties (multiple parcels). The applicant intends to combine the vacated right-of-

way with their adjoining properties to be used for storage of work vehicles and gutter products for a contractor business.

2. **Size of Site:** 15 feet by 95.6 feet (1,434 square feet).

3. **Existing Zoning (site):** "N3c" Neighborhood District.

4. **Existing Land Use (site):** The subject area consists of undeveloped alley right-of-way.

5. **Adjacent Land Use and Zoning:**

   ***North –*** "N3c"; Use is undeveloped vacant property.

   ***South –*** "N3c" and "I2", Use is an industrial warehouse building and outdoor storage.

6. **General Neighborhood/Area Land Uses:** The applicant's properties consist of five (5) parcels containing an existing industrial use and undeveloped land. The existing alley dead ends into the applicant's property to the east. The surrounding area consists of predominantly heavy industrial uses to the east and low density residential to the west.

7. **Applicable Recognized Neighborhood(s):** The subject property is within the Capitol East Neighborhood Association and within 250 feet of the Fairground Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on April 25, 2025, and of the Final Agenda on May 9, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on April 25, 2025 (20 days prior to the public hearing) and May 5, 2025 (10 days prior to the public hearing) to the Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

   All notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Services Department on the date of the mailing.

8. **Relevant Zoning History:** None.

9. **PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** Low Density Residential and Industrial.

10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Utilities:** No existing utilities have been identified within the subject right-of-way. Easements must be reserved for any existing utilities until such time that they are abandoned or relocated.

2. **Zoning and Land Use**: The current zoning of the adjoining property is "N3c" Neighborhood District and "I2" Industrial District. Any future industrial use of the area zoned "N3c" District would require a rezoning to an industrial district. A concurrent comprehensive land use plan amendment would be required in order find such a rezoning in conformance with the City's comprehensive land use plan.

3. **Traffic/Access:** The requested vacation would not negatively impact access to private properties or impact traffic patterns.

## III. STAFF RECOMMENDATION

Staff recommends approval of the requested alley Right-of-Way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated and subject to provision of any necessary no-build easements.

## SUMMARY OF DISCUSSION

Leah Rudolphi asked if any member of the public or commission desired to speak on the item. No one requested to speak.

## COMMISSION ACTION

Todd Garner made a motion for approval to move the item to the June 26, 2025 Plan and Zoning Commission Meeting.

**THE VOTE: 13-0**

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**Item 3**

City initiated right-of-way vacation of approximately 36,000 square feet of the Southeast 14th Court right-of-way, which is to the north of East Edison Avenue.

## STAFF REPORT TO THE PLANNING COMMISSION

## I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed vacation would enable the segment of Southeast 14th Court located to the north of East Edison Avenue to be closed off to public access. This segment of street right-of-way and adjoining parcels have experienced illegal dumping activity, which has resulted in enforcement action by the City's Neighborhood Services Department. The City has barricaded this segment of street off as it goes through the required right-of-way processes.

2. **Size of Site:** 36,000 square feet.

3. **Existing Zoning (site):** "MX3-V" Mixed Use District, "I1" Industrial District, and "I1-V" Industrial District.

4. **Existing Land Use (site):** The subject area consists of undeveloped right-of-way.

5. **Adjacent Land Use and Zoning:**

   ***North –*** "P1"; Uses are City of Des Moines facility building and open space.

   ***South –*** "I1", Uses are the remaining Southeast 14th Court right-of-way and a mix of residential, industrial, and outdoor storage uses.

   ***East –*** "I1"; Use is undeveloped land.

   ***West –*** "I1-V" & "MX3-V", Uses are light industrial and high-intensity commercial businesses.

6. **General Neighborhood/Area Land Uses:** The surrounding area consists of predominantly high-intensity auto-oriented businesses along the Southeast 14th Street corridor to the west of the proposed right-of-way. There is open space and undeveloped land immediately to the east, with higher intensity industrial uses further east.

7. **Applicable Recognized Neighborhood(s):** The subject property is not within 250 feet of a designated Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on April 25, 2025, and of the Final Agenda on May 9, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on April 25, 2025 (20 days prior to the public hearing) and May 5, 2025 (10 days prior to the public hearing) to the Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

   All notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Services Department on the date of the mailings.

8. **Relevant Zoning History:** None.

9. **PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** Industrial.

10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Utilities:** There is an existing water line that runs north/south within the proposed vacation area. Because existing utilities have been identified within the right-of-way, easements must be reserved for any existing utilities until such time that they are abandoned or relocated.

2. **Traffic/Access:** The requested vacation would not negatively impact access to private properties or traffic patterns.

## III. STAFF RECOMMENDATION

Staff recommends approval of the requested right-of-way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated and provision of any necessary no-build easements.

## SUMMARY OF DISCUSSION

Leah Rudolphi asked if any member of the public or commission desired to speak on the item. No one requested to speak.

## COMMISSION ACTION

Todd Garner made a motion for approval of requested alley Right-of-Way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated and subject to provision of any necessary no-build easements.

**THE VOTE: 13-0**

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## NON- CONSENT AGENDA PUBLIC HEARING ITEMS

### Item 4

Request from Riverview Parking, LLC (owner), represented by Douglas Wells (officer), for review and approval of a Public Hearing Site Plan “Riverview Parking Garage” for

property located at 200 East Court Avenue, and for the following Type 2 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B):

A) Waive the occupied space requirement along East Court Avenue, where a minimum 30-foot depth of occupied space on all full height floors of primary frontages is required, per City Code Section 135-2.3.3.C.17.

B) Allow parking within the front portion of the building along East Court Avenue where required to be located behind occupied space, per City Code Section 135-2.3.3.C.18.

C) Allow 0% transparency on the ground-story of the south façade, where a minimum 70% is required, per City Code Section 135-2.3.3.C.19.

D) Allow 0% transparency on the east and west facades and on the upper stories of the south façade, where a minimum 18% is required, per City Code Section 135-2.3.3.C.20.

**STAFF REPORT TO PLANNING COMMISSION**

## I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to construct a 2-story building containing 3.5-levels of parking located along East Court Avenue, between East 2nd Street and East 3rd Street. Design alternatives are being requested for the Downtown Storefront building type. Staff analysis can be found in Section II of this report.

2. **Size of Site:** 37,923 square feet (0.871 acres).

3. **Existing Zoning (site):** "DX2" Downtown District.

4. **Existing Land Use (site):** The subject property is currently a surface parking lot.

5. **Adjacent Land Use and Zoning:**

   ***North*** – "DX2"; Uses are offices and eating and drinking places.

   ***South*** – "DX2"; Use is retail.

   ***East*** – "DX2"; Uses are offices, assembly and entertainment, and eating and drinking places.

   ***West*** – "DX2"; Use is government administration.

6. **General Neighborhood/Area Land Uses:** The subject property is located within the East Village area. The area largely consists of offices, including government

administration, and eating and drinking places, with some retail, vehicle maintenance/repair and studio services.

7. **Applicable Recognized Neighborhood(s):** The subject properties are located within the Historic East Village Neighborhood Association. All recognized Neighborhood Associations were notified of the public hearing by email of the Preliminary Agenda on April 25, 2025, and Final Agenda on May 9, 2025. Additionally, an official public notice of the hearing for this specific item was mailed on May 5, 2025 (10 days before the hearing) to any Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site or adjacent to the site.

   All Neighborhood Association mailings are sent to the primary contact designated by the recognized Neighborhood Association on file with the City of Des Moines' Neighborhood Services Department.

8. **Relevant Zoning History:** NA

9. **PlanDSM Future Land Use Plan Designation:** Downtown Mixed Use.

10. **Applicable Regulations:** Pursuant to Section 135-9.1.1.B of the Planning and Design Ordinance, the site plan review requirements of Chapter 135 are designed to ensure the orderly and harmonious development of property in a manner that shall:

    - Promote the most beneficial relation between present and proposed future uses of land and the present and proposed future circulation of traffic throughout the city;

    - Permit present development of property commensurate with fair and orderly planning for future development of other properties in the various areas of the city with respect to the availability and capacity, present and foreseeable, of public facilities and services. The factors to be considered in arriving at a conclusion concerning proposed present development of property shall include the following:

      - The maximum population density for the proposed development, the proposed density of use, and consideration of the effect the proposal will have on the capacity of existing water and sanitary sewer lines to the end that existing systems will not become overloaded or capacity so substantially decreased that site use will inhibit or preclude planned future development;

      - Zoning restrictions at the time of the proposal;

    - The city's comprehensive plan;

- The city's plans for future construction and provision for public facilities and services; and

- The facilities and services already available to the area which will be affected by the proposed site use;

- Encourage adequate provision for surface and subsurface drainage, in order to ensure that future development and other properties in various areas of the city will not be adversely affected;

- Provide suitable screening of parking, truck loading, refuse and recycling disposal, and outdoor storage areas from adjacent residential districts;

- Encourage the preservation of canopied areas and mature trees and require mitigation for the removal of trees; and

- Consider the smart planning principles set forth in Iowa Code Chapter 18B.

Based on Chapter Section 135-9.2.4 and 135-9.3.1.B of the Planning and Design Ordinance, Type 2 Design Alternatives are to be considered by the Plan and Zoning Commission after a public hearing whereby the following criteria are considered:

- The design alternative provisions of Section 135-9.2.4 are intended to authorize the granting of relief from strict compliance with the regulations of this chapter as part of the site plan or alternate design documentation review process when specific site features or characteristics of the subject property, including the presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable. The design alternative provisions are also intended to recognize that alternative design solutions may result in equal or better implementation of the regulation's intended purpose and greater consistency with the comprehensive plan.

- Consideration of requested design alternatives through the administrative and public hearing review processes will be evaluated on the merits of the applicable request and independently of prior requests from the same applicant, and may include the following criteria:

  - An evaluation of the character of the surrounding neighborhood, such as:

    - Whether at least 50% of the developed lots within 250 feet of the subject property are designed and constructed consistently with the requested design alternative(s); and

    - Whether the directly adjoining developed lots are designed and constructed consistently with the requested design alternative(s);

- For purposes of this subsection, if the lots that exist within 250 feet of the subject property are undeveloped, then the neighborhood character determination will be based upon the assumption that such lots, as if developed, comply with the applicable requirements of this chapter for which a design alternative(s) has been requested;

  - The totality of the number and extent of design alternatives requested compared to the requirements of this chapter for each site plan or alternate design documentation reviewed;

  - Whether the requested design alternative(s) is consistent with all relevant purpose and intent statements of this design ordinance and with the general purpose and intent of the comprehensive plan;

  - Whether the requested design alternative(s) will have a substantial or undue adverse effect upon adjacent property, the character of the surrounding area or the public health, safety and general welfare;

  - Whether any adverse impacts resulting from the requested design alternative(s) will be mitigated to the maximum extent feasible; and

  - Other factors determined relevant by the community development director, plan and zoning commission, or city council as applicable.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Project Overview:** The applicant is proposing a 2-story building with 3.5-level of parking. Construction would see the demolition and removal of the existing surface parking lot and the building at 216 East Court Avenue. The proposed structure would provide 335 parking spaces with entrances/exits on East 2nd and East 3rd Streets. The development would also provide additional streetscape elements along East Court Avenue and East 3rd Street.

2. **Building Type:** The proposed development is being evaluated as a Downtown Storefront building, not as a Parking Structure, because City Code Section 135-2.3.3.E.1 requires the Downtown Storefront building type along all frontages of designated primary streets. The proposed building form is comparable to what is required for a Downtown Storefront, except for the minimum number of stories. If the requested Type 2 Design Alternatives are approved, staff would approve a Type 1 Design Alternative to allow for two stories where three stories are required. The structure would meet the requirements for a Parking Structure found in City Code Section 135-2.17 other than the required three-foot screening wall, which will be addressed through the administrative review process.

3. **Occupied Space:** The required occupied space for a Downtown Storefront building in a “DX2” zoning district is 30 feet of depth along primary frontages per City Code Section 135-2.3.3.C.15. The required occupied space is intended to connect the building’s use with the downtown area at the pedestrian level. As a parking

structure, the proposed building does not inherently provide any occupied space along the primary frontage, East Court Avenue, or any other frontage. Rather than the required occupied space, the development proposes to have parking along all frontages where it is required by City Code Section 135-2.3.3.C.18 to be located behind occupied space.

Although the proposed structure is located on a primary street, East Court Avenue holds less significance to the overall character of the East Village neighborhood compared to other primary streets, such as East Grand Avenue and East Locust Street. Additionally, the proposed structure will provide public parking that will help support the varying uses in the area.

4. **Transparency:** The transparency requirement for primary frontage ground stories, measured between 2 feet and 10 feet, is a minimum of 70%, per City Code Section 135-2.3.3.D.19. Additionally, transparency for each story and any half story, other than the primary frontage ground story, is required to be a minimum of 18%, per City Code Section 135-2.3.3.D.20.

   While the proposed development is an open structure that allows views of the interior, it would not feature transparency as defined by City Code. City Code Section 135-3.8.1 defines transparency as “the measurement of the percentage of a façade that contains highly transparent, low reflectance glass.” The parking structure would have transparency that meets this definition on both the northeast and northwest corners but lacks it along most of the facades.

## III. STAFF RECOMMENDATION

Staff recommends approval of the Public Hearing Site Plan and the requested Type 2 Design Alternatives, subject to compliance with the following conditions:

1. Provision of public parking to the satisfaction of the Planning & Urban Design Administrator.

2. Compliance with all administrative review comments.

## SUMMARY OF DISCUSSION

Tanner Hiemer presented the staff report and recommendation.

Laura Kessel asked what the proposed ratio of public and private parking would be for the parking ramp.

Tanner Hiemer stated that the parking mix had not been determined specifically at this time, but talks have included variations between business hours and off business hours.

Johnny Alcivar noted that the streetscape had included bike parking on the Court Avenue side of the parking garage and wondered if it would also be required on East Second Street and East Third Street.

Tanner Hiemer explained that bike parking was only included on the Court Avenue portion at this time.

Johnny Alcivar inquired if the bike parking had been done as part of the streetscape requirements.

Tanner Hiemer explained that bike parking requirements are assessed for the entire project and are currently being met by the applicant.

Jason Van Essen suggested that it might be possible to distribute bike parking more evenly by adding bike racks along East Second and East Third Streets to enhance accessibility.

Laura Kessel asked if the Court Avenue building edge would be convertible to business use in the future.

Tanner Hiemer deferred the question to the applicant.

Laura Kessel inquired whether the applicant's request for design alternatives should lead to higher expectations for the building's façade and an expectation that portions of the building could be converted to occupied space in the future.

Jason Van Essen expressed his understanding that the front portion of the building would have level floors and could be converted to occupied space, deferred to the applicant for details. He agreed that requesting higher design quality is a valid point and something the commission could consider requiring to offset the requested relief.

Jane Rongerude questioned why the City is moving away from the three-story requirement for the parking ramp. She noted that since the ramp would serve both public and private uses, building more parking now could support future developments by reducing their need to include additional parking.

Jason Van Essen responded that the City's considerations were influenced by the applicant's analysis, and he expressed a desire to integrate that question into the discussion with the applicant.

Jane Rongerude sought clarification on why staff would grant an exception to the code, questioning the rationale given that constructing a third story on the current ramp would be more cost-effective than building an entirely new ramp in the future.

Leah Rudolphi expressed confusion about the project's classification, questioning why it is being treated as a storefront building while not meeting storefront requirements. She asked whether it could have instead been treated as a parking structure with a conditional use or addressed through another approach.

Jason Van Essen explained that there is no alternative review process for this project because the code mandates that any building proposed on a mapped primary street in the downtown must be evaluated as a storefront building, regardless of its use. He noted that this is why certain code relief provisions exist—to accommodate projects like parking garages that would be treated differently in other downtown areas when warranted.

**CHAIRPERSON OPENED PUBLIC HEARING**

Douglas Wells, 2200 Grand Avenue, architect for the project and owner, described how the parking ramp design reflects the architectural style of the East Village, using red brick, limestone, decorative concrete, railings, planters, and lighting. The structure is designed to allow future conversion of the Court Avenue side to office or retail use. The garage will hold approximately 335 vehicles, serving tenants during business hours and the public in the evenings. Wells emphasized the importance of parking for office space competitiveness, noting that most of the building is already leased. Due to the financial burden and lack of immediate return, a third level is not being added. He acknowledged the City of Des Moines' support through TIF financial assistance to help fund the project.

John Erpelding asked if an analysis had been conducted to determine how adding businesses to the Court Avenue frontage in the building would impact parking requirements for the structure.

Douglas Wells responded that adding retail space along the south side of the parking structure would result in the loss of approximately 30 parking spaces. While expanding by adding a third floor is an option, it is a financial burden currently. However, there is potential to pursue that expansion in the future as the surrounding area continues to develop.

Chris Draper questioned what would be economically viable or the break-even point for the parking ramp.

Douglas Wells stated that after factoring in TIF funding, the project is close to break even. They expect the parking ramp to generate $100,000–$150,000 in annual income, but highlighted significant costs: $3 million for land, $10 million for the ramp, and $15–$18 million for building renovations. While the financial margin is tight, they believe the project will become profitable over time with full leasing.

Chris Draper questioned why undertake the project if it was only anticipated to break even.

Douglas Wells emphasized that each parking stall results in a financial loss, and the project's income is dependent on leasing the building. They are currently at the break-even point, with 13% of the building still available for lease. He noted that having adequate parking is essential in securing those leases and ultimately reaching profitability.

Carol Maher of Downtown Des Moines spoke against adding the new parking garage. She cited a nearby city-owned garage just a six-minute walk away that operates at only 56% occupancy. Maher questioned the plan to offer free evening parking, raising concerns about morning availability for employees. She recommended charging for parking and avoiding towing. She expressed concern about the City contributing $5 million toward the garage. Maher also noted maintenance concerns for planters and pointed out a code requirement for 14 bike racks, while the current plan only shows 12, urging the addition of the remaining two with proper design and installation. She questioned the applicant's commitment to adding business spaces to the Court Avenue portion of the building in the future.

*Rebuttal*

Douglas Wells stated that it is possible to add the required additional bike racks and distribute them along all three sides of the building. He emphasized that from the beginning of the development process, the team has been transparent about the potential to incorporate business spaces into the parking structure in the future. The design has been intentionally created to allow for that future conversion or addition. He also highlighted that numerous architectural enhancements have been included to ensure the structure blends well with the surrounding urban environment.

Chris Draper asked what the parking density was for the number of spaces in the ramp in relationship to his building at 100% occupancy.

Douglas Wells stated that their parking requirement is 4 spaces per 1,000 square feet, and with the currently leased space, they need 335 parking spaces. He added that any future restaurant use would share parking as their demand would be during the evening when office demand is low.

Leah Rudolphi asked if the public parking in the evening was intended to be paid parking.

Douglas Wells confirmed that office employees will use corporate parking passes during the day, and the parking system will automatically transition to public use in the evenings. He noted that this setup will function similarly to existing parking systems already in use throughout downtown Des Moines.

Chris Draper questioned the density needed for the developer's model to make the commercial space leasable. He expressed concern about the need for new construction when there is already underutilized space nearby, suggesting that the demand may not justify the scale of the proposed project.

Douglas Wells stated again that they would need 335 parking spaces for the two tenants that have confirmed leases.

Chris Draper questioned whether the building space would be unrentable without dedicated parking and asked why nearby parking ramps, located just a few blocks

away, could not be utilized to meet those parking needs instead of building a new garage.

Douglas Wells responded that Class A office leases require attached or adjacent parking to attract and secure tenants. While the nearby garage is technically usable, it does not meet the expectations of prospective tenants seeking premium office space. He emphasized that without on-site parking, the building would remain vacant, and the two proposed tenants would likely relocate to West Des Moines, where buildings routinely offer attached parking. He stated that there was no leasing traction before parking was part of the plan, and this reflects the market reality in Des Moines and much of the Midwest—parking must be included to make office space viable.

**CHAIRPERSON CLOSED**

**COMMISSION ACTION**

Francis Boggus made a motion for approval of the Public Hearing Site Plan and the requested Type 2 Design Alternatives, subject to compliance with the following conditions:

1. Provision of public parking to the satisfaction of the Planning & Urban Design Administrator.

2. Compliance with all administrative review comments.

Chris Draper voiced his opposition to the project, expressed skepticism about its long-term profitability. He argued that the third story of the parking structure should be added now rather than postponed. While he acknowledged he does not have an alternative solution, he maintained that the current plan falls short of meeting future needs and expectations.

Jane Rongerude acknowledged and appreciated the additional design efforts and enhancements made to the parking ramp. However, she expressed concern over the significant amount of TIF funding allocated to the project without a clear public benefit in return. While she recognized that developers often have good intentions for future improvements, she firmly believes the third story of the parking structure should be included in the initial design to better serve long-term needs and justify public investment.

Johnny Alcivar pointed out a lack of vision for including other surrounding buildings and the future needs of the area. If the city is contributing funds toward this project, it should include uses that go above and beyond the minimum of what just the one building needs.

Leah Rudolphi stated that she believes waiving the requirement for occupied space along Court Avenue is a mistake, as this area is important to the civic life of the city. She added that allowing such waivers on this and other recent projects is, in her view, a repeated error.

Will Page confirmed that the building was capable of holding a third story.

Chris Draper questioned the decision to delay building the third story of the parking garage, noting that if the garage is essential for the building and future parking needs increase, it would be difficult to add the third level later without disrupting its use. He argued it makes more sense to construct it now. He also agreed that if public funds are being used, the project should include additional parking from the start to better serve the public interest.

John Erpelding appreciated the enhancement on the project including design, landscaping and lighting. He noted the ability to expand in the future if needed and supports the motion.

Todd Garner praised city staff for their efforts in collaborating with developers to address parking needs, helping make it easier to market and lease buildings. He expressed confidence that the Market District will continue to grow, likely outpacing available parking. Garner stated that, realistically, the third story of the parking garage and the addition of ground-floor business space are unlikely to ever happen. Despite that, he supports providing funding to help keep the buildings occupied and voiced his support for the motion.

**THE VOTE: 9-4** (Johnny Alcivar, Chris Draper, Jane Rongerude and Leah Rudolphi voted in opposition.)

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**Committee and Director's Reports:**

Jason Van Essen- No report

Meeting adjourned at 7:03pm