



Date October 23, 2023

**RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM WALNUT CREEK TRAILS, LLC (OWNER), REPRESENTED BY SCOTT SELIX (OFFICER) FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 6222 GRAND AVENUE, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM PARKS AND OPEN SPACE WITHIN A DEVELOPMENT CONTROL ZONE TO COMMUNITY MIXED USE WITHIN A DEVELOPMENT CONTROL ZONE, AND TO REZONE THE PROPERTY FROM “RX1” MIXED USE DISTRICT AND “F” FLOOD DISTRICT TO LIMITED “MX2” MIXED USE DISTRICT, TO ALLOW USE OF THE PROPERTY AS A RESTAURANT WITH A BREWERY COMPONENT**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on September 7, 2023, its members voted 13-0-1 in support of a motion to recommend **APPROVAL** of a request from Walnut Creek Trails, LLC (owner), represented by Scott Selix (officer), for the proposed rezoning from “RX1” Mixed Use District and “F” Flood District to Limited “MX2” Mixed Use District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Parks and Open Space within a Development Control Zone;; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on September 7, 2023, its members voted 13-0-1 in support of a motion to recommend **APPROVAL** of a request from Walnut Creek Trails, LLC (owner), represented by Scott Selix (officer), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Parks and Open Space within a Development Control Zone to Community Mixed Use within a Development Control Zone; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that at a public hearing held on September 7, 2023, its members voted 13-0-1 in support of a motion to recommend **APPROVAL** of a request from Walnut Creek Trails, LLC (owner), represented by Scott Selix (officer), to rezone the Property from “RX1” Mixed Use District and “F” Flood District to Limited “MX2” Mixed Use District, to allow use of the property as a restaurant with a brewery component, subject to the following condition:

1. Any use upon the property shall comply with Chapter 50 of the Municipal Code relating to Floodplains, so long as any portion of the subject property is within a FEMA designated floodplain.; and

**WHEREAS**, the Property is legally described as follows:

**LOTS 1 AND 2, EXCEPT THE NORTH 6 FEET THEREOF, IN MURROWDALE PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT**



69

Date ..... October 23, 2023 .....

**A PART OF LOT 1, MURROWDALE PLAT 2, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, MURROWDALE PLAT 2, AN OFFICIAL PLAT; THENCE NORTH 0° (DEGREES) 01' (MINUTES) 21" (SECONDS) WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 214.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0°01'21" WEST ALONG SAID WEST LINE, 4.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF GRAND AVENUE AS PRESENTLY ESTABLISHED; THENCE NORTH 89°59'06" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 185.57 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF THE NORFOLK SOUTHERN RAILWAY; THENCE SOUTH 43°09'43" EAST ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, 5.48 FEET; THENCE SOUTH 89°59'06" WEST, 189.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.02 ACRES (750 S.F.); and**

**WHEREAS**, on October 2, 2023, by Roll Call No. 23-1325, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be set down for hearing on October 23, 2023, at 5:00 p.m., at the City Council Chambers; and

**WHEREAS**, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposals; and

**WHEREAS**, in accordance with said notice, those interested in said proposals, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment and rezoning are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Parks and Open Space within a Development Control Zone to Community Mixed Use within a Development Control Zone is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from "RX1" Mixed Use District and "F" Flood District to Limited "MX2" Mixed Use District, to allow use of the property as a restaurant with a brewery component, subject to the conditions set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.



**Roll Call Number**

.....

**Agenda Item Number**

69

**Date** October 23, 2023

MOVED BY \_\_\_\_\_ TO ADOPT. SECOND BY \_\_\_\_\_.

FORM APPROVED:

/s/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney

(COMP-2023-000027) (ZONG-2023-000047)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, LAURA BAUMGARTNER, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
City Clerk

September 12, 2023

Communication from the City Plan and Zoning Commission advising that at their September 7, 2023 meeting, the following action was taken regarding a request from Walnut Creek Trails, LLC (owner), represented by Scott Selix (officer) to rezone the property located at 6222 Grand Avenue from "RX1" Mixed Use District and "F" Flood District to "MX2" Mixed Use District, to allow use of the property as a restaurant with a brewery component.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 13-0-1 as follows.

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi	X				
Carol Maher	X				
Abby Chungath	X				
Kayla Berkson	X				
Chris Draper			X		
Todd Garner	X				
Johnny Alcivar					X
Justyn Lewis	X				
Carolyn Jenison	X				
William Page	X				
Andrew Lorentzen	X				
Emily Webb	X				
Katie Gillette	X				
Rick Trower	X				

**APPROVAL** of Part A) The requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Approval of the requested amendment to revise the future land use classification from Parks and Open Space within a Development Control Zone to Community Mixed Use within a Development Control Zone.

Part C) Approval of the requested rezoning from "RX1" Mixed Use District and "F" Flood District to Limited "MX2" Mixed Use District, subject to the condition that any use upon the

property shall comply with Chapter 50 of the Municipal Code relating to Floodplains, so long as any portion of the subject property is within a FEMA designated floodplain.

## **STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Part A) Staff recommends that the requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Staff recommends approval of the requested amendment to revise the future land use classification from Parks and Open Space within a Development Control Zone to Community Mixed Use within a Development Control Zone.

Part C) Staff recommends approval of the requested rezoning from "RX1" Mixed Use District and "F" Flood District to Limited "MX2" Mixed Use District, subject to the condition that any use upon the property shall comply with Chapter 50 of the Municipal Code relating to Floodplains, so long as any portion of the subject property is within a FEMA designated floodplain.

## **STAFF REPORT TO THE PLANNING COMMISSION**

### **I. GENERAL INFORMATION**

1. **Purpose of Request:** The site is currently being improved in accordance with an approved Site Plan that allows conversion of the existing building from a "Retail" use to a "Restaurant" use. The proposed rezoning to "MX2" Mixed Use District would allow the applicant to seek a Conditional Use Approval from the Zoning Board of Adjustment, which is necessary for a restaurant to have a brewery ("Fabrication and Production" Use) use.
2. **Size of Site:** Approximately 62,799 square feet (1.44 acre).
3. **Existing Zoning (site):** "RX1" Mixed Use District and "F" Flood District.
4. **Existing Land Use (site):** The subject property contains a 6,747 square-foot, 1-story building within the portion of the property that is currently zoned "RX1" Mixed Use District. A portion of the property that contains off-street parking, a new outdoor patio, and a new outdoor children's play area is zoned "F" Flood District since it is within the FEMA-designated 100-year floodplain along Walnut Creek.
5. **Adjacent Land Use and Zoning:**
  - North** – "F"; Uses are Grand Avenue, Walnut Creek Open Space, Norfolk Southern Railroad right-of-way, and a car wash.
  - South** – "F"; Uses are an outdoor recreational complex and bar (Pal Joey's).
  - East** – "F"; Uses are Norfolk Southern Railroad right-of-way and restaurant (Pizza Hut).
  - West** – "P1", "F"; Uses are Walnut Creek and the Walnut Creek multi-use trail.

6. **General Neighborhood/Area Land Uses:** The subject property is located just east of the intersection of Grand Avenue and 63<sup>rd</sup> Street. This area consists of a mix of highway-oriented commercial uses along Grand Avenue and 63<sup>rd</sup> Street. There are some recreational and open space to the east of 63<sup>rd</sup> Street along Walnut Creek.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within an area shared by the Waterbury and Westwood Neighborhood Associations. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on August 18, 2023 and of the Final Agenda on September 1, 2023. The Waterbury mailings were sent to Kelsey Knight and the Westwood mailings were sent to Kyle Vrchota.

Additionally, separate notifications of the hearing for this specific item were mailed on August 18, 2023 (20 days prior to the public hearing) and August 28, 2023 (10 days prior to the public hearing) 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.

The applicant is required to conduct neighborhood outreach. They will be available to provide a summary of that outreach during the public hearing.

8. **Relevant Zoning History:** None.
9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Parks and Open Space within a Development Control Zone.
10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

## **II. ADDITIONAL APPLICABLE INFORMATION**

1. **PlanDSM Creating Our Tomorrow:** The applicant is requesting that the future land use designation for the property be revised from "Parks and Open Space" within a "Development Control Zone" to "Community Mixed Use" within a "Development Control Zone". The applicant is proposing to PlanDSM describes this designation as follows:

### **PARKS AND OPEN SPACE**

*Land or water areas generally free from development. Primarily used for park and recreation purposes but may also indicate public or private open spaces reserved for natural resource conservation.*

### **COMMUNITY MIXED USE**

*Small- to medium-scale mixed use development, located on high-capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customers.*

#### DEVELOPMENT CONTROL ZONE

*Areas that are sensitive to development, such as airport runway protection zones, flood hazard areas, etc..*

The applicant is proposing to rezone the property from "RX1" Mixed Use District and "F" Flood District to "MX2" Mixed Use District. The Zoning Ordinance states that "MX2" is intended for mixed-use, regional-scale nodes and corridors within the city, where residents and visitors may access multiple uses by walking.

Staff believes that the requested rezoning would be appropriate for this area subject to the condition that any use of the property shall comply with Chapter 50 of the Municipal Code relating to Floodplains, so long as any portion of the subject property is within a FEMA designated floodplain.

2. **Planning and Design Ordinance:** Any development must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code). Should the applicant propose to modify the approved site layout, an amendment to the approved Site Plan would be required and any encroachment into the FEMA-designated floodplain should comply with Chapter 50 of the City Code.
3. **Conditional Use:** Any brewery and/or distribution activities would be considered a "Limited Fabrication and Production" use, per City Code Section 134-3.6.1 and would require a Conditional Use Approval from the Board of Adjustment following rezoning for that use.
4. **Floodplain:** A portion of this property is located within the FEMA 100-year floodplain. Therefore, any use upon the property must comply with Chapter 50 of the Municipal Code relating to Floodplains.

#### SUMMARY OF DISCUSSION

Sreyoshi Chakraborty presented staff report and recommendation.

Carol Maher confirmed the applicant will also need a conditional use approval from the Zoning Board of Adjustment.

Sreyoshi Chakraborty stated yes, any brewery and/or distribution activities would be considered a "Limited Fabrication and Production" use and would require a Conditional Use Approval from the Board of Adjustment following rezoning for that use.

Abby Chungath asked why the rezoning is happening now after the project has been built-out.

Bert Drost stated a restaurant use is allowed and that a site plan and building permits have been approved for a restaurant use, thereby allowing the current construction. However, to add the brewery component, which is considered a "Limited Fabrication and Production" use, the rezoning is required. If the rezoning is denied, the applicant could still operate as a restaurant.

Todd Garner asked if it's possible to exclude the flood area from the rezoning.

Sreyoshi Chakraborty stated it would be possible, but the applicant would need to provide a detailed legal description to exclude that portion of the parcel.

Todd Garner stated that it is possible, and the commission wouldn't be setting a precedent of rezoning flood districts.

Bert Drost stated the intent of the recommended zoning condition is that it be clear that floodplain regulations still apply to any portion of the site that is within the FEMA-designated floodplain.

Abby Chungath asked if they would be able to expand into the flood zoned portion.

Sreyoshi Chakraborty stated they could but would need to amend their site plan and comply with flood plain regulations in Chapter 50 of the zoning ordinance.

Bert Drost stated the area will also remain in the FEMA designated 100-year flood plain so they would need to provide a FEMA map amendment, as well.

*Applicant was not present to speak.*

#### **CHAIRPERSON OPENED THE PUBLIC HEARING**

Mike Sprecher, 6214 Grand Avenue, stated he owns the nearby Sands volleyball club property, and it wouldn't be proper to remove land from the floodway to accommodate one business owner.

Abby Chungath noted all FEMA flood regulations would still apply, regardless of the zoning.

Bert Drost stated the FEMA flood plain designation or boundaries would not be impacted by the rezoning. A FEMA letter of map revision would be needed to allow any additional area to be filled and built on.

Carol Maher asked if his property has been flooded before.

Mike Sprecher stated at least 5 times. When flooding occurs, you cannot access the property at 6222 Grand Avenue.

#### **CHAIRPERSON CLOSED THE PUBLIC HEARING**



**COMMISSION ACTION:**

Francis Boggus made a motion for:

Part A) The requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Approval of the requested amendment to revise the future land use classification from Parks and Open Space within a Development Control Zone to Community Mixed Use within a Development Control Zone.

Part C) Approval of the requested rezoning from "RX1" Mixed Use District and "F" Flood District to Limited "MX2" Mixed Use District, subject to the condition that any use upon the property shall comply with Chapter 50 of the Municipal Code relating to Floodplains, so long as any portion of the subject property is within a FEMA designated floodplain.

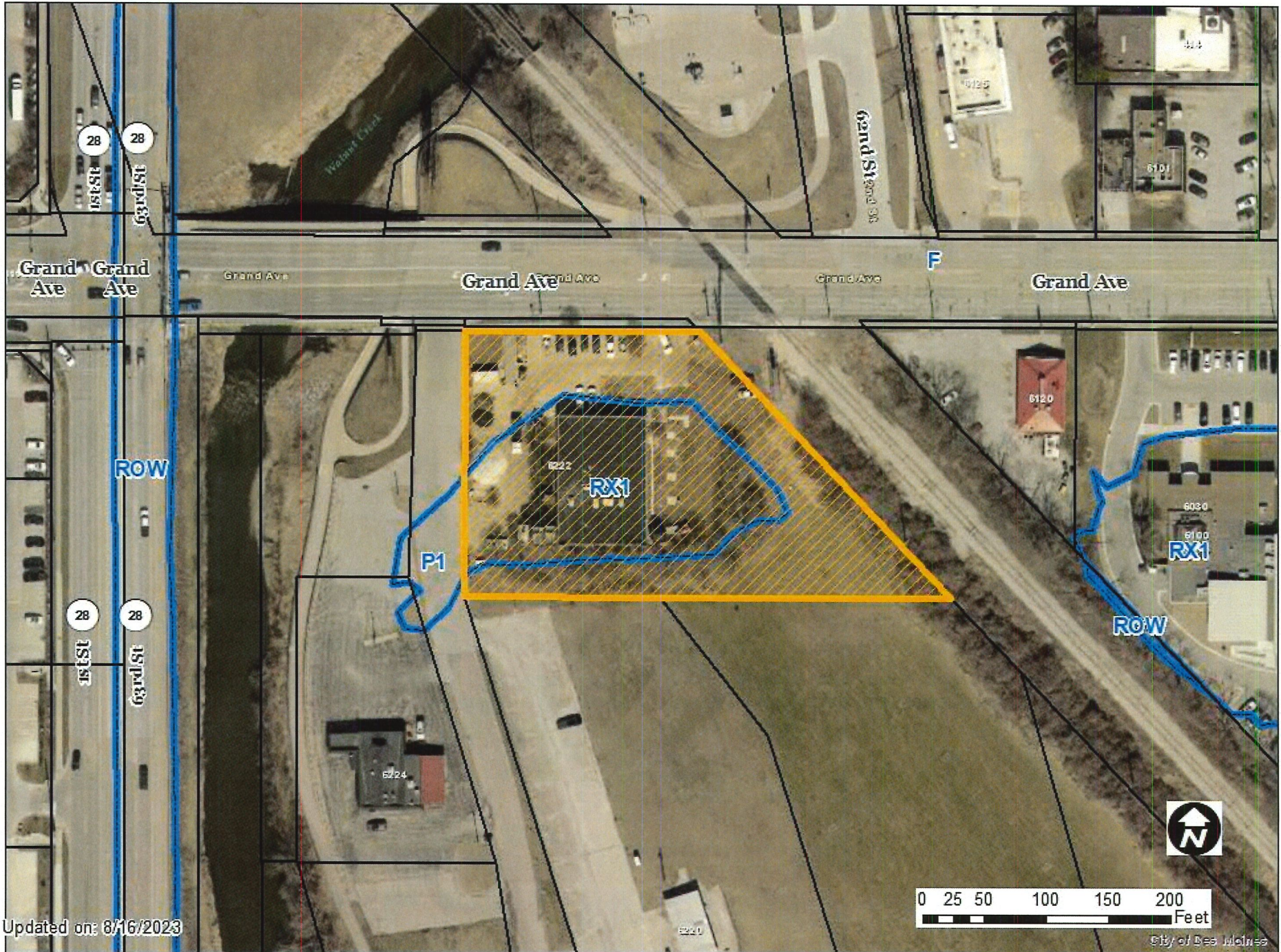
**THE VOTE: 13-0-1**

Respectfully submitted,



Bert Drost, AICP  
Deputy Planning & Urban Design Administrator

BAD:tjh

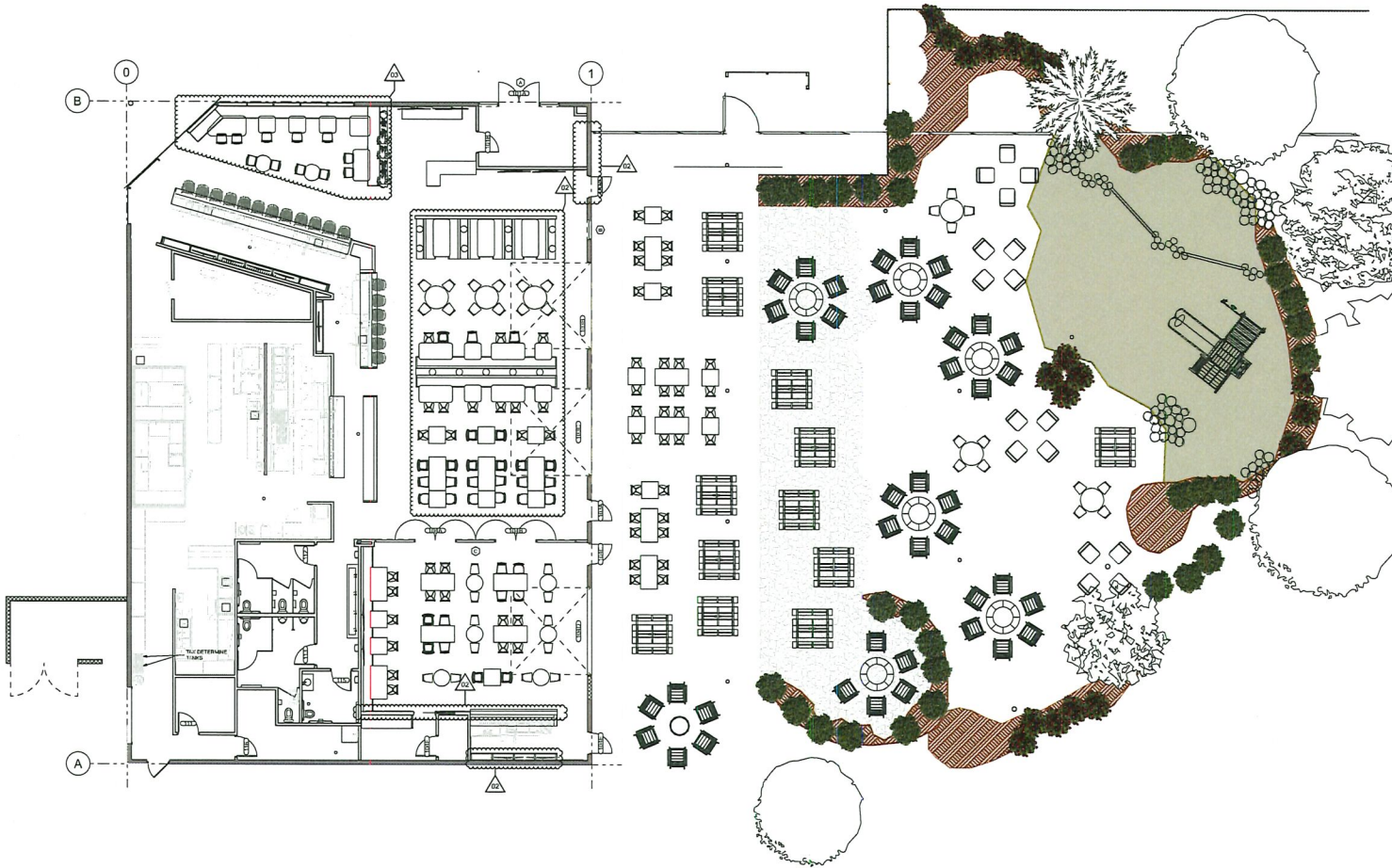


Updated on: 8/16/2023

1 inch = 103 feet







**1**  
**A.103** LEVEL 1 - FURNITURE LAYOUT

SCALE: 1/8" = 1'-0"

**FLOOR PLAN KEYNOTES**

1. ELECTRICAL METER LOCATIONS - REFER TO ELECTRICAL
  2. WATER METER LOCATIONS - REFER TO PLUMBING
  3. FIRE DEPARTMENT CONNECTION - REFER TO SPRINKLER
  4. NOT USED
  5. CONCRETE FROST FOOTING / STOOP - SEE STRUCTURAL
  6. NEW OVERHEAD DOOR, SEE SPECIFICATION
  7. EXISTING STEEL COLUMN TO REBARN, PAINT
  8. EXISTING SPRINKLER STANDPIPE
  9. FRP @ ALL KITCHEN WALLS UP TO 10'-0"; SEE SPECIFICATION FOR PRODUCT INFORMATION
  10. PERFORATED METAL SCREEN - REFER TO SPECIFICATIONS FOR PRODUCT INFORMATION
  11. MOP SINK, SEE PLUMBING
  12. FLOOR DRAIN/SINK, SEE PLUMBING
  13. BANQUETTE SEATING BY GC, SEE DETAILS
  14. STRUCTURAL STEEL COLUMN, SEE STRUCTURAL
  15. PATIO SLAB ON GRADE, 4" SLOPE AWAY FROM BUILDING AT 1/4" PER FOOT MINIMUM, SEE CIVIL FOR POINT ELEVATIONS, PROVIDE 8" THICKENED EDGE AT PERIMETER OF SLAB.
  16. EQUIPMENT BY OWNER
  17. COOLER WALLS & DOOR BY OTHERS - COOLERS & FREEZERS TO MEET REQUIREMENTS OF 2015 IECC SECTION C403.2.16.
  18. HOIST STATION CASEWORK, SEE INTERIOR ELEVATIONS
  19. BENCH PROVIDED BY OWNER
  20. GLASS WALL MATERIAL, REFER TO SPECIFICATION.
  21. OVERHEAD CANOPY
  22. STORE FRONT INFILL GLASS PANEL
  23. THERMAL BREAK @ SLAB BELOW COOLER WALLS
  24. VERIFY LOCATION OF SOUTH WALL OF OFFICE, ROOM 111, DOES NOT CONFLICT WITH CLEAR FLOOR SPACE REQUIREMENTS OF ELECTRIC PANELS.
  25. INFILL CMU AT DEMOLISHED DOOR OPENING, INFILL CMU TO MATCH EXISTING CMU.
  26. DECORATIVE METAL FENCE
  27. GATE - PROVIDE FINISH HARDWARE FOR ACCESS PURPOSES
  28. DENSE PLANTINGS TO DEFINE SERVICE AREA
  29. RECESSED SLAB AT WALKIN FREEZER, DEPTH OF SLAB RECESS TO MATCH DEPTH OF FREEZER FLOOR ASSEMBLY FINISHED FLOOR OF FREEZER TO BE FLUSH WITH ADJACENT FLOOR OF KITCHEN.
- FE - SURFACE MOUNTED FIRE EXTINGUISHER CABINET - REFER TO SPECIFICATIONS  
 FEC - RECESSED FIRE EXTINGUISHERS CABINET, SEE SPECIFICATIONS

**GENERAL NOTES**

1. ARCHITECTURAL 9'-0" x 000.00 CIVIL.
2. INTERIOR DIMENSIONS ARE TO FACE OF STUD (ONE SIDE) OF DEMISING - CORRIDOR WALLS UNLESS NOTED OTHERWISE AND CENTERLINE OF OPENINGS.
3. EXTERIOR DIMENSIONS ARE TO FACE OF CMU, UNLESS NOTED OTHERWISE, AND CENTERLINE OF OPENINGS.
4. ALL GWB WALLS TO BE PAINTED "FF-1" UNLESS NOTED OTHERWISE.
5. ALL GWB WALLS TO HAVE RUBBER BASE UNLESS NOTED OTHERWISE.
6. KEY SPACES ARE DESCRIBED ON ENLARGED PLAN SHEETS, REFERENCED FROM THE OVERALL FLOOR PLAN.
7. REFER TO A.501 FOR HORIZONTAL AND VERTICAL ASSEMBLY INFORMATION.
8. REFER TO A.501 FOR WINDOW ELEVATIONS + DOOR SCHEDULES, WINDOW TAGS REFER TO THESE ELEVATIONS.
9. REFER TO A.501 FOR ROOM FINISH.
10. ALL CEILING MATERIALS HEIGHTS ATTACH TO UNDERSIDE OF ROOF STRUCTURE UNLESS NOTED OTHERWISE, CEILING HEIGHTS ARE INDICATED OFF OF ASSOCIATED FLOOR LEVEL.
11. ALL WALLS 50A UNLESS NOTED OTHERWISE.
12. ALL SITE WORK INDICATED ON THE ARCHITECTURAL DRAWINGS ARE FOR GENERAL REFERENCE ONLY, REFER TO CIVIL DRAWINGS FOR COMPLETE SITE SCOPE AND DETAILING.
13. ALL DECORATIVE LIGHTS TO BE CENTERED BETWEEN BEAMS
14. ALL WALL TILE TO FLOORING TRANSITIONS TO BE SCHLUTER DILEX-ARA COVE, REFER TO SPECIFICATIONS.
15. COORDINATE SPRINKLER LINES DURING SUBMITTALS, SPRINKLER UNDER PATIO CANOPY.

2022.21

PERMIT SET  
 2022.03.18

REVISED SCHEDULE	DESCRIPTION	DATE
BY	APP'D	2022.03.18

LEVEL 1 - FURNITURE LAYOUT

**A.103**

69

**From:** [Scott Selix](#)  
**To:** [Neighborhood Meeting](#)  
**Subject:** Neighborhood Meeting Report for 6222 Grand Ave  
**Date:** Tuesday, September 5, 2023 11:19:28 AM  
**Attachments:** [Rezoning Letter Ltr 6222.docx](#)

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am writing this email to notify you of the neighborhood meeting held in conjunction with the application for rezoning for 6222 Grand Ave.

The meeting occurred on Wednesday, August 30 at 4:00pm CST at the building at 6222 Grand Ave.

I sent out the attached letter to the list of addresses provided by the city of Des Moines on August 24, 2023.

Two people attended the meeting. They were Ryan Osborn and Sharon Gerard, both from Junior Achievement (6100 Grand Ave). Both said they stopped by mainly to see the building/space, but were excited for our opening. I asked if they had any concerns, and they said that they supported the application for rezoning and had no concerns.

I also spoke with James Spiller, President of the Des Moines Soccer Club (6226 Grand Ave). He expressed support for the measure.

In all, I did not hear any opposition to the rezoning application.

I am happy to answer any other questions you may have. Thank you for your consideration

--

**Scott Selix**  
Lua Brewing Company  
Either/Or DSM  
Climbing Kites  
c: 515.770.4138  
[scott@luabeer.com](mailto:scott@luabeer.com)



**Scott Selix**  
Either/Or DSM  
6222 Grand Ave  
Des Moines, IA 50312  
scott@eitherordsm.com  
515.770.4138

August 23, 2023

Re: Notice and Meeting on Rezoning of Property at 6222 Grand Ave

Dear Property Owner:

I am the owner of the building and Either/Or restaurant at 6222 Grand Ave in Des Moines. I am writing this letter to give you notice of proposed rezoning and a meeting regarding same for the property at that address.

I will give some insight into why we are requesting rezoning. 6222 Grand Ave is currently zoned RX, which allows us to open as a restaurant, which we are planning to do. We also own Lua Brewing in Sherman Hill. Due to a weird quirk in state law, the only way we can serve Lua's beer at Either/Or is for Either/Or to be licensed as another Lua taproom and brewery. In order to do this, we must rezone from RX to MX1 and obtain a restaurant *and* a manufacturing license.

This is merely a licensing issue. Either/Or will operate as a restaurant and patio, and the public generally will have no reason to know that Either/Or is technically licensed as another Lua location. There will be no significant manufacturing (we will store barrels of beer there to meet our state manufacturing requirement).

This rezoning application has no effect on whether or when Either/Or will open. The City of Des Moines has already approved our liquor license and certificates of occupancy to open, and we will open on September 15. We look forward to hosting you, our neighbor! We just, unfortunately, cannot serve our own beer. We would like to do that, and we would love your support in doing that by supporting our request for rezoning.

***We will be hosting a neighborhood meeting regarding this proposed rezoning at Either/Or, 6222 Grand Ave, Des Moines, IA 50312 on August 30, 2023 at 4:00pm CST.***

You are receiving this letter because you own property within 250 feet of 6222 Grand Ave. Please plan to attend this meeting if you would like to share any support or concerns. I am also available via the phone number and email above for you to share any support or opposition. I am required to report all feedback to the city of Des Moines in conjunction with our application, so your feedback will be passed on provided it is received prior to or during the August 30, 2023 neighborhood meeting. You are also welcome to reach out directly to the city.

Please reach out to me if you have any questions. My contact info is at the top. Thank you very kindly!

*s/ Scott Alan Selix*

Scott Selix  
Co-Founder

Item: ZONG-2023-000047

Date: 9-1-23

Please mark one of the following:

- I support the request
- I am undecided
- I oppose the request

<p>Staff Use Only  <b>RECEIVED</b>          COMMUNITY DEVELOPMENT          SEP 07 2023</p>
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Titleholder Signature: M. Spacher

Name/Business: The Sands Volleyball Club

Impacted Address: 624 GRAND

Comments: 1022 GRAND IS SURROUNDED BY FW

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Item: ZONG-2023-000047 Date: 8/30/2023

Please mark one of the following:

- I support the request
- I am undecided
- I oppose the request

Staff Use Only  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
SEP 01 2023

Titleholder Signature: 

Name/Business: VFI, LLC

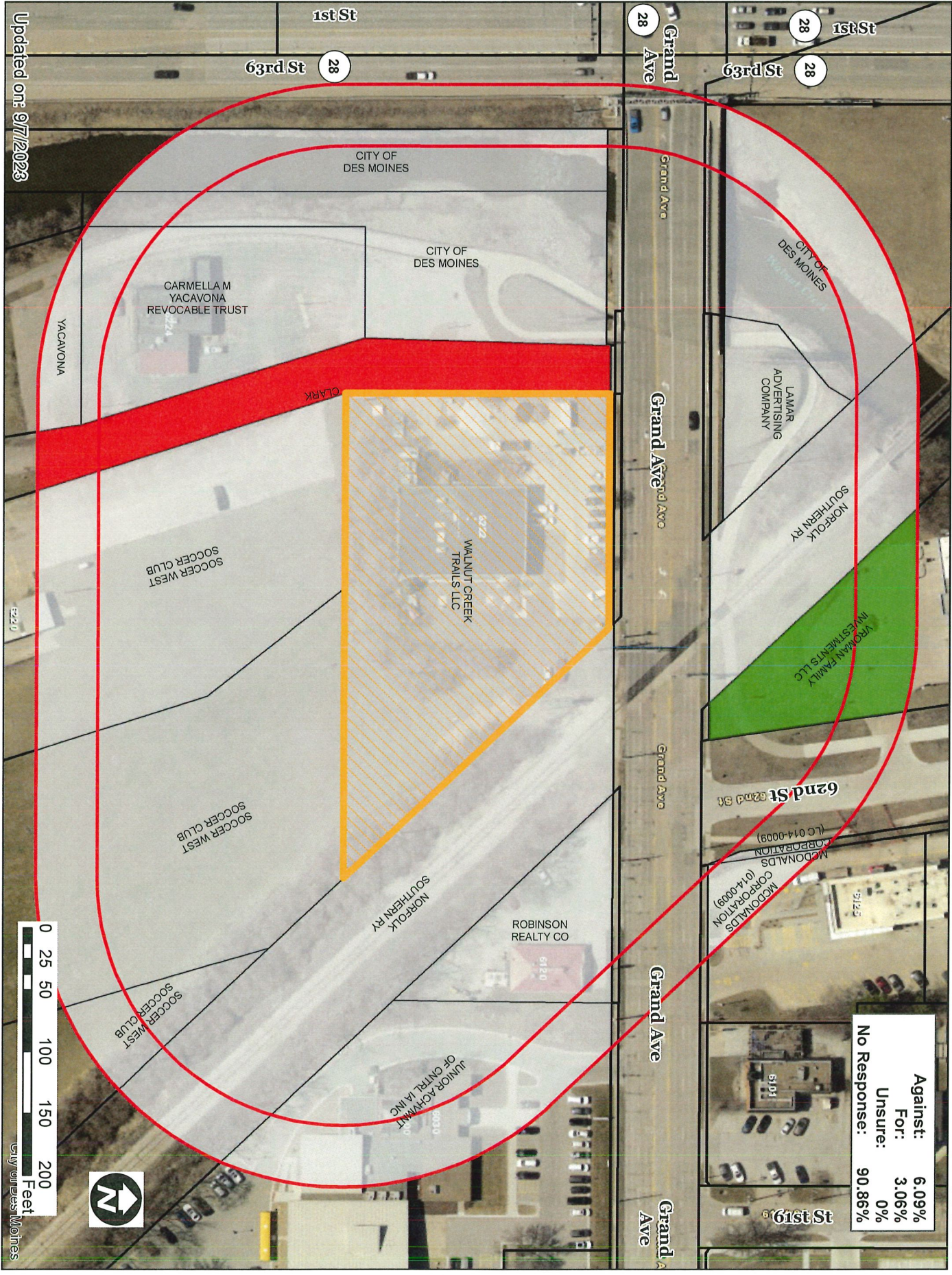
Impacted Address: 6201 GRAND AVENUE

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Walnut Creek Trails, LLC, 62222 Grand Avenue

ZONG-2023-000047

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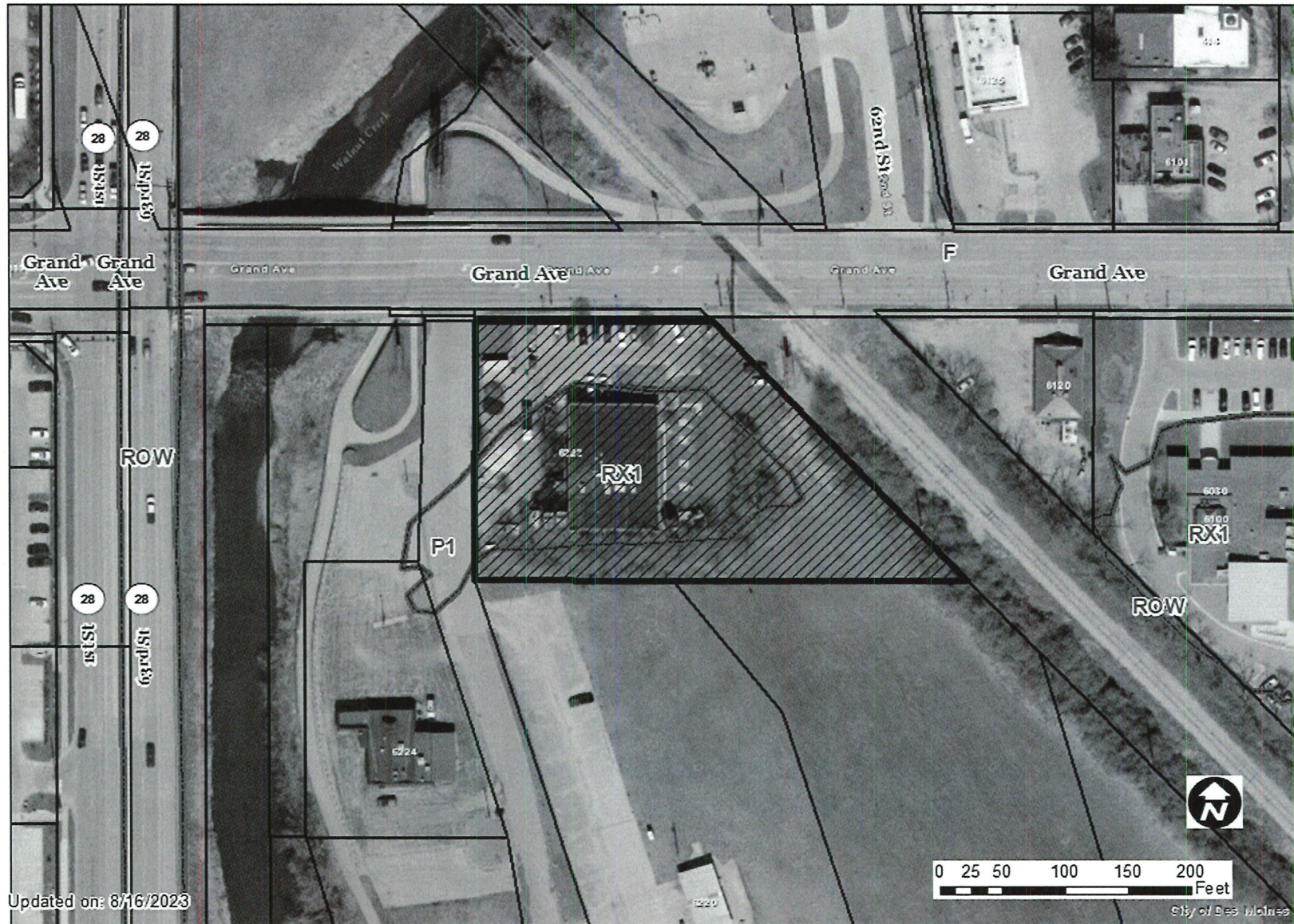
Against:	6.09%
For:	3.06%
Unsure:	0%
No Response:	90.86%

Updated on: 9/7/2023



1 inch = 103 feet

City of Des Moines



Updated on: 8/16/2023

1 inch = 103 feet