

★ **Roll Call Number**  
24-1283

**Agenda Item Number**  
73

**Date** September 16, 2024

**RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM DELANEY ENTERPRISES, LLC (OWNER), REPRESENTED BY CONNOR DELANEY (OFFICER), TO REZONE THE PROPERTY LOCATED AT 515 EUCLID AVENUE FROM “MX1” MIXED USE DISTRICT TO “MX2” MIXED USE DISTRICT, TO ALLOW AN EXISTING BUILDING TO BE USED FOR AN “EATING AND DRINKING PLACES – BAR” USE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on August 1, 2024, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Delaney Enterprises, LLC (Owner), represented by Connor Delaney (Officer), for the property located at 515 Euclid Avenue, to rezone the property from “MX1” Mixed Use District to “MX2” Mixed Use District, to allow an existing building to be used for an “Eating and Drinking Places – Bar” use and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

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

**THE WEST 24 FEET OF LOT 12, BLOCK 22, HIGHLAND PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.; and**

**WHEREAS**, on August 19, 2024, by Roll Call No. 24-1149, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on September 19, 2024, 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 proposed rezoning; and

**WHEREAS**, in accordance with said notice, those interested in said proposed rezoning, 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 rezoning of the Property are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, from “MX1” Mixed Use District to “MX2” Mixed Use District, to allow an existing building to be used for an “Eating and Drinking Places – Bar”, is hereby found to be in conformance with the PlanDSM: Creating

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Our Tomorrow Land Use Plan and is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Westergaard TO ADOPT, SECOND BY Voss

FORM APPROVED:

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

(ZONG-2024-000024)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL.

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.

Connie Bress Mayor

Laura Baumgartner City Clerk