

ORDINANCE NO. 16,554

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 107 East 6th Street from “DX2” Downtown District to Limited “DXR” Downtown District classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 107 East 6th Street from “DX2” Downtown District to Limited “DXR” Downtown District classification, more fully described as follows:

NORTH PROPERTY, PARCEL NUMBER 040/01060-005-000

A TRACT OF LAND THROUGH LOTS 9, 10, 13, 14, BLOCK 14 AND THE VACATED NORTH/SOUTH ALLEY LYING BETWEEN, ALL IN TOWN OF DE MOINE, 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 SOUTHEAST CORNER OF LOT 11, OF SAID BLOCK 14; THENCE NORTH 15°30'05" WEST ALONG THE EAST LINE OF SAID BLOCK 14, A DISTANCE OF 70.28 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88°25'50" WEST, 98.51 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 570.19 FEET, WHOSE ARC LENGTH IS 72.10 FEET, AND WHOSE CHORD BEARS SOUTH 84°48'29" WEST, 72.05 FEET; THENCE SOUTH 81°11'07" WEST, 151.17 FEET TO THE WEST LINE OF SAID LOT 14; THENCE NORTH 15°02'48" WEST, 31.38 FEET; THENCE NORTH 75°38'29" EAST, 149.22 FEET; THENCE NORTH 77°10'37" EAST, 18.02 FEET; THENCE NORTH 82°45'52" EAST, 150.77 FEET TO THE EAST LINE OF SAID BLOCK 14; THENCE SOUTH 15°30'05" EAST, 60.10 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.33 ACRES (14,475 S.F.).

MIDDLE PROPERTY, PARCEL NUMBER 040/01059-001-000

PART OF BLOCK 14 IN TOWN OF DE MOINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 14 (SAID POINT BEING THE SOUTHEAST CORNER OF COURT AVENUE AND SOUTHEAST 6TH STREET); THENCE SOUTH 16° 00' EAST (BEING AN ASSUMED BEARING OF THE EAST RIGHT OF WAY OF SOUTHEAST 6TH STREET) A DISTANCE OF 305 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 16° 00' EAST A DISTANCE OF 111.5 FEET; THENCE NORTH 71°08' EAST A DISTANCE OF 57.08 FEET ON A TANGENT TO A P.I. OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1107.67 FEET; THENCE NORTH 65°14' EAST A DISTANCE OF 225.74 FEET TO THE P.I. OF A CURVE CONCAVE TO THE SOUTH AND HAVING A

RADIUS OF 507.87 FEET; THENCE NORTH 73°12' EAST A DISTANCE OF 35.36 FEET; THENCE NORTH 15°12' WEST A DISTANCE OF 21.9 FEET; THENCE SOUTH 87°39' WEST A DISTANCE OF 134.1 FEET TO THE P.I. OF A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 570.19 FEET; THENCE SOUTH 80°24' WEST A DISTANCE OF 186.8 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

SOUTH PROPERTY, PARCEL NUMBER 040/01060-006-000

AN IRREGULAR TRACT OF LAND THROUGH LOTS 11 AND 12, BLOCK 14 AND THE NORTH/SOUTH VACATED ALLEY LYING BETWEEN THAT PART OF LOTS 11 AND 12, BLOCK 14, ALL IN THE TOWN OF DE MOINE, 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 SOUTHEAST CORNER OF SAID LOT 11; THENCE NORTH 15°30'05" WEST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 3.58 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A CURVE 15.0 FEET NORTH OF FORMER TRACK 29 AS FILED IN BOOK 5985, PAGE 4 OF THE POLK COUNTY RECORDER'S OFFICE, CONCAVE SOUTHERLY WHOSE RADIUS IS 2317.63 FEET, WHOSE ARC LENGTH IS 212.90 FEET, AND WHOSE CHORD BEARS SOUTH 77°28'39" WEST, 212.82 FEET; THENCE SOUTH 74°53'25" WEST, 65.91 FEET; THENCE NORTHEASTERLY ALONG A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, WHOSE RADIUS IS 1107.67 FEET, WHOSE ARC LENGTH IS 75.58 FEET AND WHOSE CHORD BEARS NORTH 68°24'05" EAST, 75.57 FEET; THENCE NORTH 65°54'56" EAST, 133.57 FEET; THENCE NORTHEASTERLY ALONG A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 507.87 FEET, WHOSE ARC LENGTH IS 71.49 FEET, AND WHOSE CHORD BEARS NORTH 70°12'21" EAST, 71.43 FEET TO THE EAST LINE OF SAID LOT 11; THENCE SOUTH 15°30'05" EAST, 44.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.13 ACRES (5,827 S.F.).

Section 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by all owners of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

1. Any fencing on the property shall be decorative metal fencing to the satisfaction of the City's Planning and Urban Design Administrator.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 4. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED: Emily A. Duffy, Assistant City Attorney

Connie Boesen, Mayor

Attest: I, Laura Baumgartner, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an Ordinance (Roll Call No. 26-0583), passed by the City Council of said City at the meeting held on May 4, 2026 and signed by the Mayor on May 4, 2026 and published and provided by law in the Business Record on May 22, 2026. Authorized by Publication Order No. 13300.

Laura Baumgartner, City Clerk