


## COUNCIL COMMUNICATION

	Number:	<b>24-183</b>	Meeting:	<b>May 6, 2024</b>
	Agenda Item:	<b>32</b>	Roll Call:	<b>24-0666</b>
	Submitted by:	<b>Cody Christensen, Development Services Director</b>		

### AGENDA HEADING:

Resolution approving First Amendment to Urban Renewal Development Agreement between the City of Des Moines and 420 Court Avenue, LLC clarifying and approving temporary hours of operation and minimum size of grocery store.

### SYNOPSIS:

On April 16, 2015, 420 Court Avenue, LLC (Gerard Neugent, Registered Agent, 5000 Westtown Parkway, Suite 400, West Des Moines, IA 50266) entered into an urban renewal agreement with the City of Des Moines for the construction and operation of a full line grocery store located at 420 Court Avenue, Des Moines, IA.

420 Court Avenue, LLC has requested, and staff recommend granting a temporary two (2) year change to the minimum required hours of operation that will require the grocery store to be open to the public during the following timeframes every day except state and national holidays unless reduced hours have been approved in writing by the City of Des Moines:

	<u>During Daylight-Saving Time</u>	<u>Non-Daylight-Saving Time</u>
Monday through Friday	8:00 a.m. to 8:00 p.m.	8:00 a.m. to 7:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.	8:00 a.m. to 6:00 p.m.
Sunday	12:00 p.m. to 6:00 p.m.	12:00 p.m. to 6:00 p.m.

At the end of the temporary two (2) year period, the hours of operation for the grocery store shall be 6:00 a.m. to 11:00 p.m. daily, except on state and national holidays, unless reduced hours have been approved in writing by the City of Des Moines.

The size of the grocery store shall be a minimum of 20,000 square feet of contiguous space.

**FISCAL IMPACT: NONE**

### PREVIOUS COUNCIL ACTION(S):

Date: April 6, 2015

Roll Call Number: [15-0629](#)

Action: [On](#) Urban Renewal Agreement for sale of Land for Private Development, with 420 Court Avenue, LLC, for the sale and redevelopment of Disposition Parcel 99C at 420 Court Avenue, in the Metro Center Urban Renewal Area (Hy-Vee project). ([Council Communication No. 15-178](#)) Moved by Gatto to adopt. Motion Carried 6-1.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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