


COUNCIL COMMUNICATION

	Number:	26-185	Meeting:	May 18, 2026
	Agenda Item:	24	Roll Call:	26-0619
	Submitted by:	Carrie Kruse, Economic Development Administrator		

AGENDA HEADING:

Resolution approving the Second Amendment to the Urban Renewal Development Agreement between the City of Des Moines and 420 Court Avenue, LLC regarding operating hours.

SYNOPSIS:

On April 16, 2015, 420 Court Avenue, LLC (5000 Westown Parkway, Suite 400, West Des Moines, IA 50266; Gerard Neugent, Registered Agent) entered into an Urban Renewal Development Agreement with the City of Des Moines for the construction and operation of a full-service grocery store located at 420 Court Avenue, Des Moines, IA.

On May 6, 2024, City Council approved a First Amendment to the urban renewal agreement that identified the minimum size of the store (20,000 square feet) and temporary operating hours as defined below:

- | • During Daylight-Saving Time | Non-Daylight-Saving Time |
|--|--------------------------|
| • 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. |

The First Amendment provided that 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 requested Second Amendment identifies revised hours of operation as follows:

- Hours of operation shall be Monday through Sunday from 7am to 9pm.
- The Second Amendment shall extend these hours of operation for another two (2) years, until May 3, 2028. Beginning May 3, 2028, 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.

FISCAL IMPACT: NONE

PREVIOUS COUNCIL ACTION(S):

Date: May 6, 2024

Roll Call Number: [24-0666](#)

Action: [First](#) Amendment to Urban Renewal Development Agreement with 420 Court Avenue, LLC clarifying and approving temporary hours of operation and minimum size of grocery store. ([Council Communication No. 24-183](#)) Moved by Coleman to adopt. Second by Gatto. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Urban Design Review Board

Date: February 3, 2015

Resolution Number: N/A

Action: The Board recommended approval (5-0- 2 abstain, 4 absent) of the conceptual design plans shown with the following items still to be resolved by additional review prior to the sale of the property to the developer:

- Believe the change from using exterior wood/metal panels is a good thing although the step-down in quality to the Nichiha-type fiber cement board materials is a concern. The Board requests further investigation of materials where the fiber cement board is proposed to face public rights-of-way on 4th Street and Court Avenue in the elevations presented at this meeting.
- The Board needs to see further development of all site plan-related items, including the green link, streetscapes on all rights-of-way, screening of the loading dock area, and integration of bike facilities.
- Selection of the exterior screen material for the parking garage should take the level of transparency into account with respect to the screening's perforation size with a preference for a medium/high level of transparency.
- May be beneficial to articulate the exterior columns on the parking garage.
- Recommends additional design work be done on the streetscape/sidewalk area on the 5th Street pedestrian corridor connecting from Court Avenue to MLK Parkway. The Board would like to see the addition of landscaping and seating, similar to what was described in the schematic design which felt more vibrant and pedestrian-friendly.
- Encourage additional consideration to a green roof for the Hy-Vee store, especially for the residential units that face south and view this rooftop; the current rooftop may diminish the marketability of those units.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of T.M. Franklin Cownie City Administration Building, 1200 Locust Street. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.