

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> June 11, 2012
	<b>Agenda Item No.</b> 59 <b>Roll Call No.</b> <u>12-298</u> <b>Communication No.</b> <u>12-298</u> <b>Submitted by:</b> Ben Page, Interim <b>Director of Park and Recreation</b>

**AGENDA HEADING:**

Approval of the Greater Des Moines Botanical Garden Corporation (GDMBG) master plan for the Des Moines Botanical Center.

**SYNOPSIS:**

Staff recommends approval of the proposed master plan developed by the GDMBG for the Des Moines Botanical Center (Botanical Center), in compliance with requirements of the City Council-approved Long-Term Lease, Operation, Management and Maintenance Agreement between the City and the GDMBG for the Botanical Center (located at 900 Robert D. Ray Drive) and adjacent grounds of approximately 13½ acres along the Des Moines River, including Robert D. Ray Drive and right-of-way.

**FISCAL IMPACT:**

No additional City funds are being committed beyond what has previously been approved as part of the long-term lease agreement and economic development grant agreement.

**ADDITIONAL INFORMATION:**

The Botanical Center is owned by the City, currently managed and operated by the Board of the Des Moines Water Works Trustees (DMWW) through a 28E Agreement approved by the City Council in 2003 (Roll Call No. 03-2834). This agreement is set to expire on December 31, 2012. On May 9, 2011, by Roll Call No. 11-0822, the City Council approved an Operation, Management and Maintenance Agreement with GDMBG that is set to commence on January 1, 2013.

A requirement of the agreement is that the GDMBG gain City Council approval of the proposed Botanical Center master plan. At the time of the agreement approval process, the master plan had not yet been developed; however at this time, the document is complete and is being presented for City Council consideration/approval. Narrative highlights of significant components follow:

Prior to development of the agreement, a vision plan and strategy was commissioned through EMD Consulting Group and Hoerr-Schaudt Landscape Architects; that input is reflected in the master plan.

**PHASE I BUDGET FOR THE GREATER DES MOINES BOTANICAL GARDEN IMPROVEMENTS:**

**Primary Project Costs**

Construction/renovation	\$7,350,000
Equipment	\$200,000
Furnishings	\$100,000
Fees	\$900,000
Interest	\$150,000
Fundraising Costs	\$100,000
Operating costs and losses associated with construction	\$400,000
Endowment	\$2,400,000
<b>Total</b>	<b>\$11,600,000</b>

To date more than \$9 million has been raised toward the goal of \$11.6 million (agreement requires GDMBG to raise \$10 million). GDMBG continues to raise funds for the design and construction portions of the project. Acknowledging that Phase I of the proposed master plan is presently a small segment of the entire master plan, the scope of Phase I may expand as additional funds are raised.

**TEAM OF CONSULTANTS AND DESIGNERS FOR PHASE I:**

**Doug Hoerr of Hoerr-Schautt, Chicago, Illinois** is the Landscape Architect for the master plan of the Greater Des Moines Botanical Garden. Mr. Hoerr's previous work in Des Moines includes the gardens along Fleur Drive, Ingersoll Avenue, and most recently at the World Food Prize Hall of Laureates.

**Simonson & Associates, Des Moines, Iowa** is the architect of record for this project. Mike Simonson has been involved with the project nearly since inception.

**The Weitz Company, Des Moines, Iowa**, will oversee construction management services and will assist in establishing, and will maintain the total budget for improvements during both the design and construction period.

**Featherstone, Inc. Construction Management, Downers Grove, Illinois** is the consultant to the water education garden feature through the schematic design phase. Featherstone has made a mark in the public garden world through their work at the Chicago Botanic Garden and the highly-acclaimed Morton Arboretum in Lisle, Illinois.

**DESCRIPTION OF PHASE I LANDSCAPE RENOVATIONS:**

The bounds of the Phase I landscape will be fully defined once the capital campaign fundraising is complete; however the intent is to have the renovations and expansions include a water education garden to the west of the existing building courtyard. An esplanade will extend north from the water garden to link the conservatory to the formal display gardens and will include a shade tree allée with distinctive gardens featuring annuals, perennials, trees and shrubs. To the north of the building will be a formal event lawn with perennial borders. Also during this phase the eastern hillside will be graded in preparation for development; however, completion of the hillside's gardens will be contingent on the final funds raised during this phase.

**LOW-IMPACT PRACTICES FOR THE LANDSCAPE:**

Modifications to the Botanical Center landscape will contribute to sustaining our ecosystems and environment. They include, but are not limited to the following:

- 1) Native plantings along garden entrance and riverfront bike path
- 2) Bio-swale with native plantings at south edge of parking lot
- 3) Parking island and perimeter planting to reduce urban heat island effects
- 4) Native plantings throughout the area noted as the botanical garden, where applicable, including a Buck Rose garden south of the building entrance
- 5) Sustainable horticulture practices, where possible
- 6) Control and management of known invasive plants
- 7) Composting of landscaping materials
- 8) Protection of floodway functions
- 9) Future organic herb and vegetable garden
- 10) Future native Iowa woodland restoration area at north end of site
- 11) Promotion of sustainability awareness and education

**DESCRIPTION OF PHASE I BUILDING RENOVATIONS:**

Phase I building renovations are restricted to within the existing building footprint with the exception of the relocation of an addition to the café of 1,594SF. The lobby will be expanded to include a larger gift shop. Entry to the outdoor gardens and meeting rooms will be via an expanded walkway through the conservatory.

Located at the circulation juncture of the outdoor garden access within the conservatory will be the new, larger kitchen and café, which will seat approximately 68 visitors indoors/72 visitors outdoors and feature river and city views. The conference wing will be reconfigured to allow greater flexibility in accommodating varying meeting sizes and will feature new audio and visual systems and a new catering kitchen. The improved conservatory walkway system will provide greater accessibility to the event balcony as well as to the show house. The expanded pre-function area outside the show house will accommodate larger groups of school children, and be used for other pre-function and display purposes. The current café space will be repurposed into office facilities to accommodate expanded staff and volunteers and allow space for a break room, volunteer staff areas, and tool storage. All areas noted above, including the lobby, gift shop, conferencing areas, restrooms and associated circulation ways shall receive new finishes and lighting to reflect an increased sense of quality and energy efficiency.

Also during Phase I the storage building and southernmost greenhouse are scheduled to be removed, enabling provision of a service access lane for maintenance and garden events to the east of the building and to provide additional parking spaces on the property. Improvements to the dome and mechanical systems are also needed due to the age of the facility and will include a new evaporative cooling unit in the show house, replacement of all deteriorated piping with new insulated piping and fittings, replacement of damaged grills throughout, and repair to the center dome exhaust fan housing. See additional items noted below under Energy Efficiency.

**FIRE/SAFETY ACCESS:**

As agreed to with the Des Moines Fire Department, the facility will receive a fire sprinkler system throughout the first floor space and the lower level boiler room. The conservatory, greenhouse and service tunnel will not be sprinkled. Two standpipes will be added to the east side of the conservatory and a fire hydrant will be installed near the main entrance to the building. Circulation within the parking area will facilitate movement of fire apparatus and a new full hammer head at the far north end

of the gardens at the terminus of the existing roadway will accommodate a turnaround for fire and ambulance vehicles and apparatus and will resolve a long-standing access problem. Emergency vehicle access to this north roadway will be via a gated element off of East 6<sup>th</sup> Street.

**ENERGY EFFICIENCY AND HIGH PERFORMANCE COMPONENTS:**

The GDMBG is investigating and analyzing the long-term pay-out of numerous building modifications to help create a more sustainable environment and reduce ongoing maintenance and operating expenses. Modifications in Phase I or future phases may include:

1. Retrofitting the existing dome air handling units, including incorporation of motors with greater efficiency, to provide better air movement and reduction of operating expenses;
2. Adding variable air volume units throughout the conferencing areas and office space to allow greater temperature control based on occupancy, resulting in greater comfort and reduced energy consumption;
3. Adding pressure relief valves to the conferencing wing to reduce air infiltration from the conservatory;
4. Eliminating the air gap at the base of the dome to reduce winter heating expenses;
5. Upgrading lighting throughout to LED systems;
6. Addition of new lighting control systems in the conference room areas.

At its May 22, 2012 regular meeting, the Park and Recreation Board voted unanimously to recommend approval of the proposed master plan to the City Council. The Plan and Zoning Commission held an informal review of and provided comment on the master plan, and it has been reviewed and approved by the Urban Design Review Board.

Staff recommends approval of the proposed master plan.

**Significant Terms of the Council-Approved Lease Agreement**

Upon completion of the Phase 1 master plan improvements, the approved lease agreement provides for a long-term lease of the Botanical Center facilities, while assuring the City's maximum financial commitment toward operations subsidy after an initial period of City funding, and relieving the City of maintenance and capital investment funding responsibility, shifting that responsibility to the GDMBG. In addition to the lease agreement, the City and GDMBG have entered into a separate economic development grant agreement by which the City will provide grants that are dependent upon compliance with the lease agreement terms.

- The initial term is 25 years, with two 25-year renewal options at the sole discretion of the GDMBG.
- GDMBG will own improvements it constructs during the term of the lease agreement, which will become the property of the City upon termination of the lease agreement.
- A restaurant will be an allowed use of the property within the Botanical Center.
- GDMBG will own the plant collection and personal property; however the collection and personal property will revert to the City upon termination of the lease agreement.
- The City Council will retain the right to appoint a Councilmember and the City Manager to the GDMBG Board as voting members. (Council appointed Bob Mahaffey to the GDMBG Board)
- GDMBG's intended expanded gardens will require the closure and removal of Robert D. Ray Drive from the I-235 overpass north to the terminus at East 6th Street.

- The John Pat Dorrian Multi-Use Recreational Trail will be relocated to the west, to a route closer to the Des Moines River. The trail will not be part of the leased premises, but will remain a City linear park.
- Relocation of the trail and implementation of the overall master plan will entail removal of a significant number of trees; the master plan also calls for the planting of a multitude of new trees, shrubbery, perennials and other plant material associated with expansive outdoor botanic display gardens.
- GDMBG will use its best efforts to increase attendance.
- The GDMBG shall obtain, at its expense, periodic inspections after three full years of operation and thereafter every four years, to include the condition of the gardens, condition of the buildings, attendance levels, educational programs and fundraising activities, by persons or firms with education and training in botanical gardens.
- The proposed master plan will become an exhibit to the lease agreement after the plan is presented to the City Council for approval.
- The City Council has approval rights over the GDMBG master plan.
- Significant changes to the master plan must be approved by the City Council.
- GDMBG will complete \$10 million in fundraising in the first five years, including \$7.5 million for improvements to the Center and grounds, \$2 million for an endowment for operational expenses and \$500,000 for construction-related costs, such as interest on construction loans and fundraising, and operating costs during and immediately after construction.
- The lease agreement shall commence on January 1, 2013 and shall continue in full force until midnight on December 31, 2037, unless otherwise terminated according to the terms of the lease agreement. However, the GDMBG may delay the lease agreement commencement date until January 1, 2014, provided that they give the City written notice of intent by no later than May 1, 2012.

In conclusion, at the commencement of the lease the City will be relieved of current infrastructure and operating costs to the Botanical Center. Resulting costs will be similar in amount to basic infrastructure improvements and repair needs that the City would be responsible for in the event that the facility would revert to the City. The return is a greatly-improved attraction for the City of Des Moines.

#### **PREVIOUS COUNCIL ACTION(S):**

Date: January 9, 2012

Roll Call Number: [12-0047](#)

Action: [Greater](#) Des Moines Botanical Garden application for a Vision Iowa Community Attraction and Tourism (CAT) Grant to be used for expansion at the Botanical Center and authorizing City Manager to send a letter of support. Sponsor: Council Members Mahaffey and Meyer. ([Council Communication No. 12-022](#)) Moved by Hensley to receive and file and directing the City Manager to prepare and send such letter of support to the Vision Iowa Board on behalf of the City of Des Moines. Motion Carried 7-0.

Date: April 25, 2011

Roll Call Number: [11-0680](#)

Action: [On](#) vacation and Long-term Lease, Operation, Management and Maintenance Agreement of Des Moines Botanical Center and adjacent grounds including a portion of Robert D. Ray Drive to Greater Des Moines Botanical Garden, (5-9-11). ([Council Communication No. 11-259](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 10, 2010

Roll Call Number: [10-685](#)

Action: [Guiding](#) principles for negotiation of a long term lease and management agreement for the Botanical Center and grounds. ([Council Communication No. 10-259](#)) Moved by Meyer to adopt. Motion Carried 7-0.

Date: July 14, 2008

Roll Call Number: [08-1270](#)

Action: [Authorizing](#) City Manager to negotiate and execute Agreement for development of a master plan for the Des Moines Botanical Center and grounds, not to exceed \$30,000. ([Council Communication No. 08-424](#)) Moved by Vlassis to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S):**

Board: Park and Recreation Board

Date: May 22, 2012

Resolution Number: 12-045

Action: Board voted to recommend approval of the Botanical Center Master Plan to City Council

Board: Plan and Zoning commission

Date: May 3, 2012

Action: Plan and Zoning Commission received an informal presentation on the Des Moines Botanical Center master plan

Board: Urban Design Review Board

Date: April 17, 2012

Action: Motion to approve the master plan with the physical drawing revision regarding the bike/pedestrian trail along the service drive and further review of each future phase as it is funded and developed by Clark.

Board: Plan and Zoning Commission

Date: April 7, 2011

Resolution Number: 11-2011-1.04

Action: Commission voted 8-1-3 to recommend APPROVAL of a request from Friends of the Des Moines Botanical Center, represented by Fred Weitz, for the permanent closure of the park road adjacent to the Des Moines Botanical Center to through-access from a point immediately north of I-235 to East 6th Avenue, subject to development in accordance with proposed master plan and encouraging those in negotiation (the City and the Friends of the Des Moines Botanical Center) to extend every reasonable effort to maintain access to the north trailhead for pedestrian and vehicular traffic.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Upon City Council approval of this master plan, any proposed significant changes to the approved plan will need to be presented to and approved by the City Council. The master plan may be subject to revision to reflect donor acceptance, as well as unforeseen economic, legal, environmental, infrastructure or other conditions in the future.

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