

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Mary K. Lindley, Parks, Recreation & Community Services Director 

DATE: June 5, 2008 (CC Meeting of June 18, 2008)

SUBJECT: Consider Public Art In-Lieu Fee for Commercial Planned Development No. 2005-02 (Tuscany Square)

BACKGROUND

As a condition of approval for Commercial Planned Development Permit, CPD 2005-02, (Tuscany Square), the developer is required to prepare and install a public art project on-site, or with City approval, pay an in lieu fee. Approved art projects must be completed, or fee paid, prior to the issuance of the first building occupancy.

The project falls under the City's previous public art program which required a public art project valued at \$0.10 a square foot of building area. Based on this formula, the total valuation for Tuscany Square equals \$7,400.

On May 20, the City's Art Commission considered options for public art for Tuscany Square and provided the developer with ideas and suggestions. The developer attempted to identify an appropriate art piece within the minimum required project value. At the conclusion, staff and the developer concluded it is difficult to design and fabricate an original art piece, consistent with the intent of the City's Public Art Ordinance, with a budget of \$7,400. Therefore, staff is proposing that the City accept an in-lieu fee to meet the public art obligation.

The in-lieu fee will be deposited in the City's Public Art Fund to be used to design and construct public art under the Council's direction.

FISCAL IMPACT

Approval of the staff recommended action would increase the Public Art Fund by \$7,400.

STAFF RECOMMENDATION

Approve the collection of an in-lieu fee as fulfillment of the public art obligation for CPD 2005-02, (Tuscany Square).