

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

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

DATE: March 16, 2009 (CC Meeting of April 1, 2009)

SUBJECT: Consider Patriot Commerce Center Public Art Conceptual Design

DISCUSSION

The Patriot Commerce Center is located on Patriot Drive, off of Miller Parkway, behind the Market Place Shopping Center (Target). As a condition of approval, the developer is required to prepare and install a public art project(s) on-site, or with City approval, pay an in-lieu fee. The approved art project must be completed, or fee paid, prior to the issuance of the first building occupancy. In this case, the developer wishes to design and install an original art piece.

The project falls under the City's current public art program, which requires that the value of the public art obligation be one percent (1%) of the total building valuation for the development, excluding land value and off-site improvement costs. At the current time, the developer is proceeding with construction of buildings D through J (see the site plan in developer's proposal, submitted separately). These buildings have a combined valuation of \$9,873,109, which equates to a public art piece with a value of \$98,731. The cost estimate for the proposed art piece is \$150,687, approximately \$51,956 over the developer's obligation. Staff has verified that all of the developer's identified art project costs are appropriate and can be credited towards their art obligation. The developer has stated that he would like to apply the \$51,956 additional cost towards their future art obligation. The developer is obligated to design and install a second public art piece or pay an in-lieu fee for the remainder of the project site (excluding the Home Depot pad) at the time they are ready to proceed with construction of buildings A, B, and C. The design of the second art piece will need to go through the same review and approval process.

The art piece proposed by the developer is a set of basalt columns set within a tilted landscape bed. The conceptual plan for the art piece has been provided to the Council separately from this Agenda Report. The location of the piece is the "round-about" at

east end of Patriot Drive that is intersected by vehicle access points leading to the Market Place and east half of the developer's project. The location is well placed for maximum exposure on the project site. It will also be visible from Miller Parkway and the Village Market Shopping Center. The actual basalt column portion of the art project will range around 16 to 18 feet in height and will include up-lighting to show off the piece in the evening. The conceptual plan for the landscape pallet is still under consideration by the developer. Prior to completion of the project, the developer will be required to sign a maintenance covenant, agreeing to on-going maintenance responsibilities for the art piece for the life of the Patriot Commerce Center.

On February 10, 2009, the Arts Commission reviewed the proposed art piece and, along with staff, is recommending its approval.

STAFF RECOMMENDATION

Approve the proposed conceptual design for the Patriot Commerce Center public art project.