

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** David A. Bobardt, Community Development Director  
Prepared By: Joseph Fiss, Principal Planner 

**DATE:** March 25, 2014 (CC Meeting of April 2, 2014)

**SUBJECT:** Consider a Resolution Approving Administrative Permit (AP) No. 2013-19 and Modification No. 4 to Industrial Planned Development (IPD) No. 93-1 to Allow a 79,042 Square-Foot Multi-Tenant Indoor Retail Operation in an Existing Building in the M-1 Zone at 709 Science Drive, and Adopting a Mitigated Negative Declaration under CEQA in Connection Therewith, on the Application of Community Marketplace (Manny Asadurian, Jr.)

**BACKGROUND**

On December 31, 2013 Community Marketplace submitted an application for Administrative Permit No. 2013-19 to construct and operate a multi-tenant indoor retail operation in the M-1 Zone in an existing building at 709 Science Drive. On February 11, 2014, in response to an incompleteness letter, Community Marketplace also submitted an application for Modification No. 4 to IPD No. 93-1 for the proposed use, as was required by conditions of approval on IPD 93-1 for a change of use from the mail marketing and warehouse use listed in the original application. The applicant proposes a retail operation with up to 175 vendors within a "trade show" environment in 79,042 square feet of a 253,478 square-foot vacant building, that is part of a 406,534 square-foot two-building industrial planned development project.

An Administrative Permit is required for retail sales in the M-1 zone, not to exceed twenty percent of the gross floor area of the building or IPD. It is normally decided by the Community Development Director, however in this case, the decision is elevated to the City Council for consideration, because a Modification application that requires City Council consideration is also needed for this project.

A condition in the original IPD No. 93-1 permit for this project required a modification to the permit for any use not listed in the original application. The original application was for mail marketing and warehousing. Any change that is not extensive enough to be considered a substantial or fundamental change in the approved entitlement or use relative to the permit, would not have a substantial adverse impact on surrounding properties and would not change any findings contained in the environmental documentation prepared for the permit, may be deemed a permit modification. Action on the permit modification application shall be by the decision-making body that approved the original permit by the same type of public action process and public noticing as required for the original project application.

## **DISCUSSION**

### **Project Setting**

#### Existing Site Conditions:

The site consists of two large industrial buildings on an approximately 19.6 acre site. The site has been graded as three lots, developed with two buildings. The applicant is proposing the retail use in 79,042 square feet of the northernmost 253,478 square foot building. The southernmost building is 152,786 square feet, for a total of 406,534 square feet of floor area. Access to the parking lots is from the driveway at the end of Science Drive. The parking lot is landscaped, whereas the slopes leading to the upper lot are largely natural vegetation.

#### Previous Applications:

Resolution No. 93-988 was adopted on October 6, 1993 for Industrial Planned Development No. 93-1 and Lot Line Adjustment No. 93-8 the application of G&S Partnership. The permit allowed the construction of a 406,534 square foot industrial planned development.

Minor Modification No. 1 to IPD 93-1 was approved by the Community Development Director on November 18, 1994. This modification removed a condition requiring that the entire building be painted with anti-graffiti paint and replaced the condition with a requirement for all graffiti to be removed within 5 days of written notification. This is consistent with the City's current graffiti ordinance.

Resolution No. 95-1141 was adopted on July 20, 1995 for Minor Modification No. 2 to IPD 93-1. This modification allowed a refund of the Art in Public Places Fee of \$40,628.00 in exchange for providing the stone and water feature which currently exists in the plaza area.

Resolution No. 2003-2138 was adopted on September 3, 2003 denying Minor Modification No. 3 to IPD 93-1, requesting seasonal outdoor storage in the parking area on an ongoing basis.

General Plan and Zoning Consistency:

The I-1 (Light Industrial) General Plan land use designation is intended to provide for a variety of light industrial uses, technical research and business office uses in a business park context. The site is zoned M-1 (Light Industrial) which allows the uses mentioned above. The M-1 zone also allows for retail sales with an Administrative Permit, when up to twenty percent of the gross floor area of the building or IPD when in an industrial complex

<b>GENERAL PLAN/ZONING</b>			
<b>Direction</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
Site	I-1 (Light Industrial)	M-1 (Industrial Park)	Vacant and Warehouse
North	I-2 (Medium Industrial)	M-2 (Limited Industrial)	SPRR Railroad and Industrial
South	C-2 (General Commercial)	CPD (Commercial Planned Development)	Moorpark Marketplace Shopping Center
East	FRWY-R/W	n/a	SR-118 Freeway
West	I-1 (Light Industrial)	M-1 (Industrial Park)	Light Industrial

**Project Summary**

<b>Building One</b>	<b>Building Two</b>	<b>Building Area (sq. ft.)</b>
Office		15,319
Retail		79,042
Warehouse		159,418
	Office	7,625
	Warehouse	144,875
Misc.		255
<b>Total</b>		<b>406,534</b>

**Proposed Project**

Architecture:

Although the overall architecture of Building One will not change, the applicant is proposing the main retail entrance on the north side of the building. There will be an additional entrance at the front (west) side of the building, but the majority of the parking will be on the north side. The remaining portion will remain for rentable warehouse space. Changes to the doors may be required for entry and exit purposes. The

applicant is proposing to create a “storefront” entrance from one of the existing loading bays. Additionally, the applicant is proposing to enclose the loading bays that will no longer be used with spandrel glass and an architectural surround, to create the appearance of large windows. A condition of approval has been added requiring that final architectural design shall be subject to review and approval of the Community Development Director.

Circulation:

Ingress to the site is provided via driveway from Science Drive, which is accessed from Los Angeles Avenue to the south. The existing truck circulation and loading area will be striped and landscaped for retail parking and will be specifically designated. The remaining parking and loading areas will be designated for the warehouse use. A condition of approval has been added requiring that the parking plan will require review and approval by the Community Development Director.

Parking:

<b>Proposed Use</b>	<b>Square Footage</b>	<b>Spaces Required</b>	<b>Spaces Proposed</b>
<i>Building One</i>			
Office	15,319	51 (1/300)	
Retail	79,042	263 (1/300)	
Warehouse	159,418	20 (1/500 1 <sup>st</sup> 10,000)	
		30 (1/5,000 Remainder)	
Misc	255	1 (1/300)	
		<i>365 Required</i>	
<i>Building Two</i>			
Office	7,625	25 (1/300)	
Warehouse	144,875	20 (1/500 1 <sup>st</sup> 10,000)	
		27 (1/5,000 Remainder)	
		<i>72 Required</i>	
<b>Total</b>	<b>406,534</b>	<b>437</b>	<b>521</b>

The building was originally developed to accommodate a large bulk mail order company. As such, employee parking was provided, as well as a large truck staging area. The applicant is proposing to stripe and landscape the truck staging and loading area to accommodate retail customer parking.

The two buildings on the site total 406,534 square feet which would require a total of approximately 437 parking spaces. There are 521 proposed parking spaces on site, resulting in a total surplus of 84 parking spaces on the site. A final parking plan is

required for review prior to construction to ensure compliance with the Zoning Ordinance. This plan would also need to demonstrate compliance with the City's landscaping standards for parking lots. At the present time, the applicant is proposing trees in containers for landscaping in the former truck staging and loading area to avoid damage to the existing concrete pavement in this area. Detailed landscaping plans will be submitted for review by the Parks and Recreation Director and Community Development Director to determine compliance with the City's landscaping standards if the project is approved. If the proposed landscaping cannot meet the City standards for parking lot landscaping, the applicant may need to cut into the concrete to provide for necessary landscaping.

## **ANALYSIS**

### **Issues**

Staff analysis of the proposed project has identified the following areas for City Council consideration:

- Zoning
- Uses
- Hours of Operation
- Traffic
- Art in Public Places

### Zoning:

Currently, retail sales are allowed in the M-1 and M-2 zone, subject to an Administrative Permit, but they are limited to a maximum of 20% of the gross floor area of the building or industrial complex in which they are located. At 79,042 square feet, the proposed retail sales would occupy 19.4 percent of the complex. No further retail sales would be allowed at this location, regardless of the warehouse tenants.

The retail sales need not be tied to an M-1 use. This code section allows the flexibility for tenants to have retail show rooms, or to allow a convenience store, coffee shop, or restaurant within an industrial park to provide services to employees within the area. This is not uncommon within large industrial areas. It also allows retail uses that are synergistic with industrial uses, such as flooring, plumbing or electrical supplies.

### Uses:

The applicant has submitted a letter describing the intent of the proposal. The intent is to provide approximately 175 vendor spaces, consisting of small booths (10' x 10') inside the existing building for a mix of dealers of new items, arts and crafts, food, and services.

The Moorpark Municipal Code does not list a “community marketplace”, swap meet, or flea market within the use matrix. The Zoning Ordinance does, however define a swap meet as “a market operating for the sale or exchange of merchandise at retail by a number of sellers...” This definition does not pre-judge the quality of an establishment. The Municipal Code separately addresses thrift stores, secondhand shops, consignment stores and has a list of prescribed requirements for those uses.

Thrift stores, secondhand shops, consignment stores when in compliance with Chapter 5.32 are currently allowed only in the CPD, C-2, and C-OT Zones, with an Administrative Permit. The applicant is not requesting these uses as the market will be selling all new items, with the possible exception of art or antique dealers, which would be allowed. A condition is included in the draft resolution that would prohibit thrift shops, secondhand shops, and consignment stores.

Hours of Operation:

Currently, there are no restrictions to hours of operation for IPD 93-1. The applicant is proposing hours of operation from 10:00 a.m. to 6:00 p.m. Friday, Saturday, and Sunday, with extended hours on the Friday after Thanksgiving (9:00 a.m. to 8:00 p.m.), December 23<sup>rd</sup> (10:00 a.m. to 6:00 p.m.) and December 24<sup>th</sup> (10:00 a.m. to 4:00 p.m.), annually. The applicant has also requested to operate on the following Federally recognized holidays during the normal hours of operation: President’s Day, Memorial Day, Independence Day, Labor Day, and Veteran’s Day. In order to mitigate traffic impacts, a condition of approval has been added restricting the use to the days and times proposed. Any temporary change to these days or extension of hours, such as during a seasonal sale period, will require approval of a Temporary Use Permit. These restrictions will not apply to the warehouse uses on site.

Traffic:

The applicant has provided a traffic impact assessment prepared by Overland Traffic Consultants, Inc. (attached) to evaluate the traffic generated by the proposed project. The key findings of the traffic study are:

1. The intersection of Los Angeles Avenue and Science Drive / Miller Parkway currently operates at LOS A AM and late AM Peak Hour, and LOS B PM Peak Hour.
2. The existing + Community Marketplace project traffic would not create any significant traffic impacts using the thresholds adopted by the City of Moorpark (LOA A AM and late AM Peak Hour, LOS C PM Peak Hour).
3. The existing + Community Marketplace + 100 % occupancy of remaining vacant floor area project traffic would not create any significant traffic impacts using the thresholds adopted by the City of Moorpark (LOS A AM and late AM Peak Hour, LOS C PM Peak Hour).

This traffic study has been independently reviewed by Linscott, Law and Greenspan (LLG), a traffic engineering firm retained by the City at the applicant's expense. A copy of the LLG peer review is also attached. The peer review concluded that the trip generation projections are sufficiently conservative for the use. It also recommended consideration of splitting the southbound lane from Science Drive and Los Angeles Avenue into a left turn-through lane and a right turn lane, as this intersection was projected to operate at the high end of Level of Service C with full occupancy of the building by the proposed retail use and warehousing for the balance of the space. Adding a right-turn lane would require review of the design and geometry by Caltrans and may require the need for additional pavement width. Mitigation is included in the Mitigated Negative Declaration prepared for this project for the additional traffic generated by this use to contribute a fair share to intersection improvements at Los Angeles Avenue and Science Drive.

Art in Public Places:

As mentioned above, the City Council approved a resolution for a modification that allowed a refund of the Art in Public Places Fee of \$40,628.00 in exchange for providing the stone and water feature which currently exists in the plaza area. Integral to the stone and water feature was a characteristic where a large stone sphere would revolve 360 degrees in all directions on a pressurized stream of recirculated water creating the illusion of floating. At some point after the original tenant left, the water was shut off, leaving the stone sphere motionless. A condition of approval has been added requiring that, prior to occupancy, the public art must be restored to the satisfaction of the Community Development Director or an application must be submitted for Council consideration to amend the public art feature.

**Findings**

The following draft findings are provided for City Council consideration:

Administrative Permit Findings:

Based upon the information set forth in the staff report(s), accompanying studies, and oral and written public testimony, the City Council finds in accordance with City of Moorpark, Municipal Code Section 17.44.040, that the project complies with the Moorpark Municipal Code for a retail use in the M-1 zone in that it does not exceed twenty percent of the floor area of IPD No. 93-1 and sufficient parking is provided to meet the requirements of the Zoning Ordinance.

Modification to IPD Findings:

Based upon the information set forth in the staff report(s), accompanying studies, and oral and written public testimony, the City Council makes the following findings in accordance with City of Moorpark, Municipal Code Section 17.44.100:

A. The proposed project under Modification No. 4 to IPD No. 93-1 does not pose a substantial or fundamental change in the approved entitlement or use relative to the IPD No. 93-1 in that only minor exterior modifications are proposed to the building, and the projected trip generation of the new use is similar to that of the use originally approved as part of IPD No. 93-1.

B. The proposed project under Modification No. 4 to IPD No. 93-1 would not have a substantial adverse impact on surrounding properties in that the project trip generation is similar to that of the use originally approved as part of IPD No. 93-1 and there is sufficient on-site parking for the project.

C. A Mitigated Negative Declaration has been prepared for the proposed project under Modification No. 4 to IPD No. 93-1, demonstrating that any potential significant impacts can be mitigated.

### **PROCESSING TIME LIMITS**

Time limits have been established for the processing of development projects under the Permit Streamlining Act (Government Code Title 7, Division 1, Chapter 4.5), the Subdivision Map Act (Government Code Title 7, Division 2), and the California Environmental Quality Act Statutes and Guidelines (Public Resources Code Division 13, and California Code of Regulations, Title 14, Chapter 3). Under the applicable provisions of these regulations, the following timelines have been established for action on this project:

**Date Application Determined Complete: March 19, 2014**

**Planning Commission Action Deadline: N/A**

**City Council Action Deadline: October 5, 2014**

Upon agreement by the City and Applicant, one 90-day extension can be granted to the date action must be taken on the application.

### **ENVIRONMENTAL DETERMINATION**

In accordance with the City's environmental review procedures adopted by resolution, the Community Development Director determines the level of review necessary for a project to comply with the California Environmental Quality Act (CEQA). Some projects may be exempt from review based upon a specific category listed in CEQA. Other projects may be exempt under a general rule that environmental review is not necessary where it can be determined that there would be no possibility of significant effect upon the environment. A project which does not qualify for an exemption requires the preparation of an Initial Study to assess the level of potential environmental impacts.

Based upon the results of an Initial Study, the Director may determine that a project will not have a significant effect upon the environment. In such a case, a Notice of Intent to

Adopt a Negative Declaration or a Mitigated Negative Declaration is prepared. For many projects, a Negative Declaration or Mitigated Negative Declaration will prove to be sufficient environmental documentation. If the Director determines that a project has the potential for significant adverse impacts and adequate mitigation cannot be readily identified, an Environmental Impact Report (EIR) is prepared.

The Director has prepared or supervised the preparation of an Initial Study to assess the potential significant impacts of this project. Based upon the Initial Study, the Director has determined that there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment and has prepared a **Mitigated Negative Declaration** for City Council review and consideration before making a recommendation on the project. The Mitigated Negative Declaration (Exhibit B of Draft Resolution, attached) was circulated for public review from March 11, 2014 to April 1, 2014. As of the writing of this staff report, no comments on the Mitigated Negative Declaration were received. Staff will update the City Council of any comments received during its presentation of this report at the City Council meeting.

#### **FISCAL IMPACT**

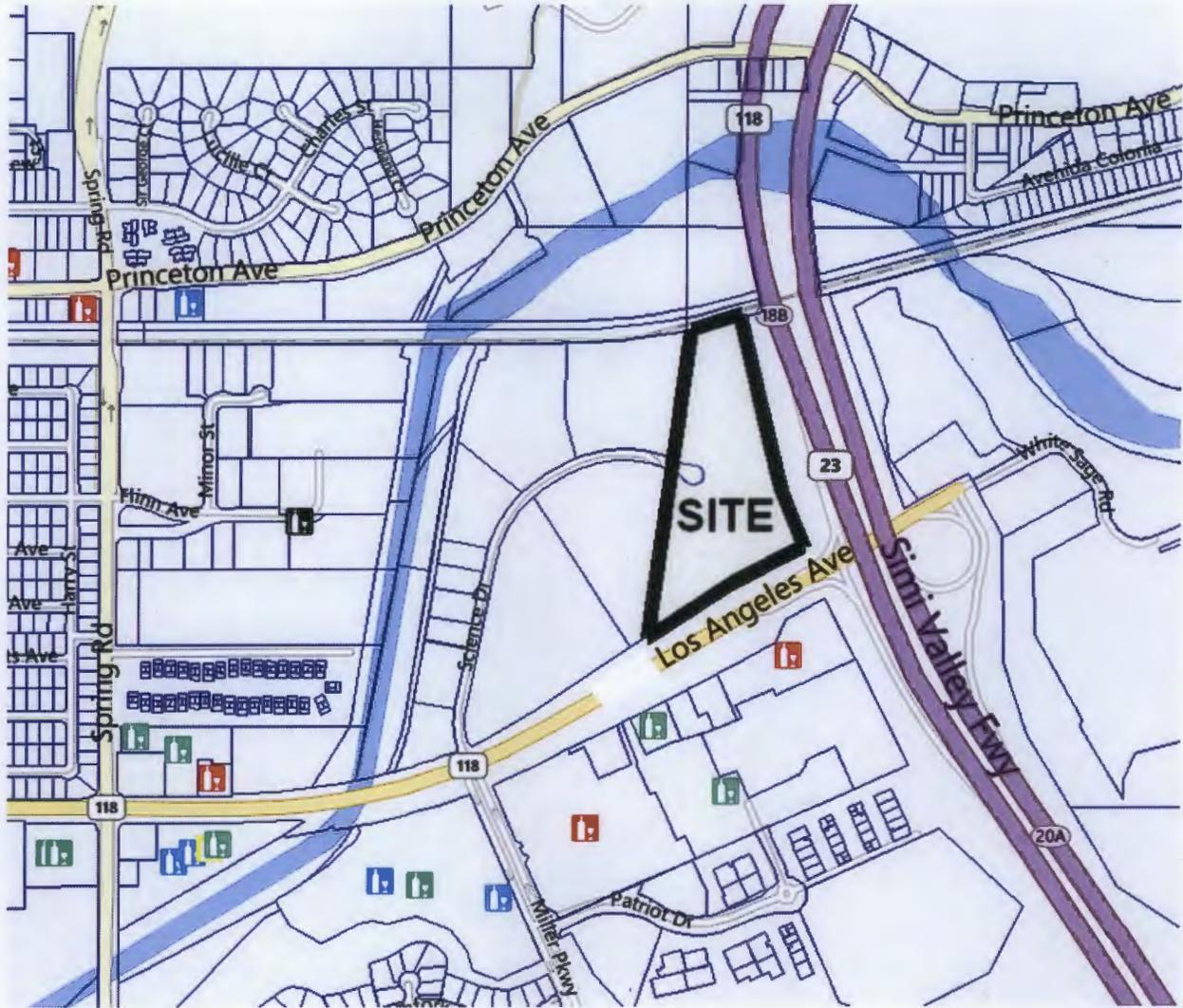
None.

#### **STAFF RECOMMENDATION**

1. Open the public hearing, accept public testimony and close the public hearing.
2. Adopt Resolution No. 2014-\_\_\_\_ approving Administrative Permit (AP) 2013-19 and Modification No. 4 to Industrial Planned Development (IPD) No. 93-1 and adopting a Mitigated Negative Declaration under CEQA in connection therewith.

#### **ATTACHMENTS:**

1. Location Map
2. Aerial Photograph
3. Project Exhibits (Under Separate Cover)
4. Overland Traffic Consultants Traffic Study
5. LLG Traffic Study Peer Review
6. Draft Resolution No. 2014-\_\_\_\_\_



**NORTH**

**LOCATION MAP**

**CC ATTACHMENT NO. 1**



**AERIAL PHOTOGRAPH**

**CC ATTACHMENT NO. 2**

**PROJECT EXHIBITS  
(UNDER SEPARATE COVER)**

**COPIES OF THE EXHIBIT ARE AVAILABLE  
AT THE FRONT COUNTER**

**CC ATTACHMENT 3**

March 16, 2014

John W. Newton & Associates  
Attn: Mr. John Newton  
159 Moonsong Court  
Moorpark, Ca 93201

RE: Traffic Assessment for 709 Science Drive (Community Marketplace)

Dear Mr. Newton,

We have prepared this traffic impact assessment to evaluate the traffic generated by the proposed Community Marketplace project to be located at 709 Science Drive in the City of Moorpark, as shown in the following aerial photo, Figure 1. The Community Marketplace will occupy 79,042 square feet of the existing 406,280 square feet within the two buildings located on the site. The proposed Community Marketplace will only operate Friday, Saturday and Sunday from 10:00 am to 6:00 pm. As requested by the City of Moorpark, we have also evaluated the traffic impact associated with full occupancy of the remaining vacant industrial space (approximately 327,238 square feet).

Vehicular access to the project site is by existing driveways located on Science Drive via Los Angeles Avenue. The location of the project site is shown in Figure 2.

#### Key Findings

1. The intersection of Los Angeles Avenue and Science Drive / Miller Parkway currently operates at LOS A and B during all the peak time periods (am peak hour, late am peak hour and pm peak hour).
2. The analysis of existing + the Community Marketplace project did not create any significant traffic impacts using the thresholds adopted by the City of Moorpark.
3. The analysis of existing + the Community Marketplace + 100 % occupancy of remaining vacant floor area did not create any significant traffic impacts using the thresholds adopted by the City of Moorpark.

## **CC ATTACHMENT 4**

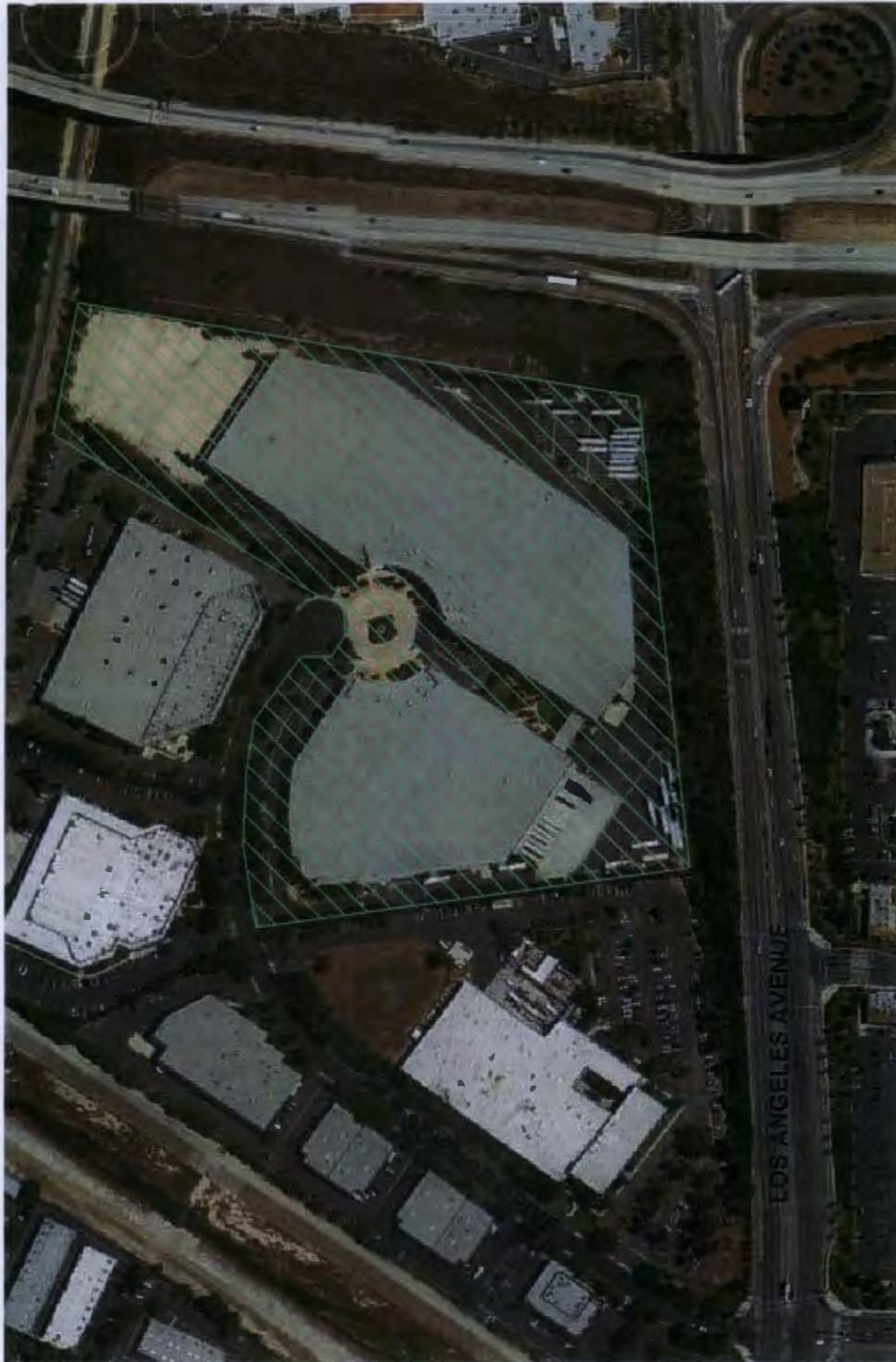


FIGURE 1

3/2014

**PROJECT SETTING**



**Overland Traffic Consultants, Inc.**

24325 Main Street #202, Santa Clarita, CA 91321  
(661) 799-8423 OTC@overlandtraffic.com

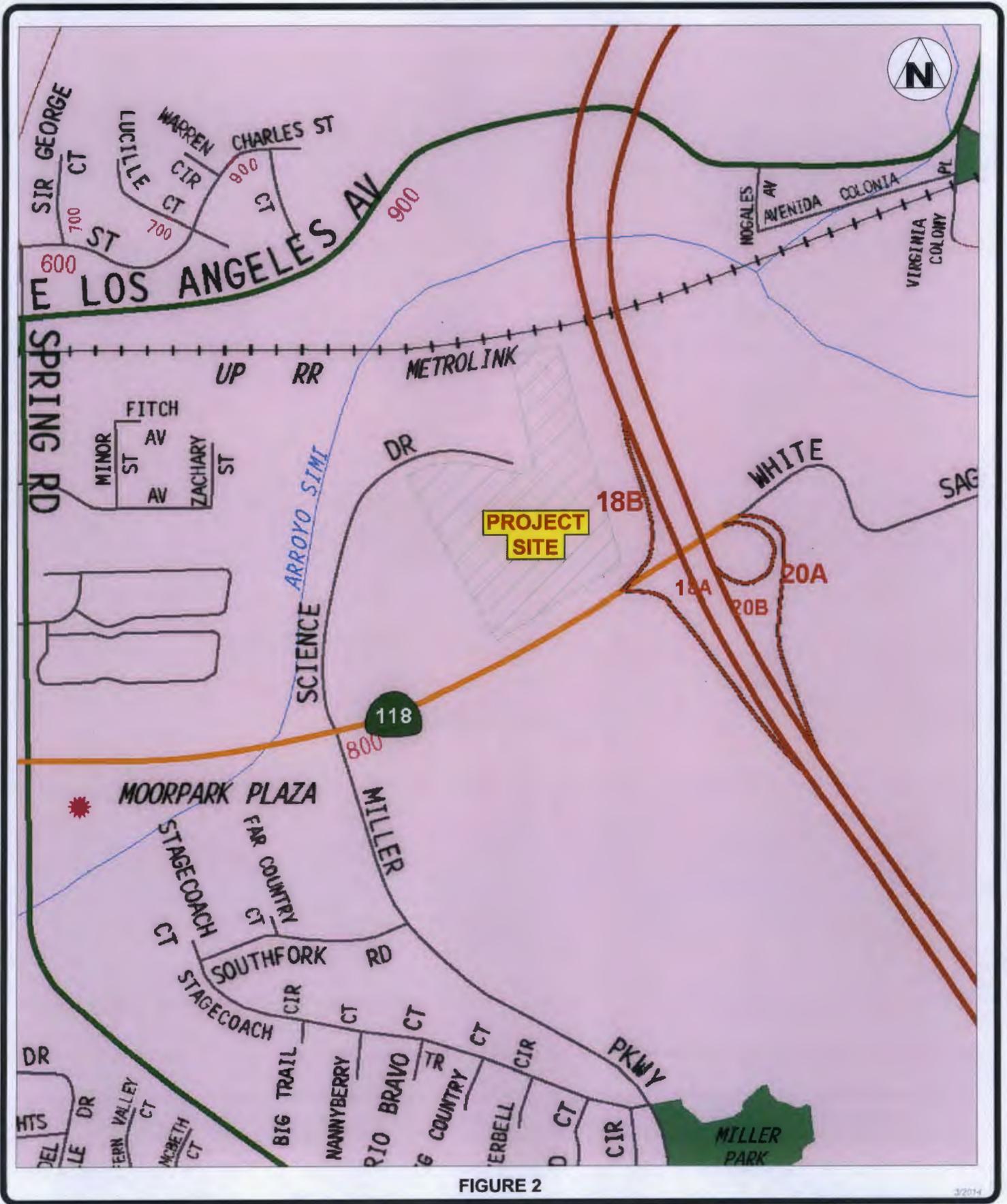


FIGURE 2

3/2014

PROJECT SITE



Overland Traffic Consultants, Inc.

24325 Main Street #202, Santa Clarita, CA 91321  
 (661) 799 - 8423, OTC@overlandtraffic.com

### Comparison of Traffic Generation Scenarios

To document the potential volume of traffic generated by the prior use as compared to the proposed Community Marketplace and the remaining warehouse floor area, traffic generation estimates have been provided below.

Prior Approval for Mail Marketing Corporation - A traffic study was prepared for the Mail Marketing Corporation which contained daily and weekday peak hour traffic estimates. To estimate the traffic volume of the Mail marketing Corporation project, the study used the Institute of Transportation Engineers (ITE) traffic generation factors for an industrial use based on 300 employees. The report estimated 1,254 daily trips with 150 morning peak hour trips and 177 afternoon peak hour trips would be generated. The traffic study determined that this volume of traffic would not create significant traffic impacts. The traffic estimates have been expanded to include a late am peak hour. The late morning estimate is based on the percentage of the daily traffic flow currently on Science Drive between 10:00 and 11:00 am.

Community Marketplace - The traffic generation for the proposed "trade show" Community Marketplace use is not a use that has been studied by ITE in their traffic generation reports, the industry standard for estimating traffic and the associated traffic impacts from different land uses. However, ITE does recommend that site specific studies be used when non-reported land uses are proposed. Therefore, we have used information provided to us by the applicant from a similar type operation to estimate the potential traffic generation. The data from the Las Vegas Fantastic Indoor Swap Meet indicates that customer traffic can be estimated based on the number of vendors. The site specific Las Vegas information is provided in the appendix of this assessment.

Using the vendor rate from the Las Vegas study of 4.17 customers per day per vendor equates to 730 customers per day for the Community Marketplace use (175 vendors). Applying a vehicle occupancy factor of 2 person / vehicle, the estimated daily trip generation is 1,080 daily trips  $(365+175) \times 2$ . Peak hour estimates for the morning consist of 0.5

inbound trips per vendor with an opening hour (10 -11 am) trip generation of 11% and an afternoon trip generation of 14% of the daily, respectively.

Vacant Warehouse Floor Area - Traffic-generating characteristics of warehouse land uses have been studied by the Institute of Transportation Engineers (ITE). The results of the traffic generation studies have been published in Trip Generation, 9th Edition Handbook.

Table 1 below contains the traffic estimates for each use.

Table 1  
Comparison of Project Traffic Generation Estimates

Prior	Daily Traffic	AM Peak Hour			Late AM Peak Hour *			PM Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Mail Marketing Corporation	1,254	125	25	150	39	30	69	21	156	177
<u>Proposed</u>										
Community Marketplace	1,080	88	0	88	94	24	118	30	120	150
<u>327,238 s.f.</u>										
Vacant Warehouse	1,165	78	21	98	39	30	69	26	79	105

\* Late AM Peak Hour based on Science Drive ADT percentage profile.

Traffic Conditions Analysis

The analysis presented in this assessment provides the information necessary to determine the significance of the traffic impacts created and whether traffic mitigation measures may be required.

An evaluation of the potential traffic impacts created by the proposed change of use has been conducted to assist in the development of the project's environmental review to the City of Moorpark. This traffic assessment was prepared after a discussion with City staff and uses procedures adopted by the City of Moorpark to evaluate the potential traffic impacts of land development projects. The impact of a development project is determined by comparing the changes in the traffic conditions at selected study intersections. In this

assessment, the intersection of Los Angeles Avenue and Science Drive / Miller Parkway has been evaluated for potential significant traffic impacts. The amount of new traffic added to an intersection by the proposed project and the current level of congestion determines the significance of the project traffic impact.

Daily (24-hour) counts were also collected on Science Drive north of Los Angeles Avenue on March 14, 2014. The daily traffic recorded for Science Drive was 1,905 vehicles with a peak hour of approximately 199 VPH from 4:00 to 5:00 pm. Existing peak hour traffic volume at the study intersection is illustrated in Figure 3. Data collection worksheets for the peak hour and daily traffic counts are contained in the Appendix.

#### Analysis of Existing Traffic Conditions

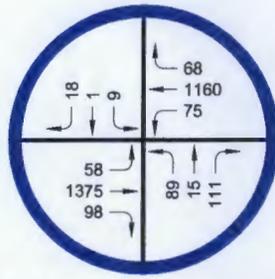
The new traffic counts were used along with current intersection geometrics and traffic controls to determine the intersection operating conditions. The traffic analysis was then conducted through the use of a procedure termed the Intersection Capacity Utilization (ICU) methodology. All study periods were evaluated using this methodology pursuant to the criteria established by the City of Moorpark.

The ICU procedure uses a ratio to compare the traffic volume to the capacity of an intersection. A volume-to-capacity ratio is defined as the proportion of an hour necessary to accommodate all the intersection traffic assuming all approaches were operating at capacity. ICU values provide an ideal tool for easily quantifying intersection operating characteristics. For example, if an intersection has an ICU value of 0.70, the intersection is operating at 70% capacity with 30% unused capacity.

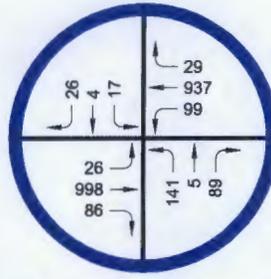
Intersection capacity is defined as the maximum hourly volume of traffic in the critical lanes which has a reasonable expectation of passing through an intersection under ideal roadway and traffic conditions. For planning purposes, lane capacity equates to 1,600 vehicles per hour per through lane (VPHPL), 1,500 VPHPL for left and right-turn lanes and 2,600 VPH for double left/right-turn lanes.



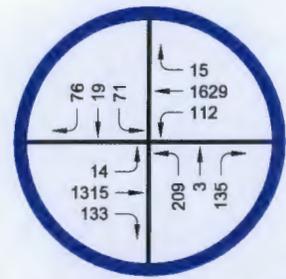
LANE CONFIGURATIONS



AM PEAK HOUR (8 - 9 AM)



LATE AM PEAK HOUR (10 - 11 AM)



PM PEAK HOUR (4 - 5 PM)

**EXISTING CONDITIONS**

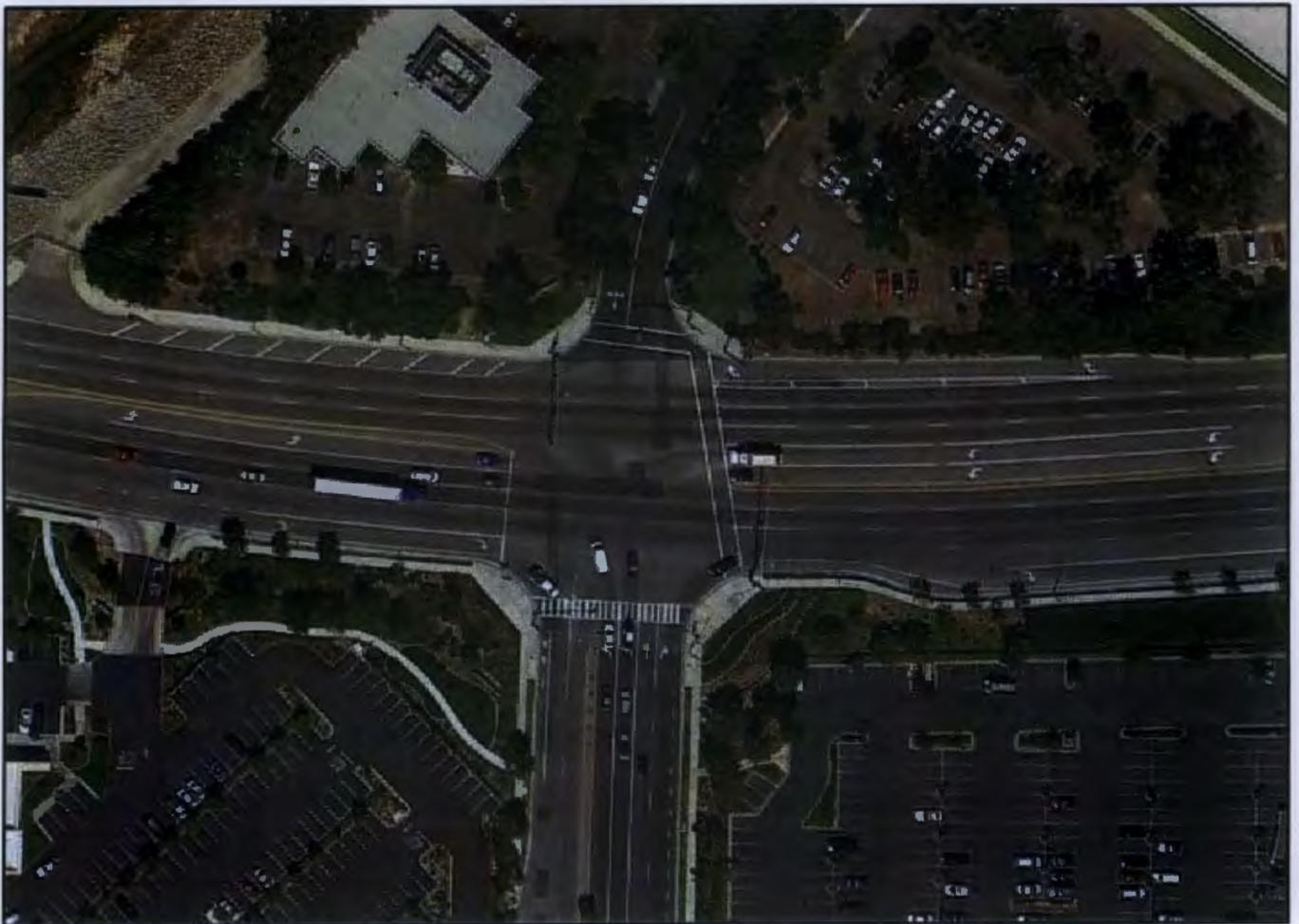


FIGURE 3

3/2014

**LOS ANGELES AVENUE AND SCIENCE DRIVE  
PEAK HOUR TRAFFIC VOLUMES**



**Overland Traffic Consultants, Inc.**

24325 Main Street #202, Santa Clarita, CA 91321  
(661)799-8423, [OTC@overlandtraffic.com](mailto:OTC@overlandtraffic.com)

The ICU ratios were calculated by first dividing the hourly traffic volume by the lane capacity. Then the critical lane volumes (the highest combination of conflicting movements that must be accommodated) were added together. A ten percent (10%) critical clearance interval was then added to the sum of the critical lane volumes to account for the appropriate clearance time between cross street movements at each study intersection.

Once the volume-to-capacity ratio (ICU value) has been calculated, operating characteristics are graded (A through F) to estimate the level of congestion and stability of the traffic flow. The term "Level of Service" (LOS) is used by traffic engineers to describe the quality of traffic flow. Definitions of the LOS grades are shown in Table 2.

Table 2  
ICU Level of Service Definitions

<u>Level of Service</u>	<u>Description of Operating Characteristics</u>	<u>Equivalent ICU</u>
A	Free flow conditions with low traffic density. No vehicle waits longer than one signal cycle.	0.00 - 0.60
B	A stable flow of traffic where only on rare occasions do drivers wait more than one signal cycle.	0.61 - 0.70
C	Light congestion but stable, occasional backups behind left-turning vehicles.	0.71 - 0.80
D	Approaching instability, drivers are restricted in freely changing lanes. Vehicles may be required to wait through more than one cycle during peak hours.	0.81 - 0.90
E	At or near capacity with some long-standing lines for left-turning vehicles. Blockage of intersection may occur if traffic signal does not provide for protected turning movements.	0.91 - 1.00
F	Jammed conditions with stoppages of long duration.	> 1.00

Analysis of Existing + Project Traffic Conditions

Future traffic conditions have been developed to analyze the traffic conditions after occupancy of the proposed project. This "existing + project" scenario provides the necessary information to determine the project specific traffic impacts that may occur as a result of the project. Figure 4 shows the potential traffic volume added for each scenario for each time

period. Table 3 provides the ICU and LOS values for the “Existing + Project” analysis for the study intersection for each land use scenario.

Significant Traffic Impact Threshold

A project is considered to have a significant impact at intersections operating below the LOS C standard if the “with project” ICU value increases by 0.02 or greater when compared to the “without project” ICU value. Comparing the changes in the traffic conditions between the scenarios provides the necessary information to determine if the added traffic volume creates a significant impact on the study intersections.

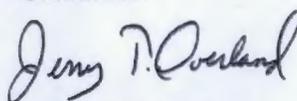
Table 3  
Los Angeles Avenue and Science Drive / Miller Parkway  
Intersection Capacity Utilization Summary

Scenario	AM Peak Hour		Late AM Peak Hour		PM Peak Hour	
	ICU	LOS	ICU	LOS	ICU	LOS
Existing	0.507	A	0.434	A	0.642	B
Existing + Mail Marketing	0.522	A	0.453	A	0.739	C
Existing + Marketplace	0.507	A	0.449	A	0.725	C
Existing + Warehouse	0.520	A	0.454	A	0.697	B
Existing + Marketplace + Warehouse	0.524	A	0.468	A	0.780	C

As shown in the table above, none of the time periods are below LOS C. Therefore, no significant traffic impacts are created by the projects or the combined project of the Community Marketplace and the occupancy of the remaining vacant space. Therefore, no traffic mitigation is necessary or required.

If you have questions, please call me.

Sincerely,



Jerry Overland

Attachments

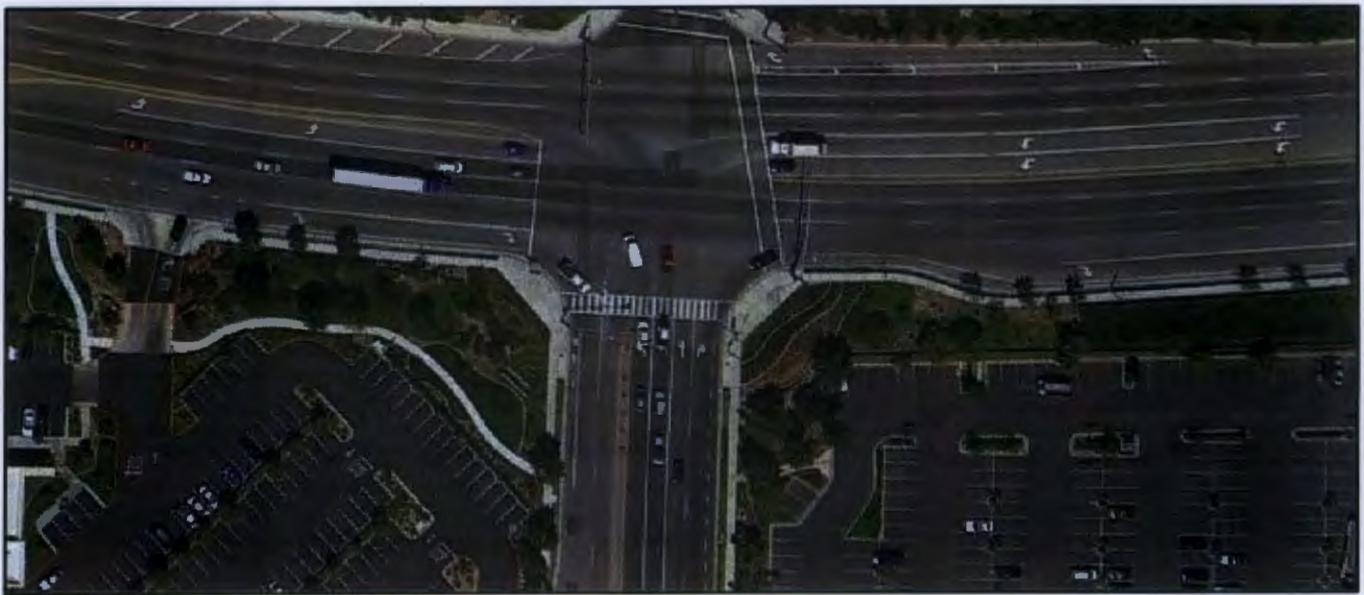
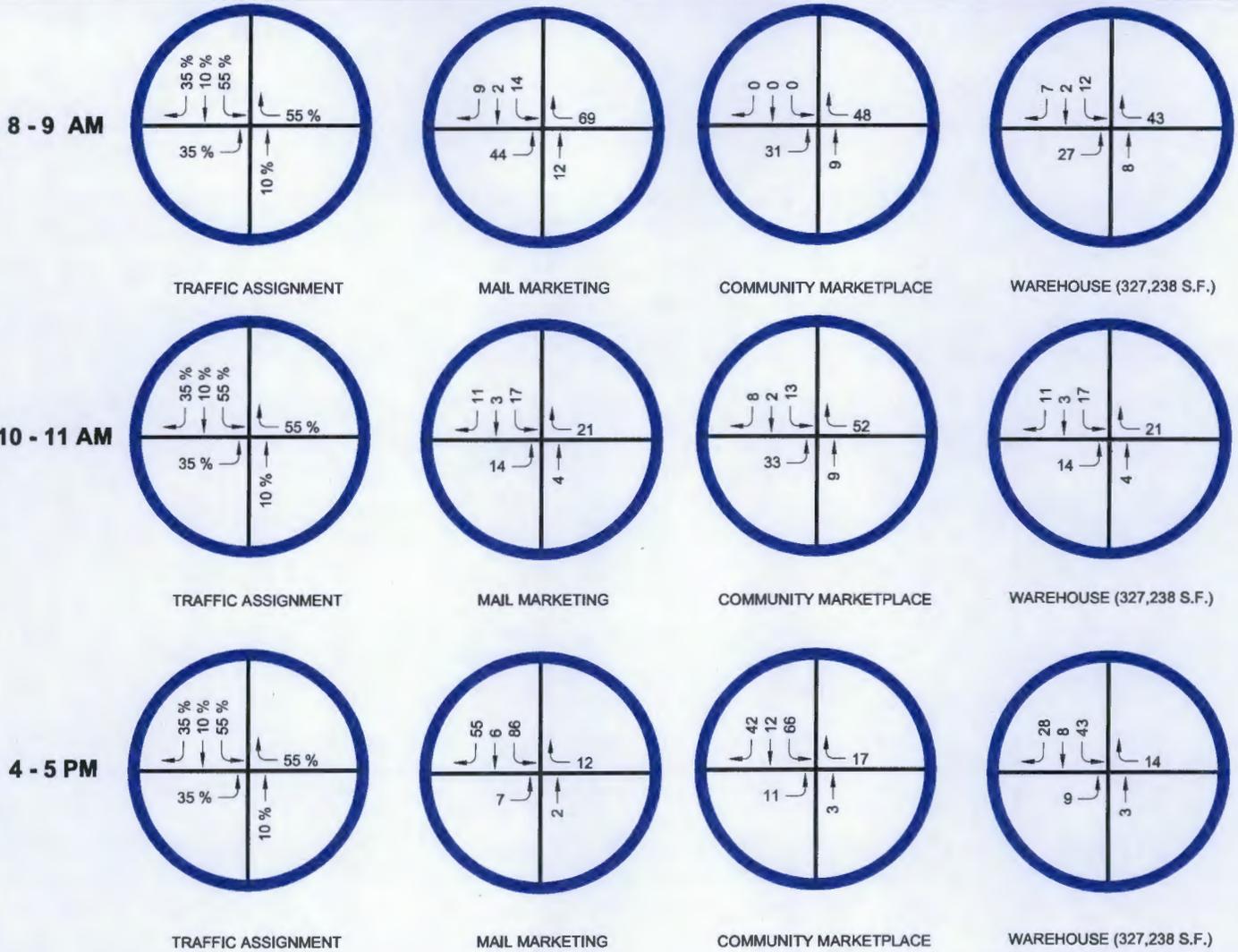


FIGURE 4

3/2014

**LOS ANGELES AVENUE AND SCIENCE DRIVE  
PEAK HOUR TRAFFIC VOLUMES  
PER LAND USE SCENARIO**

**Overland Traffic Consultants, Inc.**  
24325 Main Street #202, Santa Clarita, CA 91321  
(661)799-8423, OTC@overlandtraffic.com

**From:** John [newtoncnslt@msn.com]  
**Sent:** Monday, March 17, 2014 1:31 PM  
**To:** jerry@overlandtraffic.com  
**Cc:** Manny Asadurian, Jr.  
**Subject:** Applicant's Estimated Trip Generation

Jerry,

The following is the reference information reported to you by the Applicant for inclusion in the Traffic Impact Report, to be attached as an exhibit per Dave Bobardt, Community Development Director. This is a summary of the information previously sent to you in other emails and forwarded documents.

The Applicant toured the Fantastic marketplace at 1717 S Decatur Blvd, Las Vegas, Nevada; observed and took photographs of the operation; and obtained the attached data and specifications which form the basis for the Moorpark Community Marketplace projected customer patronage and trip generation.

**FANTASTIC:** 30,000 customers/600 vendors/12 days per month equals 4.17 customers per vendor per operating day. Assuming an average of 3 customers per vehicle, it would require 834 parking spaces if everyone arrived all at one time. Fantastic provides 816 parking spaces but is never fully occupied because customers come and go all during the operating hours.

**MOORPARK COMMUNITY MARKETPLACE:** Referencing Fantastic's customer patronage, 4.17 customers per 175 vendors would equal 730 customers per day or 8760 customers per 12 day operating month. Assuming an average of 3 customers per vehicle, 243 parking spaces would be required, again if everyone arrived at the same time. At 2.5 customers per vehicle, 292 parking spaces would be required if all arrived at one time. The proposed project is providing 315 parking spaces exclusively for the Marketplace and the remaining warehousing operation in both buildings exceeds parking requirements. Also, on street parking is allowed in the area. More importantly perhaps is the fact that the projected customer patronage is spread over the 10 AM to 6 PM operating days, Friday-Saturday-Sunday, with people coming and going as in any typical retail operation. You also asked about the planned number of employees, which is projected to be seven (7) at any one time, consisting of management, operations and security personnel.

Regarding trip generation, while I understand the technical importance of referring to the ITE standards, the applicability of 2127 daily trips and 54 AM and 183 PM peaks is simply not reflective of the actual proposed operation. To apply ITE standards to 80,000 SF of proposed retail has no relationship whatsoever to the Marketplace operation. As explained above, based upon actual experience of a similar operation in Las Vegas, we estimate 730 customers per day for the 175 merchant booths operation. Depending upon the estimated number of customers per vehicle, the actual trip generation will be significantly less than the ITE standard, so the Traffic Impact Study needs to be customized to reflect the actual use. Remember, the Marketplace only operates 3 weekend days per week, 10 AM to 6 PM and the customer traffic is spread out over the operating period without peaks.

Mail Marketing's operation was also unique in terms of the 300 employee intensive operation, untypical of a "warehouse" operation, and their employees did, in fact, all come to work in the AM peak and leave in the PM peak, Monday through Friday. I trust you will be able to compare the previous operation to the the proposed weekend operation, and customize your trip generation and trip distribution estimates to the actual Marketplace operation. The ITE standards, while a technical reference, just do not apply to the proposed project.

3/17/2014

refer to the LOS data for the more recent Target-Kohls and Staples-Dick's Traffic Impact Studies. Hopefully, the LOS for this intersection is the same as was approved for these projects, based upon the traffic counts completed for the Marketplace project, and is not deteriorated due solely to the proposed Marketplace project.

John Newton, John W. Newton & Associates, Inc., Land Use Consultants/Broker #00925471, 159 Moonsong Court, Post Office Box 471, Moorpark, CA 93021. T-805.529.3494 F-805.529.7604 newtoncnslt@msn.com

3/17/2014



### *Start or expand your business*

- 30,000 plus customers monthly
- An exciting business mall with thousands of brands
- The latest in new and creative products
- All in an air conditioned secure building
- Celebrating 20+ years in the same location
- Four (4) week rental period
- No long term contract
- Open Friday, Saturday and Sunday 10 AM to 6 PM
- Expose your product or service to thousands of potential customers each weekend
- Extensive advertising using television, radio, billboards, newsprint and referrals
- 816 space **FREE** parking
- More than 3 acres under air conditioned roof
- \$6 million plus in new products
- High tech security system
- Trained security team
- New vendor move-in incentives
- Large local customer base
- Open extra days at Christmas
- No 7 day work week
- A variety of food services available
- 500,000 new items from \$1.00 to \$5,000

# INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: OVERLAND TRAFFIC CONSULTANTS, INC.  
 PROJECT: CITY OF MOORPARK  
 DATE: FRIDAY, MARCH 14, 2014  
 PERIOD: 07:00 AM TO 11:00 AM  
 INTERSECTION N/S SCIENCE DRIVE / MILLER PARKWAY  
 E/W LOS ANGELES AVENUE  
 FILE NUMBER: 1-AM

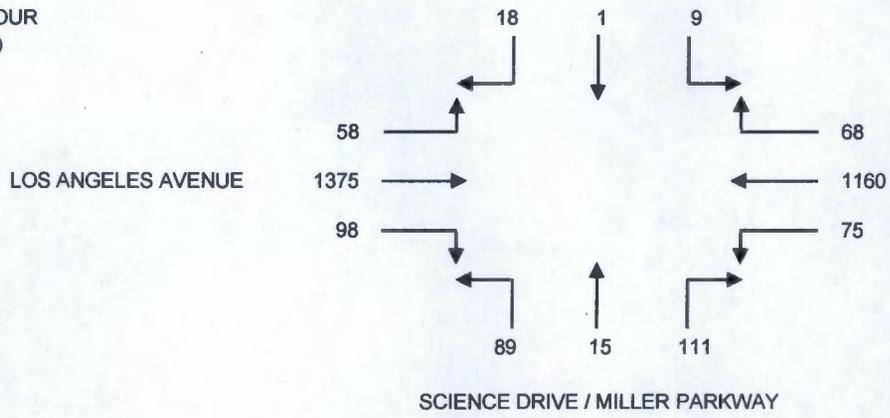
15 MINUTE TOTALS	1	2	3	4	5	6	7	8	9	10	11	12
	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
0700-0715	3	0	1	12	215	7	11	2	5	4	291	11
0715-0730	1	0	2	10	255	8	19	1	11	6	333	13
0730-0745	2	0	2	14	230	8	22	2	10	10	376	13
0745-0800	9	0	7	22	252	17	31	5	13	26	305	19
0800-0815	5	0	4	17	258	14	20	3	20	22	311	20
0815-0830	4	1	1	20	305	19	32	5	25	29	365	17
0830-0845	2	0	3	15	316	21	37	4	20	23	382	13
0845-0900	7	0	1	16	281	21	22	3	24	24	317	8
0900-0915	6	0	1	10	234	38	23	1	28	32	292	14
0915-0930	5	1	2	5	229	52	30	1	30	39	308	13
0930-0945	10	2	4	11	225	39	23	0	28	34	320	10
0945-1000	7	2	2	13	250	30	22	0	34	23	260	9
1000-1015	11	3	5	10	256	30	25	2	32	21	270	10
1015-1030	5	1	6	8	229	29	26	2	26	16	240	6
1030-1045	4	0	2	4	216	19	17	0	41	22	241	4
1045-1100	6	0	4	7	236	21	21	1	42	27	247	6

1 HOUR TOTALS	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
0700-0800	15	0	12	58	952	40	83	10	39	46	1305	56	2616
0715-0815	17	0	15	63	995	47	92	11	54	64	1325	65	2748
0730-0830	20	1	14	73	1045	58	105	15	68	87	1357	69	2912
0745-0845	20	1	15	74	1131	71	120	17	78	100	1363	69	3059
0800-0900	18	1	9	68	1160	75	111	15	89	98	1375	58	3077
0815-0915	19	1	6	61	1136	99	114	13	97	108	1356	52	3062
0830-0930	20	1	7	46	1060	132	112	9	102	118	1299	48	2954
0845-0945	28	3	8	42	969	150	98	5	110	129	1237	45	2824
0900-1000	28	5	9	39	938	159	98	2	120	128	1180	46	2752
0915-1015	33	8	13	39	960	151	100	3	124	117	1158	42	2748
0930-1030	33	8	17	42	960	128	96	4	120	94	1090	35	2627
0945-1045	27	6	15	35	951	108	90	4	133	82	1011	29	2491
1000-1100	26	4	17	29	937	99	89	5	141	86	998	26	2457

DATA PROVIDED BY:

THE TRAFFIC SOLUTION  
 329 DIAMOND STREET  
 ARCADIA, CALIFORNIA 91005  
 PH: 626-446-7978  
 FAX: 626-446-2877

A.M. PEAK HOUR  
0800-0900



DATA PROVIDED BY:

THE TRAFFIC SOLUTION  
329 DIAMOND STREET  
ARCADIA, CALIFORNIA 91005  
PH: 626-446-7978  
FAX: 626-446-2877

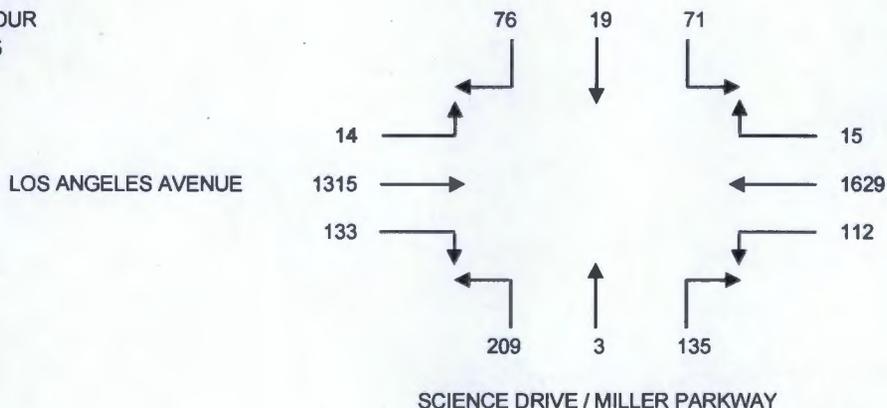
# INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: OVERLAND TRAFFIC CONSULTANTS, INC.  
 PROJECT: CITY OF MOORPARK  
 DATE: FRIDAY, MARCH 14, 2014  
 PERIOD: 04:00 PM TO 06:00 PM  
 INTERSECTION N/S SCIENCE DRIVE / MILLER PARKWAY  
 E/W LOS ANGELES AVENUE  
 FILE NUMBER: 1-PM

15 MINUTE TOTALS	1	2	3	4	5	6	7	8	9	10	11	12
	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
0400-0415	16	1	10	7	353	28	41	1	48	24	351	2
0415-0430	17	4	18	3	438	16	30	2	44	25	315	4
0430-0445	18	4	12	5	413	25	34	0	50	40	321	6
0445-0500	25	6	21	4	367	36	45	1	62	34	327	2
0500-0515	16	5	20	3	411	35	26	0	53	34	352	2
0515-0530	24	8	26	8	368	32	27	0	62	34	287	2
0530-0545	21	4	20	4	379	29	20	0	51	20	317	2
0545-0600	12	5	17	3	439	36	28	0	67	26	349	1

1 HOUR TOTALS	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
0400-0500	76	15	61	19	1571	105	150	4	204	123	1314	14	3656
0415-0515	76	19	71	15	1629	112	135	3	209	133	1315	14	3731
0430-0530	83	23	79	20	1559	128	132	1	227	142	1287	12	3693
0445-0545	86	23	87	19	1525	132	118	1	228	122	1283	8	3632
0500-0600	73	22	83	18	1597	132	101	0	233	114	1305	7	3685

P.M. PEAK HOUR  
0415-0515



DATA PROVIDED BY:

THE TRAFFIC SOLUTION  
 329 DIAMOND STREET  
 ARCADIA, CALIFORNIA 91005  
 PH: 626-446-7978  
 FAX: 626-446-2877

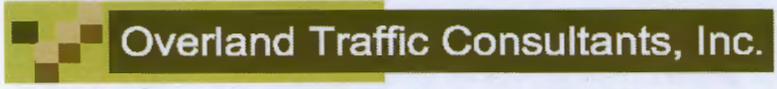
# THE TRAFFIC SOLUTION - ADT WORKSHEET

CLIENT: OVERLAND TRAFFIC CONSULTANTS, INC.  
 PROJECT: CITY OF MOORPARK  
 LOCATION: SCIENCE DRIVE N/O LOS ANGELES AVENUE  
 DATE: FRIDAY, MARCH 14, 2014  
 FILE NO: A-1

DIRECTION:		NORTHBOUND				
TIME	00-15	15-30	30-45	45-60	HOUR	TOTALS
00:00	0	0	0	0	0	0
01:00	0	0	0	0	0	0
02:00	0	0	0	0	0	0
03:00	0	0	1	0	1	1
04:00	0	1	1	3	5	5
05:00	5	5	4	5	19	19
06:00	5	8	16	17	46	46
07:00	24	28	33	42	127	127
08:00	38	38	29	24	129	129
09:00	23	15	19	24	81	81
10:00	20	17	10	12	59	59
11:00	14	16	14	12	56	56
12:00	26	19	14	34	93	93
13:00	24	20	15	21	80	80
14:00	20	20	15	14	69	69
15:00	18	8	7	13	46	46
16:00	8	11	13	8	40	40
17:00	5	8	7	5	25	25
18:00	4	4	3	2	13	13
19:00	4	3	5	4	16	16
20:00	3	2	0	0	5	5
21:00	2	0	1	1	4	4
22:00	0	1	1	0	2	2
23:00	0	0	1	0	1	1
TOTAL						917
AM PEAK HOUR		07:30-08:30				
VOLUME		151				
PM PEAK HOUR		12:00-13:00				
VOLUME		93				

DIRECTION:		SOUTHBOUND				
TIME	00-15	15-30	30-45	45-60	HOUR	TOTALS
00:00	0	0	0	0	0	0
01:00	0	0	0	0	0	0
02:00	0	0	1	0	1	1
03:00	0	0	0	0	0	0
04:00	0	0	1	0	1	1
05:00	1	0	2	3	6	6
06:00	1	2	4	3	10	10
07:00	5	3	6	13	27	27
08:00	11	10	5	8	34	34
09:00	6	7	15	10	38	38
10:00	17	10	7	12	46	46
11:00	16	14	19	19	68	68
12:00	24	19	24	14	81	81
13:00	16	15	16	18	65	65
14:00	11	11	23	29	74	74
15:00	21	10	42	10	83	83
16:00	31	41	33	54	159	159
17:00	35	52	43	36	166	166
18:00	30	21	15	14	80	80
19:00	7	13	5	8	33	33
20:00	3	2	2	2	9	9
21:00	1	3	1	0	5	5
22:00	1	1	0	0	2	2
23:00	0	0	0	0	0	0
TOTAL						988
AM PEAK HOUR		11:00-12:00				
VOLUME		68				
PM PEAK HOUR		16:45-17:45				
VOLUME		184				

TOTAL BI-DIRECTIONAL VOLUME	1905
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COMMUNITY MARKETPLACE  
ICU CALCULATIONS

INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY  
DATE: 3/15/2014 INITIALS: JTO EXISTING PEAK HOUR

MOVEMENT	NO. OF LANES	CAPACITY	AM PEAK HOUR			PM PEAK HOUR		
			EXISTING VOLUMES	V/C	CRITICAL PAIR	EXISTING VOLUMES	V/C	CRITICAL PAIR
NB LEFT	2	2600	89	0.034		209	0.08	
NB THRU	1	1,600	15	0.009		3	0.002	
NB RIGHT	1	1,500	111	0.074	*	135	0.09	*
					0.092			0.194
SB LEFT	0	0	9	0.000		71	0.000	
SB THRU	1	1,600	1	0.018	*	19	0.104	*
SB RIGHT	0	0	18	0.000		76	0.000	
<hr/>								
EB LEFT	1	1,500	58	0.039		14	0.009	*
EB THRU	3	4,800	1375	0.286	*	1315	0.274	
EB RIGHT	1	1,500	98	0.065		133	0.089	
					0.315			0.348
WB LEFT	2	2600	75	0.029	*	112	0.043	
WB THRU	3	4,800	1160	0.242		1629	0.339	*
WB RIGHT	1	1,500	68	0.045		15	0.01	

NORTH/SOUTH CRITICAL SUM	0.092	NORTH/SOUTH CRITICAL SUM	0.194
EAST/WEST CRITICAL SUM	0.315	EAST/WEST CRITICAL SUM	0.348
YELLOW CLEARANCE INTERVAL	0.100	YELLOW CLEARANCE INTERVAL	0.100

INTERSECTION ICU VALUE 0.507 INTERSECTION ICU VALUE 0.642

AM INTERSECTION LOS A PM INTERSECTION LOS B

Notes:

**COMMUNITY MARKETPLACE**  
**ICU CALCULATIONS**  
**INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY**  
**DATE: 3/15/2014 INITIALS: JTO**  
**EXISTING PEAK HOUR**

MOVEMENT	NO. OF LANES	CAPACITY	AM PEAK HOUR (10 - 11)		CRITICAL PAIR
			EXISTING VOLUMES	V/C	
NB LEFT	2	2600	141	0.054	0.088
NB THRU	1	1,600	5	0.003	
NB RIGHT	1	1,500	89	0.059 *	
SB LEFT	0	0	17	0.000	0.246
SB THRU	1	1,600	4	0.029 *	
SB RIGHT	0	0	26	0.000	
EB LEFT	1	1,500	26	0.017	0.246
EB THRU	3	4,800	998	0.208 *	
EB RIGHT	1	1,500	86	0.057	
WB LEFT	2	2600	99	0.038 *	0.246
WB THRU	3	4,800	937	0.195	
WB RIGHT	1	1,500	29	0.019	

NORTH/SOUTH CRITICAL SUM      0.088  
 EAST/WEST CRITICAL SUM        0.246  
 YELLOW CLEARANCE INTERVAL    0.100

INTERSECTION ICU VALUE        0.434

AM INTERSECTION LOS            A



COMMUNITY MARKETPLACE  
ICU CALCULATIONS

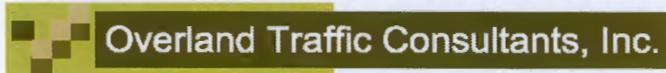
INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY  
DATE: 3/15/2014 INITIALS: JTO EXISTING + MAIL MARKETING

MOVEMENT	NO. OF LANES	CAPACITY	EXISTING	PROJECT	TOTAL	AM PEAK HOUR (8 -9)				PM PEAK HOUR (4-5)			
						V/C	CRITICAL PAIR	EXISTING	PROJECT	TOTAL	V/C	CRITICAL PAIR	
NB LEFT	2	2600	89	0	89	0.034		209	0	209	0.08		
NB THRU	1	1,600	15	12	27	0.017		3	2	5	0.003		
NB RIGHT	1	1,500	111	0	111	0.074 *		135	0	135	0.09 *		
							0.107					0.286	
SB LEFT	0	0	9	14	23	0.000		71	86	157	0.000		
SB THRU	1	1,600	1	2	3	0.033 *		19	6	25	0.196 *		
SB RIGHT	0	0	18	9	27	0.000		76	55	131	0.000		
EB LEFT	1	1,500	58	44	102	0.068		14	7	21	0.014 *		
EB THRU	3	4,800	1375	0	1375	0.286 *		1315	0	1315	0.274		
EB RIGHT	1	1,500	98	0	98	0.065		133	0	133	0.089		
							0.315					0.353	
WB LEFT	2	2600	75	0	75	0.029 *		112	0	112	0.043		
WB THRU	3	4,800	1160	0	1160	0.242		1629	0	1629	0.339 *		
WB RIGHT	1	1,500	68	69	137	0.091		15	12	27	0.018		

NORTH/SOUTH CRITICAL SUM	0.107	NORTH/SOUTH CRITICAL SUM	0.286
EAST/WEST CRITICAL SUM	0.315	EAST/WEST CRITICAL SUM	0.353
YELLOW CLEARANCE INTERVAL	0.100	YELLOW CLEARANCE INTERVAL	0.100

INTERSECTION ICU VALUE 0.522 INTERSECTION ICU VALUE 0.739

AM INTERSECTION LOS A PM INTERSECTION LOS C



COMMUNITY MARKETPLACE  
ICU CALCULATIONS

INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY  
DATE: 3/15/2014 INITIALS: JTO EXISTING + MAIL MARKETING

MOVEMENT	NO. OF LANES	AM PEAK HOUR (10 - 11)				V/C	CRITICAL PAIR
		CAPACITY EXISTING	PROJECT	TOTAL			
NB LEFT	2	2600	141	0	141	0.054	
NB THRU	1	1,600	5	16	21	0.013	
NB RIGHT	1	1,500	89	0	89	0.059 *	0.102
SB LEFT	0	0	17	12	29	0.000	
SB THRU	1	1,600	4	2	6	0.043 *	
SB RIGHT	0	0	26	7	33	0.000	
<hr/>							
EB LEFT	1	1,500	26	58	84	0.056 *	
EB THRU	3	4,800	998	0	998	0.208	
EB RIGHT	1	1,500	86	0	86	0.057	0.251
WB LEFT	2	2600	99	0	99	0.038	
WB THRU	3	4,800	937	0	937	0.195 *	
WB RIGHT	1	1,500	29	91	120	0.080	
<hr/>							
NORTH/SOUTH CRITICAL SUM						0.102	
EAST/WEST CRITICAL SUM						0.251	
YELLOW CLEARANCE INTERVAL						0.100	
INTERSECTION ICU VALUE						0.453	
AM INTERSECTION LOS						A	



COMMUNITY MARKETPLACE  
ICU CALCULATIONS

INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY  
DATE: 3/15/2014 INITIALS: JTO EXISTING + MARKETPLACE

MOVEMENT	NO. OF LANES	CAPACITY	EXISTING	PROJECT	TOTAL	AM PEAK HOUR (8 -9)				PM PEAK HOUR (4-5)			
						V/C	CRITICAL PAIR	EXISTING	PROJECT	TOTAL	V/C	CRITICAL PAIR	
NB LEFT	2	2600	89	0	89	0.034		209	0	209	0.08		
NB THRU	1	1,600	15	9	24	0.015		3	3	6	0.004		
NB RIGHT	1	1,500	111	0	111	0.074 *		135	0	135	0.09 *		
							0.092					0.269	
SB LEFT	0	0	9	0	9	0.000		71	66	137	0.000		
SB THRU	1	1,600	1	0	1	0.018 *		19	12	31	0.179 *		
SB RIGHT	0	0	18	0	18	0.000		76	42	118	0.000		
EB LEFT	1	1,500	58	31	89	0.059		14	11	25	0.017 *		
EB THRU	3	4,800	1375	0	1375	0.286 *		1315	0	1315	0.274		
EB RIGHT	1	1,500	98	0	98	0.065		133	0	133	0.089		
							0.315					0.356	
WB LEFT	2	2600	75	0	75	0.029 *		112	0	112	0.043		
WB THRU	3	4,800	1160	0	1160	0.242		1629	0	1629	0.339 *		
WB RIGHT	1	1,500	68	48	116	0.077		15	17	32	0.021		
NORTH/SOUTH CRITICAL SUM							0.092	NORTH/SOUTH CRITICAL SUM				0.269	
EAST/WEST CRITICAL SUM							0.315	EAST/WEST CRITICAL SUM				0.356	
YELLOW CLEARANCE INTERVAL							0.100	YELLOW CLEARANCE INTERVAL				0.100	
INTERSECTION ICU VALUE							0.507	INTERSECTION ICU VALUE				0.725	
AM INTERSECTION LOS							A	PM INTERSECTION LOS				C	



COMMUNITY MARKETPLACE  
ICU CALCULATIONS

INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY  
DATE: 3/15/2014 INITIALS: JTO EXISTING + MARKETPLACE

MOVEMENT	NO. OF LANES	AM PEAK HOUR (10 - 11)				V/C	CRITICAL PAIR
		CAPACITY EXISTING	PROJECT	TOTAL			
NB LEFT	2	2600	141	0	141	0.054	
NB THRU	1	1,600	5	9	14	0.009	
NB RIGHT	1	1,500	89	0	89	0.059 *	0.103
SB LEFT	0	0	17	13	30	0.000	
SB THRU	1	1,600	4	2	6	0.044 *	
SB RIGHT	0	0	26	8	34	0.000	
-----							
EB LEFT	1	1,500	26	33	59	0.039	
EB THRU	3	4,800	998	0	998	0.208 *	
EB RIGHT	1	1,500	86	0	86	0.057	0.246
WB LEFT	2	2600	99	0	99	0.038 *	
WB THRU	3	4,800	937	0	937	0.195	
WB RIGHT	1	1,500	29	52	81	0.054	

NORTH/SOUTH CRITICAL SUM	0.103
EAST/WEST CRITICAL SUM	0.246
YELLOW CLEARANCE INTERVAL	0.100
-----	
INTERSECTION ICU VALUE	0.449
AM INTERSECTION LOS	A



COMMUNITY MARKETPLACE  
ICU CALCULATIONS

INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY  
DATE: 3/15/2014 INITIALS: JTO EXISTING + WAREHOUSE

MOVEMENT	NO. OF LANES	CAPACITY	EXISTING	PROJECT	TOTAL	AM PEAK HOUR (8 -9)				PM PEAK HOUR (4-5)			
						V/C	CRITICAL PAIR	EXISTING	PROJECT	TOTAL	V/C	CRITICAL PAIR	
NB LEFT	2	2600	89	0	89	0.034		209	0	209	0.08		
NB THRU	1	1,600	15	8	23	0.014		3	3	6	0.004		
NB RIGHT	1	1,500	111	0	111	0.074	*	135	0	135	0.09	*	
								0.105				0.243	
SB LEFT	0	0	9	12	21	0.000		71	43	114	0.000		
SB THRU	1	1,600	1	2	3	0.031	*	19	8	27	0.153	*	
SB RIGHT	0	0	18	7	25	0.000		76	28	104	0.000		
-----													
EB LEFT	1	1,500	58	27	85	0.057		14	9	23	0.015	*	
EB THRU	3	4,800	1375	0	1375	0.286	*	1315	0	1315	0.274		
EB RIGHT	1	1,500	98	0	98	0.065		133	0	133	0.089		
								0.315				0.354	
WB LEFT	2	2600	75	0	75	0.029	*	112	0	112	0.043		
WB THRU	3	4,800	1160	0	1160	0.242		1629	0	1629	0.339	*	
WB RIGHT	1	1,500	68	43	111	0.074		15	14	29	0.019		
-----													
NORTH/SOUTH CRITICAL SUM							0.105	NORTH/SOUTH CRITICAL SUM				0.243	
EAST/WEST CRITICAL SUM							0.315	EAST/WEST CRITICAL SUM				0.354	
YELLOW CLEARANCE INTERVAL							0.100	YELLOW CLEARANCE INTERVAL				0.100	
INTERSECTION ICU VALUE							0.520	INTERSECTION ICU VALUE				0.697	
AM INTERSECTION LOS							A	PM INTERSECTION LOS				B	



COMMUNITY MARKETPLACE  
ICU CALCULATIONS

INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY  
DATE: 3/15/2014 INITIALS: JTO EXISTING + WAREHOUSE

MOVEMENT	NO. OF LANES	AM PEAK HOUR (10 - 11)				V/C	CRITICAL PAIR
		CAPACITY	EXISTING	PROJECT	TOTAL		
NB LEFT	2	2600	141	0	141	0.054	
NB THRU	1	1,600	5	4	9	0.006	
NB RIGHT	1	1,500	89	0	89	0.059 *	0.108
SB LEFT	0	0	17	17	34	0.000	
SB THRU	1	1,600	4	3	7	0.049 *	
SB RIGHT	0	0	26	11	37	0.000	
-----							
EB LEFT	1	1,500	26	14	40	0.027	
EB THRU	3	4,800	998	0	998	0.208 *	
EB RIGHT	1	1,500	86	0	86	0.057	0.246
WB LEFT	2	2600	99	0	99	0.038 *	
WB THRU	3	4,800	937	0	937	0.195	
WB RIGHT	1	1,500	29	21	50	0.033	
-----							

NORTH/SOUTH CRITICAL SUM 0.108  
EAST/WEST CRITICAL SUM 0.246  
YELLOW CLEARANCE INTERVAL 0.100

INTERSECTION ICU VALUE 0.454

AM INTERSECTION LOS A



COMMUNITY MARKETPLACE  
ICU CALCULATIONS

INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY  
DATE: 3/15/2014 INITIALS: JTO EXISTING + MARKETPLACE + WAREHOUSE

MOVEMENT	NO. OF LANES	CAPACITY	EXISTING	PROJECT	TOTAL	AM PEAK HOUR (8 -9)			PM PEAK HOUR (4-5)			
						V/C	CRITICAL PAIR	EXISTING	PROJECT	TOTAL	V/C	CRITICAL PAIR
NB LEFT	2	2600	89	0	89	0.034		209	0	209	0.08	
NB THRU	1	1,600	15	17	32	0.020		3	6	9	0.006	
NB RIGHT	1	1,500	111	0	111	0.074 *		135	0	135	0.09 *	
							0.105					0.318
SB LEFT	0	0	9	12	21	0.000		71	109	180	0.000	
SB THRU	1	1,600	1	2	3	0.031 *		19	20	39	0.228 *	
SB RIGHT	0	0	18	7	25	0.000		76	70	146	0.000	
EB LEFT	1	1,500	58	58	116	0.077 *		14	20	34	0.023 *	
EB THRU	3	4,800	1375	0	1375	0.286		1315	0	1315	0.274	
EB RIGHT	1	1,500	98	0	98	0.065		133	0	133	0.089	
							0.319					0.362
WB LEFT	2	2600	75	0	75	0.029		112	0	112	0.043	
WB THRU	3	4,800	1160	0	1160	0.242 *		1629	0	1629	0.339 *	
WB RIGHT	1	1,500	68	91	159	0.106		15	31	46	0.031	

NORTH/SOUTH CRITICAL SUM	0.105	NORTH/SOUTH CRITICAL SUM	0.318
EAST/WEST CRITICAL SUM	0.319	EAST/WEST CRITICAL SUM	0.362
YELLOW CLEARANCE INTERVAL	0.100	YELLOW CLEARANCE INTERVAL	0.100

INTERSECTION ICU VALUE	0.524	INTERSECTION ICU VALUE	0.780
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AM INTERSECTION LOS	A	PM INTERSECTION LOS	C
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COMMUNITY MARKETPLACE  
ICU CALCULATIONS

INTERSECTION: LOS ANGELES AVENUE AND SCIENCE DRIVE / MILLER PARKWAY  
DATE: 3/15/2014 INITIALS: JTO EXISTING + MARKETPLACE + WAREHOUSE

MOVEMENT	NO. OF LANES	AM PEAK HOUR (10 - 11)				V/C	CRITICAL PAIR
		CAPACITY	EXISTING	PROJECT	TOTAL		
NB LEFT	2	2600	141	0	141	0.054	
NB THRU	1	1,600	5	13	18	0.011	
NB RIGHT	1	1,500	89	0	89	0.059 *	0.122
SB LEFT	0	0	17	30	47	0.000	
SB THRU	1	1,600	4	5	9	0.063 *	
SB RIGHT	0	0	26	19	45	0.000	
-----							
EB LEFT	1	1,500	26	47	73	0.049	
EB THRU	3	4,800	998	0	998	0.208 *	
EB RIGHT	1	1,500	86	0	86	0.057	0.246
WB LEFT	2	2600	99	0	99	0.038 *	
WB THRU	3	4,800	937	0	937	0.195	
WB RIGHT	1	1,500	29	73	102	0.068	
-----							
NORTH/SOUTH CRITICAL SUM							0.122
EAST/WEST CRITICAL SUM							0.246
YELLOW CLEARANCE INTERVAL							0.100
INTERSECTION ICU VALUE							0.468
AM INTERSECTION LOS							A

# MEMORANDUM

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To: David Bobardt  
Community Development Director  
City of Moorpark

Date: March 25, 2014

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From: David S. Shender, P.E.  
Linscott, Law & Greenspan, Engineers

LLG Ref: 5-14-0108-1

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Subject: **709 Science Drive (Community Marketplace)  
Review of Traffic Assessment**

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This memorandum has been prepared by Linscott, Law & Greenspan, Engineers (LLG) to provide our review and comments to the March 16, 2014 Traffic Assessment prepared by Overland Traffic Consultants, Inc. for the proposed Community Marketplace project at 709 Science Drive (the "Traffic Assessment").

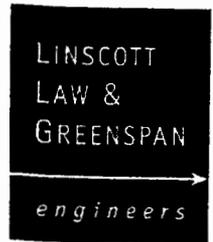
It is our understanding that the Community Marketplace project proposes the occupancy of 79,042 square feet of building floor area within the existing industrial/warehouse development which provides 406,280 square feet of building floor area in total. The building is currently vacant. We understand the complex previously operated as the Mail Marketing Corporation facility. A traffic study for the prior use was prepared in 1993.

The Community Marketplace is proposed to operate as a swap meet/trade show type use (for example, individual vendors operating in stalls as opposed to fully built-out tenant spaces that are found in typical retail centers). The Community Marketplace proposes to generally operate on Fridays, Saturdays and Sundays only, with public operating hours from 10:00 a.m. to 6:00 p.m. Additional/expanded operating days/hours may occur during holidays.

The Traffic Assessment evaluates the potential traffic impacts of the Community Marketplace project at the adjacent signalized intersection of Science Drive-Miller Parkway and Los Angeles Avenue (State Route 118). Vehicular traffic generated by the proposed Community Marketplace would only conflict with regular weekday commuter traffic on Fridays. Therefore, the focus of the traffic analysis is on Friday traffic conditions during the following time periods: morning commuter peak hour, late morning peak hour (opening hour of the proposed Community Marketplace), and afternoon commuter peak hour. The Traffic Assessment concludes that potential traffic impacts of the Community Marketplace project will be less than significant based on the City's thresholds of significance.

It is concluded that the Community Marketplace project – with implementation of the recommended traffic mitigation described herein – would result in traffic impacts that are less than significant. The following sections provide additional details regarding our review of the Traffic Assessment.

## CC ATTACHMENT 5



Engineers & Planners  
Traffic  
Transportation  
Parking

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Woodland Hills

**Trip Generation Forecast (pages 4 and 5)**

Prior Mail Marketing Use. The Traffic Assessment provides the vehicle trip generation estimates for the prior Mail Marketing Corporation use on the property. The estimates are based on the trip generation forecast provided in the 1993 traffic study prepared for the development.

Proposed Community Marketplace. The Traffic Assessment correctly notes on page 4 that the typical reference document used by traffic engineers to forecast trip generation for development projects – the *Trip Generation* manual published by the Institute of Transportation Engineers (ITE) – does not provide vehicle trip rates for a trade show/swap meet type use. To forecast trip generation for the Community Marketplace project, the Traffic Assessment relies on information obtained from an existing indoor swap meet use in Las Vegas. The Las Vegas facility appears to be similar to the proposed project such that it is an indoor swap meet (with vendors operating from individual stalls/booths rather than built-out tenant spaces) and it is open to the public on a limited schedule (Fridays, Saturdays and Sundays).

Trip generation forecasts that rely on data from existing and similar uses are typically based on driveway traffic counts, and then factored to a reliable independent variable (for commercial projects, this is usually the amount of building floor area) so that the derived trip rate (e.g., peak hour vehicle trips per 1,000 square feet of floor) is applied to the proposed use. The Traffic Assessment did not utilize vehicle traffic counts at the existing Las Vegas swap meet to derive a trip rate to estimate vehicle trips for the proposed Community Marketplace. Instead, the methodology used in the Traffic Assessment to estimate trip generation relies on monthly customer counts (30,000 customers) at the Las Vegas facility, and then utilizes a series of assumptions including: 1) an estimate of the proportion of monthly customers visiting on Fridays; 2) the proportion of the daily customers arriving and departing during the analyzed peak hours; and 3) the average number of customers per vehicle (assumed to be 2 customers per car in the Traffic Assessment). This analysis results in derived trip rates, based on vehicle trips per vendor, for the weekday morning commuter peak hour, weekday late morning peak hour, and weekday afternoon commuter peak hour utilized to forecast trip generation for the proposed Community Marketplace.

The potential concerns with the methodology used in the Traffic Assessment to derive trip rates for the Community Marketplace are as follows:

- The monthly customer patronage figure at the existing Las Vegas facility that is used as the basis for the derived trip rate cannot be independently confirmed as it is provided by a third party.

- The series of assumptions in the Traffic Assessment to derive the trip rate (for example, the estimated proportion of weekday patronage to monthly patronage, the estimated proportion of peak hour activity to daily activity, the estimated number of customers per vehicle, etc.) are somewhat speculative.
- The decision to use the number of vendors as the independent variable (instead of building floor area) may be of concern. For example, the Las Vegas facility (estimated at 120,000 square feet of building floor area using Google Earth), provides 600 vendors, which is a rate of 5 vendors for every 1,000 square feet of floor area. The Community Marketplace is considerably less “dense” as it proposes 175 vendors within 79,042 square feet of floor area, or approximately 2.2 vendors for every 1,000 square feet of floor area. Thus, if the Traffic Assessment had used floor area instead of number of vendors as the independent variable, the forecast of vehicle trips related to the Community Marketplace would have been higher. Therefore, the City may consider limiting the number of vendors at the Community Marketplace as this is the basis of the Traffic Assessment.

In regards to the vehicle trip generation forecasts for the proposed Community Marketplace provided in Table 1 of the Traffic Assessment, a “check” was made by using vehicle trip rates provided in the ITE *Trip Generation* manual for potential comparable land uses to the proposed trade show/swap meet use. Our review focused to the weekday afternoon peak hour as this is considered to be the time of day that the Community Marketplace could cause adverse traffic impacts. The morning commuter peak hour is of less concern as the Community Marketplace would not be open to the general public at this time period. Also, the later morning period (e.g., 10:00 – 11:00 a.m.) is of less concern as the Level of Service data provided in Table 3 of the Traffic Assessment indicates the Science Drive-Miller Parkway/Los Angeles Avenue intersection is operating at very good Levels of Service during this time period.

There are two land uses in the *Trip Generation* manual that are similar to the proposed trade show/swap meet land use: Factory Outlet Center (ITE Land Use Code 823) and Department Store (ITE Land Use Code 875). These land uses are similar to the project in that they are “destination” retail uses (that is, patrons visit these uses as a destination, as compared to more convenience-oriented, high-turnover retail centers). As the Community Marketplace proposes to close at 6:00 p.m., the focus of the comparison of PM peak hour trips was to outbound trips.

Using the information in Table 1 of the Traffic Assessment, the Community Marketplace is forecast to generate 120 outbound trips during the PM peak hour, or 1.52 outbound trips per 1,000 square feet of floor area based on the proposed use of 79,042 square feet of space.

The derived rate of 1.52 outbound trips during the PM peak hour was compared to the outbound trip rates provided in the *Trip Generation* manual for the Factory Outlet Center and Department Store land uses. When the trip rates are applied to the proposed 79,042 square-foot project, the resultant vehicle trips are as follows:

**Comparison of Trip Generation Forecasts  
Weekday PM Peak Hour Outbound Trips  
Community Marketplace**

Trip Rate Source	PM Peak Hour Outbound Trip Rate	PM Peak Hour Outbound Trips
Traffic Assessment	1.52 trips/1,000 s.f.	120
ITE Factory Outlet Center	1.21 trips/1,000 s.f.	96
ITE Department Store	0.92 trips/1,000 s.f.	73

In summary, while the methodology used in the Traffic Assessment regarding the forecast of vehicle trip generation related to the Community Marketplace project is somewhat speculative, when compared to the forecast of trips using comparable land uses in the ITE *Trip Generation* manual, the resultant forecast of outbound vehicle trips during the weekday PM peak hour – which have the greatest potential to adversely impact the adjacent street system – is higher in the Traffic Assessment as compared to the estimated trip generation using the ITE trip rates for the related land uses. Therefore, the trip generation forecast of the Community Marketplace project as provided Traffic Assessment could be considered suitably conservative for purposes of assessing the potential traffic impacts of the project.

Re-Occupancy of Existing Vacant Floor Area. The Traffic Assessment estimates the potential trip generation associated with the balance of the vacant floor area (327,238 square feet) not associated with the proposed Community Marketplace. It is noted that the Traffic Assessment utilizes trip rates from the ITE *Trip Generation* manual for the Warehouse land use (ITE Land Use Code 150). However, a warehouse land use generates relatively fewer vehicle trips per square foot as compared to other land uses that would be permitted at the site, such as a manufacturing use. For example, if the ITE trip rates based on the Manufacturing land use (ITE Land Use Code 140) were utilized, the vacant floor area would be forecast to generate 239 weekday morning commuter peak hour trips and 239 weekday afternoon commuter peak hour trips (as compared to the 98 AM trips and 105 PM trips provided in Table 1 of the Traffic Assessment). Therefore, the Traffic Assessment may require revision if higher generating uses other than warehousing are permitted to utilize the remaining vacant floor area at the project site.

### **Traffic Analysis (pages 5-9)**

As previously noted, the Traffic Assessment evaluates the potential traffic impacts of the Community Marketplace project at the Science Drive-Miller Parkway/Los Angeles Avenue intersection during the weekday (Friday) condition for the following peak hours (with the actual hours shown in parentheses based on the traffic counts provided in the Traffic Assessment):

- Morning commuter peak hour (8:00 – 9:00 a.m.)
- Late morning (facility opening) peak hour (10:00 – 11:00 a.m.)
- Afternoon commuter peak hour (4:15 – 5:15 p.m.)

Level of Service calculations at the Science Drive-Miller Parkway/Los Angeles Avenue intersection are provided in the Traffic Assessment for the following five analysis scenarios:

- Existing
- Existing + Mail Marketing (prior use)
- Existing + Marketplace (proposed project)
- Existing + Warehouse (vacant space not associated with project)
- Existing + Marketplace + Warehouse

For purposes of assessing the potential traffic impacts of the Community Marketplace project, a suitable baseline must be defined. While the Traffic Assessment does not specifically identify a baseline, we have assumed this to be the conditions with the approved and prior use of the site (i.e., the Existing + Mail Marketing condition evaluated in the Traffic Assessment). These operating conditions would then be compared to the proposed project, which includes the Community Marketplace, as well as the re-occupancy of the remaining vacant space by a separate use (the Existing + Marketplace + Warehouse condition evaluated in the Traffic Assessment).

Policy 2.1 of the Moorpark General Plan's Circulation Element states that Level of Service C (LOS C) shall be the system performance objective for traffic volumes on the City's circulation system. Therefore, an intersection is considered to be significantly impacted by project-generated traffic if the intersection is currently operating at LOS C or better, but is forecast to operate at LOS D or worse with the project. For intersections that are currently operating at LOS D or worse, an intersection is considered to be significantly impacted by project-generated traffic if the forecasted volume-to-capacity ratio is higher than the volume-to-capacity ratio for the existing condition.

As shown in Table 3 of the Traffic Assessment, the Science Drive-Miller Parkway/Los Angeles Avenue intersection is calculated to currently operate at LOS A during the morning commuter peak hour and late morning peak hour, and at LOS B during the afternoon (PM) commuter peak hour. In the Existing + Mail Marketing condition (e.g., the baseline), the intersection is calculated to continue operating at LOS A during the morning peak hours, and an acceptable LOS C during the PM commuter peak hour. In the last row of Table 3, for the Existing + Marketplace + Warehouse condition, the intersection is forecast to continue operating at LOS A during the morning peak hours, and at LOS C during the PM commuter peak hour. Therefore, as presented in Table 3, the impacts of the project would be less than significant based on the City's threshold of significance. It is noted that the calculated volume-to-capacity ratio is at the "high end" of LOS C (0.780) during the PM peak hour, trending towards an "unacceptable" LOS D condition.

#### **Recommended Traffic Mitigation**

As previously noted, the forecast of trip generation in the Traffic Assessment for the Community Marketplace is based on limited data and somewhat speculative assumptions. Further, the occupancy of the rest of the building complex could be used by businesses (e.g., manufacturing) that generate more trips than the warehouse use assumed in the Traffic Assessment.

To mitigate against a higher trip generation potential of the Community Marketplace use and/or a higher trip generation related to re-occupancy of the rest of the facility, we recommend the following traffic mitigation measure:

- Prior to the issuance of a building permit, the applicant shall pay to the Citywide Traffic Mitigation Fund a fair share contribution for intersection improvements at Los Angeles Avenue and Science Drive based on increased trip generation and traffic impacts above that from the previously approved use as determined by the Community Development Director and City Engineer/Public Works Director.

**With implementation of the recommended mitigation, the traffic impacts of the project will be less than significant.**

cc: File

RESOLUTION NO. 2014-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING ADMINISTRATIVE PERMIT (AP) NO. 2013-19 AND MODIFICATION NO. 4 TO INDUSTRIAL PLANNED DEVELOPMENT (IPD) NO. 93-1 TO ALLOW A 79,042 SQUARE-FOOT MULTI-TENANT INDOOR RETAIL OPERATION IN AN EXISTING BUILDING IN THE M-1 ZONE AT 709 SCIENCE DRIVE, AND ADOPTING A MITIGATED NEGATIVE DECLARATION UNDER CEQA IN CONNECTION THEREWITH, ON THE APPLICATION OF COMMUNITY MARKETPLACE (MANNY ASADURIAN, JR.)

WHEREAS, on December 31, 2013 an application for Administrative Permit No. 2013-19 was submitted by Community Marketplace (Manny Asadurian, Jr.), followed by an application for Modification No. 4 to IPD No. 93-1, to construct and operate a 79,042 square-foot multi-tenant indoor retail operation in an existing building in the M-1 Zone at 709 Science Drive; and

WHEREAS, an Initial Study and Proposed Mitigated Negative Declaration were prepared for this project in compliance with the California Environmental Quality Act of 1970, as amended (CEQA) and City CEQA Procedures, and circulated for public review from March 11, 2014 to April 1, 2014; and

WHEREAS, the City Council has read, reviewed, and considered the proposed Mitigated Negative Declaration prepared for the project referenced above, together with any comments received during the public review process; and

WHEREAS, at a duly noticed public hearing on April 2, 2014, the City Council considered the agenda report for Administrative Permit (AP) 2013-19 and Modification No. 4 to Industrial Planned Development (IPD) No. 93-1, and any supplements thereto and written public comments; opened the public hearing and took and considered public testimony both for and against the proposal, closed the public hearing and reached a decision on this matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. FINDINGS AND DECLARATIONS ON MITIGATED NEGATIVE DECLARATION: The City Council finds and declares as follows:

A. The Mitigated Negative Declaration and Initial Study prepared for this project, attached hereto as Exhibit B, are complete and have been prepared in compliance with CEQA, and City CEQA Procedures.

B. The City Council has read, reviewed, and considered the proposed Mitigated Negative Declaration prepared for the project referenced above together with any comments received during the public review process before making a decision concerning the project.

C. Based on the whole of the record before the City Council, there is no substantial evidence that the project will have a significant effect on the environment, with the incorporation of the Mitigation Measures identified in the attached Mitigated Negative Declaration as project conditions of the accompanying Industrial Planned Development and Conditional Use Permit for this project.

D. The Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Moorpark as lead agency.

E. The City Council hereby designates the Office of the City Clerk as the custodian of the records constituting the record of proceedings upon which its decision has been based.

SECTION 2. ADOPTION OF MITIGATED NEGATIVE DECLARATION: The Mitigated Negative Declaration prepared in connection with Administrative Permit (AP) 2013-19 and Modification No. 4 to Industrial Planned Development (IPD) No. 93-1, attached hereto as Exhibit B, is hereby adopted.

SECTION 3. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM: The Mitigation Monitoring and Reporting Program, required by Section 21081.6 of CEQA and 15074 of the CEQA Guidelines, and included in the Mitigated Negative Declaration, attached hereto as Exhibit B, is hereby adopted.

SECTION 6. APPROVAL OF PERMITS: Administrative Permit No. 2013-19 and Modification No. 4 to IPD No. 93-1 are hereby approved, subject to conditions of approval in Exhibit A, attached hereto and incorporated herein.

SECTION 7. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 2<sup>nd</sup> day of April, 2014.

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Janice S. Parvin, Mayor

ATTEST:

---

Maureen Benson, City Clerk

Exhibit A – Special Conditions of Approval  
Exhibit B – Mitigated Negative Declaration

**EXHIBIT A**

**SPECIAL CONDITIONS OF APPROVAL FOR ADMINISTRATIVE  
PERMIT (AP) NO. 2013-19 AND MODIFICATION NO. 4 TO  
INDUSTRIAL PLANNED DEVELOPMENT (IPD) NO. 93-1**

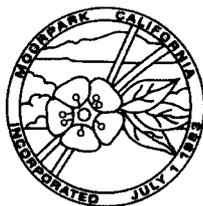
1. Prior to issuance of a Zoning Clearance for construction, the applicant shall pay the City's air quality fee based on the increase in trip generation above that considered for the project approved by IPD No. 93-1
2. Prior to issuance of a Zoning Clearance for construction, a parking plan must be submitted for review and approval by the Community Development Director.
3. Prior to issuance of a Zoning Clearance for occupancy, the public art must be restored to the satisfaction of the Community Development Director, or the property owner must submit a complete application to amend the public art feature for Council consideration.
4. All signs must be in compliance with Chapter 17.40 of the Moorpark Municipal Code (Sign Regulations). A separate sign permit application is required for all proposed signs. No off-site signs or roof signs are permitted for this use.
5. Hours of operation may only be between 10:00 a.m. and 6:00 p.m. Friday, Saturday, and Sunday, with extended days/hours allowed as follows:
  - Friday after Thanksgiving (9:00 a.m. to 8:00 p.m.)
  - December 23rd (10:00 a.m. to 6:00 p.m.)
  - December 24th (10:00 a.m. to 4:00 p.m.)
  - President's Day (10:00 a.m. to 6:00 p.m.)
  - Memorial Day (10:00 a.m. to 6:00 p.m.)
  - Independence Day (10:00 a.m. to 6:00 p.m.)
  - Labor Day (10:00 a.m. to 6:00 p.m.)
  - Veteran's Day (10:00 a.m. to 6:00 p.m.)
6. All refuse and recycling bins for the center shall be maintained in enclosures. Prior to issuance of a Zoning Clearance for occupancy, all enclosures shall be upgraded to be screened with a solid wall and decorative gate and covered with a roof, to the satisfaction of the Community Development Director.
7. All exterior areas of the site, including landscaping and parking areas must be maintained free of litter and debris at all times.

8. Administrative Permit (AP) 2013-19 and Modification No. 4 to Industrial Planned Development (IPD) No. 93-1 may be revoked or its use suspended by the City, if any of the causes listed in Section 17.44.080.B of the Zoning Code are found to apply, including if the use for which the permit was granted has not been exercised for at least twelve (12) consecutive months, has ceased to exist, or has been abandoned. The discontinuance for a period of one hundred eighty (180) or more days of a nonconforming use or a change of nonconforming use to a conforming use constitutes abandonment and termination of the nonconforming status of the use.
9. The City of Moorpark reserves the right to modify, suspend or revoke for cause this permit consistent with Chapter 17.44 of the Moorpark Municipal Code or as may be amended in the future.
10. No major architectural changes are permitted. Minor architectural changes to the building that would be authorized with a Permit Adjustment will require review and approval by the Community Development Director prior to construction.
11. Thrift stores, secondhand shops, and consignment stores are not permitted as part of this permit.
12. Approval of a Business Registration permit is required for the operator and each vendor prior to initiation of sales.
13. A maximum of 175 vendors are permitted. A list of each vendor and map showing the location of each vendor shall be provided to the Community Development Director prior to initiation of the operation and with each change in vendor or location. In addition, the applicant shall provide the Community Development Department with the following for each vendor before that vendor is permitted to operate:
  - A copy of their valid Seller's Permit issued by the State Board of Equalization.
  - A letter, on business letterhead, certifying that all retail sales generated at the location will be properly reported to the State Board of Equalization as occurring within the City of Moorpark.
14. All giveaways must comply with State of California Rules for Promotional Giveaways (California Business and Professions Code sections 17533.8, 17537.1.) For more information see California Department of Consumer Affairs Legal Guide U-1.
15. Any raffle or similar game must comply with State of California Rules Prohibiting Lotteries (California Penal Code section 319 and following). For more information see California Department of Consumer Affairs Legal Guide U-2.

16. All contests must comply with State of California Rules for Operation of Contests (Business and Professions Code sections 17539-17539.3, 17539.35). For more information see California Department of Consumer Affairs Legal Guide U-3.
17. The distribution of any prizes or gifts must comply with State of California Rules on Conditional Offer of Prizes or Gifts (California Business and Professions Code section 17537) For more information see California Department of Consumer Affairs Legal Guide U-4.
18. The applicant shall comply with Chapter 8.32 PROHIBITING SMOKING IN PUBLIC PLACES at all times and shall provide signs consistent with Chapter 8.32.040 to the satisfaction of the Community Development Director, prior to initiation of the uses allowed by this permit.
19. The approval of temporary signs, banners, flags, streamers, balloons, or other similar advertising devices are not included under this application. Temporary signs are processed under a separate permitting procedure and are subject to the requirements of Section 17.40 of the Municipal Code and the review and approval of the Community Development Director.
20. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit is deemed to be acceptance of all conditions of this permit.
21. The development shall be in substantial conformance with the plans presented in conjunction with the application for Administrative Permit (AP) 2013-19 and Modification No. 4 to Industrial Planned Development (IPD) No. 93-1, except any modifications as may be required to meet specific Code standards or other conditions stipulated herein.
22. All other conditions of approval of Industrial Planned Development (IPD) No. 93-1 shall continue to apply, except as revised herein.
23. All necessary permits must be obtained from the Building and Safety Department and all construction shall be in compliance with the Moorpark Building Code and all other applicable regulations.
24. Approval of a Zoning Clearance is required prior to the issuance of building permits.
25. All other permit and fee requirements must be met.
26. If any of the conditions or limitations of this approval are held to be invalid, that holding will not invalidate any of the remaining conditions or limitations set forth.

27. Prior to the issuance of a Zoning Clearance for tenant occupancy, an occupancy inspection shall be completed by the Building and Safety Division.
28. Prior to the issuance of a Zoning Clearance for tenant occupancy, the prospective tenant shall obtain a Business Registration from the City of Moorpark. All contractors doing work in Moorpark shall have or obtain a current Business Registration.
29. This permit is granted or approved with the City's designated approving body retaining and reserving the right and jurisdiction to review and to modify the permit—including the conditions of approval—based on changed circumstances. Changed circumstances include, but are not limited to, major modification of the business; a change in scope, emphasis, size, or nature of the business; the expansion, alteration, reconfiguration, or change of use; or the fact that the use is negatively impacting surrounding uses by virtue of impacts not identified at the time of application for the permit or impacts that are much greater than anticipated or disclosed at the time of application for the permit. The reservation of right to review any permit granted or approved under this chapter by the City's designated approving body is in addition to, and not in lieu of, the right of the City, its Planning Commission, City Council and designated approving body to review and revoke or modify any permit granted or approved under this chapter for any violations of the conditions imposed on such permit.
30. The Conditions of Approval of this permit, City of Moorpark Municipal Code and adopted city policies at the time of the permit approval supersede all conflicting notations, specifications, dimensions, typical sections and the like which may be shown on plans.
31. Conditions of this entitlement may not be interpreted as permitting or requiring any violation of law or any unlawful rules or regulations or orders of an authorized governmental agency.
32. The applicant shall defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, or employees concerning the permit, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37. The City will promptly notify the applicant of any such claim, action or proceeding, and if the City should fail to do so or should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers and employees pursuant to this condition.
  - a. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding, if both of the following occur:

- i. The City bears its own attorney fees and costs;
  - ii. The City defends the claim, action or proceeding in good faith.
- b. The applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the applicant. The applicant's obligations under this condition shall apply regardless of whether a building permit is ultimately obtained, or final occupancy is ultimately granted with respect to the permit.
33. Prior to the issuance of a Zoning Clearance for tenant occupancy, the applicant shall submit a Developer Waste Reduction and Recycling Plan to the satisfaction of the Community Services Administrative Specialist.
34. All mitigation measures included in the Mitigated Negative Declaration prepared for this project are incorporated as conditions of approval.

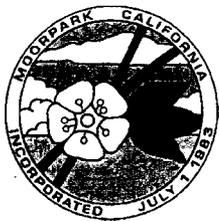


## EXHIBIT B

# MITIGATED NEGATIVE DECLARATION CITY OF MOORPARK 799 MOORPARK AVENUE MOORPARK, CA 93021 (805) 517-6200

The following Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act of 1970 as amended, the State Guidelines, and the Environmental Procedures of the City of Moorpark.

- Public Review Period:** March 11, 2014 to April 1, 2014
- Project Title/Case No.:** Administrative Permit 2013-19, Modification No. 4 to IPD No. 93-1  
Community Marketplace
- Project Location:** 709 Science Drive. (Location Map Attached)
- Project Description:** A request to allow a multi-tenant indoor retail community marketplace in the M-1 Zone. (Retail sales in the M-1 and M-2 zone limited to a maximum of 20% of the gross floor area of the planned development in which it is located.) (Environmental Information Form Attached)
- Project Type:**  Private Project  Public Project
- Project Applicant:** Manny Asadurian  
11576 Sumac Lane, Santa Rosa Valley, CA 93012  
(805) 796-9983 majr747@aol.com
- Finding:** After preparing an Initial Study for the above-referenced project, revisions have been made by or agreed to by the applicant consistent with the mitigation measures identified in the Initial Study. With these revisions, it is found that there is no substantial evidence, in light of the whole record before the City of Moorpark, that the project may have a significant effect on the environment. (Initial Study Attached)
- Responsible Agencies:** City of Moorpark
- Trustee Agencies:** None
- Attachments:** Location Map  
Initial Study with Mitigation Measures
- Contact Person:** Joseph Fiss, Principal Planner  
Community Development Department  
City of Moorpark  
799 Moorpark Avenue  
Moorpark, California, 93021  
(805) 517-6226



Community Marketplace  
(AP No. 2013-19 and Mod. No. 4 to IPD No. 93-1)

**CITY OF MOORPARK INITIAL STUDY**  
**799 MOORPARK AVENUE**  
**MOORPARK, CA 93021**  
**(805) 517-6200**

<b>Project Title:</b> Community Marketplace	<b>Case No.:</b> AP No. 2013-19 and Mod. No. 4 to IPD No. 93-1
<b>Contact Person and Phone No.:</b> Joseph Fiss, Principal Planner (805) 517-6226	
<b>Name of Applicant:</b> Manny Asadurian	
<b>Address and Phone No.:</b> 11576 Sumac Lane, Santa Rosa Valley, CA 93012 (805) 796-9983 majr747@aol.com	

**Project Location:** 709 Science Drive

**General Designation:** Plan I-1 Light Industrial      **Zoning:** M-1 Industrial Park

**Project Description:** A request to allow a multi-tenant indoor retail community marketplace in the M-1 Zone. (Retail sales in the M-1 and M-2 zone limited to a maximum of 20% of the gross floor area of the planned development in which it is located.) (Submitted 12/31/13)

**Surrounding Land Uses and Setting:**

**North:** Light Industrial (manufacturing)/Railroad Right of Way/Arroyo Simi

**South:** Light Industrial (warehousing)/Los Angeles Avenue/Regional Commercial

**East:** SR 23 Freeway

**West:** Light Industrial (general)

**Responsible and Trustee Agencies:** City of Moorpark

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**  
*The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less Than Significant With Mitigation," as indicated by the checklist on the following pages.*

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agricultural and Forestry Resources	<input checked="" type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input checked="" type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance
<input type="checkbox"/>	None				

**DETERMINATION:** On the basis of this initial evaluation,

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. Mitigation measures described on the attached Exhibit 1 have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

Prepared by: Joseph Fiss      Reviewed by: David A. Roberts  
Date: 3/10/14      Date: 3/10/2014

**INITIAL STUDY EXHIBIT 1:**

**MITIGATED NEGATIVE DECLARATION  
MITIGATION MEASURES AND  
MONITORING AND REPORTING PROGRAM**

1. Hours of operation may only be between 10:00 a.m. and 6:00 p.m. Friday, Saturday, and Sunday, with extended days/hours allowed as follows:
  - Friday after Thanksgiving (9:00 a.m. to 8:00 p.m.)
  - December 23rd (10:00 a.m. to 6:00 p.m.)
  - December 24th (10:00 a.m. to 4:00 p.m.)
  - President's Day (10:00 a.m. to 6:00 p.m.)
  - Memorial Day (10:00 a.m. to 6:00 p.m.)
  - Independence Day (10:00 a.m. to 6:00 p.m.)
  - Labor Day (10:00 a.m. to 6:00 p.m.)
  - Veteran's Day (10:00 a.m. to 6:00 p.m.)

**Monitoring Action:** Check Hours of Operation  
**Timing:** Ongoing and Annually as part of the Community Development Department's Annual Review of Ongoing Mitigation Measures  
**Responsibility:** Community Development Director

2. Prior to the issuance of a building permit, the applicant shall pay to the Citywide Traffic Mitigation Fund a fair share contribution for intersection improvements at Los Angeles Avenue and Science Drive based on increased trip generation and traffic impacts above that from the previously approved use as determined by the Community Development Director and City Engineer/Public Works Director.

**Monitoring Action:** Receipt of payment  
**Timing:** Prior to the issuance of a building permit  
**Responsibility:** Community Development Director and City Engineer/Public Works Director

**AGREEMENT TO PROPOSED MITIGATION MEASURES AND  
MONITORING AND REPORTING PROGRAM**

*In accordance with the CEQA Guidelines Section 15070 (California Code of Regulations Title 14, Chapter 3, Article 6), this agreement must be signed prior to release of the Mitigated Negative Declaration for public review.*

I, THE UNDERSIGNED PROJECT APPLICANT, HEREBY AGREE TO MODIFY THE PROJECT DESIGN, CONSTRUCTION OR OPERATION AS NECESSARY TO INCLUDE ALL OF THE ABOVE-LISTED MITIGATION MEASURES IN THE PROJECT.

  
\_\_\_\_\_  
Signature of Project Applicant

3-21-2014  
Date

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>A. AESTHETICS – Would the project:</b>				
1) Have a substantial adverse effect on a scenic vista?	_____	_____	_____	<u>    X    </u>
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	_____	_____	_____	<u>    X    </u>
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	_____	_____	_____	<u>    X    </u>
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	_____	_____	_____	<u>    X    </u>

Response: The existing visual quality of the site will not change with the development of this project, since the building is existing and the only change is occupancy and minor changes to some openings (truck dock loading doors). Normal commercial light sources will not have a significant impact on the area and will be evaluated and be consistent with the City's lighting ordinance. The changes to the openings will be evaluated for consistency with City standards.

Sources: Project Application 12/31/13, 2/27/14 General Plan Land Use Element (1992).

Mitigation None

**B. AGRICULTURE RESOURCES –** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources agency, to non-agricultural use?	_____	_____	_____	<u>    X    </u>
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	_____	_____	_____	<u>    X    </u>
3) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	_____	_____	_____	<u>    X    </u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Response:</b> The subject site is not located within prime farmland and is zoned for industrial use, is currently developed and The Ventura County Important Farmland Map classifies the site as "Urban and Built-Up" land.				
<b>Sources:</b> California Dep't of Conservation: Ventura County Important Farmland Map (2000)				
<b>Mitigation:</b> None				

**C. AIR QUALITY** – Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

1) Conflict with or obstruct implementation of the applicable air quality plan?	_____	_____	_____	<u>  X  </u>
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	_____	<u>  X  </u>	_____	_____
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	_____	_____	_____	<u>  X  </u>
4) Expose sensitive receptors to substantial pollutant concentrations?	_____	_____	_____	<u>  X  </u>
5) Create objectionable odors affecting a substantial number of people?	_____	_____	_____	<u>  X  </u>

<b>Response:</b> Mitigation is included to limit the use to three days per week and certain holidays, thereby reducing trip generation from the proposed retail use. In addition, a Condition of Approval will be placed on the project for the applicant to contribute to the City's Transportation Systems Management (Air Quality) fund based on the change of use.
<b>Sources:</b> Ventura County Air Pollution Control District: Ventura County Air Quality Assessment Guidelines (2000), URBEMIS 2001
<b>Mitigation:</b> Hours of operation may only be between 10:00 a.m. and 6:00 p.m. Friday, Saturday, and Sunday, with extended days/hours allowed as follows: <ul style="list-style-type: none"> <li>• Friday after Thanksgiving (9:00 a.m. to 8:00 p.m.)</li> <li>• December 23rd (10:00 a.m. to 6:00 p.m.)</li> <li>• December 24th (10:00 a.m. to 4:00 p.m.)</li> <li>• President's Day (10:00 a.m. to 6:00 p.m.)</li> <li>• Memorial Day (10:00 a.m. to 6:00 p.m.)</li> <li>• Independence Day (10:00 a.m. to 6:00 p.m.)</li> <li>• Labor Day (10:00 a.m. to 6:00 p.m.)</li> <li>• Veteran's Day (10:00 a.m. to 6:00 p.m.)</li> </ul>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>D. BIOLOGICAL RESOURCES – Would the project:</b>				
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	_____	_____	_____	<u>      X      </u>
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	_____	_____	_____	<u>      X      </u>
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	_____	_____	_____	<u>      X      </u>
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	_____	_____	_____	<u>      X      </u>
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	_____	_____	_____	<u>      X      </u>
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	_____	_____	_____	<u>      X      </u>

**Response**    The use of the existing building will not have any adverse effect on biological resources in that no major structural changes are occurring and the proposed occupancy will not create any affects to any habitats.

**Sources:**    Project Application 12/31/13, 2/27/14, California Department of Fish and Game: Natural Diversity Data Base-Moorpark and Simi Valley Quad Sheets (1993)

**Mitigation:**    None

**E. CULTURAL RESOURCES – Would the project:**

1) Cause a substantial adverse change in the significance of a historic resource as defined in §15064.5?	_____	_____	_____	<u>      X      </u>
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	_____	_____	_____	<u>      X      </u>
3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	_____	_____	_____	<u>      X      </u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
4) Disturb any human remains, including those interred outside of formal cemeteries?	_____	_____	_____	<u>X</u>

**Response:** The use of the existing building will not have any adverse effect on cultural resources in that no major structural changes are occurring and the proposed occupancy will not create any affects to any historic or cultural resources.

**Sources:** Project Application 12/31/13, 2/27/14,

**Mitigation:** None

**F. GEOLOGY AND SOILS – Would the project:**

1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death Involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	_____	_____	_____	<u>X</u>
ii) Strong seismic ground shaking?	_____	_____	_____	<u>X</u>
iii) Seismic-related ground failure, including liquefaction?	_____	_____	_____	<u>X</u>
iv) Landslides?	_____	_____	_____	<u>X</u>
2) Result in substantial soil erosion or the loss of topsoil?	_____	_____	_____	<u>X</u>
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	_____	_____	_____	<u>X</u>
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	_____	_____	_____	<u>X</u>
5) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	_____	_____	_____	<u>X</u>

**Response:** The project will have no effect upon geology or soils in that the use of the existing building will not result in any new grading or excavation.

**Sources:** Project Application 12/31/13, 2/27/14, General Plan Safety Element (2001)

**Mitigation:** None

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**G. GREENHOUSE GAS EMISSIONS – Would the project:**

- |  |       |       |       |              |
|--|-------|-------|-------|--------------|
| 1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | _____ | _____ | _____ | <u>  X  </u> |
| 2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | _____ | _____ | _____ | <u>  X  </u> |

**Response:** The proposal will not generate additional greenhouse gas emissions that may have a significant impact on the environment in that the impacts of the proposed use are approximately the same as the prior use.

**Sources:** Project Application 12/31/13, 2/27/14

**Mitigation:** None

**H. HAZARDS AND HAZARDOUS MATERIALS – Would the project:**

- |  |       |       |       |              |
|--|-------|-------|-------|--------------|
| 1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | _____ | _____ | _____ | <u>  X  </u> |
| 2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | _____ | _____ | _____ | <u>  X  </u> |
| 3) Emit hazardous emission or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | _____ | _____ | _____ | <u>  X  </u> |
| 4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | _____ | _____ | _____ | <u>  X  </u> |
| 5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | _____ | _____ | _____ | <u>  X  </u> |
| 6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | _____ | _____ | _____ | <u>  X  </u> |
| 7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | _____ | _____ | _____ | <u>  X  </u> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
8) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	_____	_____	_____	<u>    X    </u>

**Response:** No hazardous material has been identified on the site. The retail use of the existing building will not create any significant hazards to the public in that it will comply with all building and safety codes for the proposed use.

**Sources:** Project Application 12/31/13, 2/27/14, General Plan Safety Element (2001)

**Mitigation:** None

**I. HYDROLOGY AND WATER QUALITY – Would the project:**

1) Violate any water quality standards or waste discharge requirements?	_____	_____	_____	<u>    X    </u>
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	_____	_____	_____	<u>    X    </u>
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	_____	_____	_____	<u>    X    </u>
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	_____	_____	_____	<u>    X    </u>
5) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	_____	_____	_____	<u>    X    </u>
6) Otherwise substantially degrade water quality?	_____	_____	_____	<u>    X    </u>
7) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map?	_____	_____	_____	<u>    X    </u>
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	_____	_____	_____	<u>    X    </u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact X
9) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	_____	_____	_____	_____X
10) Inundation by seiche, tsunami, or mudflow?	_____	_____	_____	_____X

**Response:** The proposal will have no impact upon hydrology and water quality because the use of the existing building will not result in any new construction or modifications that would affect water quality, supplies, or drainage.

**Sources:** Project Application 12/31/13, 2/27/14, General Plan Safety Element (2001)

**Mitigation:** None

**J. LAND USE AND PLANNING – Would the project:**

1) Physically divide an established community?	_____	_____	_____	_____X
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	_____	_____	_____	_____X
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?	_____	_____	_____	_____X

**Response:** The proposed project is consistent with the current General Plan and Zoning designations for the property. Some retail use is anticipated and is permitted in the M-1 zone.

**Sources:** Project Application 12/31/13, 2/27/14, General Plan Land Use Element (1992)

**Mitigation:** None

**K. MINERAL RESOURCES – Would the project:**

1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	_____	_____	_____	_____X
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	_____	_____	_____	_____X

**Response:** There are no known mineral resources on site.

**Sources:** Project Application 12/31/13, 2/27/14, General Plan Open Space, Conservation, and Recreation Element (1986)

**Mitigation:** None

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>L. NOISE – Would the project result in:</b>				
1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	_____	_____	_____	<u>      X      </u>
2) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	_____	_____	_____	<u>      X      </u>
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	_____	_____	_____	<u>      X      </u>
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	_____	_____	_____	<u>      X      </u>
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	_____	_____	_____	<u>      X      </u>
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	_____	_____	_____	<u>      X      </u>

**Response:** The project site is far removed from any noise-sensitive land uses. In addition, standard conditions of approval have been placed on the project to adequately address any potential noise issues.

**Sources:** Project Application 12/31/13, 2/27/14, General Plan Noise Element (1998)

**Mitigation:** None

<b>M. POPULATION AND HOUSING – Would the project:</b>				
1) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	_____	_____	_____	<u>      X      </u>
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	_____	_____	_____	<u>      X      </u>
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	_____	_____	_____	<u>      X      </u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Response:</u> The proposal will have no impact upon population and housing because the use of the existing building will not result in any population growth or affect housing in any way, since this is a commercial use of an existing warehouse building, serving the local population.				
<u>Sources:</u> Project Application 12/31/13, 2/27/14				
<u>Mitigation:</u> None				

**N. PUBLIC SERVICES**

1) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	_____	_____	_____	_____ X
Police protection?	_____	_____	_____	_____ X
Schools?	_____	_____	_____	_____ X
Parks?	_____	_____	_____	_____ X
Other public facilities?				_____ X

<u>Response:</u> Conditions of approval and Development fees are collected by agencies in order to alleviate potential adverse impacts on public services. The applicant is required to obtain approvals of the Fire Protection District, Waterworks District No. 1 and other applicable agencies prior to obtaining a building permit.				
<u>Sources:</u> Project Application 12/31/13, 2/27/14, General Plan Safety Element (2001), General Plan Open Space, Conservation, and Recreation Element (1986)				
<u>Mitigation:</u> None				

**O. RECREATION**

1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	_____	_____	_____	_____ X
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	_____	_____	_____	_____ X

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Response:</b>	The project will not have any effect on the City's recreation infrastructure in that it only entails commercial occupancy of an existing warehouse building.			
<b>Sources:</b>	Project Application 12/31/13, 2/27/14, General Plan Open Space, Conservation, and Recreation Element (1986)			
<b>Mitigation:</b>	None			

**P. TRANSPORTATION/TRAFFIC – Would the project:**

1) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	_____	_____ <b>X</b> _____	_____	_____
2) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	_____	_____	_____	_____ <b>X</b> _____
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	_____	_____	_____	_____ <b>X</b> _____
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	_____	_____	_____	_____ <b>X</b> _____
5) Result in inadequate emergency access?	_____	_____	_____	_____ <b>X</b> _____
6) Result in inadequate parking capacity?	_____	_____	_____	_____ <b>X</b> _____
7) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	_____	_____	_____	_____ <b>X</b> _____

<b>Response:</b>	A trip generation analysis was prepared for this application. The study shows that traffic impacts from the proposal will be similar to the previous use. Adequate parking will be provided on site.
<b>Sources:</b>	Project Application 12/31/13, 2/27/14, General Plan Circulation Element (1992), Trip Generation Analysis Prepared by Overland Traffic Consultants, Inc. 2/26/14
<b>Mitigation:</b>	Prior to the issuance of a building permit, the applicant shall pay to the Citywide Traffic Mitigation Fund a fair share contribution for intersection improvements at Los Angeles Avenue and Science Drive based on increased trip generation and traffic impacts above that from the previously approved use as determined by the Community Development Director and City Engineer/Public Works Director.

**Q. UTILITIES AND SERVICE SYSTEMS – Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	_____	_____	_____	<u>    X    </u>
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	_____	_____	_____	<u>    X    </u>
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	_____	_____	_____	<u>    X    </u>
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	_____	_____	_____	<u>    X    </u>
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	_____	_____	_____	<u>    X    </u>
6) Be served by the landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	_____	_____	_____	<u>    X    </u>
7) Comply with federal, state, and local statutes and regulations related to solid waste?	_____	_____	_____	<u>    X    </u>

**Response:** The project is required to enter into agreements and provide adequate utility and service systems prior to the issuance of a building permit for construction.

**Sources:** Project Application 12/31/13, 2/27/14, Ventura County Watershed Protection District: Technical Guidance Manual for Stormwater Quality Control Measures (2002)

**Mitigation:** None

**R. MANDATORY FINDINGS OF SIGNIFICANCE**

1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history of prehistory?	_____	_____	_____	<u>    X    </u>
2) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effect of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and effects of probable future projects)?	_____	_____	_____	<u>    X    </u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact X
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	_____	_____	_____	_____

**Response:** The project does not have the potential to degrade the quality of the environment, have impacts that are individually limited, but cumulatively considerable, or have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly in that the project entails only occupancy of an existing building, consistent with the City's General Plan and Zoning Code.

**Sources:** See below.

**Earlier Environmental Documents Used in the Preparation of this Initial Study**

None

**Additional Project References Used to Prepare This Initial Study**

One or more of the following references were incorporated into the Initial Study by reference, and are available for review in the Community Development Office, City Hall, 799 Moorpark Avenue, Moorpark, CA 93021. Items used are referred to by number in the Response Section of the Initial Study Checklist.

1. Application and materials submitted on 12/31/13, 2/27/14.
2. The City of Moorpark's General Plan, as amended.
4. The Moorpark Municipal Code, as amended.
5. The City of Moorpark Procedures for the Implementation of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines adopted by Resolution No. 2004-2224
6. Public Resources Code Section 21000 et. seq. and California Code of Regulations, Title 14 Section 15000 et. seq.
7. Ventura County Air Quality Assessment Guidelines, October 31, 2003.
8. Traffic Study Prepared by Overland Traffic Consultants, Inc. 2/26/14
9. Traffic Study Peer Review Prepared by Linscott, Law, and Greenspan, Engineers 3/25/2014