



AGENDA SPECIAL MEETING
Joint Work Session Visalia City Council & Planning Commission
Visalia Convention Center, 303 E. Acequia, Visalia, CA
Monday, March 10, 2008, 4:00 p.m.

City Council

Mayor: Jesus J. Gamboa
Vice Mayor: Bob Link
Council Member: Greg Collins
Council Member: Donald K. Landers
Council Member: Amy Shuklian

Planning Commission

Chairperson: Vincent Salinas
Vice-Chair: Lawrence Segreue
Commissioner: Sam Logan
Commissioner: Adam Peck
Commissioner: Terese Lane

4:00 p.m. **PLEDGE OF ALLEGIANCE**

CITIZENS REQUESTS – This is the time for members of the public to comment on any matter within the jurisdiction of the Visalia City Council/Planning Commission. The Council and Commissioners ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council/Commissioners cannot legally discuss or take official action on citizen request items that are introduced today. In fairness to all who wish to speak, each speaker from the public will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your address.

INTRODUCTIONS

WORK SESSION

1. Historical summary and key issues analysis, Business Research Park (BRP) Land Use and Zone Designation, and consideration of the staff recommendations concerning General Plan policies, zoning criteria, and processes.

6:00 p.m. Adjourn

Upcoming Council Meetings

- Monday, March 17, 2008, Joint Meeting with COS Board 4:00 p.m. - Convention Center, 303 E. Acequia
- Monday, March 17, 2008, Work Session 5:00 p.m. (following joint meeting); Regular Session 7:00 p.m. - Convention Center, 303 E. Acequia
- Monday, March 31, 2008, Joint Meeting with Parks and Recreation Commission – 5:00 p.m. Convention Center, 303 E. Acequia

The time listed for each work session item is an estimate of the time the Council and Commission will address that portion of the agenda. Members of the public should be aware that the estimated times may vary. In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services.

City of Visalia
Joint Worksession Agenda Item Transmittal

Meeting Date: March 10, 2008

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Historical Summary and Key Issues Analysis, Business Research Park (BRP) Land Use and Zone Designation, and Consideration of the Staff Recommendations Concerning General Plan Policies, Zoning Criteria, and Processes

Deadline for Action: None. A development project [Plaza Business Park (CUP 2007-39)] is pending public hearing review by the Planning Commission on April 14, 2008, with a subsequent review to be conducted by the City Council thereafter.

Submitting Department: Community Development, Planning

Contact Name and Phone Number:

Michael Olmos, AICP, Assistant City Manager, 713-4332
Paul Scheibel, AICP, Principal Planner 713-4369

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council and Planning Commission:

1. Review the historical summary and key issues analysis of the Business Research Park (BRP) General Plan land use and zoning designation (zoning) contained in the staff report;
2. Direct staff, for purpose of future projects in the BRP Zone, to prepare amendments to the General Plan and Zoning Ordinance as may be necessary to clarify the BRP vision with enhanced policy language, allowed uses, zoning definitions, and key development criteria on the following items: A) Differentiating the terms- Specific Plans and "master plans"; B) Identifying the precise contents and scope of "master plans"; C) Defining "large-scale", specifically in reference to offices; and D) Re-consideration of Permitted and Conditionally permitted land uses in the BRP Zone. These criteria would be incorporated into the remaining 90 acres of the 120-acre BRP zone area located generally on the north side of HWY 198 at Plaza Drive; and

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time

(Min.):__120__

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

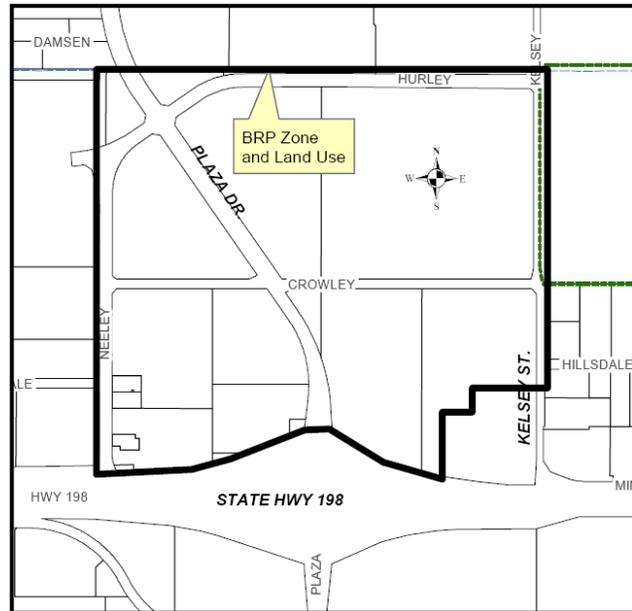
City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

3. Allow the continued processing of the pending Plaza Business Park project to public hearings, based on the determination that this project is generally consistent with the existing provisions of the BRP zone.

INTRODUCTION

This report contains three main topics: 1) The origins and history of the City land use policy on the Business Research Park (BRP) land use designation and zone district. 2) Staff's analysis and recommendations with regard to the policy questions that remain with regard to the key criteria for determining conformance with the existing General Plan land use policies and Zoning Ordinance provisions. 3) Staff's recommendations for processing the Plaza Business Park project, and for processing future projects in the BRP zone.



The format of this report begins with the historical summary of the BRP zone, and it discusses the evolution of BRP zone policy and the disposition of the City's BRP zone inventory to its present situation. The focus of the analysis portion is on policy considerations that are likely to affect projects in the BRP zone area at Plaza Dr. and Hwy 198, shown in the map inset, above.

Statements of key conclusions and actions to implement the staff recommendations are highlighted in **bold font** for ease of reference. The recommended actions are itemized below for further ease of reference:

A. With regard to Specific Plan and "master plan", eliminate one or both terms in their entirety from the applicable BRP zone General Plan Policies (3.6.3, and 3.2.2), and from Zoning Ordinance Chapter 17.24 [(Business Research Park Zone) (Exhibit 7 of this report)]:

1. If the City Council determines that specific binding obligations and standards are warranted for a project in the BRP zone, then a **Specific Plan** should be required, and references to "master plans" should be removed.
2. If the intent of a "master plan" is to provide a degree of latitude to the project proponent, the **Specific Plan** reference should be removed; but any key aspects of BRP zone projects for which the City desires certainty over latitude should be precisely incorporated as codified project requirements in Chapter 17.24.
3. If the City Council determines BRP zone projects require certain specific standards, codified performance standards must be

referenced, even if the requirements are generally referenced elsewhere.

- B. Projects should be allowed to proceed individually with the requirement their project areas are comprehensively planned.**
- C. Projects should be required to comply with all approved master plan criteria applicable to the BRP zone.**
- D. A 10,000 sq.ft., two-story building is proposed as the minimum office building in the BRP zone.**
- E. Consider limiting highway commercial uses in the BRP zone.**
- F. The Plaza Business Park project should be allowed to proceed through the entitlement process.**

HISTORICAL BACKGROUND

Overview: The BRP zone was created with the adoption of the 1991 General Plan Update (2020 Plan). It originally included five areas totaling 655 acres throughout the City. From 2004 to the present, the City received two development applications for projects in the BRP zone. Planning staff has researched records regarding the BRP zone to determine what policy direction has been provided for this district. The following is a sequential synopsis of the BRP zone from its inception to today.

West Visalia Specific Plan (1988): The allowed land uses and to a lesser degree the design criteria for the Plaza Drive./Hwy 198 area that is presently the last remaining BRP zone property in the City's land inventory stems from the West Visalia Specific Plan, (WVSP) adopted in June 1988. Of note is that the WVSP provisions were not fully integrated into this site, nor fully integrated into the 2020 Plan that was eventually adopted approximately four years later: The WVSP (see extract, Exhibit 3) identified this area as Subarea B, for highway commercial and professional office development. Design and development standards are contained in the WVSP. A discussion of the specific references to the WVSP relative to this site are included in the latter part of this section. Of note, General Plan Policies 3.2.2 and 3.5.16 reference the WVSP in their references to desired highway commercial uses at this location:

Inception of the BRP Zone (1988-1991): The first description and placement of the BRP zone evolved during the 2020 Plan process between August 1988 and September 1991. The BRP zone was created as a new hybrid, special purpose zone under the Professional/Administrative Offices land use category.

The record from the Draft version of the Land Use Update identifies:

“...three areas for large-scale professional/administrative office development. These campus-type or well landscaped areas are to be master-planned prior to development to establish site design measures (i.e. lot sizes, access/circulation, landscaping, signage, infrastructure, etc.) and phasing.”

The areas identified were 140 acres between SH 198 and the Tulare Avenue alignment between Akers and Shirk; 200 acres east of Shirk along both sides of Riggins Road; 100 acres west of Shirk Road, between Mill Creek's north and south branches. The BRP zone was a component of the preferred alternative analysis in the Program Environmental Impact Report (EIR) whereby future growth of varied land uses were evenly distributed throughout the City's Planning Area, progressing outward from the City's existing Core Area.

Project alternatives to the 2020 Plan were – A. no project alternative; B. downtown office concentration; C. no modification in West Visalia Specific Plan; and D. environmentally superior alternative. The summaries of these alternatives are included in Exhibit 4, attached.

The BRP zone description and locations further evolved during the Planning Commission

review of the Draft 2020 Plan. The BRP zone (BRP Reserve for non-annexed lands) locations were applied to five areas totaling 655 acres, established as Policy 3.6.3, and which remained in the adopted Land Use Element text as shown to the right:

During the Planning Commission's

discussions at the October 10, 1990, hearing on the 2020 Plan, the testimony discussed uses such as instruments, research and testing operations, and large offices such as the Nationwide Call Center [now the Mooney Blvd. County government center, (161,000 sq.ft. building on 24.6 acres)] (see Exhibit 5, extracts of Planning Commission transcripts).

Relative comparisons were made between potential BRP zone uses and industrial uses. The BRP zone restricts outdoor storage and other more process-heavy uses that characterize standard industrial developments, in favor of more indoor labor-intensive and technical uses. This suggests the 2020 Plan crafters envisioned the BRP zone to hold the potential for "high-tech" employers that did not fit neatly into a purely industrial zone.

West Visalia Specific Plan Influence on the Plaza Dr./HWY 198 Location: As noted earlier, the WVSP influenced the allowed land uses and to a lesser degree the design criteria for the Plaza Dr./Hwy 198 area (Location 1) The WVSP identified this area as Subarea B, for highway commercial and professional office development. Design and development standards are contained in the WVSP. Of note, General Plan Policies

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|-------|---|
| 3.6.3 | <p>Develop a Business & Research Park Center zone district to accommodate large scale business and research activities in campus type master planned developments at five locations:</p> <ol style="list-style-type: none">1. Plaza Drive north of SH 198 in conjunction with limited, high quality highway commercial uses.2. West side of Ben Maddox between Center Street, Burke and Douglas in conjunction with a mixed use Specific Plan for the Ben Maddox corridor. Such specific plan shall include the area bounded by Center Street, Houston Avenue, Cain Street and Burke Street.3. Northeast and northwest corners of Ben Maddox and Tulare.4. State Highway 198 and east Parkway (McAuliff) intersection. (Reserve)5. East side of Shirk Road between Riggins Avenue and Goshen Avenue. <p>Locations for the Business & Research Park Center zone district shall be adjacent to existing industrial or service commercial land use designations and shall be adjacent to designated arterial and/or collector streets with adequate north/south and east/west circulation.</p> <p>The zone shall establish minimum lot sizes ranging from one acre to ten acres as may be appropriate for these selected areas each specific area and specify special landscaping and architectural standards.</p> |
|-------|---|

3.2.2 and 3.5.16 reference the WVSP in their references to desired highway commercial uses at this location:

- 3.2.2 Ensure high-quality highway commercial development at State Highway 198 and Plaza Drive in conjunction with a Business Research Park through enforcement of the West Visalia Specific Plan's design and development standards. These land uses shall be master planned and developed in conformity with the West Visalia Specific Plan.
- 3.5.16 Highway Commercial areas are to be designated at a limited number of highly visible freeway accessible locations for tourists' and travelers' uses. Limited, high quality highway commercial uses shall be integrated into the Business Research Park area at the Plaza/ SH 198 intersection.

Development in this area shall be in compliance with the goals, policies and development standards of the West Visalia Specific Plan to promote protection of the aesthetic qualities of the SH 198 scenic corridor and to ensure high-quality design.

First Elimination of a BRP Zone from the General Plan Map (1993): The North Ben Maddox Way corridor (Location 2 of Policy 3.6.3) was the first BRP zone area to be removed by the City Council when it approved the property owners' request (GPA 93-11G and CofZ 93-12) to change the 2020 Plan designation of BRP to Service Commercial zone (P-C-S). The justification for this change was the area could more likely fully develop under that zone and preserve a mix of office commercial uses than if it were to remain in the BRP zone.

Zoning Ordinance Provisions: The four remaining BRP areas on the 2020 Plan Land Use (General Plan) Map became BRP zone districts on the Citywide Zoning Map (the zoning map that was made consistent with the 2020 Plan Land Use Map), and the new zoning text (Article 29, Zoning Matrix, and Design District G) were instituted in August 1993 thru adoption of Ordinance 93-12 [see Exhibit 6 (extract of City-wide Amendment to Zoning Ordinance and Zoning Map)]. This effort constituted the implementation of the BRP zone envisioned in the 2020 Plan.

The provisions applicable to the BRP zone appear to have been non-controversial and otherwise routine, as evidenced by the record. The BRP zone text was adopted as recommended throughout the General Plan and City-wide zoning Ordinance and Zoning Map update processes, with the sole exception of adding subsection 7749.4.3 "The BRP should provide convenience/service amenities for employees within the BRP."

Article 29 was eventually renumbered as Chapter 17.24 of the current Zoning Ordinance (see Exhibit 7). There have been no subsequent amendments to the BRP zone text as it was originally adopted by the City Council in 1993.

Comparative Uses in the BRP Zone Versus Office, Industrial, and Highway Commercial Zones: A review of the Zoning Matrix (see Exhibit 9) shows that uses permitted or conditionally allowed in the BRP zone comprise a more broad range than what is found in other Office zones.

Office Uses and Sizes: Staff has not been able to find a substantive record of discussions of the comparative office use sizes and densities relative to Core Area (particularly downtown) office uses, just comparisons to the Nationwide facility on Mooney Blvd. Not allowing medical office uses in the BRP zone could be a way to

preserve the greater Downtown and the hospital master plan area for these uses. The major exception is that medical offices are not allowed in the BRP zone.

Industrial Uses: Industrial processes and industrial support businesses (printing small wholesale and warehousing, courier services, etc.), and non-pharmacy retail are allowed in the BRP zone, but not in the other Office zones. This may be due to the intent of the BRP zone to facilitate the provision of goods and services internally to more self-contained campus-style developments in the BRP zone description found in Policy 3.6.3.

Comparing BRP zone uses with light and heavy industrial zones, there is a distinct difference between BRP uses and traditional industrial/manufacturing uses. Particularly, uses that tend to generate impacts to areas beyond the site such as odors, noise, and visual impacts of outdoor assembly, loading, and storage are not allowed in the BRP zone. This distinction also stems from the purpose and intent statements in the General Plan and Zoning Ordinance that cites the BRP zone as a buffer between intensive industrial uses and less intense residential and business uses, including those uses that may be located in the BRP zone proper.

Highway Commercial Uses: Comparing BRP zone uses with Highway Commercial (P-C-H) zone uses, they share lodging and food service uses, but the C-H zone allows more recreational uses, as well as most medical office uses, where the BRP zone excludes these uses as a separate use.

Subsequent Reductions In the BRP-Zoned Land Inventory (1993-2006): As previously noted, the five original BRP-zoned lands totaled 655 acres, and were distributed in varied settings and contexts (see annotated Land Use Map, Exhibit 11). Also noted previously, the North Ben Maddox corridor (Policy 3.6.3 Location 2) was the first to be re-designated. Today, only the Plaza/Hwy 198 location remains in the City's BRP zone inventory, comprising 18 parcels totaling 120 net acres, as shown below:

The BRP zone changes on the other three BRP zone sites with the numerical locations keyed to the numbered locations in General Plan Policy 3.6.3 are summarized below:
lows:

Location 3 (Ben Maddox Way/Tulare Ave.): GPA 94-39 for property on the west side of Ben Maddox Way to C-S (Service Commercial) zone to facilitate auto dealerships. Approved by City Council April 19, 1995. GPA 2004-10 and CofZ 2004-09 (Acurso property) completed the change on the east side of Ben Maddox Way on May 17, 2004.

Location 4 (SH 198 at McAuliff intersection): GPA 2003-19/Annexation No. 2003-07 approved by the City Council on February 17, 2004, changing 75 acres from BRP and BRP Reserve to Low Density Residential.

Location 5 (East Side of Shirk Road, between Riggin Avenue and Goshen Avenue): GPA 2003-13/CofZ 2003-18/Annexation No. 2003-05 affecting the north portion of the 189 acres of BRP and BRP Reserve zoned land to Low density Residential and Service Commercial, generally from Riggin Ave. south to Doe Ave. This was approved by City Council on May 17, 2004. The remaining 48 acres in the southern portion of the BRP-zoned property was changed to a mix of Low Density Residential and Office Professional by approval of GPA 2004-31, CofZ 2004-32 and Conditional Zoning Agreement (Machado) approved by the City Council on November 7, 2005.

General Plan Land Use Element Text Amendment GPA 2003-19 (2004): The City Council approved the only text amendment to Policy 3.6.3 On February 17, 2004. The text amendment changed Policy 3.6.3 as follows:

3.6.3 Develop a Business & Research Park Center zone district to accommodate large-scale business and research activities in campus-type master planned developments ~~at five locations:~~

- ~~1. Plaza Drive north of SH 198 in conjunction with limited, high quality highway commercial uses.~~
- ~~2. West side of Ben Maddox between Center Street, Burke and Douglas in conjunction with a mixed use Specific Plan for the Ben Maddox corridor. Such specific plan shall include the area bounded by Center Street, Houston Avenue, Cain Street and Burke Street.~~
- ~~3. Northeast and northwest corners of Ben Maddox and Tulare.~~
- ~~4. State Highway 198 and east Parkway (McAuliff) intersection. (Reserve)~~
- ~~5. East side of Shirk Road between Riggan Avenue and Goshen Avenue.~~

Locations for the Business & Research Park Center zone district shall be adjacent to existing industrial or service commercial land use designations and shall be adjacent to designated arterial and/or collector streets with adequate north/south and east/west circulation.

The zone shall establish minimum lot sizes ranging from one acre to ten acres as may be appropriate for ~~these selected areas~~ **each specific area** and specify special landscaping and architectural standards.

The primary purpose of this text amendment was to eliminate location references to areas that had already been re-zoned from BRP to another land use designation over the preceding decade.

Policy 3.6.3 now applies exclusively to the Plaza Drive/Hwy 198 location (Location 1). It is noteworthy that no significant design or use criteria were added to the policy, thereby not establishing any City policy and future planning direction to the remaining BRP-zoned site.

Proposed Projects at the Plaza Dr./Hwy 198 BRP zone area:: The first project is the Orthopedic Associates: Proposal for a zone change, General Plan Amendment and development plan originally filed in August 2004, along with a Conditional Zoning Agreement (CZA) pending but not completed. No final action has been taken on the project and no recent activity has occurred to date.

Plaza Business Park: Proposed by Westland Development. The project comprises 29.4 acres generally on both sides of Plaza Drive, between Crowley and Hurley Avenues. The project includes a fully-entitled facility for Fresno Pacific University on three acres of the southeast corner of the site, and approximately 351,000 sq.ft. of uses including office, hotel, retail, restaurants and drive-thru fast food, and convenience store/gas station (see Exhibit 2). The Fresno Pacific University (FPU) component is part of the overall project area, but was fully entitled separately. The office component totals 12 buildings ranging from 7,500 sq.ft. to 20,000 sq.ft.

The Plaza Business Park project is also on hold pending outcome of the policy review and direction intended by the City Council's direction to conduct this Joint Work Session.

Other Related Actions:

Nationwide Call Center: This project is for a 161,000 sq.ft. single-user office building development. The 24-acre site is located at 5911 S. Mooney Blvd. The site is zoned P-A (Office Professional). The facility was permitted through Site Plan Review (SPR) 90-144, and built in 1991. The estimated employee count on which traffic impact fees were calculated was 391 employees. The operation there continued until 1999 when it relocated the Visalia operation to Portland Oregon, according to a newspaper article (see Exhibit 9a) which summarizes the business there.

Cigna Health Care Call Center: This facility was re-located from an existing facility at Chinowth St. and Hwy 198 into an expanded (180,000 sq.ft. building on 14.4 acres of City-owned land at the northwest corner of Akers St. and Tulare Ave. (former wastewater treatment plant). The site is zoned P-A (Office Professional). The negotiations were completed in 1999, and construction began immediately after that. Based on a newspaper account (see Exhibit 9b), the City's goal was to keep the business in the City, and the City-owned location provided the best negotiating leverage to effect the deal. No mention is made of possible City efforts to re-locate the operation to either the Plaza/Hwy198 or the north Shirk Rd. BRP-zoned lands that were still in the City's land use inventory at that time.

DISCUSSION:

Summary: Based on the research completed for this report, City staff concludes that the current General Plan and zoning provisions of the BRP zone are consistent with the decisions made during the 2020 Plan development.

There may still be significant unanswered policy interpretations that decision makers must resolve relative to development proposals in the today's context. A further discussion of these issues is presented below as they relate to the Plaza Business Park project, and to other projects that may be reviewed in the future.

Clarity of Key Terms and Concepts: There are several key terms and concepts that are presented as BRP zone policy or Code requirements, but which lack the clarity necessary to provide a clear, timeless, and common frame of reference for everyone concerned. Based on the most recent experiences with the Plaza Business Park and to a lesser extent, the Orthopedic Associates project, staff has identified four key terms and concepts that are candidates for revision for the purpose of clarity: These are:

- A) Differentiating the Terms -Specific Plans and "master plans";
- B) Identifying the precise contents and scope of Specific Plans and "master plans"
- C) Defining "large-scale" specifically in reference to offices; and

D) Re-consideration of Permitted and Conditionally Permitted land uses in the BRP Zone;

A. Differentiating the terms- Specific Plans and “master plans”: These terms are used interchangeably in the City’s BRP zone provisions, although they are not synonymous terms.

Specific Plans are defined in State Planning and Zoning Law, and in Chapter 12.04 of the Municipal Code. State law allows Specific Plans to carry the same regulatory weight as a city’s Zoning Ordinance.

Master Plans are not defined or formally recognized in State Planning law, nor are they defined in the City’s ordinances. The noun “master plan” is used in land use context means a physical document or product; or as a verb, meaning a process (master planned and planning). Consequently, the term is often misconstrued when used in the public discussion realm. **The result is uncertainty about both the form the project proposal should take, and about the binding relationship between the entitlement benefits being conferred on the project and the enforceability of the conditions and exactions required by the City in exchange for the project entitlements.**

Staff recommends that one or both terms be removed in their entirety from the applicable BRP zone General Plan Policies (3.6.3, and 3.2.2), and from Zoning Ordinance Chapter 17.24 [(Business Research Park Zone) (Exhibit 7 of this report)]: If the City Council determines that specific binding obligations and standards are warranted for a project in the BRP zone, then a Specific Plan should be required, and references to “master plans”, and its associated suffixes (planned, planning) should be removed. If the intent of a “master plan” is to provide a degree of latitude to the project proponent, the Specific Plan reference should be removed.

However, any key aspects of BRP zone projects for which the City desires certainty over latitude should be precisely incorporated as codified project requirements in Chapter 17.24.

B. Identifying the precise contents and scope of Specific Plans and “master plans”: In the case of the BRP zone (section 17.24.050 B.) a Specific Plan or a master plan is to include exterior elevation design, along with shared access, parking, common open space, and related amenities. It goes on to refer to “overall design of the BRP shall be compatible with existing and developing character of the neighborhood (sic)”.

Contents of Specific Plans and “master plans”: As noted in A., above, the Zoning Ordinance does not specify how these desired elements are to be incorporated into the project proposal, or to what standard (e.g. minimum building sizes, percentage of required landscaping, minimum/maximum parking ratios, access to adjacent (offsite) properties, etc.). **Staff recommends that if the City Council determines BRP zone projects require certain specific standards, codified performance standards must be referenced, even if the requirements are generally referenced elsewhere. This is particularly true with regard to “master plans” for the reasons noted above.**

Scope of project plan boundaries: Some elements of what could be considered “master planning” of the BRP area are already in place by virtue of the City’s existing area-wide plans. These include delineation of the BRP zone boundaries, the common design and use criteria already stated in the General Plan and Zoning Ordinance, and the backbone circulation plan that includes Plaza Drive, Crowley and Hurley Avenues. Additionally, the existing master plan of drainage includes the entire BRP zone area. It provides for a common detention basin near Neeley St. and Hwy 198.

Project proponents, including the Plaza Business Park applicants, contend that the “master plan” requirement has already been met because the City has already established several zoning standards and uses, and backbone circulation and infrastructure plans are already adopted for the area. Their responsibilities in this regard end at their project boundaries. Proponents of future projects offsite from the current project area must simply comply with the same City adopted plans and the eventual result is a cohesively integrated area comprised of several independent developments.

Staff recommends that projects be allowed to proceed individually, with the requirement that their project areas be comprehensively planned. Comprehensive, detailed area planning within project boundaries is always required. However, the practical difficulties of requiring “master planning” of areas outside of the applicant’s is recognized, although separate projects must be developed in a cohesive manner. Therefore, **Projects should be required to comply with all approved master plan criteria applicable to the BRP zone, including required street and adjacent project connection points, drainage plans, and other area plans already in place at the time of project submittal.**

C. Defining “large-scale” specifically in reference to offices: As noted previously, during the development of the 2020 Plan, the reference cited as an example of “large-scale” was the 161,000 sq.ft. Nationwide Insurance facility on Mooney Blvd. That facility sits on approximately 24 acres and employed over 400 office workers. It remains the City’s second largest non-medical office development (the Cigna building has a total 181,000 sq.ft. of office space). The facility is now home to the Tulare County Resource Management Agency. There have been no similar non-medical office development proposals in this size range since the Cigna project. By comparison, the average office building size Citywide is 2,000-7,000 sq.ft. Downtown area offices are smaller on average (1,000-6,000 sq.ft.).

The Plaza Business Park project proposes 12 office buildings totaling 233,000 sq.ft. The smallest building size proposed is 7,500 sq.ft. and the largest is 20,000 sq.ft. The applicant proposes that they be permitted to consolidate office space into fewer but larger buildings as a development right, but breaking up offices into smaller buildings would require amendments to their project approvals. Staff supports this concept.

No specific threshold for “large-scale” can be found in the City’s land use regulations, including office buildings. The Zoning Ordinance (Section 17-04.030) has only three definitions of “office” (“Office, “Office, main”, and “Office, temporary”), none of which quantifies size or employee occupancy. The American Planning Association (APA) Planners Dictionary (see Exhibit 10) has 15 definitions for “office”. However, there is no quantifying terminology to help define “large-scale”.

Comparisons and potential impacts of office developments on the Downtown and East Downtown areas have surfaced periodically in the consideration of the Plaza Business Park project. According to the East Downtown Strategic Plan document, office developments in this area are likely to be in the 2,000 to 7,000 sq.ft. range for offices without on-site parking, and 6,000 to 20,000 sq.ft. for offices with on-site parking. These building sizes are also consistent with typical building envelopes envisioned by form-based code criteria which limits single building sizes and uses to less than one city block in area and street frontage. This is so that a single building or use doesn't dominate the character and fabric of an urban street.

Staff concludes that consideration of a project's conformance with "large-scale" cannot be established by the current policies and Code texts. The determination is currently subject to the determination of the approving bodies (Planning Commission and City Council). However, a 10,000 sq.ft., two-story minimum office building size should be considered. This would appear to achieve a balance of marketability for the developer and the intent for office development in the BRP to be of a scale larger than what is already prevalent Citywide.

D. Re-consideration of Permitted and Conditionally Permitted land uses in the BRP Zone: Since Policy 3.6.3 has been revised to omit the specific locations, it may be appropriate to consider modifying the list of allowed uses for future projects in the BRP zone, if certain uses such as fast-food outlets, gasoline stations, or hotels are no longer to be considered appropriate in the BRP zone. **However, the uses proposed in the Plaza Business Park project should still be considered because the range of allowed uses in the BRP zone as contained in the Zoning Matrix (see Exhibit 8) are consistent with the original descriptions of purpose and intent of the BRP zone.**

RECOMMENDATION REGARDING PROCESSING OF THE PLAZA BUSINESS PARK PROJECT

Staff recommends that the Plaza Business Park project be allowed to proceed through the public hearing process. Review and evaluation of the proposed Plaza Business Park project has been determined by staff to be in conformance with the adopted Business Research Park General Plan policies and Zoning Ordinance text as they exist today. Staff concludes that it is in keeping with the City's permitting practices to evaluate the project using the currently adopted provisions. If changes to the BRP zone provisions are warranted, it is anticipated they would be applied uniformly to future projects, while the Plaza Business Park project will ultimately be evaluated on the discretionary judgment of the decisions makers.

Exhibits

- Exhibit 1 - Orthopedic Associates Project Information
- Exhibit 2 - Westland Development Project Information
- Exhibit 3 - Extract of West Visalia Specific Plan (WVSP), June 1988
- Exhibit 4 - 2020Plan Draft EIR Project Alternatives (1990)
- Exhibit 5 - 2020 Plan Archive Transcript Planning Commission PH 10-9-90

- Exhibit 6 - June 1988 CCSR, City-wide Zoning Ordinance and Map 9-28-93
- Exhibit 7 - Zoning Ordinance Chapter 17.24 (Business Research Park (BRP) Zone
- Exhibit 8 - Zoning Matrix Complete and Zoning Matrix Extract for BRP Zone
- Exhibit 9a- Valley Voice, 2-16-00, "Cigna Blossoms as Wausau Fades Away"
- Exhibit 9b- Valley Voice, 6-16-99, "Cigna Deal Nears"
- Exhibit 10- A Planner's Dictionary, Definitions- "Office"
- Exhibit 11- Land Use Map Annotated With Original Policy 3.6.3 Number Reference
- Exhibit 12- Aerial Photo BRP Zone, Location 1 (Plaza Dr./Hwy 198)