



CITY OF CLOVIS
MEMORANDUM

TO: Clovis Planning Commission

FROM: Department of Planning and Development Services

DATE: May 27, 1999

SUBJECT: GPA99-5, A request to amend the Clovis General Plan and Herndon-Shepherd Specific Plan to re-designate an approximately 168 acre project site designated from Low Density Residential, High Density Residential, and Park/Open Space to Mixed-Use, add Mixed Use Area 36 to the list of mixed use areas in the Clovis General Plan, and provide for a primary use of Research and Technology Business Park, a Secondary Use of 15% Commercial/Retail, and Special Uses of Hotels, Convention Center, and Open Space in Mixed Use Area 36. The project site is generally bounded by SR 168 on the south, Armstrong Avenue on the west, Nees Avenue on the north, and the Enterprise Canal on the east. City of Clovis, applicant.

Summary

At the direction of the City Council, staff is moving forward with the planning, marketing, and development of a Research and Technology Business Park in the southeast quadrant of the Herndon Shepherd Specific Plan. Approval of GPA99-5 is necessary to proceed with this economic development program. Approval of land use entitlements is also necessary to complete grant applications for funding infrastructure improvements.

To evaluate the potential environmental impacts of the Research and Technology Business Park Project, a draft Environmental Impact Report (DEIR) has been prepared (Exhibit "D"). This document evaluates potential project impacts on land use, air quality, traffic and circulation, visual resources, and public services. The Planning Commission may refer to this report in rendering an informed recommendation to the City Council.

Recommendation

Staff recommends approval of General Plan Amendment GPA99-5.

Background

The City Council, at its regular meeting of October 6, 1997, directed staff to prepare a special study to evaluate the potential of designating approximately 168 acres of land located generally north of the State Route 168 alignment, east and west of Temperance Avenue, to a Research and Technology Business Park. In order to explore this proposal, a planning and marketing consultant (Thomas Cooke Associates) was contracted to prepare a feasibility study. The intended purpose of the study was to obtain a detailed

analysis and recommendations from an independent expert experienced in development of high technology business park plans, and to examine the proposed business park and assess the probability of attracting high technology businesses to Clovis.

The study was also a necessary component in the marketing program that would be implemented to attract businesses and developers to the proposed park, and to give property owners assurance that a change in land use designation would increase the opportunity to sell their property. Staff and the consultants conducted public workshops with property owners and neighbors. In addition a survey was conducted to determine support for the project. The survey indicated that there is relatively strong support for the Research and Technology Business Park project.

At their regular meeting of August 3, 1998, the City Council directed staff to proceed with a four-track implementation effort recommended in the Clovis Research and Technology Business Park Feasibility Study (*the four tracks include: Securing Appropriate Development Entitlements, Developing a Marketing Program, Organizing an Ownership Participation Program, Developing a Financing Program*).

The first track in this implementation plan required the preparation of an Environmental Impact Report (EIR) and processing of a General Plan Amendment (GPA) to consider changing the land use designation of approximately 168 acres of land from Low and High Density Residential to Mixed Use. At the Council's direction, Staff contracted with Land Use Associates, an environmental and planning firm, to assist the City with the preparation of the EIR. Staff also prepared a City initiated General Plan Amendment (GPA99-5) for consideration of the necessary land use change.

The Proposed Research and Technology Business Park Project

To promote economic development and fiscal vitality and to create a stronger employment base, the City is moving forward with the planning and development of a Research and Technology Business Park in the southeast quadrant of the Herndon Shepherd Specific Plan. The project site is approximately 168 acres in size and is generally bounded by State Route 168 on the south, Armstrong Avenue on the west, Nees Avenue on the north, and the Enterprise Canal on the east. The basic objectives of the project are:

1. Provide accommodations for research and technology oriented uses, and actively promote such uses to broaden employment opportunities and strengthen the City's economic and fiscal base.
2. Work with property owners in the designated R&T Park area to facilitate consolidation of parcels and creation of development sites of sufficient size to accommodate the space needs of major research and technology-based firms.
3. Employ public investment in infrastructure as a catalyst to attract research and technology-based industries that will enhance the City's fiscal base.

The R&T Park would be developed in two phases with the first phase requiring 10 years for completion. At full development, the project site would contain approximately 2,442,420 square feet of research and technology uses on 148 acres, and approximately 348,500 square feet of hotel and retail use on approximately 20.0 acres. The retail uses would be secondary uses oriented along the freeway right-of-way only and not in the interior of the Business Park. There would be an estimated 4,520 employees.

General Plan Amendment GPA99-5

An amendment to the City's General Plan and Herndon-Shepherd Specific Plan is required to re-designate land inside the project site currently designated Low Density Residential, High Density Residential, and park/open space to Mixed Use. Approval of this action would create a new Mixed Use Area "36" to be added to the list of mixed use areas designated in Table 2-3 in the Clovis General Plan. The **Primary Use** of the area would be Research and Technology Business Park with a **Secondary Use** of Commercial/Retail (see Table One and the discussion below for a complete description of recommended amendment). The Herndon-Shepherd Specific Plan would also be amended to add this mixed-use area. Table One below illustrates the recommended Mixed Use Area 36 with descriptive information.

**TABLE ONE
RECOMMENDED MIXED USE AREA 36**

Area No.	Primary Use	Secondary Uses	Special Uses	Max. Height/Stories	FAR	Design Features and Comments
36	Research and Technology Business Park ¹	15% Commercial/Retail ²	Hotels, Convention Center, Open Space ³	5 ⁴	.35-.50	<ul style="list-style-type: none"> • Transit Orientation • Enterprise Canal Parkway • Buffer Adjacent Residential • Entry Treatment Opportunity • Special Development and Design Regulations

1. Administrative and research activities occupying office type space and the balance to testing, fabrication, assemblage and other production types of activities.
2. All commercial uses are ancillary to the research and technology uses. The retail uses are strictly secondary uses to be oriented along the freeway right-of-way only and not in the interior of the Business Park
3. The location of hotel, conference, and personal services will be concentrated generally at the freeway 168 and Temperance Avenue interchange.
4. Five Stories applies to motel or hotel uses only. Maximum height in the R/T Park is 35 feet

Explanation of Proposed Use Schedule

Primary Use - Research and Technology Business Park: This means that all 168 acres of the project area could be development with research and technology uses (refer to Exhibit "A" for a listing of proposed permitted uses).

Secondary Use – 15% Commercial/Retail: All commercial uses are ancillary to the research and technology uses. Retail, personal services, business services, and food services are permissible in the Business Park only if these uses serve park employees. As a rule, retail uses will be concentrated at the State Route 168 and Temperance Avenue interchange to serve the needs of both the primary park uses and motorists on State Route 168. Financial institutions and some food service operations (to serve the needs of employees only) may be located inside the Business Park.

Special Uses – Hotels, Convention Center, Open Space: Lodging and conference facilities will be ancillary to research and technology uses. The location of hotel, conference, and personal services will be concentrated generally at the freeway 168 and Temperance Avenue interchange. Open space/landscaping

will be provided as a linear greenbelt around the Business Park as an open space amenity, recreational facility and to buffer adjacent residential uses from the park structures and activities.

Maximum Height and Stories – 5 Story Max.: Uses in the Business Park will occupy either one-story spaces with interior heights of 18 feet or more, or one or two story offices with interior heights of 10 to 12 feet floor (see Exhibit “C”). Permissible building heights will be limited to approximately 35 feet. Heights up to 65 feet could be permitted for hotels to provide view rooms and identity from the freeway.

Floor Area Ratio - The average floor area ratio (FAR) for any single parcel should not normally exceed .35 to ensure development does not exceed the planned capacity of roads and other infrastructure serving the R&T Park. Exceptions, however, may be made if it can be demonstrated that additional floor areas will not adversely impact roadways and other infrastructure. In no event should the accumulative FAR of the R&T Park exceed .50.

Draft Environmental Impact Report

To evaluate the potential environmental impacts of the Research and Technology Business Park Project, a draft environmental impact report (DEIR) has been prepared. The public review period for the Draft Environmental Impact Report (DEIR) for this project started on April 21, 1999 and will end on June 7, 1999. The Planning Commission is considering the information provided in the DEIR as part of the public review process, and the Commission’s and public comments concerning the contents and conclusions of the DEIR will be included in the Final EIR.

An EIR is an informational document that provides information to public agency decision-makers and the public generally about the potential significant environmental effects of a project and identifies possible ways (mitigation measures) to minimize any potential significant effects.

Procedurally, a draft EIR is initially prepared and circulated; after the public review period ends, the final EIR is prepared. Usually the FEIR is a stand-alone document that provides “**Responses to Comments**” and any corrections or additions to the analysis identified during the public review period. The EIR is an important component in rendering an informed decision on a proposed project. In making a decision about a proposed project, the public agency considers the information in the Draft EIR and Final EIR along with other information, correspondence, public testimony, and comments from public agencies. The information in the EIR constitutes substantial evidence in the record to support the agency’s action on a project.

The Draft EIR for the Research and Technology Business Park Project was prepared according to CEQA Guidelines and circulated for public review. The DEIR has been submitted to the State Office of Planning and Research for distribution to state agencies such as Caltrans. Copies of the DEIR were also sent to local public agencies, such as Fresno County. The availability of the DEIR was noticed in the newspaper and posted at the County Clerk’s office. The public review period lasts for 45+ days. At the end of the public review period, the consultant, in conjunction with City staff, will prepare the Final EIR which includes response to comments, corrections, and clarification to the DEIR text, responses to oral comments made at this meeting, and a summary of impacts and mitigation measures, and a Mitigation Reporting and Monitoring Program.

The Commissioners have a copy of the Draft EIR for this project. This document focuses on land use, air quality, traffic and circulation, visual resources, and public services. Other environmental topics, such as impacts to agricultural lands, have been examined in the EIRs prepared for the Herndon Shepherd Specific Plan and the 1993 Clovis General Plan and do not need to be revisited in this document.

Should the Planning Commission find that the DEIR provides adequate analysis of the pertinent environmental issues associated with this project, a recommendation to the City Council for Certification may be included in the Resolution approved for the third General Plan Amendment Cycle (as part of the action taken concerning GPA99-5).

Procedurally, prior to approving GPA99-5 the City Council will consider the information provided in the environmental impact report and determine if the EIR is adequate and can be “certified”. Certification may take place if the final EIR has been completed in compliance with CEQA and the report has been reviewed and information considered prior to making a recommendation on the project. Certification of the EIR does not constitute approval of the project by the decision making body.

The EIR analysis concluded that the Research and Technology Business Park Project would have the potential to generate significant impacts on regional air quality. Although the EIR identified this potential significant, unavoidable impact to the environment that could result from approval of this project, CEQA allows projects to go forward if written **findings** for each significant effect are made and a **Statement of Overriding Considerations** is adopted by the City Council. The Statement of Overriding Considerations may be adopted when the decision making body determines that the benefits of the proposed project outweigh the unavoidable adverse environmental effects and that these effects may be considered acceptable. Staff will provide a Statement of Findings and Facts and a Statement of Overriding Considerations for the City Council’s consideration at the June 21, 1999 meeting.

Reasons for Recommendation

Approval of GPA99-5 is necessary to proceed with planning, marketing, and development of a Research and Technology Business Park. Approval of land use entitlements is necessary to complete grant applications for funding infrastructure improvements for the R/T Park.

General Information

Existing Land Uses:	Vacant, Rural Residential, and Agricultural
General Plan Designation:	Low Density, High Density, and Open Space

Notice of Hearings

Property owners within 600 feet notified:	291
Interested individuals notified:	9

CEQA

An Environmental Impact Report has been prepared for this project, per the *California Environmental Quality Act*.

Prepared by: Michael Waiczis, AICP, Associate Planner

Reviewed by:  For DK
Dwight Kroll, AICP, City Planner

EXHIBIT "A"
Research and Technology Business Park
Tentative Listing of Permitted Uses

1. Permitted Uses (tentative listing)

The following uses are typical of the kinds of permitted uses that will be allowed in the Research and Technology Business Park. This listing is not all-inclusive. Other uses may be considered as the Planning Commission may deem to be similar and not obnoxious or detrimental to the public health, safety, and welfare.

- A. Laboratories, offices, and related facilities to accomplish research, development, testing and evaluation functions. These uses include the production and assembly of prototype products, pilot plants and maintenance facilities. The following uses may also be included: manufacturing, assembling, repair and service of electronic and fiber optic equipment, telecommunications, data processing equipment, medical, pharmaceutical, and aeronautic equipment;
- B. Administrative and professional offices including, but not limited to, engineering, planning and surveying facilities, corporate headquarters offices, regional sales and administrative offices, educational and technical training facilities, and professional offices;
- C. Incidental and ancillary uses which support the principal permitted uses.
- D. Professional services and retail uses in support of primary permitted uses including, but not limited to, eating establishments, banks and savings and loans, venture capital corporations, retail uses, hotels, motels, and day care centers;
- E. Open space and recreational uses;
- F. Utility and infrastructure support uses including roads, public facilities and institutional uses;
- G. Assembly of small electrical and electronic equipment, communications equipment buildings, electric distribution and transmission substations, electrical supply houses, microwave relay structures;
- H. Uses permitted in the M-P Industrial Park District Zone District as follows: chemical and physical science office and laboratories, engineering and cartographic offices and laboratories, manufacturing, assembling, and packaging of electronic equipment, instruments, and devices, manufacturing, assembling, and packaging of pharmaceuticals, professional, financial, and administrative offices, research offices and laboratories, testing offices and laboratories.

EXHIBIT “B”
Characteristics of the Research and Technology Business Park

1. The buildings will be low profile (one and two stories) and designed to fit the function for which they are constructed in lieu of larger warehouse-type construction.
2. A large percentage of buildings will be dedicated to office, reception, and technical development as opposed to processing, storage, and warehousing functions.
3. Business dedicated to information processing, and, as such, requiring facilities that serve special needs for parking, restrooms, security, etc., not otherwise found in traditional large commercial, office and/or industrial settings.
4. Buildings that will be sited in a manner that provides for larger landscaped areas in front and around the structures.
5. Business activities that take place inside buildings and truck activity that is limited and restricted away from sensitive uses.
6. No outside storage of materials and parts.
7. Buildings that are equipped with fiber optics and telecommunications equipment.

EXHIBIT "C"
Preliminary Development Standards
(Recommended Mitigation Measures)

The following general guidelines are recommended for the R&T Park to be refined within subsequent development guidelines and the conditions of approval of future entitlements. Precise requirements will be imposed during zoning and/or site plan review stages with approval of a specific development plan.

1. ***Building Setbacks.*** A minimum distance of approximately 200 feet should be maintained between R&T structures and existing residences. This distance can be decreased if it can be demonstrated there will be no adverse visual or acoustic impacts on neighborhood residences.
2. ***Building Heights.*** It is anticipated that most R&T uses will occupy either one-story spaces with interior heights of 18 feet or more, or one or two-story offices with interior heights of 10 to 12 feet per floor. Permissible building heights should therefore be limited to approximately 35 feet. Greater heights could be conditionally permitted with findings that the increased heights will not adversely affect nearby residences or other R&T Park tenants. For example, greater latitude can be provided sites east of Temperance Avenue that are more distant from existing residences. In such areas, tenants with more extensive office space needs could be allowed to consolidate such operations in 3-5 story buildings. Heights of up to 65 feet could be permitted for hotels to provide view rooms and identity from SR 168.
3. ***Service and Outdoor Storage Areas.*** Exterior areas will be required for truck service operations, outdoor storage, and mechanical equipment. These outdoor operations should be well concealed from view of the public and adjoining land uses. Outdoor areas for truck operations should be located to avoid adverse noise, visual, and illumination impacts on nearby residences. Concealment and screening should be accomplished by use of any of the following:
 - buildings enveloping the outdoor service areas thereby providing for concealment of such areas;
 - perimeter 6-10 feet high walls architecturally coordinated with the primary buildings and site landscaping; or
 - screening by use of dense vegetative hedges, usually combined with walls or fences.
4. As needed, additional measures limiting the time of operations will be required as conditions of approval for individual projects incorporated in covenants and restrictions. (For example, trucking operations could be limited to the hours of 7 am to 9 pm in those portions of the site where neighboring residences would potentially subjected to undesirable noise levels during the more sensitive evening and early morning hours.)

5. ***Parking.*** Parking areas shall be well landscaped with trees provided along the perimeter and interior of multi-aisle parking areas such that the trees form an overhead canopy providing sun and rain protection for the majority of the parking spaces. Parking areas adjoining public rights-of-way should be set back a minimum of 15 feet from the right-of-way and the setback areas landscaped to partially screen the parked vehicles. The landscaping should be coordinated with street landscaping to achieve an attractive, unified landscape appearance.

6. ***Signage.*** Consistent with the City's existing sign regulations, an integrated signage program shall be prepared for each development parcel. The signage program shall be provide for the following signage easily identifying: (1) the facilities and major public entrances from major roadways; (2) identification of individual building names or numbers upon arrival within the site; (3) directory signs identifying the location of major tenants or facilities, and (4) directional signage for parking and vehicular and pedestrian circulation. Signs shall be designed to be easily legible and well-coordinated with the landscape and building design of R&T facilities.

Level of Significance Following Mitigation

With implementation of the setback, buffering, building height, screening, parking and signage proposals of the R&T Park plan, potential visual impacts will be reduced to a less than significant level.