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Wal-Mart still shy of finish line: City Council certifies EIR, but balks at expansion unless conditions are met

By TONI SCOTT - Staff Writer

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CHICO -- Though Wal-Mart cleared one hurdle Tuesday night, it was not enough to bring them across the finish line.

In the third meeting before the Chico City Council regarding Wal-Mart's proposed 82,500-square-foot expansion, the council certified the project's necessary Environmental Impact Report, but later denied the project when it determined the benefits of an expansion do not outweigh the costs posed to the city of Chico.

The meeting was a continuance of two previous council meetings, where councilors heard testimony from city staff, Wal-Mart officials, members of the expansion opposition group Chico Advocates for a Responsible Economy and the public.

With the public hearing closed at the conclusion of the Sept. 22 meeting, the council's main directive Tuesday night was to deliberate and decide whether to uphold the appeal of the Planning Commission's 5-2 denial of the EIR on Aug 20.

The council overturned the commission's decision, voting 5-2 to certify the EIR, with Councilor Andy Holcombe and Vice Mayor Tom Nickell dissenting.

But while the majority of the council agreed the EIR adequately addressed the environmental impacts of the project, councilors did not share the same sentiments on the statement of overriding circumstances — the findings that the overall benefits of the project outweigh the environmental

impacts.

Due to the EIR's determination that some impacts of the project were "significant and unavoidable," the council was required to approve a statement of overriding considerations in order for the project to move forward.

A motion to approve the statement failed by a 2-5 vote, with Councilors Larry Wahl and Jim Walker in favor. A subsequent motion to approve the project's parcel map also failed by the same vote.

Arguing against the statement of overriding circumstances, Councilor Scott Gruendl said the document contained "holes." He said Wal-Mart only met the minimal requirements in reconciling the environmental impacts the project poses.

"There are things we can minimally require," Gruendl said. "But there are examples out there of other retail projects that stepped up above the minimum ... there are other opportunities for Wal-Mart to step up to the plate."

Although Gruendl withdrew his motion of intent outlying the standards he would like to see Wal-Mart meet, he did identify a number of terms, that if met, would make him more amenable to approving the expansion.

Among the terms listed was a desire to see Wal-Mart contribute \$1 million to help the city change out older woodstoves for low-income residents. He said he would like Wal-Mart to give hiring priority to employees of discount grocery stores should the stores go out of business due to Wal-Mart's expansion.

In addition, Gruendl said Wal-Mart should also make a stronger effort to improve the traffic situation at Business Lane and East 20th Street, where city

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staff have indicated an additional eight second delay could occur on Saturdays at peak shopping hours should the expansion occur.

The roadway is owned by the Chico Mall and is considered private property, with the city having little jurisdiction over its maintenance.

The council, for the most part, seemed agreeable to Gruendl's requests, with Mayor Ann Schwab adding that she would be more apt to approve the expansion if a solar array was included as part of the project.

Nickell noted Wal-Mart should hire only local contractors on the project.

Wahl said the additional requirements the council "dictated" to Wal-Mart were unreasonable and maintained the council's decision was detrimental to Chico's business climate.

"If we bleed these guys dry, the Golden Goose dies and who else would want to come here," Wahl said.

Ultimately, however, the council determined Wal-Mart and city staff should redraft a statement of overriding circumstances, taking into account the council's suggestions.

The council voted 7-0 to send the matter back to city staff who were charged with establishing greater project benefits with Wal-Mart officials.

Angie Stoner, Wal-Mart spokeswoman, said store officials were "obviously disappointed" with the council's decision, saying Wal-Mart has continually worked with city staff to go "above and beyond" required standards to mitigate the environmental impacts of the project.

Still, Stoner said Wal-Mart will entertain further

discussions with city staff, adding the store will "consider all options" as it proceeds forward.

The results of city staff's discussions with Wal-Mart will come back before the City Council Nov. 10.

Staff writer Toni Scott can be reached at 896-7767 or tscott@chicoer.com.

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