



CITY OF CHICO MEMORANDUM

TO: Map Advisory Committee (Mtg. 01/12/2023) DATE: December 14, 2022
FROM: Mike Sawley, Principal Planner (879-6811) FILES: EXT 22-05, PM 15-02
AR 15-16, UP 15-10, UP 15-12
SUBJECT: Chico Walmart Expansion Project - Extension of Time Request
2044 Forest Avenue; AP Nos. 002-370-057, 002-370-055, and 002-170-004

REQUEST

The applicant submitted a request on 08/29/2022 for an extension of time in which to file final maps for the Chico Walmart Expansion Project (PM 15-02), and related design review and use permit entitlements (AR 15-16, UP 15-10 and UP 15-12). Located at 2044 Forest Avenue in Chico, the site is designated Regional Commercial and zoned CR (Regional Commercial).

BACKGROUND AND ANALYSIS

The subject site is approximately 27 acres located on the west side of Forest Avenue, between Baney Lane and Wittmeier Drive in Southeast Chico (see Location Map, **Attachment A**, and Parcel Map, **Attachment B**). The parcel map and related applications for design review and two use permits were approved by the City Council on 11/15/2016. On 12/15/2016, one month into the initial 36-month approval period, a lawsuit challenging the City's approval of the entitlements was filed, resulting in a stay of time during the litigation. The stay remained in effect until 12/30/2019, when the Third District Court of Appeal ended the litigation. Counting the initial month that ran against the entitlement expiration period in 2016, the end of litigation resulted in an expiration date of 11/30/2022.

On 03/25/2020, the City Council declared a local emergency due to the outbreak of COVID-19 and authorized the City Manager to act as the City's Director of Emergency Services. The City's Director of Emergency Services then issued City Executive Order 2020-001, which extended all planning entitlements by 180 days if the entitlement would have expired during the emergency or within 180 days thereafter. The City Council declared an end to the COVID-19 local emergency, effective 12/01/2022. Since the previous expiration date occurred during the COVID-19 emergency the subject parcel map and related approvals were extended by City EO 2020-001 and are now set to expire on 05/30/2023.

The applicant has requested approval of an additional three years of the time to file final maps pursuant to Subdivision Map Act (SMA) Section 66452.6(e), which would allow one or more extensions not to exceed a total of six years. The letter specifically cites challenges associated with relocating the high-voltage overhead power lines as contributing to project delays. Staff typically recommends discretionary extensions for tentative maps in three-year increments, however, due to the need to relocate overhead power lines and other existing utilities staff recommends approving a six-year extension.

The Chico Walmart Expansion Project was previously analyzed under an Environmental Impact Report (EIR), which was certified by the Chico City Council on 11/15/2016 (State Clearinghouse #2015102017). No changes to the project are proposed as part of this extension request, and no further environmental review is required pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162 (Subsequent EIRs and Negative Declarations).

RECOMMENDATION

Staff recommends that the Committee: (1) determine that the project was previously analyzed in the Chico Walmart Expansion Project EIR and that no further environmental review is required pursuant to Section

Map Advisory Committee Agenda Report
January 12, 2023
Chico Walmart Expansion Project - Extension of Time Request

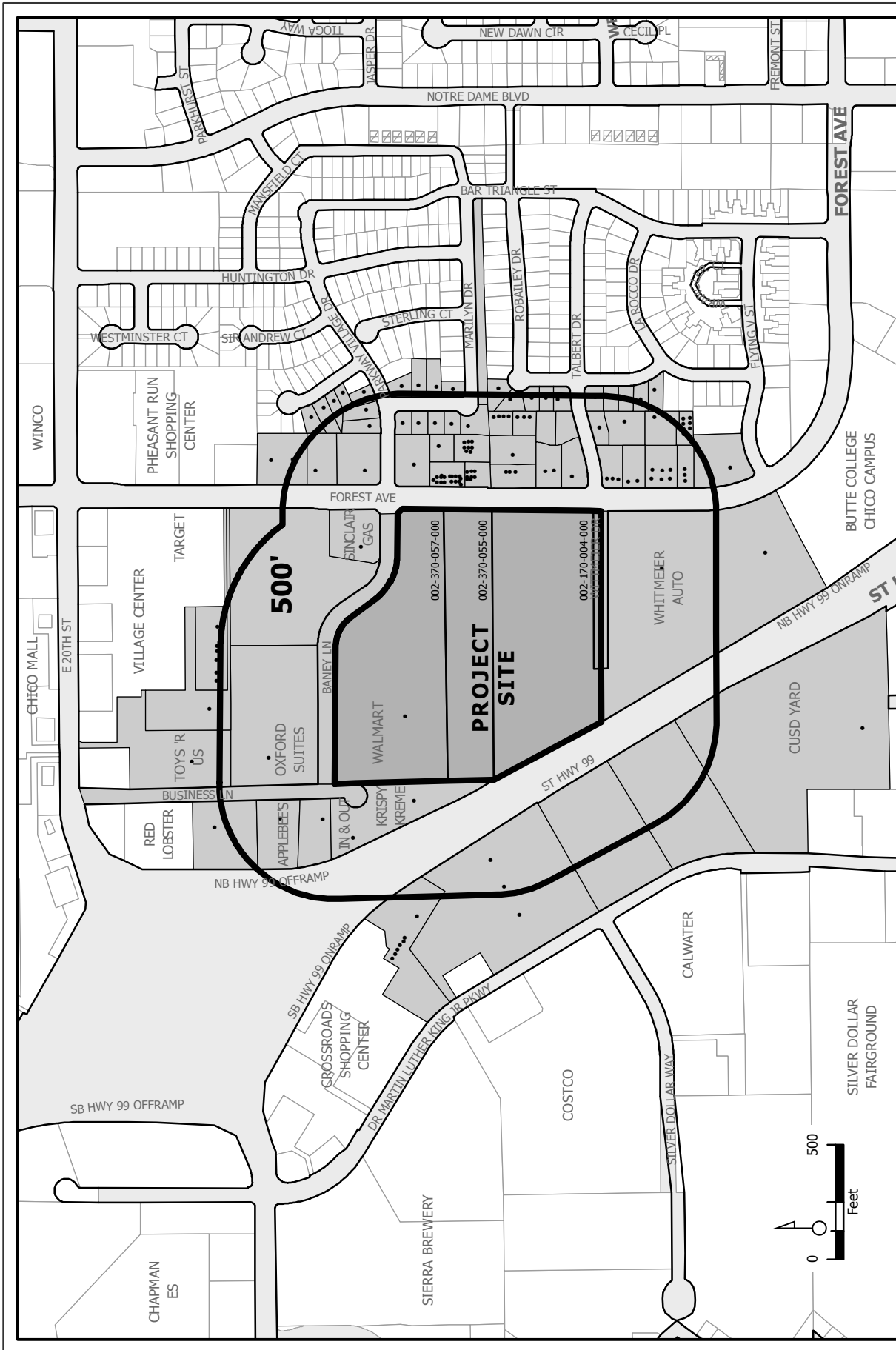
15162 of the CEQA Guidelines; and (2) approve an extension of time to file final maps of six years (until 05/30/2029).

ATTACHMENTS

- A. Location Map
- B. Parcel Map 15-02
- C. Letter Requesting Extension from Tiffany Wilson

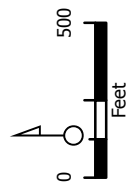
DISTRIBUTION

cc: Tiffany Wilson: T.Wilson@rsc-engr.com
Jai Singh: J.Singh@rsc-engr.com
Matthew Nelson: MNelson@fennemorelaw.com
Scott Greear: Scott.Greear@walmart.com
Scott Saifi: scott.saifi@walmart.com
Project File: S 15-02, AR 15-16, UP 15-10, UP 15-12



- Notified Addresses
- ◻ Notified Parcels

Chico Wal-Mart Expansion Project
 2044 Forest Avenue
 APNs 002-170-004-000, 002-370-055-000, 002-370-057-000

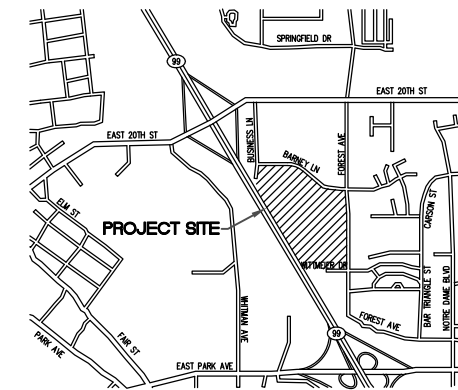


PARCEL 1 OWNER
 WALMART REAL ESTATE BUSINESS TRUST
 2001 S.E. 10TH STREET
 BENTONVILLE, AR 72716-5510

PARCEL 2 OWNER
 WALMART STORES, INC.
 2001 S.E. 10TH STREET
 BENTONVILLE, AR 72716-5510

APPLICANT/ENGINEER
 RSC ENGINEERING, INC.
 2250 DOUGLAS BLVD.
 SUITE 150
 ROSEVILLE, CA 95661
 (916)788-2884
 ATTN: RICK CHAVEZ

LANDSCAPE ARCHITECT
 YAMASAKI LANDSCAPE ARCHITECTURE
 1223 HIGH STREET
 AUBURN, CA 95603



VICINITY MAP

PROJECT INFORMATION:

APNS
 002-370-055 & 057; 002-170-004

EXISTING ACREAGE

PARCEL 1	16.46 AC
PARCEL 2	10.62 AC
TOTAL	27.08 AC

PROPOSED ACREAGE

PARCEL 1	21.88 AC
PARCEL 2	2.63 AC
PARCEL 3	2.57 AC
TOTAL	27.08 AC

AVERAGE SIZE OF PARCELS 2 & 3: 2.60 AC
 (3 PARCELS TOTAL)

GENERAL PLAN/ZONING
 RC/CR (REGIONAL COMMERCIAL)

EXISTING USE
 WALMART, VACANT LAND

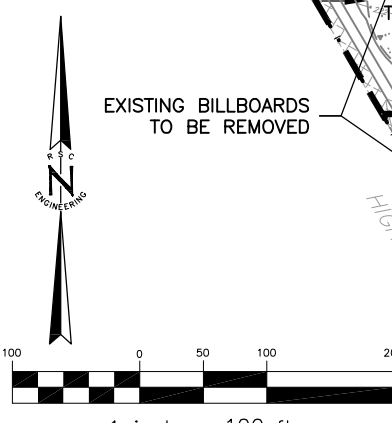
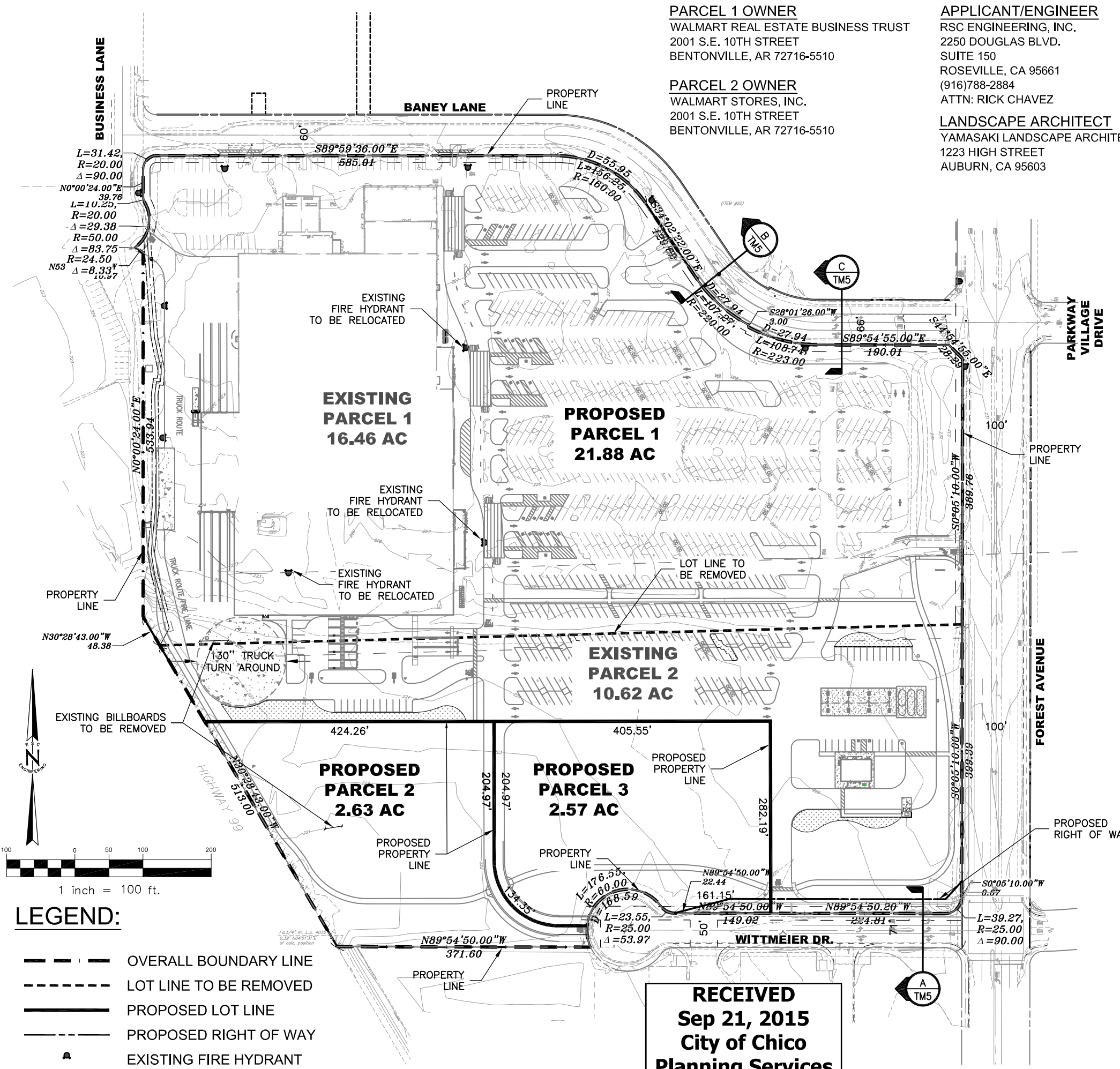
PROPOSED USE
 WALMART, FUEL STATION, FUTURE RETAIL

SERVICE PROVIDERS

SEWER	CITY OF CHICO
STORM DRAIN	CITY OF CHICO
WATER	CALIFORNIA WATER SERVICE COMPANY
POWER	PG&E
TELEPHONE	AT&T
CABLE TV	COMCAST

NOTES

1. PRIVATE CROSS ACCESS AGREEMENT WILL BE PREPARED BETWEEN PARCELS 1, 2 & AND 3.
2. NO EXISTING WELLS, ABANDONED WELLS OR SUMPS ARE KNOWN.
3. EXISTING STRUCTURE TO REMAIN.
4. MAP BASED ON ALTA SURVEY BY CSI ENGINEERING & ASSOCIATES DATED 5-16-2007.
5. THE SITE DEVELOPMENT PLANS WILL INCLUDE STORM WATER DRAINAGE PLANS, WHICH WILL BE DESIGNED IN ACCORDANCE WITH THE CITY OF CHICO'S DRAINAGE CRITERIA.
6. THE SITE DEVELOPMENT PLANS WILL INCLUDE EROSION AND SEDIMENT CONTROL PLANS, WHICH WILL BE PREPARED IN CONFORMANCE WITH THE REQUIREMENTS OF THE CITY OF CHICO AND CONSTRUCTION GENERAL PERMIT.
7. NO SEPTIC TANKS OR LEACH FIELDS EXIST ON THIS PROPERTY
8. PROPERTY IS NOT LOCATED IN A FLOOD PLAIN.



LEGEND:

	OVERALL BOUNDARY LINE
	LOT LINE TO BE REMOVED
	PROPOSED LOT LINE
	PROPOSED RIGHT OF WAY
	EXISTING FIRE HYDRANT

RECEIVED
 Sep 21, 2015
 City of Chico
 Planning Services

Walmart

DATE	
BY	
ENG. NO.	
DESCRIPTION	
REV. NO.	

REGISTERED PROFESSIONAL ENGINEER
 RICHARD S. CHAVEZ
 No. 29033
 Mar. 31, 2017
 C/V I/L
 STATE OF CALIFORNIA

RSC ENGINEERING
 2250 Douglas Blvd, Suite 150
 Roseville, CA 95661
 Ph: 916.788.2884 Fax: 916.788.4408

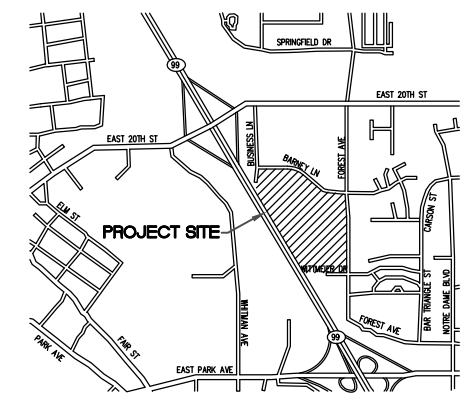
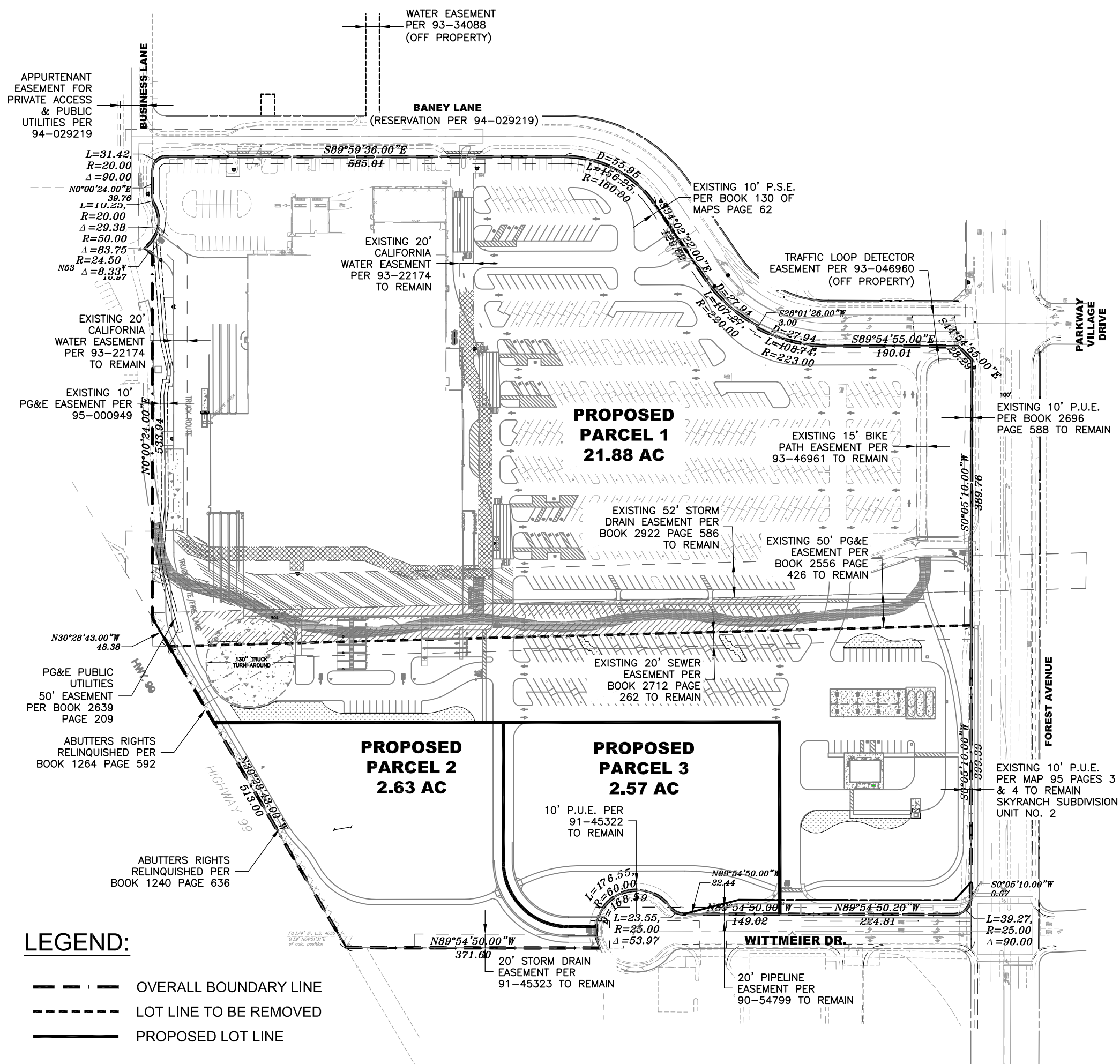
PROJECT NO: 027-046
 DRAWN BY: RSC Eng
 CHECKED BY: RSC Eng
 DESIGNED BY: RSC Eng

PM 15-02
VESTING TENTATIVE MAP
 2044 FOREST AVENUE
 CHICO, CA 95928

SHEET TITLE
TENTATIVE MAP

SHEET NO.
TM1

Attachment B



VICINITY MAP

LEGEND:

- PORTION OF 50' PG&E EASEMENT TO BE ABANDONED
- PORTION OF 15' BIKE EASEMENT TO BE ABANDONED
- PORTION OF 52' STORM DRAIN EASEMENT TO BE ABANDONED
- PORTION OF 20' SEWER EASEMENT TO BE ABANDONED
- PORTION OF 20' WATER EASEMENT TO BE ABANDONED

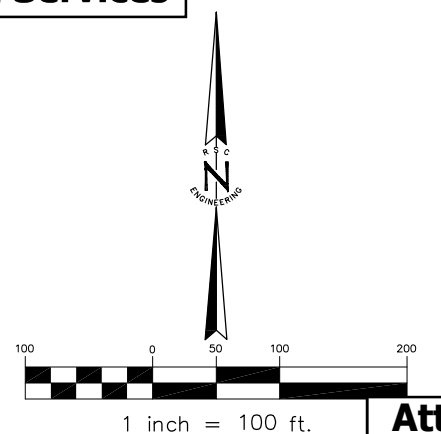
NOTES

1. BOOK 2987 PAGE 575 AGREEMENT PROVIDING FOR THE CONSTRUCTION OF UNDERGROUND STORM DRAIN FACILITIES WITHIN PUBLIC STORM DRAIN EASEMENT (NOT A PLOTTABLE EASEMENT).
2. INSTRUMENT NUMBER 91-17693 COVENANT TO PROVIDE SECONDARY ACCESS (NOT A PLOTTABLE EASEMENT).

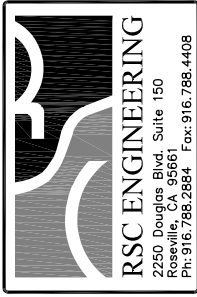
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LEGEND:

- OVERALL BOUNDARY LINE
- LOT LINE TO BE REMOVED
- PROPOSED LOT LINE



REV	DATE	DESCRIPTION

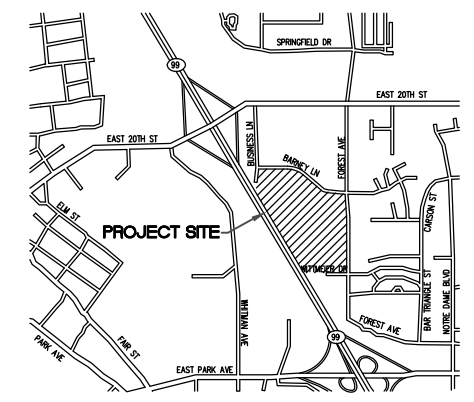
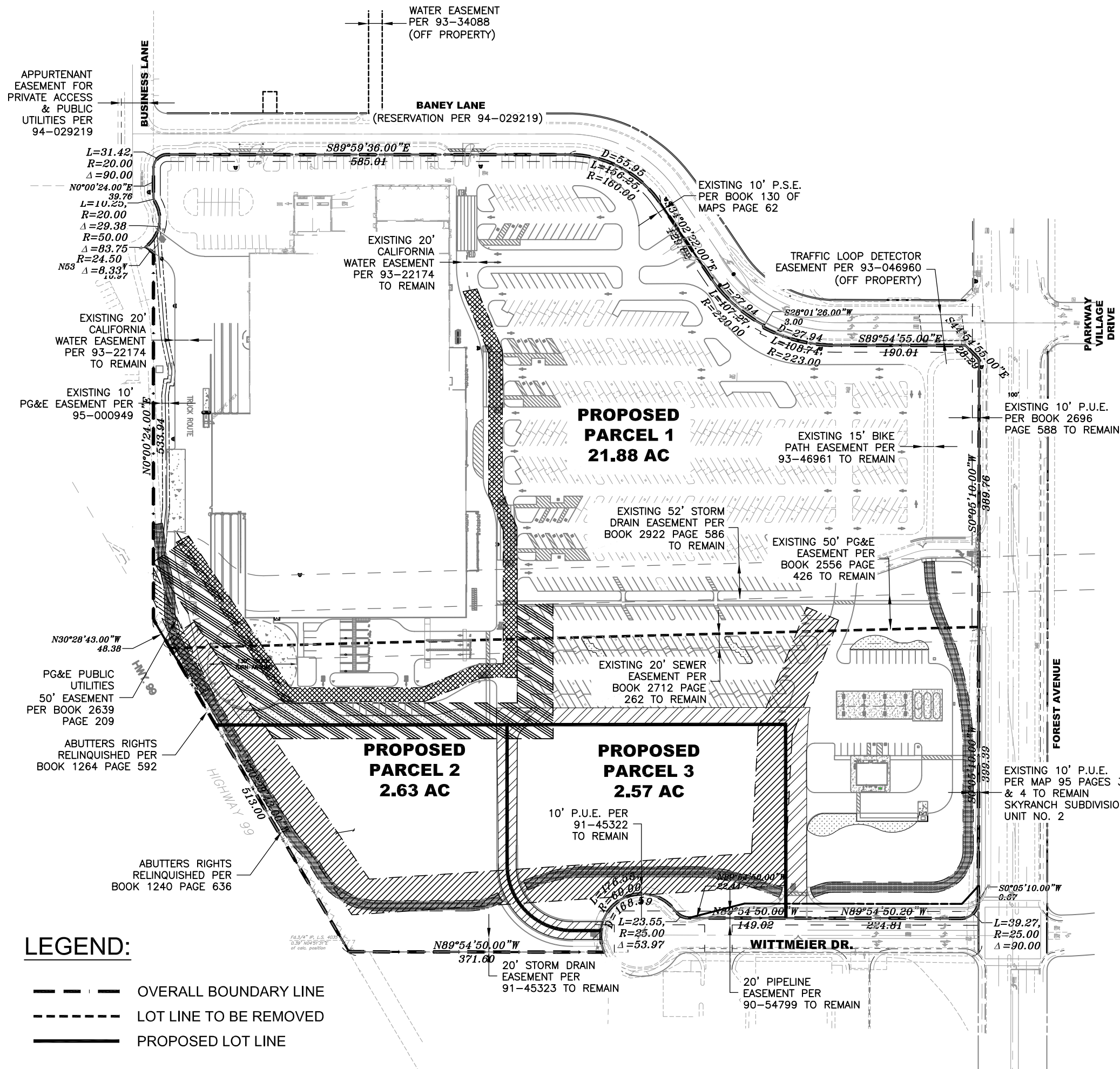


PROJECT NO:	027-046
DRAWN BY:	RSC Eng
CHECKED BY:	RSC Eng
DESIGNED BY:	RSC Eng

PM 15-02
VESTING TENTATIVE MAP
 2044 FOREST AVENUE
CHICO, CA 95928






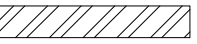
SHEET TITLE
TENTATIVE MAP

SHEET NO.
TM2






VICINITY MAP

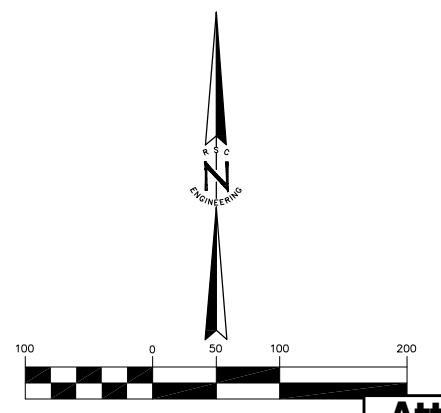
LEGEND:

-  PROPOSED 50' PG&E EASEMENT
-  PROPOSED 15' BIKE EASEMENT
-  PROPOSED 52' STORM DRAIN EASEMENT
-  PROPOSED 20' SEWER EASEMENT
-  PROPOSED 20' WATER EASEMENT
-  PROPOSED ACCESS EASEMENT (WIDTH VARIES)

LEGEND:

-  OVERALL BOUNDARY LINE
-  LOT LINE TO BE REMOVED
-  PROPOSED LOT LINE

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Planning Services



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RSC ENGINEERING
 2250 Douglas Blvd, Suite 150
 Roseville, CA 95661
 Ph: 916.788.2884 Fax: 916.788.4408

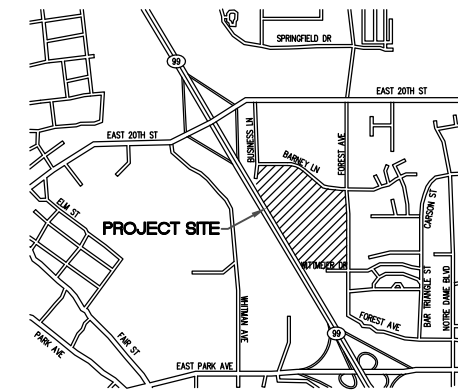
PROJECT NO:	027-046
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DESIGNED BY:	RSC Eng

PM 15-02
VESTING TENTATIVE MAP
 2044 FOREST AVENUE
 CHICO, CA 95928

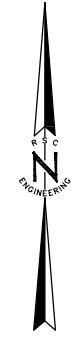
SHEET TITLE
TENTATIVE MAP

SHEET NO.
TM3

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Planning Services



VICINITY MAP

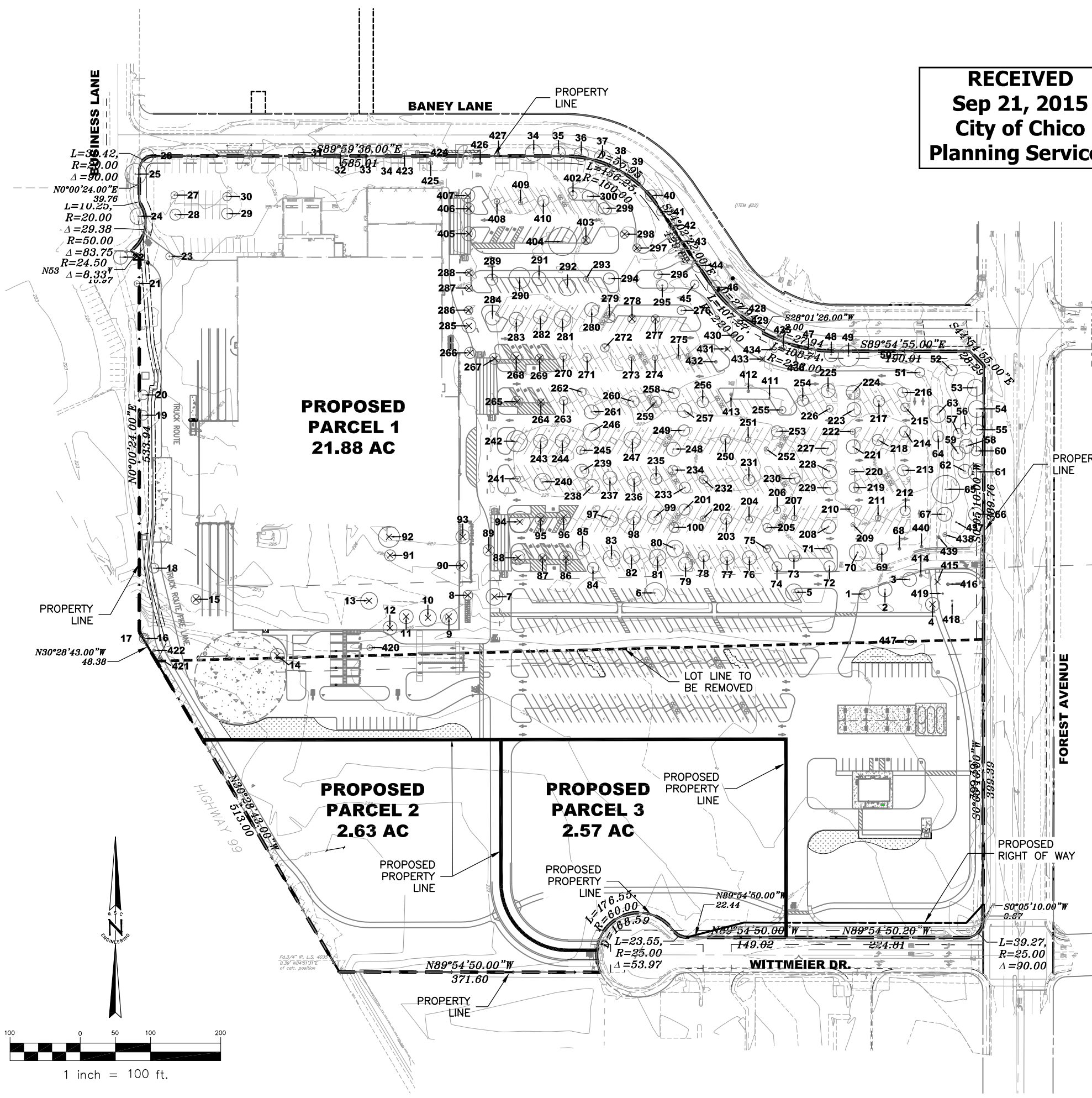


LEGEND:

- LOT LINE TO BE REMOVED
- PROPOSED LOT LINE
- PROPOSED RIGHT OF WAY
- EXISTING TREE
- EXISTING TREE NUMBER
(REFER TO APPENDIX A - TREE INVENTORY BY
FOOTHILL ASSOCIATES, DATED AUG. 19, 2015)
- INDICATES EXISTING TREE
TO BE REMOVED*

* A TOTAL OF 42 TREES TO BE REMOVED ARE AS FOLLOWS:

Tree #	Species	# of Trunks	DBH (Inches)	Drip-line Radius (Feet)	Height (Feet)	Health	Structure
4	Chinese pistache	10	2.2,2.2,2.2,2.2,2.2	10	15	Good	Fair-Good
7	Honey locust	1	8	12	15	Good	Good
8	Honey locust	1	4	7	10	Good	Good
9	London planetree	1	9	12	20	Fair-Good	Good
10	London planetree	1	8	12	25	Fair-Good	Fair-Good
11	London planetree	1	6	10	15	Fair-Good	Good
12	London planetree	1	8	10	20	Fair	Fair-Good
13	Cork oak	1	13	12	20	Fair-Good	Fair-Good
14	Pecan	1	12	8	12	Good	Fair
15	Atlas cecar	1	8	7	10	Good	Fair-Good
86	Honey locust	1	9	10	15	Good	Fair-Good
87	Honey locust	1	5	6	10	Fair-Good	Fair-Good
88	Honey locust	1	8	10	12	Good	Fair-Good
89	Honey locust	1	7	8	12	Good	Fair-Good
90	Honey locust	1	9	8	12	Good	Good
91	Honey locust	1	5	8	12	Good	Good
92	Chinese pistache	1	11	15	25	Good	Good
93	Honey locust	1	10	10	15	Fair-Good	Fair-Good
94	London planetree	1	14	15	25	Good	Good
95	London planetree	1	6	8	12	Good	Good
96	London planetree	1	10	10	20	Good	Good
264	Honey locust	1	6	5	15	Good	Fair-Good
265	London planetree	1	7	8	15	Good	Fair-Good
266	Honey locust	1	7	8	20	Good	Fair-Good
267	London planetree	1	9	8	25	Good	Good
268	Honey locust	1	5	8	10	Good	Fair-Good
269	Honey locust	1	9	6	15	Good	Fair-Good
277	London planetree	1	6	6	12	Good	Good
278	London planetree	1	7	6	15	Fair-Good	Good
285	Honey locust	1	0	10	12	Good	Fair-Good
286	Honey locust	1	4	6	12	Good	Fair-Good
287	Honey locust	1	4	5	12	Good	Fair-Good
288	Honey locust	1	5	5	12	Good	Fair-Good
297	Cork oak	1	7	6	15	Good	Good
298	Cork oak	1	7	6	15	Good	Good
403	London planetree	1	6	6	15	Good	Good
405	Honey locust	1	6	10	12	Good	Fair-Good
406	Honey locust	1	5	8	8	Good	Fair
407	Honey locust	1	5	10	10	Good	Fair-Good
415	Crape myrtle	3	1 to 2	1	5	Good	Fair-Good
431	Crape myrtle	5	1 to 2	2	6	Good	Good
433	Crape myrtle	6	1 to 2	3	7	Good	Good



	DATE
	BY
	CITY APPROVED
	DESCRIPTION
	REV

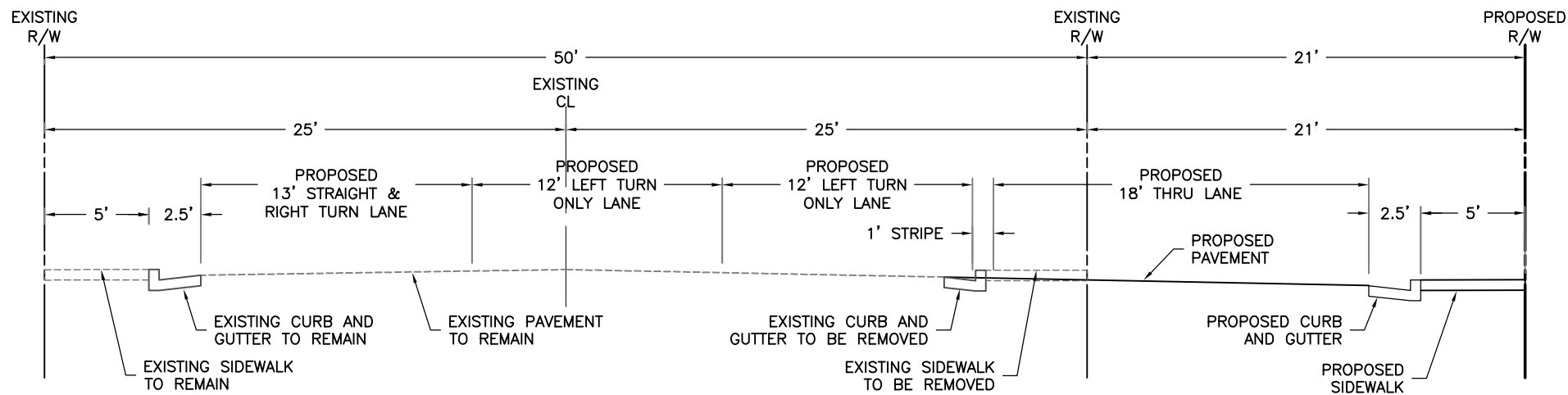
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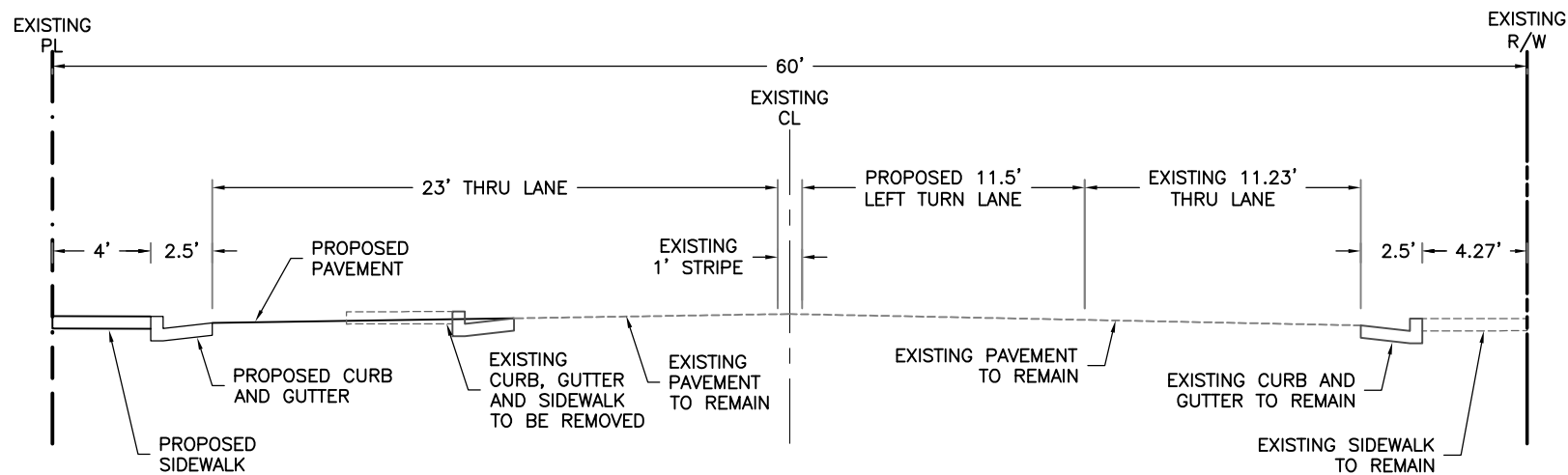
PM 15-02
VESTING TENTATIVE MAP
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 CHICO, CA 95928

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TENTATIVE MAP

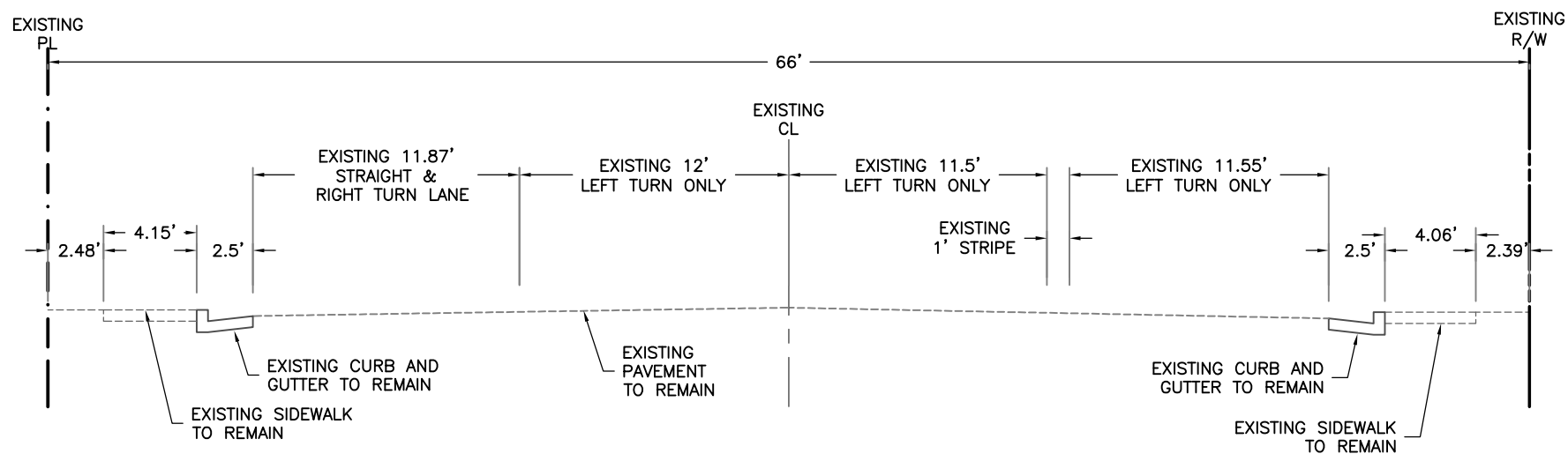
SHEET NO.
Attachment B



(A) WITTMER DRIVE
NOT TO SCALE



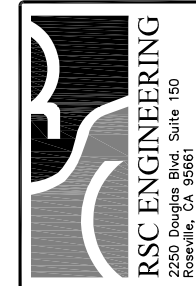
(B) BANEY LANE
NOT TO SCALE



(C) BANEY LANE
NOT TO SCALE



REV	DATE	BY	CHK	APP	DESCRIPTION



PROJECT NO: 027-046
DRAWN BY: RSC Eng
CHECKED BY: RSC Eng
DESIGNED BY: RSC Eng

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Sep 21, 2015
City of Chico
Planning Services

PM 15-02
VESTING TENTATIVE MAP
2044 FOREST AVENUE
CHICO, CA 95928

SHEET TITLE
DETAILS

SHEET NO.
TM5
OF 5

Attachment B

DATE: SEPTEMBER 1, 2015



RECEIVED

AUG 29 2022

CITY OF CHICO
PLANNING SERVICES

August 25, 2022

027-046A

Mike Sawley
Associate Planner
City of Chico
P.O. Box 3420
Chico, California 95927
mike.sawley@chicoca.gov

Re: Request for Extension of Time for Chico Walmart Expansion Project (Vesting Tentative Parcel Map PM15-02, Site Design and Architectural Review AR15-16 and Conditional Use Permits UP 15-10 and UP 15-12)

Dear Mike,

Our firm is the engineer of record for Walmart, Inc., owner of the property subject to the above-referenced entitlements. On behalf of Walmart, we are requesting an extension of time of three (3) years for the Vesting Tentative Parcel Map PM15-02, pursuant to Government Code Section 66452.6(e). Based on Chico Municipal Code Section 19.30.050(E), "a project that is associated with the approval of a tentative map shall have the same expiration date as the tentative map." As a result, the extension of the Vesting Tentative Parcel Map would also extend Site Design and Architectural Review AR 15-16 and Conditional Use Permits UP 15-10 and 15-12 for three (3) years. Finally, as part of the request for extension approval process, we request that the three (3) year extension will not begin running until the Director of Emergency Services Executive Order No. 2020-001 (extension of planning and building entitlements) has been rescinded.

As of today, Walmart is determined to expand this store to handle the current and anticipated future increase in sales. Over the past two years, Walmart has been proceeding in good faith and exercising due diligence in moving toward expanding the store. Walmart has been evaluating the design, engineering and cost challenges including, but not limited to, the relocation of the PG&E power lines that transverse the expansion site from east to west. Furthermore, as you may know, current construction costs and supply chain issues are uncertain and in a constant state of disruption, impacting Walmart's budgeting and scheduling of this project. At this point in time, however, Walmart is determined to push forward.

RSC Engineering, Inc.
Consulting Engineers

1420 Rocky Ridge Dr.
Suite 150
Roseville, CA 95661
916.788.2884
Fax 916.788.4408
rsc-engr.com

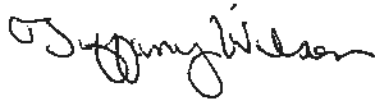
27987484.2/205696.0001

Attachment C

As noted above, the relocation of the PG&E power lines is the primary physical and time constraint for developing the Project. As a result, Walmart has been in discussions with PG&E to commence this process. Unfortunately, the most recent estimate for completion of this work is at least two years. Even with the extension of time provided by Executive Order No. 2020-001, this is over a year beyond the current project expiration date. As a result, Walmart is making this request for extension of all the above-referenced entitlements to allow for adequate time to complete the PG&E power line relocation process and to work through the other design, engineering and cost challenges.

Thank you for your consideration of this matter. We have enclosed a check for the request for extension fee in the amount of \$2,169 for the Vesting Tentative Parcel Map. Should staff need additional information please contact me.

Sincerely,

A handwritten signature in black ink that reads "Tiffany Wilson". The signature is written in a cursive, flowing style.

Tiffany Wilson, AICP

Vice-President