

RESOLUTION NO. 2011-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDORA, CALIFORNIA, APPROVING A DEVELOPMENT PLAN REVIEW TO ALLOW THE PROPOSED EXPANSION OF A WALMART STORE LOCATED IN A PR, PLANNED REDEVELOPMENT ZONE ON CERTAIN PROPERTY LOCATED AT 1950 AUTO CENTRE DRIVE, GLENDORA, CALIFORNIA (DPR09-01)

**THE CITY COUNCIL
City of Glendora, California**

THE CITY COUNCIL OF THE CITY OF GLENDORA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Walmart Stores, Inc. has submitted an application for a development plan review pursuant to Section 21.02.040 of the Glendora Municipal Code to allow the addition of approximately 30,000 square feet to the existing 139,111 square foot Walmart store and garden center located on certain property at 1950 Auto Centre Drive, Glendora, California. The project expansion includes interior remodeling to provide a new food/grocery sales area, additional stockroom/receiving area, a new loading dock area, a new vestibule entry area, exterior facades, new landscaped parking lot and sign program; and

WHEREAS, Walmart Stores, Inc. has submitted a second application to request approval for the modification of an existing conditional-use permit to allow for full off-site sale of alcoholic beverages in conjunction with operation of a major department store to be considered with Modification Conditional-Use Permit (CUP08-09); and

WHEREAS, the City prepared an environmental impact report to analyze the physical impacts from the whole proposed project including store expansion and modification of a previously approved conditional-use permit to allow full off-site sale of alcoholic beverages pursuant to requirements of the California Environmental Quality Act; and

WHEREAS, a public hearing was held on November 16, 2010, after due notice was given as required by law, at which time the Planning Commission of the City of Glendora continued the public hearing to the December 21, 2010 Planning Commission meeting; and

WHEREAS, the Planning Commission of the City of Glendora recommended approval of Development Plan Review (DPR09-01) for the Walmart Expansion project to the City Council at a public hearing held on December 21, 2010, after due notice was given as required by law, at which time oral and documentary evidence was introduced along with the written recommendation of the Planning and Redevelopment staff of the City of Glendora; and

WHEREAS, a public hearing was held by the City Council of the City of Glendora on January 25, 2011, after due notice was given as required by law, at which time oral and documentary evidence was introduced along with the recommendation of the Planning Commission of the City of Glendora; and

WHEREAS, the City Council continued the public hearing to February 22, 2011,

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

SECTION 1. The City Council certified an environmental impact report (EIR09-01) prepared for the project including a statement of overriding considerations and a mitigation-monitoring program as identified in Resolution No. 2011-03 including findings with facts as required by the California Environmental Quality Act.

SECTION 2. The City Council hereby makes findings with facts in support of the project, which findings with facts are set forth in full as follows:

FINDINGS DPR09-01

1. The use is authorized by development plan review pursuant to the Zoning Code.

FACT: The applicant has submitted an application to expand an existing Walmart store located at 1950 Auto Centre Drive, Glendora, California to allow approximately 30,000 square feet to the existing 139,111 square foot Walmart store and garden center. The project expansion includes interior remodeling to provide a new food/grocery sales area, additional stockroom/receiving area, a new loading dock area, a new vestibule entry area with the potential for a few arcade games, remodeled exterior facades, new landscaped parking lot and sign program. The subject property has a zone designation of PR, Planned Redevelopment. Development including modification of a previously approved development in a PR, Planned Redevelopment zone is authorized with approval of a development plan review pursuant to Section 21.02.040 and Section 21.06.020 of the Glendora Municipal Code.

2. The use is consistent with the General Plan and other applicable plans.

FACT: The Glendora Community Plan 2025 (General Plan) designates the subject property as Regional Commercial. The Regional Commercial land-use designation is intended to encourage the development of regionally-serving commercial development through the establishment of larger-scale retail uses that provide direct access and visibility from major transportation routes. Intended uses include major department stores such as the Walmart store. The proposed project to expand the existing Walmart store is consistent with the intent of the General Plan Regional Commercial land-use designation since it is providing additional retail sales area to a larger commercial retail department store use that serves the wider regional area. The subject property has an implementing zone of PR, Planned Redevelopment. Table LU-6 of the General Plan indicates that the PR, Planned Redevelopment zone is an implementing zone for the Regional Commercial land-use designation.

3. The site can accommodate the development standards of this title or as is otherwise required.

FACT: The subject property is a fully-developed commercial site. The property's PR, Planned Redevelopment zone designation allows the City Council, pursuant to Section 21.06.020 B & C of the Glendora Municipal Code, to establish standards, conditions, requirements and uses. Based on this code authorization, it is recommended that EXHIBIT "B" DPR09-01/Modification CUP08-09, Walmart 10/20/10 represent the approved development standards for the project. The following discussion outlines some of the proposed development standards and comparison to general city zoning code standards.

Existing Store and Proposed Expansion Areas

Use	Existing Area	Proposed Area	Net square footage
General Merchandise	96,733	79,106	-17,627
Food Sales	0	28,316	+28,316
Food Tenant	1,546	1,231	-315
Stockroom/Receiving	10,777	20,143	+9,366
Offices/ancillary	11,664	12,948	+1,284
Food sales support	0	8,901	+8,901
Tire and Lube	5,170	5,170	0
Total Building	125,890	155,815	+29,925
Outdoor Garden Center	13,221	13,221	0
Total w/ Garden Center	139,111	169,036	+29,925

The proposed additions would change the parking provided from approximately 815 spaces currently provided to approximately 679 spaces. Based on Section 21.03.020 Off Street Parking and Loading of the Glendora Municipal Code, the required parking for the total new development would be 609 parking spaces. The proposed approximately 679 spaces exceeds the code requirement for retail and warehouse/storage parking.

Parking analysis

Use	Square footage	Code	Parking required
Proposed retail	132,372	1/250 sf	596 spaces
Existing garden	13,221		
Total	148,893		
Total warehouse/ storage	20, 143	1/1000 first 5000 sf; 1/2000 over 5000sf	13
Total parking			609

The project proposes a redesigned loading area with 4 bays, each 12.5 feet in width by approximately 130 feet in length. This is over twice the loading area provided for the current facility. Section 21.03.020.J provides a general loading standard of 15 feet wide by 50 feet long. The Walmart loading bay does not exactly meet the width identified in the City general standard. However Walmart's engineers indicate that the 12.5 foot loading bay width is a Walmart standard which has been successfully used in all their stores nationwide and meets their needs. The code indicates that, based on the size of the project, that 6 loading bays would be required. Using the standard of 50 feet in length to represent one loading bay, the project provides space for at least 8 loading spaces which exceeds the code requirement.

The project proposes to completely remodel the parking lot landscaping which will greatly enhance the visual quality of the store. A new pedestrian plaza seating area at the entry is proposed. The code requires a minimum of one 24 inch box tree for every three parking spaces. The applicant is proposing to provide 252 new and preserved trees in the parking and landscaped areas which 26 more than the basic requirement of 226 trees. The parking lot will also replace the existing metal cart returns with designed, landscaped cart returns and pedestrian walk-through areas. Decorative light standards will replace the rather ordinary existing light poles and fixtures which will further enhance the parking area.

Based on this information, the 13.94 acre site can easily accommodate the approximately 30,000 square foot addition to the existing store.

Uses previously approved for the property in 1993 with PRPR93-07 include the retail commercial building and garden center with general merchandise sales and garden sales and automotive repair (CUP93-11 & CUP93-6) along with ancillary warehouse storage associated with the use. Conditional Use Permit (CUP08-09) approved the off-site sale of beer and wine. Proposed additions to these approved uses include food/grocery sales, expansion of the warehouse/storage area and expansion of the vestibule area at the front of the store. A modification of CUP08-09 is requested as a separate application to allow full off-site alcoholic beverage sales. As indicated previously, Section 21.06.020, Planned Redevelopment of the Glendora Municipal Code authorizes the City Council to establish the uses in the PR zone. Conditions are recommended to require the development to be consistent with the approved design and use.

4. The site is adequately served by streets, utilities and other services, facilities and improvements.

FACT: The subject property is a 13.94 acre fully developed commercial property located on the southeast corner of the intersection of Auto Centre Drive and Lone Hill Avenue. The property is served with all necessary streets, utilities and other services including the aforementioned public streets of Auto Centre Drive and Lone Hill Avenue. Sewer services are provided with the existing Walmart connection to the sanitary sewer line located within Auto Centre Drive. Wastewater collection and treatment services are provided by the Los Angeles County Sanitation Districts. Wastewater generated by the project will be treated at the San Jose Creek Water Reclamation Plant. Water is currently provided to the project site by the Glendora Water Division via an existing 14 inch ductile iron water line located in Auto Centre Drive. Stormwater runoff from the developed site is directed to the stormwater detention basin located at the northwesterly corner of the site which includes metered release to the existing storm drain system located in Lone Hill Avenue. Solid waste services are provided through an exclusive franchise contract between the City and Athens Services. The contract provides for waste collection and recycling compliance with State diversion regulations. Natural gas service is provided by the Gas Company. Communications services including land line and wireless telephone and internet services are available through numerous private providers.

5. The use will not adversely affect the character and integrity of the area, the utility and value of properties in the area, and the health, safety and welfare of the public.

FACT: The project would allow the approximately 30,000 square foot expansion of an existing Walmart store to add retail grocery/food sales, increase available merchandise warehouse space and modify an existing beer and wine off-site sale permit to allow full off-site alcoholic beverage sales (to be approved through a separate application – modification of Conditional Use Permit (CUP08-09)). The proposed expansion project includes a complete upgrade of the parking lot and landscaping, adding approximately 163 new trees for a total of 252 trees and new lighting for the parking lot area. The plan would also provide a new pedestrian seating area featuring designs and landscaping reflective of the City's foothill environment location. The exterior facades would be remodeled providing an attractive earth-toned design with a complementary variety of materials and colors. The proposed improvements are expected to greatly enhance the

aesthetic appearance of the store and the site. Conditions are recommended to ensure the applicant constructs the project as approved.

An EIR prepared for the project researched all potential environmental issues in detail and identified mitigation measures to reduce identified impacts. Impacts that were reviewed and determined to pose no potentially significant impacts included Agricultural and Forest Resources, Aesthetics, Cultural Resources, Mineral Resources, Population, and Recreation. The following topics were studied in greater detail with additional studies: Traffic and Circulation (Traffic Impact Analysis), Air Quality (Air Quality Impact Analysis), Green House Gas Emissions (Climate Change Analysis), Noise (Noise Impact Analysis), Geology and Soils (Geotechnical Investigation), Hydrology and Storm Water Pollution (Hydrology and SUSMP Analysis), Hazardous Materials (Phase 1 Environmental Assessment), Urban Decay (Urban Decay Study), Public Utilities (Sewer Capacity Study), and Biological Resources (Oak Tree Preservation analysis).

Traffic was an important concern for the City and was thoroughly analyzed with a traffic impact analysis prepared by Mountain Pacific. The proposed approximately 30,000 square foot addition would not significantly impact existing traffic conditions in the area with two exceptions: Northbound Lone Hill Avenue at the Auto Centre Drive intersection during the Saturday midday peak hour and the 57 Freeway northbound off-ramp at the weekday evening peak hour. Mitigation is recommended to reduce these impacts to a level of less than significance. Mitigation No. 4.2.1 would require a fair share fee to be paid to the City to re-stripe the off-ramp to provide one left-turn and one optional left or right turn lane at the intersection of Auto Centre Drive and the 57 northbound ramp. A statement of overriding considerations is proposed for this mitigation due to the fact that Cal Trans controls the intersection and there is no certainty that the mitigation will be completed by opening year, 2014 for the project due to timing constraints involved in working with Cal Trans. Mitigation No. 4.2.2 would require the applicant to provide a third northbound lane on Lone Hill Avenue north of Auto Centre Drive to reduce traffic impacts on Lone Hill Avenue.

Although, following established traffic analysis procedures, these two intersections were significantly impacted by the project, the number of vehicles during those peak hour periods would be minor (for Lone Hill northbound at Auto Centre the project on opening day adds only 25 trips to the intersection at the Saturday midday peak. For the 57 Freeway northbound off-ramp at Auto Centre the project on opening day only adds 13 trips to the intersection during the weekday evening peak hour.)

In addition to EIR traffic mitigation, the City conducted road segment analysis following Highway Capacity Manual methodology for Lone Hill Avenue in the vicinity of the project and determined that the project would further exacerbate traffic conditions on Lone Hill Avenue between Gladstone Street and the 210 Freeway. Therefore, a condition is recommended to require the applicant to construct a third northbound lane on Lone Hill Avenue as described in Exhibit No. "C" Lone Hill Avenue Northbound Improvements dated 10/20/10 from the vicinity of Gladstone Street to the vicinity of the 210 Freeway. The combination of implementing traffic mitigation at Lone Hill Avenue and Auto Centre Drive and construction of a northbound third lane above and below Auto Centre Drive as described in Exhibit No. "C" Lone Hill Avenue Northbound Improvements dated 10/20/10 is expected to significantly reduce traffic impacts from the project.

Other impacts identified by the EIR included construction related impacts for on-site parking during construction and construction related air quality and noise impacts. Mitigation was identified to resolve those impacts. Due to the fact that the entire region including the subject property is prone to seismic activity, a mitigation is required to have a geotechnical investigation and structural improvements provided to address seismic issues prior to issuance of grading permits.

A significant heritage oak tree exists on the property adjacent to the central driveway onto Auto Centre Drive. The current managers of the store began improper pruning of the oak tree during the CEQA review period which triggered consideration of impacts to an important biological resource. Although the pruning was halted by the City, a mitigation is recommended to protect and preserve the oak tree in the future as a significant heritage tree which is identified in the City's Urban Forest Manual.

An urban decay study was prepared for the Walmart expansion project which analyzed the potential economic impacts to other stores in the area from the addition of a large retail grocery store to the major department store business. The study evaluated all existing supermarkets as well as likely future proposed supermarkets within the Glendora Walmart trade area to determine if a significant impact on these stores would be caused by the Walmart expansion. The study identified a significant impact as one which would cause existing retail supermarkets to close and that "the business closures would be significant enough in scale (i.e. in terms of the total square footage affected and/or the loss of key "anchor" tenants) to affect the viability of existing shopping centers or districts."¹ The dollar per square foot loss of sales for existing supermarkets was estimated to be approximately 8 percent below previous volumes however, that rate would still be approximately 5 percent higher than the Western US regional median. The study concluded that although there may be some loss in sales for existing supermarkets, the loss is not likely to cause any existing stores to close which could lead to urban decay.²

In summary, the project will add approximately 30,000 square feet to provide a new grocery sales area and expand merchandise warehouse space and a complete exterior upgrade of an existing older Walmart store, providing many amenities including new facades with an earth-tone color scheme, new signage, a re-landscaped parking lot with approximately 260 trees, a new pedestrian plaza seating area. An EIR was prepared to evaluate all potential physical impacts from the proposed addition. The EIR studies identified mitigation measures to reduce significant impacts or discussed the reasons why the impacts were less than significant.

The following mitigation measures were identified by the EIR:

Traffic and Circulation

4.2.1 Contribute fair share fees toward restriping the northbound 57 Freeway off-ramp at Auto Centre Drive to provide one left-turn lane and one optional left-or-right turn lane onto Auto Centre Drive.

4.2.2 Improvements to make a third northbound lane on Lone Hill Avenue north of Auto Centre Drive.

4.2.3 Construction parking and storage plan to provide adequate parking for the store, which will remain open during construction.

¹ Urban Decay Study for Expansion of Glendora Walmart, February 4, 1020 prepared by The Natelson Dale Group, Inc.

² Ibid, page 8

Noise

- 4.4.1 Requires all machinery used during construction to maintain adequate mufflers
- 4.4.2 Equipment staging areas to be located at the greatest possible distance from off-site receptors.
- 4.4.3 Construction hours to be limited to 7:00 a.m. – 8:00 p.m.
- 4.4.4 Hauling hours for delivery and export to be limited to the construction hours.

Geology and Soils

- 4.7.1 A geotechnical investigation to be incorporated into the construction documents and a qualified geotechnical engineer retained on-site to monitor implementation during construction.

Biological Resources

- Bio-1 A tree protection plan for protection and maintenance of the Heritage Oak Tree on the northern boundary of the property on Auto Centre drive

All other issues studied by the EIR for the project were determined to have “less than significant” environmental impacts. Conditions have been recommended to ensure protection of public health and safety and to ensure that the project will be constructed as proposed.

Based on this information, the proposed approximately 30,000 square foot expansion project is not expected to adversely affect the character and integrity of the area, the utility and value of properties in the area, and the health, safety and welfare of the public.

SECTION 3. The City Council of the City of Glendora hereby approves a development plan review (DPR09-01) to allow the addition of approximately 30,000 square feet to the existing 139,111 square foot Walmart store and garden center located on certain property at 1950 Auto Centre Drive, Glendora, California subject to the following conditions:

CONDITIONS DPR09-01 AND MODIFICATION CUP08-09

Standard Conditions

1. The subject property shall be developed in substantial conformance with EXHIBIT “B DPR09-01/Modification CUP08-09” dated 10/20/10 as modified by conditions of approval.
2. The City shall retain the right and the jurisdiction to review Development Plan Review (DPR09-01) and Modification Conditional Use Permit (CUP08-09) in the event the use conducted herein is modified, changed in scope, or the owner or operator seeks to expand, alter, reconfigure, or change the use. This reservation of the right of review is in addition to, and not in lieu of, the right of the City to review and revoke Development Plan Review (DPR09-01) and Modification Conditional Use Permit (CUP08-09) or to modify the permits for any violation of the conditions imposed.
3. Construction shall commence within 24 months of approval by the City Council and shall be carried on diligently to completion unless the City Council approves an extension pursuant to Section 21.02.040.H of the Glendora Municipal Code. In the event of any litigation that may be filed challenging the approval of this project, the expiration period shall be tolled until the litigation has gone to final judgment or has been dismissed.

4. The applicant shall comply with all laws and regulations of the City, County, State, and other responsible agencies including but not limited to: Americans With Disabilities Act (ADA) requirements; National Pollutant Discharge Elimination System (NPDES); Standard Urban Stormwater Management Program (SUSMP); the Department of Alcoholic Beverage Control (ABC); Congestion Management Program (CMP); State Water Conservation in Landscaping Act (AB1881), LA County Fire Department, etc. Changes required by any agency shall be submitted to the Department of Planning and Redevelopment prior to issuance of any permits to verify substantial conformance with approved plans and conditions.
5. The applicant shall notify all surrounding property owners and tenants within 500 feet of the project of the construction schedule for the project describing the construction schedule for construction-related activity on the subject property including, but not limited to clearing, demolition, grading, or the delivery of soils, equipment, or materials. The notification shall be in the form of a letter mailed to identified property owners and tenants within 500 feet of the subject property at least 60 days prior to the start of construction activity. A copy of the notice and mailing list shall be provided to the Department of Planning and Redevelopment 60 days prior to the start of construction.
6. The applicant shall be responsible for the repair of all damages to public improvements in the public right-of-way resulting from construction-related activities, including, but not limited to, the movement and/or delivery of equipment, materials, and soils to and/or from the site. Repairs identified by the Public Works Engineering Division must be made by the applicant prior to issuance of use and occupancy permits.
7. The applicant shall comply with trip reduction and travel demand management measures outlined in Section 21.03.070.C of the Glendora Municipal Code prior to final occupancy approval and throughout the life of the project. The applicant shall comply with Section 21.03.070.C.2 and 3 of the Glendora Municipal Code which list requirements for development projects over 25,000 square feet.
8. Three sets of a landscape and irrigation plan shall be submitted to the Departments of Planning and Redevelopment for review and approval subject to the requirements of Section 65591 et al of the California Government Code and in substantial conformance with Exhibit No. EXHIBIT "B DPR09-01/Modification CUP08-09" dated 10/20/10 prior to the issuance of building permits. The applicant shall also provide additional landscape improvements to the perimeter of the detention basin at the northwest corner of the property and add additional trees to the northeast corner of the property for additional screening to the loading dock area. All landscape plan modifications shall be approved by staff prior to issuance of any permits. All new proposed and required trees shall be at least 24-inch box minimum size. Approved landscape shall be installed prior to Final Occupancy and shall be maintained in excellent condition throughout the life of the use. Any dead landscape plant material shall be replaced consistent with the approved Landscape Plans within 30 days by the applicant.
9. All trees identified to be preserved on EXHIBIT "B DPR09-01/Modification CUP08-09" dated 10/20/10 shall be preserved. Any tree removed by the project shall be replaced on an inch-per-inch basis. The applicant shall pay for and the City shall hire a consulting arborist to prepare a tree preservation plan to be submitted to the Department of Planning and Redevelopment and the Department of Community Services for review and approval prior to the issuance of demolition or grading permits and shall be referenced on all demolition,

grading and construction plans. The tree preservation plan shall identify all trees to be preserved as identified on EXHIBIT "B DPR09-01/Modification CUP08-09" dated 10/20/10 and identify protective fencing at the drip line of all protected trees. Tree protective fencing shall be installed prior to issuance of demolition or grading permits. The plan shall require the approved arborist to monitor all demolition or grading in the vicinity of any preserved tree and prepare weekly reports on all activity in the vicinity of the preserved trees to the Department of Planning and Redevelopment. Any corrective actions recommended by the arborist shall be completed within two weeks of notification by the arborist of record. Storage of equipment or building materials is prohibited within the drip line of any protected tree. Protective fencing shall not be removed or changed without the prior approval of the approved arborist and the Department of Planning and Redevelopment. The arborist may include any trees not identified to be preserved on EXHIBIT "B DPR09-01/Modification CUP08-09" dated 10/20/10 to be either protected in place or to be moved to a new location. The arborist shall identify all appropriate procedures for moving these trees to enhance the possibility of survival and shall direct and monitor all moving operations. The arborist shall provide a watering schedule for all protected and moved or boxed trees and shall monitor the watering schedule to ensure implementation. Status and health of protected and moved or boxed trees shall be included in weekly reports to the Department of Planning and Redevelopment. No pruning or root pruning or moving of any tree shall be done without the authorization and personal monitoring of the approved arborist. The tree preservation plan shall also include landscape and irrigation practices for preservation and care of any oak trees to ensure their survival over time. Oak tree preservation and care practices shall provided to the applicant by the approved consulting arborist. The approved tree preservation plan shall be implemented prior to issuance of demolition and grading permits and throughout construction up to and including final occupancy of the last unit.

10. The City shall have the right of entry to inspect the premises to verify compliance with the conditions of approval and the Glendora Municipal Code.
11. The authorized representative for Walmart Stores Corporation shall sign a statement indicating they have read and understand the adopted conditions of approval prior to issuance of permits and commencement of use. The signed statement shall be returned to the Department of Planning & Redevelopment prior to the issuance of any permits.
12. The applicant agrees as a condition of issuance of this entitlement to indemnify, protect, defend, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against any and all liabilities, claims, actions, causes or action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims") arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City related to this entitlement or the environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.*, for this entitlement and related actions. Failure to do so will constitute the ability of the City to revoke any approvals or other entitlements associated with this DPR09-01 and/or Modification CUP08-09.

Project Specific Conditions

13. Conditions adopted for Conditional Use Permit (CUP08-09) by the City Council with Resolution No. 08-45 shall remain in full force and effect with the following modifications (*deletions shown as strike thru type, additions are underlined*):

1 CUP08-09. The subject property shall be developed in substantial conformance with ~~Exhibit "Conditional use permit (CUP08-09)" dated July 1, 2008~~ EXHIBIT "B DPR09-01/Modification CUP08-09" dated 10/20/10, as modified by conditions of approval.

11 CUP08-09. The off-site sales ~~of beer and wine~~ of all alcoholic beverages shall be limited to 6:00 a.m. to 12:00 a.m. Midnight, daily. The off-site sales of ~~beer and wine~~ all alcoholic beverages shall be prohibited from 12:00 a.m. Midnight to 6:00 a.m. daily.

12 CUP08-09. The off-site sale of ~~beer and wine~~ all alcoholic beverages shall be confined to the inside of the tenant space. Consumption of ~~beer and wine~~ any alcoholic beverages on the premises, both interior and exterior areas is prohibited.

13 CUP08-09. No single cans or bottles of beer, malt liquor or other alcoholic beverage containers of less than 24 ounces shall be sold ~~which maintain a volume of less than 24 ounces in order to discourage on-site drinking.~~

14 CUP08-09. ~~Beer and wine shall not be displayed in a refrigerated case in the store.~~

14. All alcoholic beverage display or sales cases and coolers shall be located in the east half (the rear) of the store. No alcoholic beverage display or sales cases or coolers shall be located in the front of the store or near the store entry.

15. All coolers/cases containing refrigerated alcoholic beverages shall be locked between the hours of 12:00 a.m. Midnight and 6:00 a.m. daily.

16. The City Council certified Environmental Impact Report (EIR09-01) with Resolution No. 2011-03 including identified mitigation measures. A Mitigation Monitoring Program was prepared based on EIR09-01. The applicant shall comply with all applicable mitigation measures identified in the Mitigation Monitoring Program adopted by the City Council and Environmental Impact Report (EIR09-01) which is attached hereto and made a part thereof these conditions of approval.

17. The applicant shall provide traffic improvements as described in Exhibit No. "C" Lone Hill Avenue Northbound Improvements dated 10/20/10, to occur in the general area of Lone Hill Avenue between Gladstone Street and the 210 Freeway north of Auto Centre Drive. Improvements will create a third northbound through traffic lane on Lone Hill Avenue. The northbound third lane shall be designed as a through-right turn lane at Auto Centre Drive. The applicant shall submit plans to the Departments of Planning and Redevelopment and Public Works for review and approval for the Lone Hill Avenue street improvements prior to issuance of any permits for the project expansion. Lone Hill Avenue street improvements shall be installed prior to issuance of certificate of occupancy for the project expansion.

18. The applicant shall install and operate a Security Camera Plan that is approved by the Chief of Police or his designee. The Security Camera Plan shall be submitted for review and approval by the Chief of Police or his designee prior to issuance of building permits. Installation of the approved Security Camera Plan shall be completed and become operational prior to final occupancy approval.
19. The EIR certified for the project identified design features proposed by the applicant to save energy and reduce green house gas emissions including the design and construction of the expansion area to allow for the installation of solar panels. The assumption made by the EIR green house gas study is that these proposed measures would be installed, not just identified. The findings state that "Project sustainable design features significantly reduce GHG emissions and are consistent with mitigation strategies developed by groups and public agencies, such as CAT, CAPCOA and the California Attorney General. Therefore a less than significant impact is expected with respect to global climate change." To be consistent with this finding, the applicant shall not only design the expansion to accommodate solar photovoltaic panels but shall install the panels prior to final occupancy for the project.
20. The applicant has indicated that the project will meet or exceed all California Title 24 Energy Efficiency Standards. Consistent with that proposal, the applicant shall include the following energy efficiency measures as a minimum for the project. Plans submitted for building permits shall include all applicable measures prior to issuance of construction permits.

Building Design

The expanded building area will incorporate the following elements or equivalent features:

- \$ White membrane roofs, acting to optimize reflection and minimize heat gain through roof surfaces. Such solar reflectivity typically reduces cooling loads by approximately 10 percent.
- \$ Solid-grouted concrete block walls.
- \$ Limited exterior windows, minimizing heat loss/heat gain through wall surfaces.
- \$ Recycled steel will be used in all proposed expansion/renovation areas, reducing off-site energy consumption associated with mining activities and steel manufacturing.
- \$ Interior designs will incorporate recycled plastic in plastic baseboards and plastic shelving, reducing off-site energy consumption associated with plastic fabrication.
- \$ Restrooms will incorporate sensor-activated low flow sinks, and low-flush toilets and urinals, reducing water demands and associated power demands for the delivery of water.

Electrical/Lighting Systems

The Project interior lighting systems will employ energy efficient T8 low-mercury fluorescent lighting, with electronic dimming ballast to harvest day light. This type of lighting will be utilized in all areas except in preparation areas, office areas, and coolers. Energy load reductions of 15-20 percent are realized through use of T8 fluorescent lighting.

Additional energy efficiencies/resource conservation will be realized through the following programs.

- Continuous dimming will be utilized within the Walmart in order to maximize energy savings. For 24-hour facilities, interior lights are typically dimmed to approximately 65 percent during late night operating hours.
- All internally-illuminated Walmart exterior building signs will employ LED lighting, approximately 70 percent more efficient than fluorescent lighting.
- Energy efficient design is also reflected in the Project exterior lighting systems controlled by photocells and time clocks, thereby reducing exterior artificial lighting when sufficient natural ambient lighting exists.
- The roof will be designed and constructed to allow for incorporation of solar energy systems, thereby reducing demands on other energy resources and serving energy infrastructure (Refer to Condition No. 18.)
- The relocated loading dock areas will be wired to accommodate exterior electrical outlets, to allow Walmart to install plugs when electrically powered refrigeration units are available. In so doing, the store will provide for the future reduction of air pollutant emissions associated with diesel-powered refrigeration equipment.

Mechanical Systems

Walmart employs high efficiency packaged heating ventilation and air-conditioning (HVAC) units with Energy Efficiency Ratios (EER's) of 12.1 to 14.3, a substantive improvement on the industry standard EER of 9.0. Under the Project, HVAC units serving the existing building will be replaced, and new HVAC units will be installed to serve the expansion areas. All HVAC units (replacement and new) will have EER's of 12.1 to 14.3. Additional mechanical system energy efficiencies will be realized through capture of waste heat from refrigeration units, which will be used to heat water for kitchen preparation areas of the store.

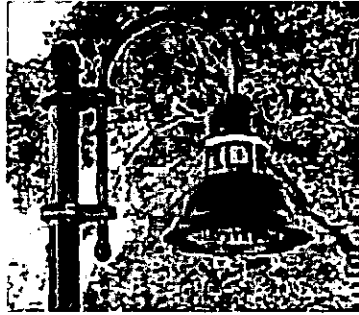
Central Energy Management

Walmart energy management systems are centrally monitored and controlled on a continual basis. Energy consumption and performance is monitored under real time conditions, allowing for system adjustment, modification, and correction in a timely manner.

All energy efficiency measures shall be installed prior to final occupancy approval.

21. The applicant shall provide plans for parking lot lighting including: decorative light poles and fixtures that create a sense of designed integrity for the parking lot, types and specifications and a photometric study to verify reduced spill-over light and glare at the property lines for review and approval by the Department of Planning and Redevelopment prior to issuance of any permits. Plans for the approved parking lot lighting shall be submitted for permits in conjunction with other building permit applications. Approved lighting shall be installed prior to final occupancy approval. The following decorative

lighting fixture and pole base have been identified for the project: LSI Architectural Lighting



#UCLD 180

and decorative pole base #DBC.



Decorative Pole Base



DBC

22. The applicant shall provide a construction storage area and traffic management plan consistent with Mitigation No. 4.2.3. In addition, the plan shall identify traffic control for any street closure, detour or other disruption to traffic circulation, construction vehicle access routes, hours of construction traffic, traffic controls and detours. The draft construction area traffic management plan shall be submitted for review and approval by the Departments of Public Works and Planning and Redevelopment prior to issuance of any permits. The construction area traffic management plan shall be approved prior to issuance of any permits and be maintained throughout the construction of the project.
23. The Air Quality analysis for the Environmental Impact Report indicates that the project will not exceed thresholds of significance for air quality. However, the report identifies several South Coast Air Quality Management District (SCAQMD) regulatory requirements for Rule 403, Fugitive Dust that are applicable to the project. The applicant shall ensure compliance with the following SCAQMD Fugitive Dust requirements during construction in addition to any other SCAQMD requirements:
 - All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCQAMD guidelines in order to limit fugitive dust emissions.
 - The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferable in the mid-morning, afternoon, and after work is done for the day. Implementation of this measure is estimated to reduce PM10 and PM2.5 fugitive dust emissions by approximately 61%.
 - The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions by approximately 44%.
24. The applicant shall provide a clearly marked parking space designated "Police Only" at the south corner of the parking lot near the store entry.
25. The applicant shall pay the City all time and materials needed for mitigation monitoring as provided in P-53 of the City fee schedule adopted by the City Council on August 10, 2010.

26. Metal cart returns are prohibited.
27. All signage for the project shall be consistent with the approved sign program. Regarding the Dawson Park 210 Freeway pylon sign, the applicant shall pay all costs for the proposed new sign faces including but not limited to any manufacture, construction and installation costs following the intent of the Letter of Irrevocable Commitment signed by the City and Walmart in 1994.
28. The City shall review the maintenance of the subject property on a routine basis to ensure that all improvements are maintained in an excellent condition as approved by this entitlement, including signage, facades, parking lots and parking lot lighting and landscaping. Any identified maintenance issue shall be repaired by the applicant and approved by the City within 30 days of notification.
29. Approval of a conditional use permit is required to allow more than two (2) arcade games or "amusement devices" for the subject property.
30. The applicant shall comply with Trip Reduction and Travel Demand Management requirements identified in Section 21.03.070 of the Glendora Municipal Code or as required by the 2010 California Green Building Standards Code which goes into effect January 2011.
31. Outdoor storage or outdoor storage containers is prohibited with the exception of storage in the existing outdoor garden center area associated with the garden center use.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

SECTION 5. The City Clerk is hereby directed to forward a (certified) copy of this resolution to the Honorable Alicen Clark Wong, Gresham Savage Nolan & Tilden, 550 East Hospitality Lane, Suite 300, San Bernardino, CA 92408-4205.

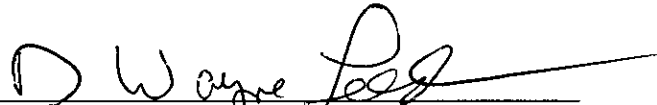
APPROVED and PASSED this 22nd day of February, 2011.

City Council of Glendora, California

BY: _____


KEN HERMAN, Mayor

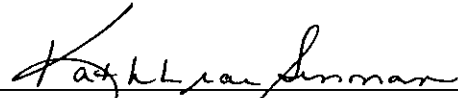
APPROVED AS TO FORM:


D. WAYNE LEECH, City Attorney

I, Kathleen R. Sessman, City Clerk of the City of Glendora, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Glendora at a regular meeting held on the 22nd day of February, 2011, by the following vote:

AYES:	COUNCIL MEMBERS:	Davis, Kent, Murabito, Tessitor, and Herman
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None

Dated: February 23, 2011



KATHLEEN R. SESSMAN, City Clerk