

RESOLUTION NO. -22 (PC)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT WITH ENVIRONMENTAL REVIEW (PP2022-55) TO ALLOW FOR THE ESTABLISHMENT OF A 4,317± SQUARE-FOOT BREWERY AND TAPROOM (TYPE 23 ABC LICENSE) WITH LIVE ENTERTAINMENT IN AND FOR THE TRANSFER OF AN ON-SALE BEER AND WINE LICENSE (TYPE 41 ABC LICENSE) TO NEW OWNERSHIP FOR AN EXISTING 3,580± SQUARE-FOOT RESTAURANT AND 1,351± SQUARE-FOOT OUTDOOR PATIO AREA WITH BEER AND WINE SALES LOCATED AT 410 RODRIGUEZ STREET/30 WEST BEACH STREET (APN 017-641-08), WATSONVILLE, CALIFORNIA AND FINDING PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, on May 16, 2022, an application for a Special Use Permit (PP2022-55) to allow the establishment of a brewery and taproom with live entertainment (Type 23 ABC License) and transfer of an on-sale beer and wine license (Type 41 ABC License) for an existing restaurant under new ownership at 410 Rodriguez Street/30 West Beach Street, Watsonville, California, was filed by Juvenal Ornelas (for Vida Juice, Inc. dba Buena Vista Brewing Company), on behalf of Pajaro Wall Street Inn, LLC. property owner ("Project"); and

WHEREAS, the Project site is designated Central Commercial on the General Plan Land Use Diagram and is within the Central Commercial Core Area (CCA) Zoning District; and

WHEREAS, according to the Santa Cruz County Assessor's records, the Wall Street Inn was designed by William Weeks and constructed in 1911 as hotel, with commercial uses on the first floor; and

WHEREAS, on August 19, 2003, the Zoning Administrator of the City of Watsonville issued a no fee Special Use Permit (PP2003-107) to operate a bar/tavern (Type 40 ABC License) for the Philippine Gardens at 26 West Beach Street (now 410 Rodriguez Street).

The bar/tavern closed on January 5, 2005, and the Philippine Gardens' Type 40 ABC License expired on April 30, 2005; and

WHEREAS, on December 6, 2005, the Planning Commission of the City of Watsonville adopted Resolution No. 33-05 (PC), approving a Special Use Permit with Design Review and Environmental Review (PP2005-330) to allow for the conversion of a 50-unit apartment hotel into single room occupancy units (SROs) and increase the number of units to 74, located at 30 West Beach Street; and

WHEREAS, on December 12, 2006, the City Council of the City of Watsonville codified Ordinance No. 1209-06 (CM), adopting an uncoded ordinance placing historical designation (PP2006-448) on the Wall Street Inn, located at 30 West Beach Street; and

WHEREAS, on July 2, 2009, the Zoning Administrator of the City of Watsonville approved a Design Review Permit with Environmental Review (PP2009-182) to construct an outdoor street-facing patio area and converting a portion of the first floor of the building to a restaurant at 30 West Beach Street; and

WHEREAS, on November 29, 2012, the Zoning Administrator of the City of Watsonville approved an Administrative Use Permit (PP2012-258) to establish a restaurant with beer and wine sales for the Appleton Grill located at 30 West Beach Street (now 410 Rodriguez Street); and

WHEREAS, on September 3, 2013, the Planning Commission of the City of Watsonville adopted Resolution No. 11-13 (PC), approving a Modification (PP2013-123) to Administrative Use Permit (PP2012-258) to allow for extended weekend hours and live entertainment/special events at the Appleton Grill and Event Lounge with beer and wine sales at 30 West Beach Street (now 410 Rodriguez Street); and

WHEREAS, on February 3, 2015, the Planning Commission of the City of Watsonville adopted Resolution 02-15 (PC), approving a Modification of Administrative Use

Permit (PP2013-123) to re-establish weekend hours and live entertainment for special events for Appleton Grill and Event Lounge at 410 Rodriguez Street; and

WHEREAS, on September 1, 2015, the Planning Commission of the City of Watsonville adopted Resolution No. 21-15 (PC), reviewing and approving the Modification of Administrative Use Permit (PP2013-123) to allow for the continued sale of beer and wine with limited entertainment at the Appleton Grill at 410 Rodriguez Street. The Planning Commission denied Major Variance (PP2015-152) for the addition of a Type 47 ABC License and a permanent entertainment permit for the Appleton Event Lounge at 30 West Beach Street Unit B as the request did not comply with the City of Watsonville's Alcohol Ordinance; and

WHEREAS, on March 7, 2017, the Planning Commission of the City of Watsonville adopted Resolution No. 03-17 (PC), denying a Special Use Permit (PP2016-198) to allow the establishment of a restaurant with a bar (Type 47 ABC License) for Appleton Grill and Event Lounge at 410 Rodriguez Street as a consistency finding with separation requirements could not be made; and

WHEREAS, the Zoning Administrator of the City of Watsonville approved Administrative Use Permit (PP2018-303) to allow for the transfer of an existing on-sale beer and wine license (Type 41 ABC License) to new ownership for Los Compadres Mariscos Restaurant at 410 Rodriguez Street. The licensed premises included a 3,580 square-foot portion of the first floor of the Wall Street Inn, formerly known as the Appleton Grill. The remaining portion of the first floor has been vacant since late 2018; and

WHEREAS, the Project is exempt pursuant to a Class 1 (Existing Facilities) Categorical Exemption from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the State CEQA Guidelines; and

WHEREAS, in connection with the Class 1 CEQA Exemption, it has been determined that the Project will not have an impact on an environmental resource of hazardous or critical concern, will not contribute to a significant cumulative impact, will not have a significant effect on the environment due to unusual circumstances, will not result in damage to scenic resources, including but not limited to trees, historic buildings, rock outcroppings, or similar resources within a highway officially designated as a state scenic highway, will not be located on a hazardous waste site pursuant to Section 65962.5 of the Government Code, and will not cause a substantial adverse change in the significance of a historical resource; and

WHEREAS, notice of time and place of the hearing to consider approval of Special Use Permit (PP2022-55) was given at the time and in the manner where appropriate public noticing procedures has been followed and a public hearing was held on December 6, 2022, pursuant to Section 14-10.900 of the Watsonville Municipal Code; and

WHEREAS, the Planning Commission has considered all evidence both oral and documentary introduced and received, and the matter submitted for decision.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

Good cause appearing, and upon the Findings, attached hereto and incorporated herein as Exhibit “A”, the Planning Commission of the City of Watsonville does hereby grant approval of Special Use Permit (PP2022-55), attached hereto and marked as Exhibit “D,” subject to the Conditions of Approval attached hereto and marked as Exhibit “C,” to allow the establishment of a brewery and taproom with live entertainment and transferring of an on-sale beer and wine license to new ownership located at 410 Rodriguez Street/30 West Beach Street (APN 017-641-08) with the Project being categorically exempt as a Class 1 (Existing Facilities Projects) attached hereto and marked as Exhibit “B”.

I HEREBY CERTIFY that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Watsonville, California, held on the 6th day of December, 2022, by Commissioner _____, who moved its adoption, which motion being duly seconded by Commissioner _____, was upon roll call, carried and the resolution adopted by the following vote:

Ayes: Commissioners:

Noes: Commissioners:

Absent: Commissioners:

Suzi Merriam, Secretary
Planning Commission

Veronica Dorantes-Pulido, Chairperson
Planning Commission

**CITY OF WATSONVILLE
PLANNING COMMISSION**

EXHIBIT “A”

Application No: PP2022-55

APN: 017-641-08

Applicant: Vida Juice, Inc.

Hearing Date: December 6, 2022

SPECIAL USE PERMIT FINDINGS (WMC § 14-12.513)

The purpose of the Special Use Permit is to allow the establishment of a brewery and taproom with live entertainment (Type 23 ABC License) and transferring of an on-sale beer and wine (Type 41 ABC License) to new ownership for an existing restaurant with beer and wine sales (“Project”) pursuant to Chapter 14-16 of the Watsonville Municipal Code (WMC).

- 1. The proposed use at the specified location is consistent with the policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations.**

Supportive Evidence

The subject property is designated Central Commercial on the General Plan Land Use Map and is within the Central Commercial Core Area (CCA) Zoning District. The intent of the CCA Zoning District is to encourage concentrated, pedestrian-oriented downtown center with intensive commercial, financial, administrative, professional, entertainment, cultural and residential uses within the heart of the city. Establishment of a brewery and taproom (Type 23 ABC License) with live entertainment and transferring of an existing on-sale beer and wine (Type 41 ABC License) to new ownership for an existing restaurant with beer and wine sales are conditionally permitted in the CCA Zoning District, subject to approval of a Special Use Permit by the Planning Commission.

The Project would allow for the establishment of a brewery and taproom with live entertainment in an existing 4,317± square-foot commercial tenant space for Buena Vista Brewing Company and transferring of an existing on-sale beer and wine (Type 41 ABC License) to new ownership for an existing restaurant. The Project has been conditioned to conform to all applicable requirements of Chapter 14-25 (Alcohol Related Uses) of Title 14 (Zoning). As conditioned, the Project complies with the zoning regulations for the CCA Zoning District.

The Project is also consistent with the following Policies and Implementation Measures of the Land Use Element of the *2005 General Plan*:

- Goal 4.3 Commercial Land Use** – Revitalize the central business district and provide adequate neighborhood commercial services

- **Policy 4.C. Commercial Land Use** – The City shall plan for revitalization of the central business district along with the distribution of convenient neighborhood commercial centers
- **Implementation Measure 4.C.1. Downtown Redevelopment** – The City shall use the redevelopment process to encourage the location of retail, professional, and residential uses as well as personal services within the central business district to serve the entire Pajaro Valley

The proposed Project would establish a brewery and taproom with live entertainment in a vacant 4,317± square-foot commercial tenant space and transferring of a Type 41 ABC License to new ownership for an existing restaurant. As noted in the Business Plan (Attachment 2), the brewery, taproom, and restaurant will provide space for residents to patronize and will revitalize a vacant commercial space. As conditioned, the Project is consistent with the aforementioned goals and policies in the *2005 General Plan*.

2. **The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.**

Supportive Evidence

Pursuant to WMC Section 14-16.1002(b) and WMC Chapter 14-25, establishing a brewery and taproom with live entertainment (Type 23 ABC License) and transferring a Type 41 ABC License to new ownership for an existing restaurant with beer and wine sales requires issuance of a Special Use Permit. Standard conditions have been placed on the brewery with taproom and restaurant with beer and wine sales to ensure adverse impacts do not occur related to alcohol sales, in accordance with WMC Sections 14-25.021 and 14-25.022. A condition of approval also requires issuance of an Entertainment Permit from the Watsonville Police Department in accordance with WMC Section 5-9.01. These conditions ensure that the Project will be compatible with the adjacent neighborhood.

The subject site is located within the City of Watsonville's Downtown Parking District and is eligible for satisfying on-site ("off-street") parking requirements offsite, pursuant to WMC Section 14-17.106.

As the Project involves the establishment of a Type 23 ABC License with live entertainment and transferring of a Type 41 ABC License to new ownership in existing commercial tenant spaces in a mixed-use building, no additional on-site or public right of way improvements are needed.

3. **The proposed use will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

Supportive Evidence

The Project does not represent a change of use or intensification of use from the historical use of the building as a live entertainment venue with restaurant. The Special Use Permit to establish a brewery and taproom (Type 23 ABC License) in a 4,317± square-foot commercial tenant space and transferring of an on-sale beer and wine (Type 41 ABC License) to new ownership for an existing restaurant with beer and wine sales will not generate additional pedestrian or vehicular traffic that will be hazardous or conflicting with the existing and anticipated traffic in surrounding neighborhood. Adjacent to the Project site is a City-owned parking lot at 35 West Beach Street, which will provide adequate parking and drop-off/pick-up locations for patrons of 410 Rodriguez Street/30 West Beach Street. As such, existing sidewalks and roadways can accommodate vehicle and foot traffic to the Project site.

4. **The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.**

Supportive Evidence

No additional traffic impacts are anticipated to occur as part of establishment of a 4,317± square-foot brewery with taproom (Type 23 ABC License) with live entertainment and transferring an on-sale beer and wine (Type 41 ABC License) under new ownership for an existing restaurant with beer and wine sales. As such, not additional onsite or roadway improvements or modifications are required as part of this Use Permit.

5. **The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties.**

Supportive Evidence

Standard conditions have been placed on the Project to ensure no adverse impacts occur related to alcohol sales, in accordance with WMC Sections 14-25.021 and 14-25.022. Additionally, a condition of approval requires the applicant to obtain an Entertainment Permit from the Watsonville Police Department in accordance with WMC Section 5-9.01. These conditions ensure that the Project will be consistent with the surrounding neighborhood. Establishing a brewery and taproom with live entertainment and transferring of an on-sale beer and wine license to new ownership for an existing restaurant with beer and wine sales will not result in additional noise impacts.

6. **The proposed special use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed special use and uses within the applicable base zoning district.**

Supportive Evidence

The Project is required to comply with standard operational conditions for a brewery and taproom with live entertainment and a restaurant with on-sale beer and wine

sales, which limits the hours of operation, prohibits drive-through service of alcohol, and compliance with entertainment and amplified noise permits issued by the Watsonville Police Department. The Project has been conditioned to require that all managers and employees to attend LEAD training within 90 days of approval of this Use Permit and/or employment at the brewery/taproom and restaurant.

The Project will be conditioned to comply with the provisions of Title 14 (Zoning, the Downtown Land Use and Architectural Guidelines, the Downtown Signage Guidelines, and the California Building Code and California Fire Code requirements for the proposed tenant improvement.

7. **The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.**

Supportive Evidence

The Project will continue to complement adjacent commercial uses. As conditioned, the 4,317± square-foot brewery and taproom with live entertainment (Type 23 ABC License) and restaurant with beer and wine sales under new ownership (Type 41 ABC License) will be required to comply with all the requirements of an establishments with small beer manufacturing privileges and on-sale beer and wine sales as outlined in WMC Chapter 14-25 and Entertainment Permit provisions in WMC Chapter 5-9.

The applicant will be required to implement a neighborhood compatibility plan to mitigate adverse impacts associated with and alcohol related use and comply with operational standards for alcohol establishments with small beer manufacturing privileges and on-sale beer and wine sales. As conditioned, the Project will not be detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.

ALCOHOL-RELATED USE FINDINGS (WMC § 14-25.013)

- 1. The proposed use received the minimum score necessary to issue a conditional use permit.**

Supportive Evidence

The application received a passing score of 1,421, exceeding the minimum score of 1,100 points.

- 2. The proposed use will not cause adverse noise, litter, crowd control, or parking impacts.**

Supportive Evidence

The Project site is developed with an existing mixed use building with Single Room Occupancy (SRO) units above first floor commercial spaces. The project site is located in the City of Watsonville's Downtown Parking District and is adjacent to a City-owned parking garage on West Beach Street that provides adequate parking for the brewery, taproom, and restaurant with beer and wine sales. The project is conditioned to provide signage will be posted both inside and outside the existing business, asking patrons to keep noise to a minimum while on the premises. The location of existing lighting and security cameras provides adequate security for the brewery and taproom with live entertainment and the existing restaurant with beer and wine sales. The applicant will also be required to get an Entertainment Permit from the Watsonville Police Department as required by WMC Section 5-9.01. As conditioned, the proposed use will not cause adverse noise, litter, crowd control, or parking impacts for the surrounding development.

- 3. The proposed use will not create objectionable conditions that constitute a nuisance, as defined in California Business and Professions Code Section 24200(f)(2).**

Supportive Evidence

The proposed use, as conditioned with minimum operation standards for alcohol related uses pursuant to WMC Sections 14-25.021, 14-25.022, and 14-25.030, will not create objectionable conditions that constitute a nuisance, as defined in California Business and Professions Code Section 24200(f)(2).

- 4. The proposed use will maintain all levels of service, including but not limited to the provision of security, maintenance of premises, LEAD training, and professional management as identified in the original application.**

Supportive Evidence

The proposed use, as conditioned with minimum operation standards for alcohol related uses, will maintain all levels of services, including but not limited to provisions of security cameras, maintenance of premises, LEAD training, and professional management as identified in the original application as described in the Business Plan, Neighborhood Compatibility Plan, and Safety and Security Plan.

NOTICE OF EXEMPTION**EXHIBIT "B"**

TO: ☒ Office of Planning and Research
P.O. Box 3044, Room 113
Dept.
Sacramento, CA 95812-3044
Email: state.clearinghouse@opr.ca.gov

FROM: City of Watsonville
Community Development

250 Main Street
Watsonville, CA 95076

☒ Clerk of the Board
Santa Cruz County
701 Ocean Street, Room 500
Santa Cruz, CA 95060

FILE NO.: PP2022-55

Project Title: Buena Vista Brewing Company – Establishment of Type 23 ABC License and transfer of Type 41 ABC License to new ownership

Project Location - Specific: 410 Rodriguez Street/30 West Beach Street

Project Location - City: Watsonville
Cruz

Project Location - County: Santa

Description of Nature, Purpose and Beneficiaries of Project: Special Use Permit with Environmental Review (PP2022-55) for the establishment of a brewery and taproom (Type 23 ABC License) with live entertainment and for the transfer of an on-sale beer and wine license (Type 41 ABC License) to new ownership for an existing restaurant with beer and wine sales.

Name of Public Agency Approving Project: City of Watsonville

Name of Person or Agency Carrying Out Project: Vida Juice, Inc., 256 Potrero Drive, Santa Cruz, CA 95060

Exempt Status (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: Class 1, Section 15301
☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt: This project qualifies for a Class 1 Categorical Exemption per Section 15301 of the *State CEQA Guidelines* as it involves establishing a brewery and taproom (Type 23 ABC License) with live entertainment and transferring an on-sale beer and wine (Type 41 ABC License) to new ownership in an existing mixed-use building. The Project involves no expansion of the existing use because the existing space was previously occupied by the Appleton Event Lounge which provided similar food and beverage services. The project will not involve any exterior modifications and will not expand the footprint of the facility.

Lead Agency Contact Person: Suzi Merriam

Telephone: 831-768-3074

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ **Date:** _____ **Title:** CDD Director

☒ Signed by Lead Agency ☐ Signed by Applicant

**CITY OF WATSONVILLE
PLANNING COMMISSION**

EXHIBIT “C”

Application No: PP2022-55

APN: 017-641-08

Applicant: Vida Juice, Inc.

Hearing Date: December 6, 2022

**SPECIAL USE PERMIT
CONDITIONS OF APPROVAL**

General Conditions:

1. **Approval.** This approval applies to the application submitted on May 16, 2022, and revised September 7, 2022, by Vida Juice, Inc., and identified as “Special Use Permit and Alcohol Related Uses Application” for the establishment of a brewery and taproom (Type 23 ABC License) with live entertainment in a 4,317± square-foot commercial space and transfer of an existing on-sale beer and wine license (Type 41 ABC License) to new ownership at an existing 3,580± square-foot restaurant and 1,351± square-foot outdoor patio area with beer and wine sales at 410 Rodriguez Street/30 West Beach Street (APN 017-641-08), received by the Community Development Department on May 16, 2022 (CDD-P) (“Project”)
2. **Conditional Approval Timeframe.** This Special Use Permit (Application No. PP2022-55) shall be null and void if not acted upon within **24 months** from the effective date of the approval thereof (December 6, 2024) Time extensions may be considered upon receipt of written request submitted no less than forty-five (45) days prior to expiration and in accordance with the provisions of Section 14-10.1201 of the Watsonville Municipal Code (WMC). (CDD-P)
3. **Modifications.** Modifications to the Project or conditions imposed may be considered in accordance with WMC Section 14-10.1305. (CDD-P)
4. **Compliance.** The proposed use shall be in compliance with Use Permit Conditions of Approval, all local codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Use Permit, pursuant to Part 13 of WMC Chapter 14-10. (CDD-P)
5. **Grounds for Review.** The Project shall be in compliance with the conditions of approval, all local codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Special Use Permit, pursuant to Part 13 of WMC Chapter 14-10, or other code enforcement actions, pursuant to WMC Chapter 14-14. (CDD-P)

6. **Appeal Period/Effective Date.** This Special Use Permit shall not be effective until **14 days** after approval by the decision-making body or following final action on any appeal. (CDD-P)
7. **Necessary Revisions.** The applicant shall make all revisions necessary to comply with all conditions of approval. The applicant shall certify in writing below the list(s) of conditions that the building plans comply with the conditions of approval. (CDD-P)
8. **Conditions of Approval.** A copy of the final conditions of approval must be printed on the first or second sheet of plans submitted for future permits. Plans without the conditions of approval printed directly on the first or second page will not be accepted at the plan check phase. (CDD-P)
9. **Required Statement.** The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement, which will become a condition of the building permit:

"I understand that the subject permit involves construction of a building (project) with an approved Special Use Permit. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final."

Signature of Building Contractor

Date

10. **Erosion and Sediment Control Plan.** At time of building permit submittal, the applicant shall provide an erosion and sediment control plan in accordance with WMC Section 7-6.404. (CDD-E)
11. **Right of Way.** Public right of way shall be unobstructed, unless an encroachment permit is obtained. (CDD-E, P)
12. **Replace Damaged Landscaping.** Landscaping damaged during construction must be replaced. (CDD-P)
13. **Work Hours.** No work for which a building permit is required shall be performed within the hours of 7:00 PM - 7:00 AM Monday - Friday, nor prior to 8:00 AM or after 5:00 PM on Saturday. No work shall be performed on Sundays or holidays. A sign shall be posted at a conspicuous location near the main entry to the site, prominently displaying these hour restrictions. Any exception to these hours shall require a minimum of 48 hour notice to the Community Development Department. (CDD-P, B)

Project Specific Conditions:

14. **Bicycle Parking.** At time of Building Permit submittal, building permit plans shall show a minimum of four bicycle parking spaces for patrons of Buena Vista Brewing Company, in accordance with WMC Section 14-17.113. Bicycle parking spaces shall be no less than 6 feet long by 2 feet wide and shall have a parking rack capable of supporting bicycles of various sizes in a vertical position. (CDD-P)

Building and Engineering-related Conditions:

15. **Required Permits.** The applicant shall obtain all required permits for this project. (CDD-B, CDD-E)
16. **Building Code.** Project construction shall comply with California Building Code requirements as adopted by the City of Watsonville (CDD-B)
17. **Fire Code.** Project construction shall comply with California Fire Code requirements as adopted by the City of Watsonville (WFD)
18. **Construction Plans.** Project construction drawing shall include the following information and shall be reviewed and approved by the City of Watsonville's Building Official. Plans shall be drafted by a Licensed Architect or Engineering Professional. (CDD-B, CDD-E)
19. **Accessibility.** The project shall conform with accessibility requirements to buildings and facilities by individuals with disabilities under the American Disabilities Act. (CDD-B)
20. **Encroachment Permit.** The applicant shall obtain an encroachment permit from the City of Watsonville and/or Caltrans for proposed work in the public right-of-way. (CDD-P-E)

Source Control Division Conditions:

21. **Side-Streaming of Grains.** Spent grains from the brewing process shall be side-streamed and shall not be discharged into the sanitary sewer system. (PW&U – SC)
22. **Floor Drain Screening.** Floor drain shall include adequate screening for discharging other process wastes. (PW&U – SC)
23. **Food Service Dishware.** All dishware used for food service must be washed in the food preparation kitchen equipped with a grease interceptor connected to the three compartment sink. (PW&U – SC)
24. **Discharged Waste pH.** The pH of any waste discharged into the sanitary sewer from the brewing process must be within a pH range of 6 to 10. (PW&U – SC)
25. **Wastewater Pretreatment for Restaurant.** The wastewater pre-treatment devices will require professional service and maintenance on a monthly basis. A record for

servicing the wastewater pre-treatment devices shall be kept on the premises for inspection by the public and City staff. (CDD-P, PW&U – SC)

On-Going Conditions – Alcohol Related Uses Conditions:

26. **ABC Conditions.** Any and all conditions of the Department of Alcohol and Beverage Control (ABC) are incorporated by reference as conditions of approval for this Use Permit. (CDD-P)
27. **Neighborhood Compatibility Plan.** The applicant shall implement their Neighborhood Compatibility Plan to ensure that the brewery and taproom with live entertainment and restaurant with beer and wine sales under new ownership will not create objectionable conditions that constitute a nuisance and will be compatible with existing and potential uses within the general area. Specific measures include:
 - All customers attempting to purchase alcohol will have their identification checked. In addition, all customers that may be intoxicated will not be served whether in our location or coming in from the street. We do not wish to cause harm to any person customer or not. If a person is deemed to intoxicated to drive or walk, we see to it that an alternative ride home is achieved. All staff will be trained to notice if a person is in peril or over intoxicated and will have measures in place to safely deal with the situation. [Sic]
 - Vida Juice, Inc. plans to produce high-end craft beer. This will be catered to a professional clientele or a person with more disposable income. Also, we strive to keep more of a family friendly feel to the location. This will help to keep the noise and possibility of a negative neighborhood experience. In the case of an unruly person, they will be asked to leave. If the behavior persists in or outside of the location the authorities will be informed. This location will be well-lit indoor and out. It will keep clean and orderly both in and out. We will have ample and clear signage. The building is well insulated and will keep the noise down. (CDD-P)
28. **Drive-through Service.** Drive-through service of alcohol is prohibited. (CDD-P, WPD)
29. **Exterior Pay Phones.** No exterior pay phones may be placed on the premises. (CDD-P, WPD)
30. **Interior Pay Phones.** Interior pay phones shall not allow incoming calls (CDD-P, WPD)
31. **Hours of Operation – Restaurant.** The permitted hours of operation for the restaurant at 410 Rodriguez Street shall be 7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday, with last call 30 minutes before closing. (CDD-P, WPD)
32. **Hours of Operation – Brewery and Taproom.** The permitted hours of operation of the brewery and taproom shall be Tuesday through Saturday from 11:00AM to 10:00PM and Sunday 10:00AM to 6:00PM, with last call 30 minutes before closing.

Live entertainment shall be permitted Friday and Saturday with issuance of an Entertainment Permit from the Watsonville Police Department (CDD-P, WPD)

33. **Food Availability.** Food shall be made available all hours that the establishment (brewery, taproom, and restaurant) is open for business. (CDD-P)
34. **Alcohol Sales.** Beer and wine sales in the restaurant are only permitted with the purchase of food. (CDD-P, WPD)
35. **Bar Area Prohibited.** A distinct bar area in the restaurant for the sale of alcohol only is prohibited. (CDD-P)
36. **Premises Monitoring.** Business owner shall regularly police areas under their control, including but not limited to: parking lots, restrooms, alleys, and sidewalks, to prevent the loitering of persons about the premises. (CDD-P, WPD).
37. **Window Obstructions.** Except as may be specifically allowed by the Municipal Code, no portion of the ground floor windows shall be obscured by paint, walls, window tinting, or other masking device. This requirement is intended to facilitate view of the interior from the exterior for public safety and does not prohibit neon signs, minimal window borders, or other signs or decorations that are consistent with the City's sign regulations and do not obscure views. (CDD-P)
38. **Minors.** The premises shall remain accessible to minors during all hours of operation. (CDD-P)
39. **Trash Receptacles.** Permanent litter and trash receptacles shall be located at convenient locations inside and outside establishments, and operator of establishments shall remove litter and debris on a daily basis. (CDD-P)
40. **Required Signs.** The following signs may be required to be prominently posted in a readily visible manner in English, Spanish, and the predominate language of patrons:
 - "California State Law prohibits the sale of alcoholic beverages to persons under twenty-one (21) years of age."
41. **Employee Age.** Employees shall be at least twenty-one (21) years of age to sell and serve alcohol (CDD-P, WPD)
42. **Lingering Patrons.** The business shall be required to clear the storefront and the adjacent parking lots in the immediate vicinity of the establishment of any lingering patrons immediately after closing. (CDD-P, WPD)
43. **Conditions of Approval Display.** A copy of the Use Permit Conditions of Approval, any applicable ABC conditions, and any training requirements shall be kept conspicuously on the premises of the business and made available to any member of the public or enforcement officer wishing to review them. (CDD-P)

44. **LEAD Training.** All owners, managers and service staff shall follow responsible beverage service (RBS) practices and procedures. Owner(s), manager(s) and service staff shall attend ABC's Licensee Education on Alcohol and Drugs (LEAD) training within ninety (90) days from the date of approval of this Use Permit and/or employment at the liquor store, and each five (5) years thereafter. Upon completion of the training, the applicant shall submit a card verifying full attendance of the three and one-half (3.5) hour training to the Community Development Department. Failure to attend training and/or retain records on file shall be reported to the Planning Commission and may be grounds for imposing additional or different use restrictions or revocation of the alcohol sales establishment use permit. (CDD-P, WPD)
45. **Security Camera Installation.** Security camera monitoring system shall be maintained in good working order and shall not be recorded over within thirty (30) days after initial recording. The system shall support slow motion and high speed playback with zoom capability. At least two (2) 24-hour time-lapse exterior security cameras shall be installed, maintained in good working order, and made available to the Police Department upon request. Chief of Police may recommend additional security cameras or revised operation practices. (WPD)
46. **Lighting Maintenance.** Exterior security lighting shall be provided. All security lighting shall be shielded and downcast to ensure it does not create a glare nuisance to adjacent properties. Any broken or burned out lights shall be replaced within 72 hours. (CDD-P, WPD)
47. **Outdoor Patio Area Lighting.** Lighting for outdoor patio area, exterior lighting with an average light intensity between one (1) and four (4) foot-candles with a maximum uniformity ratio not to exceed three to one (3:1) shall be required. (CDD-P, WPD)
48. **Entertainment Permit.** The permittee shall (a) obtain a permit from the Watsonville Police Department before holding any entertainment, amplified music and/or specific event and (b) comply with any conditions pertaining to said permit, in accordance with WMC Section 14-25.022(a)(1) and WMC Chapter 5-9 (CDD-P, WPD)
49. **Building Occupancy.** The number of occupants shall not exceed the maximum permitted occupant load per California Building Code and/or Fire Code requirements. (CDD-B)
50. **Permit Term.** This Use Permit shall be valid for **20 years** after the effective date of this Use Permit unless there is a change in ownership or other substantial change in mode or character of operation, at which time a new Use Permit shall be required. Unless renewed, this Use Permit shall expired on **December 21, 2042.** (CDD-P)
51. **Revocation of Permit.** If the Planning Commission determines that the use as operated or maintained constitutes a public nuisance and/or is causing alcohol related problems, the Planning Commission may require the modification, discontinuation, or revocation of the Use Permit as outlined in WMC Section 14-25.031 and Section 14-23.032. (CDD-P, WPD)

52. **Accessibility.** The Project shall conform with accessibility requirements to buildings and facilities by individuals with disabilities under the American Disabilities Act. (CDD-B)

Future Sign Permit:

53. **Sign Permit.** Any new or proposed changes in the exterior signage of the premises shall require Sign and Building Permits through the Community Development Department. (CDD-P, CDD-B)

Indemnity Provision:

54. **Indemnity Provision.** The applicant shall sign a defense and indemnity contract agreeing to defend, indemnify, and hold harmless the City of Watsonville, its elected and appointed officials, officers, employees, and agents arising out Special Use Permit (PP2022-55), including but not limited to any approval or condition of approval of the City of Watsonville Planning Commission or City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning this permit and the applicant and City shall cooperate fully in the defense of the matter. The City reserves the right to select counsel in the defense of the matter. (CA)

Key to Department Responsibility

CDD-B – Community Development Department (Building)
CDD-P – Community Development Department (Planning)
CDD-E – Community Development Department (Engineering)
PW&U – SC – Public Works Department – Source Control Division
WFD – Watsonville Fire Department
WPD – Watsonville Police Department
CA – City Attorney

**CITY OF WATSONVILLE
PLANNING COMMISSION**

EXHIBIT "D"

Application No: PP2022-55

APN: 017-641-08

Applicant: Vida Juice, Inc.

Hearing Date: December 6, 2022

Applicant: Vida Juice, Inc. dba Buena Vista Brewing Company

Address: 256 Potrero Street, Santa Cruz, CA 95060

Project: Special Use Permit

Location: 410 Rodriguez Street/30 West Beach Street, Watsonville, CA 95076

Purpose: Allow the establishment of a brewery and taproom (Type 23 ABC License) with live entertainment and transfer of an on-sale beer and wine license (Type 41 ABC License) to new ownership for an existing restaurant with beer and wine sales.

Property Owner: Pajaro Wall Street Inn, LLC

Address: 30 West Beach Street, Ste. 105, Watsonville, CA 95076

A Special Use Permit (PP2022-55) to allow the establishment of a brewery and taproom (Type 23 ABC License) with live entertainment in an 4,317± square-foot commercial space and allow for the transfer of an on-sale beer and wine license (Type 41 ABC License) to new ownership for an existing 3,580± square-foot restaurant and 1,351± square-foot outdoor patio area with beer and wine sales at 410 Rodriguez Street/30 West Beach Street, Watsonville (APN 017-641-08), was reviewed by the Planning Commission at a public hearing on December 6, 2022, and was conditionally approved by adoption of Planning Commission Resolution No. -22 (PC) together with findings and conditions of approval attached hereto and made a part of this permit.

**CITY OF WATSONVILLE
Planning Commission**

Suzi Merriam
Community Development Director