

RESOLUTION NO. \_\_\_\_\_ (CM)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING THE TWENTY-EIGHTH (28TH) AMENDMENT TO THE WATSONVILLE 2005 GENERAL PLAN TO RE-DESIGNATE ASSESSOR'S PARCEL NUMBER 017-161-51 LOCATED AT 215 LOCUST STREET, WATSONVILLE, CALIFORNIA FROM (I) INDUSTRIAL TO PUBLIC/QUASI-PUBLIC TO ALLOW THE PERMANENT ESTABLISHMENT OF A 525-STUDENT CHARTER SCHOOL FOR GRADES 6-12 IN AN EXISTING 27,000± SQUARE FOOT BUILDING WITH AN 8,500± SQUARE FOOT MEZZANINE ON A 2.1± ACRE SITE**

**WHEREAS**, Ceiba College Preparatory Academy ("Ceiba") is a public charter school serving more than 500 students. For its first five years, from 2008 to 2013, Ceiba operated out of two locations in downtown Watsonville. In 2013, Tom Brown on behalf of Ceiba proposed to relocate the school to its current location under one roof. Ceiba planned on leasing the building on a temporary basis while they looked for a permanent location for purchase; and

**WHEREAS**, on June 4, 2013, the Planning Commission of the City of Watsonville ("City") adopted Resolution No. 08-13 (PC), approving Special Use Permit with Environmental Review (PP2012-251), to allow establishment of a 525-student charter school for grades 6-12 in a vacant 27,000± square-foot industrial building at 260 West Riverside Drive (APN 017-161-51). This action allowed Ceiba to use the premises for a period of up to 10 years while a permanent school site was identified for purchase; and

**WHEREAS**, Ceiba has made substantial improvements to the building. In October 2013, the City issued Ceiba a Building Permit (BP2013-185) for converting the existing industrial building into a school, including adding an 8,500± square-foot mezzanine, toilet rooms, bearing and non-bearing walls, HVAC system, and electrical power and lighting upgrades. Subsequent tenant improvements to the building include

new gas service (EP2014-38), fire sprinkler upgrades (FP2014-36), classroom alterations (BP2018-45), new and relocated fire pendants based on new ceiling and classroom partitions (FP2018-62), new smoke and fire alarms (FP2018-76), new carport with solar panels (BP2019-185), and replacement paving and wall studs due to water damage (RP2020-7); and

**WHEREAS**, on May 27, 2021, Elizabeth Sanborn Falcon, with Benchmark Realty Advisors, on behalf of Ceiba College Preparatory Academy, applicant, and Spinnaker Ventures LLC, property owner, submitted an application for a General Plan Map Amendment (to change the site's land use designation from Industrial to Public/Quasi-Public), Zoning Map Amendment (to change the site's zoning designation from IG to N for Institutional), and Special Use Permit (App. No. 1737) to allow the existing school use to remain permanently ("project"); and

**WHEREAS**, as the subject property is currently designated Industrial on the General Plan Land Use Diagram and is within the IG Zoning District, the proposed amendments would enable the formal recognition of the existing school use on the premises; and

**WHEREAS**, issuance of the requested Special Use Permit would allow the permanent establishment of a 525-student charter school for grades 6-12 on the subject property; and

**WHEREAS**, on April 5, 2022, the Planning Commission voted 3-2 to recommend approval to Council. However, an affirmative vote of the majority of the full Commission, not just the members present at the meeting, is required. Therefore, the Commission took no action; and, in effect, made "no recommendation" to the City Council. Since the Planning Commission only makes a recommendation to Council, the project applications are still forwarded to the City Council for final action; and

**WHEREAS**, a twenty-eighth (28<sup>th</sup>) amendment to the Watsonville 2005 General Plan is proposed which will change the 2005 General Plan Land Use Diagram designation for this parcel from Industrial to Public/Quasi-Public to allow the permanent establishment of a 525-student charter school for grades 6-12 in an existing 27,000± square-foot building with an 8,500± square-foot mezzanine on a 2.1± acre site located at 215 Locust Street (APN 017-161-51); and

**WHEREAS**, pursuant to Section 65358(b) of the Government Code, the General Plan may only be amended four (4) times during any calendar year; and

**WHEREAS**, the proposed General Plan Amendment, if adopted, will be the twenty-sixth (28<sup>th</sup>) amendment to the *Watsonville 2005 General Plan* and the first (1<sup>st</sup>) amendment of the 2023 calendar year; and

**WHEREAS**, notice of time and place of the hearing to consider General Plan Map Amendment, Zoning Map Amendment, and Special Use Permit with Environmental Review (App #1737) was given at the time and in the manner where appropriate public noticing procedures have been followed and a public hearing was held according to Section 14-10.900 of the Watsonville Municipal Code; and

**WHEREAS**, the City Council has considered all evidence received, both oral and documentary, and the matter was submitted for decision.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1. That the City Council determines that the project is exempt from the California Environmental Quality Act (CEQA), in that the project would not result in the change, intensification or expansion of an existing use and the allowance of an existing school use on a permanent basis would not result in a significant effect on the environment (CEQA Guidelines § 15301 (Class 1)). The project is also exempt under

the “common sense” exemption because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment (CEQA Guidelines §15061(b)(3)); and

2. Good cause appearing and upon the Findings, attached hereto and incorporated herein as Exhibit “A”, the City Council of the City of Watsonville does hereby approve this amendment to the 2005 General Plan Land Use Diagram, a portion of which is attached hereto and marked as Exhibit B to change the land use designation from Industrial to Public/Quasi-Public to allow the permanent establishment of a 525-student charter school for grades 6-12 in an existing 27,000± square-foot building with an 8,500± square-foot mezzanine on a 2.1± acre site located at 215 Locust Street, Watsonville, California (APN: 017-161-51).

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