

RESOLUTION NO. _____ (CM)

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE
ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE
DECLARATION (APP. NO. 2138) FOR THE CONSTRUCTION OF A NEW
155,847 SQ. FT. WAREHOUSING AND DISTRIBUTION FACILITY ON AN
11.5-ACRE SITE LOCATED AT 200 MANABE OW ROAD (APN: 018-711-
33); AND ADOPTING CONCURRENTLY A MITIGATION MONITORING
AND REPORTING PROGRAM FOR THE PROJECT, IN ACCORDANCE
WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, in 2006, the City of Watsonville and the property owners of this property and other nearby properties entered into an annexation agreement which stipulated the land uses the property can be developed for and requirements for a planning process that included preparation of a specific plan; and

WHEREAS, on October 26, 2010, the Manabe-Ow Business Park Specific Plan (MOBPSP) and the Manabe-Ow Business Park Specific Plan Master Environmental Impact Report (MEIR) were approved and certified respectively by the City Council; and

WHEREAS, on July 30, 2021, the applicant, Lone Oak – Watsonville, LLC., submitted application 2138 to request approval of a Special Use Permit with Design Review and Environmental Review for a new 155,847-square-foot warehousing and distribution facility on an 11.5-acre parcel located at 200 Manabe Ow Road (APN: 018-711-33); and

WHEREAS, on August 12, 2021, the applicant, Lone Oak – Watsonville, LLC., submitted Lot Line Adjustment application PP2021-2373 to request approval to adjust the lot line between two adjoining parcels (APNs 018-711-33 and 018-711-34); and

WHEREAS, on October 18, 2021, the application for a Lot Line Adjustment for APNs 018-711-33 and 018-711-34 was approved by the Minor Land Division Committee; and

WHEREAS, on November 1, 2021, the Certificate of Compliance was recorded with the Santa Cruz County Recorder's Office under document numbers 2021-0054519 (APN: 018-711-33) and 2021-0054518 (APN: 018-711-34); and

WHEREAS, on August 23, 2022, Application No. 2138 was deemed complete; and

WHEREAS, the California Environmental Quality Act (Public Resources Code section 21000, et seq., and the California Environmental Quality Act Guidelines, 14 California Code of Regulations section 15000, et seq., collectively, "CEQA") provides that when the initial study for a proposed project reveals that the project may have one or more significant effects on the environment, an EIR is usually required (Public Resources Code sections 21100, 21151; 14 California Code of Regulations sections 15064(f)(2) and 15070(b)). If, however, the project applicant revises the project, or agrees to revise the project, to eliminate or avoid all significant impacts by incorporating mitigation measures into the project, the agency may adopt a "mitigated" negative declaration (Public Resources Code sections 21064.5, 21080(c)(2); 14 California Code of Regulations sections 15064(f)(2) and 15070(b)); and

WHEREAS, an Initial Study was prepared for the proposed project (dated October 2022) by MIG in accordance with Section 15063 of the CEQA Guidelines. The Initial Study addresses the potential physical environmental effects of the proposed project for each of the environmental topics outlined in Appendix G of the CEQA Guidelines. Impacts to biological resources, cultural resources, hazards and hazardous materials, noise, transportation and tribal cultural resources were found to be potentially significant but mitigable to less than significant. Impacts to other resource areas and

environmental topics were found to be less than significant without mitigation; and

WHEREAS, on October 20, 2022, City staff filed a Notice of Intent to Adopt a Mitigated Negative Declaration (“NOI”) and copies of the Initial Study and proposed Mitigated Negative Declaration (“IS/MND”) with the State Clearinghouse, and thereby initiated the 30-day public review period for the document on Friday, October 21, 2022, which closed at 5:00 p.m. on Monday, November 21, 2022. The NOI was also mailed to property owners and residents in the vicinity of the project site, interested parties, tribal representatives, and relevant state regulatory agencies; uploaded to the California State Clearinghouse; posted physically in three locations in the vicinity of the project site; and posted on the City Hall public notice board; and

WHEREAS, Staff received five comments on the IS/MND during the public review period; and

WHEREAS, after reviewing the proposed project for compliance with the policies of the 2005 General Plan and Manabe-Ow Business Park Specific Plan, Staff recommended the applicant add a Specific Plan Amendment to remove Business Park Road South and Connection Road to the project entitlements; and

WHEREAS, on January 12, 2023, the applicant amended their application to include a Specific Plan Amendment to the project entitlements to remove the internal streets (Business Park Road South and Connection Road) from the Land Use Plan and Circulation Plan in the Manabe-Ow Business Park Specific Plan; and

WHEREAS, on January 26, 2023, applicant and City executed the first amendment to the reimbursement contract for environmental review of the project,

adding an additional \$4,140 to the MIG contract for analysis of the Specific Plan Amendment and revisions to the Manabe-Ow Business Park Specific Plan; and

WHEREAS, on February 15, 2023, Staff received the Final Initial Study and Mitigated Negative Declaration (IS/MND), including the IS/MND, written responses to comments received on the IS/MND (“Response to Comments” document), an IS/MND Errata and the Mitigation Monitoring and Reporting Program (MMRP) from MIG; and

WHEREAS, none of the changes to the 200 Manabe Ow Road Distribution Facility Project IS/MND contained in the Errata document and none of the information included in the related Response to Comments document amount to substantial revisions as defined in Section 15073.5 of the CEQA Guidelines. All of the changes reflected in the Errata document and information provided in the Response to Comments document amount to minor modifications which merely clarify, amplify, and make insignificant modifications to the IS/MND and as such there is no requirement to recirculate the IS/MND for additional public review and comment on account of the changes made to the IS/MND via the Errata document and new information provided via the Response to Comments document; and

WHEREAS, on March 21, 2023, the City of Watsonville Planning Commission approved Resolution No. 03-23 (PC) recommending the City Council adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project in compliance with the California Environmental Quality Act (CEQA), Resolution No. 04-23 (PC) recommending the City Council approve a Special Use Permit with Design Review and Environmental Review (App. No. 2138) to allow the construction of a new warehousing and distribution facility totaling 155,847± square feet

on an 11.5± acre site located at 200 Manabe Ow Road (APN 018-711-33), and Resolution No. 05-23 (PC) recommending the City Council approve an amendment to the Manabe Ow Business Park Specific Plan to remove two internal streets from the Land Use Plan and Circulation Plan; and

WHEREAS, notice of time and place of the hearing to consider the adoption of the Final IS/MND and MMRP was given at the time and in the manner prescribed by the Zoning Ordinance (Part 9: Public Hearing Notice Provisions of Chapter 14-10: Administration and Procedure) of the Watsonville Municipal Code. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision.

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:

The City Council does hereby adopt the following Findings and MMRP, attached hereto and marked as Exhibit “A,” in support of the Mitigated Negative Declaration for the construction of a 155,847-square-foot warehousing and distribution facility on an 11.5-acre parcel located at 200 Manabe Ow Road, Watsonville (APN: 018-711-33) in compliance with the requirements of CEQA:

1. The City, in its capacity as Lead Agency, has prepared a Final IS/MND for the project, which includes the original IS/MND, the Response to Comments document, and the IS/MND Errata document (“Final IS/MND”). The purpose of the Final IS/MND is to determine whether the project could have a potentially

significant effect on the environment and to identify and impose appropriate project mitigation measures to avoid such impacts or reduce them to a less-than significant level;

2. The City Council has reviewed the Final IS/MND and the findings and MMRP and confirms that it reflects the City of Watsonville's independent judgment and analysis;
3. The Final IS/MND and the MMRP were prepared in accordance with all legal requirements, including all public notice and comment period requirements, set forth in CEQA;
4. The Final IS/MND examined all relevant environmental issues associated with the project, and is a complete and adequate environmental document under the requirements of CEQA. Specifically, the City Council supports the conclusions of the Initial Study and the mitigation measures proposed for the MND, as both documents are supported by substantial evidence in the record; and
5. There is no substantial evidence in the record that the project, as mitigated, will have a significant effect on the environment. As discussed and demonstrated in the Final IS/MND, mitigation measures have been identified in the IS/MND and MMRP that, when implemented, will avoid or reduce all of the project's potential impacts to less-than-significant levels.
