

RESOLUTION NO. \_\_\_\_\_ - 21 (PC)

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT (APPLICATION NO.1360) TO ALLOW THE ESTABLISHMENT OF A SECONDHAND STORE IN AN EXISTING ±9,400 SQUARE FOOT COMMERCIAL TENANT SPACE WITH THE OPTION TO EXPAND OPERATIONS TO THE REMAINDER OF THE COMMERCIAL BUILDING (HABITAT FOR HUMANITY MONTEREY BAY RESTORE) LOCATED AT 555 MAIN STREET, WATSONVILLE, CALIFORNIA (APN 018-231-44)**

**Project: Habitat for Humanity Monterey Bay ReStore  
APN: 018-231-44**

**WHEREAS**, on March 16, 2021, an application for a Special Use Permit (Application No. 1360) to allow the establishment of a secondhand store at 555 Main Street, Watsonville, California, was filed by Satish Rishi, applicant with Habitat for Humanity Monterey Bay, on behalf of Benjamin Ow, property owner; and

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

**WHEREAS**, the project qualifies for a Class 32 Categorical Exemption from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 153032 of the CEQA Guidelines; and

**WHEREAS**, according to Santa Cruz County Assessor's Office records, the commercial tenant space was constructed in 1910 and modified 1966; and

**WHEREAS**, on April 1, 2008, the Planning Commission of the City of Watsonville adopted Resolution No. 07-08 (PC), approving Special Use Permit (PP2008-98) allowing for the establishment of a family entertainment center for (Pump'd); and

**WHEREAS**, on May 1, 2014, the Zoning Administrator of the City of Watsonville issued Zoning Clearance (BL2014-34), approving a change in ownership of the Pump'd family entertainment center; and

**WHEREAS**, on March 9, 2017, the Zoning Administrator of the City of Watsonville issued Zoning Clearance (BL2017-11), approving a change in ownership and name of the Pump'd family entertainment center to Jump-N-Around; and

**WHEREAS**, on May 20, 2019, the Zoning Administrator of the City of Watsonville issued Zoning Clearance (PP2019-193), approving a change in ownership and name of the Jump-N-Around family entertainment center to Bounce Land Inflatable Center; and

**WHEREAS**, on September 19, 2019, the Zoning Administrator of the City of Watsonville issued Zoning Clearance (PP2019-369) to allow for a change in ownership of the Jump-N-Around family entertainment center; and

**WHEREAS**, notice of time and place of the hearing to consider Special Use Permit (Application No. 1360) was given at the time and in the manner prescribed by the Zoning Ordinance of the City of Watsonville. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision; and

**WHEREAS**, the Planning Commission has considered all written and verbal evidence regarding this application at the public hearing and has made Findings, attached hereto and marked as Exhibit "A," in support of the Special Use Permit (Application No. 1360) to allow to allow the establishment of a ±9,400 square foot secondhand store with the option to expand operations into the remaining ±20,000 square feet of the commercial building at 555 Main Street (APN 018-231-44); and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Watsonville, California, as follows:

Good cause appearing, therefore, the Planning Commission of the City of Watsonville does hereby grant approval of Special Use Permit (Application No. 1360), attached hereto and marked as Exhibit "C," subject to the Conditions attached hereto and marked as Exhibit "B," to allow the establishment of a secondhand store with the option to expand operations to the remainder of the building at 555 Main Street (APN 018-231-44).

**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 1st day of June, 2021, 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

\_\_\_\_\_  
Jenni Veitch-Olson, Chairperson  
Planning Commission

**Application No:** 1360

**APN:** 018-231-44

**Applicant:** Habitat for Humanity

**Hearing Date:** June 1, 2021

**SPECIAL USE PERMIT FINDINGS (WMC § 14-12.513)**

The purpose of the Special Use Permit is to allow the establishment of a second hand store in an existing commercial building, 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 (CC) on the General Plan Land Use Map and is within the Central Commercial Core Area (CCA) Zoning District. A secondhand is conditionally allowed in the CCA Zoning District, subject to approval of a Special Use Permit by the Planning Commission. As conditioned, the application meets all requirements of the Watsonville Municipal Code (WMC).

The proposed project would convert a ±9,400 square foot portion of an existing commercial building from a family entertainment center into a secondhand store operated by Habitat for Humanity Monterey Bay. The organization will also have the option to expand operations to the remainder of the building. Sale of goods would benefit the organization's mission of funding the construction of affordable housing throughout the Monterey Bay region.

- 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 14-17.801(j), 28 parking stalls would be required to establish the secondhand store. The existing furniture requires approximately 21 parking stalls as required by WMC Section 14-17.801(h). The Parking Ordinance allows for commercial parking to be calculated using 85 percent of the gross floor space. WMC §14-17.108. The total number of required parking stalls is 42 parking stalls.

The surface parking lot contains approximately 43 parking stalls. As such, the project satisfies the off-street parking requirements on-site.

Additionally, the subject site is located within the City of Downtown Parking District and is eligible for satisfying onsite (“off-street”) parking requirements offsite, pursuant to WMC Section 14-17.106.

The proposed project involves a change in use from a family entertainment center to a secondhand store, with the installation of a roll up door to accommodate a donation drop off area. No additional modifications or site improvements are proposed.

- 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 establishment of a secondhand store in a ±9,400 square foot commercial tenant space will not generate additional pedestrian or vehicular traffic above existing levels.

Two parking stalls would be utilized for individuals donating goods to the ReStore. As such, the donation of goods is not anticipated to conflict with existing and anticipated traffic patterns within the parking lot.

- 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 the establishment of a ±9,400 square foot secondhand store with the option to expand operations into the remainder of the existing commercial building.

- 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**

The secondhand store would not cause adverse impacts on the property or adjacent property. As conditioned, the project will be required to comply with

current California Building Code requirements should any tenant improvements be proposed.

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 establishment of a ±9,400 square foot secondhand store with the option to expand operations into the remainder of the commercial building will be conditioned to comply with the provisions of Title 14 (Zoning), the Downtown Architectural and Land Use Guidelines, and the Downtown Signage Guidelines.

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**

As conditioned, the establishment of a ±9,400 square foot second store with the option to expand operations into the ±20,000 remainder of the commercial building 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.

**Application No:** 1360  
**APN:** 018-231-44  
**Applicant:** Habitat for Humanity  
**Hearing Date:** June 1, 2021

**SPECIAL USE PERMIT  
CONDITIONS OF APPROVAL**

**General Conditions:**

1. **Approval.** This approval applies to the application submitted on March 16, 2021 and revised April 13, 2021 by Habitat for Humanity Monterey Bay, and identified as "Special Use Permit" for the establishment of a  $\pm 9,400$  square foot secondhand store with the option to expand into the  $\pm 20,000$  square foot remainder of the commercial building, received by the Community Development Department on March 16, 2021 and revised on April 13, 2021 (CDD-P)
2. **Conditional Approval Timeframe.** This Special Use Permit (Application No. 1360) shall be null and void if not acted upon within **24 months** from the effective date of the approval thereof. 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 and not 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 conditions 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

**Project Specific Conditions:**

10. **Bicycle Parking.** Prior to issuance of a building permit, the project plans shall be revised to show 2 short-term outdoor bicycle parking stalls in accordance with WMC Section 14-17.113. (CDD-P).
11. **Expansion.** Prior to expanding retail operations into the ±20,000 square foot remainder of the commercial building, the applicant shall submit an application for an Administrative Review Permit and Building Permit for any required tenant improvements. The primary use of the adjacent space shall be dedicated to retail. (CDD-P, CDD-B).
12. **Painting and Materials.** Painting shall be done in substantial conformance with the colors submitted for review and approval of the Community Development Department on April 13, 2021 (CDD-P).
13. **Outdoor Storage of Goods and Storage Containers.** Outdoor storage of goods is prohibited and shall be contained within a building. No storage containers shall be permitted on the premises for storage of goods. (CDD-P)



### **Building and Fire-related Conditions:**

14. **Required Permits.** The applicant shall obtain all required building permits for this project. (CDD-B, CDD-E)
15. **Building Code.** Project construction shall comply with California Building Code requirements as adopted by the City of Watsonville (CDD-B)
16. **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:
  - Provide a proposed floor plan layout showing display and kiosk areas, sales counter, incidental areas (employee break room, etc.), and areas where donation items will be prepared and sorted. Egress and ingress aisles must be shown unobstructed and in compliance with the requirements of the California Building and Fire Code for emergency exiting purposes.
  - Fire extinguisher locations throughout the business.
  - Locations of illuminated exit signs and location of emergency backup lighting in case of a power outage.
  - Information on the stacking of merchandise and materials. Racks over 5 feet 8 inches in height are subject to California Building Code requirements.
17. **Fire Sprinkler Test.** Prior to issuance of a Certificate of Occupancy, the Fire Sprinkler test shall be conducted to the satisfaction of the City of Watsonville's Fire Marshall (CDD-F).
18. **Backflow Prevention.** All utilities require City-approved backflow prevention devices. Backflow prevention devices shall be located within five feet of the water meter, adequately screened, and comply with City of Watsonville Standards W-10 and W-12 (CDD-E, PW)
19. **Accessibility.** The project shall conform with accessibility requirements to buildings and facilities by individuals with disabilities under the American Disabilities Act. (CDD-B)

### **On-Going Conditions:**

20. **Downtown Architectural and Land Use Guidelines and Downtown Signage Guidelines Conformance.** All proposed signage and exterior modifications shall conform to the Downtown Architectural and Land Use Guidelines and the Downtown Signage Guidelines (CDD-P).

21. **Sign Permit.** Any new or proposed changes in the exterior signage for the premises shall require Sign and Building Permits through the Community Development Department. (CDD-P-B)
22. **Design Review Permit.** Any exterior modifications or site improvements will require issuance of a Design Review Permit from the Community Development Department. (CDD-P)

**Indemnity Provision:**

23. **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 (App No. 1360), 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 – Public Works Department
- WFD – Watsonville Fire Department
- CA – City Attorney

**CITY OF WATSONVILLE  
PLANNING COMMISSION**

**EXHIBIT "C"**

**Application No:** 1360  
**APNs:** 018-231-44  
**Applicant:** Habitat for Humanity  
**Hearing Date:** June 1, 2021

**Applicant:** Habitat for Humanity Monterey Bay  
**Address:** 108 Magnolia Street, Santa Cruz, CA 95062  
**Project:** Special Use Permit  
**Location:** 555 Main Street, Watsonville, CA 95076  
**Purpose:** Allow the establishment of a ±9,400 square foot secondhand store with the option to expand into the remaining ±20,000 square foot commercial building.  
**Property Owner:** Benjamin Ow  
**Address:** 1601 41<sup>st</sup> Avenue, Suite 202, Capitola, CA 95010

A Special Use Permit (Application No. 1360) to allow the establishment of a ±9,400 square foot secondhand store with the option to expand into the remaining ±20,000 square foot commercial building located at 555 Main Street, Watsonville (APN 018-231-44), was reviewed by the Planning Commission at a public hearing on June 1, 2021, and was conditionally approved by adoption of Planning Commission Resolution No.\_\_\_\_ (PC) together with findings and conditions of approval attached hereto and made a part of this permit.

CITY OF WATSONVILLE  
Planning Commission

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Suzi Merriam  
Community Development Director