

Opposition group files lawsuit to block Home Depot project

By KAREN A. DAVIS

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A grass-roots group opposing the building of the planned Home Depot store has filed a lawsuit against the city of Watsonville, Home Depot Inc. and project developer DBO Development Co.

"(The council's) actions sacrifice the quality of life of the citizens of Watsonville to provide a home for a

WATSONVILLE

Home Depot store in an extremely

poor location (when) there are better alternatives," said Susan Bentley, a member of the opposition group No Home For Depot.

Bentley is a resident of the Cherry Blossom subdivision, which is adjacent to the Home Depot site located at the corner of Green Valley Road and Loma Prieta Avenue.

"The impact of the project on the surrounding neighborhood will be immense," said Bill Parkin, the group's attorney. "In its haste to approve a site for Home Depot, the city approved a deficient environmental impact report."

The suit alleges that the city did not require necessary biotic and other studies before approving the environmental report in June. The group also claims the store will be located in a slough, an environmentally sensitive habitat and that it is too large for the location, among other things.

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BILL PARKIN, GROUP'S ATTORNEY

In July, the City Council approved the project with the caveat that a smaller store be built than planned — 98,452 square feet instead of 118,000. The parking lot will be reduced from 589 spaces to 450. The 24,240-square-foot garden center will remain the same.

City Manager Carlos Palacios and Community Development Director John Doughty could not be reached to comment on the lawsuit Thursday. But Dave Miller of Monterey-based DBO Development said the group already has had its proverbial day in court.

"They've presented all these (allegations) at the public hearing and the council didn't agree with them," Miller said. "We've had experts speak and the environmental report is a complete document. They're saying what we would expect them to say ... and their intent is to delay the project."

Jennifer Bragar, group spokesperson, warned

last month that the group would file a lawsuit to stop the project if the city filed an intent with the county to allow the store to proceed. The group has requested a permanent injunction be issued so that development cannot move forward until legal issues are resolved.

"It is our right as members of the public to oppose any project with legal remedies," Bragar said. "I would be surprised if a developer would begin a \$6 million grading project, on a project that is facing litigation."

Project developers also anticipated the group's move.

"We expected it, so we aren't surprised, either," said Miller. "We feel we have a quality environmental report, and we are prepared."

Miller said his company faced similar opposition when building the Overlook (Target) Shopping Center in Watsonville, but the company prevailed.

As for whether the company would push ahead plans to break ground at the site, Miller said that call would be made by Home Depot. Mike Abbate, Home Depot real-estate manager, could not be reached to comment Thursday afternoon.

Founded in 1978, Home Depot is the world's largest home-improvement retailer, with sales topping \$53 billion in 2001. The company's stock has been traded publicly since 1981.

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