

City of Capitola

Planning Commission Meeting Minutes

Thursday, November 02, 2023 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Susan Westman

Commissioners: Courtney Christiansen, Paul Estey, Gerry Jensen, Peter Wilk

1. Roll Call and Pledge of Allegiance

The meeting was called to order at 6:02PM. In attendance, Commissioners Estey, Jensen, Wilk, Vice Chair Christiansen, and Chair Westman.

2. New Business

None

3. Oral Communications

A. Additions and Deletions to the Agenda

Staff received several additional materials for tonight's meeting: two emails for Item 5A, one email for Item 6A, and one flyer for general comment.

B. Public Comments

Goran Kelpic commented about a call for service that he made to Capitola PD regarding a civil issue he saw in his community related to what he considered the mistreatment of a veteran.

C. Commission Comments

Commissioner Wilk commented on last week's disruptions at the City Council meeting and the change the City has made to Zoom public comments, stating his belief that ending public comment via Zoom and thereby limiting public participation in Government may be in fact supporting the end goal of some extremists. Chair Westman clarified that the change may be discussed further at the next City Council meeting, and Director Herlihy confirmed that an investigation is ongoing, but the pause to Zoom public comments will be limited through the new year before a long-term decision is made.

D. Staff Comments

Director Herlihy reminded the Commission that the City Council will be reviewing the final draft of the Housing Element at their next meeting.

Project Manager Kailash Mozumder gave an update on the Capitola Road Rehabilitation Project which has recently begun. Chair Westman asked a question related to the timeline of work being done at the Capitola Avenue bridge that crosses Highway 1, and Project Manager Mozumder provided a response. Commissioner Wilk asked about how the road rehabilitation projects in question are related to certain affordable housing projects that are in the works, and Director Herlihy provided a response.

Commissioner Jensen then asked for an update on the Wharf Rehabilitation Project and Project Manager Mozumder replied.

4. Approval of Minutes

Commissioner Jensen commented on the details found in the minutes for the October 19th Special Meeting, stating that he wanted the comments from the Commission to be clearly noted for future reference. Director Herlihy commented that Staff relies on the video record to write and edit minutes after the meeting. Commissioner Jensen clarified that he is appreciative of the details as written and feels that the commission comments were accurately reflected in the minutes.

Motion to approve the October 12 and October 19 Planning Commission Meeting Minutes: Vice Chair Christiansen

Seconded: Commissioner Estey

Voting Yea: Commissioners Estey, Jensen, Wilk, Vice Chair Christiansen, and Chair Westman

5. Public Hearings

A. Regional Bikeshare Permitting

Permit Number: #23-0463

APN: City-Wide

Major Encroachment Permits (MEP) and Coastal Development Permits (CDP) for BCycle docking stations for the regional bike share program located within the right-of-way in 18 locations within Capitola.

The project is in the Coastal Zone and requires a Coastal Development Permit. Some docking locations are appealable to California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorically Exempt 15301(c) and 15303 (e)

Property Owner: City of Capitola

Representative: Community Development Department

Senior Planner Froelich began the presentation of a staff report detailing the BCycle Docking Stations project which will bring an e-bike sharing program to the City of Capitola. He provided a background and history of the program, which has already begun rollout around the County, details of the contract, an explanation of how the program works, and a description of the implementation plan for Capitola, including a list of proposed sites.

Commissioner Wilk asked for clarification on the length of the contract and how that term relates to the relevant permits. Planner Froelich confirmed that the contract length is 5 years, and the permits would be issued for that term, and renewed in conjunction with future extensions to the contract.

Chair Westman asked questions about renting the bike without the use of the BCycle mobile app and wanted to know what happens if someone abandons a bike away from a dock. BCycle rep, Kyle Klein, provided answers, stating that instead of using the mobile app, users can rent the bikes with an RFID chip which can be mailed to the participant.

Commissioner Jensen asked about any public subsidization programs that BCycle offers to low-income or other marginalized groups. No such programs currently exist.

Commissioner Estey asked about the BCycle process of recovering abandoned bikes. BCycle rep Klein commented that bike recovery occurs on a regular basis.

Commissioner Jensen asked about the type and classification details of the e-bikes used by this program, and rep Klein provided an answer.

Commissioner Estey asked about the possibility of providing helmets along with the e-bike rentals. BCycle rep Klein offered a response related to the sanitary and liability issues and commented that BCycle offers helmet discounts from their affiliates.

Commissioner Wilk asked about the possibility of offering accessories such as bicycle surf rack mounts. BCycle rep responded that aftermarket accessories have been explored by the company.

Senior Planner Froelich continued the staff report, beginning the list of proposed docking sites. Site 1 was discussed with no questions. The report continued, and Commissioner Wilk questioned Site 2, asking why some proposed sites are situated in red-curb zones. Project Manager Mozumder provided the rationale from a Public Works and safety perspective.

After Commission deliberation regarding the discussion procedure, Chair Westman opened the public hearing.

Neil Savage, resident of the Jewel Box, gave his support of the program as a whole but offered his caution towards placing sites in the Village, specifically mentioning Sites 12 and 13. His reasoning cited safety issues related to traffic and pedestrians on both streets and sidewalks.

Paula Bradley, resident and cyclist in Capitola, commented on her support of the program, citing the reduction of traffic that this program can bring to our City. She also questioned a few of the proposed sites. Lastly, she also asked about the transit center at the mall, and how that site is incorporated in this project. Chair Westman offered clarification regarding this site.

Chair Westman closed the public hearing.

Senior Planner Froelich resumed the presentation with Site 3. Commissioner Wilk wondered about the parallel parking locations that this site will encroach upon, asking Staff if this impact was considered. Planner Froelich commented that parking was considered in this project, but in general, the flexibility of the docking locations was planned for. Staff expects sites to be altered as the program matures.

Planner Froelich described Site 4, and the commission had no questions. He moved on to Site 5, and Commissioner Jensen asked about how the site would be adjusted in the event that it encroached upon the public right of way. Commissioner Wilk asked about the possibility of vandalism, and BCycle rep Klein replied that while there is a potential for vandalism at all sites, the likelihood is low and instances of vandalism overall are lower for the docks in comparison to the bikes themselves. Director Herlihy commented that the Capitola Branch Library was looked at as an alternative to Site 5, but topography and other concerns prevented its viability.

We moved on through Sites 6 and 7 with no questions. Site 8 was discussed, and Commissioner Jensen asked about the condition of the cliff at this site, including how this site's proximity to the village relates to an earlier public comment made about the dangers of placing the docking stations in the Village zone. The Commission as a whole agreed that the benefits of the dock locations in the Village outweigh the potential problems.

Vice Chair Christiansen asked about the pricing model used by BCycle, and BCycle rep Klein provided a response. She also asked about potential docking issues, such as the case that a docking station is not available at a rider's desired docking station. BCycle rep Klein confirmed that this does occur, but there are remedies available, including expanding the number of docks at a certain site, offering alternative sites in close proximity, and providing a customer service number on the bike itself. There was a question about the possibility of offering a brand-new site not proposed in this item tonight, and Senior Planner Froelich stated that new permits would have to be granted in that case. Director Herlihy offered more information regarding the process of expanding sites in the future. Commissioner Wilk asked why Site 8 was placed further up the hill on Cliff Dr, rather than near the staircase leading to Hoopers Beach adjacent to the Wharf. Project Manager Mozumder responded that parking and

pedestrian issues were considered in the selection of this site. Vice Chair Christiansen asked if there were any considerations to place docking sites on the Wharf itself once the repair project is finished, and Project Manager Mozumder confirmed that this is an opportunity.

We moved on to Site 9, with a minor red-curb-related clarification question from Commissioner Wilk, and then Site 10, which raised another question from Commissioner Wilk, who wondered why there was a curb-cut driveway here leading to the empty adjacent lot. That curb cut was left over from the prior use of the lot as a gas station. Commissioner Jensen asked about how this site would be affected by future capital improvement projects near this location.

Site 11 was described and raised no questions. Site 12 was described, and Chair Westman asked why this site was pushed right up to the end of the curb. Director Herlihy replied that Staff wished to leave enough space for certain Police activity at this location. Commissioner Jensen asked about a new law restricting vehicle parking near crosswalks, and Director Herlihy gave a response related to AB413. In addition, Officer Sherin confirmed how AB413 will affect police operations at this location. Commissioner Wilk asked if the location at Quality Market was considered, and BCycle rep Klein replied that he had not investigated this location. Commissioner Wilk then jumped ahead to ask about Site 17 and wondered if BCycle could negotiate with the adjacent property owner to place the site on their property rather than on the street. Vice Chair Christiansen asked if there was general resistance from local private property owners regarding site placement. BCycle rep confirmed that resistance was moderate and working with local governments was preferred.

We discussed Site 13, and Commissioner Estey asked if the location of the public shower was considered in the location of this site. There is a possibility of shower water splash encroaching on the site. Director Herlihy commented that this site has a lot of potential for bicycle parking, including private and shared bikes and future development at and near this site should occur.

Sites 14, 15 and 16 were described with no questions. Site 17 was revisited, and Commissioner Wilk clarified that since this site seems to service the Capitola Knolls apartment complex specifically, they theoretically would be willing to sacrifice some of their private property to accommodate a docking site in order to save one street parking space. (Missing comment by Kailash)

Finally, Site 18 was described, and Commissioner Estey asked BCycle about the experience of placing docking sites on a hill. BCycle rep confirmed that placing the site on a hill should not cause any issues. Commissioner Jensen then asked about the possibility of placing a site at or near the New Bright State Beach. BCycle rep replied that this would likely fall under the jurisdiction of Aptos or Soquel. Chair Westman asked about the possibility of an adult purchasing a rental bike for a minor. Officer Sherin commented that State legislature is considering laws regarding driver's license limitations for minors and mandatory helmet laws. Chair Westman asked a hypothetical question about purchasing these rental bikes as a family of 4 including 2 minors, while following all local, state, and federal laws. Even if BCycle company policy is being broken, the Capitola PD would not have any cause for enforcement. Commissioner Jensen asked questions about the vehicle code, including multiple riders on one bike and helmet use. Officer Sherin clarified how the laws affect these scenarios. Chair Westman asked about riding bikes on the sidewalk, and Officer Sherin replied that riding any vehicle on the sidewalk within the Village is prohibited, but outside of the village, the laws may vary. Commissioner Jensen asked about the PD's current rollout of the new helmet program - the PD is conducting local outreach at local schools to educate kids about the importance of helmet use while biking, and other bike and e-bike-related topics. Chair Westman then asked if it's lawful to walk your bike on the sidewalks in the Village and Officer Sherin responded that it is lawful and encouraged to do so.

Senior Planner Froelich gave the staff recommendation, including a recap of all conditions that arose out of the Commission discussion tonight and ended the presentation.

Commissioner Wilk commented that this is a great idea, and he appreciates BCycles commitment to bringing bike share to Capitola. He commended BCycle's selection of docking selections.

Chair Westman proposed conditions that would allow Staff to adjust the number of sites at each docking location.

Commissioner Wilk moved to approve staff's recommendation with Chair Westman's conditions. Seconded, Vice Chair Christiansen.

Commissioner Jensen asked BCycle rep Kyle Klein to give an overall recap of the success of the program around the County. He gave a positive review of the program including a significant improvement in comparison to the previous Jump bikes program.

Motion to approve Item 5A: Commissioner Wilk

Seconded: Vice Chair Christiansen

Voting Yea: Commissioners Estey, Jensen, Wilk, Vice Chair Christiansen, Chair Westman

6. Director's Report

Director Herlihy provided a director's report, including an update to the Rail Trail project, which was discussed at the last City Council meeting. She also reminded the Commission that the final draft of the Housing Element will be brought to the City Council next week and gave a recap of the draft edits, the response to those edits from the HCD, and an overview of the next steps to implement the plans within the Housing Element over the next several years.

7. Commission Communications

Commissioner Jensen asked for any updates to future projects, and Director Herlihy provided an update to the project at 1098 38th Ave, and the assisted living facility redevelopment project, as well as a future residential project on Depot Hill.

8. Adjournment

The meeting was adjourned at 7:49PM until the next regularly scheduled meeting on December 7, 2023.