

City of Capitola Agenda

Mayor: Michael Termini
Vice Mayor: Stephanie Harlan
Council Members: Kirby Nicol
Dennis Norton
Sam Storey
Treasurer Jacques Bertrand



CAPITOLA CITY COUNCIL REGULAR MEETING NOVEMBER 08, 2012 - 7:00 PM

CLOSED SESSION – 6:00 PM CITY MANAGER’S OFFICE

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant Exposure to litigation pursuant to subdivision (b) of Govt. Code §549569.9

1. City of Capitola Insurance Coverage Claim Against Lexington Insurance (Noble Gulch pipe failure);
2. Santa Cruz County regarding the Noble Gulch pipe failure;
3. Pacific Cove Mobile Home Park closure.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9)

1. Kevin Calvert, D.D.S. and Pamela Calvert vs. City of Capitola, et al. [Superior Court of the State of California for County of Santa Cruz, Case #CV 172804];
2. Katie Saldana vs. City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV 172324];
3. Foremost Insurance Company vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV 173228];
4. Truck Insurance vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV173071];

5. David Ross; Carousel Taffy Morro Bay, Inc.; Village Mouse dba; The Thomas Kinkade Gallery Capitola; Judith Ferro vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV 173642];
6. American Alternative Insurance Corporation; Central Fire Protection District of Santa Cruz County vs. the City of Capitola, et al. [Superior Court of the State of California for the County of Santa Cruz, Case #CV173926];
7. California Capital Insurance Company [Superior Court of the State of California for the County of Santa Cruz, Case #CV173552];
8. Trustees of the John T. Kawahara and Barbara J. Kawahara Revocable Trust [Superior Court of the State of California for the County of Santa Cruz, Case #CV175216].

LIABILITY CLAIMS (Govt. Code §54956.95)

Claimant: David W. Muse
 Agency claimed against: City of Capitola

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7:00 PM

1. **ROLL CALL AND PLEDGE OF ALLEGIANCE**
Council Members Stephanie Harlan, Dennis Norton, Kirby Nicol, Sam Storey, and Mayor Michael Termini
2. **PRESENTATIONS**

City of Capitola Historical Museum Board Update
3. **REPORT ON CLOSED SESSION**
4. **ADDITIONS AND DELETIONS TO AGENDA**
5. **PUBLIC COMMENTS**

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the minutes. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.

6. **COUNCIL/STAFF ANNOUNCEMENTS**
7. **BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS**

ALL MATTERS LISTED ON THE REGULAR MEETING OF THE CAPITOLA CITY COUNCIL AGENDA SHALL BE CONSIDERED AS PUBLIC HEARINGS.

8. CONSENT CALENDAR

All items listed in the "Consent Calendar" will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the public or the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government.

Note that all Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.

- A. Receive and approve the 2013 Meeting Schedules for the City Council/Successor Agency, and the Planning Commission/Architectural and Site Review Committee.
RECOMMENDED ACTION:
Approve schedules.
- B. Consideration of a Resolution approving the 2013 City Hall Holiday Closure Schedule.
RECOMMENDED ACTION:
Adopt Resolution.
- C. Receive Planning Commission Action Minutes for the Regular Meeting of November 1, 2012.
RECOMMENDED ACTION:
Receive Minutes.
- D. Consideration of a Resolution approving the reorganization of the member classifications for the Capitola Traffic and Parking Commission.
RECOMMENDED ACTION:
Adopt Resolution.
- E. Consideration of a Resolution accepting the Target grant revenue of \$3,000 for the purchase of a Cellebrite forensic extract device and authorize budget expenditures of \$3,000 for Fiscal Year 2012-2013.
RECOMMENDED ACTION:
Adopt Resolution.
- F. Consideration of denying liability claim of David W. Muse in the amount of \$2,000 and forward to the City's liability insurance carrier.
RECOMMENDED ACTION:
Deny liability claim.

9. GENERAL GOVERNMENT/PUBLIC HEARINGS

General Government items are intended to provide an opportunity for public discussion of each item listed. The following procedure is followed for each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

- A. Receive report on the City’s Special Events for 2012.
RECOMMENDED ACTION:
Receive report.
- B. Receive report on options regarding additional smoking regulations.
RECOMMENDED ACTION:
Receive report and provide direction.
- C. 1760 41ST AVENUE #12-133 APN 034-221-02
Conceptual Review to consider amending City of Capitola Municipal Code Section 17.27 to permit drive-up window and car service for restaurants in the Community Commercial Zoning District in conjunction with a remodel for the existing McDonald’s restaurant. Property Owner: Franchise Realty Interstate Corp, filed: 10/11/12; Representative: McDonalds USA, LLC.
RECOMMENDED ACTION:
Discuss and provide direction.

10. COUNCIL/STAFF COMMUNICATIONS

- A. Staff Comments
- B. City Council/Treasurer Comments/Committee Reports

City Council Members /City Treasurer may comment on matters of a general nature or identify issues for staff response or future council consideration. Council Members/Committee Representatives may present oral updates from standing committees at this time.

11. ADDITIONAL MATERIALS

Additional Information submitted to the City Council after distribution of the agenda packet.

12. ADJOURNMENT

Adjourn to the next Regular Meeting of the City Council on Tuesday, November 20, 2012 at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Note: Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes “final.” Please be advised that in most instances the decision become “final” upon the City Council’s announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

Notice regarding City Council: The Capitola City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete agenda packet are available on the Internet at the City's website: www.ci.capitola.ca.us. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola.

Agenda Document Review: The complete agenda packet is available at City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the City Clerk's office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24-hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed at 12:00 Noon on the Saturday following the meetings on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website at www.ci.capitola.ca.us by clicking on the Home Page link "View Capitola Meeting Live On-Line." Archived meetings can be viewed from the website at anytime.

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CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 8, 2012

FROM: CITY CLERK'S OFFICE

SUBJECT: 2013 MEETING SCHEDULES FOR THE CITY COUNCIL/SUCCESSOR AGENCY
& THE PLANNING COMMISSION/ARCHITECTURAL AND SITE REVIEW
COMMITTEE

RECOMMENDED ACTION: Receive the 2013 City Meeting Schedules as an informational item and direct staff to post this information at City Hall, the Capitola Branch Library, on the City's website, and distribute to department heads, newspapers, and various groups that regularly submit items to the City.

DISCUSSION: At the end of each calendar year staff prepares the meeting schedules for the following year. Attached are the proposed schedules for City Council/Successor Agency and Planning Commission/Architectural and Site Review Committee for 2013.

Regular meetings of the City Council are held on the second and fourth Thursday of the month at 7:00 p.m., with the exception of the second meeting in November, which falls on the Thanksgiving holiday and is generally held on the Tuesday prior to Thanksgiving. There is no second meeting held in December due to the Christmas holiday. Pursuant to past practice one meeting has been scheduled for the month of August, as this is the month the City Council generally takes vacation. The Successor Agency meetings are held on an as needed basis.

Note: A Special City Council Workshop has been scheduled for Thursday, January 3rd. The workshop will include topics such as the media interactions, the Brown Act, conflict of interest laws, and team building strategies.

Regular meetings of the Planning Commission are held on the first Thursday of the month at 7:00 p.m. in the City Hall Council Chambers. Since City Hall offices will be closed the week of December 23 through December 27, 2012, the regular meeting of the Planning Commission for January has been rescheduled for Thursday, January 10, 2013. The meeting date is being changed since staff will not be working the week the agenda packet would normally be prepared and distributed for a January 3 meeting.

Regular meetings of the Architectural & Site Review Committee are generally held on the second and fourth Wednesday of each month at 3:30 p.m. In the event there are no items for review by the committee, meetings would be cancelled and noticed accordingly.

All Regular Meetings of the City Council, Successor Agency and Planning Commission meetings are televised "Live" on Charter Communications Cable Channel 8, and rebroadcast by Community Television of Santa Cruz County on the Saturday following the meeting beginning at 12 Noon on

Item #: 8.A. Staff Report.pdf

11-8-12 AGENDA ITEM
SUBJECT: 2012 MEETING SCHEDULES

Charter Cable Channel 71 and Comcast Cable Channel 25. In addition, "Live Streaming" of the meetings can be viewed via the Internet from the City's website at: www.ci.capitola.ca.us. Videos of Capitola City Council, Successor Agency and Planning Commission meetings are archived and can be viewed from the City's website.

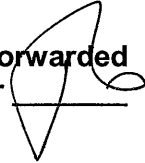
FISCAL IMPACT – None

ATTACHMENTS

1. 2013 City Council/Successor Agency Meeting Dates and Deadline for Submittal of Agenda Items.
2. 2013 Meeting Schedules for the Planning Commission/Architectural & Site Review Committee

Report Prepared By: Susan Sneddon, CMC
City Clerk

**Reviewed and Forwarded
By City Manager**



2013 CITY OF CAPITOLA
City Council and Successor Agency Meeting Dates
and Deadline for Submittal of Agenda Items

SUBMITTAL DATE (MONDAY *)	MEETING DATE (THURSDAY)
CITY COUNCIL WORKSHOP	JANUARY 3
DECEMBER 17, 2012	JANUARY 10
JANUARY 7	JANUARY 24
JANUARY 28	FEBRUARY 14 ♥
FEBRUARY 11	FEBRUARY 28
FEBRUARY 25	MARCH 14
MARCH 4	MARCH 28
MARCH 25	APRIL 11
APRIL 8	APRIL 25
APRIL 22	MAY 9
MAY 6	MAY 23
MAY 28 *	JUNE 13
JUNE 10	JUNE 27
JUNE 24	JULY 11
JULY 8	JULY 25
JULY 22	AUGUST 8
AUGUST 26	SEPTEMBER 12
SEPTEMBER 9	SEPTEMBER 26
SEPTEMBER 23	OCTOBER 10
OCTOBER 7	OCTOBER 24
OCTOBER 28	NOVEMBER 14
NOVEMBER 4	TUESDAY, NOVEMBER 26 ♦
NOVEMBER 25	DECEMBER 12

Regular Meetings of the City Council and Successor Agency are held on the 2nd & 4th Thursdays of each month. The Regular City Council meetings begin at 7:00 p.m. (or in no event earlier than 6:00 p.m.) in the Capitola City Hall Council Chambers, 420 Capitola Avenue, Capitola, CA. Items to be included on a particular agenda must be submitted to the City Manager's Office NO LATER than 5 p.m. on the submittal date so that a staff report may be prepared. Items received after that date will be scheduled for the next available agenda.

NOTE: * SUBMITTAL DATE IS ON THE TUESDAY FOLLOWING A HOLIDAY

♦ DUE TO THANKSGIVING HOLIDAY, THE MEETING WILL BE HELD ON TUESDAY

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CITY OF CAPITOLA
2013 MEETING SCHEDULES
ARCHITECTURAL & SITE REVIEW COMMITTEE AND PLANNING COMMISSION

●SUBMITTAL	■ARCH & SITE REVIEW	●SUBMITTAL	◆PLANNING COMMISSION
DECEMBER 7	JANUARY 9	DECEMBER 17	JANUARY 17*
DECEMBER 21	JANUARY 23		
JANUARY 11	FEBRUARY 13	JANUARY 7	FEBRUARY 7
JANUARY 25	FEBRUARY 27		
FEBRUARY 13	MARCH 13	FEBRUARY 7	MARCH 7
FEBRUARY 27	MARCH 27		
MARCH 8	APRIL 10	MARCH 4	APRIL 4
MARCH 22	APRIL 24		
APRIL 8	MAY 8	APRIL 2	MAY 2
APRIL 22	MAY 22		
MAY 10	JUNE 12	MAY 6	JUNE 6
MAY 24	JUNE 26		
JUNE 10	JULY 10	JUNE 18	JULY 18
JUNE 24	JULY 24		
JULY 12	AUGUST 14	JULY 1	AUGUST 1
JULY 26	AUGUST 28		
AUGUST 9	SEPTEMBER 11	AUGUST 5	SEPTEMBER 5
AUGUST 23	SEPTEMBER 25		
SEPTEMBER 6	OCTOBER 9	SEPTEMBER 3	OCTOBER 3
SEPTEMBER 23	OCTOBER 23		
OCTOBER 11	NOVEMBER 13	OCTOBER 7	NOVEMBER 7
OCTOBER 25	NOVEMBER 27		
NOVEMBER 8	DECEMBER 11	NOVEMBER 5	DECEMBER 5

Meetings are held at Capitola City Hall, 420 Capitola Avenue, and are generally scheduled as follows:

- **Submittal Date:** Although applications may be submitted by the deadline, application completeness, staff review and analysis shall be completed prior to scheduling an application for a meeting date.
- **Architectural and Site Review Meetings:** 2nd and 4th Wednesday of each month at 3:30 PM in the City Hall Council Chambers.
- ◆ **Planning Commission Meetings:** 1st Thursday of each month at 7:00 PM in the City Hall Council Chambers. Meetings are televised "Live" on Charter Communications Cable Television Channel 8 and rebroadcast by Community Television of Santa Cruz County at 12 Noon on the Saturday following the meeting on Charter Cable Channel 71 and Comcast Cable Channel 25. Meetings are streamed "Live" on the City's website at www.ci.capitola.ca.us by clicking on the Home Page link, "**View Capitola Meeting Live On-Line.**" Archived meetings can be viewed from the website at anytime. **Note: The January meeting will be held on the 3rd Thursday due to the holiday closure.*

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CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 8, 2012

FROM: CITY CLERK'S OFFICE

SUBJECT: RESOLUTION ESTABLISHING DAYS FOR CLOSURE OF CITY OFFICES DURING
THE 2013 CALENDAR YEAR

RECOMMENDED ACTION: Adopt the proposed Resolution establishing days for closure of City Offices during the 2013 Calendar Year.

DISCUSSION: Ordinance No. 497 provides that *"The City Council may, from time to time, designate holidays which shall be granted to employees with pay. The Council may also by resolution designate holidays upon which the City offices shall be closed."* In November of each year staff reviews the calendar for the following year as it relates to holidays and prepares a resolution for adoption by the City Council.

A draft Resolution for the 2013 Calendar Year is attached for your consideration. As has been done for the past several years and is consistent with employee Memoranda of Understanding, the proposed Resolution identifies the Holiday Closure of City Hall offices during the week between the Christmas and the New Year's Day holidays.

FISCAL IMPACT: None

ATTACHMENTS

1. Draft Resolution

Report Prepared By: Susan Sneddon, CMC
City Clerk

Reviewed and Forwarded
By City Manager 

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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
ESTABLISHING DAYS FOR CLOSURE OF CITY OFFICES
DURING THE 2013 CALENDAR YEAR**

WHEREAS, Ordinance No. 497 provides that days for closure of City Offices may, from time to time, be set by Council resolution; and

WHEREAS, it is the desire of the City Council of the City of Capitola to establish days for closure of City Offices during the 2013 calendar year.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola as follows: City Offices, except for essential City services such as the Police Department, shall be closed on the following days occurring in calendar year 2013, unless otherwise noted:

January 1 (Tuesday)	New Years Day
January 21 (Monday)	Martin Luther King, Jr. Birthday
February 12 (Tuesday)	Lincoln's Birthday
February 18 (Monday)	Presidents' Day
May 27 (Monday)	Memorial Day
July 4 (Thursday)	Independence Day
September 2 (Monday)	Labor Day
October 14 (Monday)	Columbus Day
November 11 (Monday)	Veterans Day
November 28 & 29 (Thursday & Friday)	Thanksgiving Holiday
December 25 (Wednesday)	Christmas Holiday
December 23, 24, 26 & 27 (Monday, Tuesday, Thursday & Friday)	Holiday Closure

The foregoing does not preclude the scheduling of any City Council or Planning Commission meetings on such days. For purposes of Government Code Section 6704, Saturdays and Sundays are also days for closure of the City business office.

The foregoing is not in any sense intended to define holidays, for which employees do or do not receive additional compensation. Employees paid holidays are defined in relevant Memoranda of Understanding.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 8th day of November, 2012, by the following vote:

AYES: Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini
NOES: None
ABSENT: None
ABSTAIN: None

Michael Termini, Mayor

ATTEST: _____, CMC
Susan Sneddon, City Clerk

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**CAPITOLA PLANNING COMMISSION
REGULAR MEETING MINUTES
NOVEMBER 1, 2012 - 7:00 PM**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. October 4, 2012 Regular Planning Commission Meeting

ACTION Motion made by and seconded by to Approve Motion made by Commissioner Smith and seconded by Commissioner Newman to approve the October 4, 2012 minutes.

Passed For: Ed Newman, Mick Routh, Linda Smith, Gayle Ortiz; Against: (None); Absent: Ron Graves

4. CONSENT CALENDAR

5. PUBLIC HEARINGS

A. 500 PINE STREET #12-075 APN: 036-022-26

PROJECT DESCRIPTION:

Design Permit to construct a single-story addition to an existing single-family house, including a single-car garage in the RM-M (Multiple-Family Residence Medium Density) Zoning District.

Environmental Determination: Categorical Exemption

Owner: David Biancalana

Applicant: Richard Emigh

ACTION Motion made by Commissioner Gayle Ortiz and seconded by Commissioner Mick Routh to Approve Motion made by Commissioner Ortiz and seconded by Commissioner Routh to approve project application #12-075 with conditions and findings.

Passed For: (None); Against: (None); Absent: Ron Graves

B. 5000 CLIFF DRIVE

PROJECT DESCRIPTION:

Design Permit and Sign Permit for the exterior remodel of an existing motel (Harbor Lights Motel) in the CV (Central Village) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Hank & Nancy Wempe, filed 8/3/12

Representative: Steve Elmore

ACTION Motion made by Commissioner Ed Newman and seconded by Commissioner Linda Smith to Approve Motion was made by Commissioner Newman and seconded by Commissioner Smith to approve project application #12-098 with additional conditions.

C. Amendment to Capitola Municipal Code Section 10.36.055

PROJECT DESCRIPTION:

Amend Capitola Municipal Code Section 10.36.055 "Parking Meter Zones/Rates" to authorize rates to be a part of the City of Capitola's Fee Schedule. Changes in the rates will be done as a Coastal Permit which is appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: City of Capitola

Representative: Susan Westman

ACTION Motion made by Commissioner Ed Newman and seconded by Commissioner Gayle Ortiz to recommend to the City Council approval of amended Section 10.36.055.

Passed For: (None); Against: (None); Absent: Ron Graves

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

Adjourn to the next Planning Commission Meeting on Thursday, December 6, 2012 at Not Scheduled, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.



CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 8, 2012

FROM: DEPARTMENT OF PUBLIC WORKS

SUBJECT: REORGANIZATION OF MEMBER CLASSIFICATIONS FOR THE CAPITOLA
TRAFFIC AND PARKING COMMISSION (COMMISSION)

RECOMMENDED ACTION: Adopt a Resolution amending and restating Resolution No. 3740 (a Resolution creating the Capitola Traffic and Parking Commission) to remove the position for the Pacific Cove Mobile Home Park resident member.

BACKGROUND: The original membership categories for the Commission included one member, who was a resident of the Pacific Cove Mobile Home Park. With the park now closed, staff is recommending removing this membership category with no other changes.

DISCUSSION: Removal of the Pacific Cove Mobile Home Park resident member will leave the Commission with 10 members.

This Commission has proven to be generally united in their recommendations, and staff does not feel it is necessary to maintain the odd-numbered membership for the purpose of tie-breaking votes.

FISCAL IMPACT: None

ATTACHMENTS

1. Draft Resolution
2. Resolution No. 3740

Report Prepared By: Steven Jesberg
Public Works Director

Reviewed and Forwarded
By City Manager:

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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING AND RESTATING RESOLUTION NO. 3740
CHANGING THE MEMBERSHIP CLASSIFICATIONS FOR
THE CAPITOLA TRAFFIC AND PARKING COMMISSION**

WHEREAS, on February 26, 2009, the City Council of the City of Capitola adopted Resolution No. 3740 a Resolution creating the Capitola Traffic and Parking Commission (Commission) and defining its membership and charge; and

WHEREAS, the membership categories established in Resolution No. 3740 (Section C) included one member to be a resident of the Pacific Cove Mobile Home Park; and

WHEREAS, the Pacific Cove Mobile Home Park has been closed and the current Commission member appointed as a resident of the Park no longer resides in the Park.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola as follows:

C. The Traffic and Parking Commission shall be comprised of the following members.

- | | |
|---|-----|
| At-large appointee by each Council member | (5) |
| Planning Commissioner | (1) |
| Village Resident | (2) |
| Village Business Owner | (2) |

All appointments shall be made by consensus of the City Council. Resident positions should be filled with full-time Capitola residents.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 8th day of November, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Michael Termini, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

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RESOLUTION NO. 3740

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
CREATING A CAPITOLA TRAFFIC AND PARKING COMMISSION
AND DEFINING ITS MEMBERSHIP AND CHARGE**

WHEREAS, on December 11, 2008, the City Council of the City of Capitola conducted at Public Hearing on the Capitola Village Comprehensive Parking Analysis and received a report from the Blue Ribbon Parking Committee summarizing the committee's work and recommendations pertaining to parking related fees and issues; and

WHEREAS, at its December 11, 2008, meeting, the City Council directed that there be a parking commission established; and

WHEREAS, on January 22, 2009, the City Council considered various options for establishing a parking commission and took action directing staff to create an eleven (11) member commission to study parking and traffic circulation in the City of Capitola; and

WHEREAS, it is the desire the City Council to receive advice and recommendations from a commission comprised of individuals living in various areas within the city.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola as follows:

- A. The Capitola Traffic and Parking Commission is hereby created.
- B. The purpose of the Capitola Traffic and Parking Commission is to develop short, medium, and long-term plans for City Council consideration that address traffic and parking demands in the Village by considering citywide traffic and parking improvements developed in various studies and reports provided to the City Council. Once these plans are in place, the commission shall act as an advisor to the City Council on implementation of the plans and other duties requested by the Council.
- C. The Commission shall be comprised of the following members:

At-large Appointee of each Council Member	(5)
Planning Commissioner	(1)
Pacific Cove Mobile Home Park Resident	(1)
Village Resident	(2)
Village Business Owner	(2)

All appointments shall be made by consensus of the City Council.

- D. The City will provide staff support to the Commission, with the City Manager responsible for assigning staff based on workload and relevancy to the committee projects. Staff will be primarily responsible for preparation of agendas and minutes, compilation of material for discussion at Commission meetings.
- E. The Commission shall meet at a minimum quarterly, on a calendar set by the Commission annually.

7312

RESOLUTION NO. 3740

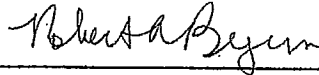
I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 26th day of February, 2009, by the following vote:

AYES: Council Members Graves, Storey, Nicol, Norton, and Mayor Begun

NOES: None

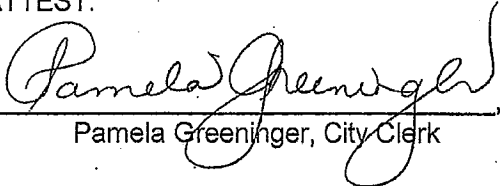
ABSENT: None

ABSTAIN: None



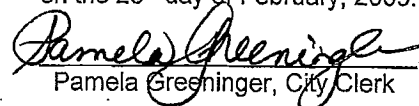
Robert A. Begun, Mayor

ATTEST:



Pamela Greeninger, City Clerk, CMC

This is to certify that the above and foregoing is a true and correct copy of Resolution No. 3740 passed and adopted by the Capitola City Council on the 26th day of February, 2009.



Pamela Greeninger, City Clerk, CMC



CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 8, 2012

FROM: POLICE DEPARTMENT

SUBJECT: ADOPT RESOLUTION TO ACCEPT TARGET GRANT REVENUE OF \$3,000 FOR THE PURCHASE OF A CELLEBRITE FORENSIC EXTRACTION DEVICE AND AUTHORIZE BUDGET EXPENDITURES OF \$3,000 FOR FY 2012-2013

RECOMMENDED ACTION: By motion and roll call vote, adopt resolution to amend the FY 2012-2013 general fund budget to accept Target grant revenue of \$3,000 and increase expenditures by \$3,000.

BACKGROUND: Each year, Target offers grants to local law enforcement agencies through their Public Safety Grant Program. In 2012, grants were made available to support National Night Out events, crime prevention, training and education, youth programs, or community awareness.

DISCUSSION: The Police Department has two detectives, with a monthly caseload of approximately 20 cases each. On average, between 20% and 30% of these cases involve the collection of evidence stored on cell phones. We currently utilize the services and equipment of the Santa Cruz County Sheriff's Office to perform cell phone examinations to collect and retrieve evidence. It takes approximately 2 to 4 days for the Sheriff's Office to complete the examination process of one cell phone.

The Police Department applied for and was granted \$3,000 from Target for the purchase of a Cellebrite forensic extraction device, which can be used to extract cell phone data. Having a device in our department will allow detectives and patrol officers to access cell phone data within minutes, increasing staff efficiency, crime solvability rates, and the probability of arresting criminal offenders in a timely manner.

FISCAL IMPACT: Amend the FY 2012-2013 general fund budget to accept \$3,000 in grant revenue and increase expenditures by \$3,000.

ATTACHMENTS:

1. Draft Resolution
2. Budget Adjustment Form

Prepared by: Denice Pearson
Administrative/Records Analyst

Reviewed and Forwarded
By City Manager: 

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RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING THE BUDGET TO ACCEPT TARGET GRANT REVENUE OF \$3,000 AND
AUTHORIZING BUDGET EXPENDITURES OF \$3,000 FOR THE 2012-2013 FISCAL YEAR**

WHEREAS, the Capitola Police Department is a recipient of a Target grant to purchase a Cellebrite forensic extraction device; and

WHEREAS, a budget amendment must be enacted before funds can be accepted and expended for their intended and legally mandated purposes.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Capitola that the 2012-2013 budget is amended as follows:

1. Accept \$3,000 in Target grant funds for Fiscal Year 2012-2013;
2. Authorize expenditures of \$3,000.

BE IT FURTHER RESOLVED that the Finance Department shall record these changes into the City's accounting records in accordance with appropriate accounting practices.

BE IT FURTHER RESOLVED that these grants will be expended pursuant to the conditions of the grant program.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 8th day of November, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

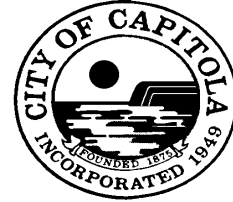
Michael Termini, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

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City of Capitola Budget Adjustment Form



Date 11/8/2012

Requesting Department Police

Administrative Council

Item # _____
 Council Date 11/8/2012
 Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
1000-20-20-000-3700.001	Safety Donations	3,000
Total		3,000

Expenditures		
Account #	Account Description	Increase/Decrease
1000-20-20-000-4450.100	Grant Funded Supplies	3,000
Total		3,000

Net Impact -

Purpose: To accept a grant from Target to purchase a Cellebrite device

Department Head Approval _____

Finance Department Approval _____

City Manager Approval _____

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CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 8, 2012

FROM: CITY MANAGER'S DEPARTMENT

SUBJECT: LIABILITY CLAIMS

RECOMMENDED ACTION: Deny liability claim and forward to the City's liability insurance carrier.

DISCUSSION:

The following claimant has filed a liability claim against the City of Capitola:

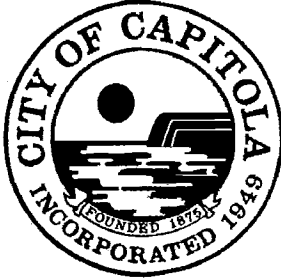
1. David W. Muse; \$2,000

ATTACHMENTS: None

Report Prepared By: Liz Nichols
Executive Assistant to the City Manager

Reviewed and Forwarded
by City Manager: 

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CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 8, 2012

FROM: POLICE DEPARTMENT

SUBJECT: CONSIDER STATUS REPORT ON SPECIAL EVENTS FOR 2012

RECOMMENDED ACTION: Accept status report on Special Events for 2012 and provide direction as needed.

BACKGROUND: In February 2002, the City Council approved Resolution Number 3202, adopting a Special Event Permit Program and Fee Schedule. The purpose of the program was to provide regulations and guidelines for Special Events occurring within the City limits and to recover costs associated with those events.

Special Events are divided into two categories: General Special Events and Minor Special Events. General Special Events are those with more than 200 attendees or notable impacts to City services or a particular neighborhood and Minor Special Events are events with less than 200 persons and limited impacts.

Minor Special Events can be approved by the City Manager providing the following:

1. The event, as proposed, can function safely.
2. The event will not cause undue interference with previously approved or ongoing activities, construction, road maintenance, public transit systems, or traffic.
3. The event provides a benefit to the City and/or community as a whole that outweighs the limited impacts of the event on the City and/or community.

General Special Events that were not held the previous year must be reviewed by the City Council. Events that were held the prior year may be approved by the City Manager providing the following:

1. There are no significant modifications or variations to the event as compared to prior years.
2. There were no major issues with the event in recent prior years.
3. The event, as proposed, can function safely.
4. The event will not cause undue interference with previously approved or ongoing activities, construction, road maintenance, public transit systems, or traffic.
5. The event provides a benefit to the City and/or community as a whole that outweighs the impacts of the event on the City and/or the community.

DISCUSSION: In 2012, the Police Department issued a total of 21 Special Event Permits. There were eight General Special Events and 13 Minor Special Events. The General Events included the Wharf to Wharf, Art and Wine, Begonia Festival, Car Show, Motorcycle Show, Jay Moriarity Paddleboard Race, Mermaid Triathlon and Capitola Half Marathon. The Minor Events were Art at the Beach, Twilight Concerts, Movies at the Beach, Easter Egg Hunt, Kite Classic, Surf City Aids Ride, Halloween Parade, Surfing Santa, the Heartland Hospice Holiday Event, three Block Parties and one wedding.

Item #: 9.A. Staff Report.pdf

11-8-12 AGENDA ITEM

SUBJECT: 2012 SPECIAL EVENTS REPORT

This was the first year the Council did not issue grants for permit fees and personnel costs. The Police Department billed for a total of 177 police personnel hours and 199 public works personnel hours for a total amount of \$24,161. The total for Special Event Permit fees was \$6,688 and an additional \$550 for Lifeguard Services.

In reviewing the After Action Reports for General Events, there were only a few noteworthy changes. The Wharf to Wharf changed the route for the buses for the pick-up of runners from the Pacific Cove Parking Lot. The route was basically reversed and the buses exited SR-1 at Bay Avenue and entered the Pacific Cove Parking Lot from Capitola Avenue. The buses exited the parking lot onto Park Avenue and back onto the highway. There were no significant issues with this change and the streets were reopened about the same time as in years past.

During the Mermaid Triathlon, Park Avenue was closed to through traffic to increase the safety for the bicyclists and spectators. The only issues experienced were a resident on Park Avenue was upset over the closure, but was given a police escort out of the area. The other issue was event staff began playing amplified music before 8:00 a.m. The Police Department made contact with the event management and the music was shut off. Both of these issues will be addressed with the Event Coordinator during the event debriefing.

FISCAL IMPACT: None

ATTACHMENTS: None

Report Prepared By:

Rudy Escalante
Chief of Police

**Reviewed and Forwarded
By City Manager**





CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 8, 2012

FROM: POLICE DEPARTMENT

SUBJECT: CONSIDER OPTIONS FOR ADDITIONAL SMOKING REGULATIONS

RECOMMENDED ACTION: Accept report and provide direction.

BACKGROUND: During its October 11, 2012 meeting, the City Council directed staff to explore additional tobacco policies to address tobacco sales to minors. The City of Capitola uses municipal code section 8.38 to enforce local smoking regulations. The current ordinance, drafted in 1994, and state law does not address reducing illegal tobacco sales to minors.

The Santa Cruz County Tobacco Education Coalition conducted a county wide minor sting operation of tobacco retailers in August 2010. The countywide rate has increased from 17% to 27%; and in Capitola, 18% of the stores surveyed were willing to sell tobacco to a minor (see attached survey report for further details).

DISCUSSION: Due to the significant changes in the state and on the federal level, several California cities and counties have implemented programs to reduce the sales of tobacco-related products to minors in their own jurisdictions.

In California, the State Board of Equalization (BOE) is responsible for the enforcement of tobacco retail sales. Due to reduced funding, the BOE is unable to sustain its enforcement efforts. State laws and the Stop Tobacco Access to Kids Enforcement (STAKE) Act; make it illegal to sell tobacco products to minors. However, the STAKE program can only do annual compliance checks in less than 8% of the stores that sell tobacco. The Food and Drug Administration (FDA) has yet to award a contract to California to enforce illegal sales to minors.

Cities and counties are granted the authority to enact local retail licensing requirements that may include a fee and allow the suspension or revocation of the local license for any tobacco-related law violation through California Business and Professions Code Section 22971.3. Locally, the Cities of Watsonville, Santa Cruz, and the County of Santa Cruz have adopted TRL ordinances.

Options to explore:

1. Develop a Tobacco Retail License (TRL) ordinance. Locally the cities of Watsonville, Santa Cruz and the County have adopted a TRL. Revenue raised from the license fee can, by state law; only be used to fund enforcement and education efforts directly related to tobacco use. The license fee assessed by other local jurisdictions varies from \$160 in Concord to \$1,550 in Oakland. The City of Capitola has approximately 12 retailers who sell tobacco products. Given Capitola's smaller base of retailers selling tobacco products, the effort necessary to develop, and monitor a new license needs to be weighed against the advantages associated with closer City monitoring of tobacco retailing activity. The City may elect to contract with the Santa Cruz County Public Health Department to provide administration and retailer compliance outreach to reduce tobacco sales to minors. The development of a TRL fee could be used to fund the services provided by the Santa Cruz County Public Health Department.

Item #: 9.B. Staff Report.pdf

8-12 AGENDA ITEM

SUBJECT: SMOKING REGULATIONS

2. Amend the current City ordinance to prohibit smoking in additional outdoor areas. Currently the City's smoking ordinance prohibits smoking in the Village, parks, beach, wharf and City Hall property. Other jurisdictions have adopted ordinances prohibiting smoking in commercial areas that may not be readily accessible to the public; but provides an area that generates second hand smoke such as break areas, porches and patios where drifting smoke becomes a concern.
3. Amend our current ordinance to prohibit smoking in additional indoor areas. Currently the City's smoking ordinance prohibits smoking in most commercial locations; however, some jurisdictions have passed ordinances banning smoking in multi-unit housing areas. A smoke-free multi-unit housing ordinance provides protection from drifting smoke and fire hazards for any two apartment complexes, townhouse or condo units sharing a wall.
4. Amend our current ordinance to prohibit retailers from selling tobacco products in certain locations. Currently the City's smoking ordinance does not establish limits on locations where tobacco products can be sold. Some jurisdictions have adopted rules making it illegal to sell tobacco products within 1000 feet of public schools and care facilities. Currently there are no retailers selling tobacco products within 1,000 feet of a public school.

FISCAL IMPACT: None

ATTACHMENTS:

1. Youth Tobacco Purchase Survey

Report Prepared By: Rudy Escalante
Chief of Police

**Reviewed and Forwarded
By City Manager**





Co-Chair

Kathleen Hofvendahl-Clark

Co-Chair
vacant



American Cancer Society

American Heart Association

American Lung Association

Cabrillo College

Camp Fire Boys and Girls

City of Santa Cruz Parks
and Recreation

Dominican Hospital

Live Oak School District

Pajaro Valley Prevention
& Student Assistance, Inc.

Planned Parenthood

Salud Para La Gente

Santa Cruz City
School District

Santa Cruz County
Health Services Agency

Santa Cruz County
Juvenile Justice Delinquency
Prevention Commission

Santa Cruz County
Office of Education

Santa Cruz County
Sheriff's Department

Mountain Community
Resources



Community Members
at Large

Youth Tobacco Purchase Survey *Santa Cruz County*

Tobacco sales rate to minors is up!

The countywide rate has increased from 17% to 27% between March 2008 and August 2010; this represents a 60% increase. In Capitola, 18% if the stores surveyed were willing to sell to a minor.

Local rates rise as statewide rate drops

In 2011, the statewide tobacco sales rate to minors reached a historic low of 5.6%. Though survey methodology varies, the Capitola's rate is 3X higher than the current statewide rate.

How the survey was conducted

The Santa Cruz County Tobacco Education Coalition collaborated with youth from Reforming Education and Advocating Leadership (REAL). In late August, 2010, underage youth between the ages of 15 and 17 visited 142 stores in all jurisdictions in Santa Cruz County except Scotts Valley. Youth attempted to purchase tobacco products under the concealed supervision of an adult.

Quotes from youth

Here are quotes from youth who conducted the survey:

"It was so easy, most of the time they didn't even bother to ask for an ID – and when they did and I said that I didn't have it, they sold to me anyway."

"Many of us have younger brothers and sisters and we wouldn't want our loved ones to start smoking because they were able to walk down the street and buy cigarettes from our local neighborhood market."

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CITY COUNCIL AGENDA REPORT

MEETING OF NOVEMBER 8, 2012

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: 1760 41ST AVENUE #12-133 APN 034-221-02
 Conceptual Review to consider amending City of Capitola Municipal Code Section 17.27 to permit drive-up window and car service for restaurants in the Community Commercial Zoning District in conjunction with a remodel for the existing McDonald's restaurant.
 Property Owner: Franchise Realty Interstate Corp, filed: 10/11/12
 Representative: McDonalds USA, LLC

RECOMMENDED ACTION: No action is required, but staff recommends the City Council discuss the item and provide direction to the applicant.

BACKGROUND: The owners of the Capitola McDonald's have approached the City several times over the past few years regarding remodeling the 35 year old restaurant, and requesting the addition of a drive-thru. While a remodel of the structure was encouraged, staff could not support the addition of a drive-thru as the CC (Community Commercial) Zoning District prohibits restaurants with drive-up windows or car service.

DISCUSSION: The applicants have submitted a conceptual review application for the City Council to consider an amendment to Municipal Code Section 17.27.060(F) to permit drive-up window and car service for restaurants in the CC (Community Commercial) Zoning District. The CC Zoning Code Section currently reads as follows:

17.27.060 Conditional uses.

The following are conditional uses in a CC district, subject in each case to the securing of a use permit as provided in Chapter 17.60:

F. Lodges, clubs and restaurants, not including restaurants with drive-up windows or car service;

This requires that a property owner secure a Conditional Use Permit for a restaurant use in the CC zoning, but specifically precludes restaurants with drive-up windows or car service. Conditional Use Permit applications are approved by the Planning Commission.

The purpose of the conceptual review application is to provide the applicant with early feed-back and direction on complex projects or policy issues. Feedback may include whether or not the Council would support an amendment to the Zoning Code, and if so, what aspects of the proposal are feasible. Depending upon the feedback, the applicant can follow up the conceptual review process with a formal application to amend the Zoning Code.

There are currently two restaurants with drive-up windows in Capitola, the *Burger King* on 41st Avenue, and the *Dairy Queen* on Bay Avenue. The *Burger King* was constructed while under the jurisdiction of Santa Cruz County, and was annexed by the City of Capitola in the early 1980s.

Item #: 9.C. Staff Report.pdf

11-8-12 AGENDA ITEM

SUBJECT: 1760 41st AVENUE #12-133 APN 034-221-02

The *Dairy Queen* was likely constructed before the Zoning Code prohibited drive-up windows, and has been grandfathered in as a legal nonconforming use. While the Zoning Code prohibits restaurant drive-up windows in the CC zoning district, it does not prohibit other types of drive-thrus such as banks and pharmacies. There are several banks with drive-up windows within the City, and most recently a drive-up window was approved for the CVS pharmacy located adjacent to the subject McDonald's site. Concerns raised as part of that approval process included potential impacts to adjacent residences, including noise and exhaust from vehicles queuing and making orders.

McDonald's Renovation Project Description

McDonald's is also proposing a major interior and exterior remodel that would include elimination of the double mansard roof, and converting the exterior to a more contemporary parapet wall style. The added drive-thru would consist of two queuing lanes to the rear, and would follow along the north side of the structure, exiting adjacent to the existing BevMo located in Capitola Station.

Conclusion

The CC zoning applies to property on the 41st Avenue corridor and property on Bay Avenue from Highway 1 to Center Street. Of all the locations in the City, these highly travelled roadways are possibly the most appropriate for a drive-thru type of restaurant. However, the character of 41st Avenue north of Capitola Road is generally more auto intensive than 41st Avenue south of Capitola Road and the Bay Avenue corridor. If you recall, a *41st Avenue Corridor Economic Development/Mixed Use Revitalization Study* was prepared in 2009 that described the 41st Avenue corridor as a range of different existing land uses, various adjacent land uses, and different forms of access to the regional transportation network. The study recommended that the City consider a block by block vision of 41st Avenue that could encourage the development of various districts in appropriate locations. If the Council were to support the concept of allowing drive-up windows for restaurants, it would be recommended that the amendment to the CC zoning district be written in a way that limits restaurant drive-thrus to specific areas of the CC district, such as the 41st Avenue corridor north of Capitola Road.

General issues that arise from drive-thru restaurants include increased traffic, and potential impacts to adjacent residential districts including noise and exhaust from vehicles queuing and making orders. If the City Council is inclined to support an amendment to allow drive-up windows in the CC zoning, there are two ways that this could be accomplished. The applicant could submit a formal application to amend the Zoning Ordinance in conjunction with the McDonald's remodel, or the amendment could be included in the overhaul of the Zoning Ordinance as part of the overall General Plan update.

FISCAL IMPACT: The exact fiscal impact is unknown. Potential economic benefits to the City could include increased sales tax from increased sales due to restaurants being able to accommodate more customers.

ATTACHMENT:

1. Letter from the applicant, Efrain Corona of McDonald's USA, dated August 29, 2012
2. Project Plans

Report Prepared By: Ryan Bane
Senior Planner

**Reviewed and Forwarded
by City Manager:** 



McDonald's USA, LLC
Pacific Sierra Region
2999 Oak Road, Suite 900
Walnut Creek, CA 94597

August 29, 2012

City of Capitola
420 Capitola Avenue
Capitola, CA 95010

Re: McDonald's Planning Application
1760 41st Avenue
Project Description

To Whom It May Concern:

Please accept this brief writing as a description and explanation of our proposed project located at 1760 41st Avenue, in Capitola.

The current McDonald's is approximately 35 years old. While the local franchisee does a great job of refreshing every few years and keeping the equipment up and in working order, the bottom line is that as the store ages, it becomes increasingly irrelevant both architecturally and operationally. We are proposing to give this building a complete remodel that will eliminate the double mansard roof, and convert the exterior to a more contemporary parapet wall style. The colors that we are proposing to use are warm and inviting as you can see from the proposed elevations. The exterior will be entirely new.

On the interior, we are also proposing to completely remove and replace all the décor items and restrooms and rebuild them with a décor that is more fresh and relevant to what our customers are asking for. Long gone are the plastic seats and red and yellow standard colors. Our new look is more inviting and offers a place for our customers to stop and stay for a while if they choose with Wi-Fi and comfortable seats to gather and congregate.

We are also proposing to add a drive thru lane at this location. Of all improvements, this is the one that our customers are telling us they want the most. In general, our customer base uses the drive thru at a rate of 60%-70% of the time. Our location is a convenience stop and at this particular location, we are unable to serve our customers in this way. The drive thru would be hidden behind the current building and will be contained on our current site as shown on our site plan. The design is the latest in that we have in our portfolio, and it allows us to serve our customers quickly and accurately. All vehicles are stacked in the lane and they will move on and off of our site with ease. The dual order points allow us to take the orders faster, and to stack the cars between the order point and the food presentation booth, which is the second window.

Item #: 9.C. Attach 1.pdf

The addition of this drive thru lane is a benefit in that it will create approximately 5-6 new jobs in the area, and it will increase the tax base at this property with the increase in sales. The addition also allows this local business to service the customer in a way that they are asking to be served. Quickly, accurately and with a new look.

We respectfully request your attention in reviewing this application. We appreciate your time and I am available to answer any questions you may have.



Efrain Corona
Area Construction Manager
McDonald's USA, LLC
2999 Oak Road, Suite 900
Walnut Creek, CA 94595

PROJECT DESCRIPTION

The current McDonald's is approximately 35 years old. We are proposing to give this building a complete remodel that will eliminate the double mansard roof, and convert the exterior to a more contemporary parapet wall style. The colors that we are proposing to use are warm and inviting as you can see from the proposed elevations. The exterior will be entirely new. We are also proposing to add a drive thru lane at this location. Of all improvements, this is the one that our customers are telling us they want the most. In general, our customer base uses the drive thru at a rate of 60%-70% of the time. Our location is a convenience stop and at this particular location, we are unable to serve our customers in this way. The drive thru would be hidden behind the current building and will be contained on our current site as shown on our site plan. The design is the latest in our portfolio, and allows us to serve our customers quickly and accurately. The addition of this drive thru lane is a benefit in that it will create approximately 5-6 new jobs in the area, and it will increase the tax base at this property with the increase in sales. The addition also allows this local business to service the customer in a way that they are asking to be served. Quickly, accurately and with a new look.

CONTACT INFORMATION

APPLICANT
 McDONALDS USA
 2999 OAK ROAD STE. 900
 WALNUT CREEK, CA. 94597
 OFFICE: (925) 949-4000
 ATTN: EFRAIN CORONA

ARCHITECT
 SDG ARCHITECTURE + ENGINEERING
 3861 WALUT BLVD STE. 120
 BRENTWOOD, CA. 94513
 OFFICE: (925) 634-7000
 ATTN: LANCE CRANNELL AIA

CIVIL ENGINEER
 OURADA ENGINEERING
 3111 SUNSET BLVD. STE. L
 ROCKLIN, CA 95677
 OFFICE: (916) 624-1221
 ATTN: STEVE OURADA P.E.

LANDSCAPE ARCHITECT
 HIWA LANDSCAPE ARCHITECTURE
 2420 SAND CREEK RD. STE. C-1 #311
 BRENTWOOD, CA, 94513
 OFFICE: (925) 513-3091
 ATTN: ROSS WELLS, ASLA

McDonalds Restaurant Remodel

1760 41st Avenue
 Capitola, CA

AUG. 31, 2012

APN: 034-131-23



VICINITY MAP

McDonald's

SDG: 905.001

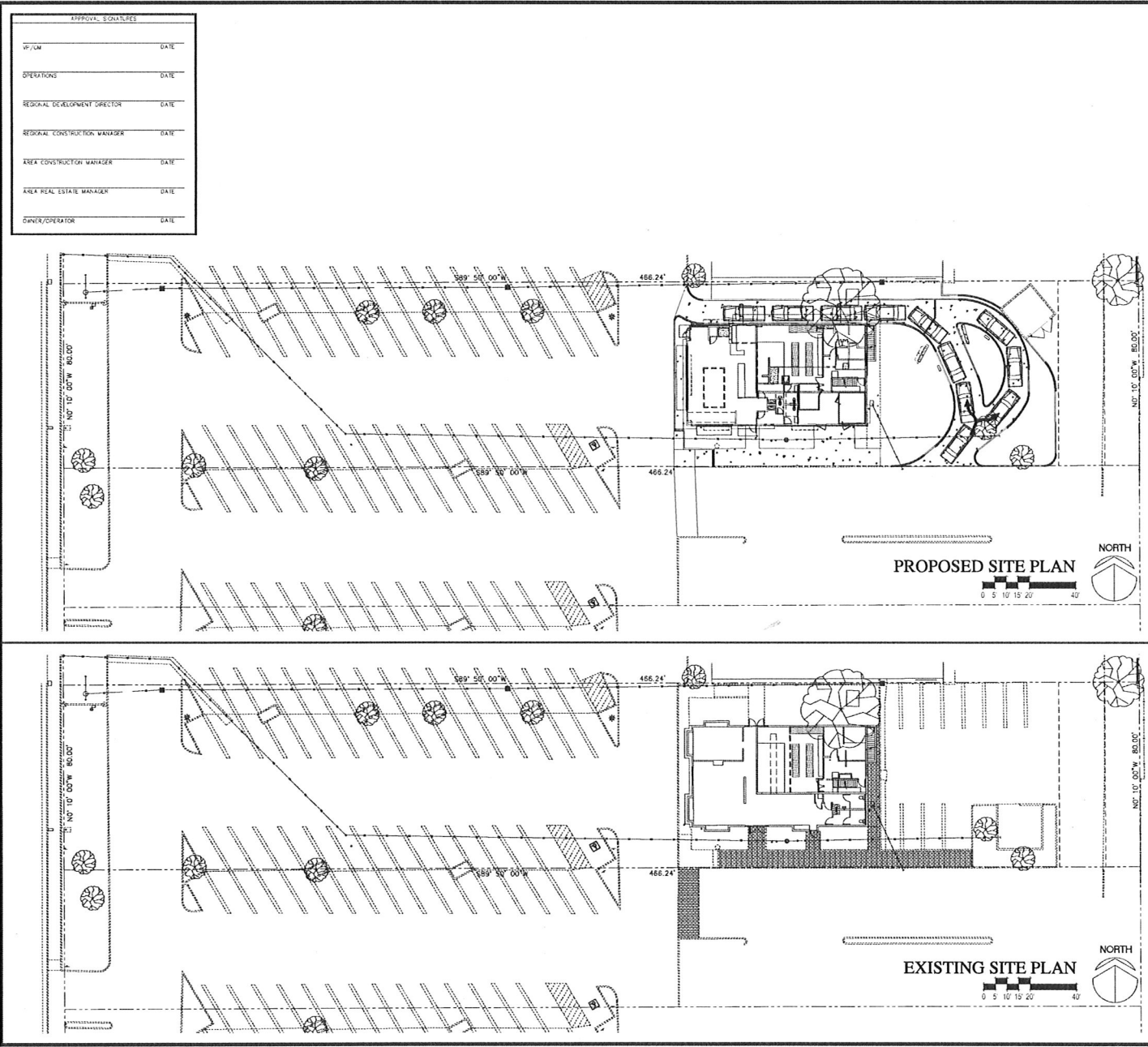


PROPOSED FRONT ELEVATION

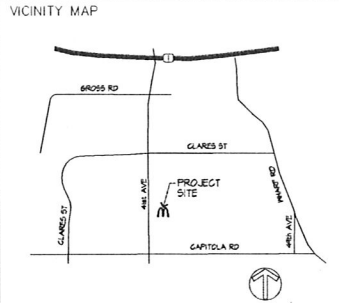
SDG Architecture + Engineering

3361 Walnut Blvd, Suite 120 Brentwood, CA 94513
 925 634-7000
 www.strausdesign.com





APPROVAL SIGNATURES	
VP/UM	DATE
OPERATIONS	DATE
REGIONAL DEVELOPMENT DIRECTOR	DATE
REGIONAL CONSTRUCTION MANAGER	DATE
AREA CONSTRUCTION MANAGER	DATE
AREA REAL ESTATE MANAGER	DATE
OWNER/OPERATOR	DATE



SITE DATA	
SITE:	
LOT AREA:	37,299 (0.86 AC)
ZONED:	CC COMMUNITY COMMERCIAL
APN:	034-131-23
MCDONALD'S:	
BUILDING AREA:	3,412 SF
ESSENTIAL STORAGE:	1,424 SF
TOTAL:	4,846 SF
FAR:	4,846 SF / 37,299 SF = 13.0%

PARKING INFORMATION (PROPOSED)	
TOTAL SPACES	49
ACCESSIBLE 1 SPACES	9' X 20' (Ø ANGLE)
STANDARD 3 SPACES	9' X 20' (Ø ANGLE)
COMPACT 45 SPACES	8' X 16' (Ø ANGLE)

PARKING CALCULATIONS	
DINING AREA:	913 SF / 45 SF = 21 STALLS
KITCHEN AREA:	1 PER 2 EMPLOYEES = 8 STALLS
TOTAL PARKING REQUIRED:	29 STALLS
TOTAL PARKING PROVIDED:	49 STALLS

PLAN LEGEND			
●	CENTER LINE	(E)	EXISTING
○	COLLING	P.O.C.	POINT OF CURVATURE
□	CONC.	P.O.W.	POINT OF WAY
▨	COUL.	SM.	SHIELD
▧	FACE OF CURB	TRP.	TRUCK
▩	FACE OF PAV.		TYPICAL
▫	FACE OF PARAPET		
(N)	NEW		
(P)	PLANTER CURB		
(R)	PLANTER CURB		
(M)	MCDONALD'S RESTAURANT		
(PR)	PROPERTY LINE		
(A)	ACCESS EASEMENT		
(T)	ACCESSIBLE PATH OF TRAVEL		
(S)	STORM DRAIN		
(SB)	SANITARY SEWER		
(DF)	DIRECTION OF DRAINAGE FLOW		
(S)	SEE SANITARY SCHEDULE		
(C)	CYCLICAL CATCH BASIN		
(F)	FLOW-THRU PLANTER ALLEY (RAISE & 10" ABV. FLOW LINE)		
(C)	CONTOUR LINE		
(P)	UNI ECO-STONE PAVERS		

SITE ACCESSIBILITY ENTRANCE SIGNS	
1. AT EVERY PRIMARY PUBLIC ENTRANCE AND AT EVERY MAJOR JUNCTION ALONG OR LEADING TO AN ACCESSIBLE ROUTE OF TRAVEL, THERE SHALL BE A SIGN DISPLAYING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY. SIGNS SHALL INDICATE THE DIRECTION TO ACCESSIBLE BUILDING ENTRANCES AND FACILITIES.	
PLAN SCALE: 1"=20'	
STREET ADDRESS: 1760 41ST AVENUE	
CITY:	STATE:
CAPITOLA	CALIFORNIA
COUNTY: SANTA CRUZ	
LOCATION CODE NUMBER: 004-1356	
DO NOT SCALE THESE DRAWINGS	

DATE	DATE	DATE	DATE	DATE	DATE
PREPARED BY: SDG Architects, Inc. Architectural / Planning 3841 Wilbur Blvd., Ste. 120 San Jose, CA 95131 PH: (408) 554-0000					
PROJECT FOR: McDonald's USA, LLC PROJECT: McDonald's RESTAURANT 1760 41ST AVENUE, CAPITOLA, CA					
JOB NO.	DRAWING BY	DATE	DATE	DATE	DATE
004-1356					
MCDONALD'S CAPITOLA ARCHITECTURAL SITE PLAN					
PROJECT	SHEET NO.				SP



STREET VIEW



PROPOSED
FRONT ELEVATION



PROPOSED
RIGHT ELEVATION



Mc Donald's
41st Avenue, Capitola, California August 31, 2012

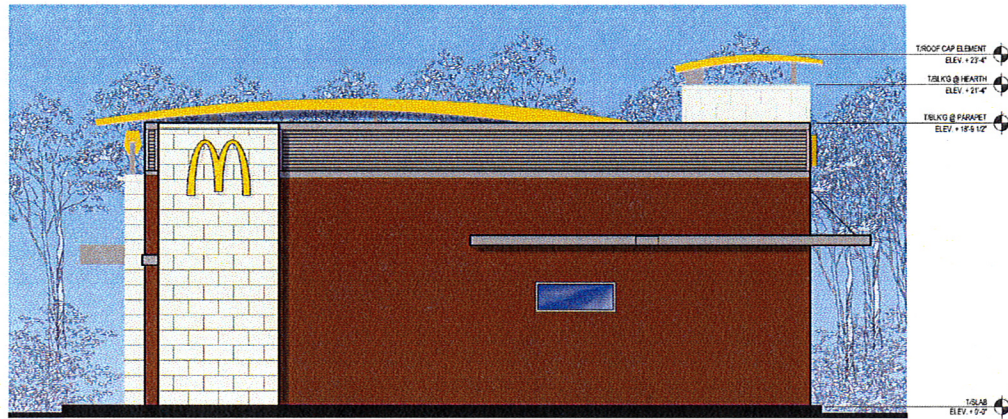
SDG Architecture + Engineering

3381 Walnut Blvd. Suite 120 Brentwood, CA 94513
925 634 7000
www.sdgdesign.com



A1

Item #: 9.C. Attach 2.pdf

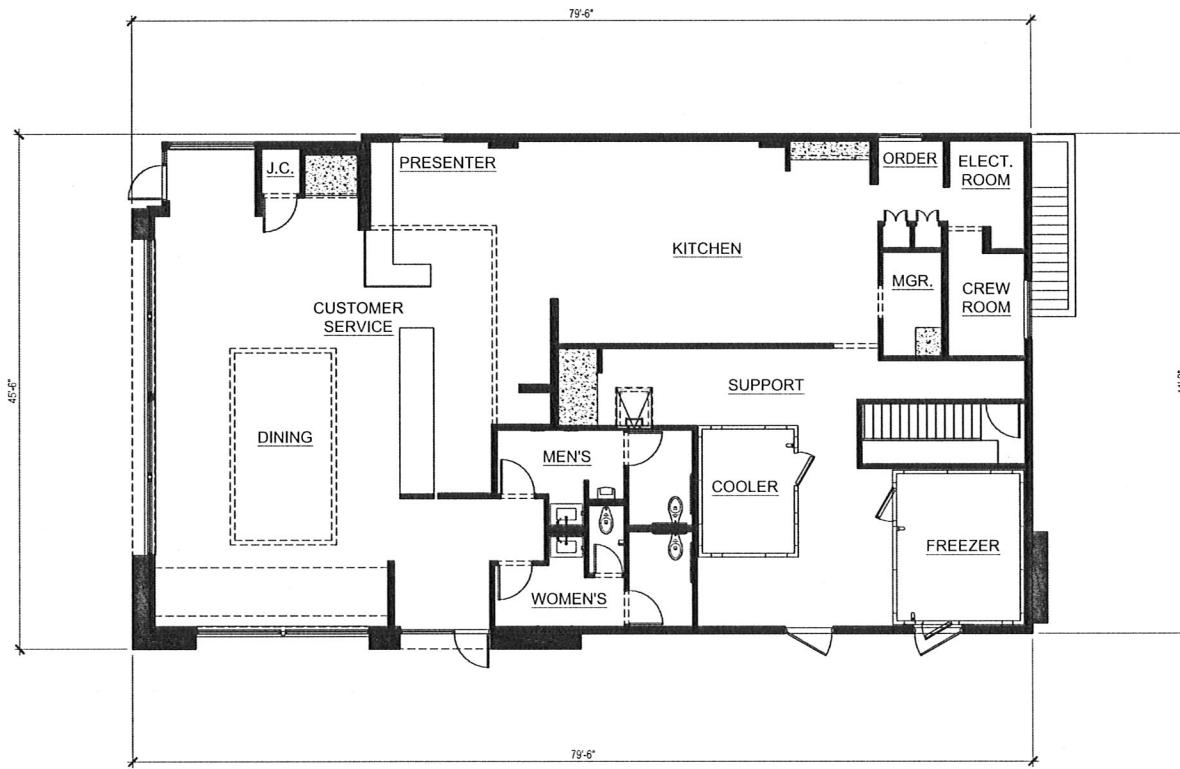


PROPOSED
REAR ELEVATION



PROPOSED
LEFT (DRIVE THRU) ELEVATION





PROPOSED
PRELIMINARY
FLOOR PLAN



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