



**COMMUNITY DEVELOPMENT DEPARTMENT**  
420 Capitola Avenue, Capitola, CA 95010  
Web: [www.cityofcapitola.org](http://www.cityofcapitola.org) | Tel: (831) 475-7300  
Katie Herlihy, Director

## COURTESY NOTICE

March 10, 2023

### Via Certified Mailed and First Class

Daniel Castagnola  
Castagnolas Deli Cafe  
201 Monterey Avenue Suite# C  
Capitola, CA 95010

**RE: 201 Monterey Avenue #C  
CMC Code 12.96.170**

Dear Mr. Castagnola,

This letter is intended as a courtesy to notify you as the Business Owner, that your improvements in the City sidewalk are now in violation of Municipal Code section 17.96.170 H.

At this time, the City of Capitola has verified that the property at 201 Monterey Avenue, #C is operating out of compliance with Conditional Use Permit #22-0125 condition of approval #12 and 17.96.170 H. Specifically, the use of the City sidewalk is subject to a current monthly fee of \$18 per square foot. The fee has not been paid since September 2022. The City of Capitola requests now that you pay the attached invoice, in full, or remove the sidewalk dining furniture by 5pm on March 20, 2023. Additionally, the City is requesting that you review and sign the enclosed Encroachment Agreement and return to the City for counter signatures.

Please be aware that failure to address the noncompliance in a timely manner will result in the City of Capitola escalating enforcement, which may result in the issuance of a Notice of Violation and/or the City removing the dining furniture from the City sidewalk.

I am available to answer any questions you may have. I can be reached at (831) 475-7300 or [bfroelich@ci.capitola.ca.us](mailto:bfroelich@ci.capitola.ca.us)

I look forward to working with you to resolve this matter.

Respectfully,

Brian Froelich, AICP  
Senior Planner

