



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

SECOND COURTESY NOTICE

March 24, 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,

The City of Capitola Community Development Department has determined that Castagnolas Deli Café is continuing to operate in violation of the **Conditional Use Permit issued for 201 Monterey Avenue #C, CUP #22-0125** with regard to 1) delinquent sidewalk lease payments and 2) lack of filing a Revocable Encroachment Agreement and Lease Agreement. City Staff had previously notified you of these violations with a directive to bring the property into compliance by March 20, 2023. **No corrective action has been taken.**

The City of Capitola now requests that you abate the violations **immediately** and schedule a follow-up inspection with City staff for verification of compliance within **5 business days** of the date on this letter (**by Friday, March 31, 2023**). Failure to abate this confirmed violation by meeting these deadlines will result in the City of Capitola escalating enforcement, including seeking revocation of CUP #22-0125.

Possible Outcomes:

This is a second courtesy notice; no enforcement action has been taken at this time. However, please note that you will not receive an additional courtesy notice, and that this serves as the City community development director's notice to the permittee to correct the violation within a reasonable period of time. A failure to correct said violation within the time allowed shall result in review of the conditional use permit by the Planning Commission for revocation. Please refer to Capitola Municipal Code Section 17.156.110, "Permit revocation," for more information on permit revocation; our municipal code is available at <http://www.cityofcapitola.org>.

As part of the City's Community Development Department, I am available to answer any questions you may have about this violation and how to remedy it. I can be reached at (831) 475-7300 or bfroelich@ci.capitola.ca.us. I look forward to working with you to resolve this matter.

Brian Froelich, AICP
Senior Planner