

Moss, Julia

From: Ryan Yates <rynyates@outlook.com>
Sent: Wednesday, March 8, 2023 9:32 AM
To: Moss, Julia
Cc: Keiser, Marguax; Brown, Kristen; Brooks, Yvette; Clarke, Joe; Pedersen, Alexander
Subject: [PDF] Letter of Concern Regarding Capitola Bar and Grill
Attachments: Personal Statement to City of Capitola.pdf

Dear Honorable City Council Members and Madam Mayor,

I am writing to express my deep concern about the appeal made by Capitola Bar and Grill to have live music at their establishment. As a concerned citizen and resident of this community, I strongly support the City of Capitola's denial of the appeal.

I have attached a letter outlining my concerns, which I believe are shared by many other residents in the community and the building. The letter summarizes the reasons why live music at Capitola Bar and Grill is not only disruptive to the peace and tranquility of the community but also potentially hazardous to the physical and psychological well-being of residents.

Furthermore, I believe that the behavior of the owner towards residents who have voiced their concerns is unacceptable and a clear violation of the city's regulations on entertainment permits. The owner's intimidation tactics and disregard for the peace and quiet of non-patrons are concerning and should not be tolerated in our community.

I hope that you will consider my concerns and take action to ensure that all businesses in the area comply with the city's laws and regulations. Please let me know if there is anything else I can do to support this cause.

Thank you for your attention to this matter.

Sincerely,

Ryan Yates

831.247.7604

Dear City Council Members, Vice Mayor, and Madam Mayor,

I am writing to you today in support the City of Capitola's denial of the appeal made by Capitola Bar and Grill for live music. The owner's behavior towards residents who have voiced their concerns about the noise levels caused by amplified music is intimidating and threatening. The decibel levels of the music often penetrate the walls of nearby residences, disturbing the peace and tranquility of the community and potentially harming residents' physical and psychological well-being.

Allowing Capitola Bar and Grill to have live music is over-arching and illegal based on California laws and regulations. The city's own regulations on entertainment permits provide clear guidelines and requirements for issuing permits based on the impact of the proposed entertainment on non-patrons. Capitola Bar and Grill does not meet these requirements.

Living above Capitola Bar and Grill for the last year, I have witnessed well-documented reckless violations of the music permit they were issued and the one in which they now covet. Their behavior towards residents is unacceptable, including personal threats and intimidation tactics. Their blatant disregard for being a decent neighbor and functioning member of the community is staggering.

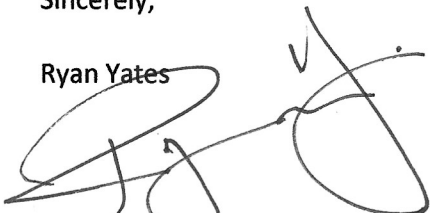
I would also like to note: The owners of Capitola Bar and Grill's claims, and logic, have consistently been, and blindly remains, "our music permit from the city, overrides the language in our lease, to not disturb or annoy anyone." "Our permit allows live bands and dancing with zero restrictions up and until the point the police are called." Completely ignoring the guidelines of the permit, and laws of the city, county, and state on noise compliance. Moreover, when their permit finally expired 12/31/22, they continued to bring in live bands January 1st, 2nd, 8th, 9th, and 16th with more booked and with zero attempt to abate the noise. The owners would only stop, despite not having a permit, with severe police intervention. I would like to clarify, these are not "dinner music" ambiance bands. They are full blown, clear out every table, 5 – 6 instrument bands, played at full volume. For example, I believe the city recently booked "The Joint Chiefs" at a city-wide benefit, in an outdoor auditorium, to support the efforts to rebuild here in the village. "The Joint Chiefs" are one of the bands they book and play, at full volume (100 – 120 + db), in a small dining room, with zero regard that they are in a residential area or below residential dwellings.

Therefore, I urge you to continue to deny the appeal by Capitola Bar and Grill to have live music at their establishment. They have proven themselves to be reckless and irresponsible in an area of business with a slippery slope. It is essential to protect the quality of life and well-being of the community and ensure that all businesses comply with the city's laws and regulations.

Thank you for your attention to this matter.

Sincerely,

Ryan Yates



3-7-23