



FINAL NOTICE OF DECISION

January 31, 2023

Capitola Bar and Grill
231 Esplanade #102
Capitola, CA 95010

RE: Notice of Decision on Application for 2023 Regular Entertainment Permit at 231 Esplanade #102

On behalf of Capitola Bar and Grill you applied for a 2023 Entertainment Permit as required by Capitola Municipal Code 5.24 – Entertainment Permits. Our understanding is that you lease the space at 231 Esplanade #102, and manage and operate Capitola Bar and Grill in that space.

We have reviewed your application and have determined the application does not include the property owner's consent to the application, as required on page 3 of the application (IX. Property Owner Statement).

The requirement for the property owner's consent is a standard inclusion on the City's application form. The form was developed pursuant to Capitola Municipal Code section 5.24.080, which allows the City Manager to develop the application.

Because your application does not include all of the required information, your application is denied.

If you would like to appeal this determination to the City Council, you must file your appeal within 14 working days of the date of this letter. The Council will hear the appeal at the City Council meeting following receipt of your appeal or, upon a request from staff, may hear the appeal at a later date. The deadline for you to file an appeal is five p.m. on February 22, 2023.

All appeals must be in writing and delivered to the office of the City Clerk with payment of the Administrative Decision Appeal Fee, which is \$562. The request for appeal must set forth the appellant's name, the phone number for the appellant, an address to which notices may be sent to the appellant and the grounds upon which the appeal is made. Further detail regarding the appeal procedure can be found in Chapter 2.52 of the Capitola Municipal Code.

Please note that because you do not currently have a valid Entertainment Permit, you are not permitted to engage in entertainment activities, as described in 5.24.010 of the Capitola Municipal Code.

Sincerely,

Jamie Goldstein, City Manager
City of Capitola