

## Local news

# Capitola's boisterous bistro in trouble again

*Capitol - 1990-1999*  
Cited for code violations, owner  
renews threat to move out of town

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CAPITOLA — The city is cracking down on Al Dente Ristorante, the popular but code-violating hot spot at Capitola Mercantile. Now, owner Lucio Fanni said he may close its doors on Saturday.

Capitola Police Chief Don Braunton said the city could seek a restraining order from a judge, shutting the place down because it's ignoring strict city rules about seating limitations and grease traps.

In December the city gave Fanni six months to meet code requirements. Now, the time is up and Fanni has yet to comply.

"My guess is, if violations continue, the city attorney can get a restraining order and the judge will order it shut," Braun-

ton said. "I'd think the city attorney would have a strong position."

For now, the restaurant's chef, owner and one-man Las Vegas revue must pay a fine and appear in court, Braunton said.

Fanni is a spectacle, the kind of chef who can cook polenta and dance himself silly at the same time.

But he turns serious when talking about city government.

He accuses it of favoritism and harassment. He calls the system "corrupt" and misleading, springing requirements on him without fair warning.

Back in March, Fanni said he was on the verge of moving Al Dente to Seabright. But he still hasn't moved into the space vacated there by Papa's Church restaurant. Now he insists this will come true in

three weeks.

But he still has about three years left on a five-year lease he signed at the Mercantile, and has not yet sold his business.

He said he's got a prospective buyer and is trying to get out of the lease, but will move no matter what. If he decides to stick around Capitola, things could get rougher.

"What are the consequences when someone simply ignores the health and safety laws and city permits?" asked Mayor Bob Garcia at a council meeting Wednesday.

"The city can't just shut him down," said Councilwoman Margaret Fabrizio. "It will have to be through legal action." Fabrizio suggested posting a violation notice on the front of the restaurant.

Since he opened his restaurant two years ago, Fanni has increased the number of seats from six to 23, even though his permit for a take-out restaurant only allows him to have six.

Fanni is clearly not running a take-out.

But he hasn't met requirements allowing him to have a full-blown restaurant either.

Last year, the Planning Commission granted him a parking variance, allowing for him to have 23 seats. In December, the City Council upheld the commission's decision, but ordered Fanni to install a larger grease trap. Council members made it clear they'd check up on Fanni in six months.

Six months passed and he still hasn't put in the grease trap, which could cost \$10,000. Fanni said he can't find a contractor willing to do it, and that there isn't enough room to put another one in. He also claims his grease trap is sufficient.

Some of his business neighbors grumble that Fanni's restaurant recently clogged the Mercantile drain pipes with grease. Fanni said this is a blatant lie and that Blimpie's sandwich shop in the same mall was responsible.

Blimpie's store manager Susan Christie said, "I'd be very, very surprised if any-

thing came from here. We do no frying. The only thing we cook is bread, and it's pre-made."

Christie was careful not to point the finger at Al Dente. "Lucio is a neighbor and he's wonderful," she added. "I'd be surprised if he was doing anything intentionally ..."

Two other Capitola Village business owners expressed regret that the restaurant could be leaving town, but also said Fanni should follow the rules.

"Nobody wants him to leave," said Debora Johnson, who owns the Oasis Hat Store and is on-site manager for the Mercantile. "Just follow the system and everybody will be fine. The city in my opinion has been very, very patient and workable. They even gave him extra time."

"I love Al Dente," said Taqueria Baja owner Carol Moran. "It's wonderful food, great entertainment. His business is so good, for God's sake, do what they ask you to do, put a grease trap in. Why walk away from here?"