



ANDREW J. DALLY  
CHIEF OF POLICE

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June 11, 2024

District Administrator  
California Department of Alcoholic Beverage Control  
1137 Westridge Parkway  
Salinas, CA 93907

Reference: Trestles Restaurant  
316 Capitola Avenue, Unit A, Capitola, CA 95010  
Type 47 On-Site General – Eating Place

Dear Administrator,

The applicant, Trestles Restaurant, applied to the City of Capitola on June 10, 2024, to change their ABC license #625856 from a Type 41 (On-Site Beer & Wine) to a Type 47 (On-Site General – Eating Place), authorizing the sale of spirits, in addition to beer and wine at their business located at 316 Capitola Avenue, Unit A, Capitola CA.

The proposed business is located in police responsibility area 4401 and U.S. census tract number 1217.00. The site is in a high crime area and the census tract is over-concentrated (62 on-site General- Eating Place licenses currently authorized) with “on-sale” alcohol outlets, thus requiring a letter of necessity and convenience.

The Local Governing Body has determined, according to §23958.4 of the Business and Professions Code, that the applicant serves the public convenience (§23958.4 b(2) B & P) and the California Department of Alcoholic Beverage Control (ABC) should approve the requested change from an alcohol license Type 41 On-Site Beer & Wine to an alcohol license Type 47, On-Site General - Eating.

This letter is being issued with the understanding that conditions placed by the city of Capitola on the businesses’ special use permit, be incorporated in the Type 47 On-Site General license issued by ABC.

In 1994, the California legislature provided amendments to the law that allowed for local control of some alcohol licenses. The purpose of this legislation is to help fight blighted and crime-impacted areas. The City Council appointed the Chief of Police as the local governing body in decisions related to public convenience or necessity in the issuance of certain alcohol licenses as required by section §23958.4 B. & P.

In the several years that we have been working with these new laws, we have applied the law of undue concentration and high crime areas as defined by the legislation. As part of our review, we look at all the circumstances that could be negative or positive about the determination of convenience or necessity.

We also weigh both sides as it applies to a specific location in the City and the specific applicant. Does the proposed establishment fit the goals of the city? Does the proposed establishment promote rather than detract from economic goals, plans, or redevelopment of the city? Does the proposed establishment pose a law enforcement or public health problem? Does the establishment help alleviate blight or a crime-affected area?

In deciding on public convenience or necessity in the aforementioned application, the following facts were considered;

1. The business has operated successfully within the city of Capitola under the currently issued ABC license and related conditions.
2. The company participates in an employee training program, with a curriculum that includes not only business-related activities but also a section on ABC Laws. The business is committed to training people and has agreed to take part in future ABC LEADS (Licensee Education on Alcohol and Drugs) workshops.
3. The Capitola Police Department has conducted a site visit of the company's current location and found it to be a professional-looking, clean, well-run business, which fits with the types of businesses the City supports in our community.

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In summary, Trestles Restaurant has been an existing and successful business in our City, and I believe they will continue to provide positive economic vitality with very few public safety concerns should the issuance of the requested license change be approved.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew Dally", with a large, stylized flourish at the end.

Andrew Dally  
Chief of Police

Cc: Sean Sesanto, Assistant Planner, Community Development Department