



Agenda Item

Planning Commission

Item #: 4.1

12/1/2025

File #: 25-0583

TO: Chair and Members of the Planning Commission

THRU: Hayden Beckman, Planning Manager

FROM: Alyssa Jurkevics, Planning Technician

1. SUBJECT

Public Hearing to consider a request to allow the sale of beer, wine, and distilled spirits at a new restaurant with an outdoor patio located at 763 S. Main Street, Suite 200A and finding of CEQA Exemption.

2. SUMMARY

The applicants, RBC Orange, LLC and LP Orange, LLC propose to serve beer, wine, and distilled spirits at an under a California Department of Alcoholic Beverage Control (ABC) Type 47 license (On-sale General - Eating Place) at a new restaurant with an outdoor patio located at 763 S. Main Street, Suite 200A.

3. RECOMMENDED ACTION

1. Conduct and close Public Hearing.
2. Adopt Planning Commission Resolution No. 13-25. A Resolution of the Planning Commission of the City of Orange approving Conditional Use Permit No. 25-0045, to allow the sale of beer, wine, and distilled spirits for on-site consumption in conjunction with a new State of California Department of Alcoholic Beverage Control Type 47 License (On Sale General - Eating Place) located at 763 S. Main Street, Suite 200A.
3. Find the request categorically exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Class 1 - Existing Facilities) of the State CEQA Guidelines

4. PROJECT BACKGROUND

Property Information	
Applicant	RBC Orange, LLC and LP Orange, LLC
Property Owner	Orange Town & Country SPE, LLC.
Property Location	763 S. Main Street, Suite 200A
Existing General Plan Land Use Element Designation	Urban Mixed-Use, 1.5-3.0 FAR (UMU)
Existing Zoning Classification	Urban Mixed Use (UMU)

Old Towne	No
Specific Plan/PC	No
Site Size	24.5 acres
Circulation	The Orange Town and Country Shopping Center is located at the southeast intersection of south Main Street and Town and Country Road. Access to the site is from two different approaches off Town and Country Road and two different approaches off Main Street. Town and Country Road is considered a primary arterial with an ultimate right-of-way width of 100 feet. Main Street is a principal arterial with a right-of-way width of 134-144 feet.
Existing Conditions	The existing tenant area is comprised of a 3,177-square foot restaurant and 938-square foot outdoor dining area, which was developed as a multi-tenant retail shopping center.
Surrounding Land Uses and Zoning	North: Urban Mixed Use (UMU) Existing multi-tenant retail development.
	South: City of Santa Ana Jurisdiction. Existing residential development.
	East: Urban Mixed Use (UMU) Existing Commercial and family residential development.
	West: City of Santa Ana Jurisdiction. Main Plaza.
Previous Applications/Entitlements	Design Review No. 3419-99 for the addition of a new building area- approved by the Design Review Committee on September 1, 1999. Conditional Use Permit No. 2300-99 for (On Sale Beer and Wine - Eating Place) License for Stage Restaurant - approved by the Planning Commission on September 8, 1999. Conditional Use Permit No. 3201-23 for an ABC Type 47 (On Sale General - Eating Place) License for Stage Restaurant - approved by the Planning Commission on September 8, 1999. Conditional Use Permit No. 2300-99 for (On Sale Beer and Wine - Eating Place) License for Stage Restaurant - approved by the Planning Commission on September 8, 1999. Conditional Use Permit No. 3201-23 for an ABC Type 47 (On Sale General - Eating Place) License for Stage Restaurant - approved by the Planning Commission on September 8, 1999. The Conditional Use Permit was not utilized at any time within 5 years from the approval date.

5. PROJECT DESCRIPTION

The applicant proposes to sell beer, wine, and distilled spirits at a new restaurant, Rose Café Bakery and Laventina's Big Cheese Pizza, with a State of California Department of Alcoholic Beverage Control (ABC) Type 47 License (On-Sale General-Eating Place). The restaurant has a total of 17 seats within the interior dining area and 50 seats within the patio area. The hours of operation for Rose Café Bakery are from 6:00 a.m. to 4:00 p.m., daily, while Laventina's Big Cheese Pizza are from 11:00 a.m. to 10:00 p.m.

No changes are proposed to the lot size or building square footage as part of this request. The

applicant's letter of explanation is included in Attachment 3.

Although a Conditional Use Permit (CUP) runs with the land, based on the conditions of approval associated with the previous CUP, the changes to floor plan, hours of operation, and alcohol consumption on the outdoor patio cause the need for a new CUP.

6. PROJECT ANALYSIS

Staff believe alcoholic beverage sales represent a customary accessory use commonly associated with casual and formal dining establishments. Four issue items were identified for this project, and analysis is provided below.

Item 1 - Existing Licenses within 600 feet of the Site:

For information purposes, staff identified the following facilities selling alcoholic beverages that are located within a 600-foot proximity to the restaurant's entrance (See Attachment 7 - Planning Commission Evaluation Map).

Existing Licenses

Establishment Name	License Type	Address
Mika Sushi	41 (On-Sale Beer and Wine - Eating Place)	691 S. Main Street, Suite 140
Tori Tori Sushi	41 (On-Sale Beer and Wine - Eating Place)	1111 Town and Country Road, Suite 2

Item 2 - Sensitive Receptors:

The Orange Municipal Code (OMC) requires a CUP for the sale of alcoholic beverages to ensure there will be no adverse impact on surrounding land uses and to prevent the availability of alcoholic beverages to minors. When reviewing alcohol permits, OMC Chapter 17.30 details specific land uses that are sensitive to alcohol activities but does not establish any required distances for these uses. The ABC investigation requires applicants to identify sensitive land uses within 600 feet of the site. The following sensitive receptors are within the vicinity of the subject property:

Sensitive Receptors

Establishment Name	Address	Distance to Project Site
Eleven 10 Apartments	1110 W. Town and Country Road	103 feet east of the project site
Windsor Main Place Luxury Apartments	1235 W. Town and Country Road	102 feet north of the project site
Cameo Apartments	1055 W. Town and Country Road	600 feet northeast of the project site

While there are sensitive land uses within 600 feet of the site, they do not have direct access to the property, and the sale of alcohol would be accessory to the sale of food within the restaurant. Approval of the CUP is unlikely to directly impact these nearby receptors.

Item 3 - Census Tract Concentration:

The business is located within Census tract 760.02. This Census tract is considered overconcentrated with On-Sale Licenses.

Alcohol Licenses in Census Tract 760.02

License Type	Allowed	Existing
On-Sale Licenses	2	12
Off-Sale Licenses	1	1

Item 4 - Crime Statistics Information:

Orange Police Department (OPD) crime statistics show the subject site is located within a high crime area, because reported crimes are more than 20% above the average of reported crimes citywide. The table below shows the OPD crime statistics for RD-12 compared to the citywide average.

Crime Statistics

Reporting District	Reported Crimes and Arrests	Citywide Average Crimes and Arrests	Percent Difference
12	566	87	551%

The sale of alcohol at a restaurant in this location is not expected to contribute to crime in the area or create an undue burden on public safety resources with the recommended conditions of approval. Staff does not anticipate that the use will create a negative impact on neighboring land uses, because the restaurant as conditioned is compatible with the mix of uses within the surrounding area, has defined hours, will be adequately staffed, and the primary use will be a restaurant. Should the Planning Commission approve the CUP, the standard conditions of approval for the safe operation of the restaurant with alcohol service will be included.

7. AUTHORIZING GUIDELINES

OMC Table 17.08.020 and Sections 17.10.030.C and 17.30.030 authorize the Planning Commission to review and take action on a request for a CUP to allow restaurants with alcoholic beverage sales.

8. PUBLIC NOTICE

On Thursday, November 20, 2025, the City sent a Public Hearing Notice to a total of 1,326 property owners/tenants within a 300-foot radius of the project site and persons specifically requesting notice. The project site has been posted in 2 locations with the notification on that same date.

9. ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 - Existing Facilities) because the project consists of licensing the sale of beer, wine, and distilled spirits for on-site consumption at an existing tenant space within a mixed-use area, and results in no expansion of use beyond that existing at the time of the City's determination. No public review is required.

10. ADVISORY BOARD ACTION

None required.

11. ATTACHMENTS

- Attachment 1 - Planning Commission Resolution No. PC 13-25
- Attachment 2 - Vicinity Map
- Attachment 3 - Applicant Letter of Justification
- Attachment 4 - Rose Bakery Café Menu
- Attachment 5 - Laventina's Big Cheese Pizza Menu
- Attachment 6 - Planning Commission Evaluation Map
- Attachment 7 - Orange Police Department Memorandum Part 1
- Attachment 8 - Orange Police Department Memorandum Part 2
- Attachment 9 - Project Plans, dated August 15, 2025