



Agenda Item

Planning Commission

Item #: 4.1.

7/6/2026

File #: 26-0385

TO: Chair and Members of the Planning Commission

THRU: Hayden Beckman, Planning Manager

FROM: Alyssa Jurkevics, Planning Technician

1. SUBJECT

A Public Hearing to consider a request to allow the sale of beer, wine, and distilled spirits (Type 47 ABC License) for on-site consumption in conjunction with the operation of a restaurant and bar with outdoor seating located at 237 W. Chapman Avenue and finding of CEQA Exemption (Conditional Use Permit No. 25-0014).

2. SUMMARY

The applicant proposes to serve beer, wine, and distilled spirits under a California Department of Alcoholic Beverage Control (ABC) Type 47 license (On-Sale General-Eating Place) at a new restaurant, The Win-Dow, with outdoor seating located at 237 W. Chapman Avenue in the Old Towne Orange Historic District. The restaurant project involves the adaptive re-use and rehabilitation of a historic service station site, commonly known as the former location of Hoffman Radiator at the corner of Chapman Avenue and Lemon Street.

3. RECOMMENDED ACTION

1. Conduct and close the Public Hearing.
2. Adopt Planning Commission Resolution No. 14-26 approving Conditional Use Permit No. 25-0014, to allow the sale of beer and wine 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) at a new restaurant and outdoor seating located at 237 W. Chapman Avenue.
3. Find the request categorically exempt from the California Environmental Quality Act (CEQA) in accordance with the State CEQA Guidelines Section 15301 (Class 1 - Existing Facilities).

4. PROJECT BACKGROUND

Property Information	
Applicant	Candice Jordan
Property Owner	Sixth & Pine Development, LLC.
Property Location	237 W. Chapman Avenue
Existing General Plan Land Use Element Designation	Old Towne Mixed Use 15 Specific Plan (O

Existing Zoning Classification	Old Towne Mixed Use-15 (OTMU-15)(SP)
Old Towne	Yes
Specific Plan/PC	Sante Fe Depot Specific Plan
Site Size	10,937 S.F Gross (0.25 Acres)
Circulation	The project site is located at the northeast North Lemon Street and West Chapman Avenue. The site includes pedestrian access on N. Lemon Street at the southeast corner of property facing West Chapman Avenue.
Existing Conditions	The project site occupies a flat rectangular lot at the northeast corner of West Chapman Avenue and North Lemon Street. It was improved with a surface parking lot in 1924 by the Standard Oil Company. The site contains two historic freestanding utilitarian buildings around an irregularly shaped asphaltic surface. Building A located at the rear (northeast corner) is used as the auto services building with an attached canopy. While Building B located at the front (southwest corner) the property served as the filling station with two canopies.
Surrounding Land Uses and Zoning	North: OTMU-15 (SP) There is a one-story commercial building located at 121 N. Lemon Street. South: Old Towne Mixed Use-24 (OTMU-24) historic commercial building occupied by restaurant located at 240 W. Chapman Avenue. East: OTMU-15 (SP) Existing one-story historic building occupied by a restaurant and bar, located at 240 W. Chapman Avenue. West: OTMU-15 (SP) Existing surface parking lot.
Previous Applications/Entitlements	Design Review No. 25-0025 for the adaptive reuse of two existing vacant buildings designated as historic within the Old Towne Historic District to accommodate a new restaurant with walk-up window service, known as The Win~Dow, approved by Design Review Committee on June 3, 2026.

5. PROJECT DESCRIPTION

The applicant proposes to sell beer, wine, and distilled spirits at a new restaurant, The Win~Dow, with a State of California Department of Alcoholic Beverage Control (ABC) Type 47 License (On-Sale General-Eating Place). In total, the restaurant will provide 225 dining seats and 16 bar seats, which are all located outdoors, and an activity/play area for patrons. The hours of operation for The Win~Dow are Sunday through Thursdays from 10:00 a.m. to 11:00 p.m., and Fridays and Saturdays

from 10:00 a.m. to 12:00 a.m.

6. PROJECT ANALYSIS

The sale of alcohol at a restaurant use is logical and appropriate given the site's location in Old Towne Historic District, and the Santa Fe Depot Specific Plan area which is a destination for dining and public gatherings. Alcoholic beverage sales are a customary accessory use for many casual and formal dining establishments. The outdoor nature of the alcohol service area warrants consideration of a CUP given the proposed alcohol sales in relation to nearby existing alcohol licenses, sensitive receptors, and crime statistics. Three items were identified for this project, and analysis is provided below.

Item 1 - Census Tract Concentration:

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 4 - Planning Commission Evaluation Map). The business is located within Census Tract 759.01. This Census Tract is considered overconcentrated with On-sale Licenses.

Alcohol Licenses in Census Tract 759.01		
License Type	Allowed	Existing
<i>On-Sale Licenses</i>	5	31
<i>Off-Sale Licenses</i>	2	4

Item 2 - Sensitive Receptors

The 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 the 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
<i>Senior Citizen Center</i>	170 S. Olive Street	200 - 300 feet
<i>Chamber of Commerce</i>	34 Plaza Square	50 - 600 feet
<i>Veterans Memorial at Depot Park</i>	100 N. Atchinson Street	50 - 600 feet
<i>Plaza Park</i>	The Plaza	50 - 500 feet
<i>Hilbert Museum of California Art</i>	167 N. Atchison Street	50 - 500 feet
<i>United States Postal Service</i>	308 W. Chapman Avenue	50 - 100 feet
<i>Plaza Bible Church</i>	240 W. Chapman Ave	60 feet
<i>Single-Family Dwellings</i>	S. Cypress Street and W. Almond Avenue	50 - 300 feet
<i>Multi-Family Dwellings</i>	173 S. Lemon Street 1-7	500 feet

<i>Multi-Family Dwellings</i>	210 W. Maple Avenue	200 -300 feet
<i>Multi-Family Dwellings</i>	138 - 152 N. Olive Street	70 feet
<i>Single-family & Multi-Family Dwellings</i>	N. Lemon Street	100 - 300 feet

Item 3 - Crime Statistics for Reporting District

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-32e compared to the citywide average.

Reporting District	Reported Crimes and Arrests	Citywide Average Crimes and Arrests Per District	Percent Difference
32E	247	68	263%

Crime Statistics 2025

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 proposed operation, 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.

Project Conditions

The applicant's request for a Type 47 ABC License provides the City with an opportunity to impose standards and conditions of approval for restaurants serving alcoholic beverages in conjunction with food to protect the health, safety, and general welfare of the nearby neighborhood and overall community which include, but are not limited to:

- A one-year review of the subject site and operations to identify uniquely adverse issues such as curfew, loitering, vandalism, criminal activity, noise, or nuisance (Condition No. 6).
- Gross sales of alcohol shall not exceed non-alcohol sales (Condition No. 8).
- Alcohol shall only be consumed within the defined licensed dining areas (Condition No. 11).
- Alcoholic beverages are only to be served in conjunction with food (Condition No. 18).
- Food service must be made available until closing time on each day of operation (Condition No. 19).
- Live entertainment, disk jockey, or dancing on the premises is prohibited (Condition No. 32).

7. AUTHORIZING GUIDELINES

Orange Municipal Code (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 Conditional Use Permit to

allow the sale of alcoholic beverages for on-site consumption in conjunction with a restaurant.

8. PUBLIC NOTICE

On Thursday, June 25, 2026, the City sent a Public Hearing Notice to a total of 140 property owners/tenants within a 300-foot radius of the project site and persons specifically requesting notice. The project site has been posted in 1 location 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 request consists of licensing the sale of distilled spirits in addition to beer and wine within an proposed restaurant that will be occupying existing vacant buildings. No public review is required.

10. ADVISORY BOARD ACTION

None required.

11. ATTACHMENTS

- Attachment 1 Planning Commission Resolution No. PC 14-26
- Attachment 2 Vicinity Map
- Attachment 3 Project Plans
- Attachment 4 Justification Letter
- Attachment 5 Planning Commission Evaluation Map
- Attachment 6 Restaurant Menu