



City of Orange
Community Development Department
300 E. Chapman Avenue
Orange, CA 92866
714-744-7220

APPEAL APPLICATION

APPEAL APPLICATION NO. APP25-0009

This application must be filled out completely. Any appeal shall be filed with the Community Development Department Planning Division *within seven business days after the hearing or action from which the appeal is made* (OMC Section 17.08.050 D). The \$1000.00 filing fee (initial deposit – actual cost required) must accompany the appeal.

Name of Appellant(s) CDO Orange LLC (Leezie Kim)

Address of Appellant(s) 4455 E Camelback Rd, B100, Phoenix, AZ 85018

Phone No. (day) 480-751-2161 (cell) N/A

PROJECT INFORMATION:

Appeal of action on case number: CONDITIONAL USE PERMIT NO. 3225

Project address: 191 N. Orange Street, Orange, CA 92866

REASON FOR REQUEST: Please specify and explain WHY you are appealing the decision or determination and indicate specifically the error or abuse of discretion (OMC Section 17.08.050 C).

We are appealing the 2/20/25 planning commission decision because the commission's recommendation has an unreasonably negative effect on the restaurant by placing restrictions on its operations that are unheard of in the industry and unprecedented in the city of Orange. Specifically, we are appealing two decisions by the planning commission:

1. The planning commission rejected the city staff's recommended restaurant hours of operation, which generally matched or were shorter than the operating hours of other neighboring CUP holders and other restaurants that operate close to residential neighbors. The planning commission recommended the restaurant be required to stop seating guests on parts of its patio at 7:00 pm, seven nights a week. In addition, the planning commission recommended the interior of the restaurant close on Fridays and Saturdays by 11 pm, at least an hour earlier than the neighboring CUP holders and earlier than staff had recommended. No other restaurant, even those located close to residential neighbors, has such restrictions placed on it. Even the immediate neighboring CUP holders (the Richland and the Grand Gimeno) are permitted later hours of operation both on the interior and their patios.

2. We are also appealing a recommendation of the planning commission that the restaurant patios be prohibited from playing background music. Unlike hours of operation, this silent patio was a staff recommendation. Background music is important to the atmosphere of a restaurant. The requirement put on other restaurants (even those close to residential neighbors) is that background music is allowed on their patios so long as the music is not audible at the edge of the property line. That is the standard we are requesting be applied to this restaurant as well.


Signature of Appellant (or representative) 2/28/25
Date

PLANNING DIVISION USE ONLY: Date of hearing or decision and hearing body 2/20/25 Planning Commission meeting

Application checked by Arlen Beck Date & Time Received 2/28/25, 8:06 AM