



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Rosemary Medel, Associate Planner *RM*
DATE: January 23, 2013

SUBJECT: CONDITIONAL USE PERMIT NO. 12-025 (RITTER'S RESTAURANT AND ALCOHOL SALES)

APPLICANT: Linh Nguyen, 180 5th Street, Suite 130, Huntington Beach, CA 92648

PROPERTY OWNER: CIM, 155 5th Street, Suite P100, Huntington Beach, CA 92648

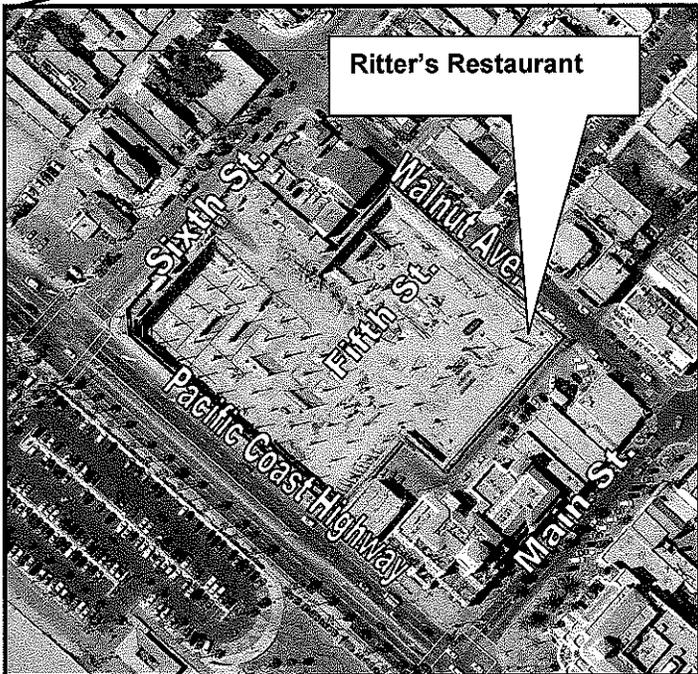
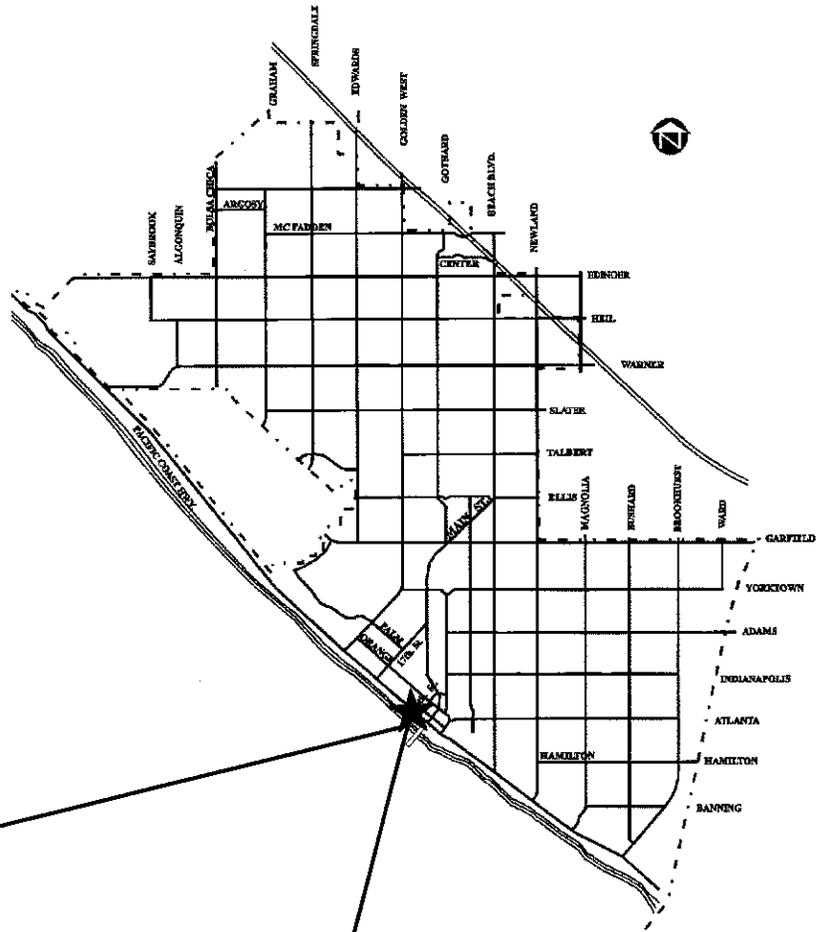
LOCATION: 180 5th Street, Suite 130 (southeast corner of Fifth Street and Walnut Avenue adjacent to the alley)

STATEMENT OF ISSUE:

- ◆ Conditional Use Permit No. 12-025 request:
 - Permit the establishment of a 1,750 square foot New Orleans style restaurant with beer and wine sales and consumption within an existing lease space including a pick-up only window.
- ◆ Staff Recommendation:

Approve Conditional Use Permit No. 12-025 based upon the following:

 - Consistent with the Mixed-Use General Plan Land Use designation.
 - Contributes to the activation of the pedestrian experience along Walnut Avenue in compliance with the Downtown Specific Plan.
 - Consistent with the visitor-serving category of the Downtown Specific Plan to approve and support commercial activities that serve the needs of the surrounding community.
 - Proposed hours of operation are in keeping with The Strand development, City Council Resolution No. 2011-16 for eating and drinking establishments with alcohol sales and will not create adverse noise or safety impacts to the surrounding businesses and residents.
 - Compatible with surrounding uses as adequate pedestrian circulation will be maintained.
 - Complies with the base district parking provisions specified in the Downtown Specific Plan.



VICINITY MAP

**CONDITIONAL USE PERMIT NO. 12-025
(RITTER'S RESTAURANT)**

180 5TH Street, Suite 130 - Walnut Avenue at Alley

RECOMMENDATION:

Motion to:

“Approve Conditional Use Permit No. 12-025 with findings and suggested conditions of approval (Attachment No. 1).”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Deny Conditional Use Permit No. 12-025 with findings for denial.”
- B. “Continue Conditional Use Permit No. 12-025 and direct staff accordingly.”

PROJECT PROPOSAL:

Conditional Use Permit No. 12-025 represents a request for the following:

To allow the establishment, maintenance, and operation of a 1,750 sq. ft. restaurant with alcohol sales pursuant to Conditional Use Permit No. 99-45 conditions of approval for The Strand development.

The subject site is located within The Strand, a mixed use development consisting of commercial uses and a hotel. The Strand consists of a total of six buildings located on the east and west sides of Fifth Street between Pacific Coast Highway (PCH) and Walnut Avenue. The applicant proposes to lease the ground level space within Building A, located at the southeast corner of Fifth Street and Walnut Avenue. The recently approved Bruxie Restaurant is located at the corner with Ritter’s occupying the remaining square footage fronting Walnut Avenue. While the restaurant hours are permitted from 7:00 AM to 12:00 AM daily, the proposed hours of alcohol sales are as follows:

DAYS	HOURS OF ALCOHOL SALES
Sunday – Thursday	11:00 AM – 11:00 PM
Friday – Saturday	11:00 AM – 12:00 AM

According to the applicant, the Huntington Beach location will be the flagship restaurant for this new franchise. The live action cooking concept features steam kettle cooking in the New Orleans style restaurant and Chef Ritter’s 30 years of experience in the food industry. Hence, the New Orleans influence is reflected in the façade articulation and signage. These façade improvements were reviewed by the Design Review Board on December 13, 2012. There is a discussion of the proposal and the DRB’s recommended action under the *Design Review Board* and *Analysis* sections of this report.

Background:

Restaurant and Outdoor Dining Uses

The City approved Tentative Tract Map No. 16406, Conditional Use Permit No. 99-45 with Special Permits No. 02-06, and Coastal Development Permit No. 99-16 on October 21, 2002 to construct approximately 106,000 square feet of commercial space, a 152-room hotel consisting of approximately

120,170 square feet, and a 411 space subterranean parking structure. In addition, the City approved Conditional Use Permit No. 07-021 (RA Sushi) on August 14, 2007 to permit a 5,313 sq. ft. restaurant with on-site sale and consumption of alcoholic beverages. On January 27, 2009, the City approved Conditional Use Permit No. 08-047 (Johnny Rockets) to permit a 1,844 sq. ft. restaurant and 193 sq. ft. outdoor dining area with on-site sale and consumption of alcoholic beverages. Zimzala restaurant was approved in 2010 offering 9,696 sf. ft. within the Shorebreak Hotel. Bruxie Gourmet Waffle at 2,575 square feet was approved by the Planning Commission on November 27, 2012 as the latest restaurant at The Strand.

The original conditions of approval for The Strand require that restaurant, alcohol sales, outdoor dining, live entertainment, and dancing uses require approval of a Conditional Use Permit by the Planning Commission consistent with the Downtown Specific Plan requirements at the time. Approval of these types of uses was not included in the original conditions of approval because many of the specific uses were unknown and staff would need greater specificity to review compatibility and mitigate any issues (i.e. hours of operation, alcohol service, noise, etc.) to ensure a successful project. Of the total 106,000 sq. ft. of commercial space approved for The Strand, 40,000 sq. ft. may be devoted to restaurant uses and adequate parking is already provided. The establishment of Ritter’s at 1,750 sq. ft. brings the total restaurant square footage to 21,178 sq.ft. Therefore, because the total restaurants will be under the 40,000 sq. ft. threshold, adequate parking is provided in the subterranean parking lot.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	MV- >30-d-sp-pd (Mixed Use Vertical – Greater than 30 Units to the Acre -Design Overlay - Specific Plan Overlay – Pedestrian Overlay	Downtown Specific Plan District 1/Coastal Zone	Mixed Use Development
North (across Walnut), East, West and South of Subject Property:	MV- > 30 – d- sp- pd (Mixed Use Vertical – Greater than 30 units to the Acre -Design Overlay - Specific Plan Overlay – Pedestrian Overlay)	Downtown Specific Plan District 1/Coastal Zone	Police Substation Commercial Development

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is Mixed Use Vertical. The proposed project is consistent with this designation and the goals and objectives of the City’s General Plan as follows:

A. Land Use Element

Policy LU 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

Objective LU 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding subregion, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Goal LU 11 Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

Policy LU 15.2.2 Require that uses in the Pedestrian Overlay District be sited and designed to enhance pedestrian activity along the sidewalks. Create visual differentiation of upper and lower floors and distinct treatment of building entrances and use of pedestrian oriented signage.

The proposed use will establish a new restaurant and alcohol sales within the Downtown Core District that is consistent with the Land Use Density Schedules for The Strand development and is compatible with surrounding mixed-use development. The take-out window will assist in the activation of Walnut Avenue and further the pedestrian experience in the Downtown.

B. Coastal Element

Policy C 1 Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.

Policy C 3.2.3 Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including but not limited to, shops, restaurants, hotels and motels, and day spas.

The proposed use will promote the commercial viability of The Strand and will occupy vacant lease space as a restaurant use with a take-out window and creative signage.

Zoning Compliance:

This project is located in the Downtown Specific Plan, District No. 1 (Downtown Core District Mixed-Use) and complies with all of the requirements of that zone. The proposed restaurant will be established within a vacant lease space, which is less than the maximum square footage allotted for restaurant space within The Strand development. Overall, the combined restaurant is below the maximum 40,000 sf. ft. parked in the original entitlements. Therefore, adequate parking for the proposed restaurant will be provided within the subterranean parking structure.

Urban Design Guidelines Conformance:

The exterior modifications are in keeping with the goal to create a pedestrian active environment within The Strand. Ritter's New Orleans façade concept lends itself to creating a pedestrian friendly experience. Signage and the indirect lighting that will illuminate the signage are creative in style and location and will maximize visibility for this restaurant as well as The Strand in general.

Environmental Status:

The proposed project is Categorically Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act, which states that minor alterations to existing or approved structures are exempt from further environmental review.

Coastal Status:

The proposed project is within a non-appealable portion of the Coastal Zone. The original entitlement for The Strand including Coastal Development Permit No. 99-16 assumed outdoor dining as part of the project for the potential restaurants. However, Ritter's proposes no outdoor dining.

Design Review Board:

The Design Review Board (DRB) considered the project at their December 13, 2012 meeting. The façade improvements and restaurant concept were discussed. The façade improvements, which create a New Orleans atmosphere incorporates used brick veneer, wooden shutters, awnings, indirect lighting that will illuminate the wall signs and an illuminated projecting sign will be visible from Main Street.

Based on these improvements, the DRB is recommending approval of the façade improvements as proposed. DRB agreed that the façade complements existing facades within The Strand development and the recently approved Bruxie restaurant adjacent to Ritter's Restaurant.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Departments of Planning and Building, Fire, Public Works, Community Services, Economic Development and Police have reviewed the application and identified applicable code requirements for a restaurant with alcohol sales (Attachment No. 4). Community Services has conditioned that construction and tenant improvements not interfere with the City's scheduled events and requiring that the applicant contact Community Services prior to commencement of the construction activity. Additionally, existing metered parking on Walnut Avenue shall remain available for public use during construction. The Economic Development Department supports the request because it will fill a vacant lease space and activate the Walnut Avenue corner. The Police Department recommends approval because the operation will comply with the Downtown resolution for restaurants with alcohol sales. The applicant has verbally expressed willingness to adhere to proposed conditions of approval.

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on January 10, 2013, and notices were sent to property owners of record within a 500 ft. radius of the perimeter of The Strand property, individuals/organizations requesting notification (Planning Department's Notification Matrix), applicant, and interested parties. On January 15, 2013 a communication was received in opposition to the

proposed conditional use permit. (Attachment No. 5) As of January 16, 2013 no further communication in support or opposition to the request has been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

December 4, 2012

MANDATORY PROCESSING DATE(S):

February 1, 2013

Conditional Use Permit No. 12-025 was filed on September 27, 2012 and deemed complete on December 4, 2012. The public hearing for this project is scheduled for January 23, 2013.

ANALYSIS:

The primary issues identified with the proposed uses are related to land use compatibility and alcohol sales and consumption. The following provides a discussion of these issues:

The Strand Development was approved with parking for 40,000 square feet of restaurant uses. Therefore, parking is not impacted with the opening of this restaurant as the use was anticipated in the original Strand development approval as stated in the Background section of this report. Ritter's restaurant proposes to occupy the lease space fronting Walnut Avenue immediately adjacent to the alley. The proposed hours of operation are from 11:00 A.M. to 11:00 P.M. Sunday through Thursday and from 11:00 A.M. to 12:00 A.M. Friday and Saturday. The restaurant will offer a pick-up only take-out window. Orders are required to be taken from the interior of the restaurant only. While no outdoor dining is proposed, the take-out window will contribute to activating the Walnut Avenue side of The Strand and complement the activity generated by the adjacent Bruxie outdoor dining concept. Queuing will not be of issue because the take-out area is pick-up only and there is sufficient public seating surrounding the restaurant along both Walnut Avenue and 5th Street for those waiting for their orders. Additionally, CIM will be relocating the existing large landscape pots in compliance with the required six foot free and clear pedestrian pathway pursuant to the Downtown Specific Plan.

In 2011, City Council adopted Resolution No. 2011-16 regulating eating and drinking establishments with alcoholic beverage sales and live entertainment. In accordance with the resolution, the applicant is proposing the sale and consumption of beer and wine to complement the restaurant meals. The hours of operation are in keeping with the adopted resolution of 7:00 A.M. to 12:00 A.M. midnight. Additionally, the resolution states that restaurants are to provide a minimum of 70 percent of the net floor area (excluding back of house area) as designated dining area. The interior floor plan demonstrates that the lease space is 1,750 sq. ft. The net area that remains, excluding all preparation areas and restrooms, is 709 sq. ft. The proposed total square footage of the dining area is 654 sq. ft. (92%), which exceeds the minimum 70 percent dining area required by the resolution. The Police Department has reviewed the proposal as well and has imposed code requirements. These requirements are in compliance with the City Council Downtown resolution by ensuring that the restaurant maintains a restaurant atmosphere, operates in a manner to comply with state and local municipal laws including conditions of approval and prohibits entertainment and dancing to ensure the safety of guests and employees.

Staff has determined that the proposed restaurant with alcohol sales will be compatible with surrounding uses because The Strand and the Downtown area are designated for mixed use pedestrian oriented development. Immediately north of the subject site is commercial development. Although, the area provides mixed use commercial and residential development, the nearest residences are located diagonally across the street at the northwest corner of 5th Street and Walnut Avenue and not directly across from Ritter's. Ritter's will be required to comply with the imposed conditions of approval restricting how the restaurant operates with regards to alcohol sales including limits on the hours of operation and provision of a full restaurant menu. With the conditions of approval the restaurant will not create negative impacts for parking, noise or safety. Therefore, the proposed project, as conditioned, is consistent with the General Plan, the Downtown Specific Plan, including Council Resolution No. 2011-16 and staff recommends approval of the use.

SUMMARY:

Staff supports the proposed restaurant with alcohol sales and consumption within The Strand development and recommends approval Conditional Use Permit No. 12-025 based on the following:

- Consistent with the Mixed-Use General Plan Land Use designation.
- Contributes to the activation of the pedestrian experience along Walnut Avenue in compliance with the Downtown Specific Plan.
- Consistent with the visitor-serving category of the Downtown Specific Plan to approve and support commercial activities that serve the needs of the surrounding community.
- Proposed hours of operation are in keeping with The Strand development, City Council Resolution No. 2011-16 for eating and drinking establishments with alcohol sales and will not create adverse noise or safety impacts to the surrounding businesses and residents.
- Compatible with surrounding uses as adequate pedestrian circulation will be maintained.
- Complies with the base district parking provisions requirements specified in the Downtown Specific Plan.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval
2. Site Plans, floor plans and elevations received and dated December 4, 2012
3. Code Requirements Letter dated December 20, 2012 (for informational purposes only)
4. Project Narrative dated September 27, 2012
5. Letter of Opposition dated January 15, 2013

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 12-025

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301, Class 1, of the CEQA Guidelines, which states that operation and minor alteration to existing structures involving negligible or no expansion are exempt from further environmental review.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 12-025:

1. Conditional Use Permit No. 12-025 to permit the establishment, maintenance, and operation of the 1,750 sq. ft. Ritter's restaurant with alcohol sales, located within The Strand development, will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the downtown area. Additionally, the project is consistent with City Council Resolution No. 2010-05, standard conditions of approval for restaurants with only alcohol sales in the downtown area.
2. The proposed restaurant will be compatible with surrounding uses because the use will activate the Walnut Avenue section of The Strand development and the take-out only window will not interfere with the required pedestrian free and clear pathway. The proposed use is consistent with the mixed use development of The Strand and of the commercial uses of the Downtown.
3. The proposed restaurant will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance and any specific condition required for the proposed uses in the district in which they will be located. The proposed project as conditioned complies with the base district and other applicable provisions including parking. There is no physical expansion of the approved development proposed as part of the request and the use will comply with all building occupancy and exiting requirements.
4. The granting of the conditional use permit will not adversely affect the General Plan. The conditional use permit is consistent with the Land Use Element designation of Mixed Use Vertical on the subject property including the following policies and objectives identified in the General Plan:

A. Land Use Element

Policy LU 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

Objective LU 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding sub-region,

(c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Goal LU 11 Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

Policy LU 15.2.2 Require that uses in the Pedestrian Overlay District be sited and designed to enhance pedestrian activity along the sidewalks. Create visual differentiation of upper and lower floors and distinct treatment of building entrances and use of pedestrian oriented signage.

The proposed use will establish a new restaurant with alcohol sales within the Downtown Core District that is consistent with the Land Use Density Schedules for The Strand development and is compatible with surrounding mixed-use development. The extensive façade improvements creating a unique New Orleans theme will assist in the activation of Walnut Avenue drawing pedestrian interest from Main Street and furthering the pedestrian experience in the Downtown.

B. Coastal Element

Policy C 1 Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.

Policy C 3.2.3 Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including but not limited to, shops, restaurants, hotels and motels, and day spas.

The proposed use will promote the commercial viability of The Strand and will occupy a vacant lease space as a restaurant use and incorporate creative signage and distinctive façade improvements.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 12-025:

1. The site plan, floor plans and elevations received and dated December 4, 2012 shall be the conceptually approved layout.
2. Construction/tenant improvements shall not interfere with scheduled City events. Applicant should check with the Community Services Department and downtown BID to make sure that construction activity is not in conflict with scheduled Specific events or other downtown events. **(CS)**
3. Community Services should also be notified of any activity that will take parking meters off-line during construction activity. **(CS)**
4. Signage shall be designed and installed in compliance with Planned Sign Program No. 04-07 (R).
5. Restaurant business hours shall be limited to between 7:00 AM to 12:00 AM and alcohol sales shall be limited to between 11:00 A.M. to 11:00 PM Sunday through Thursday and 11:00 AM to 12:00 AM Friday and Saturday. **(Resolution No. 2011-16)**

6. A minimum of 70 percent of the net floor areas of the establishment shall be designated as dining area excluding back of house areas (such as areas used for cooking, kitchen preparation, office, storage, and restrooms) and outdoor dining areas. **(Resolution No. 2011-16)**
7. Full food service menus shall be served, at a minimum, until one (1) hour before closing, and a cook and food server shall be on duty during these times. **(Resolution No. 2011-16)**
8. Alcoholic drinks shall not be included in the price of admission to any establishment. **(Resolution No. 2011-16)**
9. There shall be no requirement for patrons to purchase a minimum number of alcoholic drinks. **(Resolution No. 2011-16)**
10. All alcohol shall remain on the establishment's premises, including within outdoor dining areas. **(Resolution No. 2011-16)**
11. An employee of the establishment must be present at all times in areas within the establishment where alcohol is served. **(Resolution No. 2011-16)**
12. All areas of the business that are accessible to patrons shall be illuminated to make easily discernible the appearance and conduct of all people in the business. **(Resolution No. 2011-16)**
13. Dancing and/or dance floor and/or live entertainment shall be prohibited unless a Conditional Use Permit and Entertainment Permit are approved by the City. **(Resolution No. 2011-16)**
14. Games or contests requiring or involving consumption of alcoholic beverages shall be prohibited. **(Resolution No. 2011-16)**
15. The establishment shall follow all conditions of the alcohol license issued by the California Department of Alcoholic Beverage Control, as well as all other relevant portions of the Huntington Beach Zoning and Subdivision Ordinance and Huntington Beach Municipal Code. **(Resolution No. 2011-16)**
16. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any

approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

(A) GENERAL NOTES

RESTROOM NOTES:

- FLOOR OF WATER CLOSET COMPARTMENTS SHALL HAVE A SMOOTH HARD NONABSORBENT SURFACE SUCH AS PORTLAND CEMENT, CONCRETE, CERAMIC TILE OR OTHER WALLS AT LEAST 6" HIGH ABOVE FINISHED FLOOR BEHIND AND IN THE SIDE OF THE TOILET AND URINAL AND EXTEND 2" IN FRONT AND TO THE SIDE OF THE TOILET AND URINAL.
- CERAMIC TILE OVER TILE BACKER BOARD OVER 1/8" ASPHALT PAPER ATTACHED TO STUD FRAMING.

PLAN FOR ALL FIXED FIRE PROTECTION EQUIPMENT SUCH AS SMOKE DETECTOR, SPRINKLER SYSTEM, HOOD SYSTEM AND FIRE ALARM SYSTEM SHALL BE SUBMITTED TO, AND APPROVED BY, FIRE PRIOR TO INSTALLATION AND FINAL INSPECTION

FLOOR PLAN NOTES:

- ALL CABINETS MILLWORKS DRAWING AND INSTALLATION BY OTHER.

ACCESSIBLE DOOR NOTES:

CLEAR WIDTH: DOORWAYS SHALL HAVE A MINIMUM CLEAR OPENING OF 32 IN (813 MM) WITH THE DOOR OPEN 90 DEGREES, MEASURED BETWEEN THE FACE OF THE DOOR AND THE FACE OF THE OPPOSITE DOOR FRAME. DOORWAYS 48 IN OR DEEPER SHALL COMPLY WITH 4.12 AND 4.13 THRESHOLDS AT DOORWAYS. THRESHOLDS AT DOORWAYS SHALL NOT EXCEED 3/4 IN (19 MM) IN HEIGHT FOR EXTERIOR SLIDING DOORS OR 1/2 IN (13 MM) FOR OTHER TYPES OF DOORS. THRESHOLDS AT DOORWAYS SHALL BE BEVELLED WITH A SLOPE NO GREATER THAN 1:2

DOOR OPENING FORCE: THE MAXIMUM FORCE FOR PUSHING OR PULLING OPEN A DOOR SHALL BE AS FOLLOWS:

- FOR DOORS TO BE OPENED BY THE GENERAL PUBLIC
- FOR DOORS TO BE OPENED BY THE GENERAL PUBLIC AND ADMINISTRATIVE AUTHORITY.
- FOR OTHER DOORS.
 - EXTERIOR HINGED DOORS: (RESERVED)
 - INTERIOR HINGED DOORS: 5 LBF (22.2N)
 - INTERIOR SLIDING DOORS: 5 LBF (22.2N)
 - INTERIOR SLIDING DOORS: 5 LBF (22.2N)

THESE DOORS SHALL BE OPENED BY THE GENERAL PUBLIC BY RETRACT LATCH BOLTS OR DISENGAGE OTHER DEVICES THAT MAY HOLD THE DOOR IN A CLOSED POSITION.

LANDINGS: RAMP SHALL HAVE LEVEL LANDINGS AT BOTTOM AND TOP OF EACH RAMP AND EACH RAMP LANDING SHALL HAVE A SMOOTH AND SLIP RESISTANT SURFACE. THE RAMP RUN LEADING TO IT.

- THE LANDING SHALL BE AT LEAST AS WIDE AS THE RAMP RUN LEADING TO IT.
- THE LANDING LENGTH SHALL BE A MINIMUM OF 60 IN (1525 MM) CLEAR.
- IF RAMP CHANGES DIRECTION AT LANDINGS, THE SURFACE SHALL BE 60 IN (1525 MM) CLEAR.
- IF A DOORWAY IS LOCATED AT A LANDING, THEN THE AREA IN FRONT OF THE DOORWAY SHALL COMPLY WITH 4.13.6.

DOORS AND GATE SURFACE: SWINGING DOORS AND GATE SURFACES WITHIN 10 INCHES (254 MM) OF THE FINISH FLOOR OR SURFACE MEASURED VERTICALLY SHALL HAVE A SMOOTH SURFACE ON THE PUSH SIDE EXTENDING THE FULL WIDTH BE WITHIN 1/8 INCH (3.2 MM) OF THE SAME PLANE AS THE OTHER. GATES CREATED BY ADDED KICK PLATES SHALL BE CAPPED.

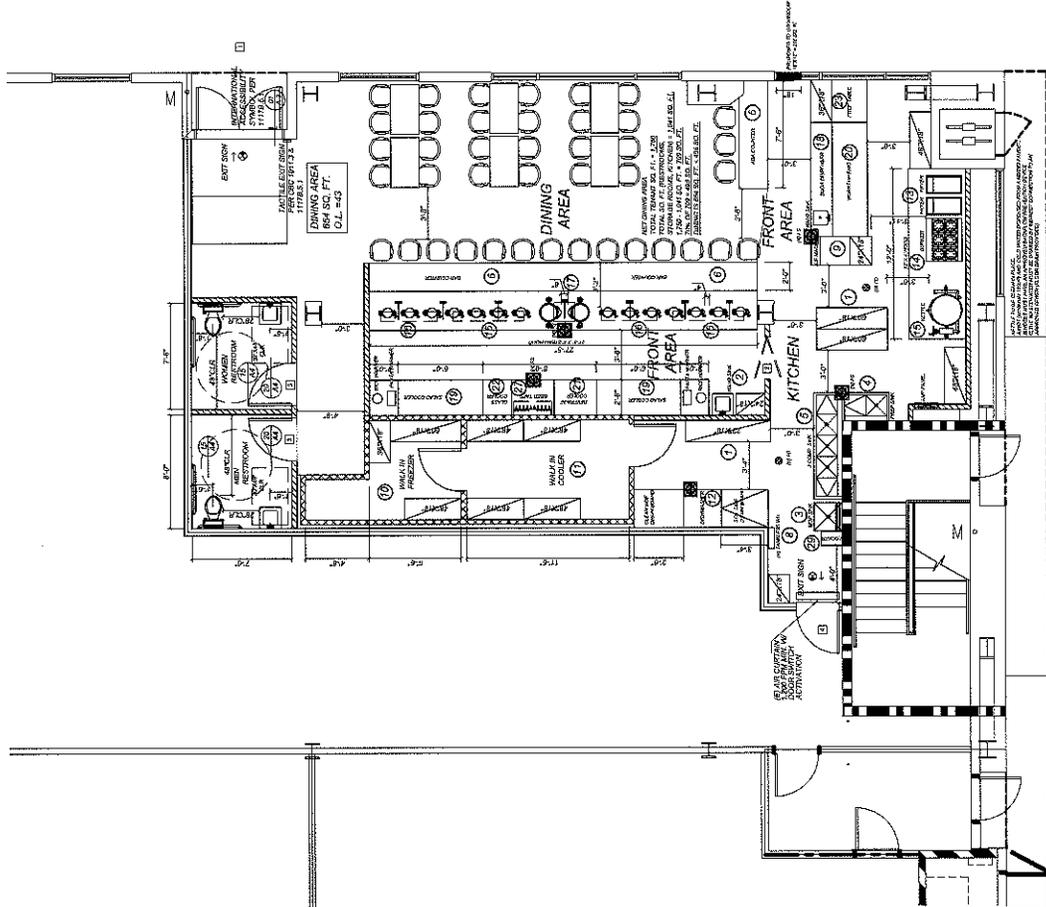
NOTE: WALL AND CEILING MATERIAL SHALL NOT EXCEED THE FLAME SPREAD RATINGS REQUIRED AS PER SEC. 903.5

TENANT SPACE, MAIN ENTRANCES AND EXITS, PATH OF TRAVEL, RESTROOMS, DRINKING FOUNTAINS AND PUBLIC TELEPHONES SHALL BE ACCESSIBLE TO PERSONS WITH DISABILITIES.

ALL EXTERIOR DOORS, WINDOWS, AND ROOF OPENINGS SHALL COMPLY WITH THE UNIFORM BUILDING SECURITY CODE AND THE CITY MUNICIPAL SECURITY ORDINANCE.

NOTE: BUSINESS / STOREFRONT SIGNS SHALL BE UNDER SEPARATE PERMITS

(B) FLOOR PLAN



NEW FLOOR PLAN
SCALE: 1/4" = 1'-0"

(C) SCHEDULE

NO.	SIZE	DOOR	DOOR SCHEDULE		REMARKS
			FRAME	HOLLOW CORE	
1.	3'0" X 7'0"	GLASS	ALUM	X	EXISTING
2.	3'0" X 7'0"	WOOD	ALUM	X	NEW
3.	3'0" X 7'0"	WOOD	ALUM	X	NEW
4.	3'0" X 7'0"	WOOD	ALUM	X	NEW

GENERAL DOOR NOTES:

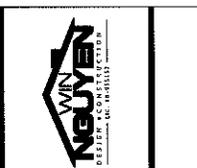
- DOOR THRESHOLDS AND TRANSOMS SHALL NOT EXCEED 40" IN HEIGHT
- ALL DOORWAYS SHALL BE LEVEL TYPE AND ADA ACCESSIBLE
- DOOR CLOSERS SHALL BE ADJUSTED TO CLOSE AND LOCKING SPEEDS APPROPRIATE TO THE DOOR TYPE AND LOCKING SYSTEM

EQUIPMENT SCHEDULE

EQUIPMENT	MAKE	NOTES
1. STAINLESS STEEL SHELVING	SELENGER REEF STAINLESS STEEL NSF APPROVED	8" CASTORS
2. HAND SINK	STAINLESS STEEL NSF APPROVED	18" X 12" X 12"
3. HAND SINK	STAINLESS STEEL NSF APPROVED	8" CASTORS
4. PREP SINK	STAINLESS STEEL NSF APPROVED	8" CASTORS
5. 3 COMP. SINK	STAINLESS STEEL NSF APPROVED	8" CASTORS
6. COUNTER	SEALED STAINED WOOD (DONE BY OTHERS)	
7. SPLASH GUARD	SEALED STAINED WOOD (DONE BY OTHERS)	
8. WASTE WATER	WELDED 304 SS TANKLESS	ELECTRICAL
9. ICE MACHINE	HOSHIZAKI HX-100 (NSF APPROVED)	8" CASTORS
10. WALK-IN FREEZER	DONE BY OTHERS	
11. WALK-IN COOLER	DONE BY OTHERS	
12. DISHWASHER	USA DISHWASHERS	8" CASTORS
13. PREP IS	AMERICAN RANGE/FA-45 - 2000 BTUS	8" CASTORS
14. BURNER	AMERICAN RANGE/FA-45 - 2000 BTUS	8" CASTORS
15. TILTING KETTLE	LEGION TILTING NSF APPROVED	8" CASTORS
16. STEAM KETTLE	LEGION TILTING NSF APPROVED	8" CASTORS
17. SODA DISPENSER	LEGION TILTING NSF APPROVED	8" CASTORS
18. SODA DISPENSER	LEGION TILTING NSF APPROVED	8" CASTORS
19. SODA DISPENSER	LEGION TILTING NSF APPROVED	8" CASTORS
20. REVERSE COOLER	TRINE T-100-14 (NSF APPROVED)	8" CASTORS
21. GLASS COOLER	TRINE T-100-14 (NSF APPROVED)	8" CASTORS
22. PREP TABLE	STAINLESS STEEL NSF APPROVED	8" CASTORS
23. ROLLER	PARKER ROLLER COMPANY (2800 BTU)	8" CASTORS
24. CREESE HOOD	CUSTOM	
25. STEAM HOOD	CUSTOM NSF APPROVED	
26. PASTA WARMER	CUSTOM NSF APPROVED	
27. LOCKERS	PAINTED METAL	8" CASTORS
28. BEER TAPS	DONE BY OTHERS	

FINISH SCHEDULE

AREA	FLOOR	BASE	WALLS	CEILING
DINING	SEALED CONCRETE	4" BRICK VENEER	MINERAL WOOL GLOSS SWAGEL PAINT	OPEN CEILING
RESTROOM	SEALED CONCRETE	4" STAINLESS STEEL	CERAMIC TILE	WATER RESISTANT GLOSS SWAGEL PAINT
KITCHEN	QUARRY TILE	4" QUARRY TILE	STAINLESS STEEL	2X4 PANELS WATER RESISTANCE
FRONT AREA	QUARRY TILE	4" QUARRY TILE	STAINLESS STEEL	2X4 PANELS WATER RESISTANCE
COOLER	QUARRY TILE	4" QUARRY TILE	STAINLESS STEEL	2X4 PANELS WATER RESISTANCE
FREEZER	QUARRY TILE	4" QUARRY TILE	STAINLESS STEEL	2X4 PANELS WATER RESISTANCE



CONSULTANT:

CLIENT: RITTER'S STEAM KETTLE COOKING
180 8TH STREET SUITE 110
HUNTINGTON BEACH, CA

NEW FLOOR PLAN & SCHEDULE

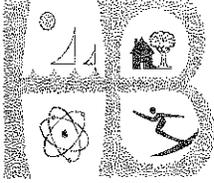
DRAWING TITLE: NEW FLOOR PLAN & SCHEDULE

DATE: 11/15/2023

SCALE: 1/4" = 1'-0"

PROJECT: 23-07-0023

A-2



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271

Building Division

714.536.5241

December 20, 2012'

Linh Nguyen
180 5th Street, Ste., #130
Huntington Beach, CA 92648

**SUBJECT: CONDITIONAL USE PERMIT NO. 12-25; DESIGN REVIEW NO. 12-19
(RITTER'S NEW ORLEANS STYLE RESTAURANT)**

Dear Mr. Nguyen,

Attached please find applicable code requirements for the subject project. While the majority of the code requirements have remained as initially disclosed to you, the Planning Division has completed its list of code requirements based on the October 3, 2012 submittal. The applicable city policies, standard plans, and the Downtown Specific Plan (SP 5) development and use requirements are incorporated and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the SP 5 and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at rmedel@surfcity-hb.org or 714-374-1684 and/or the respective source department (contact person below).

Sincerely,

Rosemary Medel,
Associate Planner

Enclosure(s)

Planning Division Requirements 714 374-1684
Building Division Requirements 714 374-1792
Fire Department 714 536-5564
Steve Bogart – Public Works Dept 714 374-1692

Herb Fauland, Planning Manager
Jason Kelley, Planning Division
Mark Carnahan, Building Division

ATTACHMENT NO. 3.1



HUNTINGTON BEACH PLANNING DIVISION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: December 5, 2012
PROJECT NAME: RITTER'S NEW ORLEANS STYLE RESTAURANT
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 12-177
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 12-025 AND DESIGN REVIEW NO. 12-019 (RITTER'S RESTAURANT)
DATE OF PLANS: DECEMBER 4, 2012
PROJECT LOCATION: 180 5TH STREET, STE 130 (THE STRAND)
PLAN REVIEWER: ROSEMARY MEDEL
TELEPHONE/E-MAIL: (714) 374-1684
PROJECT DESCRIPTION: TO ESTABLISH A NEW RESTAURANT WITHIN A VACANT LEASE SPACE THAT OFFERS FOOD AND ALCOHOL SALES WITHIN A 1,763 SQUARE FOOT LEASE SPACE AT THE STRAND. PLANS INDICATE THAT AWNINGS AND SIGNAGE WILL PROJECT OVER THE 10 FOOT PUBLIC RIGHT OF WAY AT WALNUT.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided should final project approval be received. If you have any questions regarding these requirements, please contact the Plan Reviewer.

1. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
2. The applicant shall submit a check in the amount of \$50 for the posting of a Notice of Exemption/Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's /Zoning Administrator's action. *(The fee of \$50 is not required for projects where the City is the applicant)* **(California Code Section 15094)**

CONDITIONAL USE PERMIT NO. 12-025 :

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design.

- a. All exterior mechanical equipment shall be screened from view on all sides. Rooftop mechanical equipment shall be setback a minimum of 15 feet from the exterior edges of the building. Equipment to be screened includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork and transformers. Said screening shall be architecturally compatible with the building in terms of materials and colors. If screening is not designed specifically into the building, a rooftop mechanical equipment plan showing proposed screening must be submitted for review and approval with the application for building permit(s). **(HBZSO Section 230.76)**
2. Prior to issuance of demolition permits, the following shall be completed:
 - a. The applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB's. These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water, proper truck hauling, disposal procedures, and proper notification to any and all involved agencies. **(AQMD Rule 1403)**
3. Prior to issuance of grading permits, the following shall be completed:
 - a. Prior to submittal of a landscape plan, the applicant shall provide a Consulting Arborist report on all the existing trees. Said report shall quantify, identify, size and analyze the health of the existing trees. The report shall also recommend how the existing trees that are to remain (if any) shall be protected and how far construction/grading shall be kept from the trunk. **(Resolution No. 4545)**
4. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Existing street tree(s) to be inspected by the City Inspector during removal of concrete and prior to replacement thereof. Tree replacement or root/tree protection, will be specified upon the inspection of the root system. **(Resolution No. 4545)**
5. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released *(for the first residential unit) (and commencement of use) (and issuance of a Certificate of Occupancy)* until the following has been completed:
 - a. A Certificate of Occupancy must be approved by the Planning Department and issued by the Building and Safety Department. **(HBMC 17.04.036)**
7. The use shall comply with the following:
 - a. Outdoor storage and display of merchandise, materials, or equipment, including display of merchandise, materials, and equipment for customer pick-up, shall be subject to approval of Conditional Use Permit. **(HBZSO Section 230.74)**
8. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed

and approved the proposed changes for conformance with the intent of the Planning Commission's /Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission /Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18. **(HBZSO Section 241.18)**

9. This conditional use permit shall not become effective until applicable building permits are obtained, constructed and receive final inspection approval for all issues identified in Chapter 235, Section 235.08 Condominium Conversion Standards and for any health and safety code violations identified by the Building and Safety Department. *(this condition applies to the special class of apartments converted to condominiums without City approval)*. **(HBZSO Section 235.08)**
10. Conditional Use Permit No. 12-025 shall not become effective until the appeal period following the approval of the entitlement has elapsed. **((HBZSO Section 241.14)**
11. The Planning Commission /Zoning Administrator reserves the right to revoke Conditional Use Permit No. 12-025 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs. **(HBZSO Section 241.16.D)**
12. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein. **(City Charter, Article V)**
13. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. **(HBZSO Chapter 233)**
14. Live entertainment and/or outdoor dining in excess of 400 sq. ft. shall not be permitted unless a conditional use permit for this specific use is reviewed and approved. Outdoor dining occupying less than 400 sq. ft. is subject to Neighborhood Notification and approval by the Director of Planning. **(HBZSO Section 211.04)**
15. Alcoholic beverage sales shall be prohibited unless a conditional use permit for this particular use is reviewed and approved. **(HBZSO Section 211.04)**



CITY OF HUNTINGTON BEACH

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: October 3, 2012
PROJECT NAME: Ritter's New Orleans Style Restaurant
PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 12-0177
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 12-025, DESIGN REVIEW NO. 12-019

DATE OF PLANS: October 19, 2012
PROJECT LOCATION: 180 5th Street, Ste 130 (The Strand-fronts Walnut at 5th Street)
PROJECT PLANNER: ROSEMARY MEDEL, ASSOCIATE PLANNER
PLAN REVIEWER: Detective Thoby Archer #1005
TELEPHONE/E-MAIL: (714) 536-5994 tarcher@hbpd.org

PROJECT DESCRIPTION: TO ESTABLISH A NEW RESTAURANT WITHIN A VACANT LEASE SPACE THAT OFFERS FOOD AND ALCOHOL SALES WITHIN A 1,763 SQUARE FOOT LEASE SPACE AT THE STRAND. PLANS INDICATE THAT AWNINGS AND SIGNAGE WILL PROJECT OVER THE 10 FOOT PUBLIC RIGHT OF WAY AT WALNUT.

Building and Safety Police Fire Economic Development Planning

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CODE REQUIREMENTS:

1. To ensure the location maintains a restaurant atmosphere, food service from the regular menu shall be available from the time the business opens to the public, until at least one hour prior to the scheduled closing time.
2. No loitering shall be permitted within the vicinity of any entrances and exits at any time.
3. The rear door shall be kept closed at all times during the operation of the premises except in cases of emergency. Said door shall not consist solely of a ventilated or security screen door.

ATTACHMENT NO. 3.5

4. All owners, employees, representatives, and agents must obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise at all times.
5. Entertainment is not allowed.
6. Dancing is not allowed.
7. To ensure the safety of guest and employees, any person acting a security officer, as defined by §7574.1 B&P, shall be clearly identifiable as security.
8. Per §8.40.112(b) HBMC, the applicant shall not "Make or allow to be made any noise which continues for more than a five minute period between the hours of 10PM and 7AM if such noise is audible for fifty feet or more from the source of the noise."



HUNTINGTON BEACH BUILDING DIVISION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: October 17, 2012
PROJECT NAME: Ritter's New Orleans Style Restaurant
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 12-0177
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 12-025, DESIGN REVIEW NO. 12-019

DATE OF PLANS: October 19, 2012
PROJECT LOCATION: 180 5th Street, Ste 130 (The Strand-fronts Walnut at 5th Street)
PROJECT PLANNER: ROSEMARY MEDEL, ASSOCIATE PLANNER
PLAN REVIEWER: KHOA DUONG, P.E.
TELEPHONE/E-MAIL: (714) 872-6123/khoa@csgengr.com

PROJECT DESCRIPTION: TO ESTABLISH A NEW RESTAURANT WITHIN A VACANT LEASE SPACE THAT OFFERS FOOD AND ALCOHOL SALES WITHIN A 1,763 SQUARE FOOT LEASE SPACE AT THE STRAND. PLANS INDICATE THAT AWNINGS AND SIGNAGE WILL PROJECT OVER THE 10 FOOT PUBLIC RIGHT OF WAY AT WALNUT.

Building and Safety Police Fire Economic Development Planning

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

I. SPECIAL CONDITIONS:

None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

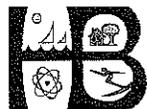
1. Project shall comply with the current state building codes adopted by the city at the time of permit application submittal. Currently they are 2010 California Building Code (CBC), 2010 California Mechanical Code, 2010 California Plumbing Code, 2010 California Electrical Code, 2010 California Energy Code, and the Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.
2. Provide building code analysis including type of construction, allowable area and height, occupancy group requirements per Chapter 5 of 2010 CBC.

ATTACHMENT NO. 3.7

- a. To verify the building area analysis, please indicate on Property Data the occupancy group of each tenant within the building.
- b. Provide complete Site plan –
 - Show fully dimensioned site plan or plot plan.
 - Show all the setback distances from the property lines and from other structures on the lot.
 - Show distances from centerline of street/alley.
 - Show and label front property lines and all other property lines.
 - Label the use/occupancy classification of all areas directly adjacent to the proposed work/tenant improvement areas.
3. Tenant occupancy group –
 - a. Group B occupancy shall be used for occupant load of 49 or less.
 - b. For group A-2 occupancy, please comply with Section 508 of 2010 CBC.
4. The exit door from kitchen area cannot pass through adjacent tenant space (Bruxie Gourmet). Please clarify.
5. Provide compliance to disabled accessibility requirements of Chapter 11B of the 2010 CBC.
 - a. Three wheel chair seating spaces are required per Section 1104B.5 of 2012 CBC.
 - b. Bar counter must be accessible to disabled persons.
 - c. Soda Dispenser must be accessible to disabled persons. Please show the required clear space in front of Soda Dispenser.
6. Review and provide compliance with Title 17, Building and Construction in the City of Huntington Beach Municipal Code. This document can be found online on the city's website.
7. Please contact me or our office for a preliminary review of code analysis to examine any possible building code issues that may arise.

III. COMMENTS:

1. In addition to all of the code requirements of the 2010 California Green Building Standards Code, specifically provide a Construction Waste Management Plan per Sections 4.408.2 and 5.408.1.1.
2. Planning and Building Department encourage the use of pre submittal zoning applications and building plan check meetings.
3. Provide location of grease interceptor.
4. Provide location of type I grease duct shaft, and type II dishwasher duct shaft.



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

DRAFT PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: OCTOBER 18, 2012
PROJECT NAME: NEW ORLEANS STYLE RESTAURANT
ENTITLEMENTS: CUP 12-025, DR 12-019
PLNG APPLICATION NO: 2012-0177
DATE OF PLANS: SEPTEMBER 27, 2012
PROJECT LOCATION: 180 5th STREET, SUITE 130 (THE STRAND, sec 5th and WALNUT)
PROJECT PLANNER: ROSEMARY MEDEL, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: 714-374-1684 / [@SURFCITY-HB.ORG](mailto: @SURFCITY-HB.ORG)
PLAN REVIEWER: STEVE BOGART, SENIOR CIVIL ENGINEER
TELEPHONE/E-MAIL: 714-374-1692 / [SBOGART@SURFCITY-HB.ORG](mailto: SBOGART@SURFCITY-HB.ORG)
PROJECT DESCRIPTION: NEW RESTAURANT IN VACANT SUITE WITHIN THE STRAND. PROPOSED AWNINGS AND SIGNAGE WILL PROJECT OVER THE PUBLIC RIGHT-OF-WAY.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING THE PROPOSED CONSTRUCTION:

1. A minimum of 8 feet of ground clearance (from public sidewalk surface to bottom of proposed awning and sign) shall be provided pursuant to the City's Downtown Specific Plan. (DTSP 3.2.22.5 and 3.2.23)
2. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38)

ATTACHMENT NO. 3.9



CITY OF HUNTINGTON BEACH

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: October 3, 2012

PROJECT NAME: Ritter's New Orleans Style Restaurant

PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 12-0177

ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 12-025, DESIGN REVIEW NO. 12-019

DATE OF PLANS: **October 19, 2012**

PROJECT LOCATION: 180 5th Street, Ste 130 (The Strand-fronts Walnut at 5th Street)

PROJECT PLANNER: ROSEMARY MEDEL, ASSOCIATE PLANNER

PLAN REVIEWER: David Dominguez

TELEPHONE/E-MAIL: (714) 374-5309 ddominguez@surfcity-hb.org

PROJECT DESCRIPTION: TO ESTABLISH A NEW RESTAURANT WITHIN A VACANT LEASE SPACE THAT OFFERS FOOD AND ALCOHOL SALES WITHIN A 1,763 SQUARE FOOT LEASE SPACE AT THE STRAND. PLANS INDICATE THAT AWNINGS AND SIGNAGE WILL PROJECT OVER THE 10 FOOT PUBLIC RIGHT OF WAY AT WALNUT.

Community Services

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

Prior to construction activity, contact should be made with the Community Services Department and downtown BID to ensure construction activity is not in conflict with scheduled Specific Events or other downtown events and activities. Community Services should also be notified of any activity that will take parking meters off-line during construction activity.

ATTACHMENT NO. 3.10

RECEIVED

JAN 10 2013

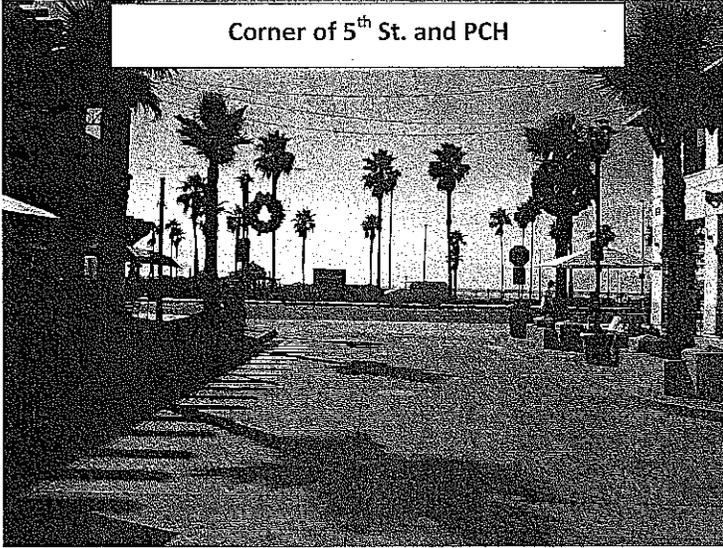
Dept. of Planning
& Building

Restaurant Hours

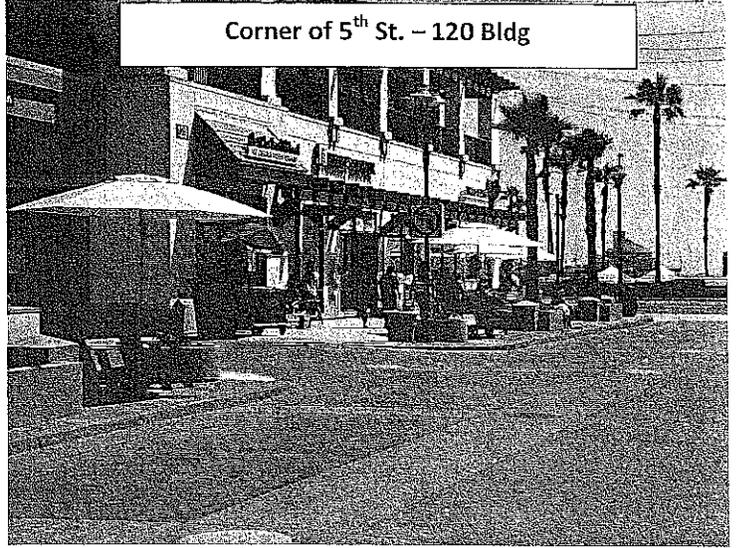
Our restaurant hours for the Huntington Beach location will be as follows, Sunday through Thursday we will be open from 11:00am till 11:00pm. On Friday and Saturday we will be open from 11:00am till 12:00am. We plan also, after the first few months, to open earlier on Saturday and Sunday mornings for beignets and café ole for a New Orleans Style weekend morning.

ATTACHMENT NO. 4.1

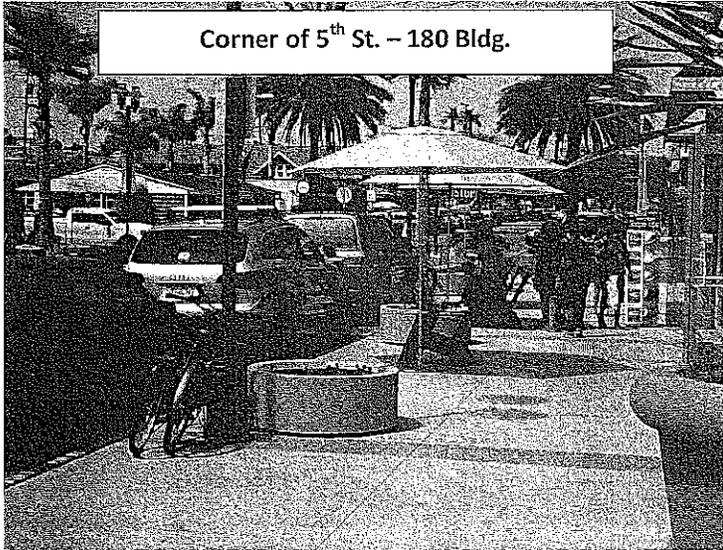
Corner of 5th St. and PCH



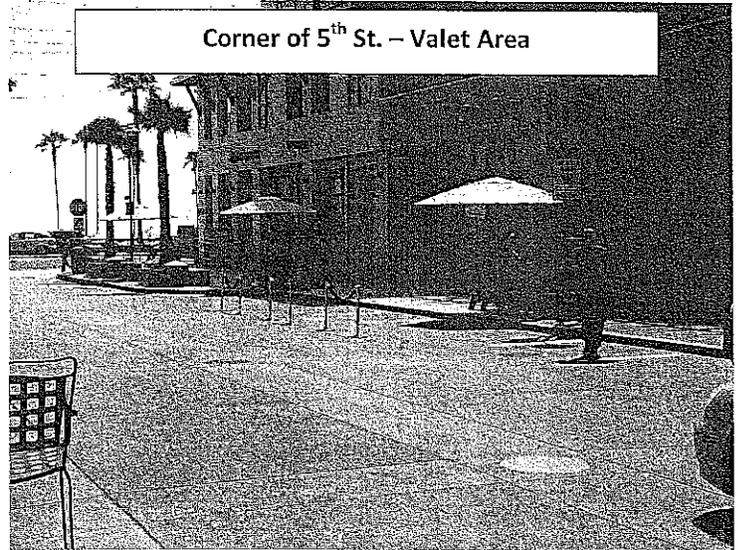
Corner of 5th St. - 120 Bldg



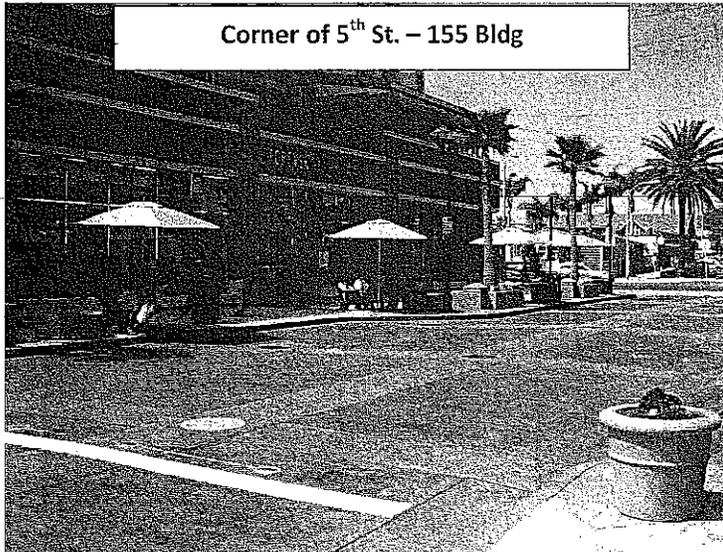
Corner of 5th St. - 180 Bldg.



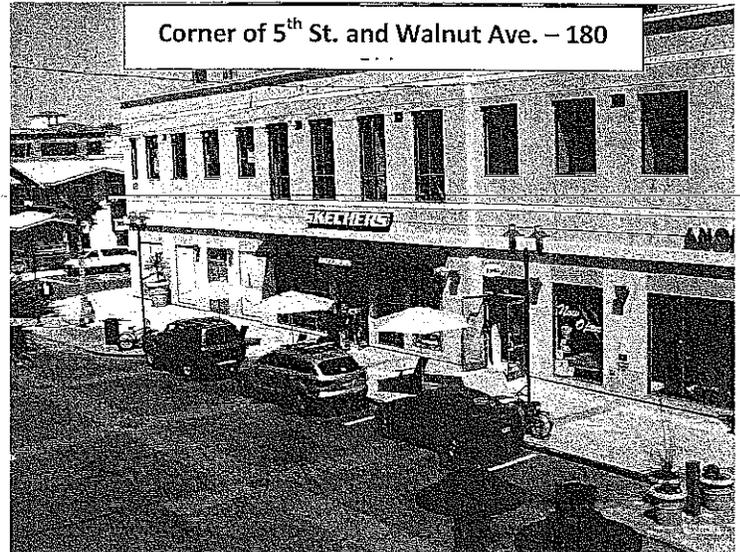
Corner of 5th St. - Valet Area



Corner of 5th St. - 155 Bldg



Corner of 5th St. and Walnut Ave. - 180



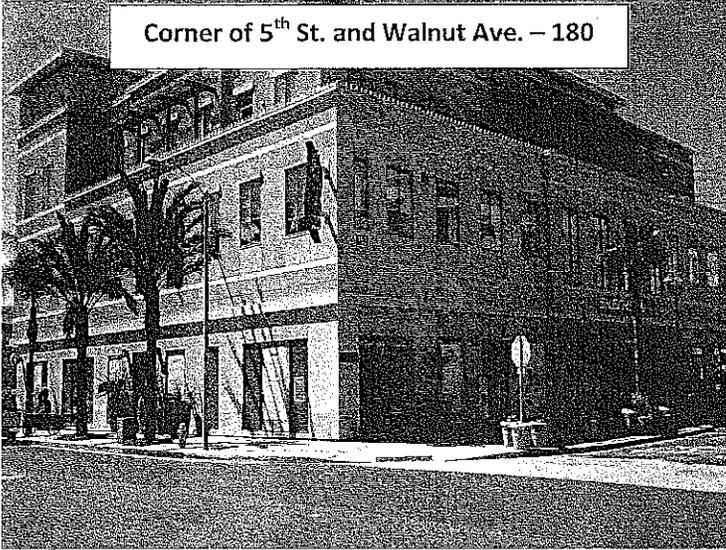
RECEIVED

SEP 27 2012

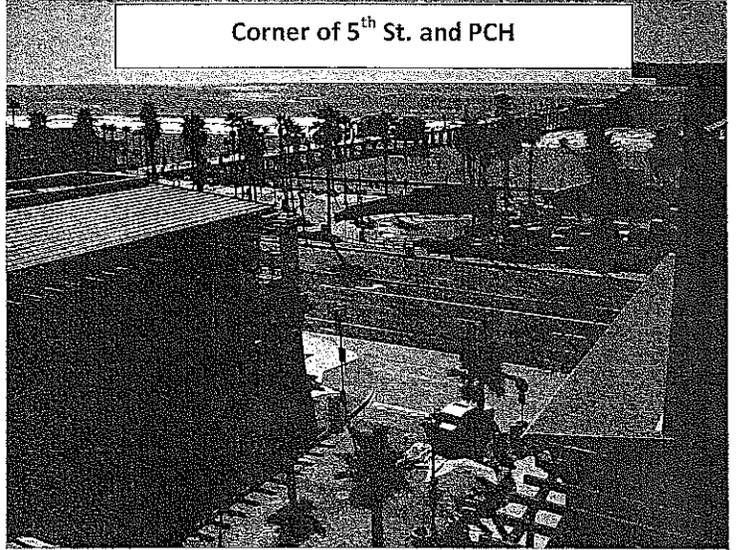
Urban Planning
& Building

ATTACHMENT NO. 4.2

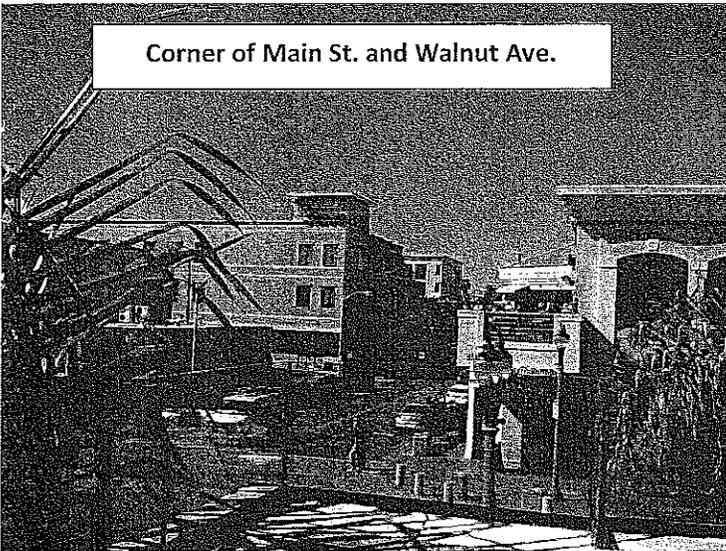
Corner of 5th St. and Walnut Ave. – 180



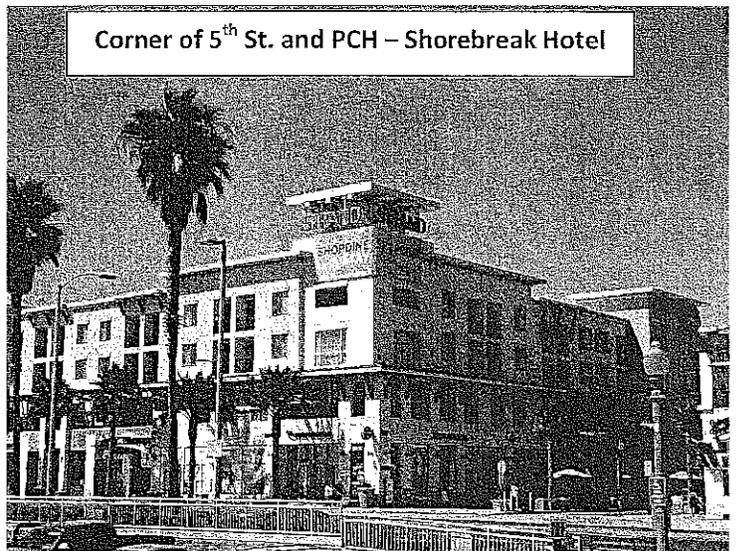
Corner of 5th St. and PCH



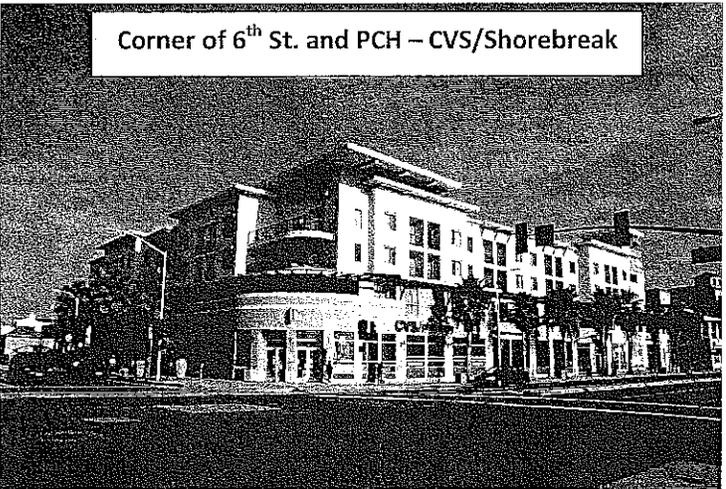
Corner of Main St. and Walnut Ave.



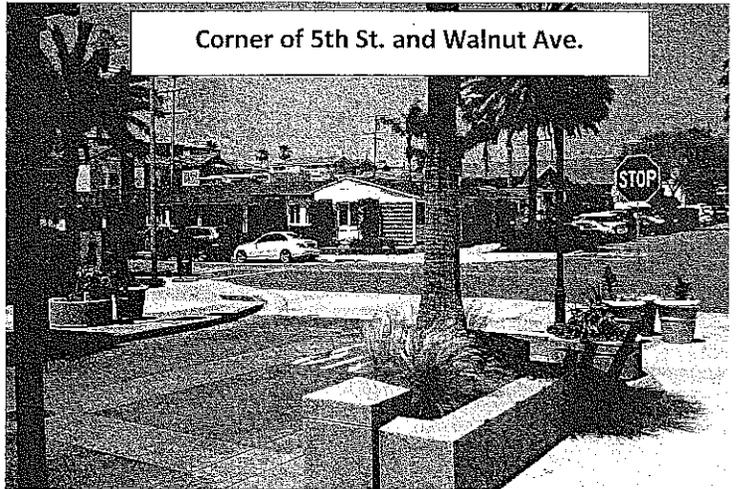
Corner of 5th St. and PCH – Shorebreak Hotel



Corner of 6th St. and PCH – CVS/Shorebreak



Corner of 5th St. and Walnut Ave.

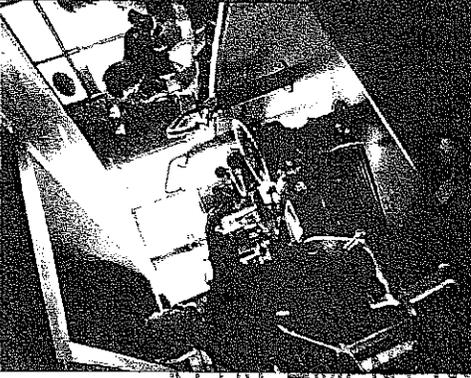
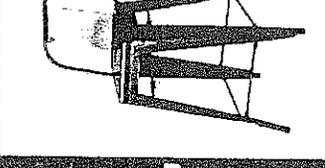
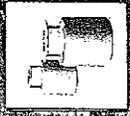
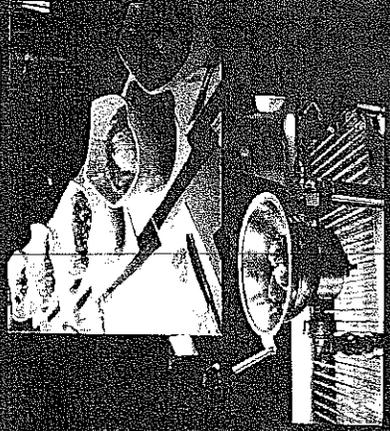
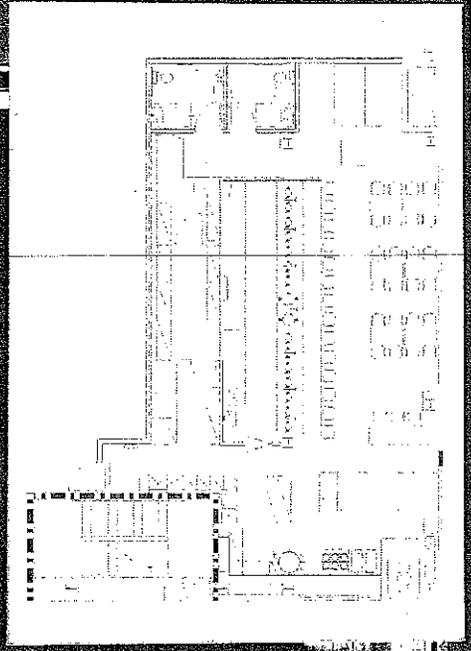
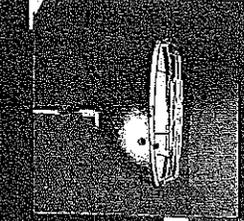
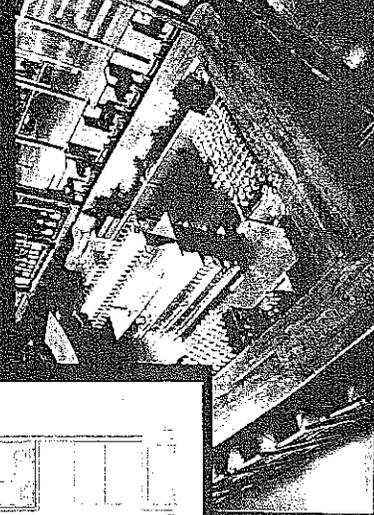
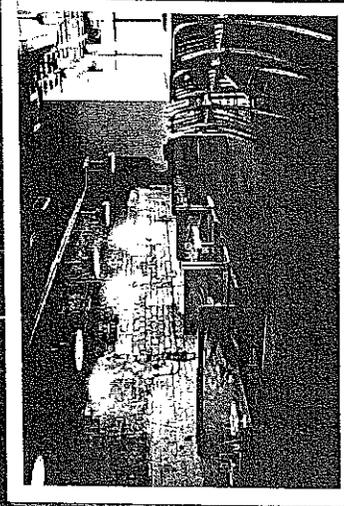
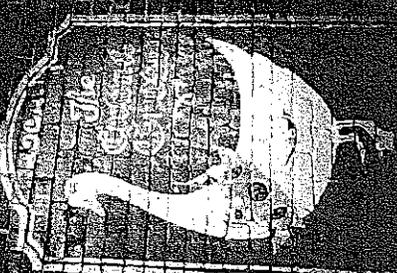


TARGET CONCEPT

- RUSTIC LOUISIANA
- EARTH MATERIALS
- VINTAGE MODERN
- INDUSTRIAL ELEMENTS

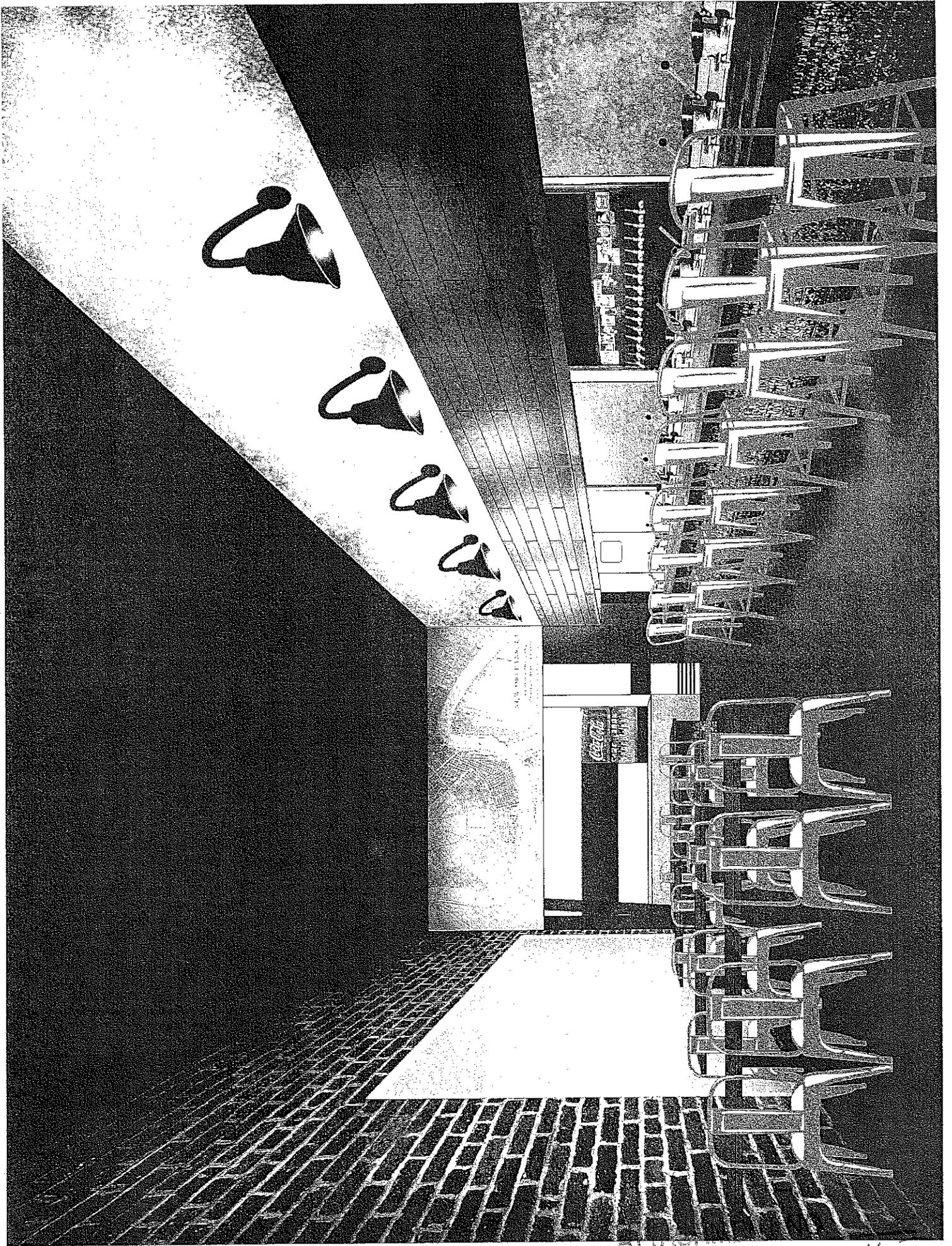
KEY MATERIALS

- RECLAIMED WOOD
- AGED METALS
 - COPPER
 - STEEL
 - IRON
- DISTRESSED BRICK
- RESURFACED CONCRETE



Design Proposal
The Original **RITTERS**
Steam Kettle Cooking

concept by
DRPHAN
DESIGNERS
©2011



CHEF RITTER

Chef Ritter has more than 30 years of experience in the food service industry with the past 16 years focusing on steam kettle cooking. He assisted in the development of Las Vegas's most famous Steam Kettle bar, The Oyster Bar. Under Chef Ritter, The Oyster Bar became the most popular restaurant in the area, grossing well over a million dollars with only 18 seats to work with.

After experiencing such great success at The Oyster Bar, Chef Ritter moved to Southern California and opened The Boiler in Chino Hills. Soon after opening, it was the highest rated restaurant in Chino Hills.

Chef Ritter was asked by the prominent food critic Allen Borgen to go on his radio show called "Lets Dine Out" after Mr. Borgen dined at his restaurant. Chef Ritter received a five star review from Allen Borgen in the following months when he came back to do a full review. He then was nominated and received an award from the Southern California Restaurant Writers Association for Promising Newcomer.

In addition, Chef Ritter's new restaurant earned 4 1/2 stars from Yelp with hundreds of reviews (see attached reviews).

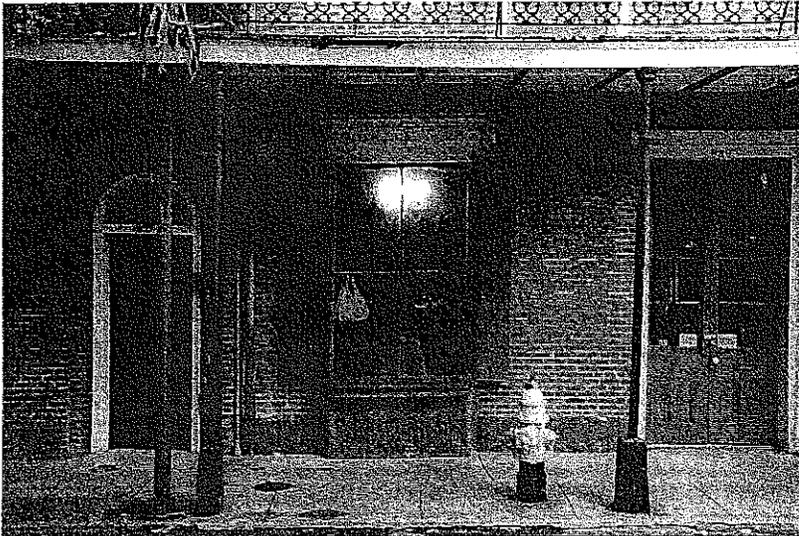
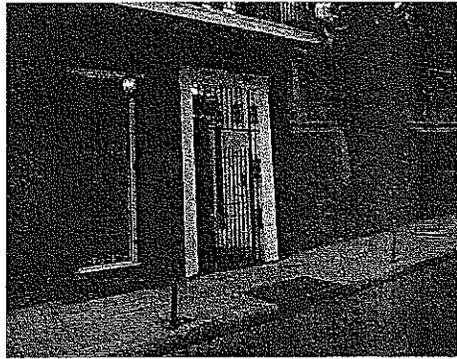
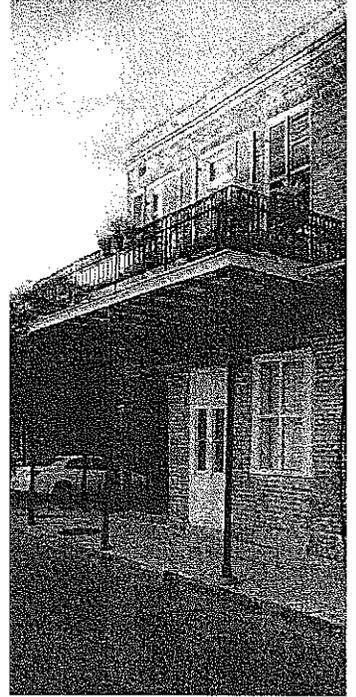
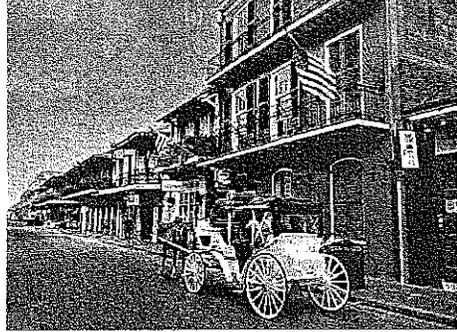
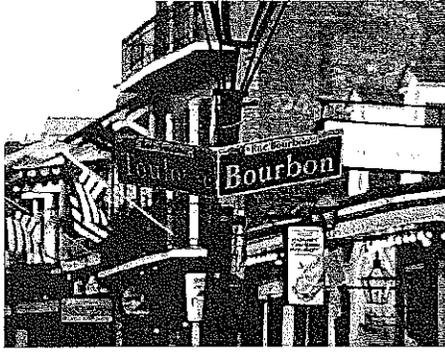
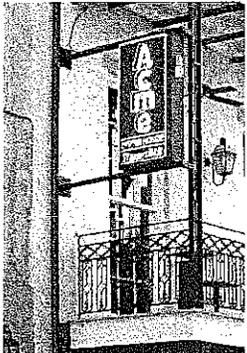
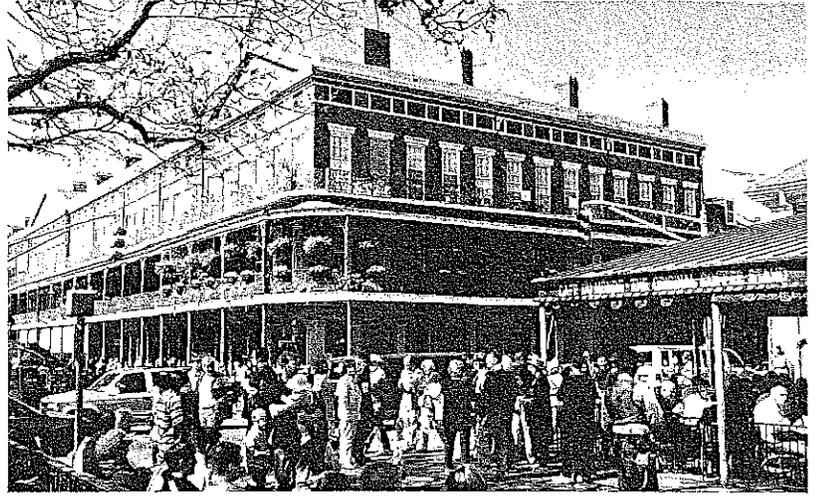
Chef Ritter is excited about his new synergistic relationship with Ms. Nguyen and their goal of bringing this fun and exciting live action seafood cooking to Orange County.



ATTACHMENT NO. 4.6

INSPIRATION

Drawn from historic New Orleans buildings and businesses from the 1820's to the 1940's. Pulling staple elements such as aged materials, neon signs, awnings and green shutters.



ATTACHMENT NO. 4.7

ENTREES

We Serve French Bread and Butter with Soup, Salads, and all Entrees

PAN ROAST

HOUSE ROAST	20.95
a tomato cream based Creole dish with trinity, lobster, shrimp, crab, and clams served with jasmine rice	
SHRIMP ROAST	16.95
CRAB ROAST	17.95
LOBSTER ROAST	20.95
CLAM ROAST	15.95
OYSTER ROAST	16.95
CHICKEN ROAST	16.95

SHRIMP SCAMPI 16.95

shrimp with a garlic white wine butter sauce with lemon & basil served over linguini

SHRIMP DIABLO 17.25

shrimp with a spicy tomato garlic brandy sauce with basil served over linguini

LINGUINI & CLAMS 15.95

chopped sea clams in a garlic butter basil clam sauce served over linguini

RED LINGUINI & CLAMS 15.95

chopped sea clams in a tomato garlic butter basil sauce served over linguini

CILANTRO CHICKEN & SAUSAGE 15.95

chicken & sausage in a cilantro lemon garlic chicken broth served over linguini with fresh chopped tomatoes

BLACKENED CATFISH 10.95

a southern classic served on a bed of white cheddar cheese grits with barbequed corn

FRIED CATFISH 10.95

deep fried in cornmeal and served with sweet potato fries & tartar sauce

FRIED ALLIGATOR 15.95

deep fried to a golden brown served with sweet potato fries and a malt vinegar & olive oil sweet sage sauce

KIDS MENU

MAC & CHEESE	creamy mild cheddar cheese and elbow macaroni	3.95
CHICKEN ALFREDO	chicken on linguini with a parmesan cheese sauce	5.95
LINGUINI WITH TOMATO BASIL SAUCE	basil, tomato, olive oil, garlic over linguini	4.95
CHICKEN FINGERS	breaded, deep fried, served with ranch	3.95

ETOUFFE

17.95

a light brown roux based dish with parsley, trinity, tomatoes, crawfish & shrimp served with jasmine rice

GUMBO

18.95

a dark roux based dish with trinity, andouille sausage, shrimp, cod, crab, clams & okra served with jasmine rice

CHICKEN GUMBO

16.95

a dark roux based dish with trinity, chicken, andouille sausage, and okra served with jasmine rice

JAMBALAYA

18.95

a highly seasoned dish with shrimp, chicken, andouille sausage and jasmine rice

BOUILLABAISSSE

21.95

a tomato leek based soup with shrimp, lobster, fish, crab, mussels, clams and saffron

CIOPPINO

20.95

an Italian style seafood soup with calamari, shrimp, crab, mussels, and clams served over linguini

SIDES & SOUPS SALADS

RED CLAM CHOWDER	cup 2.95 bowl 4.50
a tomato based clam chowder	
WHITE CLAM CHOWDER	cup 3.95 bowl 5.95
a cream based clam chowder	
CHIPOTLE FISH SOUP	cup 3.50 bowl 4.25
a spicy pork based red soup with shrimp, fish, chopped clams & potatoes	
COLLARD GREENS & LENTIL SOUP	cup 2.95 bowl 4.50
mildly spicy collard greens, lentil, okra, onions & carrots	
CAESARS SALAD	5.95
romaine lettuce with dressing & croutons	
-With Chicken	8.95
-With Shrimp	10.95
SALMON SALAD	10.95
blackened salmon fillet served over romaine lettuce with a balsamic & creole mustard dressing	
HOUSE SALAD	6.95
tomatoes, red onions, avocados & romaine lettuce with a seasoned lemon dressing with croutons	
BROILED VEGGIE PLATTER	8.95
yellow squash, eggplant, zucchini, peppers, asparagus mushrooms & tomatoes	
RED BEANS & RICE	3.95
red beans & Andouille sausage with jasmine rice	

DESSERTS

CREME BRULE	5.95
a light custard style desert with a burnt sugar topping	
BREAD PUDDING	6.95
sweet tasting bread with a whiskey sauce	
PECAN TARTS	2.95
pecans baked in a crust with whip cream & coffee sauce	

ATTACHMENT NO

4.5

RICHARDSON GRAY
415 Townsquare Lane #208
Huntington Beach, CA 92648
714-348-1928
richardson.gray@yahoo.com

January 15, 2013

RECEIVED
JAN 15 2013
Dept. of Planning
& Building

HAND DELIVERED

Joan Flynn, CMC, MPA
City Clerk

Planning Commissioner Mark Bixby
Planning Commissioner Bob Dingwall
Planning Commissioner Robert Franklin
Planning Commissioner Erik Peterson
Planning Commissioner Ed Pinchiff
Planning Commissioner Timothy J. Ryan
Planning Commissioner New Appointee of Council Member Jill Hardy

Rosemary Medel
Project Planner
Planning Department

City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

**Re: OPPOSITION to Application for Conditional Use Permit No. 12-025,
Ritter's Restaurant and Alcohol Sales,
Linh Nguyen, Applicant/Business Owner,
CIM Huntington Beach, LLC, Property Owner,
180 5th St., Ste. 130, The Strand, southwest corner of 5th St. & Walnut Ave.**

Dear City Clerk Flynn, Planning Commissioners, and Project Planner Medel:

Please include this letter in the official correspondence for the public hearing on this CUP application, tentatively scheduled for the Planning Commission's January 23, 2013 meeting. I am writing you to voice my OPPOSITION to the referenced CUP. For over five years, I have owned my home at the Townsquare Condominiums, which are on the corner of 6th and Main Streets, less than four blocks from the proposed location.

ATTACHMENT NO. 5.1

City Clerk Flynn, Planning Commissioners, and Project Planner Medel
January 15, 2013
Page 2

RECEIVED

JAN 15 2013

Dept. of Planning
& Building

For this entire time, Downtown has had an undue concentration of ABC establishments. This oversaturation, whether measured by the number of bar patrons, the number of ABC establishments, or the crime statistics for our census tract, dwarfs by multiples of at least 800% in each instance ABC's guidelines for undue concentration. These numbers are by far the worst in our City, and some of the worst in Orange County and in the entire State. With every new or expanded ABC establishment, these numbers just keep getting worse and worse for Downtown residents, progressively ruining our quality of life and damaging our property values.

The Downtown advocacy groups, Huntington Beach Neighbors, Inc. (HBN) and the Huntington Beach Downtown Residents Association (HBDRA), repeatedly have documented these data to the City and to the ABC. With that said, today and at the public hearing, I am speaking only for myself. As far as I know, neither HBN nor the HBDRA is taking an official position on the referenced CUP.

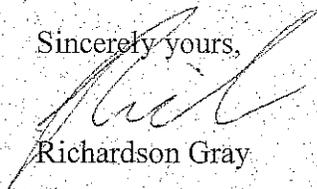
From my understanding, if the City issues this CUP, and if this restaurant succeeds in obtaining the ABC license, the CUP and ABC license ultimately become the property of the restaurant's landlord and owner, respectively. In turn, the property owner and restaurant owner can transfer the CUP and ABC license to future property owners and restaurant owners, virtually as real estate rights that run with the land.

Furthermore, "license creep" has been a recurring problem in Downtown. This problem flows from a restaurant owner or successor, of an initially reasonably restricted CUP and ABC license, later obtaining modifications that are worse for Downtown residents, such as full alcohol instead of beer and wine or expanded hours or expanded entertainment. As I understand it, challenges to transfers or "license creep" are much more difficult for neighbors to mount, than original challenges to the first CUP and the first ABC license.

This very weak state of the City's regulation of ABC establishments in Downtown has led to a mushrooming problem. This problem flows from rowdier bars and nightclubs succeeding an initial tenant that was a much more resident-friendly restaurant. Until the City changes its regulations in Downtown to limit the ownership of the alcohol CUP solely to the specific individuals who are the original tenants, as in real people not ownership entities, I plan to continue protesting alcohol CUPs and ABC licenses in Downtown.

Respectfully, I request that you deny the applicant's CUP request, and return the City to some level of sanity in its treatment of our Downtown neighborhood. Thank you for your consideration and support.

Sincerely yours,



Richardson Gray

ATTACHMENT NO. 5.2