



City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Ethan Edwards, AICP, Associate Planner *ce*
DATE: January 13, 2009

SUBJECT: **CONDITIONAL USE PERMIT NO. 08-047 (JOHNNY ROCKETS)**

LOCATION: 120 Fifth Street, Suite 100, 92648 (The Strand – Downtown)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Conditional Use Permit No. 08-047 represents a request to allow the establishment, maintenance, and operation of an approximately 1,844 sq. ft. restaurant with on-site sales and consumption of alcohol and outdoor dining (193 sq. ft.). The sale and consumption of alcohol is proposed to occur within the interior of the restaurant as well as the outdoor dining area. No live entertainment is proposed with this request.

The restaurant will employ approximately 15 people, with shifts averaging approximately 4 employees. The hours of operation for the restaurant including outdoor dining and alcohol service are proposed between 11:00 AM and 9:00 PM, Sunday through Thursday; and, between 11:00 AM and 12:00 AM (midnight), Friday and Saturday. The alcohol request is for beer and wine only and does not include a full service bar with spirits.

The subject site is located within The Strand, a mixed use development consisting of commercial uses and a hotel completing construction. 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 subject site is located within Building C at the northeast corner of PCH and Fifth Street. The main dining area is located at the front of the unit facing PCH and Fifth Street along with an outdoor dining area adjacent to the restaurant and next to the public walkway along Fifth Street.

The project will involve interior modifications typical for restaurant use improvements. The only exterior improvements include an outdoor dining railing system consistent with the railing design approved as part of the original entitlement for The Strand.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	MV-F12-sp-pd (Mixed Use Vertical – 3.0 Max. Floor Area Ratio/ 35 Dwelling Units per Acre – Specific Plan Overlay – Pedestrian Overlay)	Downtown Specific Plan District 3/Coastal Zone	Mixed Use Development
North of Subject Property: (across Walnut)	MV-F6/25-sp-pd (Mixed Use Vertical – 2.0 Max. Floor Area Ratio/ 25 Dwelling Units per Acre – Specific Plan Overlay – Pedestrian Overlay)	Downtown Specific Plan District 5/Coastal Zone	Retail/Restaurant/ Parking Structure
East of Subject Property (across alley):	MV-F12-sp-pd	Downtown Specific Plan District 3/Coastal Zone	Retail, Office, and Restaurants
South of Subject Property: (across PCH)	OS-S (Open Space – Shore)	Downtown Specific Plan District 10/Coastal Zone	Pier/Beach
West of Subject Property: (across Sixth St.)	MV-F8-d-sp (Mixed Use Vertical – 1.5 Max. Floor Area Ratio/ 25 Dwelling Units per Acre – Design Overlay – Specific Plan Overlay), RH-30-d-sp (Residential High Density – 30 Dwelling Units per Acre – Design Overlay – Specific Plan Overlay)	Downtown Specific Plan Districts 1 and 2/Coastal Zone	Retail/coffee Shop and Residential

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 405 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.

The original conditions of approval for The Strand require that restaurant, alcohol sales, and outdoor dining uses are allowed with approval of a Conditional Use Permit by the Planning Commission. 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. In 2007, RA Sushi was approved with 5,313 sq. ft. of restaurant use. The addition of the proposed restaurant use (1,844 sq. ft.) combined with the existing restaurant use (5,313 sq. ft.) is below the maximum square footage allotted for restaurant space within The Strand. Therefore, adequate parking for the proposed restaurant will be provided within the subterranean parking lot.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

December 3, 2008

MANDATORY PROCESSING DATE(S):

January 30, 2009

Conditional Use Permit No. 08-047 was filed on November 3, 2008 and deemed complete December 3, 2008. The application is scheduled for public hearing before the Planning Commission on January 27, 2009.

CEQA ANALYSIS/REVIEW

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.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The project is located in the Huntington Beach Redevelopment Project, Main-Pier Subarea. The Departments of Building & Safety, Fire, Public Works, Economic Development, Community Services, and Planning have reviewed the application and identified applicable code requirements (Attachment No. 3). The Police Department has expressed concerns with maintaining a restaurant atmosphere, consumption of alcoholic beverages in a public place, alcoholic beverage consumption by minors, loitering, maintaining sidewalks free from alcoholic beverage advertisement, and potential for entertainment (Attachment No. 3). As a result, the applicant has verbally expressed willingness to adhere to proposed conditions of approval that will address these issues.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

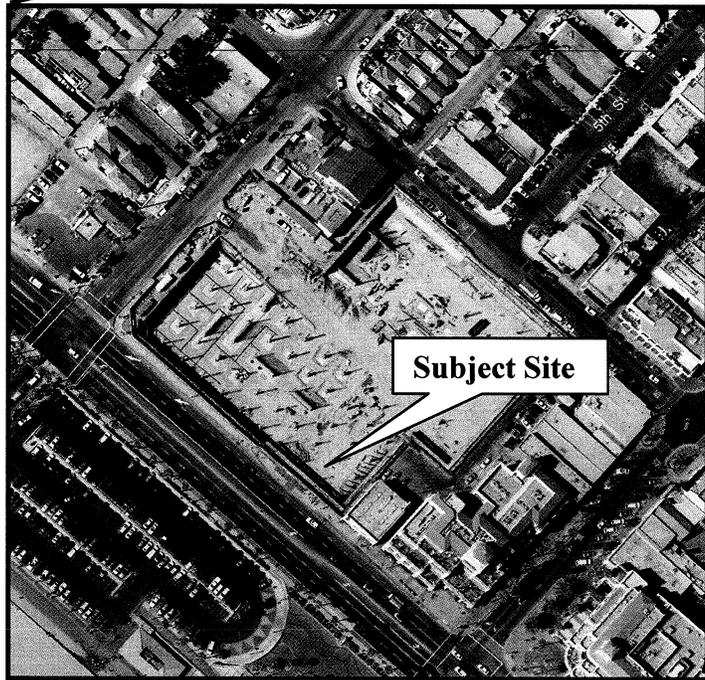
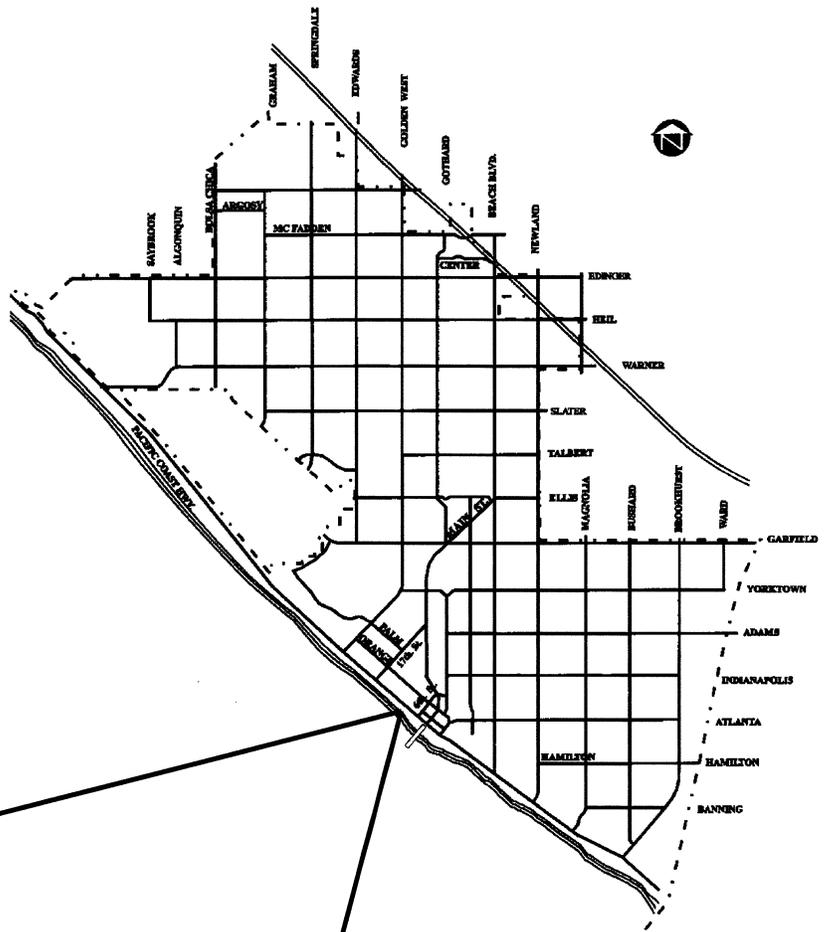
There have been no public meetings regarding this request. To date, there have been no comments from the public regarding this request.

PLANNING ISSUES

The primary issues with the proposed restaurant are related to land use compatibility – outdoor dining and the sale of alcoholic beverages. In general, the proposed uses are consistent with scope and intent of the development in this area approved by the City and supported by the Downtown Specific Plan.

ATTACHMENTS:

1. Vicinity Map
2. Site Plans and Floor Plan received and dated November 3, 2008; and Furniture Plan received December 15, 2008
3. Code Requirements Letter dated December 18, 2008 (for informational purposes only)
4. Project Narrative received November 3, 2008



VICINITY MAP
CONDITIONAL USE PERMIT NO. 08-047 (JOHNNY ROCKETS)
120 FIFTH STREET, SUITE 100

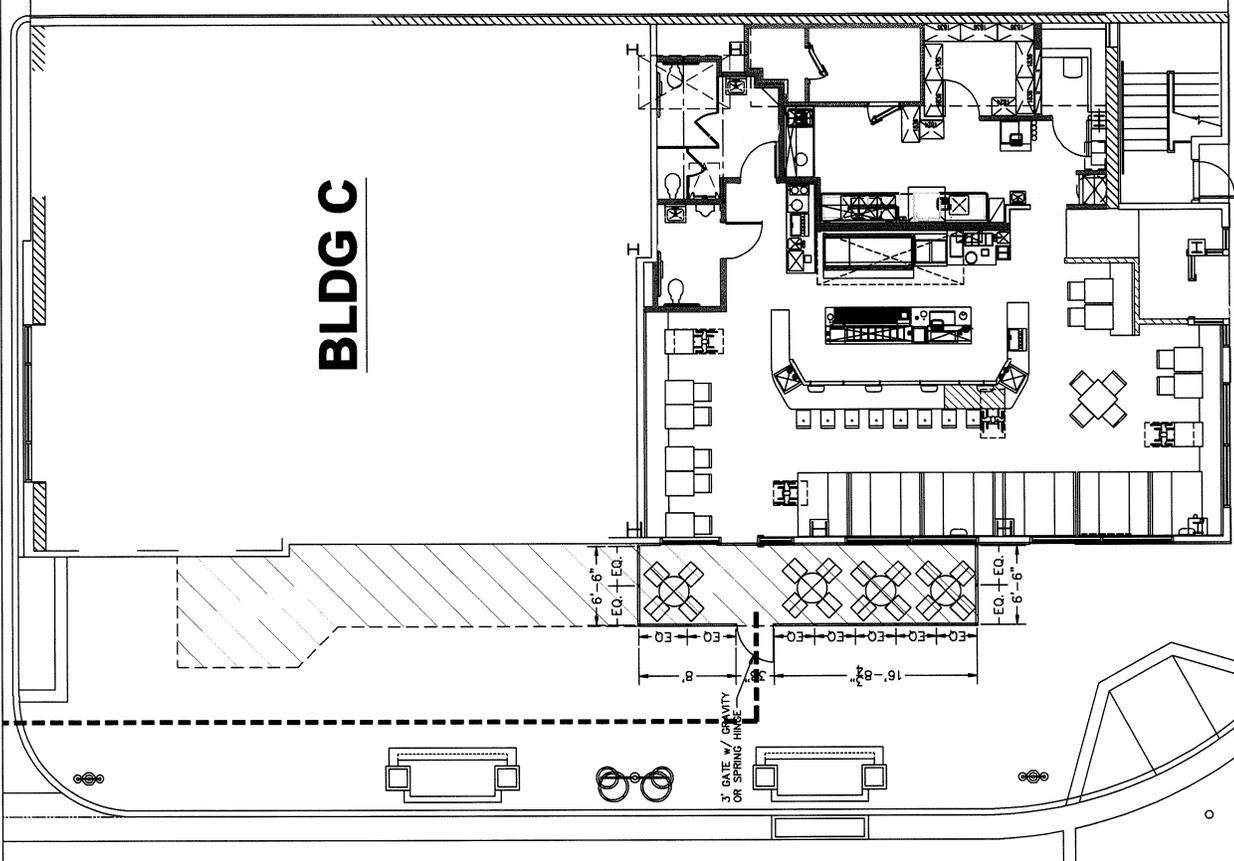
TOTAL AREAS
 TOTAL DINING AREA: 748 SQ. FT. (282/15 = 19)
 TOTAL PATIO AREA: 183 SQ. FT. (282/15 = 19)
 TOTAL KITCHEN AREA: 757 SQ. FT. (809/200 = 4)

INDOOR SEATING
 FIXED SEATS: = 60
 DINING SEATS: = 13
 ACCESSIBLE SEATS REQUIRED: 78 X 0.05 = 4
 TOTAL INDOOR SEATING = 77

OUTDOOR SEATING
 PATIO SEATING: = 16
 TOTAL OUTDOOR SEATING = 18

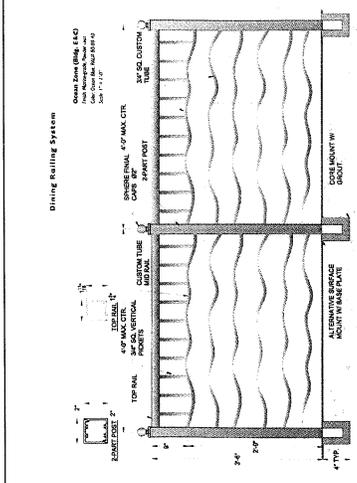
OCCUPANT LOAD ANALYSIS
 INDOOR SEATING = 77
 OUTDOOR SEATING = 16
 KITCHEN OCCUPANCY = 4
 TOTAL OCCUPANCY = 97

BLDGC



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

A-106



PATIO RAILING
 SCALE: N.T.S.

NOTE:
 SUBMIT SHOP DRAWINGS TO THE CITY OF HUNTINGTON BEACH PLANNING DEPARTMENT FOR APPROVAL PRIOR TO FABRICATION.

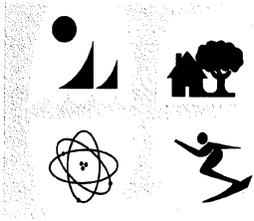
ATTACHMENT NO. 2.2

DATE	REVISION
11-11-01	CLAY S. SMITH
11-11-01	ARCH. REVISION
11-11-01	MECH. REVISION
11-11-01	ELECT. REVISION
11-11-01	PLUMB. REVISION
11-11-01	PAINT REVISION
11-11-01	FINISH REVISION
11-11-01	OTHER REVISION

JOHNNY ROCKET'S
 SUITE 100
 120 5th STREET, SUITE 100
 HUNTINGTON BEACH, CA 91722

RSHA
 ARCHITECTURE AND PLANNING
 IRS HERMAN ARCHITECTS
 1409 METROAVENUE
 LOS ANGELES, CA 90006
 TEL: (213) 468-4000
 FAX: (213) 468-4000
 WWW.RSHA.COM

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	11-11-01
2	ISSUED FOR PERMITS	11-11-01
3	ISSUED FOR PERMITS	11-11-01
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100	ISSUED FOR PERMITS	11-11-01



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

December 18, 2008

Kerr Project Services
Valentina Allen
4655 Cass Street, Suite 200
San Diego, CA 92109

**SUBJECT: CONDITIONAL USE PERMIT NO. 2008-047 (120 5TH STREET)
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Applicant,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance 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.

The attached project implementation code requirements may be appealed to the City Council as a matter separate from the associated entitlement(s) within ten calendar days of the approval of the project pursuant to the Huntington Beach Zoning and Subdivision Ordinance Section 248.24. The appeal fee is \$2,379.00.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance 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 ethan.edwards@surfcity-hb.org or 714-536-5561 and/or the respective source department (contact person below).

Sincerely,

Ethan Edwards, AICP
Associate Planner

Enclosure

cc: Eric Haghani, Building and Safety Department – 714-374-1589
Brian Smith, Police Department – 714-536-5995, Jan Thomas, Police Department – 949-348-8186
Darin Maresh, Fire Department – 714-536-5564
Herb Fauland, Planning Manager
Jason Kelley, Planning Department
Property Owner
Project File

ATTACHMENT NO. 3.0

(g:\forms\planning\Code Requirements Letter - rev)



HUNTINGTON BEACH PLANNING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: DECEMBER 18, 2008
PROJECT NAME: JOHNNY ROCKETS – BEER / WINE, OUTDOOR DINING
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 2008-0184
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 2008-047
DATE OF PLANS: NOVEMBER 3, 2008
PROJECT LOCATION: 120 5TH STREET (5TH STREET & P.C.H.)
PLAN REVIEWER: ETHAN EDWARDS
TELEPHONE/E-MAIL: (714) 914-7447, ETHAN.EDWARDS@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF A 1,849 SQ. FT. RESTAURANT WITH ONSITE SALE AND CONSUMPTION OF BEER AND WINE IN CONJUNCTION WITH AN OUTDOOR DINNING AREA.

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.

CONDITIONAL USE PERMIT NO. 2008-047 :

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design with the following modifications:
 - a. Depict all utility apparatus, such as but not limited to, back flow devices and Edison transformers on the site plan. Utility meters shall be screened from view from public right-of-ways. Electric transformers in a required front or street side yard shall be enclosed in subsurface vaults. Backflow prevention devices shall be prohibited in the front yard setback and shall be screened from view.
 - b. 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).

- c. Depict the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items on the site plan and elevations. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks.
2. The use shall be subject to Chapter 5.44 of the Huntington Beach Municipal Code (HBMC). Section 5.44.010(a) of the HBMC prohibits prerecorded ambient music from being audible at a distance of no more than ten feet from any portion of the exterior of the restaurant.
 3. Prior to submittal for building permits, Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
 4. The Planning Director ensures that all requirements herein are complied with. The Planning Director shall be notified in writing if any changes to the site plan, elevations and floor plans are proposed as a result of the plan check process. Building permits shall not be issued until the Planning Director has reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action and the conditions herein. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the Huntington Beach Zoning and Subdivision Ordinance.
 5. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
 6. Conditional Use Permit No. 2008-184 shall not become effective until the ten calendar day appeal period from the Planning Commission approval of the entitlements has elapsed.
 7. Conditional Use Permit No. 2008-184 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
 8. The Planning Commission reserves the right to revoke Conditional Use Permit No. 2008-184 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.
 9. 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.
 10. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays.
 11. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption 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 action.

12. 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.
13. Live entertainment and/or dancing shall not be permitted unless a conditional use permit for this specific use is reviewed and approved.



HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 11, 2008
PROJECT NAME: JOHNNY ROCKETS OUTDOOR SEETING
ENTITLEMENTS: PLANNING APPLICATION NO. 2008-0184
PROJECT LOCATION: 120TH 5TH STREET, HUNTINGTON BEACH, CA
PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: (714) 536-5561/ Ethan.Edwards@surfcity-hb.org
PLAN REVIEWER-FIRE: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST
TELEPHONE/E-MAIL: (714) 536-5531/ dmaresh@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT, MAINTNACE, AND OPERATION OF A 1,849 SQ. FT. RESTAURANT WITH ON SITE SALE AND CONSUMPTION OF BEER AND WINE IN CONJUNCTION WITH AN OUTDOOR DINNING AREA.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated November 6, 2008. 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- Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

Mushroom Space Heaters (if utilized) shall meet the following requirements:

- Heaters shall display a U.L. listing number or other nationally recognized standard.
- Heaters shall be used in open-air areas only. Indoor use is not permitted.
- Heaters shall be equipped with a safety tilt shut-off switch.
- Heaters shall be set upon a firm and level foundation.
- Heaters shall not be located inside of or within three feet of the awning or canopy footprint. (CFC 1107.1)
- Placements of heater(s) shall not be closer than 5' from buildings. (CFC 8204.3 and Table 8204-A)
- Heaters shall not obstruct the clear path of exits. (CFC 1203)
- Heaters shall maintain a minimum of 3-foot clearance from any combustible material. (CFC 1107.1)

ATTACHMENT NO. 3.4

- Heaters shall not be stored or used within any structure. (CFC 1103.3.2.6)
- The storage of spare cylinders is not allowed. (CFC 101.4 and 1103.3.2.6) (FD)

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. (FD)
- b. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. (FD)

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office
City Hall 2000 Main Street, 5th floor
Huntington Beach, CA 92648
or through the City's website at www.surfcity-hb.org

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.



HUNTINGTON BEACH POLICE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: DECEMBER 9, 2008

PROJECT NAME: JOHNNY ROCKETS – BEER / WINE, OUTDOOR DINING

PLANNING APPLICATION NO. PLANNING APPLICATION NO. 2008-0184

ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 2008-047

DATE OF PLANS: NOVEMBER 3, 2008

PROJECT LOCATION: 120 5TH STREET (5TH STREET & P.C.H.)

PLAN REVIEWER: DET. BRIAN J. SMITH #1168

TELEPHONE/E-MAIL: (714)536-5995, BJSMITH@HBPD.ORG

PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF A 1,849 SQ. FT. RESTAURANT WITH ONSITE SALE AND CONSUMPTION OF BEER AND WINE IN CONJUNCTION WITH AN OUTDOOR DINNING AREA.

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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 no less than one hour prior to the scheduled closing time.
2. §9.44.010 of the Huntington Beach Municipal Code (HBMC) prohibits the consumption of alcoholic beverages in a public place. To reduce the likelihood of patrons exiting the patio while possessing an open alcoholic beverage container, the 3' gate located on the patio shall be labeled "Emergency Exit Only". The sign shall be clearly legible, and permanently affixed to the interior of the gate.
3. All alcoholic beverages shall remain within the interior of the restaurant or within the confines of the fenced in patio dining area. Service of alcoholic beverages for consumption off-site will not be permitted.
4. To reduce the likelihood of alcoholic beverage consumption by minors, all alcoholic beverages shall be served in distinctive vessels, different than those containing non-alcoholic beverages.

5. To prevent loitering on the patio after the business has closed, and to prevent littering, vandalism, and other criminal activities, the patio railing shall not be covered with any material that would reduce or restrict visibility into the patio area.
6. The business will be located in a highly visible location along Pacific Coast Highway. To maintain a clean public image, no items shall be placed in the windows advertising the availability of alcoholic beverages, nor shall any displays or advertisements in the interior be directed to the exterior promoting the availability of alcoholic beverages.
7. Per §5.44.010(a) HBMC, "No person shall provide or permit any type of entertainment in a coffee shop, restaurant, nightclub, or place where food or other refreshments are served and which is open to the public unless such person shall first obtain a permit to do so from the Chief of Police."
8. Entertainment shall remain inside the location at all times.



CITY OF HUNTINGTON BEACH DEPARTMENT OF BUILDING & SAFETY

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 2, 2008
PROJECT NAME: JOHNNY ROCKETS – BEER / WINE, OUTDOOR DINING
ENTITLEMENTS: PLANNING APPLICATION NO. 08-0207;
CONDITIONAL USE PERMIT NO.2008-047
DATE OF PLANS: NOVEMBER 3, 2008
PROJECT LOCATION: 120 5TH STREET (5TH STREET & P.C.H.)
PROJECT PLANNER: ETHAN EDWARDS
PLAN REVIEWER: ERIC HAGHANI, PLAN CHECK ENGINEER
TELEPHONE/E-MAIL: (714) 374-1589 / ehaghani@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF A 1,849 SQ. FT. RESTAURANT WITH ONSITE SALE AND CONSUMPTION OF BEER AND WINE IN CONJUNCTION WITH AN OUTDOOR DINNING AREA.

The following is a list of code requirements deemed applicable to the proposed project based on plans received as 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. This list is not intended to be a full and complete list and serves only to highlight possible building code issues on the proposed preliminary plans. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer.

I. SPECIAL CONDITIONS:

1. None

II. CODE ISSUES BASED ON PLANS/DRAWINGS SUBMITTED:

1. The codes in effect are the: 2007 California Building Code ('07 CBC), 2007 California Plumbing Code ('07 CPC), 2007 California Mechanical Code ('07 CMC), 2007 California Electrical Code ('07 CEC) and 2007 California Energy Efficiency Standards as adopted by the City.
2. Health Department approval is required prior to issuance the building permit.
3. Certificate of Occupancy shall be filled out & submitted with the building permit application.

4. Plans shall be submitted for the proposed interior TI.
5. An accurate occupant load analysis is required when plans are submitted for review.
6. Plans should show the extent of the proposed patio railing.

PLANNING DEPARTMENT DEVELOPMENT REVIEW REQUEST

TO: Steve Bogart, Public Works
Gerald Caraig, Building
Kellee Fritzal, Economic Development

Darin Maresh, Fire
Kenneth Small, Police
Dave Dominguez, Community Services

FROM: Ethan Edwards Ext: 5561

DATE: NOV 6, 2008

PC

ZA

DRB

STAFF

PETITION(S): Planning Application No. 2008-0184: Conditional Use Permit No. 2008-047

REQUEST(S): To permit the establishment, maintenance, and operation of a 1,849 sq. ft. restaurant with onsite sale and consumption of beer and wine in conjunction with an outdoor dining area.

LOCATION: 120 5th Street (5th & P.C.H., The Strand development, Building C)

ZONE: Downtown Specific Plan (SP5-CZ)

GENERAL PLAN: Mixed Use Vertical – F12 – Specific Plan – Pedestrian Overlay

EXISTING USE: Vacant

Please submit your concerns and recommended changes or conditions in writing on or before **November 28, 2008.**

COMMENTS: (Use attachments or back side of sheet if necessary)

Community Services has no concerns with the proposed project provided all conditions of approval for the Strand project are met.

RESPONSE BY: DAVID DOMINGUEZ Extension 25309

Attachments: 1. Narrative 2. Plans

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ATTACHMENT NO. 3.10



HUNTINGTON BEACH POLICE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: November 28, 2008
PLANNER: ETHAN EDWARDS
PROJECT NAME: JOHNNY ROCKETS
REQUEST: TO PERMIT 1,849 SQ. FT. RESTAURANT WITH ONSITE SALE AND CONSUMPTION OF BEER AND WINE IN CONJUNCTION WITH OUTDOOR DINING.
PLAN REVIEWER: JAN THOMAS
TELEPHONE/E-MAIL: (949) 348-8186 jckthomas@cox.net

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.

Recommended conditions of approval:

Food storage areas:

Install hardware in each of the three storage areas (frozen, refrigerated and dry) to accommodate a telephone. In case of robbery, people may be ordered and locked in the storage areas. Telephones in these storage areas enable the victim(s) to call police without leaving the storage area and possibly jeopardizing his or her safety.

Sidewalk area:

Ensure that ample sidewalk space remains between the outdoor dining area and the sidewalk so pedestrians have enough room to pass each other and still keep a comfortable distance.

*(Crime Prevention Trivia: When pedestrians are given more personal space, they are more likely to give other people eye contact, which is good for public safety.)

Outdoor dining barrier:

Provide a barrier (wrought iron or low fence) between the outdoor dining area and the sidewalk. This barrier, although symbolic, helps to define the restaurant separate from the public sidewalk.

Statement of Operations

**Johnny Rockets
120 5th St., Ste 100
The Strand
Huntington Beach**

The subject property is at 120 5th St, in The Strand, downtown Huntington Beach. Johnny Rockets will be located in building C with frontage on 5th St. and Pacific Coast Highway.

Johnny Rockets will occupy a first floor space of building C in the Strand. The restaurant fronts 5th St to the north and Pacific Coast Highway to the west and is surrounded by additional retail uses to the east and south.

Johnny Rockets is an international restaurant chain that provides the food, fun and friendliness reminiscent of feel-good Americana.

Every Johnny Rockets restaurant offers its guests simple, great – tasting food from a menu of all-American favorites.

The restaurant is 1,844 sq. ft. The indoor dining area seats approximately 79 people with patio seating for 16

The restaurant will serve beer and wine. Alcohol will be served in the outdoor patio area. The full menu will be served during all business hours.

The exterior elevations are not being altered. They will be utilized per The Strand approved plans.

The restaurant will employ a total of approximately 12-15 persons with a shift averaging 4 employees.

Standard hours of operation are 11:00AM – 9:00PM, Sunday thru Thursday and 11:00AM – 12 Midnight, Fridays and Saturdays.

City of Huntington Beach

NOV 03 2008

ATTACHMENT NO. 4.0

Starters

Onion Rings Served with ranch dressing. **\$3.39**

Half Rings & Half Fries **\$2.99**

American Fries A tasty favorite. **\$2.39**

Cheese Fries Topped with choice of cheese. **\$2.99**

Chili Bowl Our exclusive all-meat recipe. **\$3.69**

Chili Fries Topped with cheese & chopped onions. **\$3.69**

***Rocket Wings®** Tasty chicken wings, served plain or tumbled in choice of specialty sauce, including Traditional, Sweet Barbeque or Hot Rocket Fuel. **\$4.99**

Side Salad With tomatoes & cheddar cheese. **\$2.39**

Half Rings & Half Fries



Hamburgers



Our hamburger patties are a full 1/3 pound of fresh, never frozen 100% pure ground beef, seasoned and grilled to order.

Rocket Single® Cheddar cheese, fresh lettuce, ripe tomato, onion slice & special sauce. **\$5.29**

Rocket Double® Two fresh patties, two slices of cheddar cheese, fresh lettuce, ripe tomato, onion slice & special sauce. **\$6.69**

The Original Fresh lettuce, ripe tomato, chopped onions, relish, pickle, mustard & mayonnaise. **\$4.89**

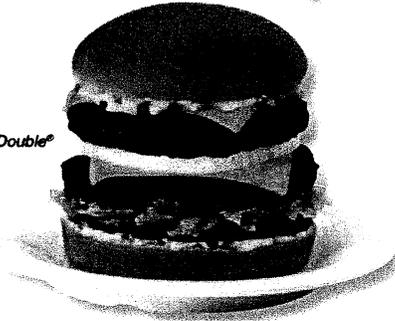
#12 Cheddar cheese, fresh lettuce, onion slice, pickle, mayonnaise & our tangy "red red sauce®." On a scale of one to ten, it's a twelve! **\$5.29**

Route 66 Swiss cheese, grilled mushrooms, grilled onions & mayonnaise. **\$5.79**

Bacon Cheddar Single Thick bacon, two slices of cheddar cheese, fresh lettuce, ripe tomato, onion slice & special sauce. **\$5.99**

Bacon Cheddar Double Two fresh patties, thick bacon, four slices of cheddar cheese, fresh lettuce, ripe tomato, onion slice & special sauce. **\$7.49**

Rocket Double®



Patty Melt Grilled onions and American & cheddar cheeses on grilled rye bread. **\$5.79**

St. Louis Thick bacon, Swiss cheese, grilled onions, fresh lettuce, pickle & our "St. Louis" sauce. A St. Louis favorite! **\$5.79**

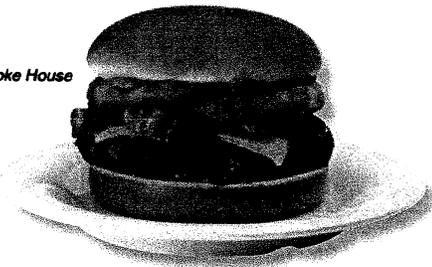
Streamliner® (100% Soy Boca® Burger) The original meatless Boca® burger with grilled onions, fresh lettuce, ripe tomato, pickle & mustard. **\$4.89**

Chili Size Served open-faced with our exclusive all-meat chili and topped with grated cheddar cheese & chopped onions. **\$5.99**

Smoke House Single Cheddar cheese, thick bacon, crispy onion rings & our "Smoke House" barbecue-ranch sauce. **\$5.79**

***Smoke House Double** Two fresh patties, two slices of cheddar cheese, thick bacon, crispy onion rings & our "Smoke House" barbecue-ranch sauce. **\$7.29**

Smoke House



*American Meal Deal!

Add American fries or a side salad & soda pop to any entrée. **\$3.29**

Substitute onion rings for only **\$0.99**

Substitute Original Shake for only **\$2.29**
(Chocolate • Vanilla • Strawberry)

City of Huntington Beach

Extra Extras:

Substitutions no charge: 100% soy Boca® burger • Turkey patty • Wheat bun • Grilled onions
Additions \$0.99: Cheese • Chili • Egg • Grilled mushrooms • Grilled onions • Grilled bell peppers & onions
Bacon (2 slices) **\$1.29**

NOV 03 2008

We serve dolphin safe tuna.
We use 100% trans fat free fryer oil.
Consuming raw or under cooked meats, poultry or eggs
may increase your risk of foodborne illness.

*Newest all-American favorites!
©2008 The Johnny Rocket's Group, Inc.

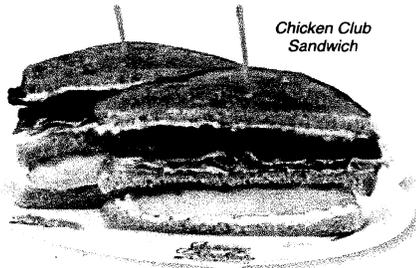
ATTACHMENT NO. 4.1

Food may contain one or more potential allergens.
Sales tax will be added on all items.
Orig:ChilBeard/Wine/0806

Chicken

Grilled Chicken Breast Sandwich

Grilled chicken breast, served with fresh lettuce, ripe tomato & mayonnaise on a grilled bun. **\$5.79**



Chicken Club Sandwich

Chicken Club Sandwich

Grilled chicken breast with thick bacon, fresh lettuce, ripe tomato & mayonnaise on triple decker sourdough. **\$6.39**

Chicken Tenders

Tender strips of chicken breast, lightly breaded & fried to a golden brown. Served with choice of dipping sauce. **\$6.39**



Philly Cheese Steak

Other Favorites

Philly Cheese Steak

Thinly sliced steak, grilled to perfection and topped with grilled onions & choice of cheese. Served on an authentic hoagie roll. **\$6.69**
Add grilled bell peppers & onions. **\$.99**

Grilled Cheese

Choice of cheddar, American or Swiss cheese. Served on choice of bread. **\$3.69**

Hot Dog

Nathan's Famous® all-beef hot dog, served with choice of deli-style mustard, chopped onions, relish or ketchup. **\$3.79**

Chili Dog

Nathan's Famous® all-beef hot dog with our exclusive all-meat chili, chopped onions & grated cheddar cheese. **\$4.79**

Tuna Melt

White albacore tuna salad with melted cheddar cheese, grilled on choice of bread. **\$5.99**

Tuna Salad Sandwich

White albacore tuna salad with fresh lettuce & mayonnaise on choice of bread. **\$4.99**

Egg Salad Sandwich

Made from scratch daily, served with fresh lettuce & mayonnaise on choice of bread. **\$4.29**

Bacon, Lettuce & Tomato

Crisp, thick bacon, fresh lettuce, ripe tomato & mayonnaise on choice of bread. **\$4.99**

Fountain

Our shakes are made with hand-dipped, premium vanilla ice cream, and our malts are blended with real powdered malt.

Deluxe Shakes & Malts \$4.79

Oreo® Cookies & Cream • Butterfinger®
Strawberry-Banana • Mocha Fudge
Chocolate Peanut Butter
Big Apple • & More ...

Original Shakes

& Malts \$4.29

Chocolate • Vanilla • Strawberry

Root Beer Float \$2.99

Or choice of any soda pop.

Original Strawberry Shake



Beverages

Soda Pop & More \$1.99

Coke® • Diet Coke® • Sprite® • Barq's® Root Beer
Pibb® Xtra • Fanta® Orange • Iced Tea
Lemonade • Milk • Dasani® Bottled Water

Flavor Shots \$.29

Cherry • Vanilla
Chocolate • Lemon

Hot Beverages \$1.59

Coffee • Hot Tea
Hot Chocolate



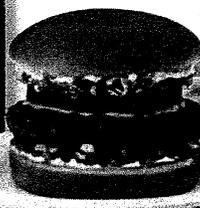
Beer & Wine

American Premium Beer

- Budweiser® 16oz. **\$3.99**
- Bud Light® 16oz. **\$3.99**
- Michelob ULTRA® 16oz. **\$3.99**

Woodbridge® Wine

- Cabernet Sauvignon **\$4.79**
- Chardonnay **\$4.79**
- White Zinfandel **\$4.79**



The Original, American fries & a 16oz. Budweiser®

City of Huntington Be

NOV 03 2008

ATTACHMENT NO. 47

We serve dolphin safe tuna.
We use 100% beans let free layer of.
Consuming raw or under cooked meats, poultry or eggs
may increase your risk of foodborne illness.



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Budweiser®, Bud Light® and Michelob ULTRA® are registered trademarks of Anheuser-Busch Inc.

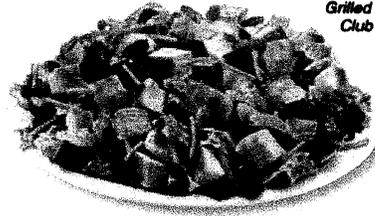
Food may contain one or more potential allergens.
Sales tax will be added on all items.
OrigChBeer&Wine0808

Salads

Chicken Club Salad Chicken tenders or grilled chicken breast served on crisp romaine and iceberg lettuce with chopped bacon, ripe tomatoes, grated cheddar cheese & choice of dressing. **\$6.39**

Garden Salad Crisp romaine and iceberg lettuce with ripe tomatoes, grated cheddar cheese & choice of dressing. **\$3.99**
Add a scoop of tuna salad or egg salad. **\$1.69**

***The Classic Wedge** A wedge of crisp iceberg lettuce with chopped bacon, ripe tomatoes & our gourmet blue cheese dressing. **\$3.99**



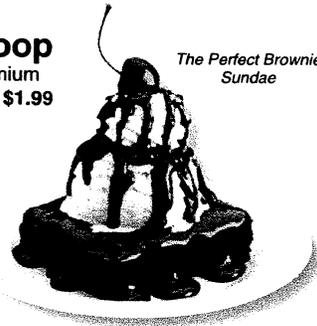
Grilled Chicken Club Salad

Desserts

***The Perfect Brownie Sundae**
The Perfect Brownie with a scoop of premium vanilla ice cream, hot fudge & whipped cream, topped with a cherry. **\$4.99**

***The Perfect Brownie** A decadent blend of gourmet chocolate goodness. A perfect ending to your meal. **\$2.99**

Single Scoop
One scoop of premium vanilla ice cream. **\$1.99**



The Perfect Brownie Sundae

***Banana Split Sundae**
A fresh banana, two scoops of premium vanilla ice cream, hot fudge, strawberry and pineapple sauces, almonds & whipped cream, topped with a cherry. **\$4.99**

***Super Sundae** Two scoops of premium vanilla ice cream with choice of sauce, almonds & whipped cream, topped with a cherry. **\$3.99**

Sauces include Hot Fudge, Strawberry or Pineapple.



Super Sundae

Apple Pie Made fresh daily. **\$.99**
Add cheddar cheese. **\$.99**
Add a la mode. **\$.99**

Rocket Kids Meals

Every meal includes kid sized American fries & choice of kids beverage. **\$4.99**
Substitute kid sized onion rings for only **\$.99**. Substitute a kid sized Original Shake for only **\$1.49**.

Kids Hamburger Kid sized hamburger, served plain with choice of ketchup, mustard, relish or chopped onions. Add cheese. **\$.99**



Kids Hamburger Meal

Grilled Cheese Choice of cheddar, American or Swiss cheese on white bread.

Peanut Butter & Jelly Creamy peanut butter & grape jelly on white bread.

Chicken Tenders Tender strips of chicken breast, lightly breaded & fried to golden brown.

Hot Dog All-beef hot dog served with choice of ketchup, mustard, relish or chopped onions.

Kids Beverages

Soda Pop & More **\$1.39**
Coke® • Diet Coke® • Sprite® • Barq's® Root Beer
Pibb® Xtra • Fanta® Orange • Iced Tea
Lemonade • Milk • Hot Chocolate

Kids Fountain

Original Shakes & Malts **\$2.89**
Chocolate • Vanilla • Strawberry

City of Huntington Beach

NOV 03 2008

Johnny Rockets... Where the good times roll!

ATTACHMENT NO. 9.3

We serve dolphin safe tuna.
We use 100% trans fat free tayer oil.
Consuming raw or under cooked meats, poultry or eggs
may increase your risk of foodborne illness.

***Newest all-American favorites!**

For franchise opportunities visit johnnyrockets.com

©2008 The Johnny Rockets Group, Inc.

Food may contain one or more potential allergens.
Sales tax will be added on all items.
Org:CHBee&Wine9608