

# Planning, Land Use and Mobility Committee



## CASE REPORT (R4—6/14/23)

**ZA-2022-2788-CU-SPP-SPR-WDI**

**IN-N-OUT Burgers  
22822 West Ventura Blvd.  
Woodland Hills, 91364**

Demolition of existing of a vacant 1-story, 6,739SF bank building with parking lot (total 39,876 SF lot) and construction of a new 3,342 SF restaurant with drive-thru service, dining patio, parking lot with 32 spaces including handicapped, bike racks, and trash enclosure in the Cahuenga Blvd./Ventura Blvd. Specific Plan.

### **PLUM Presentations:**

December 1, 2022

### **WHWCNC Board:**

December 12, 2022

June 14, 2023

### **REVISED PLUM Presentation:**

April 20, 2023 (*Canceled*)

June 1, 2023

Applicant: IN-N-OUT Burgers  
13502 Hamburger Lane  
Baldwin Park, CA 91406  
(626) 813-5378 [mlevun@innout.com](mailto:mlevun@innout.com)

Representative: Sara Houghton  
ThreeSixty  
(310) 204-3500 [sara@three6ixty.net](mailto:sara@three6ixty.net)

LA City Planner: Stephanie Escobar; tel: (213) 978-1492 email: [stephanie.escobar@lacity.org](mailto:stephanie.escobar@lacity.org)

PLUM Case Leader: Martin Lipkin, [martinlipkin@yahoo.com](mailto:martinlipkin@yahoo.com); tel: (818) 999-4340

## **HISTORY:**

This is the third (3<sup>rd</sup>) iteration for the design and site plan of this restaurant project.

### ***Initial Design Iteration:***



***Iteration I: Original building and open patio design proposed in December 2022***

The initial approvals by both the PLUM Committee (12/1/22) and the full WHWCNC Board (12/12/22) were legally “Reconsidered” and rescinded by the WHWCNC Board on 2/8/23 because of community stakeholder complaints that they were not given proper notification of the initial hearing and were denied the opportunity to sufficiently weigh-in on the initial iteration of the project. Stakeholders raised numerous concerns that focused on the proposed architecture, the large areas of blank white walls susceptible to graffiti taggers the drive-thru queuing, the right hand turn only at the drive-thru exit, failure to adhere to the street walls requirements and an overall failure to consider that this will be the newest addition to a part of the Community where several million dollars are being spent on the Re-Imagine Ventura Boulevard plan.

### ***Design Iteration II:***

The Applicant held a meeting at their offices with the I-N-O architects and design team and with three of the leaders of the community group opposing the original design to see if a resolution could be achieved where both sides would be satisfied with the building design, patio design and other key factors, and still have a project that would enhance the new Re-Imagine

Ventura efforts and the Woodland Hills community. Unfortunately, no members of the WHWCNC PLUM Committee or Board were invited to participate. The Applicant offered the stakeholders several design choices (*See Addendum*) from which the stakeholders chose preferred design and site plan elements.



***Iteration II: Design proposed by I-N-O with most of stakeholder preferred elements***

However, as the revised design made its way through corporate levels, there were numerous changes and revisions that deviated from the design that the community group thought they would be seeing at the scheduled April 20, 2023 PLUM Committee.



***Iteration II-Rev: Design changed by I-N-O without further input or agreements from community stakeholders or the WHWCNC.***

This revision was met with objections from the stakeholders and the PLUM Case Leader who believed that it failed to meet the expectations for the Re-Imagine Ventura Blvd. plan, and was out-of-sync with the expectations of the governing Specific Plan and the community as a whole. The scheduled April 20<sup>th</sup> PLUM presentation was cancelled as stakeholders, the PLUM Case Leader and



other community leaders worked together to attempt to revise the design and site plan input once again. That effort has led to the latest design: Iteration III.

### ***Design Iteration III:***

The Applicant has now (6/1/23) submitted a new design iteration and site plan that meets most of the stakeholder designs, but fails to meet one of the most important design requests that would help it meet the Specific Plan expectations and the intent of the “Re-imagine Ventura Blvd.” plan. Details on this issue will follow.



***Iteration III with truncated patio cover to be presented at the 6/01/23 PLUM Committee.***

### **Project Description:**

The application is to demolish a vacant 1-story former bank building of 6,739 SF on the corner of Rigoletto Street and Ventura Blvd., and replace it with a new 3,342 SF restaurant with 24 car drive-thru service lane, covered dining patio, parking lot, and trash enclosure in the Cahuenga Blvd. /Ventura Blvd. Specific Plan. The property that the building is on is zoned C4-1 VLD. The property also includes a large parking lot adjacent to the south that is zoned P-1 VLD. The entire property totals 39,876 SF, and currently has two access entry/exits—on Ventura Blvd, and on Rigoletto St.



***View of the existing vacant bank structure at the corner of Ventura Blvd. and Rigoletto Street.***

The application asks for relief on four Code sections with “discretionary entitlements” and a request to waive a dedication along Rigoletto Street:

1. A CUP (Conditional Use Permit) to allow a drive-through Fast Food establishment in the Cahuenga/Ventura Specific Plan

2. A CUP for a corner commercial development that (1) operates between 11 PM and 7AM, and (2) does not comply with requirements enumerated in Section 12.22.A.23(a)(3)
3. Relief from Project Permit Compliance, Section 11.5.7.C
4. Request to waive the 5-foot dedication along Rigoletto.
5. Relief from a Site Plan Review

The project site currently holds a decaying and vacant 1-story bank building that previously has two entry/exits onto City streets (Ventura Blvd., and Rigoletto St.) A large parking lot of the bank building bordered by Del Valle provides the legally required parking spaces. The site is bordered to the east by a 7-11 convenience store fronting Ventura Blvd., and a 2-story apartment complex at the corner of Fallbrook and Del Valle.



***Newly proposed (6/01/23) Site plan***

The project calls for the removal of the existing structures and building a new, 1-story restaurant and adjacent covered dining patio fronting Ventura Blvd. The remaining portion of the site will be configured to facilitate a dedicated car drive-through service window on the east side of the building, and a landscaped parking lot that will accommodate 33 automobiles (exceeds the required number of spaces by the LAMC.) Plans call for there to be access to the lot and the drive-through via two entry/exits: one from Rigoletto St. to the west, and the other on Del Valle to the south. The drive-through will have single car exit only onto Ventura Blvd. All building(s) and structures will be located entirely in the C-4-zoned portion of the property. The P-zoned portions of the property will be used for



parking, circulation, landscaping, the drive-through lane and queuing and minimal signage (menu order boards).



*Design presented 6/01/23 with most changes but lacking the row of 10'-12' hedges behind the patio cover that would screen the parking lot from Ventura Blvd. and would create a pseudo "street front" called for in the existing Specific Plan.*



***South and West elevations of modified building design (6/01/23)***

The restaurant will operate 7 days a week-- from 10:00 AM to 1:00 AM Sunday through Thursday, and from 10:00 AM to 2:00 AM on Friday and Saturday. Approximately 10-12 employees will be on a shift, and there will be 3 shifts each day. The restaurant will utilize employees taking orders on hand-held

pads in the queuing lines if there is a large rush. All deliveries are made between 2 AM and 9 AM by IN-N-OUT delivery vans—not semi’s or heavy work trucks.

### Design Iteration III features:

1. Indoor service area of restaurant that accommodates 40 guests. Outdoor dining areas including covered patio to accommodate guests.
2. Additional outdoor seating provided under canopies along building’s west façade.
3. The dining patio activates the street along Ventura Blvd. Because parking is in the rear, no large parking areas along Ventura Blvd. are necessary.
4. Outdoor diners are separated from vehicular traffic and are far enough away from queuing cars so that their dining experience won’t be impacted by vehicle emissions.
5. The restaurant building will have solar energy panels installed.
6. The project provides a 10-foot landscaping buffer around parking areas.
7. The existing 7-foot wall separating property from adjacent residential complex will be maintained and enhanced with masonry repairs, trees and landscaping.



However the latest design fails to provide a “street wall” required in the Specific Plan. The request for a planting area with “privacy hedges” separating the patio from the parking lot and requested by the community in order to create a “street wall effect” has not been incorporated in this site plan.

### PLUM Case Analysis for 6/14/23:

At both the initial PLUM presentation, (12/1/22) and the subsequent WHWCNC Board presentation (12/12/22), area stakeholders raised serious objections about the design of the project and the site plan. Concerns focused on the proposed architecture, the large areas of blank white walls that could be targeted by graffiti taggers, the drive-thru queuing, the right

hand turn only at the drive-thru exit, failure to adhere to the street walls requirements and an overall failure to consider that this will be the newest addition to a part of the Community where several million dollars are being spent on the Re-Imagine Ventura Boulevard plan.

After the Applicant met with several neighborhood stakeholders who had voiced the majority of the concerns/complaints, several new iterations were considered to see if a resolution could be achieved where both sides would be satisfied with the building design, patio design and other key factors, and still have a project that would enhance the new Re-Imagine Ventura efforts and the Woodland Hills community.

Key design agreements accepted by both the community and the Applicant include:

1. The restaurant building would retain the “traditional” IN-N-OUT look, but would incorporate several new design changes that the community felt would enhance the new Ventura Blvd. design:
  - Addition of a dark, “Black Forest” stone ledge at the bottom of the structure(s).
  - The acceptance of the originally proposed metal awnings instead of “Cooley Brite” awnings on the outside of the building.
  - The addition of a “modified, truncated patio cover” adjacent to the proposed restaurant building providing diners relief from summer sun and heat.
  - Addition of more red/white metal umbrella tables that the Applicant believes are an important part of their identification.
  - Increased width of the dining patio.
2. The Applicant and community stakeholders agreed to work together with the LA Department of Traffic to resolve a way to prevent/prohibit drivers exiting from the drive-thru from turning left across Ventura Blvd. This is a safety issue LADOT will have to solve once the application process is approved by the City. Suggestions include DOT consider installing large bollards and/or other physical center median barriers of sufficient length at the exit or on Ventura Blvd. to ensure all vehicles exiting the drive-through lane onto Ventura Blvd are forced to turn right.
3. Traffic queueing for the drive-thru line at key service times. The drive-through queue can handle 24 cars, and should the line grow longer, the staff will be equipped with hand-held electronic ordering menus so that they can walk up to vehicles and substantially speed up the service.
4. Issues with exiting/entering traffic at Rigoletto and Del Valle entrances: Rigoletto is not a major traffic street and can accommodate additional vehicular traffic. Del Valle does handle more automobile traffic on a daily basis, but any actions on street changes/improvements will have to be determined by LADOT after the new site use is in action.
5. While a number of stakeholders expressed concern about the large expanse of white walls that will possibly draw attention from taggers, the Applicant has assured that



because clean-up crews will be active after dark and there will be camera, that tagging attempts should be rare and will be quickly covered by staff if they should occur.

Also, the Applicant's requests for relief and deviations from several Cahuenga/Ventura Specific Plan requirements such as the CUP for a drive-through and the CUP for commercial corner development appear to be logical and pose little threat to the overall makeup of the area. Their request to waive the 5-foot dedication along Rigoletto will be balanced by the Applicant's proposal to add additional dedication footage along Del Valle.

The Applicant has addressed the privacy/quiet needs of the adjacent apartments on the southeast corner of the block by having a 10-foot wide landscape buffer featuring a row of trees to shield those apartments from noise and sight of the queue lines. Applicant verified that 24" and 36" boxed trees will be used.

The proposed installation of solar panels on the roof addresses several of the energy concerns stakeholders previously raised.

### **Issue(s) Still Remaining and Recommendations:**

1. *Failure to create a Street Wall as required by the Specific Plan:*

This is an issue that impacts both the existing Specific Plan and the new Re-Imagine Ventura Plan which the Applicant has agreed can be easily remedied by planting larger/leafier hedges in the planting bed that is partially open on the patio and then runs under the patio cover alongside a planned low wall shown in the new site plan. This would help create a "pseudo"/ "green screen" that hides the view of the parking lot and bottom of the 101 Freeway from Ventura Blvd. Screening "privacy hedges" often seen in Bel Air and Beverly Hills include:

- Indian Laurel Columns (*Ficus Nitida* Columns)
- Podocarpus (*Podocarpus gracilior*)
- Carolina Cherry (*Prunus caroliniana* "compacta")
- Green Hopseed (*Dodonaeca viscosa*)

The result of this landscaping change creates a "pseudo street wall" where the patio and patio cover structure act as a separated continuous entity along the Ventura Blvd. corridor.

**Recommendation:** City should mandate the installation of a "pseudo street wall" and not approve any site plan that does not have a "privacy hedge" between the patio area and the parking area/back of house area.

2. *Create a greater "street wall" effect between the patio and the sidewalk running the length of patio along Ventura Blvd.*

This idea was proposed at the June 1<sup>st</sup> PLUM meeting that the Applicant said they would give serious thought to doing. It was proposed by a Stakeholder that the low planting bed behind the fence that separates the patio from the sidewalk along Ventura

Blvd. be raised and planted in a higher planter box in an effort to enhance the “street wall” effect along that area of Ventura Blvd.

**Recommendation:** In-N-Out should seriously consider raising the planting strip along the patio/sidewalk, and possibly adding the dark fascia to the planter box/boxes that are now incorporated into the base of the restaurant building and the patio cover supports. This would strengthen the “pseudo street wall” effect.

### **Revised PLUM/Board Motion(6/14/23):**

Having held two virtual (Zoom) public meetings and two open (live) meetings—plus a previous WHWCNC Board meeting-- for the application ZA-2022-2788-CU-SPP-SPR-WDI, concerning the demolition of existing 6,739SF bank building with parking lot (total 39,876 SF lot), and construction of a new 3,342 SF restaurant with drive-thru service, dining patio, parking lot and trash enclosure in the Cahuenga Blvd. /Ventura Blvd. Specific Plan section of Woodland Hills, the Planning, Land Use and Mobility Committee hereby finds that:

**WHEREAS**, the Applicant has submitted a demolition and construction plans that substantially conform to the requirements of the Cahuenga Blvd. /Ventura Blvd. Specific Plan; and

**WHEREAS**, the request for relief from Code Section 12.24.W.17 for a CUP for a drive-through restaurant in the C4 Zone appears to be warranted and should cause no complications at this location; and

**WHEREAS**, the Applicant agrees to work with the LA Department of Transportation to solve the potential traffic hazards of traffic exiting from the drive-thru and attempting to turn left; and

**WHEREAS**, the request from Code Section 12.24.W.27 for a CUP for a commercial corner development that operates between 11 PM and 7 AM and does not fully comply with specified requirements in Section 12.22.A.23(a)(3) also appears to be warranted for this business; and

**WHEREAS**, the request to waive the 5-foot dedication along Rigoletto (and add to the dedication along Del Valle) should be considered; and

**WHEREAS**, the submitted landscape plan also will help shield the adjacent apartment complex from project noise and views; and

**WHEREAS**, the project Applicant has acknowledged and accepted the conditions of the Neighborhood Council and agreed to include them on a project summary page in revised project plan submittal;

**THEREFORE, IT IS HEREBY RESOLVED** that the Planning, Land Use and Mobility Committee, for the findings and conditions stated herein, finds that the submitted application and plans for the proposed project at 22822 Ventura Blvd, Woodland Hills, CA 91364, and recommends that the Board of the Woodland Hills-Warner Center Neighborhood Council adopt this

revised motion of the committee as its own in SUPPORT of the requested actions as stated, **contingent upon adoption by the Applicant of the following conditions:**

## **Condition(s)**

- 1.) All plans presented on June 1, 2023 at the PLUM Meeting of the Woodland Hills – Warner Center Neighborhood Council (WHWCNC) and the WHWCNC Board on June 14, 2023 shall be dated as such and re-submitted to Planning as an (updated) project application submittal.
- 2.) The applicant will not submit any significant, further updated plans or building or site plan changes without first presenting them to the WHWCNC for support.
- 3.) Additionally, all conditions herein shall be printed on one of the Project Summary pages as a commitment to, and acceptance of these conditions.
- 4.) Applicant shall post a large Project Sign on site during construction phase with illustration of project, key project facts and contact number(s) for In-N-Out and construction crew.
- 5.) Applicant shall work with the City’s Department of Transportation to solve potential traffic hazards of cars exiting the drive-thru and attempting a left turn with “Right Hand Turn Only” traffic mitigations (signs, bollards, etc.) necessity for the drive-through exit onto Ventura Blvd.
- 6.) The Applicant will address the re-design of landscaping for patio and pergola area so that the planter bed along a “seating wall” behind/under pergola has taller “privacy hedges” planted to block site of parking lot area from Ventura Blvd. and meet the “Street Wall” requirements of the Ventura- Cahuenga Boulevard Corridor Specific Plan. Also address idea of building a raised planter box/bed on patio area along Ventura Blvd. sidewalk to enhance “Street Wall” requirement.

The Planning, Land Use, and Mobility Committee recommends that the Board of the Woodland Hills- Warner Center- Neighborhood Council advise the City of Los Angeles Planning Department and Council District 3 Councilmember Bob Blumenfield of the PLUM Committee’s revised findings, determinations and its subsequent supporting recommendation to approve this application as presented and amended at the June 1st, 2023 PLUM Committee meeting, and to the WHWCNC Board on June 14, 2023.