

Planning, Land Use and Mobility Committee
Sixth Presentation
October 15, 2020

ZA-2019-5326 - In N Out Burger Drive-thru
22503 – 22527 Ventura Blvd, Woodland Hills 91364

Site on Ventura Blvd.



22503 – 22527 Ventura Boulevard

Case No. ZA 2019-5326-CU-SPP-SPR and ENV-2019-5327-CE

- New In-N-Out Burger Drive - thru
- 3,885 SF
- 74 seats indoors, 44 seats outdoors
- 40 on-site automobile parking spaces - 8 bicycle spaces

Entitlements Requested by the Applicant:

1. Change of Use: Applicant has applied for LA MC section 12.24-W17, conditional use permit to allow a drive - thru fast food restaurant be located in the C4 Zone within 500 feet of an R Zone where it is located on a lot, separated only by an alley from lots in a residential zone.

2. Deviation from Municipal Code / Commercial Corner Development: Pursuant to LAMC section 12.24-W27, the applicant requests a conditional use to allow deviations from LAMC section 12.22-A23 commercial corner development to:

Deviation - Applicant requests to be allowed 14% window transparency on the exterior walls and doors fronting Capistrano Avenue instead of the LAMC Code required of at least 50% Code 12.22.A 23 (a) (3) Windows. The exterior walls and doors of a ground floor containing non-residential uses that front adjacent streets shall consist of **at least fifty percent transparent windows unless otherwise prohibited by law.**

3. Applicant Requests Deviation - to allow hours of operation to exceed the maximum permitted operating hours for a Drive through Fast Food Establishment at this corner location :

Current permitted hours of operation: No operations allowed past 11:00pm

Requested hours of operation:

Sunday through Thursday from 10:30AM to 1:00 AM

Friday through Saturday from 10:30 AM to 1:30 AM

4. Applicant Entitlement : 11.5.7C, Specific Plan compliance with the Ventura-Cahuenga Boulevard Corridor Specific Plan pursuant to LAMC Section 16.05

The change of use to drive-through fast food establishment which will result in more than 1,000 daily trips as determined by the department of transportation

5. Project Permit Compliance - LAMC Section 11.5.7 C, for compliance with the Ventura -Cahuenga Corridor Specific Plan

The property is located within the Historic District of the Streetscape Guidelines which has it's own distinct street tree, planting and design recommendations. The proposed project must be in compliance with the Specific Plan and Streetscape Plan.

See the attached:

Ventura-Cahuenga Boulevard Specific Plan Project Preview Pre-Application Worksheet for In N Out dated 8/19/

The Applicant should provide a Streetscape Plan to the PLUM Committee

The Applicant should provide a Signage Plan to the PLUM Committee

PLUM Committee Meetings:

After 5 PLUM meetings and a Full board meeting on September 9th, 2020, the Council Board voted to send the case back to the PLUM Committee to review the Board and committee's concerns with the applicant about the commercial corner development's lack of activation and the 14% transparency on the Capistrano Street side of the project vs the required 50%.

The lack of 5 feet required landscaping on the Ventura and Capistrano street sides of the site with request to redesign the retaining walls to include the required landscaping.

Concerns that the Traffic Study does not take into account the substantial traffic on Ventura Blvd and into adjacent neighborhood. The Noise Study does not accurately study noise at 12:00 midnight into the adjacent neighborhood.

Request for add further architectural design to the building to create a more iconic building and to better integrate the patio design to provide more seating and shelter.

Request for the applicant to speak with the office of Councilmember Blumenfield about the City proposed Re-Imagine Ventura Blvd. Plan which is 1/2 block from the proposed drive-thru project

Zoning Administration / City Planning Hearing, October 5, 2020

The ZA held a City Planning Hearing to review the project on October 5, 2020.

Over 40 members of the public spoke in opposition to the project mostly due to the traffic and noise impacts in the adjoining neighborhood.

At the City Planning Hearing the ZA, the neighbors, The NC and the Council office discussed the following concerns:

1. The In N Out Traffic Study, suggests that Westbound cars could make a U-turn at the intersection of Sale Avenue and Ventura Blvd to go Eastbound. An intersection that has a traffic accident rate 650% above neighboring intersections. It does not adequately address the alternate routes that east bound traffic from Calabasas, Valley Circle and the Northeast may take to avoid an additional left hand turn from Ventura Blvd into the site that does not provide a left turn lane.
2. The Noise Study was done on a at 2:30pm and not at peak hours during the evening and weekend. The applicant has not adequately addressed noise at the site that will occur late at night from car stereos, people talking and people ordering food and trash caused on the neighboring streets by throwing trash out of cars
3. Cars going to In-N-Out could line up on Ventura Blvd and residential street Capistrano Street
4. Cars could use residential neighborhood streets to get to and from In-N-Out. The neighborhood streets are not lit and have no sidewalks. A Cut-Through Analysis should be done for the project.
5. The corner is not activated as required in the Cahuenga -Ventura Blvd Corridor Specific Plan and Los Angeles Municipal Code.
6. The applicant has not addressed the landscape set back requirement per 12.22.A23 (10) (i)

(10) (i) Landscaping - Setback. A landscaped planted area having a minimum inside width of five feet shall be required along the street frontages of the lot and on the perimeters of all parking areas of the lot or lots which have a residential zone or use.

7. The Council office expressed that Councilmember Blumenfield has concerns about the traffic study and neighborhood impacts.

8. The President of the WHWCNC provided a request to keep the file open until November 12, 2020 and described the concerns the PLUM Committee and board members have expressed about the project.

8. The ZA agreed to keep the case file open to until after the Neighborhood Council November 11th Board meeting and expressed interest in hearing from the NC.

Previous Site Plan



Elevations

KEY NOTES

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EXTERIOR PAINT SCHEDULE

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Colored Elevations
 IN-N-OUT BURGER
 Woodland Hills, CA

DATE: 05-15-20
 SCALE: 1/8" = 1'-0"

GHA Architecture / Development
 14901 Quorum Drive, Suite 300
 Dallas, Texas 75254 972.239.8884

KEY NOTES

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GHA Architecture / Development
 14901 Quorum Drive, Suite 300
 Dallas, Texas 75254 972.230.8894

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Most Recent Renderings





Case History

On July 02, 2020, this case was heard by the PLUM Committee. Following the discussion on the matter, by motion by Peter Fletcher, with a Second by Sean McCarthy, and **by a Vote of 3 Ayes, 4 Nays the motion to support this project failed.**

Thereafter, Lauren Coffman, with a second by Marty Lipkin, made a Motion for Reconsideration, if Applicant is willing to address the Committee's additional concerns, i.e. that the commercial corner be activated; a better/improved patio design; lack of design of the Eastern facade of the building such as it being activated aesthetically; there is no blank wall, for instance, a mural drawing; that the design should be a more attractive, more welcoming space to Woodland Hills; that the lighting design should be downward facing; and that a street level rendering of the corner would be beneficial.

By a Vote of 7 Ayes, 0 Nays the Motion for Reconsideration passed.

This is the reconsideration of the project.

Lauren Coffman reviewed the background of this project.

Case leader Peter Fletcher presented the revised/updated case report for reconsideration.

Applicant's representative, Sarah Houghton, presented new renderings, updates to the design of the project. After Ms. Houghton's presentation, public comment was received from one member of the public. The Committee then offered its comments to the updated project. Most of the Committee's comments dealt with the wall on the Capistrano side of the project, the patio configuration, safety of pedestrians and vehicles on the site, the effect of wind on the patio dining area, the lack of generating a welcoming entrance, the landscape plan, sidewalk tripping hazards, and the desire that the large windows on Ventura not contain promotional banners. Public comment was again offered by the same member of the public, who then identified himself as part of the ownership of the car wash which currently exists on the site

Peter Fletcher then presented the following motion for reconsideration:

As pertains to Case ZA-2019-5326, having held four public meetings (two virtual) for the application filed by In-N-Out Burgers, Inc. regarding a development in the Ventura-Cahuenga Specific Plan section of Woodland Hills, the Planning, Land Use and Mobility Committee hereby finds that:

WHEREAS, the Applicant has applied for LAMC section 12.24-W17, a conditional use to permit a drive- thru fast food establishment located in the C4 Zone within 500 feet of an R Zone. Pursuant to LAMC section 12.24-W27, a conditional use to allow deviations from LAMC section 12.22-A23 commercial corner development to (1) allow hours of operation Sunday through Thursday from 10:30 AM to 1:00 AM and Friday through Saturday from 10:30 AM to 1:30 AM, and (2) allow 14% window transparency on the exterior walls and doors fronting Capistrano Avenue pursuant to LAMC Section 11.5.7C, Specific Plan compliance with the Ventura-Cahuenga Boulevard Corridor Specific Plan pursuant to LAMC Section 16.05, site plan review for a change of use to drive-through fast food establishment resulting in more than 1,000 daily trips as determined by the department of transportation; 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; and

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 22503 – 22527 Ventura Blvd, Woodland Hills, CA 91364, and recommends that the Board of the Woodland Hills - Warner Center Neighborhood Council SUPPORT this 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:

Conditions:

1.) All plans presented on August 27, 2020 at the virtual PLUM Meeting of the Woodland Hills – Warner Center Neighborhood Council (WHWCNC) 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 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.) Prior to the issuance of any building permits relative to the development on the Project Site, a covenant acknowledging and agreeing to develop the Project Site in Substantial Conformance with the

Project Plans, as approved by the Department of City Planning and consistent with the requirements of the Ventura-Cahuenga Specific Plan shall be recorded in the County Recorder’s Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns.

5.) Applicant shall add a landscape plan meeting the Ventura-Cahuenga Specific Plan.

6.) Prior to the issuance of a building permit, vehicular ingress/egress and internal circulation shall be reviewed and approved by the Department of Transportation (LADOT). The LADOT approval shall be on a site plan that is in substantial conformance with the plan submitted to the Woodland Hills - Warner Center Neighborhood Council

7. The applicant will post a project sign

8. The applicant’s operation plan will include counter-clockwise on-site vehicular traffic circulation in the parking lot during peak periods using staff and cones to improve traffic flow.

FURTHERMORE, the PLUM Committee recommends that the City of Los Angeles Planning Department and Council District 3 Councilmember Bob Blumenfield be notified by the Woodland Hills – Warner Center Neighborhood Council Board of its recommendation to SUPPORT this application and its subsequent conditions.

By motion by Peter Fletcher, with a second by Sean McCarthy, the reconsidered motion passed by a **Vote of 5 Ayes, 2 Nays**.

BOARD MOTION TO SEND BACK TO COMMITTEE:

At the September 9th Meeting of the Board there were concerns voiced by members of the board about the approval of the project due to lack of activation of the commercial corner and the 14% transparency on the Capistrano Street side of the project vs the required 50% as a result of the discussions a substitute motion was accepted to send the case back to the PLUM committee to work with the applicant to address the shortfalls of the project

Original Motion: Lauren Coffman, Second: Martin Lipkin

Substitute Motion: Martin Lipkin, Second: Joyce Fletcher

Substitute Motion to send Agenda Item #4 back to the PLUM Committee for further review.

Roll Call Vote

PASS Yes: 13 No: 5 Abstain: 0 Ineligible: 3 Total: 21

- *YES: Aaron Quantz, Karen DiBiase, Brian Drapkin, Paul Lawler, Nancy McLean, Martin Lipkin, Peter Fletcher, Gilbert Yablon, Heath Kline, Lauren Coffman, Ginny Sand, Joyce Fletcher, Sheppard Kaufman*
- *NO: Sean McCarthy, Angela Dawson, John Sandy Campbell, Don Patterson, Bill Anderson*
- *ABSTAIN: 0 INELIGIBLE: Ray Cole, Alex Farassati, Gina Thornburg*