

Planning, Land Use and Mobility Committee

Sixth Presentation

ZA-2019-5326

22503 – 22527 Ventura Blvd, WH 91364

Woodland Hills, CA 91364

Case Leaders' Report October 15, 2020—REVISED PLUM Motion with conditions PLUM Motion Regarding City Planning Case ZA-2019-5326



22517 Ventura Boulevard

Case No. ZA 2019-5326-CU-SPP-SPR

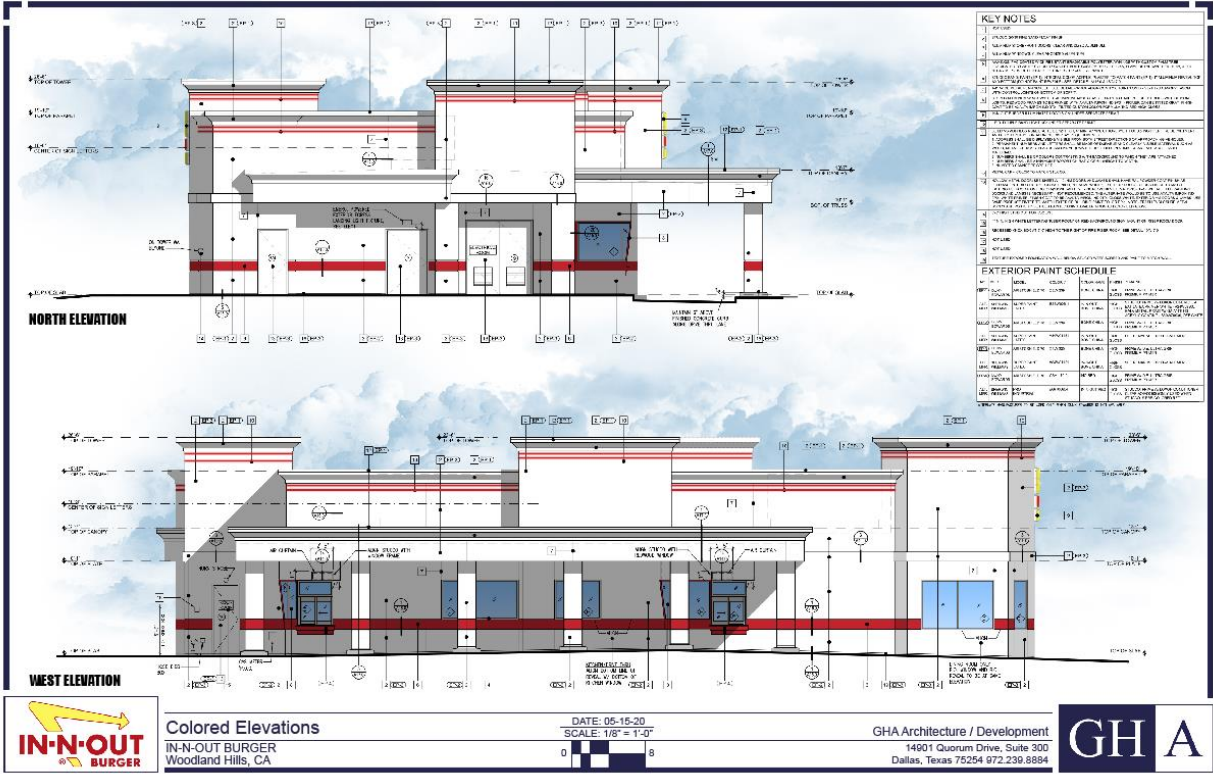
- New In-N-Out Burger restaurant
- 3,885 SF
- 74 seats indoors, 44 seats outdoors
- 40 on-site automobile parking spaces
- Hours of operation:
 - 10:30 AM to 1:00 AM, Sunday - Thursday
 - 10:30 AM to 1:30 AM, Friday and Saturday

On July 2, 2020, the PLUM committee Asked applicant to review patio design and blank wall on the East side to activate the corner/Review covered patio design. Make it more cohesive to the building in terms of production value. It should add to the aesthetics of the corner. It should be a welcoming space. There should be exterior lighting plan provided. Please provide a street level rendering of the corner. Lighting should be downward facing per code.

After 5 PLUM meetings and a Full board meeting on September 9th, 2020, Full 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 lack of activation and the 14% transparency on the Capistrano Street side of the project vs the required 50%. The ZA held a City Planning meeting to review the project on October 5th and will keep the case file open until the day after the full board's November 11th meeting so that the full board can vote on a motion.

PROJECT REVISIONS

- Site access
 - Dedicated entrance to the drive-through lane
 - The drive-through lane will exit into the parking area
 - Additional signage will be provided to distinguish between these entry points, as well as a "Right Turn Only" sign.
- On-site queuing has been **increased** by an additional vehicle (from 23 to 24 vehicles).
- Automobile parking has **increased** from the required 39 to 40 spaces.
- Short-term bicycle parking has **increased** from the required 4 spaces to 8 spaces.
- Design: the gabled-clay tile roofs have been eliminated for a more modern, streamlined look across the façade, while in keeping with In-N-Out's iconic "retro" style.
- Increased size of outdoor dining patio





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) not 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-no drive through

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**.

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:
- INELIGIBLE: Ray Cole, Alex Farassati, Gina Thornburg

Final Motion approved by the PLUM Committee on November 5, 2020

**ZA-2019-5326-CU-SPP-SP In N Out Burger Restaurant
22503-22527 Ventura Blvd, WH, 91364**

Discussion and possible action:

Pursuant to LAMC section 12.24-W17, a request for 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 request for conditional use to allow deviations from LAMC section 12.22-A23 commercial corner development to 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

A request to allow 14% window transparency deviation on the exterior walls and doors fronting Capistrano Boulevard 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,

A request for a change of use to allow a drive-through fast food establishment resulting in more than 1,000 daily trips as determined by the department of transportation.

Motion:

As pertains to Case ZA-2019-5326-CU-SPP-SP, having held seven public meetings (five virtual) for the application filed by Michelle Bennett of In-N-Out Burger, Inc. regarding a development in the Ventura-Cahuenga Boulevard Corridor Specific Plan area of Woodland Hills, the Planning, Land Use and Mobility Committee hereby finds that:

WHEREAS, the Applicant has requested 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, and **WHEREAS**, the applicant is requesting 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 Boulevard avenue pursuant to LAMC Section 11.5.7C; and

WHEREAS, the applicant is requesting a 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 PLUM committee believes that the vehicular ingress/egress and internal circulation reviewed and approved by the Department of Transportation (LADOT) will create internal cross-traffic conflicts without unidirectional flow; and

WHEREAS, the adjacent neighborhood has responded emphatically against the drive-thru due to traffic impacts caused by the drive through exiting, increase in noise coming across the alley due to service operations, extended late night hours and dramatic increase in additional traffic through the neighboring community, and

WHEREAS, though continuously requested by the PLUM committee, with photo examples of other In-N-Out establishments that successfully address these requests, the applicant has not provided any requested upgrades to the blank wall along Capistrano such as a shaded patio or an art installation in lieu of the Ventura - Cahuenga Boulevard Corridor Specific Plan Commercial Corner development requirement of 50% transparency of doors and windows on Ventura Blvd and Capistrano Avenue, and

WHEREAS, the applicant has not provided an 18" landscaping buffer at street level along Ventura Blvd and Capistrano Ave as required by the Ventura – Cahuenga Boulevard Corridor Specific Plan Commercial Corner development requirements, which greatly would improve the pedestrian experience along Ventura Boulevard and Capistrano Avenue, and

WHEREAS, the applicant has made minimal attempts to address the PLUM committee requests for a better designed outdoor dining patio and building site development which would provide an enhanced community interface and dine-in experience, with such elements as a large patio shade element, evening lighting at the patio, design of the blank wall along Capistrano Avenue, better access for pedestrians from Ventura Boulevard, safer access for pedestrians walking from the parking lot and crossing the driveway fast food service lane, and more landscaping at the public / sidewalk interface, and

WHEREAS, the Plum committee would reconsider to support the restaurant if the drive through operation was deleted and the project served all customers from inside the restaurant, which would not require a conditional use,

THEREFORE, IT IS HEREBY RESOLVED that the Planning, Land Use and Mobility Committee, for the findings stated herein, finds that the submitted application submitted by the applicant Michelle Bennett of In-N-Out Burger, Inc, for:

* The conditional use to permit a drive-thru fast food establishment located in the C4 Zone within 500 feet of an R Zone, and

* The conditional use to allow deviations from LAMC section 12.22-A23 commercial corner development to 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

* allow 14% window transparency on the exterior walls and doors fronting Capistrano Boulevard avenue, and,

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

The project **will not receive the support** of the Board of the Woodland Hills Warner Center Neighborhood Council for the requested actions. 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 Council member Bob Blumenfield of its findings, and its subsequent supporting recommendation to **not support this application as presented on November 10, 2020.**