APPLICATIONS

CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

☐ **ED1 Eligible**[1] ☐ **AHS Eligible** ☐ **AB 2097 Eligible** ☐ **Housing Element Streamlining**[2]

Case Number: DIR-2026-5140-PR

Env. Case Number: ENV-2026-5141-EAF

Application Type: Project Review

Case Filed With (Print Name): Yingshi Huang **Date Filed:** 10/2/26

Application includes letter requesting:

☐ Waived Hearing ☐ Concurrent hearing ☐ Hearing not to be scheduled on a specific date (e.g. vacation hold)

Related Case Number(s):

THIS SECTION TO BE COMPLETED BY THE APPLICANT

Provide all information requested. Missing, incomplete or inconsistent information will cause delays. All terms in this document are applicable to the singular as well as the plural forms of such terms. Refer to the City Planning Application Filing Instructions (CP-7810) for more information.

1. PROJECT LOCATION

Street Address[3]: 5601-5627 Sepulveda Blvd, Sherman Oaks, CA 91411 **Unit/Space Number:** N/A

Legal Description[4] **(Lot, Block, Tract):** TRACT TR 1000, BLOCK: None LOT: PT 340 ARB 7 AND 8

Assessor Parcel Number: 2243-002-008, -012 **Total Lot Area:** 75,298 SF

[1] The Local Emergency Homelessness Crisis (Council File - 22-1545) ended on November 18, 2025, thereby ending the ED1, ministerial processing portion of the program. Projects that have not yet filed their formal Department of City Planning Application will no longer qualify to utilize ED1 provisions unless they also have an approved Housing Crisis Act (HCA) Vesting Preliminary application that is VALID AT THE TIME OF FILING.

[2] Housing Development Projects located on sites identified under ZI-2534 & ZI-2535 are eligible for Ministerial Approval if at least 20 percent of the units are reserved for lower-income households.

[3] Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org).

[4] Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site).

2. PROJECT DESCRIPTION

Present Use: Commercial office and retail buildings with associate surface parking lot

Proposed Use: Restaurant with drive through use

Project Name (if applicable): In-N-Out Burgers

Describe in detail the characteristics, scope and/or operation of the proposed project:

The proposed project consists of demolishing the existing commercial office and retail buildings and construction a new 2,291 SF drive-through restaurant with outdoor dining. Site improvements include a 584 SF trash enclosure, a 541 SF restroom / IT room structure, a covered outdoor dining area, and 63 parking spaces. The restaurant building will have a maximum height of 25'. Proposed hours of operation are 10:30 a.m. to 1:00 a.m. Sunday through Thursday and 10:30 a.m. to 1:30 a.m. Friday and Saturday.

Additional Information Attached: ☒ **YES** ☐ **NO**

EXISTING SITE CONDITIONS

Complete and check all that apply:

- ☐ Site is undeveloped or unimproved (i.e., vacant)
- ☒ Site has existing buildings (provide copies of building permits)
- ☐ Site is/was developed with uses that could release hazardous materials on soil and/or groundwater (e.g., dry cleaning, gas station, auto repair, industrial, oil wells)
- ☒ Site is located within 500 feet of a freeway or railroad
- ☒ Site is located within 500 feet of a sensitive use (e.g., school, park)
- ☐ Site has special designation (e.g., National Historic Register, Survey LA)

PROPOSED PROJECT INFORMATION

Check all that apply or could apply:

- ☒ Demolition of existing buildings/structures
- ☐ Relocation of existing buildings/structures
- ☐ Removal of any on-site tree
- ☐ Removal of any street tree
- ☐ Removal of protected trees onsite/in public right-of-way
- ☒ Grading
- ☐ Haul Route
- ☒ New construction: 2,832 square feet
- ☐ Additions to existing buildings
- ☐ Interior tenant improvement
- ☐ Exterior renovation or alteration
- ☒ Change of use and/or hours of operation
- ☐ Uses or structures in public right-of-way
- ☐ Phased project

HOUSING COMPONENT INFORMATION

Number of Residential Units: Existing 0 - Demolish(ed)[5] 0 + Adding 0 = Total 0

Number of Affordable Units[6]: Existing 0 - Demolish(ed) 0 + Adding 0 = Total 0

Number of Market Rate Units: Existing 0 - Demolish(ed) 0 + Adding 0 = Total 0

Mixed Use Projects, Amount of Non-Residential Floor Area: N/A square feet

PARKING INFORMATION

Is the project utilizing AB 2097? ☐ **YES** ☒ **NO**

If Yes, provide a date-stamped ZIMAS Parcel Profile Report including AB 2097 Eligibility information.

Provided # of Parking Spaces: _____ Required # of Parking Spaces: _____

Parking Minimum Checklist

The following checklist will determine if parking minimums can be imposed on a Project under AB 2097. Parking minimums cannot be imposed if the proposed project meets any of the following criteria.[7]

Check all that apply:

☐ Include a minimum of 20 percent of the total dwelling units for Very Low, Low, or Moderate-Income households, students, the elderly, or persons with disabilities

☐ Contain fewer than 20 dwelling units

☐ Are subject to parking reductions of any other applicable law (by satisfying the applicable eligibility requirements)

PUBLIC RIGHT-OF-WAY INFORMATION

Have you submitted the Preliminary Land Use Report (PLUR) to BOE? (if required) ☒ **YES** ☐ **NO**

Is the project required to dedicate land to the public right-of-way? ☒ **YES** ☐ **NO**

If so, what is/are the dedication requirement(s)? See Attached PLUR feet

If dedications are required on multiple streets, identify as such: See Attached PLUR

[5] Number of units to be demolished and/or which have been demolished within the last five years.

[6] As determined by the Los Angeles Housing Department.

[7] Parking relief may also be available for projects requesting approval under LAMC Sections 12.22 A.37, 12.22 A.38, or 12.22 A.39 of Chapter 1 or Sections 9.2.1, 9.2.2, 9.2.3, 9.2.4, or 9.2.5 of Chapter 1A.

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought, and follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC Section 12.36? ☐ **YES** ☒ **NO**

Authorizing Code Section: LAMC Section 16.05

Code Section from which relief is requested (if any): N/A

Action Requested: Project Review required for a change of use to a fast-food establishment resulting in a net increase of 500 or more average daily vehicle trips.

Authorizing Code Section: _____

Code Section from which relief is requested (if any): _____

Action Requested: _____

Additional Requests Attached: ☐ **YES** ☒ **NO**

4. RELATED CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? ☒ **YES** ☐ **NO**

If YES, list all case number(s): See attached for general case history of project site.

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No.: _____ Ordinance No.: _____

- ☐ Condition Compliance Review
- ☐ Modification of Conditions
- ☐ Revision of Approved Plans
- ☐ Renewal of Entitlement
- ☐ Clarification of Q (Qualified) Condition
- ☐ Clarification of D (Development) Limitation
- ☐ Amendment to T (Tentative) Classification
- ☐ Plan Approval subsequent to Main Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ **YES** ☒ **NO**

Have you filed, or is there intent to file, a Subdivision with this project? ☐ **YES** ☒ **NO**

Have you filed, or is there intent to file, a ministerial application with this project? ☐ YES ☒ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

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5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, provide a copy of any applicable form and reference number if known.

Are there any recorded Covenants, affidavits or easements on this property?

☒ **YES (provide copy)** ☐ **NO**

6. PROJECT TEAM INFORMATION (COMPLETE ALL APPLICABLE FIELDS)

APPLICANT

Applicant[8] Name: Peter Kulmaticki

Company/Firm: In-N-Out Burgers

Address: 13502 Hamburger Lane **Unit/Space Number:** N/A

City: Baldwin Park **State:** CA **Zip Code:** 91706

Telephone: 626-813-5378 **E-mail:** PKulmaticki@innout.com

Are you in escrow to purchase the subject property?: ☐ YES ☒ NO

PROPERTY OWNER OF RECORD ☐ Same as applicant ☒ Different from applicant

Name (if different from applicant): E.C. Nichols, LLC

Address: 71 Cerro Crest Drive **Unit/Space Number:** N/A

City: Camarillo **State:** CA **Zip Code:** 93010

Telephone: (805) 657-1747 **E-mail:** indexven@pacbell.net

[8] An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An agent/representative is someone filing an application on behalf of a client.

AGENT / REPRESENTATIVE NAME: Sara Houghton

Company/Firm: Three6ixty

Address: 3280 Motor Avenue **Unit/Space Number:** 226

City: Los Angeles **State:** CA **Zip Code:** 90034

Telephone: 310-204-2500 **E-mail:** sara@three6ixty.net

OTHER (E.G. ARCHITECT, ENGINEER, CEQA CONSULTANT): _____

Name: _____

Company/Firm: _____

Address: _____ **Unit/Space Number:** _____

City: _____ **State:** _____ **Zip Code:** _____

Telephone: _____ **E-mail:** _____

Primary Contact for Project Information[9]

(Select only one. Email address and phone number required.)

☐ Owner ☐ Applicant ☒ Agent/Representative ☐ Other: _____

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List and the Abutting Property Owners List.

[9] As of June 8, 2022, the Primary Contact for Project is required to have an Angeleno Account and register with the Ethics Commission for Significant Project Entitlements, as defined in LAMC Section 49.7.37(A)(6). An email address and phone number shall be required on the DCP Application Form, and the email address provided shall match the email address used to create the Angeleno Account.

PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** An LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

  a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.

  b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.

  c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.

  d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.

Signature: Gary A Nich **Date:** 9/25/26

Print Name: Gary A Nichol

Signature: _____ **Date:** _____

Print Name: _____

SPACE BELOW FOR NOTARY'S USE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT **CIVIL CODE '1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of VENTURA

On SEPTEMBER 25, 2026 before me, IRENE GARCIA, NOTARY PUBLIC
(Insert Name of Notary Public and Title)

personally appeared GARY A. NICHOLS, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

IRENE GARCIA
Notary Public - California
Ventura County
Commission # 2534443
My Comm. Expires Oct 5, 2029

APPLICANT DECLARATION

A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.

b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified. I understand that improper segmentation is a violation of CEQA and the LAMC Section 13B.11.1.I. and subject to all remedies available for a Code violation, including but not limited to monetary penalties.

c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.

d. I understand that CEQA requires the City to analyze the whole of the project including actions taken under ministerial permits and discretionary permits before approving the project and if my project requires discretionary and ministerial case processing under separate case numbers, that the ministerial application will not be approved until the CEQA determination or finding for the project is issued.

e. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.

f. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.

g. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.

h. I understand that if this application is denied, there is no refund of fees paid.

i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions")), arising out of any City process or approval prompted by this Action, either in whole or in part.

Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.

j. I understand that the City is protected by numerous statutory immunities from liability for damages that may be caused by its land use regulatory actions, as set forth in Government Code, section 818, et seq. For instance, the City cannot be held liable for personal or property injuries or damages allegedly caused by its approval and issuance of any discretionary permit, entitlement or approval (Gov. Code § 818.4), or its failure to inspect or its negligence in inspecting a property for the purpose of determining whether the property complies with or violates any permit, entitlement or approval or contains or constitutes a hazard to health or safety (Gov. Code § 818.6).

k. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below <u>does not</u> need to be notarized.

Signature: _____ **Date:** 9-28-2026

Print Name: Peter Kwiatucki

NEIGHBORHOOD CONTACT SHEET (OPTIONAL)

7. SIGNATURES

Signatures of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (Print)	SIGNATURE	ADDRESS	KEY # ON MAP

REVIEW of the project by the applicable Neighborhood Council is not required but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).