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VIA ELECTRONIC MAIL ONLY

September 21, 2021

Planning Commission
City of Pasadena
175 N. Garfield Ave.
Pasadena, CA 91101
c/o Mr. David Reyes
E-Mail: davidreyes@cityofpasadena.net

Re: Draft East Colorado Specific Plan

Dear Planning Commission Chair and Commissioners:

Thank you for considering the below comments from In-N-Out Burger regarding the Draft East Colorado Specific Plan Update.

In-N-Out wants the Planning Commission to know that In-N-Out loves Pasadena. Pasadena is home to the oldest operating In-N-Out Burger restaurant in existence. The Foothill double-drive store was the 5th store built in the chain. Store #5, as it is called, originally opened for business on September 17, 1952 and is such an icon of Southern California pop culture that the City of Pasadena designated it a historic landmark in 2002.

In case the Commission is not aware, in March of this year, In-N-Out Burger submitted a Preliminary Development Plan Review for a proposed new In-N-Out Burger restaurant at 1978 E Colorado Blvd, the former Camerons Seafood restaurant. Prior to lodging the PPR application, In-N-Out had been in discussions about our desire to develop this site with several Staff Planners going back into the latter part of 2020.

On April 15, 2021 City Staff acknowledged receipt of our PPR application and noted that it had been circulated to City Departments for comments. In subsequent emails City Staff noted that after publishing the Preliminary Review Report, the project would be presented to City Council in an information session due to its City-wide significance as determined by the Director. On June 2, 2021 Department comments were issued to In-N-Out for consideration and shortly after that date, Staff communicated that the Council information session would happen in July. After a few re-schedules, presumably due to congested Council Agendas, the information session was held at the Council Meeting on August 9th where In-N-Out was represented by Scott Jenkins.

The Staff Report presented at the City Council information session duly pointed out challenges posed by several discretionary variances and other actions, and the findings needed to support them, which the In-N-Out would need to obtain an approval. The discussion at the meeting was relatively lighthearted and the Staff report concluded with the following "Next Steps" for the Project:

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- Applicant submits entitlement applications;
- Conduct environmental review per CEQA; and
- Conduct a noticed public hearing before the Hearing Officer.

Since that meeting, In-N-Out has been working to prepare our application materials to continue progress on entitlements for the site and we expect to make that submittal soon.

I was, therefore, quite surprised when on August 30th our local land use counsel Scott Jenkins became aware of and shared with me the Staff Report for the August 25 Planning Commission Meeting. At this Meeting the Commission reviewed a Draft East Colorado Specific Plan Update in Study Session.

I've now had an opportunity to digest that Staff Report and the Draft East Colorado Specific Plan. I've also listened to the audio recording of the August 25 study session – which session I would have gladly participated in had I known about it. In addition, I've read the Agenda and Staff Report for the pending September 22, 2012 Planning Commission hearing. I am surprised and disheartened to see that the Draft ECSP recommends that no Drive-Thru uses of any type – no food, coffee, banking, prescriptions, no drive-through products or services whatsoever – be allowed in the Plan area which includes the 1978 E Colorado site.

The August 25 and September 22 Staff Reports go to great lengths to catalog the public outreach efforts associated with the Draft ECSP. It is clear that quite a sincere and concerted effort was conducted, and I don't mean to diminish that effort in any way, however, at no time was In-N-Out given notice of the impending Specific Plan update or invited to participate in the effort. Further, despite the City's outreach efforts, the owner of the 1978 E Colorado property had no knowledge of it either.

In-N-Out does not believe that an outright blanket prohibition of all drive-thru uses is a good policy decision. We ask that the Commission reconsider this and direct Staff to revise the ECSP to allow drive-throughs with a CUP before passing the Draft ECSP on to City Council for its consideration. Allowing drive-throughs with a CUP allows the City to properly evaluate any development proposal on its merits, and allows the Public to weigh in as well.

In support of our request, we note that the August 25 Staff Report, which ostensibly distills several years-worth of public outreach, refers to the issue of drive-throughs as one eliciting mixed opinions, stating on page 7 “Mixed opinions were expressed by participants on the height of buildings and massing, transitions to adjacent uses, and whether auto-oriented uses should be phased out over time, such as drive-throughs.”

It's also worth noting that Commissioner comments during the August 25 Study Session included no strong opinions about the issue of drive-through's, and only one public comment (out of a total of 3 public comments made) voiced opposition to drive-throughs. This hardly seems a mandate to prohibit a

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use that is presently allowed with a CUP and which serves the public extremely well in its many manifestations.

In addition to Pasadena being home to the oldest operating In-N-Out Burger restaurant, In-N-Out has had a special relationship with the Rose Parade, the Rose Bowl game, and the Bands who make both of those events special for many, many years. We have fed the bands at the end of the Rose Parade every year (except two) since 1974, and we have been feeding the football teams who play in the Rose Bowl game, as well as the bands who participate in Band Fest for almost as long. In-N-Out feels privileged and proud to participate in these traditions and looks forward to continuing them for many years to come.

In conclusion, we'd like you to know that In-N-Out has been searching for a second location in Pasadena for many, many years. Our goal is to serve the Pasadena community with a modern In-N-Out Burger restaurant that offers ample indoor and outdoor dining accessible to pedestrians and bicyclists from Colorado Blvd, as well as drive-through service, and we expect that such a restaurant would help to reduce the drive-through lines at the Foothill store. The former Camerons Seafood site is an excellent property, unique in many ways, and would fulfill those goals. We ask that we be given the opportunity to have our development proposal evaluated on its merits and not thrown out based on a drastic and in our view unnecessarily restrictive policy decision.

Thank you for your consideration.

Jim Lockington

Jim Lockington
Manager, New Store Development
In-N-Out Burger.