

STAFF REPORT



COMMUNITY DEVELOPMENT

DATE: August 23, 2022

TO: Justin Hess, City Manager

FROM: Patrick Prescott, Community Development Director

VIA: David Kriske, Assistant Community Development Director –
Transportation

BY: Christopher Buonomo, Assistant Transportation Planner

SUBJECT: Adoption of a Resolution Authorizing and Establishing a Preferential Parking District on 100-200 Blocks of South Reese Place and South Orchard Drive, Speed Humps on South Reese Place, and Temporary Street Closure on South Orchard Drive Near Raising Cane's Restaurant; and Approval of a Fiscal Year 2022-2023 Budget Amendment

RECOMMENDATION

1. Adopt A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING AND ESTABLISHING A PREFERENTIAL PARKING DISTRICT ON 100-200 BLOCKS OF SOUTH REESE PLACE AND SOUTH ORCHARD DRIVE, SPEED HUMPS ON SOUTH REESE PLACE, AND TEMPORARY STREET CLOSURE ON SOUTH ORCHARD DRIVE AS PART OF THE RANCHO PROVIDENCIA NEIGHBORHOOD PROTECTION PLAN (Attachment 1); and
2. Amend the Fiscal Year 2022-23 Budget to implement the temporary street closure.

BACKGROUND

On June 22, 2021, the City Council directed Staff to commence an update to the Rancho Providencia Neighborhood Protection Plan (NPP) in response to the potential for increased cut-through traffic in the residential neighborhood south of Olive Avenue near Orchard Drive due to the opening of a Raising Cane's drive-through restaurant. Neighborhood Protection Plans are recommended in the Burbank2035 General Plan as a method to protect neighborhoods and preserve quality of life by managing traffic patterns in a specific geographic area. The purpose of an NPP is to protect residential

neighborhoods from impacts caused by cut-through vehicle traffic, which is traffic that utilizes local streets to travel through a neighborhood to a destination outside the area. They are often established in response to several factors, including:

- Existing or anticipated regional traffic caused by land uses near a neighborhood;
- Traffic bypassing congestion on an arterial roadway; and
- Characteristics of a neighborhood street (traffic volumes and speeds) that do not match the designation and purpose of that street.

On April 7, 2022, Staff held the first public meeting with the community to present background information on the existing Rancho Providencia NPP, to present the results of initial data collection, to outline the process for implementation, and received input on how the community envisions improvements to their streets. In this meeting, Staff presented the phased approach for the NPP update process, with Phase 1 focusing on the streets directly around the Raising Cane's restaurant and Phase 2 proposing improvements for the entire neighborhood. Comments received by those attending the community meeting included concerns about cut-through traffic, high vehicle speeds, and residentially adjacent commercial uses.

Ahead of the June 7, 2022, opening date of the Raising Cane's restaurant, the Community Development Department, Public Works Department, Burbank Police Department (BPD), and restaurant management collaborated to develop a temporary traffic control plan to address high numbers of customers expected to frequent the new restaurant. The initial plan included:

- Positioning BPD Officers at the intersections on Olive Avenue to keep them clear, control traffic, maintain safety, and maintain the order of the drive-through line. The cost of traffic enforcement was paid for by Raising Canes;
- Installing parking restrictions along the Olive Avenue eastbound parking lane to ensure an orderly drive-through queue;
- Implementing turn restrictions and signage to ensure the safe and orderly movement of traffic and reduce impacts to the local streets;
- Performing consistent monitoring and communication by Staff and Raising Cane's personnel; and
- Placing a periodic short-term closure on Orchard Drive during the opening weeks.

In addition to City-implemented measures, Staff worked directly with Raising Cane's to implement additional measures, including:

- Deploying private security officers to manage on-site restaurant traffic circulation and discourage vehicle queuing in public streets outside of the designated Olive Avenue queuing area;
- Providing signage at adjacent driveways and intersections encouraging vehicles to keep space clear for vehicle entry and exit;
- Working with local businesses and Burbank Unified School District to secure off-site parking spaces for Raising Cane's employees in lots with excess off-street parking;
- Providing financial assistance, property improvements, and security presence for adjacent businesses;
- Agreeing to close at 10:00 p.m. rather than 12:00 a.m.; and
- Eliminating the use of the drive-through speaker and outdoor amplified music.

The temporary traffic control plan was implemented for approximately one month. During this time, drive-through queuing generally did not encroach into vehicle travel lanes on Olive Avenue, nor did it utilize nearby residential streets. Active traffic management by police officers and the intermittent closure of Orchard Drive was able to generally contain congestion and vehicle queuing to the commercial Olive corridor, although traffic volumes did increase on Orchard Drive and Reese Place. Residential parking on Orchard Drive and Reese Place was impacted by restaurant customers, as well as private parking lots nearby. In addition, the removal of the Olive Avenue curbside parking impacted customer parking for several strip commercial businesses immediately west of the restaurant.

Approximately one month after opening, two elements of the traffic control plan were removed: 1) the permit restricting parking along the south side of Olive Avenue from South Orchard Drive to South Parish Place expired and was not renewed, and 2) active BPD traffic management was discontinued. The other elements of the traffic control plan continued to be used to manage traffic and congestion. In addition, while not providing traffic control, BPD began deploying strict enforcement of moving violations in the area surrounding Raising Cane's, notably drivers who queue in a travel lane. And the private security guards hired by Raising Cane's began excluding drivers from entering the site when the drive-through queues extended into City streets.

DISCUSSION

After two months of operation, Staff has observed that overall customer demand to the restaurant has declined from the opening weeks such that traffic, parking, and vehicle queuing is less of an issue during the daytime hours. Employee parking does not encroach into residential areas and is constrained to off-site parking secured by the restaurant. However, Staff, residents, and restaurant management have all observed that vehicle traffic, queuing, and parking impacts Olive Avenue and the residential

neighborhoods to the south of the restaurant in the evening hours. Below is a summary of the issues that have persisted since the opening of the restaurant in June 2022.

Parking

After the initial opening period, Raising Cane's continues to impact parking. Patrons continue to park in the neighborhood, which brings with it related complaints of loitering, litter, and noise. Neighborhood residents have expressed frustration with cars blocking driveways and making U-turns in their driveways at night. Unlike other restaurants, the evening dinner rush at Raising Cane's is later, lasting from 7:00 p.m. until it closes at 10:00 p.m. Neighbors are particularly frustrated because these issues are prevalent late in the evening. Parking occupancy counts taken since the opening of the restaurant show a slight increase in parking utilization in residential zones on neighboring streets. In addition to the residential parking impacts, vehicle queuing on Olive in the evening hours impacts commercial street parking and access to off-site parking of nearby businesses.

Drive-Through Operations

The persistent high customer demand of the restaurant, particularly in the evening hours, continues to create traffic circulation issues on Olive Avenue, Orchard Drive, and Reese Place. From a traffic operations perspective, the queuing lane along Olive poses several issues. When the curb parking restrictions were in place on Olive Avenue, the drive-through queue stretched along the curb, typically reaching South Parish Place at the peak but sporadically extending further. When the curb parking restrictions ended, those parking spaces once again became available to the public. However, without a dedicated space to queue, any time the vehicle queue reaches beyond South Orchard Drive, cars either line up in the empty parking spaces or idle in the travel lane. As vehicles queue in the travel lane, it reduces visibility and creates a hazard for motorists turning onto Olive Avenue. In addition, queues also extend onto Orchard Drive into the residential neighborhoods, which impacts the ability for residents to access their properties and also creates noise, glare, and other impacts. Queues that extend onto either Olive Avenue or Orchard Drive block the Orchard/Olive intersection, thereby preventing access into the neighborhood during these times.

Residential Traffic Volume and Speeds

Staff collected traffic volume and speed data for the entire Rancho Providencia Neighborhood in January 2022 as the baseline for the NPP update process. In July and August 2022, Staff collected follow-up volume and speed data on South Orchard Drive and South Reese Place to analyze the effect of the introduction of Raising Cane's on traffic operations on streets immediately surrounding the restaurant (Attachment 2).

Before the opening of Raising Cane's, vehicle volumes on South Orchard Drive and South Reese Place were relatively low. South Orchard Drive averaged 501 vehicles (220 northbound and 281 southbound) per day while South Reese Place averaged 418

vehicles (126 northbound and 292 southbound). Data collected at the end of July 2022 show 1,241 cars on South Orchard Drive (670 northbound and 571 southbound) in a 24-hour period and 1,180 on South Reese Place (248 northbound and 932 southbound). A follow-up count in August 2022 showed 840 vehicles on South Orchard Drive and 718 vehicles on South Reese Place.

The data reflect that average 85th percentile vehicle speeds decreased at the time of collection in July 2022 but in August returned to similar speeds as observed in January.¹ Speeds on northbound South Orchard Drive were 27.7 miles per hour in January, decreased to 24.3 miles per hour in July, and returned to 27.9 miles per hour in August. Average speeds on southbound Orchard were 25.7 in January, increased to 29.4 miles per hour in July and decreased in August to 25.1 miles per hour. All observed speeds were below 30 miles per hour on South Orchard Drive. South Reese Place exhibited 85th percentile average speeds above 32 miles per hour in January and decreased to 26 miles per hour in July. In August, the average speed of the northbound direction rose to 31.1 miles per hour but declined to 24.4 miles per hour in the southbound direction. This reduction may be the result of an increased number of vehicles parked on the northern part of the street where curbside vehicles narrow the effective roadway for drivers and decrease the likelihood of speeding. The southern end of the block tends to have fewer parked vehicles resulting in a wider space for traveling motorists.

Enforcement

Some of the traffic, parking, and circulation issues observed since the opening of the restaurant could be addressed through police enforcement of moving violations. Vehicles queuing in the travel lane or blocking intersections, disobeying turn restrictions at driveways and intersections, or speeding on residential streets can be cited for violations of applicable vehicle code rules. However, due to the presence of the drive-through line on the public right-of-way, the ongoing increased traffic generated by the restaurant, and the lack of physical measures to enforce turn restrictions, it is impractical to rely on significant and continuous use of police resources to provide the level of enforcement necessary to eliminate these impacts. After the first two weeks of operation, when Raising Cane's covered the cost of BPD traffic control, BPD Traffic personnel have dedicated significant resources and overtime budget to address these issues to date, but enforcement alone will not solve these concerns.

Given the ongoing traffic, circulation, and parking effects that the Raising Cane's restaurant continues to have on the surrounding neighborhoods, and the desire of the City Council to protect neighborhoods, Staff recommends that the City Council consider implementation of some short-term neighborhood protection measures to address these

¹ Burbank Police Department placed a speed feedback sign on South Reese Place during the July count. It was removed when August data were collected.

ongoing issues while the larger effort to update the Rancho Providencia NPP continues. When the City Council directed Staff to update the NPP, Staff outlined a process for two phases: Phase 1 considers solutions for streets immediately around Raising Cane's in the near-term and Phase 2 considers long-term solutions for the whole neighborhood. Based on the issues observed and firsthand community feedback, Staff recommends the City Council consider three short term measures to be implemented now, which can provide immediate relief to the neighborhood while allowing their impact to be assessed as part of the overall NPP update. Specifically, Staff recommends the City Council implement the following measures as part of Phase 1:

- Permit-only preferential parking on the 100 and 200 blocks of South Orchard Drive and Reese Place
- Speed humps on the 100 and 200 block of South Reese Place
- A temporary, six-month closure of Orchard Drive just south of Olive Avenue (south of the Raising Cane's restaurant property)

Staff believes these measures should be implemented now and evaluated as part of the ongoing NPP update, and discusses the considerations for each measure in further detail below.

Permit-only Preferential Parking on Orchard and Reese

Staff recommends initiating a preferential permit parking program on South Orchard Drive and South Reese Place between Olive Avenue and Oak Street.

Permit parking has the ability to reduce the likelihood of patrons parking in the neighborhood and walking up to the restaurant, because they would be prohibited from parking during daytime and evening hours every day. Staff collected parking data on these street segments in January 2022 before Raising Cane's opened as part of the Rancho Providencia NPP update and again in August 2022 to determine parking utilization in the neighborhood (Attachment 2). While daytime and evening counts were collected, staff utilized the evening parking data (7:00PM to 9:00 PM) as the basis for parking demand since it reflects peak business hours and peak traffic demand in the restaurant's immediate vicinity. Before Raising Cane's opened, residentially adjacent parking on South Orchard Drive displayed average parking utilization of 56 percent and 64 percent parking utilization after it opened. That is roughly 5 more parking spaces utilized on the entire block. South Reese Place displayed parking utilization of 42 percent before Raising Cane's opened and 51 percent after. That is a difference of 5 parking spaces.

Currently, South Reese Place has a weekday, two-hour parking restriction between 8:00 a.m. and 6:00 a.m., and residents may purchase permits to exceed the two-hour limit. Orchard Drive currently has no daily parking time restriction.

Staff evaluated several sources of authority for establishing such a preferential permit parking program. The first is an option set forth by BMC section 6-1-1003. That option requires that requests for permit parking on residential streets be initiated by a resident, requires a survey be conducted showing a majority of residents is supportive of the permit parking, requires the City to collect specific parking occupancy data, and requires Infrastructure Oversight Board conduct a hearing and make a recommendation for the permit parking to be installed.

The second option is through state law. California Vehicle Code (CVC) section 22507 authorizes the City Council to impose a preferential parking program in a specific area directly through resolution or ordinance after the posting of signs. Because the BMC option requires a longer resident-initiated process, Staff recommends the City Council expedite the implementation of permit-only preferential parking on South Orchard Drive and South Reese Place by adopting the proposed Resolution with the parameters addressed below, as permitted by the CVC.

The preferential parking program established by this Resolution prohibits parking to all cars without a permit during specified hours between 8:00 a.m. and 10:00 p.m., Monday through Sunday, which correlates to Raising Cane's business hours and the ability for BPD to enforce the regulations. Only residents with vehicles registered to an address on South Orchard Drive and Reese Place between Olive Avenue and Oak Street would be eligible to purchase permits (up to five permits per household). Permits for guests are also available. Permits are purchased online. The cost of an annual permit is \$15, while a daily guest permit is \$1. Businesses along Olive Avenue may request a limited number of permits for their employees or patrons to park in the permit-only parking zone, with a limit of 29 permits to be issued to businesses, with the allocation to be determined by Staff². Raising Cane's will not be issued permits. This Resolution will also incorporate some elements of the current process as set forth in the BMC to provide Staff general direction on how such program will be administered. For example, residents on the adjacent blocks of Sparks Street, Parish Place, or Oak Street may, within one year, petition for corresponding restrictions, without a parking field study, if a finding can be made that non-resident vehicles have diverted to that adjacent block, consistent with the current process as set forth in the BMC.

² Staff proposes a 15-permit limit for Orchard businesses and a 14-permit limit for Reese businesses because it represents 25 percent of the total number of residential parking spaces available. There are 59 spaces in the residential zone on Orchard and 57 spaces on the residential zone of Reese

While this stands to benefit the residents on South Orchard Drive and South Reese Place in many ways, there are also negative aspects of a permit parking zone. Although the application process has recently been streamlined, residents must register their vehicles, and it takes some time for Staff to process these applications. Residents also must either provide guests with an annual temporary parking permit to which they are entitled, or they must purchase daily permits online for additional guests. Also, businesses on Olive Avenue have communicated to the City that their employees or patrons regularly park on streets in the neighborhood. Under Staff's proposal, businesses would have to apply for permits, but the number available would be limited so as to not unduly reduce the parking for residents. Finally, enforcement of the permit parking area will be part of the City's overall enforcement efforts, and its effectiveness would be contingent on the ability to enforce these new streets as part of the City's overall preferential parking program. Should additional enforcement be necessary to ensure compliance with the new permit parking program, it will require additional resources.

Staff distributed a survey to residents by mail on July 15, 2022, to determine overall support for the proposed program. After distributing the mail survey, 78 percent of residents on South Orchard Drive and 79 percent of residents on South Reese Place support implementation of permit-only parking from 8:00 a.m. to 10:00 p.m. every day. (Attachment 3).

Speed Humps

Staff recommends that speed humps be installed on Reese Place between Olive Avenue and Oak Street to reduce vehicle speeds of existing traffic as well as new traffic added to the street by Raising Cane's. Speed humps are a traffic calming tool utilized to manage speeding on local residential streets. These were identified as possible traffic calming measures during the initial phase of data collection during the Rancho Providencia NPP update process.

Staff anticipates that speed humps on South Reese Place may be effective. Average 85th percentile speed on South Reese Place was 33 miles per hour before Raising Cane's opened and remains over 31 miles per hour after the restaurant opened. Once the amended permit parking is instituted and traffic normalizes, higher speeds may return in both directions. Further, data collected on other streets, with and without speed humps, within the NPP neighborhood show that they have been effective at reducing speeds on nearby streets where they are present. Five of the six blocks in the Rancho Providencia Neighborhood that have speed humps display an average 85th-percentile speed below 25 miles per hour. A reduction in speed can improve overall safety for all road users, especially pedestrians and bicyclists in the neighborhood.

There are disadvantages to speed humps. Vehicles travelling over speed humps may increase noise levels in a neighborhood, especially as drivers adjust to the new piece of

infrastructure. Emergency vehicles, such as ambulances and fire trucks, will need to reduce speed when travelling over speed humps which will lead to longer response times. Street sweepers cannot clean as effectively around speed humps. Some residents dislike the discomfort or inconvenience of navigating over speed humps to drive to and from their residence every day. There is also an aesthetic effect, as speed humps and warning signs would be placed in front of residential properties.

The survey distributed on July 15, 2022, also included a question about speed humps. 60 percent of residents on South Reese Place who responded to the survey support the installation of speed humps on their street³ (Attachment 3).

Temporary Closure of Orchard Drive

Staff recommends the City Council implement a temporary street closure on South Orchard Drive, just south of the Raising Cane's driveway to separate the residential properties on Orchard Drive from the traffic accessing Raising Cane's using concrete barriers, temporary bolt-down curb and bollards, along with appropriate signage. A traffic control plan (Attachment 4) showing appropriate barrier devices, signs and pavement markings was prepared to ensure that the temporary closures are as safe as possible. Staff recommends that the closure be installed for a period of six months to enable traffic patterns to adapt to the closure and to determine if the other local Raising Cane's restaurants set to open nearby draw traffic away from the Burbank location. This will also allow for staff to collect additional data and community feedback on how the closure affects the surrounding streets and the broader travel patterns in the Rancho Providencia Neighborhood. The data will be evaluated to determine if staff should make the temporary street closure permanent.

The temporary street closure is authorized by CVC section 21101(g), which permits prohibiting entry to, or exit from, or both, from any street to implement the circulation element of a general plan. Here, the temporary street closure is supported by Burbank2035 General Plan Mobility Element (Goal 6: Neighborhood Protection), which states that "Burbank's transportation infrastructure minimizes cut-through traffic in residential and commercial neighborhoods to maintain neighborhood quality of life" (Page 4-4). This temporary street closure implements the circulation element of the general plan and promotes the health and safety of residents because it prohibits non-local drive-through traffic from queuing down South Orchard Drive.

A closure on South Orchard Drive addresses the immediate concern of cars traveling from Oak Street to Olive Avenue and queuing on Orchard in front of residential properties in order to access the drive-through line. This also prevents drivers from turning down

³ Residents of Orchard Drive were also asked if they favored speed humps on their street, and 71 percent of residents contacted on Orchard supported them. However, Staff is not recommending installation of speed humps on Orchard because a temporary street closure is recommended instead.

South Orchard Drive from Olive Avenue to bypass the drive-through line. A closure can also dissuade some patrons from parking and eating on South Orchard Drive after picking up their food because access to Orchard from Olive will be blocked. The street closure has a secondary benefit by allowing Raising Cane's to queue an additional 10 drive-through vehicles on site, thereby reducing the number of vehicles queuing on Olive Avenue and parking in front of the neighboring businesses. This is because the closure will allow Raising Cane's to re-route its drive-through circulation so that cars enter from Orchard Drive, circulate on-site, and exit on Olive Avenue. With through access blocked, Raising Cane's will be able to utilize this entrance without conflicting with vehicles traveling to and from the neighborhood.

There are, however, drawbacks to a temporary closure. Residents who live on South Orchard Place will no longer be able to access their street from Olive Avenue and must now access it from Oak Street. This traffic that would normally travel on South Orchard Place would be diverted to neighboring streets like South Reese Place or South Parish Place. Staff estimates that approximately 740 vehicle trips could be diverted to the two adjacent streets. Also, the roadway on South Orchard Place has geometric limitations that will make turnarounds for large vehicles like trash trucks and street sweepers difficult, including a tight turning radius and no adjacent alleyway. This may result in vehicles utilizing adjacent residential driveways to complete U-Turns, including solid waste trucks. Burbank Fire Department noted that a full street closure increases response times to addresses on the northern half of the block and will necessitate additional coordination among responding units in the event of an emergency. Further, due to the location of the closest hydrant to the temporary closure, which is across Olive Avenue, an immovable or impassable structure will prevent the use of that hydrant in the event of an emergency south of the closure.

Cost, Funding, and Schedule for Implementation

The total cost of implementation is estimated to be \$37,000. The speed humps will cost \$6,000 and permit parking will cost \$1,000, both of which are allocated under already-budgeted implementation programs. The temporary closure is estimated to be \$30,000. Raising Cane's management have agreed that they will fund the street closure, including the cost of the barriers, signage, and other installation costs. Development of the signing and striping plan is covered under the scope of work for the Rancho Providencia NPP. Should Council approve, Staff estimate the installation of all three measures will be complete by the end of September 2022.

Rancho Providencia Neighborhood Protection Plan

As noted above, Staff is in the process of updating the Rancho Providencia NPP. These measures proposed to be implemented around Raising Cane's are consistent with Phase 1 of the plan update. Phase 2 will observe how these measures affect the broader neighborhood and could include recommendations for additional safety countermeasures

for the rest of the neighborhood that work in conjunction with the measures on South Orchard Drive and South Reese Place, which may be included as part of a future update to the City Council. Next steps will include additional data gathering, public meetings, and public review of the draft plan that includes these additional proposed road safety countermeasures.

Environmental Review

Implementation of the three neighborhood protection plan measures is exempt from review under the California Environmental Quality Act (CEQA) pursuant to 14 CCR Section 15301(c) and (f), as the action involves maintenance or alteration of existing streets that does not result in any expansion of the use, and the action adds safety or health protection devices in conjunction with existing facilities. The neighborhood protection measures alter the use of traffic and parking on the two streets by limiting who may travel and park on the streets but do not expand the capacity or use of the streets, nor do they appreciably increase the amount of overall vehicle travel. Additionally, the imposition of the measures reduces local vehicle traffic and operations within the neighborhood, and reduces vehicle speeds, both of which add safety features to the existing streets. As such, Staff recommends that the City Council find that the approval of this Resolution is exempt from CEQA.

FISCAL IMPACT

Staff estimates the total cost to implement the three measures will be \$37,000. Staff has collected \$30,000 from the Raising Cane's restaurant to pay for a portion of the project. Staff is requesting City Council authority to amend the Fiscal Year (FY) 2022-2023 Adopted Budget by accepting funds from the Raising Cane's restaurant in the amount of \$30,000, and amending the FY 2022-2023 Adopted Budget by appropriating \$30,000 from revenue account 001.CD000.45000.0000.000000 (General Fund, Community Development, Donations) to expenditure account 001.CD32A.62050.0000.000000 (General Fund, Transportation, Planning, Survey & Design).

Additionally, Public Works' FY 2022-2023 parking and speed hump program budget has sufficient funds to pay the remaining costs for permit parking signs and speed humps.

CONCLUSION

Staff respectfully recommends that Council amend the Fiscal Year 2022-23 budget and adopt the proposed resolution to implement three neighborhood protection measures to address parking and traffic impacts caused by the Raising Cane's restaurant, including permit parking on South Orchard Drive and South Reese Place, speed humps on South Reese Place, and a temporary closure of South Orchard Drive just south of Raising Cane's. Staff recommends these immediate measures be implemented to address the parking and traffic effects that the Raising Cane's restaurant have placed on the adjacent residential neighborhood. Staff recommends that these measures be implemented as

part of the overall Rancho Providencia NPP so that they can be evaluated, their effects on other streets be identified, and additional neighborhood protection measures can be considered as part of an update to the entire plan.

ATTACHMENTS

Attachment 1 – Resolution

Attachment 2 – Street Data (Parking Utilization, Vehicle Volume, Vehicle Speed)

Attachment 3 – Neighborhood Survey Results

Attachment 4 – Traffic Control Plan