

# CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Roger Scott Group - 301 N 12th Street, Sacramento, CA 95814		
OWNER	Harry Schilling - Rt. Box 67, Oakland, CA 94601		
PLANS BY	Roger Scott Group - 301 N 12th Street, Sacramento, CA 95814		
FILING DATE	10-8-82	50 DAY CPC ACTION DATE	REPORT BY: TM:sg
NEGATIVE DEC.	10-29-82	EIR	ASSESSOR'S PCL. NO. 003-176-12 & 13

- APPLICATION:
1. Conditional Negative Decalaration
  2. Special Permit to develop a 6,000 square foot restaurant in the F Flood zone
  3. Special Permit to expand an existing marina from 40 to 184 boat berths
  4. Special Permit to develop accessory marina uses totaling 5,000 square feet including a harbor master office, yacht sales and repair shop, and bait and tackle shop
  5. Special Permit to locate 136 parking spaces in the R-3 zone (City Property)
  6. Variance to locate 136 spaces on other than the subject site

LOCATION: Northwest quadrant of Riverside Boulevard and I-5 Freeway

PROJECT INFORMATION:

1974 General Plan Designation:	Major recreation or open space
Sutterville Heights Community Plan Designation:	Recreation & open space and multiple family residential
Existing Zoning of Site:	FW Floodway zone
Existing Land Use of Site:	6 residential units & a marina
Surrounding Land Use and Zoning:	
North:	Vacant and FW
South:	Residential & R-3.
East:	I-5 Freeway & FW
West:	Sacramento River & FW
Parking Required:	218
Parking Provided:	218
Property Dimensions:	Irregular
Property Area:	194,392 sq. ft. (4.5 acres)
Restaurant:	6,000 sq. ft.
Harbor Master Office:	1,500 sq. ft.
Yacht Sales & Repair:	1,500 sq. ft.
Bait & Tackle Shop:	2,000 sq. ft.
Square Footage of Buildings:	Total 11,000 sq. ft.
Utilities:	
Water:	Is on site
Sewer:	Must be extended from Riverside Boulevard
Power:	Is on site
Street Improvements:	Existing asphalt roadway is a public street

APPLC. NO. P82-234

MEETING DATE November 24, 1982

CPC ITEM NO. 932

PROJECT BACKGROUND: On July 26, 1979 the Planning Commission approved the subject entitlements with conditions. In a related action, the City Council, on August 21, 1979, approved an amendment of the Sacramento River Specific Plan to allow the development of the proposed parking lot on the river side of the levee.

Subsequently, a one year extension was granted on September 24, 1981 for these same entitlements. However, the applicant failed to obtain building permits and the special permits and variances expired. The applicant's current request is for basically these same entitlements.

STAFF EVALUATION: The staff has no major objection to the special permits or variances for the marina and restaurant uses as proposed. The Sacramento River Parkway Plan designates the three acre site adjacent to the "Captain's Table" as a major access point into the Parkway and to be developed as a public recreation area. The Parkway Plan indicates that existing private river's edge commercial facilities should be encouraged to remain and be incorporated into planning process. Furthermore, seafood restaurants are specifically mentioned as uses to be located at appropriate and compatible points along the Parkway.

In addition, the overall marina-restaurant proposal complies with the adopted criteria for "Special Development in the Flood Zone" (Zoning Ordinance) in regard to the design, location, and nature of the uses.

Aside from additional landscaping requirements, the staff report and recommendations are substantially the same as in the previous special permits and variances (P-9512 and P-9327). Specifically, staff's comments area as follows:

1. Bike Trail - The adopted Bikeway Plan indicates the proposed bike trail meandering along the river levee and then utilizing the existing Captain's Table Roadway and connecting with Riverside Boulevard as shown on the site plan. Further study should be made by the Community Services Department in regard to the safety of the bike crossing at the upper roadway area and the feasibility of utilizing the expanded roadway for the bike trail extension to Riverside Boulevard. In addition, the City Community Services and the City Real Estate Division have submitted plans for the precise location and width of the proposed bike trail easement. This easement would be sixteen feet in width and is located on the levee and the owner's property. Staff recommends that a condition be added to the special permit that requires the applicant to dedicate this bike trail easement as indicated in Exhibits A-1, A-2 and A-3.
2. Off-site Parking Variance - The proposed parking area on the landside of the levee is zoned R-3 and owned by the City of Sacramento. This proposed parking lot would be part of the required parking for the proposed marina-restaurant complex (138 spaces).

It has generally been agreed by the Community Services Department, who is responsible to develop the subject property as a public recreation mode, that the subject City property can be developed as a parking area and used by the marina-restaurant owner.

The City was granted rights to the parcel from CalTrans with the specific intention of developing parking and providing access to the Sacramento River at that point. The Community Services Department, therefore,

recommends the developer of the marina provide public access rights through a portion of the developer's property to connect with other City owned parcels. In addition, the improvement of the subject parking area (paving, landscaping and maintenance) shall be the developer's responsibility.

The landscaping of this parcel should extend all the way to the Riverside Boulevard frontage as well as to the roadway servicing the site. The parking lot and access area must be open and available for use by the public at all times.

3. Roadway Access improvement - On November 9, 1978 the Commission approved a rezoning and tentative map to develop five duplexes along the Captain's Table Roadway. Access to these duplexes would be from the marina roadway and Riverside Boulevard. The condition of this approval required a) frontage improvements along Captain's Table Roadway; and b) the applicant shall dedicate and improve one-half section of a 54 foot right-of-way along Captain's Table Roadway. This includes curbs, gutters and sidewalks.

The Traffic Engineering Division reviewed the project and suggests the roadway be improved to street standards including a public cul-de-sac at the base of the levee. The staff disagrees with installing a cul-de-sac because of the steep grade and the excessive improvements necessary. Staff, however, suggests the developer consider widening the roadway to 40 feet curb to curb and eliminate the sidewalks. This would improve the safety of not only the marina-restaurant users and residential users but also the public using the proposed bike trail and river area.

In addition, staff suggests that on-street parking be prohibited along the Captain's Table Roadway. This would improve the circulation and sight clearance of the curved roadway.

4. Accessory Marina Uses - The submitted plan indicates four structures. This includes a restaurant, a harbor master's office, yacht sales and repair shop, and a bait and tackle shop. These uses are considered accessory uses to a marina. Other commercial uses should not be permitted. In regard to the yacht sales and repair shop, all repairs and storage of equipment or other boat components should be done within the building. Also, the proposed parking areas should not be used for boat sales or boat equipment storage. The Harbor Master's Office originally contained fuel pumps and was located on the river bank with the other marina uses. However, under the current proposal the applicant has agreed to eliminate the fuel pumps in order to avoid fuel spillage into the river and has relocated the structure onto the river as a houseboat type of structure.
5. Sewage Collection and Disposal System - The applicant submitted data on a) estimated sewage flow generated by the project, and b) alternative sewage collection and disposal systems. The City Engineer reviewed the alternate systems and determined the gravity flow sewer line system should be utilized.

6. Landscaping of Marina Area - The California Fish and Game and U.S. Wildlife Services have indicated that the riverbank should be maintained with natural vegetation. The applicant proposes to use water tolerant landscape planting. The staff suggests the applicant submit a detailed landscape plan of the riverbank, parking lot and remaining marina property for staff review and approval.

ENVIRONMENTAL ASSESSMENT: The Environmental Coordinator has filed a negative declaration with the following mitigation measures to reduce the project's impacts:

1. Landscaping shall be provided onsite to effectively screen adjacent southerly properties from light and glare created by the project.
2. In order to minimize the risk of fire or explosion, or release of fuel into the river, fuel sales shall be prohibited. The transfer of fuel shall be permitted only in emergencies and upon sale or repair of a boat at the marina.
3. Bank improvements shall be made to assure the integrity of the levee. All project modifications and required improvements shall be made to the satisfaction of agencies having jurisdiction.

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Ratification of the Negative Declaration.
2. Approval of the Special Permit to develop a 6,000 square foot restaurant in the F Flood zone.
3. Approval of the Special Permit to expand an existing marina from 40 to 184 boat docks.
4. Approval of the Special Permit to develop accessory marina uses totaling 5,000 square feet, including a harbor master's office, yacht sales and repair shop, and bait and tackle shop.
5. Approval of the Special Permit to locate 136 parking spaces in the R-3 zone (City property).
6. Approval of the Variance to locate 136 spaces on other than the subject site.

The above entitlements are subject to the following conditions and based upon findings of fact:

Conditions:

- a. The applicant shall improve the Captain's Table Roadway to a 40 foot pavement curb to curb. On-street parking along this roadway shall be prohibited.
- b. The applicant shall improve the proposed parking lot (City property) which includes parking, drainage and landscaping to the satisfaction

of the City Community Services Department and City Engineering Department. This parking area shall be open and available for use by the public at all times and shall be clearly marked to reflect so.

- c. The applicant shall dedicate a public easement for access purposes from the City property to the river and be approved by the City Community Services Department.
- d. Final site plan, elevation, floor plans, landscape plan, colors and materials of all structures including the boat dock shall be submitted to staff for review and approval prior to issuance of building permits.
- e. The proposed parking lot on the City property shall provide a minimum of six boat trailer parking spaces. In addition, a total of 218 parking spaces are required (City and private property).
- f. The applicant shall dedicate a recreational easement to the City of Sacramento for a bike trail along the crown of the levee as indicated by Exhibit A-1, A-2 and A-3 prior to approval of the building permit.
- g. The listed accessory marina uses on the schematic floor plan are permitted. These uses include the harbor master office on the boat dock area. All change of uses or expansion of uses shall be subject to review and approval by the Planning Director for use compliance.
- h. The repair of boats or boat accessories shall be confined within the building. The proposed parking areas shall not be used for boat sales or boat equipment storage.
- i. The sewage system shall be connected with the City sewage system and approved by the City Engineering Department and Water and Sewer Division.
- j. All fuel sales and storage shall be prohibited in the marina complex.
- k. The elevated structure shall comply with building code requirements in regard to utilizing fire protected material between the structure's underside and the parking area.
- l. The water supply, the on-site fire hydrants and fire fighting equipment shall comply with the requirements of the City Fire Department and the Engineering Department.
- m. Subject to complying with all requirements of the Corps of Engineers and State Reclamation Board for developing structures on the Sacramento River.

- n. No building permit or entitlement shall be issued unless certification is provided to the Director of Building Inspection from a registered professional engineer that said development will not increase the level of the base flood.
- o. All identification signs (on roadway access, parking area and buildings) shall be compatible in design and be reviewed and approved by the Planning Director. In addition, no pole signs shall be permitted and monument signs shall not extend over eight feet in height.
- p. The proposed sewage pump station shall be located above the 100 year flood level. This structure shall be screened with a solid wood fence and plant material.
- q. A detailed landscape plan indicating native vegetation along the riverbank shall be reviewed by the Corps of Engineers and the Planning staff prior to the issuance of building permits.
- r. Applicant shall add appropriate area for bike racks and temporary storage subject to the review and approval of the Planning Director.
- s. The proposed parking area on the landward side of the levee shall be adequately screened with shrubs and trees to reduce the visual impact from Riverside Boulevard. This landscaping shall extend to Riverside Boulevard and the access road.
- t. The applicant shall comply with the 50% shading requirement for surfaced parking areas.

Findings of Fact for Special Permits:

- a. The proposed project is based on sound principles of land use in that:
  - 1. Restaurant Use
    - (a) The Zoning Ordinance allows restaurants in the F Flood zone with the approval of a Special Permit.
    - (b) The proposal complies with the criteria for "Special Developments in the Flood Zones" in that the development would have direct access to a major collector street; adequate parking is provided; the design of the structure would be compatible with the riverfront character and with surrounding properties.
    - (c) The proposal would be located in an existing marina and would replace a floating restaurant that was destroyed by fire.

2. Marina Expansion Use

- (a) The Zoning Ordinance allows marinas in the F Flood zones with the approval of a Special Permit.
- (b) The subject property contains an existing marina (40 berths).
- (c) The proposal complies with the criteria for "Special Developments in the Flood Zones" in regard to design, location and nature of use.
- (d) Adequate parking ratio per boat berth would be provided for automobile parking as well as boat trailer parking.

3. Accessory Marina Uses

- (a) The Zoning Ordinance allows accessory marina uses in the F Flood zone with the approval of a Special Permit.
- (b) The proposed Harbor Master's Office, yacht sales, repair, bait and tackle shops are considered accessory uses to a marina.
- (c) The Special Permit is conditioned that all changes of use or expansion of use shall be reviewed by the Planning Director for use compliance.
- (d) The proposal complies with the criteria for "Special Developments in the Flood Zones" in regard to design, location and nature of use.
- (e) These uses would be interconnected with the restaurant building on a wood decking area. The same design, materials and colors as the restaurant would be used.

4. Parking in the R-3 Zone:

- (a) The Zoning Ordinance allows parking facilities on property which has more restrictive zoning than the major land use it is intended to serve with the approval of a Special Permit.
- (b) The proposed parking area would provide a portion of the required parking for the marina-restaurant complex.
- (c) The proposed parking area is located on City property. This property is designated for a future recreation area consisting of restrooms, parking and picnicking.
- (d) The parking Special Permit is conditioned to provide additional boat trailer parking spaces; and the parking area shall be open and available for use by the public at all times.

- b. The project is not injurious to the general public nor surrounding properties in that:
1. Restuarant Use
    - (a) The structures would be above the 100 year flood level.
    - (b) The sewage and water system would be required to be connected with the City system.
    - (c) The permit is conditioned to provide on-site fire hydrants and fire fighting equipment as required by the City Fire Department.
  2. Marina Expansion Use
    - (a) Adequate parking would be provided for the additional boat berths.
    - (b) The permit is conditioned to require that the Captain's Table Roadway be widened to improve safety of vehicular traffic and future bike trail traffic.
    - (c) The permit is subject to compliance with requirements of the Corps of Engineers.
  3. Accessory Marina Uses
    - (a) The permit is conditioned that fuel sales are prohibited. This would reduce fuel spills into the river.
    - (b) The repair of boats or boat accessories would be confined within the building.
    - (c) The structures would be above the 100 year flood level.
    - (d) Adequate parking and landscaping would be provided.
  4. Parking in the R-3 Zone
    - (a) Adequate landscaping and lighting would be provided in the parking area.
    - (b) A detailed landscaping plan and site plan will be reviewed by the City Recreation and Parks Department.
    - (c) The permit is conditioned to require that the parking area shall be open and available for use by the public at all times.

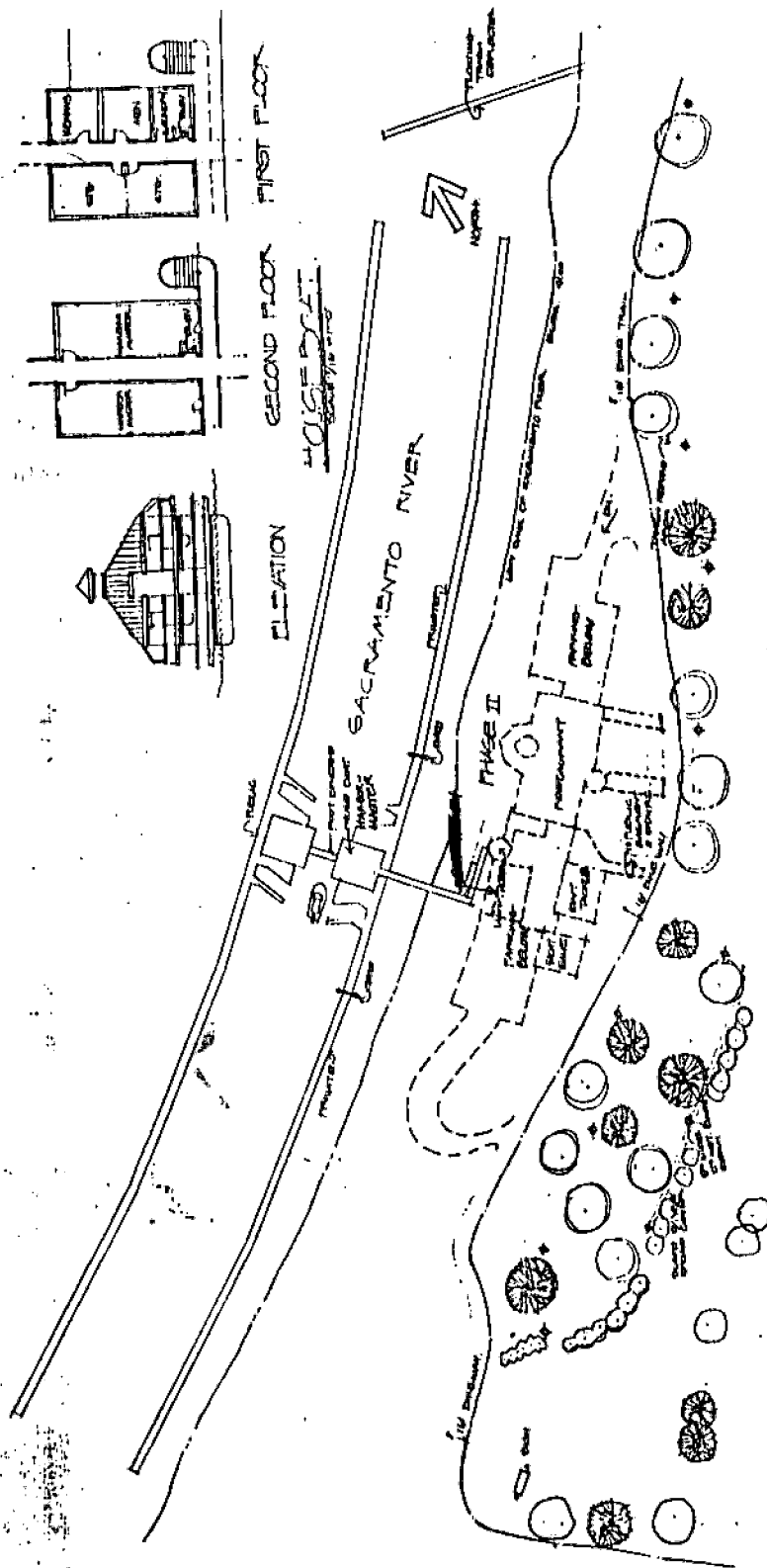


- c. The restaurant-marina-parking proposal is consistent with the 1974 General Plan, the Sutterville Heights Community Plan and the Sacramento River Parkway Specific Plan in that:
1. The 1974 General Plan and Community Plan designate the property as major recreation or open space and recreation and open space and residential respectively.
  2. The Sacramento River Parkway Plan designates the site as a major access point into the Parkway and would be developed as a public recreation area. The plan further states the following:
    - (a) "Existing private river's edge commercial facilities should be encouraged to remain and be incorporated in the planning process."
    - (b) Seafood restaurants are specifically mentioned as uses to be located at appropriate and compatible points along the Parkway.
  3. The Master Plan for the Parkway indicates the site as a "high use area." This designation applies to developed recreation areas able to withstand relatively intensive use, and provided with various permanent improvements such as turfed area, picnicking facilities, restrooms, parking, etc.
  4. The proposed restaurant, marina expansion and marina accessory uses are permitted uses in the Flood zones with approval of a Special Permit based on criteria for "Special Developments in the Flood Zone."

Findings of Fact for Variance:

- a. The granting of the Variance is not a special privilege in that:
  1. The upper parking lot would also be open and utilized by the public (City property).
  2. The upper parking lot is located adjacent to the proposed marina-restaurant complex.
  3. The permit is conditioned to provide additional parking spaces on the upper level.
  4. The permit is conditioned to provide paving, landscaping and lighting for the parking lot.
- b. The Variance does not constitute a Use Variance in that marinas and restaurants are permitted uses in the Flood zone with Special Permit approval.
- c. The Variance request is not injurious to the public health, safety or welfare in that:

1. On-site parking would be provided under the structures.
  2. Off-site parking would be provided on the adjacent City owned property.
  3. The Special Permits are conditioned to provide a wider roadway access to the site; landscaping would be provided; the bike trail would meander around the parking lot; the parking lot would remain open to the public; and a public access easement to the river will be provided.
- d. The proposal is consistent with the 1974 General Plan, Sutterville Heights Community Plan, and Sacramento River Parkway Specific Plan in that the site is designated for recreation or open space.



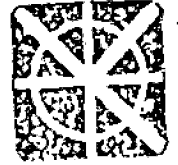
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INTERSTATE 5

SITE PASSING PLAN  
 SCALE: 1/8"=1'-0"

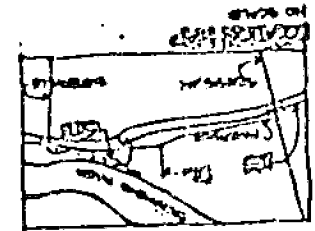
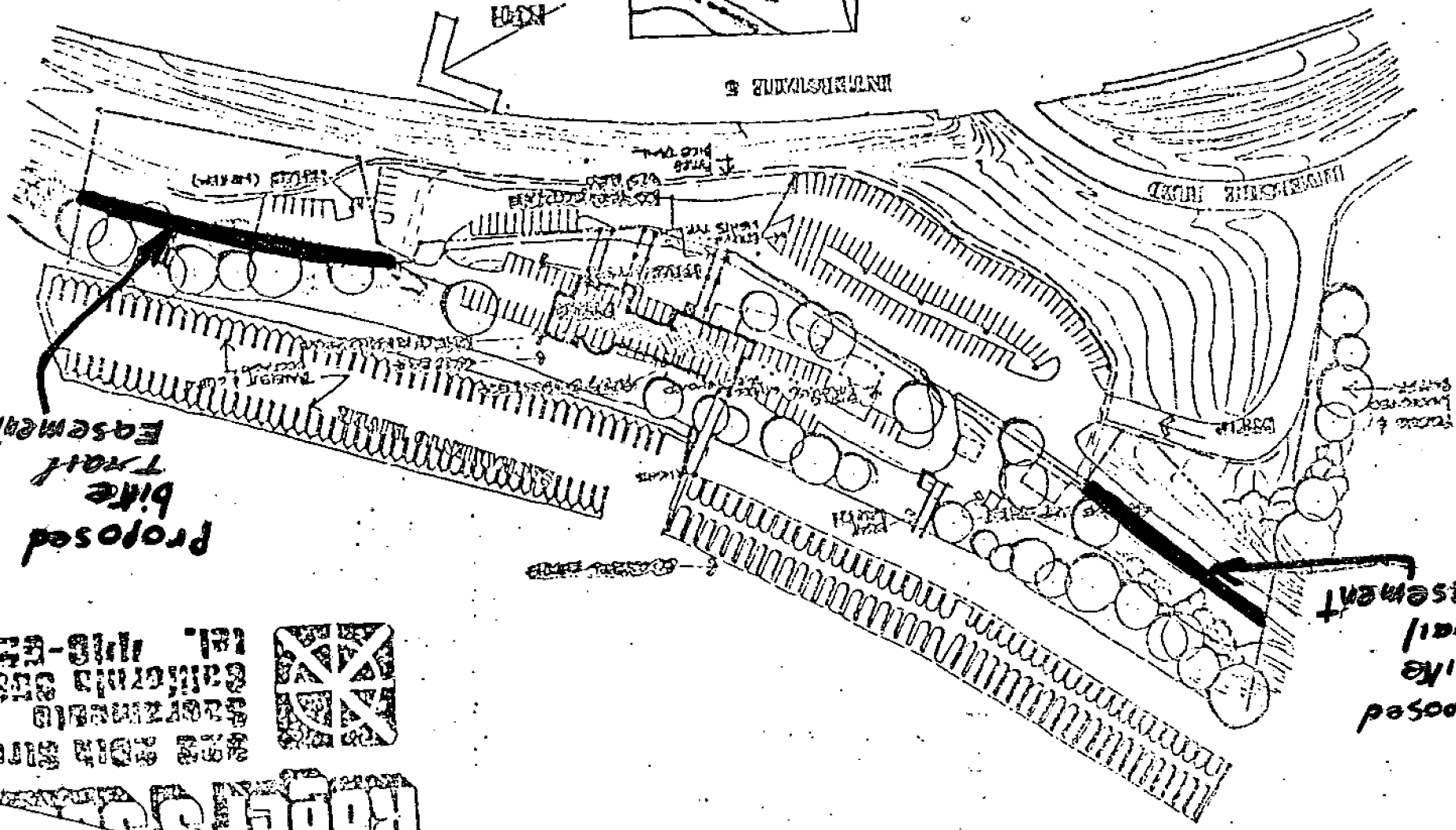


ROBERTSON  
222 20th Street  
Berkeley, CA 94704  
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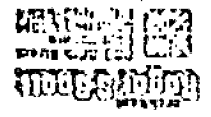


Proposed  
bike  
Trail  
Easement

Proposed  
bike  
Trail  
Easement



STAIRS  
M 212 ST 44 FTES  
M 200 ST 100 FT  
M 171 ST 21 FT  
M 171 ST 21 FT  
M 171 ST 21 FT



# EXHIBIT A-1

November 24, 1982

Item 9-37

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9512



# CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Roger Scott Group, 301 'N' Street, Sacramento, CA 95814		
OWNER	Harry Schilling, Route 67, Oakland, CA 94601		
PLANS BY	Roger Scott Group, 301 'N' Street, Sacramento, CA 95814		
FILING DATE	11-20-84	50 DAY CPC ACTION DATE	REPORT BY: SD:bw
NEGATIVE DEC.	12-3-84	EIR	ASSESSOR'S PCL. NO. 016-010-23.25

- APPLICATION:**
- A. Negative Declaration
  - B. Variance to locate 136 parking spaces on other than building site.
  - C. Extension of Special Permit to develop 6,000 sq. ft. restaurant in F zone.
  - D. Extension of Special Permit to expand marina from 40 to 184 boat berths.
  - E. Extension of Special Permit to develop accessory marina uses totaling 5,000 sq. ft. & including harbor master office, yacht sales & repair shop & bait & tackle shop.
  - F. Extension of Special Permit to locate 136 parking spaces in R-3 zone (City property).

**LOCATION:** Northwest quadrant of Riverside Boulevard and I-5 Freeway

**PROPOSAL:** The applicant is requesting the necessary entitlements to develop 184 marina and related facilities to be known as Captain's Table.

**PROJECT INFORMATION:**

1974 General Plan Designation:	Major Recreation or Open Space
Sutterville Heights Community Plan Designation:	Recreation and Open Space and Multiple Family Residential
Existing Zonig of Site:	Floodway (FW)
Existing Land Use of Site:	Six residential units and a marina

**Surrounding Land Use and Zoning:**

North:	Vacant; FW
South:	Residential; R-3
East:	I-5 Freeway; FW
West:	Sacramento River; FW

Parking Required:	218 spaces.
Parking Provided:	218 spaces
Property Dimensions:	Irregular
Property Area:	4.5+ acres
Square Footage of Buildings:	
Restaurant:	6,000
Harbor Master Office:	1,500
Yacht Sales & Repair:	1,500
Bait & Tackle Shop:	<u>2,000</u>
Total	11,000

Utilities:  
    Water:                   On site  
    Sewer:                   Must be extended from Riverside Blvd.  
    Power:                   On site  
Street Improvements:       Existing Asphalt public street  
Significant Feature of Site: Proximity to Sacramento River  
Topography:                 Sloping  
Exterior Building Colors:   Natural wood, earth tones  
Exterior Building Materials: Wood  
Height of Structure:         45 feet

BACKGROUND INFORMATION: On July 26, 1979, the Planning Commission approved the subject entitlements with conditions (P-9512). On August 21, 1979, the City Council approved an amendment to the Sacramento River Specific Plan to allow an 80-space parking lot on the river side of the levee in conjunction with the marina development. The special permit and variance entitlements expired and a second, identical request was approved by the Commission on September 24, 1982.

The applicant is again requesting an extension of the special permit and a new variance. Since variances have only a one-year duration, the variance for this project expired September 24, 1983.

PROJECT EVALUATION: Staff has the following comments:

A. Staff has no objection to the special permit extension and variance for the marina and restaurant use proposal. The Sacramento River Parkway Plan designates the three acre site adjacent to the 'Captain's Table' as a major access point into the Parkway and would be developed as a public recreation area. The Parkway Plan indicates that existing private river's edge commercial facilities should be encouraged to remain and be incorporated in the planning process. Furthermore, seafood restaurants are specifically mentioned as uses to be located at appropriate and compatible points along the Parkway.

In addition, the overall marina-restaurant proposal complies with the adopted criteria for 'Special Development in the Flood Zone' (Zoning Ordinance) in regards to the design, location and nature of the uses.

B. The proposed parking area on the landside of the levee is zoned R-3 and is owned by the City of Sacramento. This proposed parking lot would be part of the required parking for the proposed marina-restaurant complex (138 spaces).

It has generally been agreed by the Community Services Department, who is responsible to develop the subject property as a public recreation node, that the subject City property can be developed as a parking area and used by the marina-restaurant owner.

The City was granted rights to the parcel from Cal/Trans with the specific intention of developing parking and providing access to the Sacramento River at that point. The Community Services Department, therefore, recommends the developer of the marina provide public access rights through a portion of the developer's property to connect with other City owned parcels. In addition, the improvement of the subject parking area (paving, landscaping and maintenance)

shall be the developer's responsibility. This parking and access area must be open and available for use by the public at all times.

STAFF RECOMMENDATION: Staff recommends the following actions:

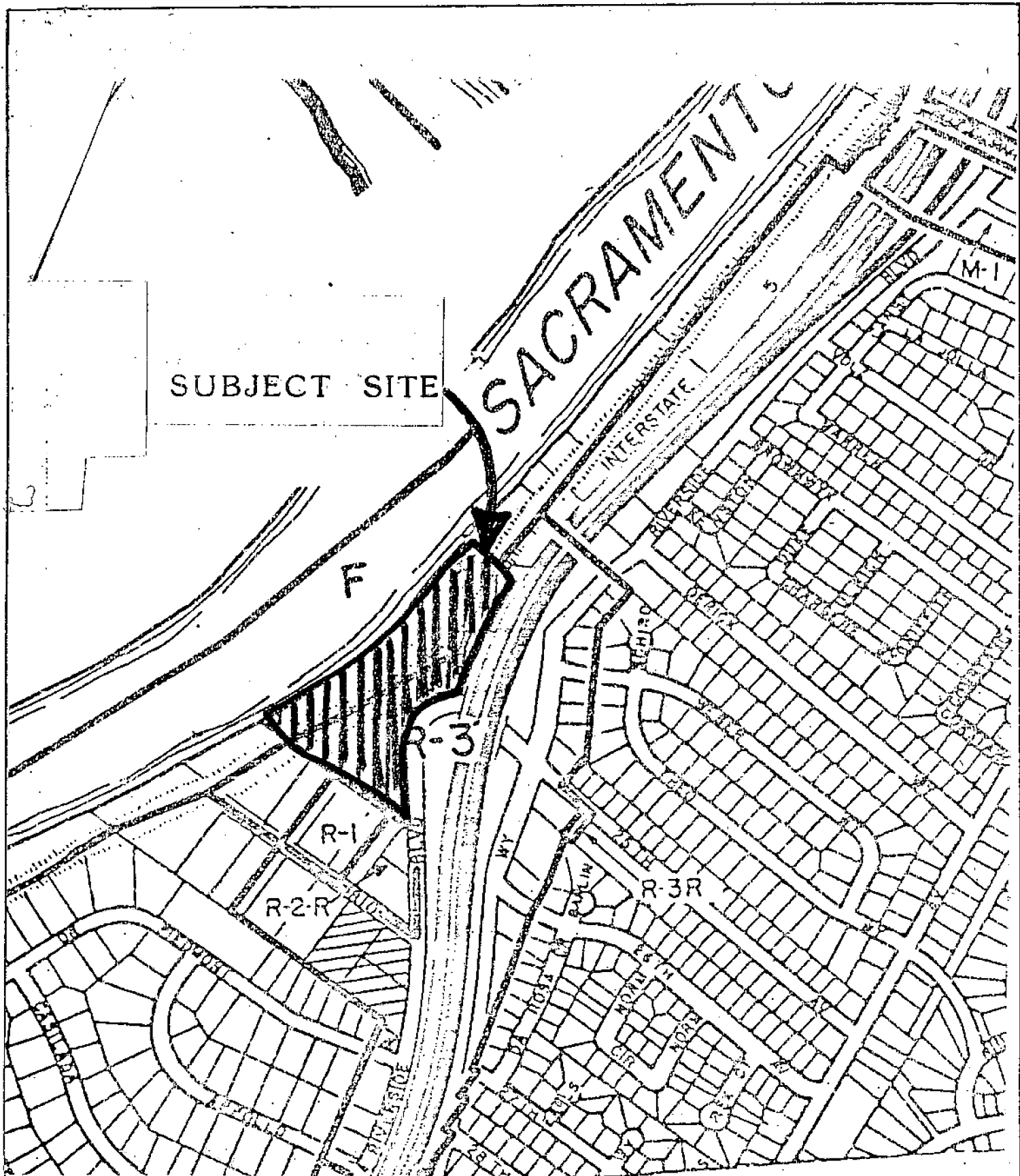
- A. Ratification of the Negative Declaration.
- B. Approval of the Variance, based on Findings of Fact which follow.
- C. Approval of the Special Permit Extension to develop a 6,000 sq. ft. restaurant in F zone, based on Findings of Fact in the attached original report and subject to conditions in the attached original staff report dated November 24, 1982.
- D. Approval of the Special Permit Extension to expand marina from 40 to 184 boat berths, based on Findings of Fact in the attached original report and subject to conditions in the attached staff report dated November 24, 1982.
- E. Approval of the Special Permit Extension to develop accessory marina uses totaling 5,000 sq. ft. & including harbor master office, yacht sales & repair shop & bait & tackle shop, based on Findings of Fact in the attached original report and subject to conditions in the attached original staff report dated November 24, 1982.
- F. Approval of the Special Permit Extension to locate 136 parking spaces in R-3 zone (City property), based on Findings of Fact in the attached original report and subject to conditions in the attached staff report dated November 24, 1982.

Findings of Fact:

1. The granting of the Variance is not a special privilege, in that:
  - a. The proposed parking lot would also be open and utilized by the public (City property);
  - b. The proposed parking lot is located adjacent to the proposed marina-restaurant complex;
  - c. The project is conditioned to provide paving, landscaping and lighting for the parking lot.
2. The Variance does not constitute a use variance, in that marinas and restaurants with respective parking are permitted uses in the Flood zone with Special Permit approval.
3. The Variance request is not injurious to the public health, safety or welfare, in that:
  - a. On-site parking would be provided under the structures;
  - b. Off-site parking would be provided on the adjacent City owned property;



- c. The Special Permits are conditioned to provide a wider roadway access to the site; landscaping would be provided; the bike trail would meander around the parking lot; the parking lot would remain open to the public; and a public access easement to the river will be provided.
4. The proposal is consistent with the 1974 General Plan, Sutterville Heights Community Plan and Sacramento River Parkway Specific Plan, in that the site is designated for recreation or open space which also includes restroom, picnicking and parking facilities.



SUBJECT SITE

SACRAMENTO

INTERSTATE

R

R-3

R-1

R-2-R

R-3R

VICINITY MAP