

CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT JTS Engineering - 1808 J Street, Sacramento, CA 95816
OWNER Mark Steiner - P.O. Box 609, Newcastle, CA 95691
PLANS BY JTS Engineering - 1808 J Street, Sacramento, CA 95816
FILING DATE 7-18-88 ENVIR. DET. Negative Declaration REPORT BY DH:sq
ASSESSOR'S PCL. NO. 237-0180-21,34

- APPLICATION:
- A. Negative Declaration
 - B. Rezone of 2.14+ vacant ac. from Agriculture (A) to Heavy Commercial-Review (C-4-R) zone
 - C. Plan Review of 31,975 sq. ft., 285-unit mini-storage complex in the proposed (C-4-R) zone
 - D. Lot Line Adjustment to merge 2 vacant lots into one lot of 2.14 ac.

LOCATION: 4051 Taylor Street

PROPOSAL: The applicant is requesting the necessary entitlements to construct a 285-unit mini-storage complex with manager's quarters.

PROJECT INFORMATION:

General Plan Designation: Heavy Commercial
1984 North Sacramento
Plan Designation: Industrial (Amended February 1988)
Existing Zoning of Site: Agriculture
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Vacant; A	Front:	(To be determined	
South: Interstate 80; TC	Side(Int):	based	
East: Vacant; R-3	Side(St):	upon zoning)	
West: Int.80/Norwood Ave.off-ramp; TC	Rear:		

Parking Required:	4 at 1 per 100 storage units and 1 for manager
Parking Provided:	8 spaces
Property Dimensions:	Irregular triangle
Property Area:	2.14+ acres
Square Footage of Building:	31,975 sq. ft.
Height of Building:	1,750 sq. ft. manager's office and residence
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Metal prefabricated buildings for mini-storage, wood frame-exterior plywood, composition shingle roof for manager's quarters.
Roof Material:	Metal

APPLC. NO. P88-318 MEETING DATE October 12, 1989 ITEM NO. 4

001728

City Planning Commission
Sacramento, California

Members in Session:

Subject: 1361-1401 Garden Highway (P87-289)

The applicant requests this item be continued to the November 16, 1989 Commission meeting.

Respectfully submitted,



Suzanne Glimstad,
Secretary to Commission

sg

P87-289

October 12, 1989

Item 3

001729

As proposed and analyzed in the EIR, the marina was to have provided 175 berths, 18 private berths for residents of the proposed condominium units, and berthing for 15 houseboats. The marina, as ultimately approved by the City, consisted of 175 berths with an additional 18 berths to be constructed for use by the residents of the proposed condominium units. As constructed to date, the project consists of 159 covered and uncovered berths.

At the time the EIR was prepared, the Village Marina site was developed with 30 berths (EIR, page B-1). The current project proposes to replace these 30 berths by expanding the existing Riverbank Marina. As illustrated in Table 1 below, this expansion would result in a net increase of 7 berths beyond those existing at the time the prior EIR was prepared, or assessed in the EIR itself.

Table 1

Status of Berths - Riverbank Marina and Vicinity

Studied in EIR

Standard Berths	175
Condominium Berths	18
Existing Village Marina (to be replaced)	<u>30</u>
Existing or Assessed Berths	223
Minus Riverbank Berths Constructed	159
Remaining Assessed Berths	64
Minus Proposed Berths	71
Net Unassessed Berths	(-7)

Environmental Effects

Earth (1)

Erosion (f): The proposed dock expansion would increase the number of boats in the area. Bank erosion is partially a function of wave action, both from human and natural sources. Wave generation attributable to boats is related to the speed of the craft, as well as the size and shape of the boat hull. An increase in boat traffic could increase erosion of nearby banks.

Compliance with the following mitigation measures will reduced potential adverse environmental effects on earth and erosion to less than a significant level:

- A. The applicant shall present evidence of full compliance with the requirements of all local, State and Federal codes and agencies with jurisdiction for the development of the existing Riverbank Marina to the satisfaction of the Planning Director prior to the issuance of a City Building Permit.

- B. The docks shall be constructed as indicated in Attachment B so that no berths are adjacent to the northerly bank of the Sacramento River.
- C. No additional docking or maneuvering of watercraft, including houseboats, shall take place on that side of the docks adjacent to the northerly bank of the Sacramento River, nor in the waters between the landward side of the docks and the bank. The applicant shall delete tie-downs from the landward side of the docks and shall post code-conforming signage prohibiting the operation of watercraft in the area defined above. Additionally, the applicant shall delete tie-downs from the landward side of the existing docks and shall prohibit watercraft from docking adjacent thereto. Applicant may continue to utilize existing boat slips on the landward side of the existing docks and this condition shall not be construed to limit access to existing developed boat slips.
- D. The applicant shall comply with Section 655.2 of the State Harbors and Navigation code, which limits the speed of watercraft to 5 miles per hour or less within 200 feet of any marina where boats are tied or passengers are loading.
- E. The applicant shall install erosion control treatment along the northerly bank of the Sacramento River adjacent to the proposed dock expansion to the satisfaction of the Army Corps of Engineers.

3. Water

Surface Water Quality (e): The proposed project has the potential to degrade surface water quality during construction and marina operations. The applicant intends no dredging or reclamation activities to develop the proposed project; nor are additional sewage pump-out facilities, or refueling stations proposed. Thus, potential impacts are not considered to be significant. Pile driving during the construction stage will result in the temporary suspension of sediments.

- F. The applicant shall coordinate pile driving operations with the City's Water Division to lessen the potential turbidity impacts on the Sacramento River Treatment Plant downstream from the project site, prior to the issuance of a City Building Permit.

Flood Hazards (i): The proposed dock expansion lies within the floodway of the Sacramento River. The proposed use has the potential to raise flood heights in the project vicinity, and to expose additional persons and property to floodwaters. In order to mitigate these potential impacts to less than a significant level, the applicant shall comply with the following mitigation measures:

- G. The applicant shall obtain all necessary State and Federal permits to site the proposed dock expansion in the channel of the Sacramento River. Such permits include, but are not limited to, those from the Reclamation Board of the State of California and the U.S. Army Corps of Engineers.
- H. Development in the Flood (F) zone shall comply with Article XXVI of Chapter 9 of the City Code (Ordinance Number 88-002; 1-12-88).

4.- 5. Plant and Animal Life

The proposed project may have potential adverse impacts on the aquatic environment. The potential for water degradation will increase with the increased numbers of boats berthed in the Sacramento River. Accidental spills of gasoline, oil, or other pollutants from the docks or boats will pose a threat to aquatic species in the area and downstream. The large volume of water and relatively high velocity of the river at this point will tend to reduce the magnitude of such impacts so that the impact from the proposed project is not considered to be significant.

Increased activity in the waters adjacent to Bannon Island may result in disturbance of those wildlife species inhabiting the area. By limiting human and mechanical activity in the Bannon Island area, mitigation measures B and C above, and M and N below will act to reduce this impact to a less than significant level.

The boats and docks may provide additional cover and protection for fish and other aquatic species. This may be considered a beneficial impact.

Compliance with the following mitigation measure will reduce potential impacts to a less than significant level:

- I. The applicant shall obtain, prior to the issuance of a building permit, a Stream Alteration Agreement from the California Department of Fish and Game.

13. Transportation/Circulation

Parking Facilities (b): As currently developed, Riverbank Marina provides parking for 236 vehicles on-site. On-site parking is provided at grade and additionally beneath the structural platform of the buildings within the flood zone. The below grade parking is inundated and unusable during periods of high-water flows in the Sacramento River.

Additional parking is available on-street on the Garden Highway. According to the City Traffic Engineer, the on-street parking that occurs on both sides of the Garden Highway adjacent to Riverbank Marina causes congestion and reduced operating safety in the area. The Traffic Engineer also suggests that on-street parking along the Garden Highway may be removed in the future.

Parking utilization was studied at Riverbank Marina during the 5-day period of October 14 - October 18, 1987. This study found that the greatest parking demand occurred around afternoon and evening mealtimes, and on weekend afternoons when marina utilization was greatest. The greatest demand for parking (66% of spaces occupied) occurred on Sunday, October 18, 1987, at 2:00 p.m. when high rates of marina usage coincided with the afternoon mealtime.

The fact that only 66% of available parking was utilized at peak occupancy can be considered to be misleading on its face, because October cannot be expected to a peak season for marina and outdoor dining activities. Additionally, a large proportion of the developed structures at Riverbank Marina were vacant at the time of the survey. As illustrated on the following Table 2, only 69% of the parking demand/uses were in operation during the period of the survey. Therefore, no parking is available to serve additional uses beyond those currently existing and permitted.

Table 2

**PARKING UTILIZATION CHARACTERISTICS
RIVERBANK MARINA**

OCTOBER 1987

USE	REQUIRED PARKING*
Marina	87 spaces
Restaurant I**	108 ***
Restaurant II	73
Restaurant III	53
Commercial	8
Office	15
Boat Sales	5
Harbor Master	<u>6***</u>
A. Total Spaces Required	355
B. Required Spaces for Occupied Uses	244
C. Ratio Total Spaces/Occupied Spaces (A/B)	69%

- * Per Section 6.0 of Sacramento City Zoning Ordinance, and policy of Department of Planning and Development
- ** Seats allocated per existing restaurant usage at Riverbank Marina
- *** Vacant or partially occupied

In order to provide sufficient parking for the proposed marina expansion and maintain area roadways in an uncongested and safe condition, the applicant shall comply with the following mitigation measure:

- J. The applicant shall provide 36 parking spaces on the upland portion of the existing Riverbank Marina in addition to the 236 spaces already existing. Alternatively, the applicant may reduce the intensity of a permitted, existing on-site land use to obtain needed spaces.

14. Public Services

Fire Protection (a): The primary impact on fire protection of the proposed dock expansion is the limited emergency access to the marina. The proposed addition creates a dock section of approximately 1,000 feet without access to shore. In the event of an emergency in the marina there is the possibility that persons could become trapped on the docks or that emergency access could be blocked. In order to reduce the impact to fire protection services to less than a significant level, the applicant shall comply with the following mitigation measures:

- K. All covered docks shall be protected with fire sprinklers, and wet hose lines shall be provided to the satisfaction of the Sacramento City Fire Department. The applicant shall provide the Fire Department with hydraulic calculations providing the additional sprinklers and lines can be supplied by the existing water system.
- L. Prior to the issuance of a building permit, the applicant shall provide a binding agreement to the satisfaction of the Planning Director stipulating that pedestrian access bridge(s) will be provided from the proposed section of docks to shore to the satisfaction of the City Fire Department. The bridges shall be constructed within three years of issuance of the building permit for the proposed docks or upon development of the upland portion of the Village Marina, whichever event occurs first.

18-19 Aesthetics/Recreation

The proposed marina expansion is located in the waters of the Sacramento River adjacent to the American River Parkway. That portion of the Parkway nearest the proposed marina site is classified as a Nature Study Area in the American River Parkway Plan. The Plan describes Nature Study Area in the following manner:

Nature Study Area

Description and Purpose

This designation is applied to the most environmentally sensitive areas of the Parkway, including those with the special characteristics of flora, fauna, topography and available surface water. This category is the most restrictive of those that allow public use, and is intended to permit only those limited activities and improvements which would not be detrimental to the environmental qualities or features. Nature Study Areas are to be set aside for study of the natural environment, and any activities or facilities should be in accord with the interpretive educational policies of this Plan.

Activities

The predominant anticipated user-group is the individual, but family groups and small and medium groups under careful supervision may also use these areas. Activities are limited to Group One activities (Nature Study). Group Three (Recreational Locomotion) activities are limited to pedestrian use on designated trails.

Facilities

Development within these areas shall be limited to drinking fountains, portable restrooms, minor trail improvements, trail stops, observation points, and interpretive signs. Prior to the establishment of any new trails, consideration should be given to the protection of the natural habitat. Trail stops, observation points and interpretive sign locations shall be designed to discourage encroachment into sensitive plan communities. Strictly limited and controlled roads and auto parking areas to provide access to interpretive facilities, may be provided if they cannot feasibly be located in a less restrictive land use area.

The establishment of a developed urban use (the marina expansion) in the Sacramento River fronting the Parkway may be inconsistent with the Parkway Plan, and would introduce intensive, motorized activities that would conflict with the enjoyment and use of the Nature Study Area. Noise, glare, color, and activity level would act to decrease the quality of the existing recreational opportunity in the area of the American River Parkway adjacent to the marina site.

The following mitigation measures shall serve to decrease these potential impacts to less than a significant level:

- M. The marina shall not intrude into the waters of the Sacramento River fronting Bannon Island to the joint satisfaction of the County of Sacramento Department of Parks and Recreation and the State Lands Commission. The determination of the boundary line between the proposed marina and Bannon Island shall be made to the joint satisfaction of the State Lands Commission and the County of Sacramento. The applicant shall provide written evidence from both of the foregoing agencies approving the boundary prior to the issuance of a City Building Permit.

- N. The proposed docks shall not be covered from the easterly end of the docks to a westerly point illustrated on the following Exhibit B.

Determination

The proposed expansion of the dock facilities at the Riverbank marina could have a significant impact on the environment. The project has the potential to increase erosion, degrade water quality, increase flood heights, affect plant and animal species, parking, fire protection, and the enjoyment and use of the American River Parkway. The mitigation measures attached will act to reduce identified potential impacts to less than a significant level. Therefore, a Negative Declaration will be prepared.

CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Sierra National Development, 1371 Garden Highway, Suite 200, Sac, CA 95833		
OWNER	Riverbank Holding Company, 1371 Garden Highway, Suite 200, Sac, CA 95833		
PLANS BY	Loren Moore, 1387 Garden Highway, Suite 200, Sacramento, CA 95833		
FILING DATE	6/23/87	ENVIR. DET.	N.D.
ASSESSOR'S PCL. NO.	274-0050-027	REPORT BY	PW/kjr

APPLICATION:

- A. Negative Declaration
- B. Rezone 2.9+ acres from American River Parkway - Flood Plan (ARP-F) to Floodway (FW) zone
- C. Special Permit to allow the addition of 70 boat berths at the Riverbank Marina
- D. Special Permit to expand a temporary parking lot in the ARP-F zone
- E. Variance to locate 35 required parking spaces off-site for the expansion of the existing marina
- F. Variance to waive the parking lot paving and drainage requirements
- G. Variance to waive the parking lot shading and landscaping requirement

LOCATION:

1361-1401 Garden Highway

PROPOSAL:

The applicant is requesting the necessary entitlements to add 70 boat berths to an existing marina.

PROJECT INFORMATION:

General Plan Designation:	Parks, Recreation, Open Space
South Natomas Community	
Plan Designation:	Riverfront District
Existing Zoning of Site:	ARP-F
Existing Land Use of Site:	Commercial Marina

Surrounding Land Use and Zoning:

North:	Commercial; ARP-F
South:	Sacramento River; ARP-F
East:	Bannon Island; ARP-F
West:	Commercial; FW (PUD)

Parking Required:	35 spaces for 70 berth expansion; Total of 408 spaces
Parking Provided:	276 spaces on-site, 132 spaces off-site; Total of 408 spaces
Property Dimensions:	Irregular
Property Area:	2.9+ acres

APPLC. NO. P87-289 MEETING DATE August 24, 1989 ITEM NO. 9

001737

Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Wood and Metal
Roof Material:	Metal

BACKGROUND INFORMATION: On January 25, 1983, the City Council approved the necessary entitlements to develop Riverbank Holding Company, a riverbank project on the Sacramento River (P9307). Project approval consisted of a 175 berth marina, offices, restaurants, marina related commercial, harbor master office, and 18 condominium units. On September 18, 1987, the City Council approved a tentative map to subdivide a 1.8+ acre site for 18 condominium units on a portion of the subject site. Although the map was approved, the applicant did not submit specific plans or elevations for the proposed condominiums. On January 26, 1989, the Planning Commission approved the necessary entitlements to legalize an increase in the number of seats in two restaurants and the construction of an outdoor deck area for one of the restaurants. The entitlements included variances to allow valet parking and 109 temporary off-site parking spaces.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of the existing Riverbank Marina and Village Marina located adjacent to the Garden Highway in the American River Parkway Flood (ARP-F) and Floodway (FW) zones. The General Plan designates the site for parks, recreation, and open space, and the South Natomas Community Plan indicates a riverfront district designation. The site is surrounded by a mixture of uses including offices, restaurants, water related commercial, residential, and vacant lots. The mixture of uses provides for a high level of activity on and near the subject site adjacent to the Sacramento River.

B. Applicant's Proposal

The applicant is proposing to construct 70 additional permanent boat berths at the existing Riverbank Marina. The applicant has requested a Special Permit to allow the replacement of 450 lineal feet of dock currently associated with the adjacent Village Marina with decks similar in design to the existing Riverbank Marina. The proposed 70 berths would be in addition to the existing 179 berth marina at the Riverbank complex. In order to provide the required parking, the applicant is also requesting variances to allow temporary off-site parking and waive the City's parking lot standards. The applicant intends to locate the temporary parking on the vacant site adjacent to the west that has previously been approved for condo development. The applicant has indicated that the temporary parking lots will be removed and replaced with permanent, fully developed parking areas to meet all on-site requirements as a feature of the condominium project.

C. Staff Analysis

Staff's evaluation of the applicant's request to expand the Riverbank Marina is based on an examination of existing intensity of use and expected future development within the subject site area. This evaluation includes an analysis of the parking program, exposure of the public to safety hazards, and compatibility of land uses. Staff has concluded that the area within the subject site is currently at a high level of intensity in terms of use and any expansion of marina related uses at this time will only result in further congestion. The physical systems in this portion of the Garden Highway/Sacramento River area appear to be at the point of being overloaded with no permanent situations currently being appropriately provided. Therefore, staff is recommending denial of the marina expansion at this time.

1. Existing Intensity of Uses

The applicant is proposing to construct 70 additional berths to an existing 179 berth marina. This amounts to a 40 percent expansion. It is important to note that this 70 berth expansion has not happened as yet. Previously the applicant has expanded uses prior to receiving City approval. In November, 1984, the applicant started construction of the existing parking deck without the benefit of a building permit. Subsequently, the applicant obtained building permits for all structures. In January, 1989, the Commission approved a Special Permit and parking variances to allow restaurant expansions at Riverbank Marina. This expansion, including the construction of an outdoor deck for seating, was completed without the approval of the Commission. The applicant also implemented valet parking in order to meet a portion (40 spaces) of the parking requirement for the restaurant expansions. Again, prior to Commission approval. At the time these expansions were brought before the Commission, the uses had already been intensified and the question then became how to resolve or legalize these uses. The solution at that time was to provide temporary parking areas at the adjacent Village Marina and allow the use of the existing valet parking. Staff has concluded that the valet parking solution has not worked. On several site visits, staff observed available valet parking spaces at the same time that cars were parked up and down the Garden Highway. The valet parking may have helped meet the applicant's requirement but realistically has not helped to alleviate the ongoing parking problem in the area.

Throughout this summer, a number of live music concerts have taken place within the subject site area without the appropriate City approvals. These concerts have no provision for parking and have exposed the public to traffic safety hazards. This demonstrates the continual overuse of this river area without resolving the current problems of congestion and safety.

2. Parking

The applicant proposes to locate parking for the marina expansion temporarily off-site at the future condominium site adjacent to the west. Staff has prepared a breakdown of the existing parking that is required and the location of where the parking is to be provided:

Restaurants (1:3)	718 seats	=	239 spaces
Retail (1:250)	4,808 s. ft.	=	19 spaces
Office (1:400)	9,802 s. ft.	=	25 spaces
Boat Berths (1:2)	179 berths	=	90 spaces
Total Existing Required			= 373 spaces
Existing Parking On-site (including 40 valet spaces)			276 spaces
Existing Approved Off-site (Village Marina)			109 spaces
Total Existing			385 spaces
Required 70 berth expansion (1:2)			35 spaces
Provided Off-site (condo site)			23 spaces
Total Required Including Marina Expansion			408 spaces
Total Provided On-Site (including 40 valet spaces)			276 spaces
Total Provided Off-Site (109 Village Marina, 23 condo site)			132 spaces
Temporary Sites			

Based on the above figures the applicant is requesting to provide 132 spaces temporarily off-site, 109 previously approved at the adjacent Village Marina site and 23 at the future condo site. The 109 space temporary site at the Village Marina is responsible for the previous additions to the restaurants at the Riverbank complex. The applicant has indicated that all of the off-site parking is temporary and that a permanent parking solution will be accomplished at the time of the condo site development. The condominium site will be required to accommodate the total remaining on-site parking requirement. Essentially, all of the existing and proposed temporary off-site parking as well as the condominium unit parking will be designed into the condo site. This amounts to the following parking totals to be accommodated within the condo project.

Existing Village Marina Temporary Off-Site	109 spaces
Proposed Condo Site Temporary Off-Site (for Marina expansion)	23 spaces
Required 18 unit condo project (1:1.5)	<u>27</u> spaces
Total Required Permanent Parking for Condo Site	159 spaces

These figures indicate that 159 parking spaces are required to be incorporated into the condominium project. Planning staff has yet to see any development plans to indicate that this amount of parking is possible. The applicant has not submitted design plans to substantiate that 159 parking spaces can appropriately be integrated into an 18 unit residential project. The original approval for the condo project in 1983 indicated approximately 60 parking spaces. The applicant has indicated that the temporary parking lots will be removed after August 1, 1990, and that permanent parking on the condo project west of the marina should begin construction at that time. Planning staff is not convinced that construction on the condo project will proceed at the pace indicated. Staff suggests that rather than allowing expansion of the marina at this time, wait for the development of the already approved condo project and its accompanying permanent parking. If and when the condo project is substantially completed, then re-evaluate the marina expansion. The condo project appears to be key to the permanent parking question for the marina complex. The logical sequence of expansion is to require the condo development to proceed prior to further temporary parking expansions. This is a way to alleviate the continuation of additional uses without permanent solutions.

3. Expected Future Development

The 18 unit condominium project adjacent to the west has previously been approved, although no specific development plans have been submitted. Staff questions the compatibility of the 18 unit residential complex with 159 parking spaces. Staff can foresee problems arising from this in terms of noise, glare, and fumes from the amount of autos in and out of this parking area.

Staff also expects the further development of the existing Village Marina adjacent to the east. The expectation is that the existing Village Marina will be razed to allow for a more intensive commercial complex. This type of future expected development of more intensive uses will only stress the need to very carefully scrutinize the effects of these uses on physical systems that are currently overloaded. Additional development in this area will further expose the public to the possible safety hazards associated with the congestion on the Garden Highway.

D. Rezone

A request to rezone the subject site from American River Parkway - Flood Plain (ARP-F) to Floodway (FW) zone is included in the subject project submittal. The rezone was initiated by staff in order to clarify an administrative error in the Zoning Ordinance. The subject site was inadvertently designated as ARP-F rather than the correct FW zone. The subject site is not, in fact, within the ARP-F zone designation in accordance with the American River Parkway Plan. Therefore, staff recommends approval of the rezone.

E. Agency Comments

The proposed project was reviewed by City Engineering, U.S. Corps of Engineers, State Reclamation Board, Reclamation District 1000, the State Lands Commission, and the Natomas Advisory Committee. The following comments were received:

State Reclamation Board

The applicant has filed an application (SRB14617) with the Board that covers this project.

Reclamation District 1000

The District has indicated a concern regarding the hazardous parking and traffic condition along Garden Highway (see attached Exhibit A).

Natomas Community Association

The Association has indicated opposition to the proposed project because of its impact on traffic and congestion on the Garden Highway. A letter from the Association will be forthcoming.

Swallows Nest Townhouses Property Owner:

A letter of opposition due to safety hazards and traffic congestion will be forthcoming from a property owner.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the project as proposed will not have a significant adverse impact on the environment; therefore, a negative declaration has been prepared with the following mandatory mitigation measures:

- A. The applicant shall present evidence of full compliance with the requirements of the U.S. Army Corps of Engineers (404 Permit), the State Reclamation Board (Encroachment Permit) and the State Department of Fish and Game (Stream Alteration Agreement) for the development of the proposed project prior to the issuance of a City Building Permit.
- B. The docks shall be constructed as indicated in figures 2.2(a) and 2(b) so that no berths or tie downs are adjacent to the northerly bank of the Sacramento River.
- C. No additional docking or maneuvering of watercraft, including houseboats, shall take place on the side of the docks adjacent to the northerly bank of the Sacramento River nor in the waters between the landward side of the docks and the bank. The applicant shall delete tie downs from the landward side of the docks and shall post code conforming signage prohibiting the operation of watercraft in the area defined above. Additionally, the applicant shall construct a permanent barrier to through boat traffic at the east bridge between the north bank of the river and the existing dock facilities. The applicant may continue to utilize existing boat slips on the landward side of the existing docks and this condition shall not be construed to limit access to existing developed boat slips. This measure shall be accomplished prior to the issuance of any building permits.

- D. The applicant shall post signs to require boat operators to comply with Section 655.2 of the State Harbors and Navigation Code which limits the speed of watercraft to five miles per hour or less within 200 feet of any marina where boats are tied or passengers are loading. This measure shall be accomplished prior to the issuance of any building permits.
- E. The applicant shall install erosion control treatment along the northerly bank of the Sacramento River adjacent to the proposed dock expansion. If required by the Army Corps of Engineers and or the State Reclamation Board.
- F. To reduce potential water quality impacts, the applicant shall coordinate pile driving operations with the City's Water Quality Division prior to the issuance of a City Building Permit.
- G. The applicant will provide an emergency plan for containment and disposal of accidental spills that could occur on the soil or in the water during construction. This plan will be submitted to and approved by the City Planning Director prior to the issuance of any building permits.
- H. If required by the U.S. Army Corps of Engineers, the applicant shall install debris deflection structures on the open end of the proposed dockage.
- I. The applicant shall monitor for lodged debris during high flow winter periods.
- J. Development in the Flood (F) Zone shall comply with Article XXVI of Chapter 9 of the City Code (Ordinance Number 88-002: 1-12-88).
- K. All covered docks shall be protected with fire sprinklers and wet hose lines shall be provided to the satisfaction of the Sacramento City Fire Department. The applicant shall provide the Fire Department with hydraulic calculations documenting that the additional sprinklers and lines can be supplied by the existing water system.
- L. The applicant shall provide a binding agreement to provide a pedestrian access bridge between the proposed dockage and shore. The bridge design and location along the wording of the agreement must satisfy the Sacramento City Fire Department and the Planning Director. This measure shall be accomplished (fully constructed) within three years of the issuance of a building permit for the dockage expansion.
- M. The land exchange agreement between the applicant and the County of Sacramento shall be finalized in writing and reviewed and approved by the Planning Director prior to the issuance of a building permit.
- N. As designated in the County of Sacramento Land Exchange Agreement, the applicant will:
 - 1. Exchange approximately .30 acres of environmentally sensitive land between the drainage swale near the applicant's east property line and the east property line itself for approximately .17 acres of County property along the Garden Highway on the applicant's north property line (see figure 3).

2. Dedicate a 20 foot strip of land of applicant's land adjacent to the American River Parkway as permanent open space to provide an additional buffer to Bannon Island (see figure 3) provided the City does not require an additional setback. In which case, such setback will be dedicated from this 20 foot strip of land.
 3. Prohibit inside head pier tie ups between the dockage and the bank.
 4. Provide a visual screen of native vegetation parallel to the shore approximately 10-20 from the shoreline within the 20 foot buffer.
0. The marina shall not intrude into the waters of the Sacramento River fronting Bannon Island to the joint satisfaction of the County of Sacramento Department of Parks and Recreation, the State Lands Commission, and the City of Sacramento. The determination of the boundary line between the proposed marina and Bannon Island shall be made to the joint satisfaction of the State Lands Commission, the County of Sacramento, and the City of Sacramento. The applicant shall provide written evidence from all three agencies approving the boundary prior to the issuance of a City Building Permit.

Conclusion: Based on staff's analysis of the proposed project, it is concluded that the marina expansion will add to the already existing traffic and parking congestion along Garden Highway and expose more people to possible safety hazards. Therefore, staff recommends denial of the marina expansion.

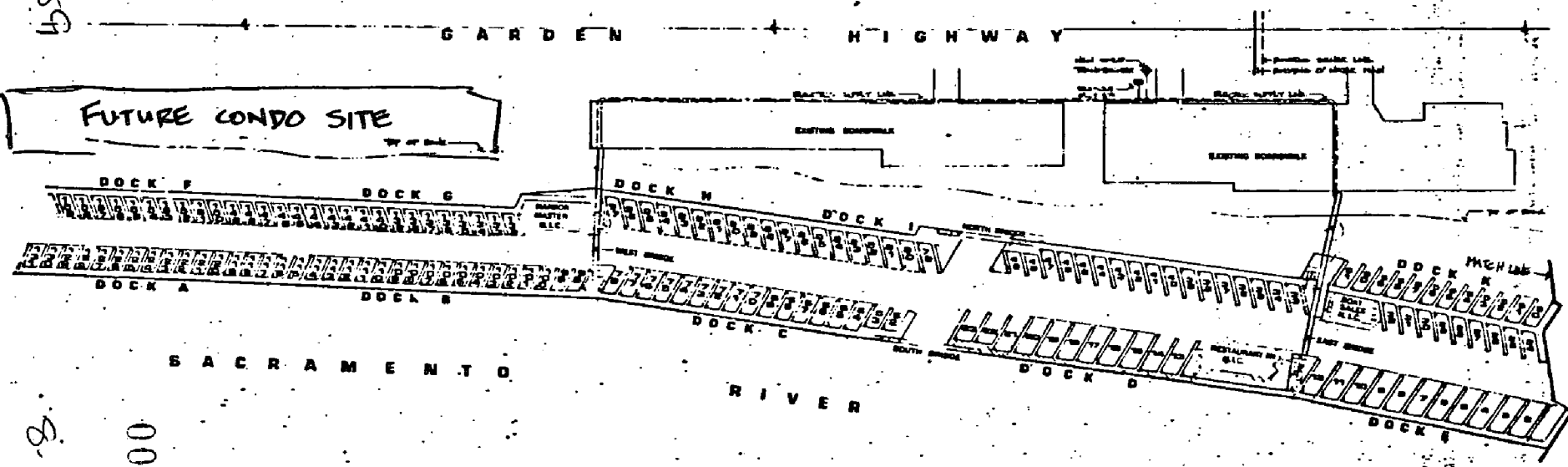
STAFF RECOMMENDATION: Planning staff recommends the Commission take the following actions:

- A. Ratify the Negative Declaration
- B. Recommend approval to rezone 2.9+ acres from ARP-F to FW zone and forward to City Council
- C. Deny the Special Permit to allow the addition of 70 boat berths at the existing Riverbank Marina based upon findings of fact which follow
- D. Deny the Special Permit to expand a temporary parking lot in the ARP-F zone based upon findings of fact which follow
- E. Deny the Variance to locate 35 requested parking spaces off-site for the expansion of an existing marina based upon findings of fact which follow
- F. Deny the Variance to waive the parking lot paving and drainage requirements based upon findings of fact which follow
- G. Deny the Variance to waive the parking lot shading and landscaping requirements based upon findings of fact which follow

Findings of Fact

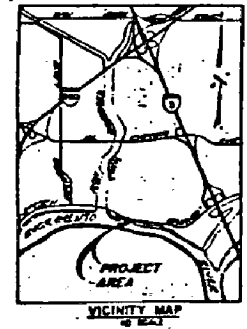
1. The proposed project is not based upon sound principles of land use in that the existing intensity of uses has reached a point that is overloading the existing systems and temporary solutions cannot appropriately provide solutions to traffic congestion and public safety.
2. The proposed project will be detrimental to the public health, safety, or welfare and result in the creation of a nuisance in that the expansion project will only add to already existing traffic and parking congestion along the Garden Highway and expose more people to possible safety hazards.
3. Granting of the variances constitutes a special privilege extended to one individual property owner in that the temporary parking solution has been over-utilized and that permanent parking facilities are now warranted.
4. The proposed project is inconsistent with the Riverfront policies of the South Natomas Community Plan to permit marinas and river related commercial uses that are nuisance-free and consistent with river-carrying capacity and nuisance-free by Special Permit. Staff finds the proposed project to further aggravate an existing parking problem creating nuisances between the Garden Highway and the river-related uses.

P87-289



SACRAMENTO RIVER

EXISTING MARINA
SCALE 1"=40'-0"



EXISTING MARINA

8-24-89
001755

6#

LOREN MOORE
CONSTRUCTION
MANAGEMENT
1817 Olden Way, Ste 200
Folsom, CA 95633
(916) 971-4470

RIVERBANK
HOLDING
CO

RIVERBANK MARINA
DOCKAGE EXTENSION

PROJECT AREA

VICINITY MAP

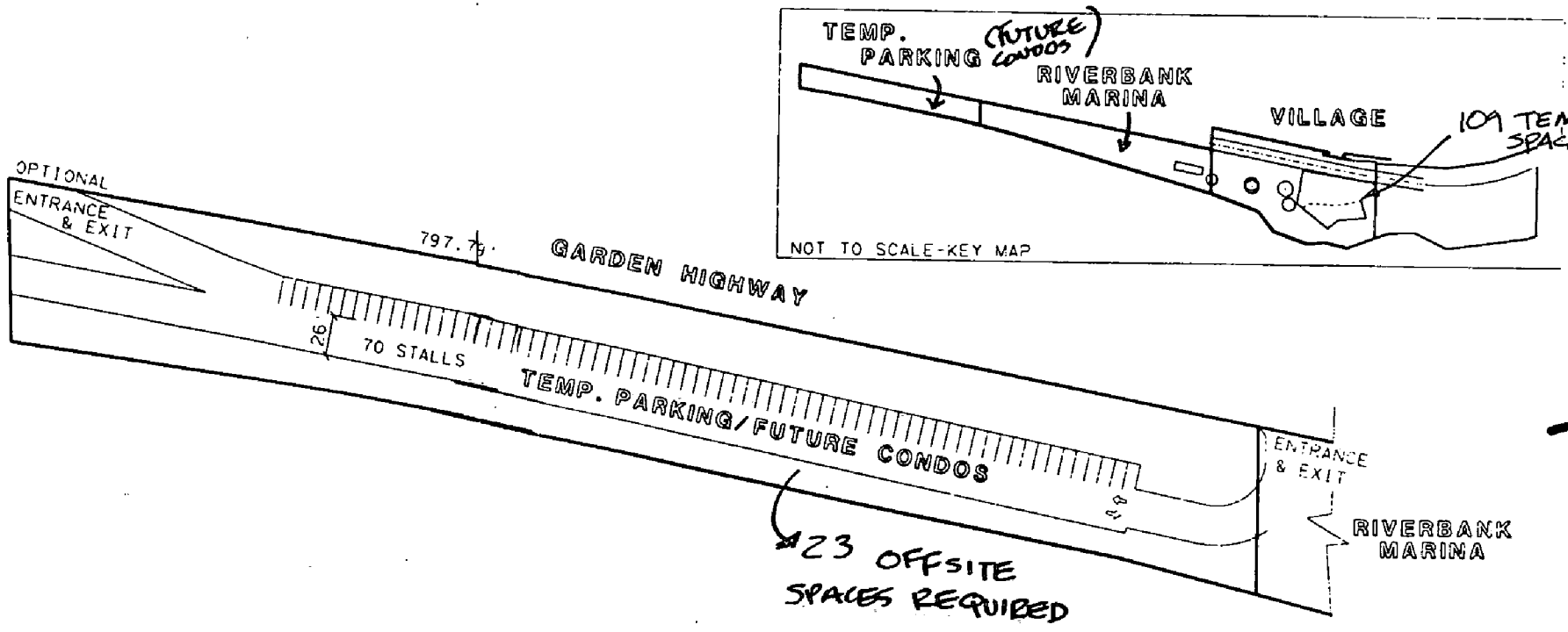
P89 005

P87-289

001756

8-24-89

#9



PARKING PLAN

EXHIBIT A

LAW OFFICES OF

DOWNEY, BRAND, SEYMOUR & ROHWER

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SACRAMENTO, CALIFORNIA 95814-4686

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KATHRYN J. TOMAS

September 8, 1988

City Council
City of Sacramento
Mayor/Council Office
915 I Street, Room 205
Sacramento, CA 95814Re: Reclamation District No. 1000
Resolution Re Hazardous Conditions
Along the Garden Highway

Dear Members of the City Council:

On behalf of the Board of Directors of Reclamation District No. 1000, we hereby present to the City the enclosed Resolution regarding hazardous conditions along Garden Highway.

The Board has become increasingly concerned regarding the hazardous parking and traffic conditions along the Garden Highway between the District office and Interstate Highway 5. It appears that these conditions have been generated by the recent development of restaurants, bars, and marinas with inadequate offstreet parking and/or inadequate parking restrictions. The result is cars lined up on either side of the Garden Highway, a two-lane road perched on top of a levee. This area is not designed or intended for such parking. The fact that many who park and drive in this vicinity are patronizing facilities serving alcoholic beverages cannot help but exacerbate the situation.

This section of Garden Highway is located within the City of Sacramento. The City is the responsible entity with regard to land use planning, traffic and parking. The District believes it appropriate to bring this dangerous situation to the City's attention, since the District itself is not empowered to otherwise address the problem presented. Please be advised that the District will be required to look to the City for indemnification should the District be sued as a result of this situation.

P87-289

Aug 29, 1987

item 9

September 8, 1988

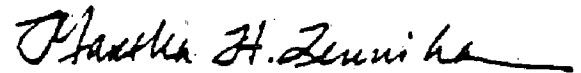
Page Two.

The City's immediate attention to this problem is requested, as outlined in the enclosed resolution.

Sincerely,

DOWNEY, BRAND, SEYMOUR & ROHWER

By



MARTHA H. LENNIHAN
Attorneys for Reclamation
District No. 1000

MHL:jpb
Encl.
M1030

cc with enclosures: Board of Trustees, RD 1000
Riverbank Holding Company
Laraine Patching, Virgin Sturgeon
Riverbank Village

P87-289

Aug 29, 1989

Jan 9

**RESOLUTION OF THE BOARD OF TRUSTEES OF
RECLAMATION DISTRICT NO. 1000 REGARDING
HAZARDOUS TRAFFIC CONDITIONS ALONG THE
GARDEN HIGHWAY**

WHEREAS, the recent marina and restaurant development along the Garden Highway between Interstate Highway 5 and the District office has generated substantial traffic and on-street parking; and

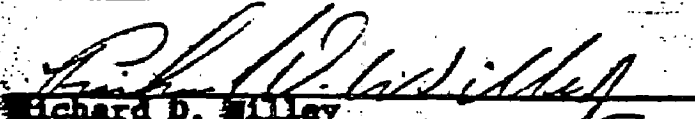
WHEREAS, it has come to the District Board's attention that such traffic and parking create a significant hazardous condition along Garden Highway due in part to the traffic congestion, low visibility, proximity to steep levee banks, and vehicle speeds; and

WHEREAS, the City of Sacramento, and not the District, has the authority and responsibility to regulate parking and traffic conditions, and the development which generates such conditions;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Reclamation District No. 1000 hereby requests the City of Sacramento to remedy the hazardous parking and traffic conditions along the section of Garden Highway between Interstate Highway 5 and the District office at 1633 Garden Highway, and to prohibit parking along the Garden Highway until such remedy as the City may select is implemented.

PASSED AND ADOPTED THIS 12th day of August 1988, by the following vote:

AYES: 5
NOES: 0
ABSENT: 0


Richard D. Willey
President, Board of Trustees
RECLAMATION DISTRICT NO. 1000

Aug. 24, 1989

item 9