

December 2, 2022

Via E-mail (rvanduzer@fbm.com)

Richard Van Duzer Partner Farella Braun + Martel LLP 235 Montgomery Street San Francisco, CA 94104

Re: 3036-3062 Woodside Road (CUSE2022-0002 and VARI2022-0006)

Town Reply to FBM Letter received November 10, 2022

Dear Mr. Van Duzer,

Thank you for your letter received on November 10, 2022. The Town is currently processing the referenced application. Below are responses to the requests in your November 10, 2022, letter:

- 1. Attached is a copy of the application and the Town's initial review letter. We will notify you of the applicant's response after the materials are submitted to the Town for review.
- 2. The Town will provide its detailed analysis of the application to modify the Open Space easement in the future Planning Commission staff report. The Town will provide you a copy of the report once it is ready for distribution, which would occur after the project is deemed complete and scheduled for Planning Commission review.
- 3. The Town will complete its General Plan consistency analysis in the future Planning Commission staff report. The analysis cannot be completed until all information for a complete application is received and reviewed by the Town.
- 4. The Town will provide you with copies of the technical reports (biological, traffic, and noise) once they are finalized.
- 5. I have located electronic copies of old microfilm site plans, which are partially legible. Two of which are clearly labeled "Additions and Renovations Canada Corners", but the name of architect is hard to read. One plan was from James R. Bell, but the title is hard to read. These plans can be viewed at Town Hall by appointment (copies of plans cannot be

P.O. Box 620005 2955 Woodside Road Woodside CA 94062

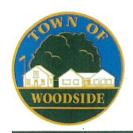
650-851-6790 Fax: 650-851-2195 townhall@woodsidetown.org distributed without written permission from the architect). Please let me know if you would like to set up an appointment to review the plans.

To follow up with your previous request related to the Open Space Easement Exhibit B, the Assistant to the Town Manager went to the County Recorder's office and the copy of the recorded easement at the County also does not include Exhibit B.

If you have any questions, please call me at 650-530-3432, or you may email me at sschaan@woodsidetown.org.

Kindest Regards,

Sage Schaan, AICP CEP Interim Planning Director



## **VARIANCE – APPLICATION**

## **Town of Woodside**

2955 Woodside Road Woodside, California 94062 650 851.6790 www.woodsidetown.org

# RECEIVED

AUG 0 5 2022

WOODSIDE TOWN HALL

Property Address: 3044 Woodside Road	APN #: 072-162-360			
Property Owner: George S. Roberts Trust	Applicant: Dave Tanner			
Owner Address: 3015 Woodside Road, Woodside, Ca	Applicant Address: 7777 Mears Drive, Auburn, Ca 95602			
Phone Number: (650) 851-1511	Phone Number: (650) 464-1234			
Email: christine@robertsmarket.com	Email: ddmtanner@gmail.com			

### **Additional Information Required for All Variance Requests**

#### Section 153.941 Purposes.

In order to prevent or lessen such practical difficulties or unnecessary physical hardships which would result from the strict interpretation and enforcement of this chapter, the Planning Commission is empowered to grant relief in the form of variances. Such procedure is intended to resolve practical difficulties and unnecessary physical hardships which may result from the exceptional size, shape, topography, location of existing structures or other physical site conditions, or the use or development of property in the immediate vicinity.

The mere existence of a unique or peculiar situation which will result in a hardship to an applicant shall not require Planning Commission to grant a variance. Economic hardships or costs to the applicant resulting from the literal interpretation of this chapter may be given consideration but shall not be either a primary or sole reason for granting a variance.

### Section 153.947 Planning Commission Action.

The Planning Commission may grant a variance as it was applied for or may modify the request if, on the basis of the application and the evidence submitted, the Planning Commission makes all of the findings prescribed in Section 153.948 of this ordinance.

#### Section 153.948 Findings for Variances.

(1)	Explain w	hy, becaus	se of special	circums	stances	applicable t	to th	e proper	ty, ir	ncluding si	ze,	shape, top	ography	, loc	ation,
or	surroundings,	the strict	application	of the	Zoning	Ordinance	will	deprive	the	applicant	of	privileges	enjoyed	by	other
pro	operties in the v	vicinity and	l under the i	identica	l distric	t classificati	on.								

properties in the vicinity and under the identical district classification.				
SEE ATTACHED				

(2) Explain why the granting of the variance will not constitute a grant of special privilege; why the granting of the variance is consistent with the limitations upon other properties in the vicinity and under identical district classification; and why the granting of the variance is consistent with the objectives of the Zoning Ordinance.
SEE ATTACHED
(3) Explain why the strict application of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary physical hardship which is not of the applicant's own making.
SEE ATTACHED
(4) Explain why the granting of this variance would not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated.
SEE ATTACHED
(5) Explain why the granting of this variance request will be consistent with the general purposes and objectives of the Zoning Ordinance and General Plan.
SEE ATTACHED .
hereby certify that I have read and understand the provisions of section 153.940 of the Zoning Ordinance, Town of Woodside, pertaining to Variances as it relates to the property herein under consideration and that the foregoing is true and correct to the best of my knowledge.
Owner's Signature: Date: 8/4/2022

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# JORGENSON, SIEGEL, McCLURE & FLEGEL, LLP ATTORNEYS AT LAW

WILLIAM L. McCLURE
JOHN L. FLEGEL
DAN K. SIEGEL
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OF COUNSEL KENT MITCHELL

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BRITTNEY L. STANDLEY JOSEPH H. FELDMAN CHRISTIAN D. PETRANGELO

August 2, 2022

Sent via email: sschaan@woodsidetown.org

Sage Schaan, Principal Planner Town of Woodside Planning Department 2955 Woodside Road Woodside, CA 94062

RECEIVED

AUG 0 5 2022

WOODSIDE TOWN HALL

Re: Canada Corners Conditional Use Permit Amendment

Dear Sage:

This letter is submitted on behalf of property owner Christine Roberts in conjunction with the application for a use permit amendment to add parking to the property commonly known as Canada Corners or Roberts Center. The use permit amendment, in accordance with the recent changes to Woodside Municipal Code Section 153.113, would allow surface parking to accommodate permanent outdoor dining as described more detail in this letter.

## **Background**

Roberts Center is made up of a front lot that that is zoned commercial and contains restaurant and retail uses (APN 072-162-360) and a rear lot that is zoned residential and is mainly open space (APN 072-162-360). Roberts Center is subject to an existing use permit, Use Permit # 80-81, originally approved in January 1979 and amended over the years to modify alcohol service, restaurant hours of operation, number of seats, etc.

When originally approved Use Permit #80-81 required a portion of the rear lot to be placed within an open space and conservation easement and required a conservation easement along the western property line. It further required that any modification to the paved area on the rear lot return for an amendment to the use permit. The recorded open space easement allows the Town of Woodside to undertake proceedings for abandonment of the open space easement in accordance with the requirements and subject to the conditions contained in Section 51061 of the Government Code.

Subsequently, in 1988, the Town passed Measure J prohibiting the use of the rear lot to facilitate or support the adjacent commercial use, including parking or access unless a use permit was granted prior to June 1, 1988. Measure J effectively limited the rear lot to the

uses and facilities existing at the time Measure J was approved. Over 30 years later, during the pandemic, for the health, safety and comfort of the community, outdoor dining became an important offering at Roberts Center. As a result, Woodside residents introduced an initiative, Measure A, that would allow the rear lot to be outfitted with surface parking subject to obtaining a conditional use permit (or in this case because there is an existing use permit, an amendment). In November 2021, Measure A was approved by the voters and Woodside Municipal Code Section 153.113 now allows APN 072-162-350, or the rear lot, to be improved with surface parking.

## Project Description

Roberts Center currently has 159 parking spaces. Based on existing uses, the Center should have a minimum of 166 spaces — it is currently under-parked. In addition, the project would remove a number of parking spaces on the front lot to allow for outdoor dining. While the exact number of seats each restaurant will utilize has not yet been determined, it is anticipated that this outdoor dining would need another approximately 20 parking spaces. To address the current shortfall, as well as provide parking for the new outdoor dining space, the project would add 35 net new parking spaces.

Understanding that the open space look and feel of the rear lot is important to the community, in right-sizing the parking lot, effort has been taken to ensure that the conservation and trail easements along the edge of the property will be maintained and not require any modification. The only existing easement that would be modified is the open space easement. While the area will be reduced, there will still be significant open space between the parking lot and the edge of the property such that the overall look and feel of Roberts Center will remain natural.

### **Findings**

As explained herein, the Planning Commission can make the findings necessary to approve the requested amendment to the conditional use permit for the Roberts Center to allow right-sized parking and a modified open space easement.

1. The project is necessary and desirable and will contribute to the well-being of the community.

During the height of the pandemic, the well-being of the community was improved by the opportunity for outdoor dining. To ensure that community benefit continued, the voters approved the desirability of outdoor dining and additional parking when they approved Measure A and specifically allowed the rear lot behind Roberts Center to be used for parking. Furthermore, as discussed below, the additional parking would alleviate known traffic and parking congestion in the area, contributing to the well-being of the community.

2. The project is consistent with the intent, purpose and objectives of the General Plan and zoning.

The Town's General Plan acknowledges that this area has problems with traffic, circulation, and parking, in part due to the popularity of the restaurants, bars and markets at Roberts Center. The problem is exacerbated by recreational users who drive to town and leave their car for the duration of their recreational outing in the limited number of available parking

spaces. The General Plan indicates that residents expressed a strong, continued desire to address circulation issues and encourage commercial services that meet their day-to-day needs. Adding parking to accommodate the existing commercial uses in Roberts Center and to accommodate new outdoor dining would help to alleviate the parking and circulation issues and meet the day-to-day needs of residents more efficiently and effectively.

Additional parking is consistent with General Plan Policy CL1.3 which encourages development of measures that mitigate the impacts of recreational traffic on neighborhood tranquility. It is also consistent with Policy CL1.4 to improve circulation, traffic flow and parking in the Town Center, an area which the General Plan acknowledges has problems and limited parking. Providing adequate on-site parking for existing buildings complies with Policy LU1.6. Increasing the parking is also compatible with the rural character of the town because the edges and of the rear lot will continue to remain natural and open. For all of the foregoing reasons, the project is consistent with the intent, purpose and objectives of the General Plan.

Additional parking is also consistent with the zoning. Woodside Municipal Code Section 153.113 now specifically allows APN 072-162-350, the rear lot of Roberts Center, to be improved with surface parking.

3. The project will not be detrimental to the health, safety or general welfare in the vicinity.

As discussed above, additional parking will improve the traffic, circulation and parking in this area which will be a benefit to the health, safety and welfare of residents and property in the vicinity.

4. The project is adequate in size, shape and topography to accommodate the proposed use.

The project would right-size the parking for existing uses and the new outdoor dining. As described in more detail above, Roberts Center is currently under-parked, and a number of spaces would be eliminated to accommodate outdoor dining. Adding 35 net new spaces would be adequate to accommodate the existing and proposed use.

5. The proposed use can be served by roads of adequate width and design to accommodate the quantity and type of traffic generated by the use.

The proposed use can be served by existing roads. The project would formally add outdoor dining that has been in use during the pandemic and would add parking to better accommodate the existing uses, reduce traffic and meet the day-to-day needs of residents.

6. Adequate utilities or other services required for such use exist.

Adequate utilities or other services required for the project exist. It should be noted that as part of the project the location of the sewer easement should be updated to reflect the existing condition.

For all of the foregoing reasons, we respectfully request that the amendment to Use Permit #80-81 be approved to allow outdoor dining and additional parking at Roberts Center.

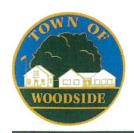
Sincerely,

*Leigh Prince*Leigh F. Prince

cc: Jean Savaree, Town Attorney (jbs@adcl.com)

RECEIVED

AUG 0 5 2022 WOODSIDE TOWN HALL



# **USE PERMIT – APPLICATION**

## **Town of Woodside**

2955 Woodside Road Woodside, California 94062 650 851.6790 www.woodsidetown.org

# RECEIVED

AUG 0 5 2022

WOODSIDE TOWN HALL

Property Address: 3044 Woodside Road	APN #: 072-162-360					
Property Owner: George S. Roberts Trust	Applicant: Dave Tanner					
Owner Address: 3015 Woodside Road, Woodside, Ca	Applicant Address: 7777 Mears Drive, Auburn, Ca 95602					
Phone Number: (650) 851-1511	Phone Number: (650) 464-1234					
Email: christine@robertsmarket.com	Email: ddmtanner@gmail.com					
FINDINGS FOR (Section 1						
such use is permitted by the provisions of this chapter provid Planning Commission to make all of the following findings:						
(1) Explain why the proposed use at such location is necessary contribute to the general well being of the neighborhood or a due to the operating requirements of a public utility or service						
SEE ATTACHED						
(2) Explain why the proposed use at the particular location objectives of this chapter and the General Plan:	on will be consistent with the intent, purpose, and					
SEE ATTACHED						

(3) Explain why the proposed use in such location will not be detrimental to the heal persons residing or working in the vicinity of such use or be injurious to property or impro	- · · · · · · · · · · · · · · · · · · ·
SEE ATTACHED	
(4) Provide specific information to show that the site for the proposed use is adequate accommodate the proposed use:	te in size, shape and topography
SEE ATTACHED	
(5) Provide specific information to show that the site for the proposed use can be set and design to accommodate the quantity and type of traffic generated by such use:	ved by roads of adequate width
SEE ATTACHED	
(6) Provide specific information to show that adequate utilities and other services rebe provided:	quired for such use exists or can
SEE ATTACHED  , hereby certify that I have read and understand t	he provisions of Section
153.920 of the Woodside Municipal Code, pertaining to Conditional Uses as it relates to t consideration and that the foregoing is true and correct to the best of my knowledge.	
Owner's Signature:	Date: 08/04/2022

(B) If the facts do not establish that the proposed use meets the findings and qualifications set forth in this section, the Planning Commission shall deny the application for a conditional use.

#### **CONDITIONS REQUIRED (Section 153.928):**

- (A) When authorizing any use permit, the Planning Commission shall prescribe such conditions, in addition to those specifically required by this chapter, as are, in the opinion of the Planning Commission, necessary to secure the objectives of this chapter and the General Plan. Special conditions which may be required shall include, but not be limited to, the provision of special yards and open spaces, the provision of landscaping and fencing, the surfacing of parking areas, the dedication of easements, and the regulation of signs, noise, odors, hours of operation, and other appropriate elements.
- (B) The Planning Commission may also require the applicant or the property owner to provide such guarantees as the Planning Commission deems necessary to ensure compliance with the conditions imposed.
- (C) The Planning Commission may also impose a time limitation and/or periodic review requirement for any use permit.

#### LAPSE OF APPROVAL (Section 153.917):

- (A) Any approval by the Planning Director, Architectural and Site Review Administrator, or Planning Commission, given pursuant to the provisions of this Chapter 153 shall lapse and shall become null and void two years following the date on which the approval became effective, unless, prior to the expiration of two years, the approval has been acted upon (i.e., a Building Permit has been issued or the use has commenced). Approvals may be extended for an additional period of one year provided that, prior to the expiration of the initial two year approval period, an application for the renewal of the approval is filled with the Planning Director. The Planning Director may grant an extension for a period not exceeding one year where no change in conditions or requirements has occurred, but an application involving a change deemed to be significant by the Planning Director shall be treated as a new application, subject to all the provisions of this chapter.
- (B) Exception. A use permit (excluding those issued under § 153.444) shall lapse and become null and void one year following the date on which the use permit became effective, unless, prior to the expiration of one year, the use has commenced; a Building Permit has been issued; a certificate of occupancy has been issued; or the use permit has been renewed for as additional period not to exceed one year by the Planning Commission upon the filing of a written request by the applicant.

# JORGENSON, SIEGEL, McCLURE & FLEGEL, LLP ATTORNEYS AT LAW

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BRITTNEY L. STANDLEY JOSEPH H. FELDMAN CHRISTIAN D. PETRANGELO

August 2, 2022

Sent via email: sschaan@woodsidetown.org

Sage Schaan, Principal Planner Town of Woodside Planning Department 2955 Woodside Road Woodside, CA 94062

RECEIVED

AUG 0 5 2022

Re: Canada Corners Conditional Use Permit Amendment

WOODSIDE TOWN HALL

Dear Sage:

This letter is submitted on behalf of property owner Christine Roberts in conjunction with the application for a use permit amendment to add parking to the property commonly known as Canada Corners or Roberts Center. The use permit amendment, in accordance with the recent changes to Woodside Municipal Code Section 153.113, would allow surface parking to accommodate permanent outdoor dining as described more detail in this letter.

### Background

Roberts Center is made up of a front lot that that is zoned commercial and contains restaurant and retail uses (APN 072-162-360) and a rear lot that is zoned residential and is mainly open space (APN 072-162-360). Roberts Center is subject to an existing use permit, Use Permit #80-81, originally approved in January 1979 and amended over the years to modify alcohol service, restaurant hours of operation, number of seats, etc.

When originally approved Use Permit #80-81 required a portion of the rear lot to be placed within an open space and conservation easement and required a conservation easement along the western property line. It further required that any modification to the paved area on the rear lot return for an amendment to the use permit. The recorded open space easement allows the Town of Woodside to undertake proceedings for abandonment of the open space easement in accordance with the requirements and subject to the conditions contained in Section 51061 of the Government Code.

Subsequently, in 1988, the Town passed Measure J prohibiting the use of the rear lot to facilitate or support the adjacent commercial use, including parking or access unless a use permit was granted prior to June 1, 1988. Measure J effectively limited the rear lot to the

uses and facilities existing at the time Measure J was approved. Over 30 years later, during the pandemic, for the health, safety and comfort of the community, outdoor dining became an important offering at Roberts Center. As a result, Woodside residents introduced an initiative, Measure A, that would allow the rear lot to be outfitted with surface parking subject to obtaining a conditional use permit (or in this case because there is an existing use permit, an amendment). In November 2021, Measure A was approved by the voters and Woodside Municipal Code Section 153.113 now allows APN 072-162-350, or the rear lot, to be improved with surface parking.

### **Project Description**

Roberts Center currently has 159 parking spaces. Based on existing uses, the Center should have a minimum of 166 spaces — it is currently under-parked. In addition, the project would remove a number of parking spaces on the front lot to allow for outdoor dining. While the exact number of seats each restaurant will utilize has not yet been determined, it is anticipated that this outdoor dining would need another approximately 20 parking spaces. To address the current shortfall, as well as provide parking for the new outdoor dining space, the project would add 35 net new parking spaces.

Understanding that the open space look and feel of the rear lot is important to the community, in right-sizing the parking lot, effort has been taken to ensure that the conservation and trail easements along the edge of the property will be maintained and not require any modification. The only existing easement that would be modified is the open space easement. While the area will be reduced, there will still be significant open space between the parking lot and the edge of the property such that the overall look and feel of Roberts Center will remain natural.

#### **Findings**

As explained herein, the Planning Commission can make the findings necessary to approve the requested amendment to the conditional use permit for the Roberts Center to allow right-sized parking and a modified open space easement.

1. The project is necessary and desirable and will contribute to the well-being of the community.

During the height of the pandemic, the well-being of the community was improved by the opportunity for outdoor dining. To ensure that community benefit continued, the voters approved the desirability of outdoor dining and additional parking when they approved Measure A and specifically allowed the rear lot behind Roberts Center to be used for parking. Furthermore, as discussed below, the additional parking would alleviate known traffic and parking congestion in the area, contributing to the well-being of the community.

2. The project is consistent with the intent, purpose and objectives of the General Plan and zoning.

The Town's General Plan acknowledges that this area has problems with traffic, circulation, and parking, in part due to the popularity of the restaurants, bars and markets at Roberts Center. The problem is exacerbated by recreational users who drive to town and leave their car for the duration of their recreational outing in the limited number of available parking

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Additional parking is consistent with General Plan Policy CL1.3 which encourages development of measures that mitigate the impacts of recreational traffic on neighborhood tranquility. It is also consistent with Policy CL1.4 to improve circulation, traffic flow and parking in the Town Center, an area which the General Plan acknowledges has problems and limited parking. Providing adequate on-site parking for existing buildings complies with Policy LU1.6. Increasing the parking is also compatible with the rural character of the town because the edges and of the rear lot will continue to remain natural and open. For all of the foregoing reasons, the project is consistent with the intent, purpose and objectives of the General Plan.

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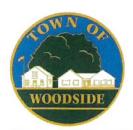
For all of the foregoing reasons, we respectfully request that the amendment to Use Permit #80-81 be approved to allow outdoor dining and additional parking at Roberts Center.

Sincerely,

*Leigh Prince*Leigh F. Prince

cc: Jean Savaree, Town Attorney (jbs@adcl.com)

# PERMIT # ASRB2022-0022



# PLANNING PUBLIC HEARING - APPLICATION

ARCHITECTURAL & SITE REVIEW BOARD/PLANNING COMMISSION

## **Town of Woodside**

2955 Woodside Road Woodside, California 94062 650 851.6790 www.woodsidetown.org

Property Address: 3044 Woodside Road	APN #: 072-162-360				
Property Owner: George S. Roberts Trust	Applicant: Dave Tanner				
Owner Address: 3015 Woodside Road, Woodside, Ca	_Applicant Address: 7777 Mears Drive, Auburn, Ca 95602				
Phone Number: (650) 851-4918	_Phone Number: (650) 464-1234				
Email: christine@robertsmarket.com	_ <sub>Email:</sub> ddmtanner@gmail.com				
REQUEST FOR PUBLIC HEARING: (check all that apply  ASRA Design Review  ASRB Conceptual Design Review  ASRB Formal Design Review w/ Staff  Variance  Lot Merger  Lot Line Adjustment  Subdivision/Land Division  CEQA Review  Description of Project:	Exception to site development regulations specify which exception:  Exception to setback  Exception to maximum residence size  Conditional Use Permit (new, amendment, or renewal)  Amendment to Zoning Ordinance  Amendment to General Plan  Other				
AFFIDAVIT  I declare that I am the owner (or authorized agent*) of the property involved in this application, and that the foregoing is true and correct in accordance with the requirements listed in Sections 153.914 of the Woodside Municipal Code. In order for this application to be complete, the story poles are required to be erected at least 10 calendar days prior to the meeting date. If the story poles are not erected by that time, the application will be deemed incomplete, in which case the application will be considered by the Board at a later date.  Government Code Section 65105: Entry on land by planning agency personnel – In the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof. I agree that the project plans are not subject to copyright laws.  Signature of Owner:  Date: 08/04/2022					
*Authorized agent must provide written verification from the property owner.					
FOR STAFF TO COMPLETE  Fee: \$Deposit:Receipt #:Received By:Date:					



September 2, 2022

Dave Tanner 7777 Mears Drive Auburn, CA 95602

RE: 3036-3062 Woodside Road (APN 072-162-350 and 072-162-360)

File No.: ASRB2022-0022/CUSE2022-0002/EASE2022-0001/GPAM2022-0001/GPCD2022-0001/GRAD2022-0002/VARI2022-0006/ZOAM2022-0001

Dear Mr. Tanner:

The Town and Fire District has reviewed the application submitted on August 5, 2022, proposing to expand an existing parking lot and add permanent outdoor dining spaces for two restaurants at an existing business center. Please submit the items noted in the attached checklist for Town staff and the Fire District to continue review of the application. Please include a written response to all comments, indicating the plan sheet numbers and/or documents that have been revised to address each comment.

P.O. Box 620005 2955 Woodside Road Woodside CA 94062 Please provide additional information at your earliest convenience. Once we review the revised submittal, Town staff will determine if the application is complete, or if more information is required based on the resubmittal. Please submit <u>one full size</u> and <u>two reduced size</u> copies of the plans, and electronic <u>PDF</u> copies of all updated/new documents and plans.

**Pursuant to WMC 153.916**, any application which has been incomplete for six or more months shall be considered inactive. If you do not submit all materials required in this letter by **March 2, 2023**, the Planning Director shall notify you of such status by letter and provide 60 days to bring the application to complete status. If the application has not achieved complete status to the satisfaction of the Planning Director within this 60-day period, the application shall be considered expired and closed.

We look forward to working with you to complete this process. Any referenced Municipal Code sections can be found by accessing the Municipal Code link on the Town's website (<a href="www.woodsidetown.org">www.woodsidetown.org</a>). If you have any questions, please e-mail me at <a href="mailto:sschaan@woodsidetown.org">sschaan@woodsidetown.org</a>.

Kindest Regards,

650-851-6790 Fax: 650-851-2195 townhall@woodsidetown.org

Sage Schaan, AICP CEP Deputy Planning Director Attachment: Application Review Checklist

Woodside Fire Protection District Comments

CC: George S. Roberts Trust, Property Owner

Attn: Christine Roberts

# **Application Review Checklist**



**Town of Woodside** 2955 Woodside Road Woodside, California 94062 650 851.6790

www.woodsidetown.org

Address: 3036-3062 Woodside Road (APN 072-162-350 and 072-162-360)

File No.: ASRB2022-0022/CUSE2022-0002/EASE2022-0001/GPAM2022-0001/GPCD2022-

0001/GRAD2022-0002/VARI2022-0006/ZOAM2022-0001

Review Date: September 2, 2022 (Review No. 1)

# I. Additional/Updated Materials: A. The Town must determine if the project is exempt from the California Environmental Quality Act (CEQA). In coordination with the Town Attorney's office, staff met with a consulting Attorney with extensive CEQA law experience. It was noted that specific technical studies/reports, such as a biological assessment, traffic analysis, and noise study would be necessary to determine if the project is exempt from CEQA. The consulting attorney indicated that if recommendations from these studies can be incorporated into the project, without significantly changing the details of the proposed development, the project could be exempt from CEQA. Such CEQA determination would be made after receiving the details of each technical report. Staff has obtained proposals to complete the biological assessment and the noise study just received a proposal from the traffic consultant, which still needs to be reviewed. The not-to-exceed costs from the consultants and Town required 25% administrative cost for the received proposals are outlined below: 1. The Biological Resources Report proposal from H.T. Harvey & Associates includes a not-toexceed cost of \$15,307.00. The required 25% Town administrative cost is \$3,826.75. The Acoustical Consulting Services proposal for a noise study from Salter Inc. includes a not-to-exceed cost of \$11,600.00. The required 25% Town administrative cost is \$2,900.00. 3. As noted above, the Town is reviewing the consultant proposal for the traffic analysis. Once the review is complete, we will provide the costs for the necessary traffic analysis. 4. To initiate/cover the work for the biological assessment and noise study, please submit a check written to the Town of Woodside for \$33,633.75. Once the proposal for the traffic analysis is reviewed, Town staff will provide the cost to complete the traffic analysis. Understanding the technical studies are a significant cost, they are necessary for any CEQA analysis, which will likely lead to a CEQA exemption based on Town staff's discussion with the Town Attorney's office, if recommendations are incorporated into the project. B. Parking Lot Layout/Spaces: 1. The A Sheets do not show all existing ADA parking spaces, which are identified on the Survey. Please update all sheets correctly depicting the existing parking lot layout.

- 2. Call out the existing width and depth of all existing spaces, and existing isle widths on existing Site Plans.
- 3. Pursuant to the Building Department comments located toward the end of this checklist, the proposed parking lot layout may require slightly more ADA spaces and/or ADA van accessible spaces. If changes to the number/type of ADA spaces are necessary, please revise all A, C, and Easement Sheets showing the proposed parking lot layout that is compliant with ADA standards.
- 4. Show the number and dimensions of the existing and proposed Loading Spaces pursuant to Municipal Code Section 153.226. Based on the square footage shown for the buildings, 2 Loading Spaces are required. If one or more spaces cannot be provided, please explain why they cannot be provided and how delivery trucks, including size of truck, provide deliveries. This reasoning should be included in the required Variance application findings noted below.
- 5. Pursuant to Municipal Code Section 153.225, please include the following information:
  - i. Provide a Landscape Plan showing all proposed screening between the property and adjacent residential properties.
  - ii. Show and label the location of any existing and proposed horse hitching racks.
  - iii. Show and label the location of any existing and proposed bike racks, indicating the number of bicycles that can be accommodated by the bike rack(s).
  - iv. Provide the square footage and percentage of the site that will be "landscaped". Please delineate such areas on a plan. 153.225(I) requires at least 10% of parking areas, including drive isles to be landscaped, therefore also include the total square footage of the proposed parking area, including drive isles.
- See comments in Section II below in related to existing and proposed calculations for required parking spaces and incorporate into the final break down for the number of spaces in all plans and documents.
- 7. While the Town's Municipal Code requires parking spaces to be 9 feet wide by 20 feet deep, you have noted that most, if not all, existing spaces are currently 9 feet wide by 18 feet deep. While the project proposes an 18-foot depth for most new parking spaces (except compact spaces that are 16 feet deep), some redesigned spaces are proposed to be 8.5 feet wide by 18 feet deep, which is part of the need for a Variance. Guidelines from two cities have been provided to support the narrower spaces, but it would be beneficial to provide more evidence from similar cities requiring parking space sizes that are less than 9 feet wide in their Municipal Codes (cite and provide city Municipal Code sections and regulations). If the project continues to propose the spaces that are less than 9 feet wide, please indicate how many proposed spaces would be lost, if required to make all spaces 9 feet wide.
- 8. Some of the written documents submitted include parking space counts that match the submitted plans, but others do not match the plans, such as the letter from Cliff Bechtel, dated July 15, 2022. Once all comments are addressed and the final existing and proposed parking space counts are broken down on the plans, please update all submitted written documents to have consistent parking counts with the numbers shown on the plans.

C.	Please provide a draft Construction/Equipment Plan for the construction to be used to evaluate
	potential constriction noise impacts by the Acoustic consultant.*

\*This is needed as soon as possible after submitted the deposit/fee for the noise study.

	D.	The Variance application to the parking lot requirements includes an attachment that refences the findings for the CUP, not the Variance. Please include written reasoning for each of the required Variance findings that address all parking lot standards that would not be met, such as parking space sizes (widths and depths), landscaping, percentage of compact spaces (9 feet wide by 16 feet deep), number of required loading spaces, etc. The required parking lot standards are outlined in Municipal Code Sections 153.220 – 153.226. If the proposed project will not meet any of the listed standards, the response to the findings for approval of a Variance shall detail reasons for each standard that will not be met in each of the finding responses.
	E.	Submit a stamped and certified legal descriptions and plat maps by a licensed land surveyor for all existing easements that are proposed/revised using a format necessary for recordation with the County. These items would be reviewed by the Town Engineering Department for accuracy once submitted. These items may be submitted after consultation with the Engineering Department and review/approval of the development entitlements by the Town, but before issuance of any construction permits.
	F.	Please provide a letter outlining the number of truck trips (into and out of site), noting the size/capacity of the trucks, that will be necessary for the proposed grading off haul and material import.
	G.	Please provide a letter from the Civil Engineer indicating why the proposed grading cannot/should not be balanced onsite, outlining possible impacts that could be created from fully, or partially, balancing grading onsite. The letter shall also include reasons for the large retaining wall, and how the project would need to be changed, including number of proposed parking spaces lost, if the retaining wall was lower or stepped/terraced.
	H.	Please provide the names, phone numbers, and emails of all existing tenants; noting their businesses names and business addresses for Town staff and Fire District.
II	. Re	visions to Existing Plan Sheets:
	A.	<ol> <li>All Sheets (A, C, Survey, Easement, etc.) shall be updated with the following:         <ol> <li>Revise the address on the title blocks of each sheet to be 3036 – 3062 Woodside Road. Some sheets show incorrect addresses.</li> <li>Clearly show and label the location of the Stream Corridor by depicting and labeling the following:</li></ol></li></ol>
		location of which areas require the rezoning and General Plan amendment.

4. Highlight all slopes >35%. If development is proposed in any of the identified slopes, please submit a stamped and signed report from a duly authorized Geotechnical or Civil Engineer determining all slopes in excess of 35% where development (grading structures, utilities, etc.) is proposed are manmade, and prior to being manmade were 35% or less. The report shall include a site plan clearly labeling all slopes that are identified in the report. 5. Clearly delineate and call out the location of the existing and proposed multi-use trail. Clarify which parts of the trail will remain and which will be new. This may be finalized after the review and recommendation of the Town Trails Committee. 6. All Sheets showing existing trees shall provide an "X" over trees proposed for removal (see comment below requiring a comprehensive Tree Removal Plan). B. Sheet A0 (Cover Sheet): 1. The Project Data shall include both APNs and include the Site Area for each APN separately. Sheet A1/A2 (Parking Calculations): 1. The Plans need to include existing and proposed parking calculations since there will be removal of existing parking spaces for the proposed outdoor dining, required ADA spaces, and the expansion of the parking lot (e.g., removal of spaces at the rear of the parking lot). 2. Provide detailed Floor Plans for each business, including existing and proposed permanent outdoor dining areas, of all businesses identifying the uses and floor area as defined by Municipal Code Section 153.223(B). If a business space is vacant, please include a likely future use of the space and apply the parking standards for that use. Please note that Sheet A1 does not correctly show all publicly useable areas for the retail space occupied by Emily Joubert. Please ensure the detailed Floor Plans and this updated sheet correctly identify all "public" areas for each unit. 3. Provide a Table for the required number of parking spaces based on the proposed layout, including the maximum number of seats for the proposed outdoor dining areas of each 4. All parking calculations shall break out the number of existing and proposed ADA parking spaces, compact parking spaces (defined by the Municipal Code as 9 feet wide by 16 feet deep), the percentage of compact spaces as defined by the Municipal Code, the number of proposed standard size spaces, etc. Please do not count/label the spaces proposed to be 8.5 feet wide by 18 feet deep as compact spaces. 5. The parking calculations and plan shall identify/highlight the number of existing parking spaces that will be removed to expand the parking lot and to comply with the required number/sizes of ADA parking spaces. The calculations shall clarify the number of net parking spaces broken down by standard, compact (9 feet wide by 16 feet deep), and ADA spaces. D. On Sheet A4, please clarify if there will be any proposed lighting, and that all existing lighting is accurately shown. Currently, the Plan shows the location of only 4 existing light fixtures. All existing and proposed light fixtures shall be shown on the Plan, accompanied by a Legend that identifies each fixture type, and cut sheets for any proposed light fixtures. E. Survey Sheets: 1. Please ensure the Legend is consistent with all lines shown on the survey. For example, the Legend uses a different line type for easement boundaries than shown on the survey.

2. While there are two APNs, the survey does not show two lots. Please have the surveyor provide a note on the survey that there is only one legal lot within the two APNs. If there are two legal lots, please include the boundary between the two lots. 3. The Town's consulting surveyor is checking all easement and boundary locations and we will let you now if there are any additional questions/comments related to easement and boundary lines shown on the survey. 4. The Civil Engineer also included the Survey Sheets, although some of the information is different, such as the lack of showing the sewer easement on the Survey Sheets included by the Civil Engineer. Please have the Civil Engineer remove the Survey Sheets from his plan set, including the Sheet Index, to avoid any confusion. "Easement and Creek Location Map" Sheets: \*\* 1. The sheets hatch some of the recorded easements, but not all of the easements. Please include all of the recorded easements in the Legend and provide hatching for each of the recorded easements. 2. Please see the comments above related to showing the stream corridor. The sheets show a stream centerline, but the line stops toward the center of the property. The centerline shall be shown, even if outside of the property line to properly identify the stream corridor location. 3. The existing easement sheet does not show the sewer easement, please revise. 4. The existing easement sheet shall include a stamp and signature by a licensed land surveyor certifying the easement locations. 5. The proposed easement sheet shall include any relocation necessary of the existing sewer easement (see Engineering Comments below). 6. The proposed easement sheet shall clearly delineate the boundaries of the proposed open space easement boundaries, including but not limited to excluding all parking lot areas, associate drainage such as the bio retention area and drainage inlets near the retaining wall, the proposed retaining wall and fence areas, etc. \*\* These Plans needs to be completed before review by the Environment: Open Space and Conservation Committee. **III. Additional Plan Sheets:** A. Provide existing and proposed Paved Area and Surface Coverage Plans for the entire site (both APNs) that highlight all Surface Coverage areas, and the square footage of each area. The Plans shall also include the percentage of the Surface Coverage areas based on the overall Lot Area (both APNs). The Planning Commission shall review the amount of Surface Coverage as part of the CUP; therefore, it is important to have detailed calculations included on the plans and in the staff report for Planning Commission review. B. Provide a detailed proposed Outdoor Dining Area/Parklet Plan, including, but not limited to 1. Details of the surface materials and indicating if the surfaces will be flush with the adjacent sidewalk (clarify that the sidewalk will not be used for dining and call out the width of the sidewalk).

- 2. Fence/wall elevation details for all sides of both parklets showing the design and calling out the materials, heights, colors, etc.
- 3. Details for any protection barriers proposed adjacent to the parking lot drive isle to reduce impacts to patrons should a vehicle impact any of the parklets.
- 4. Locations and cut sheets for all proposed lighting and heaters within each parklet.
- 5. Layout of the maximum number of seats/tables that could be provided in each parklet. This directly affects the proposed parking requirements noted above.

It is important that the design details of the parklet areas for each business are consistent. While the table layouts and locations may be different, floors, walls, and light fixture types, etc., of the areas shall be consistent since they are in the same commercial center.

C. Provide a Tree Removal Plan including the following:\*\*

- 1. A Site Plan that <u>numbers</u> all trees, regardless of size, within the project area, including but not limited to, areas between the proposed parking lot expansion, and the rear and side property lines. A large "X" shall placed over all trees proposed for removal. The Plan shall include all trees immediately adjacent to development, including those within the trail easement, that need to be removed.
- 2. Include a Table that identifies all trees by number, size, type, health, and which tress are proposed for removal. Trees proposed for removal shall be identified in the Table with the reason for removal (e.g., within project development area).

This plan is necessary since all submitted sheets have very limited/inconsistent details of existing trees within the project area, and which trees are proposed for removal.

- \*\* This Plan needs to be completed before review by the Environment: Open Space and Conservation Committee.
- D. Provide Colors and Materials Board(s) including the following:
  - 1. Physical samples of all proposed exterior materials for the proposed parklet details.
  - 2. Manufacturer's paint samples or painted samples of the exterior materials.
  - 3. Color elevations of proposed parklet areas.

#### **IV. Building Department Comments:**

- A. Provide a detailed proposed parking space count after addressing all comments to verify if there is an adequate number of accessible parking spaces in accordance with CBC Table 11B-208.2. Preliminary count suggests 8 ADA parking spaces are required with at least 2 spaces meeting the requirements for ADA van accessible spaces.
  - B. The Building Department will need to review the parklet details to determine if any additional protection barriers are required between the seating areas and drive isle, and compliance with ADA requirements.
  - C. The Town Geologist will need to review the details of the proposed retaining wall for the parking area. This review may occur with the construction permit review if the entitlements are approved. If you would like an early review of the proposed retaining wall details by the Town Geologist

# V. Engineering Department Comments: Sheets C-0.0, C-2.1, and C-2.2: 1. Cut and fill for site grading shall be balanced on site per Woodside Municipal Code (WMC)§151.40(A). Consider alternate wall design options with a thinner wall profile (e.g.: concrete w/wood lagging) that minimizes site grading and the amount of cut and fill required. 2. Provide TW/BW elevations and maximum wall height. 3. The outfall from the new storm drain system shall not be connected to the existing Storm Drain system and its direct discharge into the creek. Consider installing an outfall bubbler or alternate at the daylight location of the proposed system. Sewer Easement: 1. The 10-foot-wide sewer easement shown on the topographic survey map is not shown on the topographic survey map included with the civil plans. Please remove the sheets from the civil plans, including the civil sheet index, to avoid confusion. 2. In addition to retaining the existing sewer easement for any potential future use, show a proposed sewer easement along the alignment of existing sewer main that connects to the sewer on Cañada Road. Draft of the legal description with plat for the proposed sewer easement should be provided for review. **Stormwater Treatment:** 1. Complete and submit the C.3 and C.6 Development Review Checklist (excel form) https://www.flowstobay.org/preventing-stormwater-pollution/with-newredevelopment/c-3-regulated-projects/ (under Forms and Checklists). Additional C.3 related comments may be provided after review of this checklist. 2. Provide a stormwater management plan (SWMP) that delineates limits of proposed improvements, identifies drainage management areas (DMA's) and associated treatment measures for these specific DMA's. Construction details, materials to be used, and planting in bio-retention areas shall comply with the C.3 Technical Guidance prepared by SMCWPPP. Note: stormwater treatment is required for all new and replaced impervious surfaces for projects considered as regulated under Provision C.3 of the MRP. Plans should provide storm water treatment/in-lieu treatment/LID measures for flows from all new and replaced impervious surfaces (including replaced impervious surfaces along the project frontage on Woodside Rd.) Drainage plans should show how drainage from these surfaces is directed to associated treatment systems. NOTE: Check the 50% rule and comply if applicable to this project. 3. To address any potential non-stormwater discharges from existing businesses and parking areas on the property, to reduce any creek bank erosion, and to comply with the requirements under WMC 52.02, consider installing additional green infrastructure and low impact development systems (e.g.: bio-treatment areas, rain gardens, planter boxes, etc.) by retrofitting the existing storm drain system before its outfall into the 4. Hydromodification Management (HM) controls should be provided if required by Provision C.3.g of the MRP. 5. Inlet trash capture devices should be provided in compliance with Provision C.10 of the MRP.

D. Stormwater Detention: Drainage calculations by civil engineer of record shall be provided for new impervious surface and concentrated flows based on 25-year storm event, 1-hour duration. Show that post construction run-off does not exceed preconstruction run-off for both scenarios. Design of detention system may be required. For rainfall intensities visit NOAA Atlas at <a href="http://www.weather.gov/oh/hdsc/noaaatlas2.htm">http://www.weather.gov/oh/hdsc/noaaatlas2.htm</a>.

Attached are comments from the Woodside Fire Protection District that need to be addressed.

If you have any questions related to the Building Department comments, please email Mike Loomis at michaelloomis@csgengr.com.

If you have any requestions related to the Engineering Department comments, please email Muneer Ahmed at dsengineer@woodsidetown.org.

If you have any questions about the required materials or comments above from the Planning Department, please contact Sage Schaan at sschaan@woodsidetown.org.

Please note that additional comments may be generated by newly submitted information.

# WOODSIDE FIRE PROTECTION DISTRICT

# Prevention Division

808 Portola Rd. Portola Valley, CA ~ www.woodsidefire.org ~ Fire Marshal Don Bullard 650-851-1594 ALL CONDITIONS MUST MEET WFPD SPECIFICATIONS — go to www.woodsidefire.org for more info

BDLG & SPRINKLER PLAN CHECK AND INSPECTIONS						
PROJECT LOCATION:3044 Woodside Rd	Jurisdiction: WI	DS				
Owner/Architect/Project Manager:	Permit#:					
George S Roberts	ASRB2022-0022	2				
PROJECT DESCRIPTION: Proposed parking lot	additions					
Fees Paid: See Fee Comments Date: 8/4	1/22					
Fee Comments: CH#1133\$100.00 (plan review fee) paid by: George Roberts - MT 8/24/22 CH#\$225.00 (plan check fee) paid by:						
BUILDING PLAN CHECK COMMENTS/CONDITIONS:  THE FOLLOWING REQUIREMENTS MUST BE MET IN ORDER TO PASS FINAL FIRE INSPECTION:  1. 100' defensible space from structure required prior to start of construction.  2. Upon final inspection 50' perimeter property line defensible space will be required per WFPD ordinance section 304.1.2.A  3. Buildings and Facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of section 503.1.1 of the CFC and shall extend within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.  4. A new Fire Hydrant is within 600'  ***RE-SUBMIT***  Show all road clearances to a minimum of 24' wide. You may need to remove some existing parking stalls where clearance is less then 24 feet.  Show item #4 on plans for the Re-Submittal						
Reviewed by:M. Tamez	Date: 8/24/22					
Resubmit	th Conditions	Approved without conditions				
Sprinkler Plans Approved: NO	Date:	Fees Paid: \$\infty\$450  \text{See Fee Comments}				
As Built Submitted:	Date:	As Builts Approved Date:				
Fee Comments: CH#\$450.00 (fire sprinkler plan review) paid by:						
Rough/Hydro Sprinkler Inspection By:	Date:					
Sprinkler Inspection Comments:						
Final Bldg and/or Sprinkler Insp By:	Date:					
Comments:	1 =					