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WOODSIDE TOWN HALL

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December 11, 2023

VIA EMAIL: SSCHAAN@WOODSIDETOWN.ORG

Sage Schaan, Interim Planning Director
Town of Woodside Planning Department
2955 Woodside Road
Woodside, CA 94062

**Re: Canada Corners Variance Application
3036 – 3062 Woodside Road, Woodside CA**

Dear Sage:

This is an update to the variance application letter submitted on August 22, 2023, on behalf of property owner Christine Roberts in conjunction with the application to amend the Conditional Use Permit (“CUP”) for the property commonly known as Canada Corners (“Roberts Center”). As described in more detail in the Project Description letter submitted concurrently, the proposal is to add permanent outdoor dining parklets, parking, bike parking and a loading space to adequately serve the existing and proposed uses at Roberts Center (“Project”).

The Project would improve the community well-being with permanent outdoor dining and help alleviate known parking congestion in the area by increasing the amount of parking, bike parking and loading spaces. While the Project would reduce open space on the rear parcel of Roberts Center, efforts have been made to maintain current landscape screening to retain the natural feel for neighbors. However, given the unique constraints of this property, including its location surrounded by single-family residential uses and the existing (but modifiable) open space easement, modifications to the Town of Woodside (“Town”) parking space size requirements are necessary as the Town’s requirements create practical difficulties and unnecessary hardships. Therefore, as will be discussed in detail in this letter, a variance is appropriate.

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Parking Requirements

Woodside Municipal Code Section 153.225(A) requires that each parking space shall be of rectangular shape at least 9 feet by 20 feet for standard size cars and 9 feet by 16 feet for compact cars. The current parking space sizes at Roberts Center do not comply with this Municipal Code requirement as only eight (six standard and two ADA) of the existing spaces are 9 feet by 20 feet. See Plan Set Sheet A2. The remainder of the existing spaces are non-standard.

To add needed parking and maintain adequate landscape screening for the surrounding single family residential uses, Roberts Center is seeking a variance from the Municipal Code parking space size requirement. See Plan Set Sheet A2, New Parking Plan, for a detailed table identifying proposed parking space sizes. The Project would bring the property more into compliance with Municipal Code Section 153.225(A) as 46 parking spaces (45 standard and one ADA) would meet the standard size requirement. The remaining spaces are proposed sizes that are only slight modifications from the standard (e.g., 8.5 feet by 20 feet or 9 feet by 18 feet).

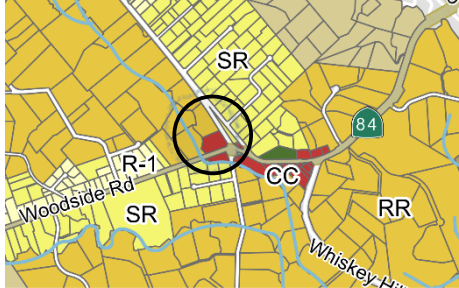
Variance

Woodside Municipal Code Section 153.941 provides that the purpose of a variance is to lessen such practical difficulties or unnecessary physical hardships that result from the strict enforcement of the zoning code requirements. Case law prescribes that granting a variance is grounded in conditions peculiar to the specific property, as distinguished from other properties within the vicinity. See *Eskeland v. City of Del Mar* (2014) 224 Cal.App.4th 936, 951; *Committee to Save Hollywood Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, 1182-1183; and *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 520. As will be discussed, the peculiar conditions of the Roberts Center property and the practical difficulties resulting from strict code compliance make it possible for the Town to make the five findings identified in Section 153.948 to grant a variance.

- 1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application will deprive the applicant of privileges enjoyed by other properties in the vicinity and under the identical district classification.**

There are special circumstances applicable to this property. Roberts Center, located at the intersection of Woodside Road and Canada Road, is made up of one lot that consists of two parcels – the front parcel is zoned Community Commercial (CC, shown in red on the map below) and rear parcel is zoned Residential (R-1, shown in gold on the map below).

This dual zoning designation is unique to this property. The CC designation is intended to create a commercial core - a location where commercial services meet the day-to-day needs of the community and such uses are clustered in this area along Woodside Road. As part of this commercial core, Roberts Center has been providing desirable restaurant and retail destinations for over 40 years. Due in part to its growing popularity, there is not currently adequate parking to serve those existing legal uses or the permanent outdoor dining parklets proposed with the Project.



Unlike the surrounding residential parcels, no single-family residence will be built on the R-1 lot depriving this property of the privileges enjoyed by other similar R-1 properties. This also prevents Roberts Center from exercising the privileges enjoyed by other similar CC properties and prevents the provision of additional parking on the rear parcel. In addition to the dual zoning and commercial location surrounded by residential, this property is also unique because it is bounded by a creek, encumbered by an open space and conservation easement and is not a simple rectangular shape. Thus, conditions peculiar to Roberts Center, including its location and surroundings, make a variance appropriate.

- 2. The variance or adjustment will not constitute a grant of special privilege, is consistent with the limitations upon other properties in the vicinity and under the identical district classification and is consistent with the objectives of this chapter.**

Adjusting the parking space sizes does not grant a special privilege. Instead, it brings parking for Roberts Center more into conformity with Woodside Municipal Code Section 153.225 and allows the Project to provide adequate parking. The Town's zoning districts were established to provide a range of adequate housing opportunities and commercial services to meet day-to-day needs. Allowing adequate parking on the rear parcel to serve the commercial uses on the front parcel of this lot is not a special privilege. It is consistent with the zoning codes' objective to provide adequate parking in an area known to have parking congestion and a need for additional parking. Allowing the variance is also consistent with the Municipal Code requirement to maintain a landscape buffer between commercial and residential properties as modifying the parking space sizes allows Roberts Center to develop adequate parking and maintain the required landscape buffer. Thus, a variance is not a special privilege and is consistent with zoning.



3. The strict application of this chapter would result in practical difficulty or unnecessary physical hardship which is not of the applicant's own making.

The strict application of parking size requirements would result in reduced and inadequate parking on-site. Roberts Center has considered design alternatives and concluded that the best design alternative includes the requested variance. In *Eskeland v. City of Del Mar* (2014) 224 Cal.App.4th 936, neighbors argued that there were design alternatives that would not require a variance. The court, however, upheld the city's approval of the variance that included consideration of design alternatives and concluded the design with the variance was the best alternative. Similarly, the Project's proposed parking design with non-standard spaces is the best design alternative to develop the Project with adequate parking and maintain landscape screening.

4. The granting of the variance or adjustment will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated.

The requested variance will not be injurious or detrimental to the public welfare. Instead, the Project will improve a known parking problem in the Town's commercial core. The Project is a public benefit. In fact, members of the public introduced and voted to approve Measure A to allow parking on the rear parcel at Canada Corners. Approval of Measure A supports the conclusion that the Project will not be detrimental to the public welfare. Although some residents may oppose the loss of some open space, the Project would still provide adequate landscape screening as required by Woodside Municipal Code Section 153.225 for nonresidential parking adjacent to residential property. Compliance with this landscape screening requirement also supports the conclusion that there will not be a detrimental impact to residential property in the vicinity.

5. Granting the variance will be consistent with the general purposes and objectives of the zoning code and of the general plan.

Granting the variance allows Roberts Center to provide additional parking on-site for the existing and proposed restaurant and retail uses. As noted above, this is consistent with the Municipal Code's intent for community commercial to provide for the day-to-day needs of the community. It is also consistent with the Municipal Code requirement to maintain landscape screening between nonresidential parking and residential property.

The variance would also be consistent with the General Plan that acknowledges that this commercial core area has parking problems that need remediation (i.e., more parking). Adding parking will comply with the policies identified in the General Plan to address the parking issue and encourage commercial services. More specifically, Policy CL 1.4 seeks to improve parking in the Town Center area and Policy LU 1.6 seeks to provide adequate parking for existing buildings.



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For all of the foregoing reasons, the Applicant respectfully requests approval of a variance for parking spaces as described in this letter and in the project application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leigh Prince", with a long horizontal flourish extending to the right.

Leigh Prince

cc: Jean Savaree, Town Attorney (jbs@adcl.com)
Christine Roberts (christine@robertsmarket.com)
David Tanner (ddmtanner@gmail.com)