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Town of Woodside

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**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 variance application letter is submitted on behalf of property owner Christine Roberts (“Applicant”) in conjunction with the application to amend the Conditional Use Permit for the property commonly known as Canada Corners, which is currently under parked. The goal of the Conditional Use Permit amendment and this variance application is the expansion of the parking lot to adequately park the property, alleviate parking congestion in the area and maintain as much natural area around the parking lot as possible. Given the unique constraints of this property, including its location surrounded by single-family residential and the existing (but modifiable) easements, strict compliance with the Town of Woodside parking space size requirements creates practical difficulties and unnecessary hardships. Therefore, as will be discussed in detail in this letter, a variance is appropriate.

**Parking Requirements**

Woodside Municipal Code Section 153.225 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. No more than 25 percent of the total number of spaces required may be compact spaces. Nonresidential parking adjacent to residential property shall have adequate landscape screening.

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The current parking condition does not comply with these code requirements as only 10 of the 158 existing parking spaces are the standard 9 by 20 feet size. To add needed parking to the property and maintain adequate landscape screening for the surrounding single family residential uses, the Applicant is seeking a variance from these size requirements, as described in more detail in the chart below. The parking size described as Adjusted I is between the standard and compact size requirements – it is 2 feet longer than a compact space and 2 feet shorter than a standard space. The Adjusted II spaces would only be 0.5 feet narrower than a standard space. Overall, the Applicant’s proposal would increase conformity as the parking would increase from 6 percent standard to 32 percent standard size spaces.

**Proposed Parking**

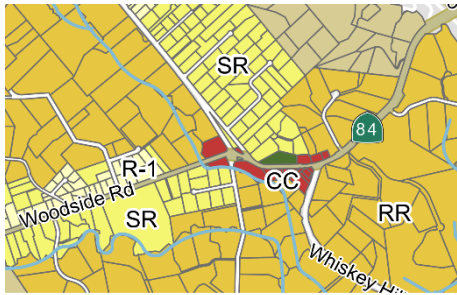
Size	Description	Quantity
9 x 20	Standard	64
9 x 18	Adjusted I	87
8.5 x 20	Adjusted II	36
8 x 22	Adjusted Parallel	5
9 x 20	ADA	5
9 x 20	Van ADA	2

**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.4<sup>th</sup> 936, 951; *Committee to Save Hollywood Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4<sup>th</sup> 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 Canada Corners 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. Canada Corners, located at the intersection of Woodside Road and Canada Road, is made up of two lots – one that is zoned Community Commercial (CC) and one that is zoned Residential (R-1). This dual zoning designation is unique to this commercial property. The Community Commercial designation is intended to create a location where commercial services meet the day-to-day needs of the community and community serving commercial properties are clustered in this general location along Woodside Road. As part of this commercial core,



Canada Corners has been providing desirable destinations for over 40 years and due in part to its growing popularity over the years there is not currently adequate parking to serve those existing legal uses. Unlike the surrounding residential parcels, no single-family residence will be built on the R-1 lot and Canada Corners has to provide additional parking to serve commercial uses frequented by the community. 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 Canada Corners, 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 size does not grant a special privilege, but instead helps bring the site more into conformity with the Municipal Code parking requirements. 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-site to serve the community in an area known to have parking congestion and a need is consistent with the objective of the Municipal Code. Also consistent with the zoning code, the requirement (Municipal Code Section 153.225) to maintain a landscape buffer between commercial and residential properties will be adhered to, despite the reduction in open space. 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 parking on-site. The Applicant has considered design alternatives and concluded that the best design alternative includes a variance. In *Eskeland v. City of Del Mar* (2014) 224 Cal.App.4<sup>th</sup> 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.

**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 proposal will provide a solution for a known parking problem in this commercial core and will benefit the public. In fact, members of the public introduced and voted to approve an initiative, Measure A, to allow the rear residential zoned lot at Canada Corners to be used for parking. Although some residents may oppose the loss of some open space, the proposal would still provide the adequate landscape screening required by Woodside Municipal Code Section 153.225 for nonresidential parking adjacent to residential property. The Town code requirements themselves are substantial evidence 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 the Applicant to provide additional parking on-site for Canada Corners. As noted above, this is consistent with the zoning code intent for community commercial to provide for the day-to-day needs of the community. It is also consistent with the zoning 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.

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.



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Sincerely,

Leigh Prince

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