



VARIANCE – APPLICATION

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

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 AUG 05 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 why, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance will deprive the applicant of privileges enjoyed by other 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

I, _____, 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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(1932 - 2017)

August 2, 2022

Sent via email: sschaan@woodsidetown.org

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

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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.

Sage Schaan, Principal Planner
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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)

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