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September 30, 2009

City of Larkspur
Planning Department
Att: Neal Toft, Senior Planner
400 Magnolia Avenue
Larkspur, CA 94939

OCT 06 2009

Re: Use Permit Findings
800 Magnolia Avenue
AP# 02-121-75
Corbet's ACE Hardware Store

A. The use would be consistent with the intent and purpose stated in the sections of this title which establish the applicable zoning classification.

The proposed use required an Environmental Impact Report, due to the A-P, (Administrative Professional), zoning which presently encumbers the land, for the purpose of studying impacts of the proposed use, as well as other possible uses allowed in a Commercial District. The A-P Zoning District does not presently allow, by definition, the proposed use designation. The differences between the regulations controlling the physical development conditions in either zoning district are negligible. Both zoning districts include additional regulations relative to abutting residential areas and Design Review is typically required.

The Environmental Impact Report contains an Alternative 3 for this zoning issue which does not require rezoning of the project site. Alternative 3 would amend the list of conditionally permitted uses in the existing A-P Zoning District to include the following:

"Retail or service businesses, excluding restaurants, retail food service, and groceries or supermarkets, that are primarily neighborhood serving (i.e., generally accessed by bicycle or on foot or by vehicle trips of less than two miles) and determined to be compatible with administrative and professional uses. The property on which the business is located shall not abut residentially zoned or developed property and where the property is located within 50' of a residentially zoned or developed property, open hours of operation shall not begin before 8:00 am or end after 6:00 pm."

The proposed use, a neighborhood hardware store, would be conditionally allowed under Alternative 3, and therefore would be consistent with the zoning classification as amended.

B. The use would be consistent with the General Plan.

Upon approval and adoption of Alternative 3 as the preferred environmental alternative for the proposed project and the accompanying amendment of the A-P Zoning District, the proposed conversion would be considered consistent with the intent of the General Plan and the A-P Zoning District. Larkspur's General Plan and Downtown Plan contain policies which detail the importance of preserving small, local, family run businesses. The proposed project would be consistent with these policies. A General Plan amendment is not necessary in connection with this permitted rezoning, as set forth in Alternative 3 of the EIR.

C. The use will not be detrimental to the health, safety, morals, comfort, convenience or general welfare of persons residing or working in the neighborhood of such proposed use, nor be injurious to property or improvements in the neighborhood.

The proposed use will be neither detrimental to the health, safety, morals, comfort, convenience or general welfare of persons residing or working in the neighborhood of such proposed use, nor will it be injurious to property or improvements in the neighborhood. The proposed use will support these issues by continuing to provide a service that benefits the entire community.

D. The use will not be detrimental to the general welfare.

The proposed use will not be detrimental to the general welfare; in fact the proposed use enhances the general welfare. Jim Corbet's Ace Hardware Store, a long-time neighborhood serving business, is part of the fabric and character of the community and is an asset to the surrounding community. Having a local, small, general hardware store that sells a variety of products, from large and small hardware items to local household goods, provides a convenience to the community. The location for this proposed use reduces the impacts of residents who would be required to travel a greater distance for these needs.

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City of Larkspur
Planning Department
Att: Neal Toft, Senior Planner
400 Magnolia Avenue
Larkspur, CA 94939

Re: Conditional Use Permit
800 Magnolia Avenue, AP# 20-121-15

Written Description of Proposed Use:
Jim Corbet's Ace Hardware Store

This Conditional Use Permit request is to relocate an existing neighborhood hardware store, "Jim Corbet's Ace Hardware Store", from 1155 Magnolia Avenue to an existing vacant building located at 800 Magnolia Avenue. The project proposes approximately 5,000 square feet of indoor sales area, 1,000 square feet of outdoor sales area and 500 square feet of loading area. There is approximately 336 square feet of upper level mezzanine/storage area. The project proposes to provide 32 on-site parking spaces

Corbet's Hardware Store is a long-time, neighborhood serving business that is part of the fabric and character of the community and, as such, is an asset to the community. Having a local store that sells a variety of products from large and small hardware items to local household goods, the store provides a convenience to the community that reduces the impacts of residents having to travel to and from San Rafael or elsewhere for those needs.

The following items describe the operation of the facility.

1. Hours of Operation:

The hours of operation for the Public are as follows:

Monday through Saturday the Hardware Store is open to the Public between 8:00 am and 6:00 pm. On Sundays, the Hardware Store is open to the Public from 9:00 am to 5:00 pm.

The hours of operation for the Hardware Store's employees are as follows:

Monday through Saturday, except Thursday, the employee's hours are 7:30 am to 6:30 pm. On Thursdays, the employee's hours are 7:00 am to 6:30 pm to accommodate the Ace truck delivery. On Sundays, the employee's hours are 8:30 am to 5:30 pm.

2. Store Employee Count and Work Shift Requirements:

Jim Corbet's Ace Hardware Store has 16 Employees, 10 full time and 6 part time. There are no shift requirements as everyone works a full day.

3. Truck Deliveries:

The primary loading zone is located in the Northeast corner of the building where materials from delivery trucks will be unloaded.

The large, WB60, Ace Delivery truck has one scheduled delivery per week, Thursdays, between 7:00 am to 8:00 am. The large Ace delivery truck would unload by use of a tail lift gate allowing goods to be off-loaded and transported into the building with the use of a non-motorized pallet jack. The clockwise truck route allows entry from Bon Air Road and exiting onto Magnolia Avenue before the Hardware Store is open to the public and prior to the parking stalls being occupied. In the event a parking stall is blocked at the time of the large truck delivery, traffic control methods will be implemented to facilitate unloading and site exiting. On Thursdays, a minimum of three qualified flag people, employees of the hardware store, will be on site to assist the large truck delivery with the direction of large truck maneuvers.

Smaller trucks and delivery vehicles would also unload on the northeast side of the building by backing into the loading area and using the delivery door on the north building façade. On Fridays, electrical supplies would be delivered during the afternoon before 3:00 pm. This delivery takes approximately 10 minutes. In addition, UPS will deliver plumbing supplies once each day and FedEx will deliver supplies once per week. There are no weekend deliveries.

The outside fenced enclosure on the western end of the building, used to store outdoor building products and landscape materials, has a small loading ramp identified for customer use only.

4. Hazardous Materials:

The Marin County Department of Public Works, Waste Management Division, requires that businesses handling a specified amount of hazardous materials file a Hazardous Materials Business Plan. Jim Corbet's Ace Hardware Store does not meet the specified hazardous material thresholds listed in the HSC and CCR regulations. Jim Corbet's Ace Hardware Store carries products provided by the ACE Hardware Corporation in the quantities as shown on the attached list.

5. Noise Mitigation.

There is no outdoor public address system proposed.

No outdoor use of saws, hammering equipment, or other heavy machinery, other than equipment employed solely for the purpose of loading, unloading, and movement of materials, will be permitted.

No deliveries, stocking of outdoor areas and public access shall be permitted in the outdoor areas adjoining the building between the hours of 10:00 pm to 7:00 am.

No loading or unloading activities by commercial vehicles shall occur on the west side of the project site.

No refuse or recycling facilities shall be located on the west side of the building.

6. Signage Requirements:

Upon approval by the Owner of 5 Bon Air Road, "Parking for patrons of 5 Bon Air only" signs will be installed on the western parking stalls located within the property boundary of 5 Bon Air Road, adjacent to the Hillview Subdivision.

Household Chemicals, all items home not industrial related

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| Kerosene, heater fuel | 1 gallon & 5 gallon |
| Paint Thinner | 1 gallon, 32 oz. & 16 oz. |
| Linseed oil | 1 gal. & 16 oz. |
| Lacquer Thinner | 1 gal & 16 oz. |
| Denatured Alcohol | 1 gal. & 16 oz. |
| Acetone | 1 gal. |
| Turpentine | 16 oz. |
| Mineral spirits | 1 gal & 16 oz. |
| Xylo | 16 oz. |
| Toluol | 16 oz. |
| VM & P Naptha | 16 oz. |
| Deglosser | 16 oz. |
| Adhesive Remover | 16 oz. |
| Brush & Roller Cleaner | 16 oz. |
| Mereatic | 1 gallon |

Assorted Stains & finishes

Home related Garden Products 32 oz. and 1 gallon

All products are stored in safe, clean locations

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