

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: May 3, 2011

TO: Planning Commission

FROM: Nicole Jones, Planner
Community Development Department

FILE NO.: USE2011 0005

PROPOSAL: Conditional Use permit application for grooming services inside
The Nugget Mall.

GENERAL INFORMATION

Applicant: Keith Glassman

Property Owner: Donde LLC

Property Address: 2092 Jordan Ave

Legal Description: Valley Centre Block B & C

Parcel Code Number: 5-B15-0-110-001-0

Site Size: 11.45 Acres

Zoning: General Commercial

Utilities: Public water and Public sewer

Access: Glacier Highway, Jordan Avenue, Mallard Street, Crest Street,
and Old Dairy Road

Existing Land Use: Nugget Mall Shopping Center

Surrounding Land Use:

North	-	LC, Convenience Store, Restaurants, Offices
South	-	GC, Car dealerships/mechanics
East	-	GC/I, Retail
West	-	GC, Retail



CITY/BOROUGH OF JUNEAU
★ ALASKA'S CAPITAL CITY

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for grooming services inside a proposed retail store for pets and related supplies in the Nugget Mall (Petco). The portion of the Nugget Mall Shopping Center allocated for the proposed Petco store is 11,255 square feet. The portion proposed for the grooming service is 640 square feet.

BACKGROUND

The applicant approached the city inquiring about the need for a Conditional Use permit for the uses within a proposed Petco retail store a few months ago. In the General Commercial zoning district all the proposed uses within Petco are permissible (retail and veterinary services) with a building permit except for grooming. Grooming in the General Commercial zoning district requires a Conditional Use permit.

Many retail stores are contained within the Nugget Mall Shopping Center and on the Nugget Mall property that provide an array of services. There are also vacant areas of the mall and this proposal would fill one of the large vacant areas of the mall.

Staff solicited comments from CDD Building Department CBJ Streets, General Engineering, Fire Department, and CBJ Public Works.

Joe Buck, CBJ Public Works Director

A filter or screen will need to be installed to catch any debris from the grooming process from entering the public sewer system.

Charlie Ford, Building Codes Official

The Building Department has no issues with this Conditional Use permit.

ANALYSIS

Project Site -

The location for the grooming services is in the rear of the proposed Petco store at the far east end of the Nugget Mall in the Mendenhall Valley. The Nugget Mall neighborhood consists mainly of retail stores, restaurants, and car lots. There are hotels within the area, but no permanent dwelling units adjacent to this property.

Project Design -

The space within the mall that will be used by Petco is approximately 11,300 square feet. The entrance to Petco will be from the mall parking lot; there is no planned access point from inside the Nugget Mall to the Petco store. As the layout is planned, animals will not be entering the Nugget

Mall to reach the Petco store.

The grooming salon area is nearly 650 square feet in addition to the grooming salon there is a , cage room and tub room. The cage room, tub room, and grooming reception area are approximately an additional 350 square feet. The cage room is for staging animals during grooming appointments and is not for overnight stays. The applicant states that there will be 2-3 staff dedicated for the grooming operation with 10-12 grooming appointments per day. The hours planned for the Petco store are 9am-9pm seven days a week.

Traffic -

The Nugget Mall Shopping Center is surrounded by public rights-of-way. There are five different streets to access the mall and numerous entry points. There is no evidence to suggest that offering a grooming service within the Nugget Mall would have any affect on the traffic to this area.

Parking and Circulation -

There are no parking or circulation concerns pertaining to this project. Nugget Mall meets the parking and circulation requirements.

Noise -

There have been no concerns raised from the noise that may result if this Conditional Use permit is approved. The grooming area of Petco is planned to be enclosed. Any noise from the animals or the grooming process should not extend beyond the store area and may be contained within the grooming area. The parking lot is large so no adjacent neighbors would be affected. Conflicts with other retailers are the responsibility of the property manager.

Public Health or Safety -

The grooming process will be performed within an enclosed area of the Petco store. There has been no evidence presented that would suggest approving the Conditional Use permit for a grooming operation would have a detrimental effect on public health or safety.

Comments were received from the CBJ Public Works that presented concern with debris from the grooming process entering the public waste water system. CBJ Public Works suggested a filter or screen be installed to the drains within the grooming area of Petco.

Therefore Planning Staff recommends the following condition:

- The applicant shall install a filter to the public sewer drains within the grooming area. This filter must be approved by the director of Public Works prior to issuance of a building permit.

Property Value or Neighborhood Harmony -

A small grooming operation within a shopping center is not expected to have any impact on property value. Additionally, no concerns have been expressed by neighboring property owners. As of the date of this memorandum, no public comments have been received by CDD staff.

Conformity With Adopted Plans -

Grooming services are only a permissible use in industrially zoned areas. Allowing the grooming service to be provided within a retail store would allow more industrial land to be available for other uses. Implementing action 5.8IA2 describes the encroachment of retail uses into industrially zoned land is not desirable.

This plan as presented conforms to the 2008 CBJ Comprehensive Plan in that it offers a location for an operation that can occur within a retail use out of an industrial zone.

49.70.900-49.70.1097 COASTAL DEVELOPMENT, HABITAT, AND WETLANDS

ALASKA COASTAL MANAGEMENT PROGRAM (ACMP)

Not applicable. This project does not require a state-coordinated ACMP review.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
or,

3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. We find the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 12.250 for the General Commercial zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in Friday's April 29, 2011 and Monday's May 9, 2011 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

4. Will the proposed development materially endanger the public health or safety?

No. As discussed above, and with recommended condition, there is no evidence to suggest that the approval of this Conditional Use permit would materially endanger the public health or safety.

5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?

No. As discussed above, there is no evidence to suggest that the proposed grooming operation within the proposed Petco store would substantially decrease the value of or be out of harmony with property in the neighboring area.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. The proposed grooming operation within the proposed Petco store as reviewed in the staff report is consistent with the 2008 CBJ Comprehensive Plan and compliant with Title 49, Land Use Code.

7. *Will the proposed development comply with the Alaska Coastal Management Program?*

N/A. This project does not require a state-coordinated ACMP review.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of grooming services to be provided inside the Nugget Mall.

The approval is subject to the following condition:

1. The applicant shall install a filter to the public sewer drains within the grooming area. This filter must be approved by the director of Public Works prior to issuance of a building permit.

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
		Use 20110005	4/11/11

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ☐ Accessory Apartment*** (AAP)
 ☐ Driveway in Right-of-Way (ADW)
- ☒ Use Listed in §49.25.300 (USE)
 (Table of Permissible Uses)

Please list the Table of Permissible Uses Category: _____

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

Proposed Petco with 641 square feet of grooming area.
 Hours of operation 9:00 AM to 9:00 PM, 10-12 appointments per day, 2-3 groomers in salon.

IS THIS A MODIFICATION OF AN EXISTING APPROVAL?

☐ NO ☐ YES - Case # _____

CURRENT USE OF LAND OR BUILDING(S): Retail space

PROPOSED USE OF LAND OR BUILDING(S): Retail Pet store

UTILITIES PROPOSED:

WATER:

☒ Public ☐ On Site

SEWER:

☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot (Existing) square feet

Total Area of Existing Structure(s) 11,266 square feet

Total Area of Proposed Structure(s) N/A (Existing) square feet

EXTERNAL LIGHTING:

Existing to remain ☐ No ☒ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed ☒ No ☐ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation |
| <input checked="" type="checkbox"/> Floor Plan of proposed buildings | <input type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.) |
| <input checked="" type="checkbox"/> Elevation view of existing and proposed buildings | |
| <input type="checkbox"/> Proposed Vegetative Cover | |

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>500.00</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50.00</u>			
Pub. Not. Sign Deposit	\$ <u>100.00</u>			
Total Fee	\$ <u>650.00</u>	<u>022878</u>	<u>CAJ1202</u>	<u>4/11/11</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>4/11/11</u>
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description <u>Tenant Improvements for Petco with 641 sq. Ft grooming area, Hours of operation 9:00 AM to 9:00 PM</u>		
	PROPERTY LOCATION		
	Street Address <u>8745 Glacier Hwy</u>	City/Zip <u>Juneau, AK</u>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)		
	Assessor's Parcel Number(s)		
	LANDOWNER/LESSEE		
	Property Owner's Name <u>Petco</u>	Contact Person: <u>Keith Glasman</u>	Work Phone: <u>310-781-8250</u>
	Mailing Address <u>1309 Post Ave., Torrance, CA 90501</u>	Home Phone:	Fax Number: <u>310-781-9051</u>
	E-mail Address <u>Keithg@gpana.com</u>	Other Contact Phone Number(s): <u>310-804-7765 (cell)</u>	
	LANDOWNER/LESSEE CONSENT ***Required for Planning Permits, not needed on Building/Engineering Permits***		
<p>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.</p>			
X <u>Keithg for Petco</u> Landowner/Lessee Signature		<u>4/8/11</u> Date	
X _____ Landowner/Lessee Signature		_____ Date	
<p>NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.</p>			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name <u>Keith Glasman</u>		Contact Person: <u>Keith Glasman</u>	
Mailing Address <u>1309 Post Ave., Torrance, CA 90501</u>		Home Phone:	
E-mail Address		Other Contact Phone Number(s): <u>310-804-7765 (cell)</u>	
X <u>Keithg for Petco</u> Applicant's Signature		<u>4-8-11</u> Date of Application	

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	Permit Type	**SIGN	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	✓ Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		<u>4-11-11</u>	<u>Use 20110005</u>
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			
	***Public Notice Sign Form filled out and in the file.			
	Comments:			Permit Intake Initials <u>NKJ</u>

PETCO Animal Supplies Stores, Inc. – Narrative: Nugget Mall Shopping Center

Petco is pleased to propose a new Store the Nugget Mall Shopping Center in Juneau Alaska and respectfully requests your consideration for a Conditional Use Permit for Grooming Services.

Petco carries a broad selection of pet merchandise with some 10,000 pet-related items, including premium cat and dog foods (Nutro, Hill's Pet Nutrition), collars, leashes, grooming items, toys, and animal habitats. Stores also offer grooming & vet services, as well as sponsor cat and dog adoption drives with local animal welfare organizations.

The proposed Petco the Nugget Mall Shopping Center will occupy 11,266 square feet of an existing vacant retail space of which 641 square feet (~5%) will be used for a grooming area. Grooming services are offered at Petco Stores and are a great customer convenience and are conducted entirely inside the lease space. There will be 2-3 groomers in the grooming salon with 10-12 appointments per day.

The grooming salon will have VCT flooring and tile wainscot. The tub room will have tile walls with epoxy floor with floor drains. The cage room will have FRP walls with epoxy flooring.

Petco's proposed hours of operation are 9:00 AM to 9:00 PM (7 days per week).

Please see the attached site plan, floor plan and elevation for more information and contact me if any questions or additional information is needed for CUP processing.

Regards,

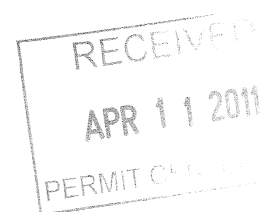
Keith Glassman, President GPA Inc.

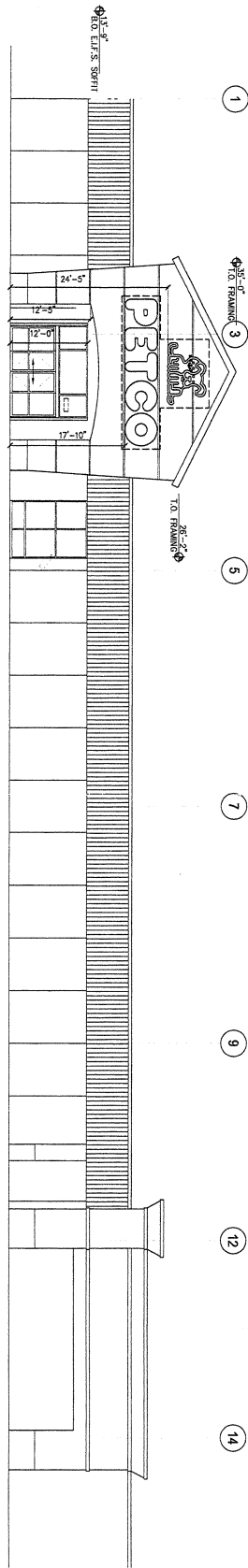
1309 Post Ave.

Torrance, CA 90501

310-781-8250 office / 310-781-9051 fax

Keithg@gpan.com





RECEIVED
APR 1 1980
PERMIT OFFICE

RECEIVED
APR 1 1964
PERMIT CONTINUED



The
Driftmier
Architects, P.S.
7983 Leary Way NE
Redmond, WA 98052
(425) 881-7506
mail@driftmier.com

NUGGET MALL SHOPPING CENTER

JUNEAU, ALASKA

OVERALL SITE
PLAN-PETCO
STAPLES OPT. 1

RECEIVED
APR 1 2010
PERMIT
ENTERED

DATE: 10/27/10
DRAWN BY: SMF

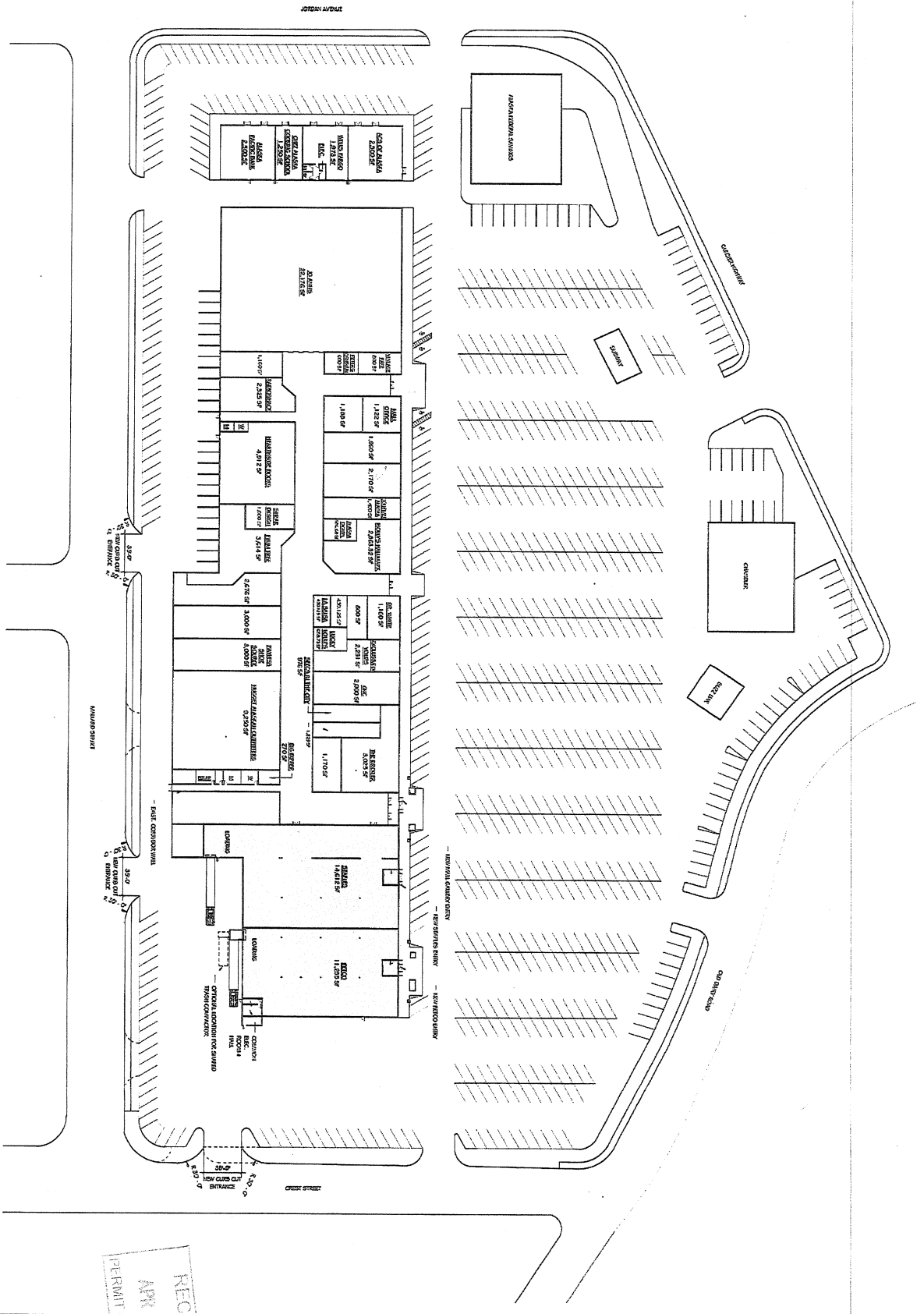
PROJECT NUMBER:
21008.00

SHEET NUMBER:
A1.0

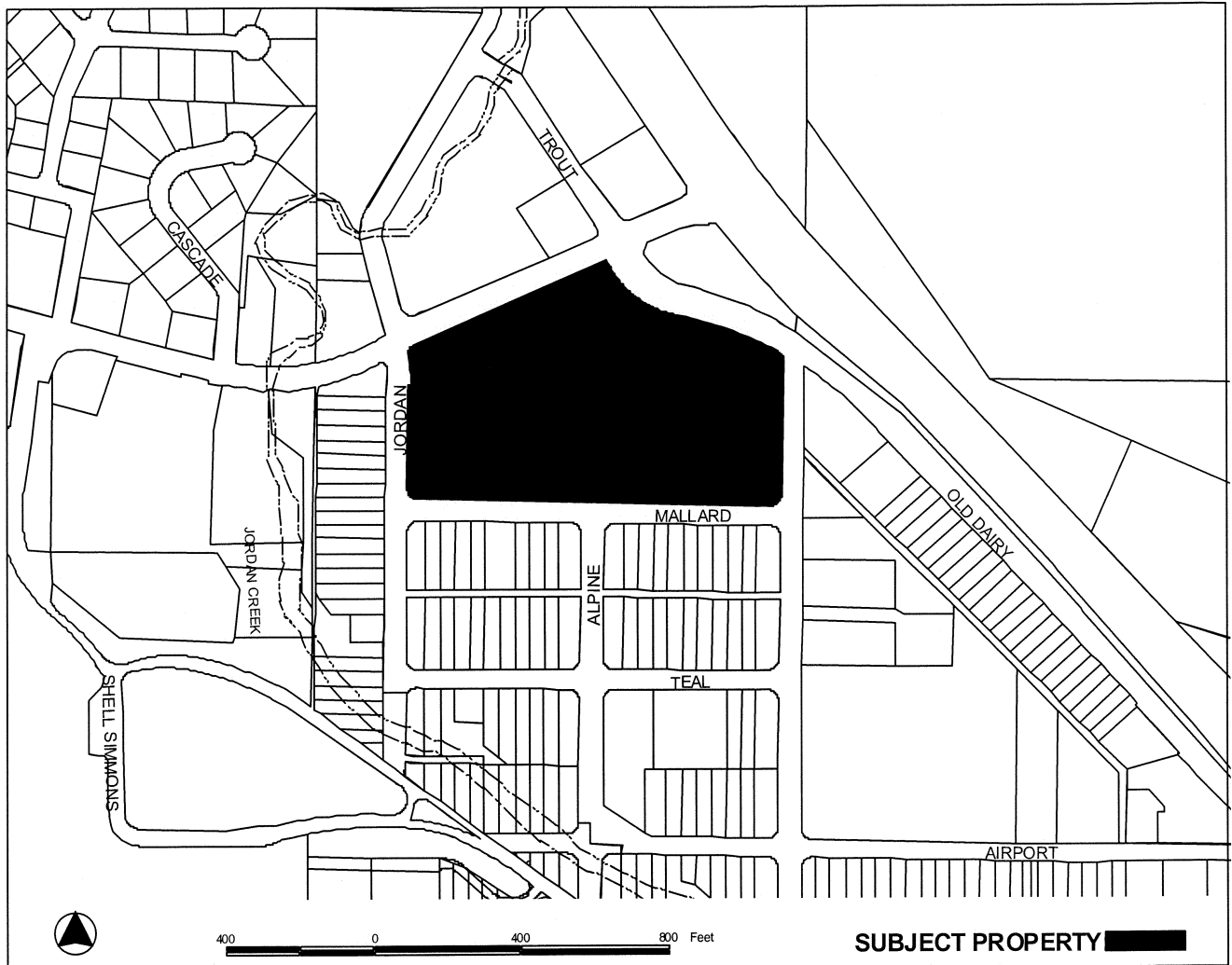
OVERALL SITE PLAN 1

SCALE: 1" = 40' 0"

10/27/2010 1:00:00 PM



NOTICE OF PUBLIC HEARING



PROPOSAL: Conditional Use Permit application for grooming services inside proposed Petco store.

FILE NO:	USE2011 0005	APPLICANT:	KEITH GLASSMAN
TO:	Adjacent Property Owners	Property PCN:	5-B15-0-110-001-0
HEARING DATE:	May 10, 2011	Owner(s):	DONDE LLC
HEARING TIME:	7:00 PM	Size:	11.45 acres
PLACE:	ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	Zoned:	GC
		Site Address:	2092 JORDAN AVE
		Accessed via:	JORDAN AVE

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

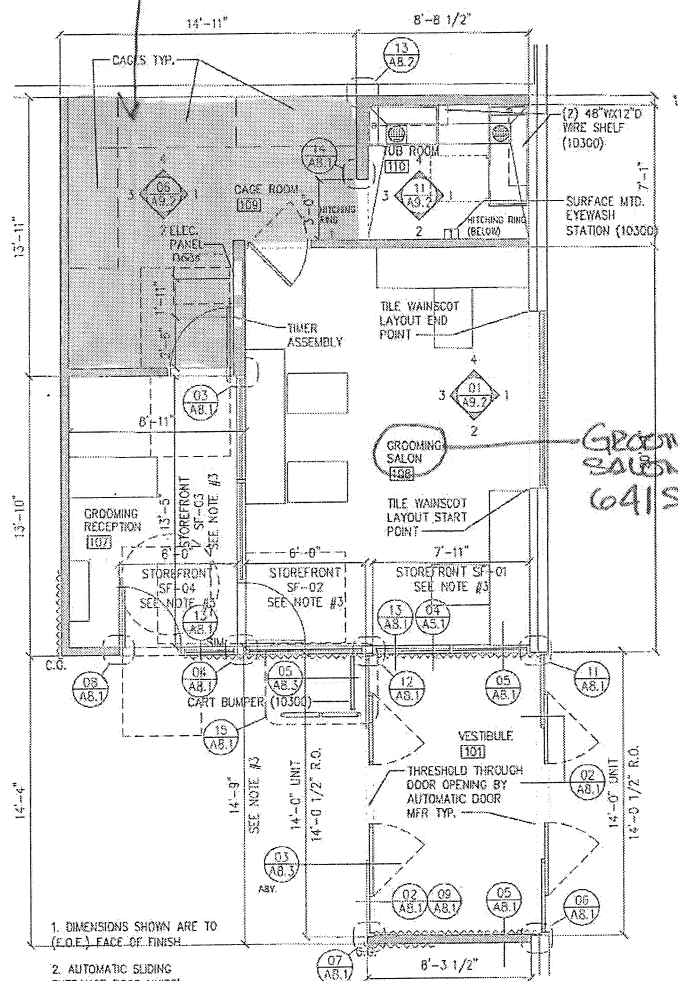
If you have questions, please contact

NICOLE JONES 586-0218 NICOLE_JONES@CI.JUNEAU.AK.US

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

Date notice was printed: April 26, 2011

CAGE ROOM (KENNEL AREA)
APPROX 150 SQ FT



RECEIVED

MAY 13 2011

PERMIT CENTER/CDD

GROOMING SALON LARGE SCALE PLAN

01

REF: A2.1

SOURCE:

1/4" = 1'-0"