

**PLANNING DEPARTMENT  
ADMINISTRATIVE SITE PLAN REVIEW  
REBUILD A NONCONFORMING STRUCTURE**

**DATE:** September 4, 2024

**CASE NO:** 2024-0097

**APPLICANT:** Joseph Slattery, 1733 E Dowling, LLC

**REPRESENTATIVE:** Ron Thompson, Scope Engineering & Permitting

**LEGAL DESCRIPTION:** Fyfe Subdivision, Block E, Lot 26A

**LOCATION:** 1733 East Dowling Road, Anchorage, AK 99507

**COMMUNITY COUNCIL:** Campbell Park

**GRID:** SW1933

**TAX PARCEL I.D.:** 009-274-80

**ZONING:** I-1, light industrial district

**USE:** Commercial

**Recommendation Summary:** Approval

**Proposal**

The applicant proposes to rebuild a commercial structure that was damaged by a fire, under the provisions of AMC 21.12.040D., *Nonconforming Structures, Damage or Destruction*. The original building was constructed in the mid-1970's. The proposed structure rebuild will not change the existing footprint of the structure. Also, the building rebuild will not change any access roads, drainage, or other facilities currently in place.

**Legal Nonconforming Rights**

A verification of nonconforming status dated October 26, 2023, written by Richard Novy, identified the commercial structure as having nonconforming rights for a 5-foot encroachment into the east secondary front setback at Dow Place (AMC 21.13.040., *Nonconforming Structures*).

**Agency and Public Comments**

None of the State and Municipal reviewing agencies object to approval of this application. No written comments were received from the public.

**Findings**

**AMC 21.12.040D.2., Approval Criteria**

- 1. The nonconforming structure is or can be made compatible with uses allowed on adjacent properties, in terms of site design and operating characteristics (such as lighting, noise, odor, dust, and other external impacts).**

This standard is met.

Uses adjacent to this site are both industrial and commercial. There are no residential uses near this site. Furthermore, the site has frontage to two streets, East Dowling Road and Dow Place.

The structure has been in place for about 50 years and is an accepted element of the local landscape. The rebuild will not change the footprint of the structure nor will it have negative visual impact of neighboring properties. The access to the site will remain the same and there will be no change to drainage. The proposed rebuild is not anticipated to have any negative impacts on the surrounding area.

- 2. The nonconforming structure will not limit, impair, or impede the normal and orderly development and improvement of surrounding property for uses permitted on those properties.**

This standard is met.

The neighboring properties surrounding the site are developed with uses permitted in the zoning district. The rebuild of the nonconforming structure will not limit, impair or impede any proposed development on neighboring properties.

- 3. The parking, landscaping, and lighting either conform to the requirements of this title, or are moving towards conformity to the maximum extent feasible.**

This standard is met.

No change is proposed to the parking, landscaping, or lighting on the site.

- 4. Utilities, access roads, drainage, and other necessary facilities are sufficient to service the use, or will be provided.**

This standard is met.

The existing sewer, water, and electricity are sufficient for the proposed structure.

- 5. Adequate measures have been or will be taken to provide ingress and egress that are designed to minimize traffic congestion on the streets.**

This standard is met.

The existing ingress and egress to the site will not be impacted by the proposed structure rebuild.

**Department Decision**

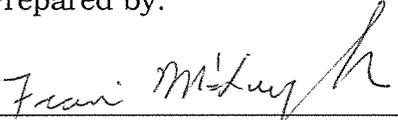
The Planning Department APPROVES the site plan for the rebuild of the nonconforming structure, located at 1733 East Dowling Road, subject to the following conditions:

1. This approval is subject to the petitioner's application, narrative, and the plans on file at the Planning Department.
2. Within one year, record a notice of zoning action with the State of Alaska Recorder's Office and provide proof to the Planning Department.

Reviewed by:

  
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Craig H. Lyon  
Director

Prepared by:

  
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Francis McLaughlin  
Senior Planner