

**PLANNING COMMISSION
NOTICE OF DECISION**

Date: July 13, 2011

File No.: USE2011-0013

Atlas Tower LCC
283 Columbine St., Suite 33
Denver, CO 80206

Application For: A 175-foot tall telecommunications tower off of Fish Creek Road on Douglas Island.
Legal Description: Lot 1 USS 5504
Property Address: Unassigned
Parcel Code No.: 6-D10-1-100-002-0
Hearing Date: July 12th, 2011

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated July 6th, 2011, and approved the telecommunication tower to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to the issuance of a Building permit, the applicant shall submit a letter to the Community Development Dept. from a Professional Engineer (PE) indicating the structure will comply with the FCC's radiation emission level.
2. Prior to the issuance of a Building permit, the applicant shall stake the limits of the disturbance area, minimize removal of any substantial vegetation, as verified by the Community Development Dept.
3. The applicant shall paint the tower a dark color, unless determined unacceptable by the Federal Aviation Administration (FAA). Prior to issuance of a Building permit, the applicant shall indicate the chosen color. The dark color shall be confirmed by staff prior to final approval.

Attachments: July 6th, 2011, memorandum from Eric Feldt, Community Development, to the CBJ Planning Commission regarding USE2011-0013.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.


This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

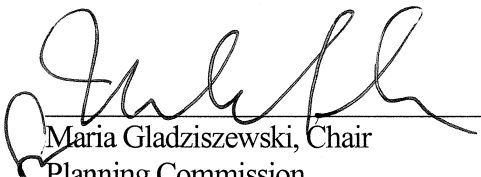
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Effective Date: The permit is effective upon approval by the Commission, July 12th, 2011.

Expiration Date: The permit will expire 18 months after the effective date, or January 12th, 2013, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:


Eric Feldt, Planner
Community Development Department


Maria Gladziszewski, Chair
Planning Commission


Filed With City Clerk

7/14/11
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.