

**PLANNING COMMISSION
NOTICE OF DECISION**

Date: September 14, 2011
File No's.: USE2011 0022
& CSP2011 0006

ACS Wireless, Inc.
Alissa Haynes
600 Telephone Ave., MS8
Anchorage, AK 99503

Application For: Conditional Use and City Project review for continued use of 120 foot high communications tower.
Legal Description: USS 3853 Lot 1 Fraction
Property Address: 3008 Jackson Road, Juneau Alaska 99801
Parcel Code No.: 3-D05-0-100-002-1
Hearing Date: September 14, 2011

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated September 6, 2011 and approved the continued use of a 120 foot high communications 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 renewal or modification of the CBJ lease for the subject tower, the applicant shall submit proof of compliance with the FCC maximum electromagnetic radiation emission level.
2. Prior to the renewal or modification of the CBJ lease for the subject tower, the applicant shall paint the tower a dark color.

Attachments: September 6, 2011, memorandum from Eric Feldt, Community Development, to the CBJ Planning Commission regarding USE2011 0022.

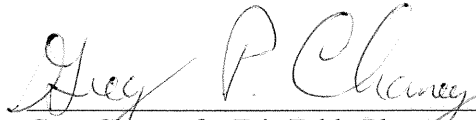
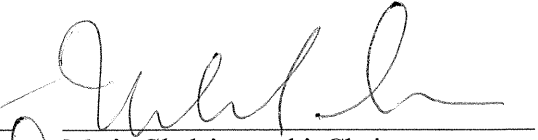
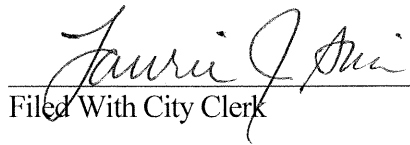
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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).

Effective Date: The permit is effective upon approval by the Commission, September 13, 2011.

Expiration Date: The permit will expire 18 months after the effective date, or May 13, 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:

	
Greg Chaney for Eric Feldt, Planner Community Development Department	Maria Gladziszewski, Chair Planning Commission
	9/15/11
Filed With City Clerk	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.