

Memorandum

City of Lawrence

Planning & Development Services

TO: Scott McCullough, Planning and Development Services Director
Adrian Jones, Development Services
Brian Jimenez, Development Services
Selma Southard, Douglas County Emergency Communication
Marjorie A Hedden, Douglas County Emergency Communications
John Miller, Staff Attorney
Philip E. Ciesielski, P.E. Assistant Director of Utilities
Mike Lawless, Assistant Director of Utilities - Operations

FROM: Sandra Day, Planner

CC: File
Trevor Wood, Applicant

Date: September 27, 2010

RE: SP-05-24-10; 3708 W. 6th Street; communication tower equipment addition to City Water Tank (T-Mobile equipment)

Administrative Determination: The Planning Director approved the below described site plan subject to the following conditions:

1. The applicant shall execute a lease agreement with the City of Lawrence as applicable and provide copy for file.
 - a. Coordinate with the City of Lawrence legal department for execution of a lease of property.
 - b. Provide exhibit for access location and other references for maintenance, use, etc.

Summary Description: This proposed site plan is for the addition of equipment for T-Mobile communications to the City's water tank. Approval of this request will allow for co-location of new equipment to the existing water tower structure. The tower is located on city property behind a fire station located at 3708 W. 6th Street. Ground mounted equipment will be located on the north side of the tower within a 14' by 22' area. There is no generator associated with this request. Addition of a generator will require a new site plan and revised lease description. This property includes 2.6 acres and is a platted parcel with perimeter utility easements.

Improvements to the tower include location of antenna to be mounted on the stem of the tower at 85' above grade and a GPS antenna on the top of the tower bowl.

Towers that are owned by the City require separate lease agreements between the city and the communication company for the use of city ground and equipment. As a condition of approval the applicant must execute all necessary leases with the City for the proposed project as applicable prior to the release of the site plan for building permits.

Surrounding Uses

The property is located in the GPI district and is developed with both a fire station and a municipal water tower. Surrounding uses include both single-family detached housing and commercial development.

The subject property is not located within the regulatory floodplain and not subject to additional permitting as such.

Existing Development

A separate request for addition of a generator for existing ATT equipment has been made per SP-6-28-10.

Staff is coordinating the two applications for consistency. Equipment for Freenet Communication is also located within the tower enclosure in the northeast corner of the site. Several overhead and underground lines are located across the property but have not previously been shown on plans.

As City property is developed with non-municipal improvements providing accurate representation of site development is critical to assure that municipal functions are maintained. Co-location of communication equipment is secondary to the City's interest for the water tank and related improvements. Staff has noted several elements that should be shown on the face of the site plan to facilitate the proposed improvements and maintain existing integrity of the City's infrastructure. Staff recommends that all underground and overhead lines be shown on site plans.

A construction requirement outlined in the structure report specifies that certain improvements (penetration of the structure for cable installation) shall be conditional. The report specifically states: *"When any penetrations are cut into the tank pedestal, the water level should be reduced by 50%, or more if possible"*.

There are no changes to the existing AT&T ground mounted equipment shelters (excludes the request for the addition of a generator for AT&T), existing Freenet



equipment, area fences, or tower height proposed by this addition of new equipment. This installation will include relocation of existing underground lines serving ATT and Freenet equipment to allow for the construction of the new T-Mobile equipment.

Access to the site

Access to this site is provided via an existing parking lot along the east side of the site. The site plan shows a described access easement from the 6th Street right-of-way to the enclosure site. Upon discussions with City Staff a formal, dedicated access easement has been determined to be undesirable and overly restricting to the City's interests. As such, the recommended procedure to provide access is to describe the access as part of the lease agreement between the applicant and the City with appropriate exhibits to show the location of access.

Conclusion

City Code recommends co-location of equipment over the installation of new towers. Installation of communication equipment requires a lease between the carrier and the City for the facilities when located on city property.