



## Legislation Text

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**File #:** 16-031, **Version:** 1

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### **TITLE:**

Approval of Contractual Agreement Allowing for Installation of a Google Fiber Hut on Town Owned Property

**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider approving a resolution that will allow installation of a Google Fiber Hut on Town-owned property at 401 Davie Road. Approval of the attached resolution authorizes the Town Manager to sign the final agreement between the Town and Google.

**CONTACT INFORMATION:** Andy Vogel, 918-7305; JD Freeman, 918-7427; Trish McGuire, 918-7327; Marty Roupe, 918-7333

**INFORMATION:** Town staff has been working with representatives of Google on locating a site for a Google fiber hut to serve citizens with fiber optic data service. A site at 401 Davie Road has been identified as a location that should serve the community well in terms of geographical distribution of Carrboro's population and interconnection with the fiber loop being installed in the Triangle region.

The attached agreement and exhibits have been reviewed by Town staff and the Town Attorney and have been found suitable for presentation to the Board. The agreement itself provides for an initial ten-year term, followed by two potential, successive ten-year terms.

The agreement also describes a sound attenuation easement area outside of the formal leased area. Consistent with the recently adopted Land Use Ordinance text amendment, the sound attenuation easement reduces the sound to a maximum of 50 decibels before it leaves Town owned property.

Approval of the attached resolution will authorize the Town Manager to sign a final version of the agreement with Google. As a related matter, a zoning permit must be issued before construction of the hut may commence. Once the town officially enters into the agreement, Google will be authorized to submit full plans for receipt of a zoning permit. Staff has received and reviewed the plans ahead of this agenda item being prepared. The attached exhibit does meet the pertinent Land Use Ordinance provisions, but staff cannot consider the plans as an official submittal and permit request until the lease agreement is fully executed. Once the agreement is completed, staff will issue a zoning permit authorizing construction of the hut. The schedule may change, but Google has said that they anticipate beginning construction soon.

The utility corridor easement areas identified on the plans should work as proposed, and the agreement also authorizes the Manager to grant the necessary easements at a later date, so long as they are substantially as shown in the exhibit. If for some reason the location of the utility easements substantially changes, then the new

locations would be brought back before the Board ahead of the Town granting the easements.

As additional information, the exhibit includes a hut elevation, which obligates Google to include a brick exterior façade for the hut, brick-clad sound attenuation walls, black vinyl chain link fence, and vegetative screening around the perimeter of the fence.

**FISCAL AND STAFF IMPACT:** The agreement includes a \$2.00 per square foot annual payment for the square footage of land contained within the fenced compound containing the hut. The defined lease area is 2,600 square feet, which results in annual payment from Google to the Town of \$5,200.00.

**RECOMMENDATION:** Town staff recommends that the Board adopt the attached resolution authorizing the Town Manager to sign the agreement for installation of a Google Fiber Hut at 401 Davie Road.