



ADMINISTRATIVE REPORT

File #: 25-302

Meeting Date: 5/7/2025

Planning Commission Staff Report

Report Prepared by: Jessie Lee, Development Services Technician II

SUBJECT: Conditional Use Permit #25-0006, initiated by AT&T Mobility, on behalf of The City of Merced, property owner. This application involves a request to construct a 55-foot-tall wireless communication tower in the form of a stealth mono-palm tree at 3400 Parsons Avenue, generally located at the northeast corner of Parsons Avenue and Brookdale Drive, with a General Plan designation of Open Space (OP-S), and a Zoning classification of (R-1-6) *PUBLIC HEARING*

ACTION: Approve/Disapprove/Modify

- 1) Environmental Review #25-0002 (*Categorical Exemption*)
- 2) Conditional Use Permit #25-0006

SUMMARY

AT&T Mobility is requesting approval to construct a 55-foot-tall wireless communication tower in the form of a stealth mono-palm tree at 3400 Parsons Avenue (Attachment D) within a Low Density Residential (R-1-6) Zone. The project is located at the northeast corner of Parsons Avenue and Brookdale Drive within the City's Rahilly Park. Per Merced Municipal Code Land Use Table 20.58-2 - Review Procedures for Support Towers for Wireless Communication Facilities, a site plan review is required for stealth facilities within an R-1 Zone that are over 140% of the maximum height allowed within this zone. However, as described in the background section of this report, because the Site Plan Review Committee April 3, 2025, referred this request to the Planning Commission, the land use permit required is now a conditional use permit. Staff is recommending approval of this application subject to the conditions contained in the Staff Report.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve Environmental Review #25-0002 (*Categorical Exemption*), and Conditional Use Permit #25-0006, including the adoption of the Draft Resolution at Attachment A, subject to the conditions in Exhibit A and the findings/considerations in Exhibit B.

DISCUSSION

Project Description

The applicant is requesting to construct a mono-palm wireless communication facility at 3400 Parsons Avenue, in Rahilly Park. The proposed facility would include a 55-foot-tall mono-palm tower along with the necessary ancillary cabinet ground equipment enclosed by an 8-foot-tall sound-proof

fence. The mono-palm tower would be located on the northern portion of the parcel adjacent to an existing grouping of palm trees. The proposed mono-palm would be 55 feet tall, however, the branches of the mono-palm would extend out another five feet to a height of 60 feet. The antennas on the pole would be mounted at a maximum height of 53 feet. According to the applicant, the height is necessary to provide coverage to service the area. The mono-palm would be designed to blend in with the surrounding trees.

Surrounding uses as noted in Attachment B.

Surrounding Land	Existing Use of Land	City Zoning Designation	City General Plan Land Use Designation
North	Single-Family Residential	Low Density Residential (R-1-6)	Low Density Residential (LD)
South	Single-Family Residential	Low Density Residential (R-1-6)	Low Density Residential (LD)
East	Single-Family Residential	Low Density Residential (R-1-6)	Low Density Residential (LD)
West	Single-Family Residential	Low Density Residential (R-1-6)	Low Density Residential (LD)

Background

The property is zoned Low Density Residential (R-1-6) and currently is Rahilly Park.

Rahilly Park is a neighborhood park and spans approximately 28.91 acres and is on the east end of the Black Rascal Bike Path.

The initial application for the stealth mono-palm telecommunication tower came in as Site Plan Review Application #25-0001 and was heard at the Site Plan Review Committee Meeting of April 3, 2025. A public hearing notice was posted in Merced County Times and mailed to immediately adjacent property owners as required by MMC 20.68.050(E). Staff received 3 emails in opposition to the project. During the site plan review public hearing, there were 5 speakers from the audience in opposition to the project. The Site Plan Review Committee voted to refer Environmental Review #25-0002 and Site Plan Review #25-0001 to the Planning Commission for final review and decision per MMC 20.68.050 (C)(2).

Findings/Considerations

Please refer to Exhibit B of the Draft Planning Commission Resolution at Attachment A.

ATTACHMENTS

- A. Draft Planning Commission Resolution
- B. Location Map
- C. Overall Site Plan
- D. Elevation

- E. AT&T Photo Simulation
- F. AT&T Coverage Map - 3 Miles Radius
- G. Radio Frequency Emission Compliance Report
- H. Alternative Sites Analysis
- I. Draft Site Plan Resolution
- J. Public Comments from Site Plan Review Meeting of April 3, 2025, and Planning Commission Meeting of May 7, 2025
- K. Public Hearing Notice Map for CUP #25-0006
- L. Categorical Exemption
- M. Presentation

CITY OF MERCED
Planning Commission

Resolution #4155

WHEREAS, the Merced City Planning Commission at its regular meeting of May 7, 2025, held a public hearing and considered Conditional Use Permit #25-0006, initiated by AT&T Mobility, on behalf of the City of Merced, property owner. This application involves a request to allow the construction of 55-foot-tall wireless communication tower in the form of a stealth mono-palm tree at 3400 Parsons Avenue, generally located at the northeast corner of Parsons Avenue and Brookdale Drive with a General Plan designation of Open Space – Park Recreation (OS-P), and a Zoning classification of R-1-6, and also known as Assessor’s Parcel Number (APN) 006-150-002; and,

WHEREAS, the Merced City Planning Commission concurs with Findings A through L of Staff Report #25-302; and,

NOW THEREFORE, after reviewing the City’s Draft Environmental Determination, and discussing all the issues, the Merced City Planning Commission does resolve to hereby adopt a Categorical Exemption regarding Environmental Review #25-0002, and approve Conditional Use Permit #25-0006, subject to the Conditions set forth in Exhibit A attached hereto and incorporated herein by this reference.

Upon motion by Commissioner _____, seconded by Commissioner _____, and carried by the following vote:

AYES: Commissioner(s)

NOES: Commissioner(s)

ABSENT: Commissioner(s)

ABSTAIN: Commissioner(s)

PLANNING COMMISSION RESOLUTION #4155

Page 2

May 7, 2025

Adopted this 7th day of May 2025

Chairperson, Planning Commission of
the City of Merced, California

ATTEST:

Secretary

Attachment:

Exhibit A – Conditions of Approval

Exhibit B - Findings

Conditions of Approval
Planning Commission Resolution #4155
Conditional Use Permit #25-0006

1. The proposed project shall be constructed/designed as shown on Attachment C (site plan) and Attachment D (elevations) of Staff Report #25-302, except as modified by the conditions.
2. All conditions contained in Resolution #1249-Amended (“Standard Conditional Use Permit Conditions”) shall apply.
3. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as applied by the City Engineering Department.
4. All other applicable codes, ordinances, policies, etc. adopted by the City of Merced shall apply.
5. The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant’s project is subject to that other governmental entity’s approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, suits, or proceeding. Developer/applicant shall be responsible to immediately prefund the litigation cost of the City including, but not limited to, City’s attorney’s fees and costs. If any claim, action, suits, or proceeding is filed challenging this approval, the developer/applicant shall be required to execute a separate and formal defense, indemnification, and deposit agreement that meets the approval

of the City Attorney and to provide all required deposits to fully fund the City's defense immediately but in no event later than five (5) days from that date of a demand to do so from City. In addition, the developer/applicant shall be required to satisfy any monetary obligations imposed on City by any order or judgment.

6. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
7. In coordination with the Police Department and Fire Department, a frequency/inter-modulation study shall be prepared. Service may not be initiated until these departments have reviewed and have found the study to be acceptable.
8. At the time of building permit submittal, the applicant shall provide certification by a Radio Frequency Engineer, stating the RFR measurements and that they meet FCC radio frequency radiation standards.
9. The applicant shall work with the Merced Regional Airport and comply with all of their requirements for this type of structure and obtain all proper permits. Said requirements may include, but are not limited to, obtaining approval from the Airport Land Use Commission, or showing proof of submitting an FAA Form 7460-1 to the FAA.
10. The maximum overall height of the "Mono-Palm" stealth facility shall not exceed 55 feet. Antennas mounted to the stealth facility shall not be mounted higher than 60 feet in height.
11. The design of the mono-palm shall closely resemble the appearance of a real palm tree. At a minimum, the branch pattern on the "Mono-Palm" stealth facility shall have a maximum of 18 inches of height between each other and the lowest branch on the "tree" shall be a maximum of 20 feet above the ground.
12. The "Mono-Palm" stealth facility shall not have any form of steps, ladder, or pegs protruding from its side.

13. The color of the Mono-Palm shall match that of a real palm tree. These colors tend to be green (leaves) and brown (bark) and shall be consistently maintained. The antennas and any mounting equipment shall be painted to match the colors of the “tree.”
14. The Mono-Palm stealth facility shall be maintained at all times. At no time shall the Mono-Pine be faded or worn down to a state that would be considered unacceptable to City standards for a Stealth Facility. Should the natural weather elements (wind, rain, etc.) deteriorate any portion of the tree, new items of similar likeness shall be installed, replacing the deteriorated items.
15. No signs, other than warning and safety signage, shall be located on a support tower or ancillary facility.
16. Other than lighting required by the FAA or other regulatory agency for the purpose of safety, lights are not permitted on the “Mono-Pine” pole. Any lighting used on the equipment shelter shall be appropriately “down-shielded” to keep light within the boundaries of the site and not impact surrounding properties.
17. Projections or appendages of any sort are not permitted, except for those related to a common Stealth Telecommunications Tower. If there are antennas projecting outward, they shall be screened behind the branches and shall be painted a color similar to the branches (green).
18. All ancillary equipment shall be contained inside the area enclosed by a solid fence. All ancillary equipment shall be screened from view from the public right-of-way.
19. The proposed 8-foot-tall soundproof wall proposed to enclose the cell facility and ancillary equipment is approved as proposed. The gate providing access to the facility shall be of solid material or other approved material that would screen the equipment inside the facility from public view. The soundproof wall shall be integrated into the site with landscaping consistent with other landscaping on the site.
20. The site shall be provided with landscaping consistent with the other developments on the site. If the other developments on the site have not been landscaped at the time the cell facility is complete, landscaping for the cell facility may be deferred for a period not to exceed 6 months unless an extension of time is granted by the Development Services Director.

21. Any noise generated by the facility from the equipment, or the tower shall be kept to a minimum, so as not to cause a nuisance to the neighborhood.
22. All equipment, fencing, and other surfaces shall be maintained free of graffiti.

**Findings and Considerations
Planning Commission Resolution #4155
Conditional Use Permit #25-0006**

FINDINGS/CONSIDERATIONS:

General Plan Compliance and Policies Related to This Application

- A) The project site has a General Plan designation of Open Space – Park Recreation (OS-P), and the zoning classification of Low Density Residential (R-1-6). The proposal meets the requirements of these designations with approval of this conditional use permit.

Per Merced Municipal Code Land Use Table 20.58-2 – Review Procedures for Support Towers for Wireless Communication Facilities, a site plan review permit is required for stealth facilities within an R-1-6 Zone that are over 140% of the maximum height allowed within this zone. However, because the Site Plan Review Committee is referring this request to the Planning Commission, the land use permit required is now a conditional use permit per Merced Municipal Code Section 20.58.050(A)(4).

Traffic/Circulation

- B) The installation of the telecommunications tower would not increase traffic to the site or significantly change the circulation on the site. Other than traffic during the construction/installation period, there would only be additional traffic to the site when maintenance is required and that would generally be by a single truck.

Parking

- C) No additional parking spaces are required with this use as there will be no employees or customers onsite on a regular basis. The installation of the telecommunication tower does not affect the parking on the site for the existing park.

Tower Design

- D) There are twelve (12) palm trees within the subject site that are approximately 64-68 feet tall. The proposed wireless communication tower would be constructed to look like a palm tree, which would be compatible with other trees in the surrounding area. The overall height of the “palm tree” would be 55 feet with the antennas being mounted no higher than 55 feet (Attachment

D of Planning Commission Staff Report #25-302). The mechanical equipment for the tower would be enclosed by the proposed 8-foot-tall sound-proof wall within a 20-foot by 30-foot area. Photo simulations showing the tower, and the surrounding area are provided at Attachment E of Planning Commission Staff Report #25-302. The photo simulation compares the existing conditions to the existing conditions with the tower from all four directions.

As proposed, the mono-palm branches would extend up to 60 feet. In order to give the tree a more natural appearance, Condition #13 requires the color of the mono-palm to match that of a real palm tree. These colors tend to be green (leaves) and brown (bark) and shall be consistently maintained. The antennas and any mounting equipment shall be painted to match the colors of the “tree.”

Site Design

- E) The wireless facility would be located within the northwest quadrant of the site. The tower and all equipment would be located within an approximately 600-square-foot area enclosed by an 8-foot-tall soundproof concrete masonry unit (CMU) block wall. Access to the facility would be provided through a gate on the east side of the facility.

The tower would be approximately 184 feet from the homes directly adjacent to the park fronting El Portal. According to the applicant, the site is designed for AT&T to improve the LTE coverage in the area and provide new service on Band 14, which is a dedicated public safety network for first responders nationwide. The proposed facility is designed to be part of FirstNet and will provide coverage and capacity for the development of the FirstNet platform on AT&T LTE network. Deployment of FirstNet in the subject area will improve public safety by providing advanced communications capabilities to assist public safety agencies and first responders.

Federal Regulations

- F) According to Section 332 (C) (7) of the Federal Telecommunication Act, local governments may not: (1) prohibit or effectively prohibit personal wireless service; (2) unreasonably discriminate among providers of functionally equivalent service providers; or (3) regulate personal wireless service facilities based on the environmental effects from radio frequency emission to the extent such emission meets FCC Guidelines.

In addition, the radio frequency emission of the proposed cell tower will meet FCC guidelines (Attachment G of Planning Commission Staff Report #25-

302).

First Responder Communication Services

- G) The applicant has provided a map of existing and proposed wireless facilities within the 3-mile radius to illustrate service for local area and first responders (First Net Program) also known as First Responders Network (Attachment F of Planning Commission Staff Report #25-302).

Development Standards

- H) Per Merced Municipal Code Section 20.92.060, all wireless communication facilities shall comply with the following development standards and requirements in addition to complying with all other applicable provisions of the Merced Municipal Code and the *Merced Vision 2030 General Plan*.

Color: Support towers shall be provided in a color that best allows it to blend into the surroundings. Antennas shall be placed and colored to blend into the architectural detail and coloring of the host structure.

Compliance with Standard: The color of the mono-palm tree would be compatible with the surrounding trees and landscaping. There are also twelve (12) palm trees within the project site. The colors used for the mono-palm tree would be consistent with a real tree.

Display (Signs): No signs or display shall be located on a support tower or ancillary facilities except for warning and safety signage.

Compliance with Standard: The applicant has not proposed any signing to be attached to the tower. Condition #15 prohibits all signs other than warning and safety signing.

Equipment Shelters: The following guideline are to be used to ensure that equipment shelters are compatible with their surroundings: (1) equipment shelters located in underground vaults, or (2) equipment shelters designed consistent with the architectural features of the building immediately surrounding the site locations; or (3) equipment shelters camouflaged behind an effective year-round landscape buffer.

Compliance with Standard: All the equipment would be located within the fenced area and screened from public view by the 8-foot-tall CMU wall (Condition #18).

Interference: *Wireless communication facilities shall not cause interference with public communication equipment.*

Compliance with Standard: Condition #7 requires the applicant to work with the Police and Fire Departments to prepare a frequency/inter-modular study to ensure the proposed telecommunications facility does not interfere with the City's communication equipment.

Landscaping and fencing: *The following guideline is to be used to ensure that wireless communications facilities are compatible with their surroundings: Installation of landscaping, served with an automatic underground irrigation system, that effectively screens the view of the tower site from adjacent properties. The standard buffer shall consist of a landscaped strip at least four (4) feet wide at the site perimeter, and fencing. Vines shall be used to cover the fence. Use of barbed wire is prohibited. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible.*

Compliance with Standard: The proposed project includes the construction of an 8-foot-tall sound-proof CMU wall to surround the entire facility. The CMU wall would be finished with texture and color to match the existing buildings on the site. Landscaping would be provided around the perimeter of the fencing as required by Conditions #19 and #20.

Lighting: *Except as specifically required by the Federal Aviation Administration (FAA) or other applicable authority, support towers shall not be artificially lighted. In order to reduce glare, such lighting shall be shielded from the community to the extent allowed by the FAA. Equipment shelters may use security lighting that is appropriately down shielded to keep light within the boundaries of the site and not impact surrounding properties.*

Compliance with Standard: All lighting shall be in compliance with FAA regulations. Any lighting for the equipment area shall be down shielded to protect prevent light from spilling over onto the adjacent properties. Condition #16 addresses lighting on the site and requires compliance with this standard.

Radio frequency radiation (RFR): Upon request to construct a wireless communications facility or to mount wireless communication antennas to an existing wireless communication facility, the applicant shall provide certification by a Radio Frequency Engineer, stating the RFR measurements and that they meet FCC radio frequency radiation standards.

Compliance with Standard: Condition #8 requires this certification be submitted during the building permit stage.

Setbacks and siting:

1. All equipment shelters, or other on-the-ground ancillary equipment shall meet the setback requirements of the zone in which they are located.
2. Antenna and antenna arrays are exempt from the setback standard of this section and from the setbacks for the zone in which they are located.
3. Support towers that do not exceed 125% of the height limit of the zone in which they are located need only meet the setback requirements for that zone.
4. Support towers that exceed 125% of the height limit of the zone in which they are located shall be set back from all property lines as required by that zone or one foot for every 10 feet of total tower height, whichever produces the greater setback.
5. To the greatest extent possible, support towers should be placed to the rear or side of buildings.

Compliance with Standard: The site is located within the Low Density Residential (R-1-6) Zone. Based on Standard #4 above, a 55-foot-tall tower would need to have a setback of at least 5.5 feet from the property line. The tower is approximately 184 feet from the homes to the north of the subject site and 456 feet from Parsons Avenue, which are both greater than the minimum setback required by this standard.

The tower is located near the northwest corner of the site. Because the site has streets on the east side, this location seems appropriate for the site. The proposed location places the tower behind the existing structures on the site and away from Parsons Avenue.

Heights: No support tower, other than a stealth facility, may exceed the following heights:

1. *Within a Low Density Residential (R-1) zone and a High Medium Density (R-3) zone: 55 feet; and,*
2. *Within a Central Commercial (C-C) zone, a Thoroughfare Commercial (CT) zone, and a General Commercial (C-G) zone: 120 feet; and,*
3. *Within an Industrial zone: 150 feet, and,*
4. *Within a Planned Development: as permitted by the site utilization plan.*

Compliance with Standard: The proposed tower would be 55 feet tall and is considered a stealth facility with its palm tree design. Therefore, with Conditional Use Permit approval, the tower could exceed the above height limits. The Low Density Residential (R-1-6) Zone allows a maximum height of 55 feet. Therefore, the height is subject to approval by the Planning Commission. The existing buildings on-site are approximately 30 feet tall. There are twelve (12) palm trees within the subject site that are approximately 64-68 feet tall.

Neighborhood Impact/Interface

- I) The project site is located at the northeast corner of Brookdale Drive and Parsons Avenue. The subject site is primarily surrounded by single-family residential homes.

A stealth facility decreases the impact on the surrounding area by helping to integrate the tower with the surrounding natural landscape. The requirement to provide a landscaping combined with the conditions of approval addressing lighting, noise, etc. reduces the impacts to the area.

As required by State law and the Merced Municipal Code, public hearing notices were sent to all property owners within 300 feet of the site (Attachment K of Planning Commission Staff Report #25-302).

As of the time that this staff report was prepared, staff has not received any additional comments from the public for this proposal other than those provided during the Site Plan Review, as shown at Attachment J of Planning Commission Staff Report #25-302. If additional comments are received prior to the Planning Commission Staff Report being published, those comments will be added to the report. Any comments submitted after the publication of the staff report and by 1:00 p.m. on the day of the Planning Commission hearing will be forwarded to the Planning Commission and posted to the City's website.

EXHIBIT B OF PLANNING COMMISSION RESOLUTION #4155

Mandatory Findings for Conditional Use Permits

- J) Merced Municipal Code (MMC) Section 20.68.020 requires that the following findings be made by the Planning Commission in order to approve a Conditional Use Permit:

- 1. The proposed use is consistent with the purpose and standards of the zoning district, the general plan, and any adopted area or neighborhood plan, specific plan, or community plan.*

As described in Finding A, the proposed land use is consistent with the General Plan designation of Open Space – Park Recreation (OS-P). The Zoning Ordinance was updated in 2016, to allow stealth wireless communication facility and antennas within a residential zone with a Site Plan Review Permit rather than a Conditional Use Permit. However, the Site Plan Review Committee heard this item at their meeting of April 3, 2025, and voted to refer this application to the Planning Commission (Attachment I of Planning Commission Staff Report #25-302).

- 2. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.*

The wireless communication tower would be disguised as a palm tree (55-foot-tall stealth mono-palm) and would be located on the northern portion of the parcel. According to the applicants, the height of the stealth mono-palm is necessary to close an LTE service coverage gap in the area.

The location is adjacent to single-family homes on El Portal, little visibility from the homes on Shamrock Place, Nottingham Avenue, Cascade Creek Avenue, and Parsons Avenue. There are existing trees in the surrounding area including (12) palm trees on the property, so the cell tower will blend in with others in the area.

- 3. The proposed use will not be detrimental to the public health, safety, and welfare of the City.*

The proposed project does not include any uses that would be detrimental to the public health, safety, and welfare of the City.

EXHIBIT B
OF PLANNING COMMISSION RESOLUTION #4155

Implementation of the conditions of approval and adherence to all applicable Building Codes, Fire Codes, and Federal and City Standards would prevent the project from having any detrimental effect on the health, safety, and welfare of the City.

4. *The proposed use is properly located within the City and adequately served by existing or planned services and infrastructure.*

The project site is located within a developed area that is adequately served by infrastructure.

Wireless Communication Facilities Findings

- K) To approve a wireless communication facility requiring a Site Plan Review or Conditional Use Permit, the review authority must make the following findings (if applicable) in addition to the findings required by Chapter 20.68 (Permit Requirements) for the applicable permit:

1. For a proposed lattice tower located in other than an industrial district, the applicant has demonstrated that there is no feasible alternative to use of a lattice tower at the proposed site or within the search ring.

The proposed wireless communication tower is a stealth mono-palm located in a zoning classification of Low Density Residential (R-1-6). The applicant provided an alternative site analysis at Attachment H of Planning Commission Staff Report #25-302 showing that AT&T searched for, but did not find, feasible collocation opportunities in and around the coverage objective area. The applicant also considered alternative sites and did not find any that suited their needs as well as this site.

2. The proposed wireless communication facility is designed at the minimal functional height.

The wireless communication tower would be disguised as a palm tree (55-foot-tall stealth mono-palm) located on the northern portion of the parcel. Ancillary cabinet ground equipment would be enclosed by an 8-foot-tall CMU block wall. According to the applicants, the proposed height of this wireless communication is necessary to provide coverage to service the area.

3. The location for the wireless communication facility minimizes the visibility of the facility from residentially zoned property and minimizes the obstruction of scenic views from residentially zoned property.

The location for the wireless tower is adjacent to single-family homes on El Portal Drive, little visibility from the homes on Shamrock Place, Nottingham Avenue, Cascade Creek Avenue, and Parsons Avenue. There are multiple trees within the park including twelve (12) palm trees within the project site. The proposed stealth facility helps the facility blend in with the surrounding trees on-site and throughout the park. However, the Site Plan Review Committee heard public comments from several neighbors in opposition to the tower's location and aesthetics, despite its meeting the City's standards for such facilities as spelled out in the Municipal Code.

4. Projection of the antenna or antenna array has been minimized to the greatest extent possible.

Based on elevations provided, the large cellmax antennas located on the site plan protrudes 4 feet more than the limbs of the tree/tower. There are smaller antennas that will be covered with a palm stealth bulb. In order to minimize the visibility, the antennas will need to be painted green (Condition #13).

5. In the case of an application for use of a new site for wireless communication facilities, all reasonable opportunities to locate the facility or to co-locate the facility on an existing structure have been exhausted by the applicant and are not feasible.

The applicant has provided an alternative site analysis for co-locations; however, the conclusion is that there are no viable or available alternative locations (Attachment H of Planning Commission Staff Report #25-302).

6. Support towers located in an agricultural zoning district are located and designed to minimize dangers to aerial sprayers.

The subject site is not located in an agricultural zoning district, but in a zoning district of Low Density Residential (R-1-6).

7. Sites near the project area, which are poorly suited for other forms of development, are unavailable for use by the wireless communication facility.

The majority of the surrounding parcels are fully developed and standard in size for residential development. East of the project site is Merced County jurisdiction and the nearby Chenoweth Elementary School (200 feet south of the subject site), all other parcels within a 1/4-mile radius are fully developed. There are no sites nearby that are available and poorly suited for other forms of development.

8. For planned developments, the underlying land use designation permits and would not be adversely affected by the proposed type of wireless communication facility. For example: in an industrial planned development, a lattice tower may be found to be acceptable while in a residential planned development, a stealth facility or monopole may be found to be acceptable, but a lattice tower would not. To determine the effect of the proposed wireless communication facility on the land use designation and the permit process required, use Table 20.58-2.

The subject site is not located within a zoning classification of Planned Development. The subject site has a zoning classification of Low Density Residential (R-1-6). Table 20.58-2 prohibits wireless communication facilities with a guyed tower or lattice tower design. However, this table allows stealth wireless communication facilities with a site plan review permit and is considered appropriate in residential zones as stealth facilities are allowed in residential zones as they are designed to blend in with the existing physical environment. Stealth facilities may come in the form of flagpoles, water tanks, free standing signs, or more natural features such as a tree, as is being proposed by the applicant.

Environmental Clearance

- L) Planning staff has conducted an environmental review (Environmental Review #25-0002) of the project in accordance with the requirements of the

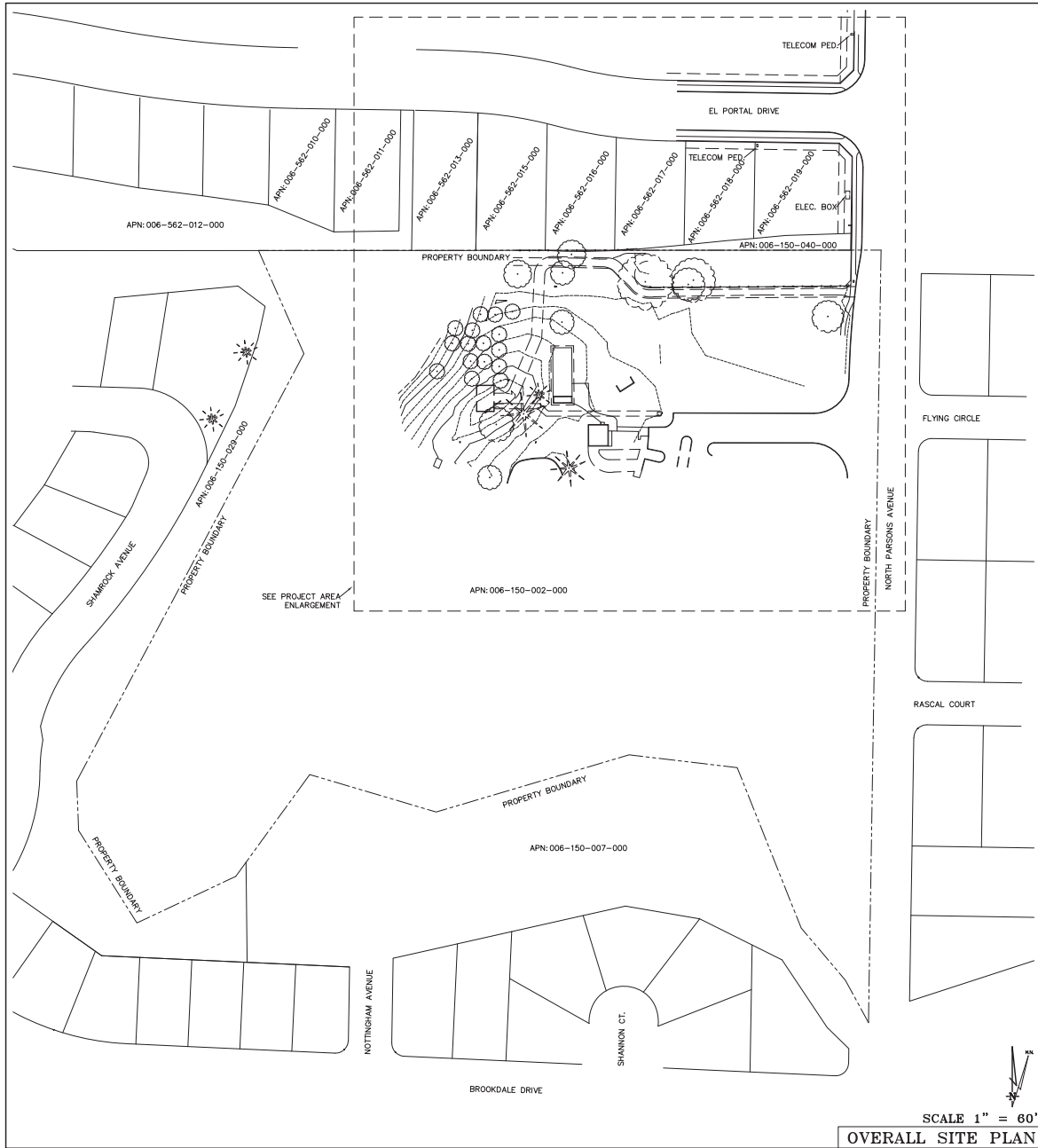
EXHIBIT B

OF PLANNING COMMISSION RESOLUTION #4155

Page 10

California Environmental Quality Act (CEQA), and recommends a Categorical Exemption with no further documentation required (Attachment L of Planning Commission Staff Report #25-302).





THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF GELL ENGINEERING AND THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE AND CARRIER FOR WHICH THEY ARE PREPARED. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED EXCEPT BY WRITTEN PERMISSION FROM GELL ENGINEERING. TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH GELL ENGINEERING WITHOUT PREJUDICE AND VISUAL CONTACT WITH THEM SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY LINES AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION FOUND DURING THE FIELD SURVEY. NO EASEMENTS WERE RESEARCHED OR PLOTTED. PROPERTY LINES AND LINES OF TITLE WERE NOT INVESTIGATED NOR SURVEYED. NO PROPERTY MONUMENTS WERE SET.

DATE OF SURVEY: 02-10-25

SURVEYED BY OR UNDER DIRECTION OF: KENNETH D. GELL, R.C.E. 14803

LOCATED IN THE COUNTY OF MERCED, STATE OF CALIFORNIA

BEARINGS SHOWN ARE BASED UPON MONUMENTS FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.

ELEVATIONS SHOWN ON THIS PLAN ARE BASED UPON U.S.G.S. N.A.V.D. 88 DATUM. ABOVE MEAN SEA LEVEL.

N.G.V.D. 1929 CORRECTION: SUBTRACT xxxx' FROM ELEVATIONS SHOWN.

CONTOUR INTERVAL: 1'

CONTRACTOR IS RESPONSIBLE TO VERIFY LEASE AREA PRIOR TO CONSTRUCTION.

ASSESSOR'S PARCEL NUMBER: 006-150-002-000

OWNER(S): CITY OF MERCED
PO BOX 309
MERCED, CA 95341

Lease Area Description

All that certain lease area being a portion of Lot 145 as is shown on that certain Record Map filed for record at Book 2 of Maps at Page 66, Merced County Records, located in the City of Merced, County of Merced, State of California, and being more particularly described as follows:

Commencing at an iron pipe monument in box set at the centerline intersection of the "Y" intersection of Shamrock Place as is shown on that certain Map of Wainwright's Park Village No. 5 filed for record at Book 29 of Maps at Page 29, Official Records, from which a similar monument bears North 54°45'08" West 222.34 feet; thence from said point of commencement North xxxx feet to the True Point of Beginning, thence from Point of Beginning South xxxx feet to the point of beginning.

Together with a non-exclusive easement for access and utility purposes of variable width the centerline of which is described as follows: beginning at the midpoint on the South boundary of the above described lease area and running thence at a width of 25 feet South xxxx feet to a point hereafter defined as Point "A"; thence continuing South xxx feet more or less to the public right of way more commonly known as North Parsons Avenue.

Also together with a non-exclusive easement for utility purposes ten feet in width the centerline of which is described as follows: beginning at Point "A" as previously defined and running thence South xxxx feet more or less to the East boundary of the underlying parcel.

EL PORTAL DRIVE

PROJECT AREA

FLYING CIRCLE

RASCAL CT.

E. OLIVE AVENUE

PARSONS AVENUE

N.T.S.

MERCED, CA

VICINITY MAP

DEPT	APPROVED	DATE
ASAC		
ACE		
CE		
INT		
CE/IN		
OPS		
EE/OUT		

Surveyor

GELL ENGINEERING
ENGINEERING • SURVEYING • PLANNING
1228 High Street
Auburn, California 95603-5015
Phone: (530) 885-0426 • Fax: (530) 823-1309

A.T. & T. Mobility

Project No./Name: CVL02828 / Rahilly Park

Project Site Location: 3400 North Parsons Avenue
Merced, CA 95340
Merced County

Date of Observation: 02-10-25

Equipment/Procedure Used to Obtain Coordinates: Trimble Pathfinder Pro XL post processed with Pathfinder Office software.

Type of Antenna Mount: Proposed Monotree

Coordinates (NAD83)
Latitude: N 37° 19' xxxx" N 37. xxxxxx"
Longitude: W 120° 27' xxxx" W 120. xxxxxx"

ELEVATION of Ground at Structure (NAVD88) xxxxxx' AMSL

CERTIFICATION: I, the undersigned, do hereby certify elevation listed above is based on a field survey done under my supervision and that the accuracy of those elevations meet or exceed 1-A Standards as defined in the FAA ASAC Information Sheet 91-003, and that they are true and accurate to the best of my knowledge and belief.

Kenneth D. Gell California RCE 14803

CVL02828

RAHILLY PARK

3400 NORTH PARSONS AVENUE
MERCED, CA 95340

PLOT PLAN AND
SITE TOPOGRAPHY

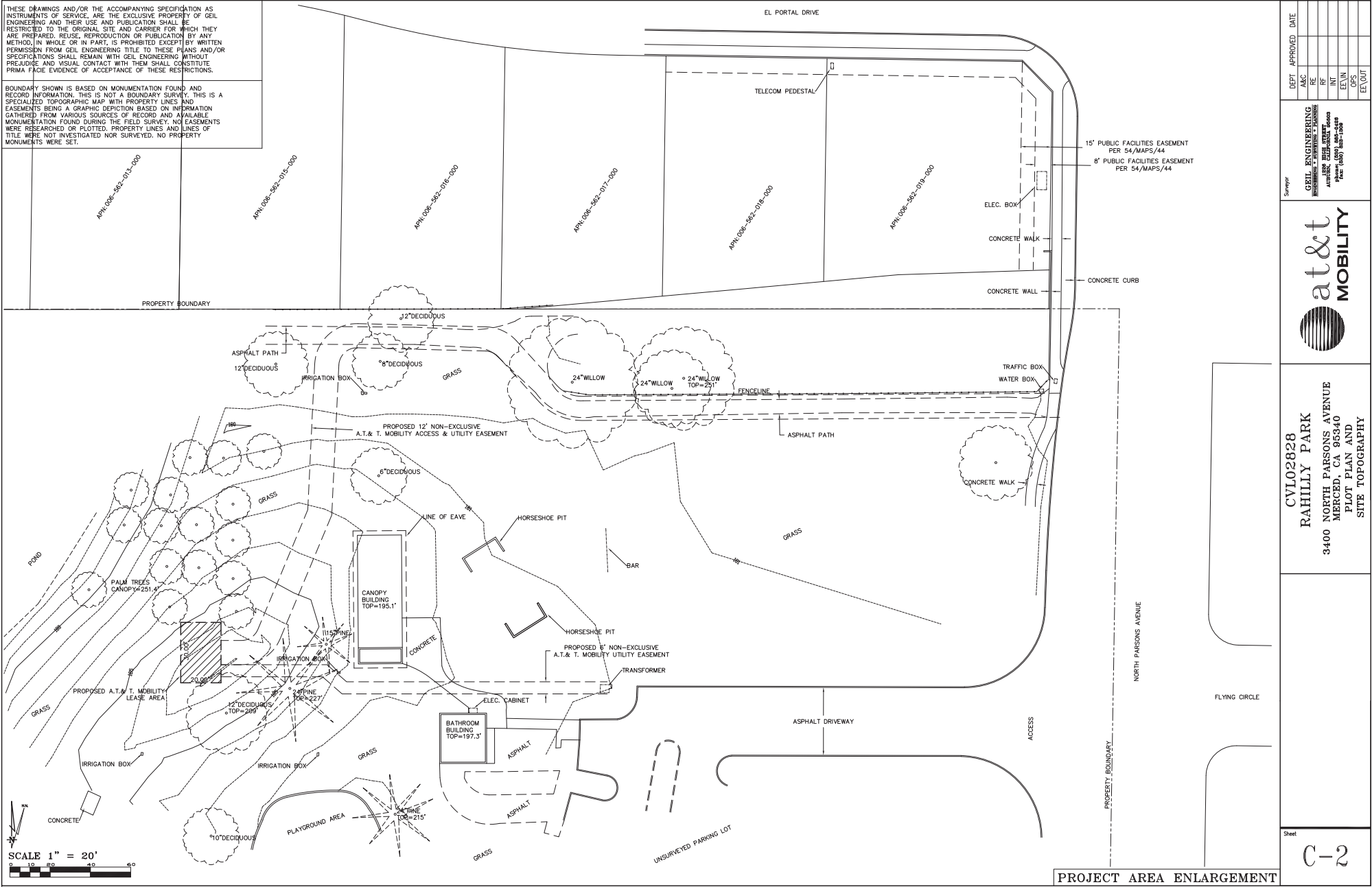
REVISIONS	DATE	BY	REASON
REV	02-10-25		DRAWING SUBMITTAL
REV			
REV			
REV			
REV			

Sheet

C-1

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF GEIL ENGINEERING AND THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE AND CARRIER FOR WHICH THEY ARE PREPARED. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED EXCEPT BY WRITTEN PERMISSION FROM GEIL ENGINEERING TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH GEIL ENGINEERING WITHOUT PREJUDICE AND VISUAL CONTACT WITH THEM SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY LINES AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION FOUND DURING THE FIELD SURVEY. NO EASEMENTS WERE RESEARCHED OR PLOTTED, PROPERTY LINES AND LINES OF TITLE WERE NOT INVESTIGATED NOR SURVEYED. NO PROPERTY MONUMENTS WERE SET.



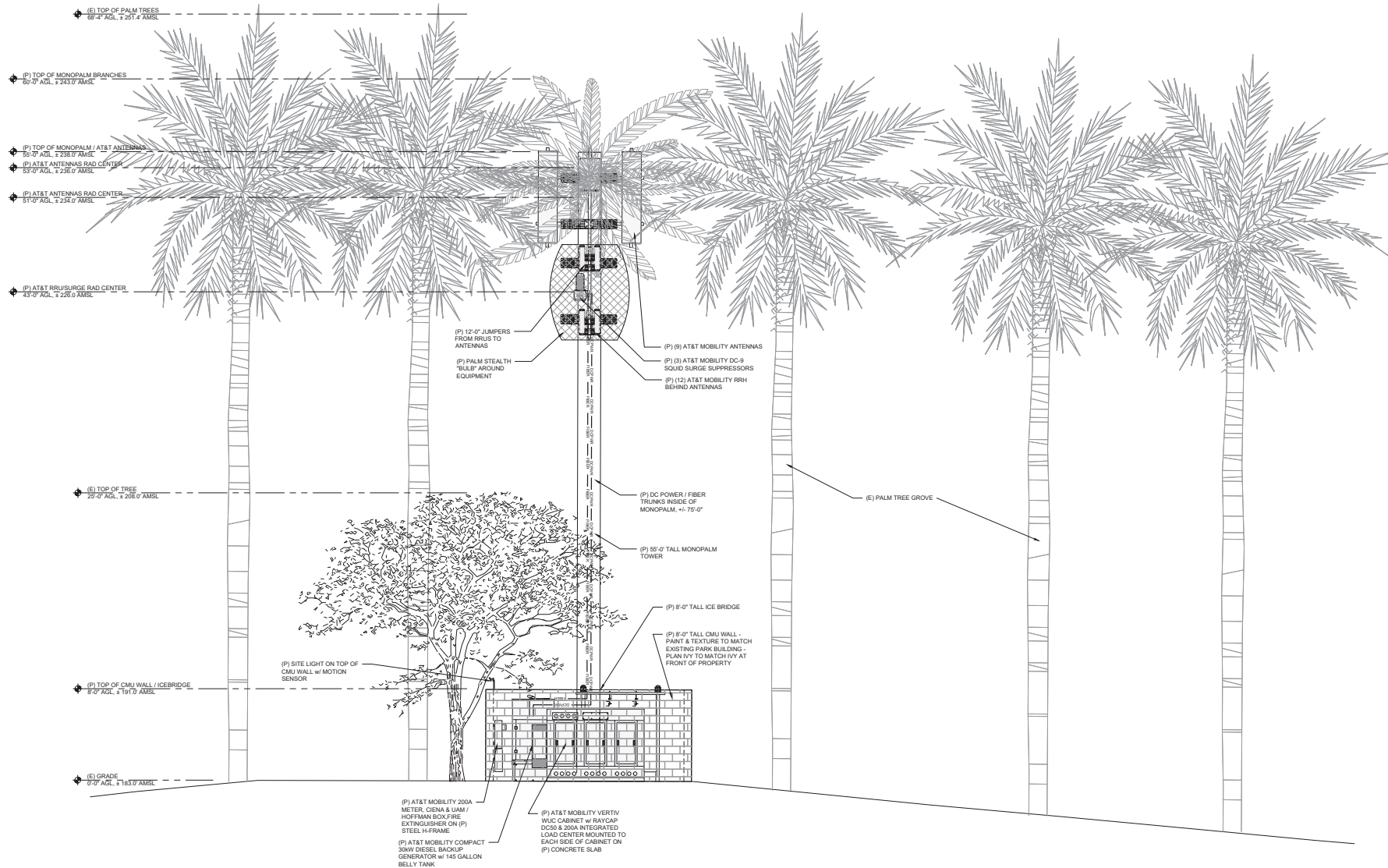
DEPT	APPROVED	DATE
ASAC		
SEC		
INT		
EXT		
OPS		
EE/OUT		

Surveyor: **GEIL ENGINEERING**
 REGISTERED - SURVEYORS - CALIFORNIA
 ADDRESS: 2014 CALIFORNIA BLVD
 SAN JOSE, CA 95128
 PHONE: (408) 293-1100
 FAX: (408) 293-1101

at&t
MOBILITY

CVL02828
RAHILLY PARK
 3400 NORTH PARSONS AVENUE
 MERCED, CA 95340
PLOT PLAN AND
SITE TOPOGRAPHY

Sheet: **C-2**



1 NORTH ELEVATION
1/4" = 1'-0"

4' 2' 0' 4' 8'
1/4" = 1'-0"

Issued For:

CVL02828

RAHILLY PARK

3400 NORTH PARSONS
MERCED, CA 95340
Fax 16159935
USID#

Prepared For:

at&t
5001 Executive Parkway
San Ramon, California 94583

Vendor:

EPIC
WIRELESS GROUP LLC
Connecting a Wireless World
605 Coolidge Drive, Suite 100
Folsom, California 95630

AT&T SITE NO: CVL02828

PROJECT NO: 25-002

DRAWN BY: BW

CHECKED BY: BW

REV	DATE	DESCRIPTION
3		
2		
1		
0		
B		
A	3/10/2025	90% 2D SUB

Licensee:



IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Designer / Engineer:

Norman J. Scheel
Structural Engineer
36 YEARS OF EXPERIENCE
Norman J. Scheel
5022 Sunrise Blvd.
Fair Oaks, California 95628

Sheet Title:

PROPOSED ELEVATIONS

Sheet Number:

A-4.1

(E) TOP OF PALM TREES
68'-4" AGL, ± 251.4' AMSL

(P) TOP OF MONOPALM BRANCHES
60'-0" AGL, ± 243.0' AMSL

(P) TOP OF MONOPALM / AT&T ANTENNAS
55'-0" AGL, ± 238.0' AMSL

(P) AT&T ANTENNAS RAD CENTER
53'-0" AGL, ± 236.0' AMSL

(P) AT&T ANTENNAS RAD CENTER
51'-0" AGL, ± 234.0' AMSL

(P) AT&T RRU/SURGE RAD CENTER
43'-0" AGL, ± 226.0' AMSL

(E) TOP OF TREE
28'-0" AGL, ± 208.0' AMSL

(P) TOP OF CMU WALL / ICEBRIDGE
9'-0" AGL, ± 191.0' AMSL

(E) GRADE
7'-0" AGL, ± 183.0' AMSL

(P) 12'-0" JUMPERS FROM RRU/S TO ANTENNAS
(P) PALM STEALTH "BULB" AROUND EQUIPMENT
(P) (8) AT&T MOBILITY ANTENNAS
(P) (3) AT&T MOBILITY DC-9 SQUID SURGE SUPPRESSORS
(P) (12) AT&T MOBILITY RRU BEHIND ANTENNAS

(P) 55'-0" TALL MONOPALM TOWER

(P) DC POWER / FIBER TRUNKS INSIDE OF MONOPALM, ± 75'-0"

(P) SITE LIGHT ON TOP OF CMU WALL w/ MOTION SENSOR
(P) 8'-0" TALL CMU WALL - PAINT & TEXTURE TO MATCH EXISTING PARK BUILDING - PLAN IVY TO MATCH IVY AT FRONT OF PROPERTY

(P) 9'-0" TALL ICE BRIDGE

(P) 12'-0" WIDE METAL SWING GATE w/ REQUIRED AT&T SITE SIGNAGE & FIRE KNOX BOX

(P) AT&T MOBILITY COMPACT 30kW DIESEL BACKUP GENERATOR w/ 145 GALLON BELLY TANK

(P) AT&T MOBILITY 200A METER, CENA & UAM / HOFFMAN BOX FIRE EXTINGUISHER ON (P) STEEL H-FRAME

(P) AT&T MOBILITY VERTIV WUC CABINET w/ RAYCAP DC9 & 200A INTEGRATED LOAD CENTER MOUNTED TO EACH SIDE OF CABINET ON (P) CONCRETE SLAB

(E) PALM TREE GROVE

1 EAST ELEVATION
1/8" = 1'-0"

4' 2' 0' 4' 8'
1/4" = 1'-0"

Issued For:

CVL02828

RAHILLY PARK

3400 NORTH PARSONS
MERCED, CA 95340
FAX 1815935
USID#

Prepared For:

at&t
5001 Executive Parkway
San Ramon, California 94583

Vendor:

EPIC
WIRELESS GROUP LLC
Connecting a Wireless World
605 Coolidge Drive, Suite 100
Folsom, California 95630

AT&T SITE NO: CVL02828

PROJECT NO: 25-002

DRAWN BY: BW

CHECKED BY: BW

REV	DATE	DESCRIPTION
3		
2		
1		
0		
B		
A	3/10/2025	90% 2D SUB

Licensee:



IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT.

Designer / Engineer:

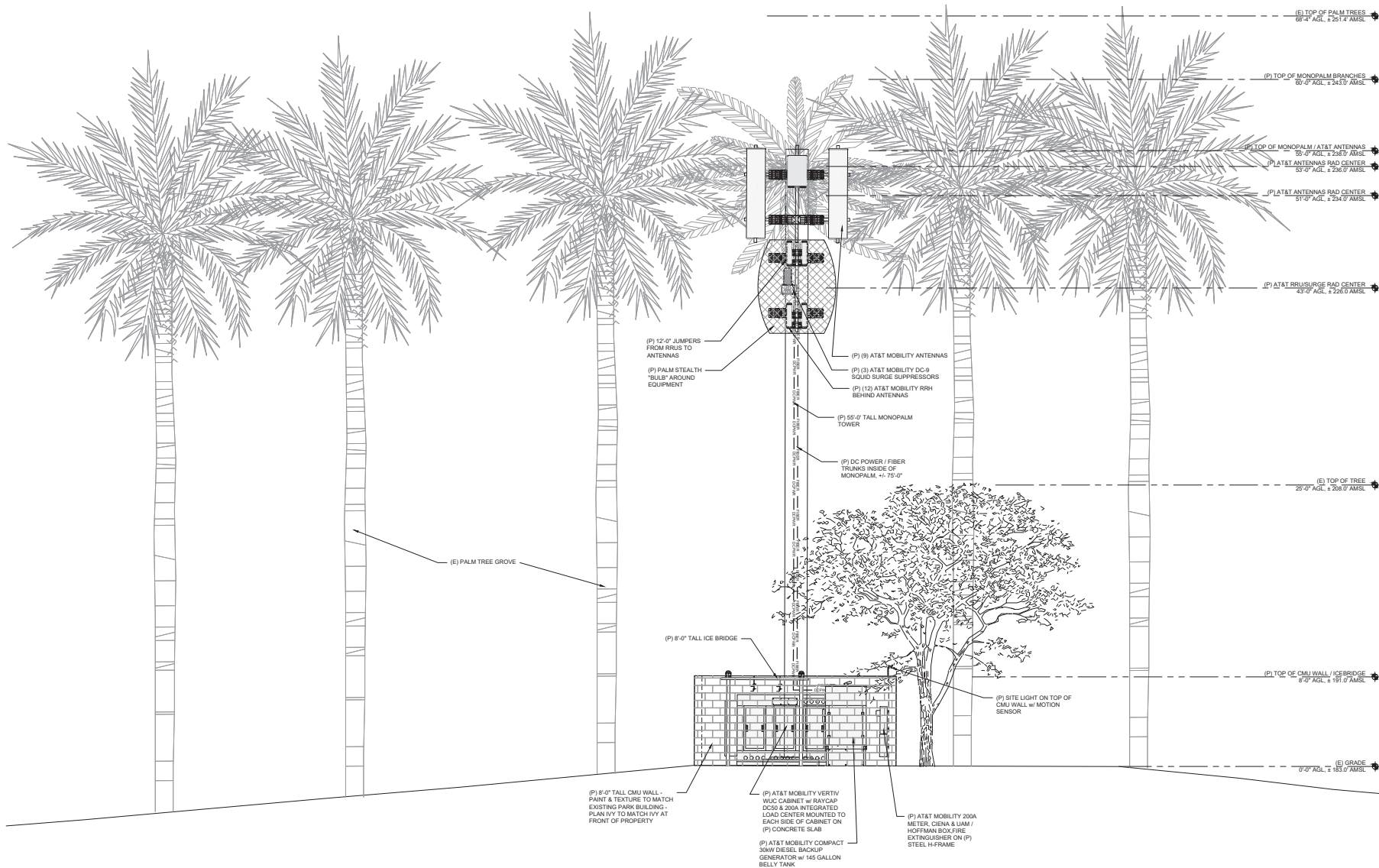
Norman Scheel Structural Engineer
1984 - 2025
36 YEARS OF EXCELLENCE
Norman Scheel Structural Engineer
5022 Sunrise Blvd.
Fair Oaks, California 95628

Sheet Title:

PROPOSED ELEVATIONS

Sheet Number:

A-4.2



1 SOUTH ELEVATION
1/4" = 1'-0"

4' 2' 0 4' 8'
1/4" = 1'-0"

Issued For:
CVL02828
RAHILLY PARK
3400 NORTH PARSONS
MERCED, CA 95340
FAX 16159935
USID#

Prepared For:
at&t
5001 Executive Parkway
San Ramon, California 94583

Vendor:
EPIC
WIRELESS GROUP LLC
Connecting a Wireless World
605 Coolidge Drive, Suite 100
Folsom, California 95630

AT&T SITE NO: CVL02828
PROJECT NO: 25-002
DRAWN BY: BW
CHECKED BY: BW

REV	DATE	DESCRIPTION
3		
2		
1		
0		
B		
A	3/10/2025	90% 2D SUB

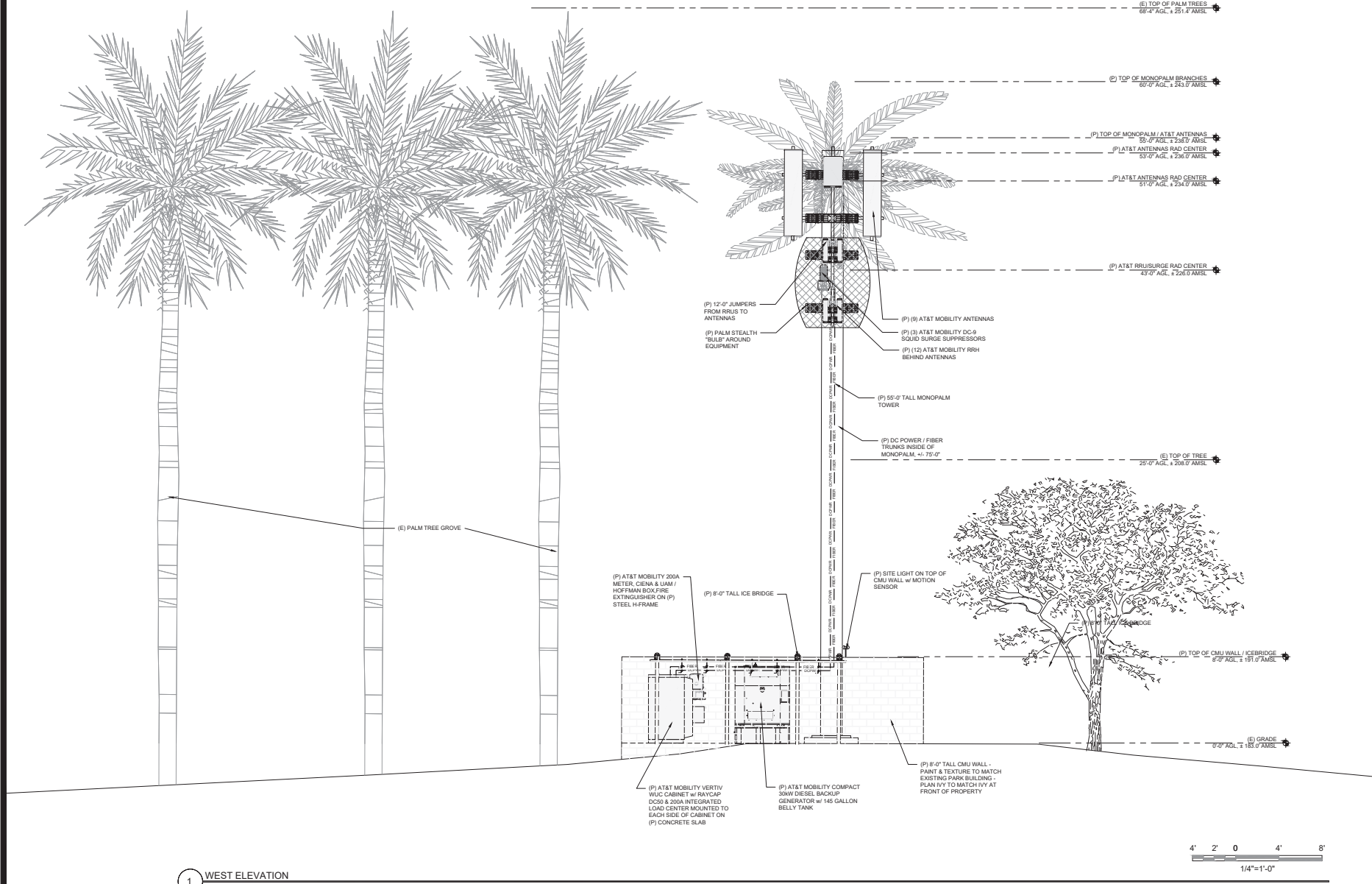
License:
NORMAN J SCHEEL
No. 2567
Exp. 12-31-25
STRUCTURAL
STATE OF CALIFORNIA

IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT.

Designer / Engineer:
Norman Scheel Structural Engineer
5022 Sunrise Blvd.
Fair Oaks, California 95628

Sheet Title:
PROPOSED ELEVATIONS

Sheet Number:
A-4.3



Issued For:
CVL02828
RAHILLY PARK
3400 NORTH PARSONS
MERCED, CA 95340
FAX 18189935
USID#

Prepared For:
at&t
5001 Executive Parkway
San Ramon, California 94583

Vendor:
EPIC
WIRELESS GROUP LLC
Connecting a Wireless World
605 Coolidge Drive, Suite 100
Folsom, California 95630

AT&T SITE NO: CVL02828
PROJECT NO: 25-002
DRAWN BY: BW
CHECKED BY: BW

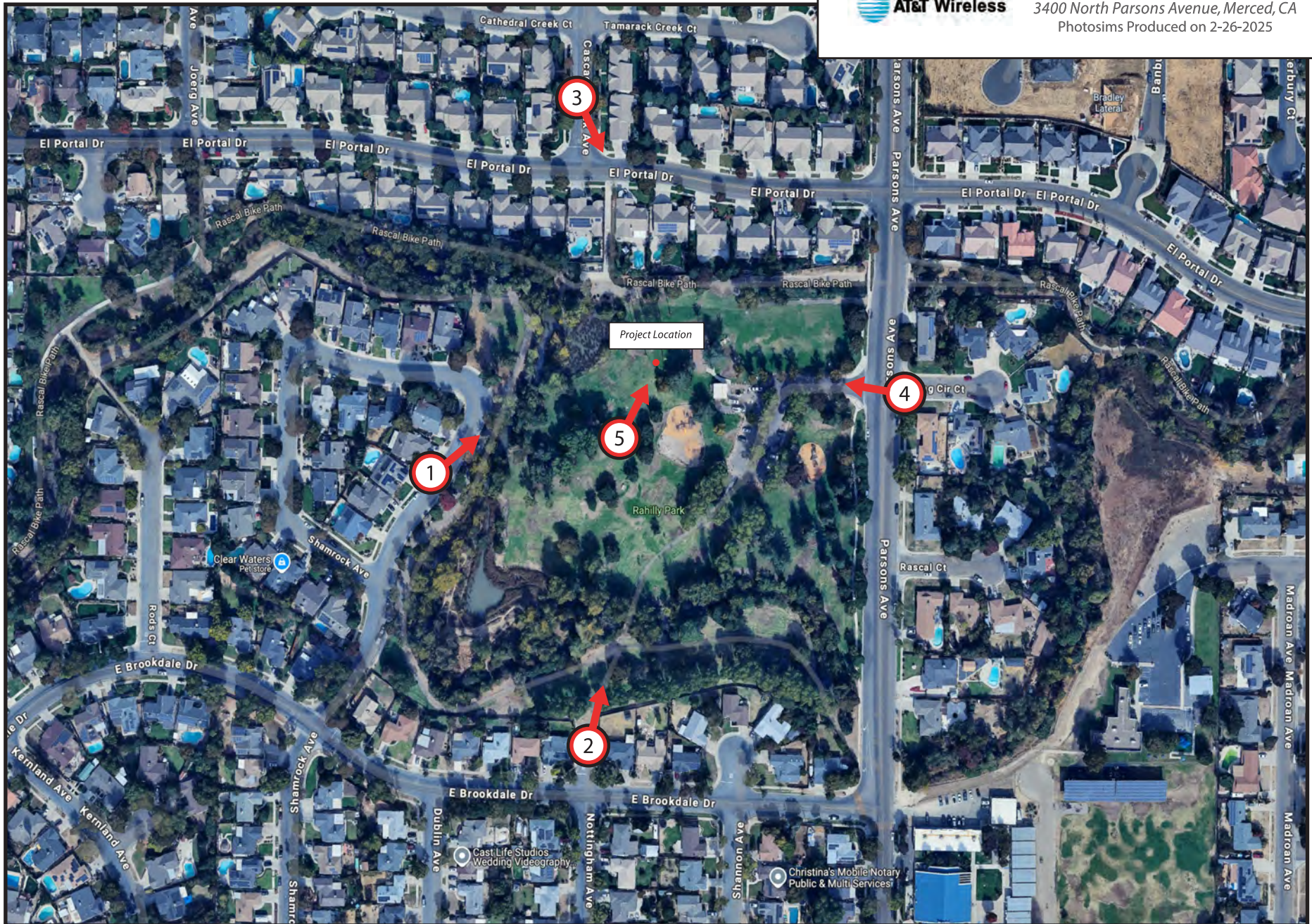
REV	DATE	DESCRIPTION
3		
2		
1		
0		
B		
A	3/10/2025	90% 2D SLB

Licensee:
NORMAN J SCHEEL
No. 2567
Exp. 12-31-25
STRUCTURAL
STATE OF CALIFORNIA
IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT.

Designer / Engineer:
Norman Scheel Structural Engineer
1938 - 2022
36 YEARS OF EXCELLENCE
Norman Scheel
Structural Engineer
5022 Sunrise Blvd.
Fair Oaks, California 95628

Sheet Title:
PROPOSED ELEVATIONS

Sheet Number:
A-4.4



Existing



Proposed



Proposed AT&T
Installation

view from Shamrock Place looking northeast at site

Existing



Proposed



Proposed AT&T
Installation

view from Nottingham Avenue looking north at site

Existing



Proposed



view from Cascade Creek Avenue looking southeast at site

Existing



Proposed



view from Parsons Avenue looking west at site

Existing



Proposed



Proposed AT&T
Installation

view from Rahilly Park looking northeast at site

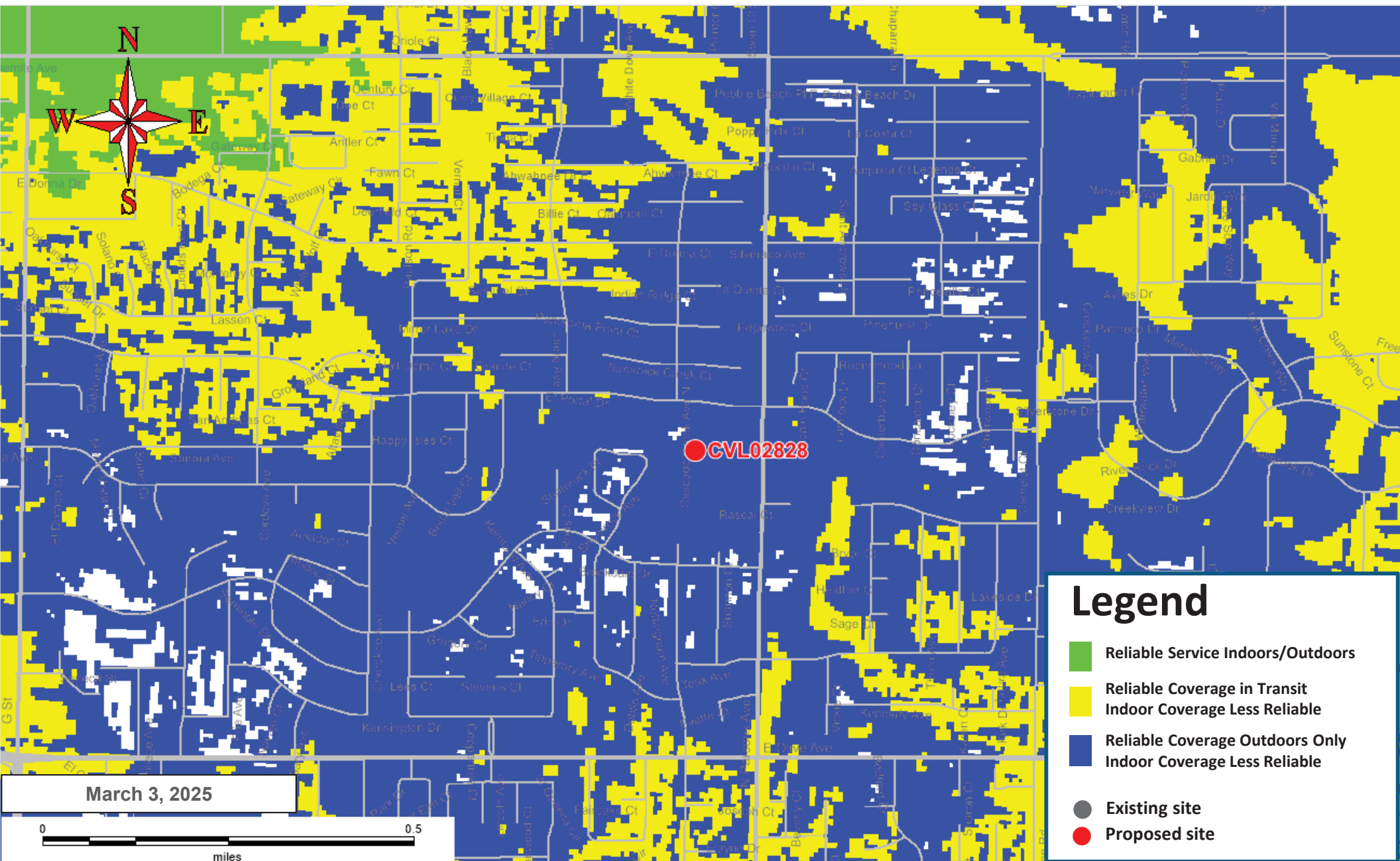
CVL02828 Zoning Propagation Map

March 3, 2025

Disclaimer

“AT&T PROPRIETARY -- This information constitutes confidential trade secrets and commercial or financial information owned by AT&T and is shared for Critical Infrastructure Protection purposes only. It is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552), Exemptions (b)(3)&(4), and its disclosure is prohibited under the Trade Secrets Act (18 U.S.C. 1905), the Critical Infrastructure Information Act of 2002, 6 U.S.C. § 133, and any State or local law requiring disclosure of information or records. This information must not be copied or distributed to others not agreed upon by AT&T, but in all events do not copy or distribute to such others without notification pursuant to Executive Order 12600.”

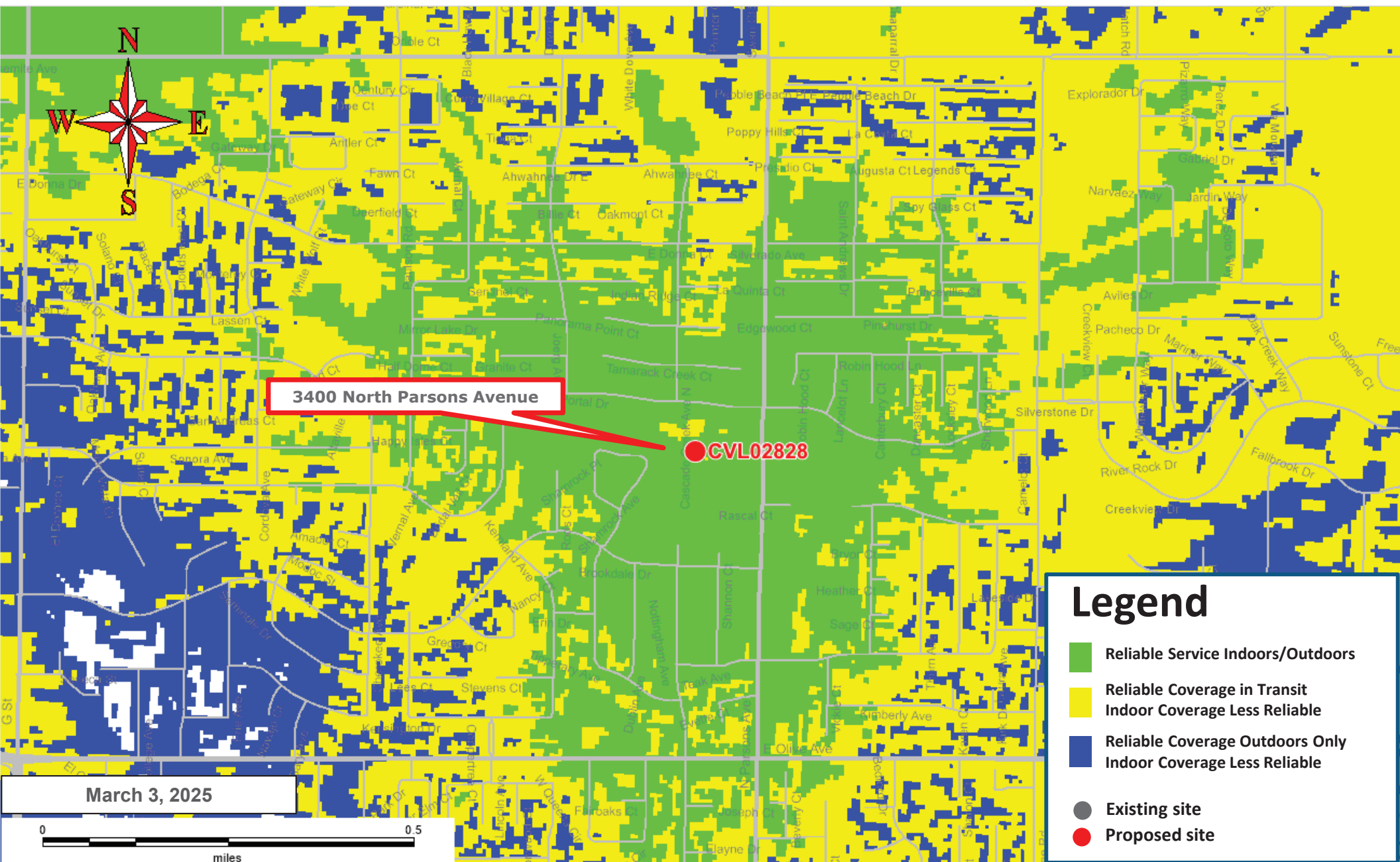
Existing LTE 700 Coverage



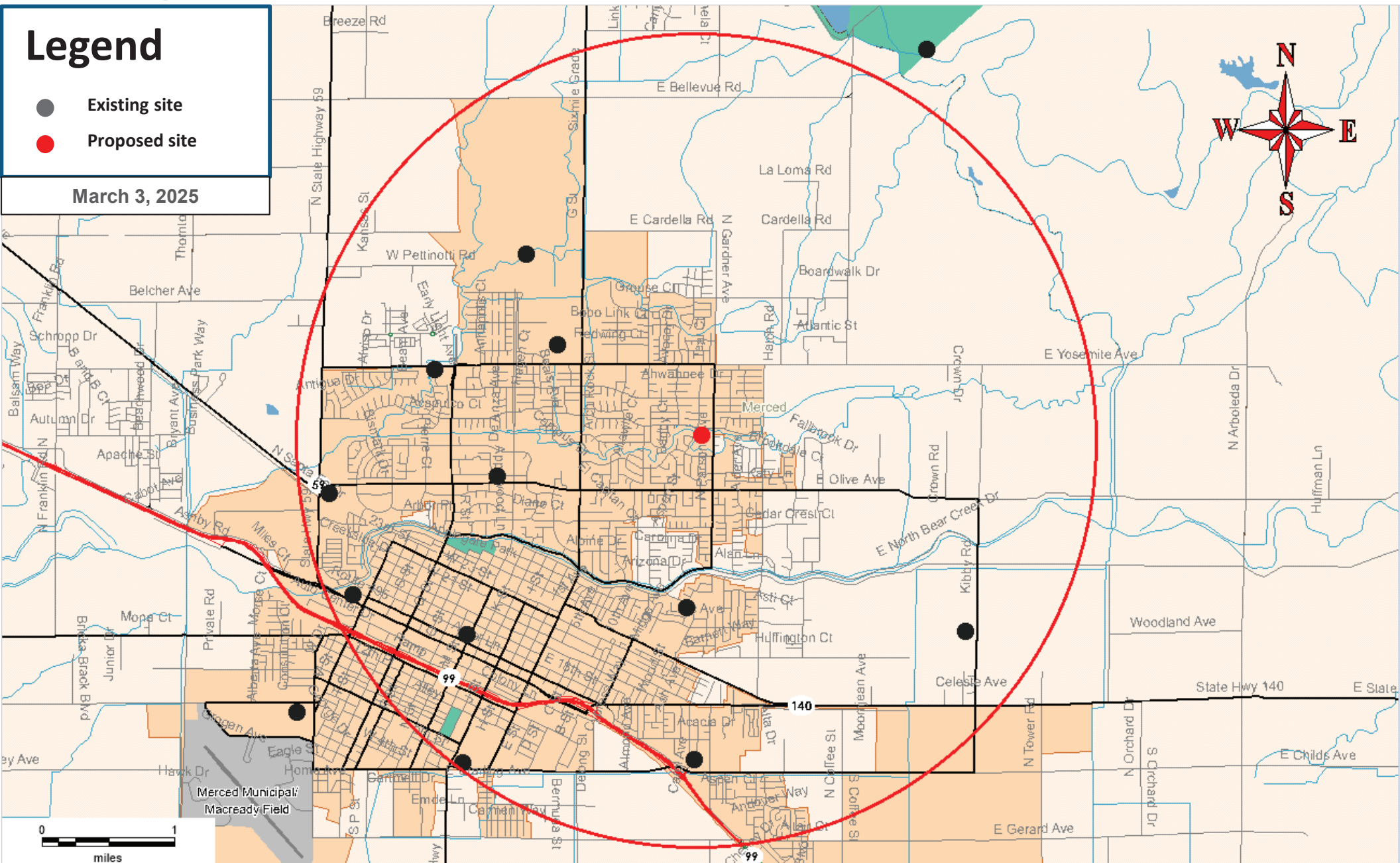
Legend

- Reliable Service Indoors/Outdoors
- Reliable Coverage in Transit Indoor Coverage Less Reliable
- Reliable Coverage Outdoors Only Indoor Coverage Less Reliable
- Existing site
- Proposed site

Proposed LTE 700 Coverage – 3400 North Parsons Avenue @ RC = 51 ft



Existing and proposed sites within 3-mile radius





Radio Frequency Emissions Compliance Report For AT&T Mobility

Site Name:	RAHILLY PARK	Site Structure Type:	Monopalm
Address:	3400 North Parsons Avenue	Latitude:	37.3244
	MERCED, CA 95340	Longitude:	-120.4527
Report Date:	March 11, 2025	Project:	Modification

Compliance Statement

Based on information provided by AT&T Mobility and predictive modeling, the **RAHILLY PARK** installation proposed by AT&T Mobility will be compliant with Radiofrequency Radiation Exposure Limits of 47 C.F.R. §§ 1.1307(b)(3) and 1.1310. RF alerting signage and restricting access to the antenna to authorized personnel that have completed RF safety training is required for Occupational environment compliance. The proposed operation will not expose members of the General Public to hazardous levels of RF energy at ground level or in adjacent buildings.

Certification

I Tim Alexander, am the reviewer and approver of this report and am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation, specifically in accordance with FCC's OET Bulletin 65. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.



SIGNED, 12 MAR 2025

General Summary

The compliance framework is derived from the Federal Communications Commission (FCC) Rules and Regulations for preventing human exposure in excess of the applicable Maximum Permissible Exposure ("MPE") limits. At any location at this site, the power density resulting from each transmitter may be expressed as a percentage of the frequency-specific limits and added to determine if 100% of the exposure limit has been exceeded. The FCC Rules define two tiers of permissible exposure differentiated by the situation in which the exposure takes place and/or the status of the individuals who are subject to exposure. General Population / Uncontrolled exposure limits apply to those situations in which persons may not be aware of the presence of electromagnetic energy, where exposure is not employment-related, or where persons cannot exercise control over their exposure. Occupational / Controlled exposure limits apply to situations in which persons are exposed as a consequence of their employment, have been made fully aware of the potential for exposure, and can exercise control over their exposure. Based on the criteria for these classifications, the FCC General Population limit is considered to be a level that is safe for continuous exposure time. The FCC General Population limit is 5 times more restrictive than the Occupational limits.

Table 1: FCC Limits

Frequency (MHz)	<i>Limits for General Population/ Uncontrolled Exposure</i>		<i>Limits for Occupational/ Controlled Exposure</i>	
	Power Density (mW/cm ²)	Averaging Time (minutes)	Power Density (mW/cm ²)	Averaging Time (minutes)
30-300	0.2	30	1	6
300-1500	f/1500	30	f/300	6
1500-100,000	1.0	30	5.0	6

f=Frequency (MHz)

In situations where the predicted MPE exceeds the General Population threshold in an accessible area as a result of emissions from multiple transmitters, FCC licensees that contribute greater than 5% of the aggregate MPE share responsibility for mitigation.

Based on the computational guidelines set forth in FCC OET Bulletin 65, Waterford Consultants, LLC has developed software to predict the overall Maximum Permissible Exposure possible at any location given the spatial orientation and operating parameters of multiple RF sources. The power density in the Far Field of an RF source is specified by OET-65 Equation 5 as follows:

$$S = \frac{EIRP}{4 \cdot \pi \cdot R^2} \text{ (mW/cm}^2\text{)}$$

Where EIRP is the Effective Radiated Power relative to an isotropic antenna and R is the distance between the antenna and point of study. Additionally, consideration is given to the manufacturers' horizontal and vertical antenna patterns as well as radiation reflection. At any location, the predicted power density in the Far Field is the spatial average of points within a 0 to 6-foot vertical profile that a person would occupy. Near field power density is based on OET-65 Equation 20 stated as

$$S = \left(\frac{180}{\theta_{BW}} \right) \cdot \frac{100 \cdot P_{in}}{\pi \cdot R \cdot h} \text{ (mW/cm}^2\text{)}$$

Where P_{in} is the power input to the antenna, θ_{BW} is the horizontal pattern beamwidth and h is the aperture length.

Some antennas employ beamforming technology where RF energy allocated to each customer device is dynamically directed toward their location. In the analysis presented herein, predicted exposure levels are based on all beams at full utilization (i.e. full power) simultaneously focused in any direction. As this condition is unlikely to occur, the actual power density levels at ground and at adjacent structures are expected to be less than the levels reported below. These theoretical results represent maximum-case predictions as all RF emitters are assumed to be operating at 100% duty cycle.

For any area in excess of 100% General Population MPE, access controls with appropriate RF alerting signage must be put in place and maintained to restrict access to authorized personnel. Signage must be posted to be visible upon approach from any direction to provide notification of potential conditions within these areas. Subject to other site security requirements, occupational personnel should be trained in RF safety and equipped with personal protective equipment (e.g. RF personal monitor) designed for safe work in the vicinity of RF emitters. Controls such as physical barriers to entry imposed by locked doors, hatches and ladders or other access control mechanisms may be supplemented by alarms that alert the individual and notify site management of a breach in access control. Waterford Consultants, LLC recommends that any work activity in these designated areas or in front of any transmitting antennas be coordinated with all wireless tenants.

Analysis

The antenna will be mounted on a 68' Monopalm with centerlines 53' for LTE, 55' for C-Band above ground level for All Sectors. Proposed antenna operating parameters are listed in Appendix A. Other appurtenances such as GPS antennas, RRUs and hybrid cable below the antennas are not sources of RF emissions. No other antennas are known to be operating in the vicinity of this site.

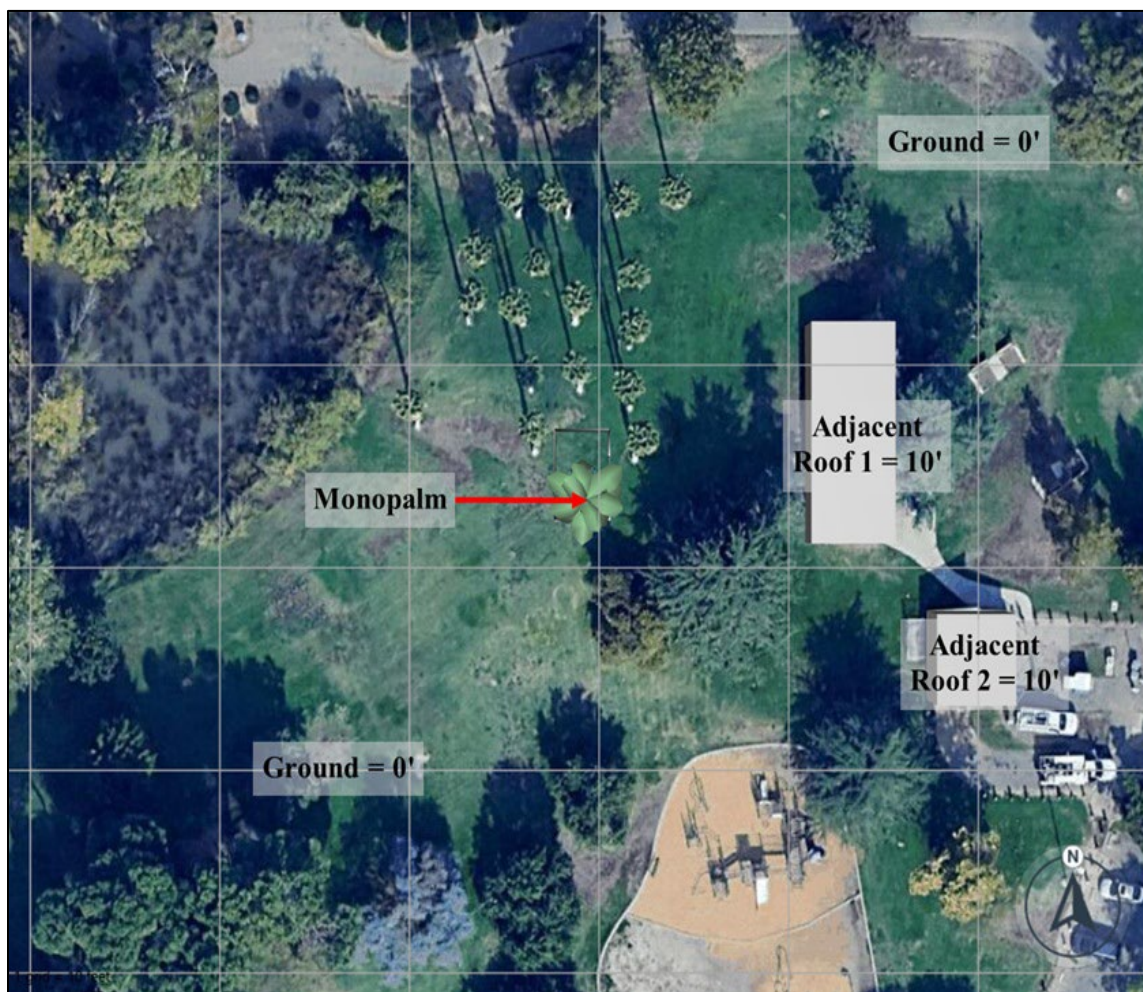


Figure 1: Antenna Locations

Power density decreases significantly with distance from any antenna. The panel-type antennas to be employed at this site are highly directional by design and the orientation in azimuth and mounting elevation, as documented, serves to reduce the potential to exceed MPE limits at any location other than directly in front of the antennas. For accessible areas at ground level, the maximum predicted power density level resulting from all AT&T Mobility operations is 3.68% of the FCC General Population limits. Incident at adjacent Structure depicted in Figures, the maximum predicted power density level resulting from all AT&T Mobility operations is 5.69% of the FCC General Population limits. The proposed operation will not expose members of the General Public to hazardous levels of RF energy at ground level or in adjacent buildings

On the pole in front of the antenna, predicted MPE levels will exceed the FCC General Population limits within 83 feet in front of the antennas and within 8 feet below the Antenna. The maximum predicted power density level resulting from all AT&T Mobility operations directly in front of the antennas is 7484.25% of the FCC General Population limits (1496.85% of the FCC Occupational limits). Waterford Consultants, LLC recommends posting RF alerting signage (Caution 2B) on the pole visible upon approach that informs personnel accessing this area of basic precautions to be followed when working around antennas. This recommendation is depicted in Figure 2. Any work activity in front of transmitting antennas should be coordinated with AT&T Mobility. Please note that 100% of the General Public Limits corresponds to 20% of the Occupational Limits.

Compliance Requirement Diagram (Access Location)

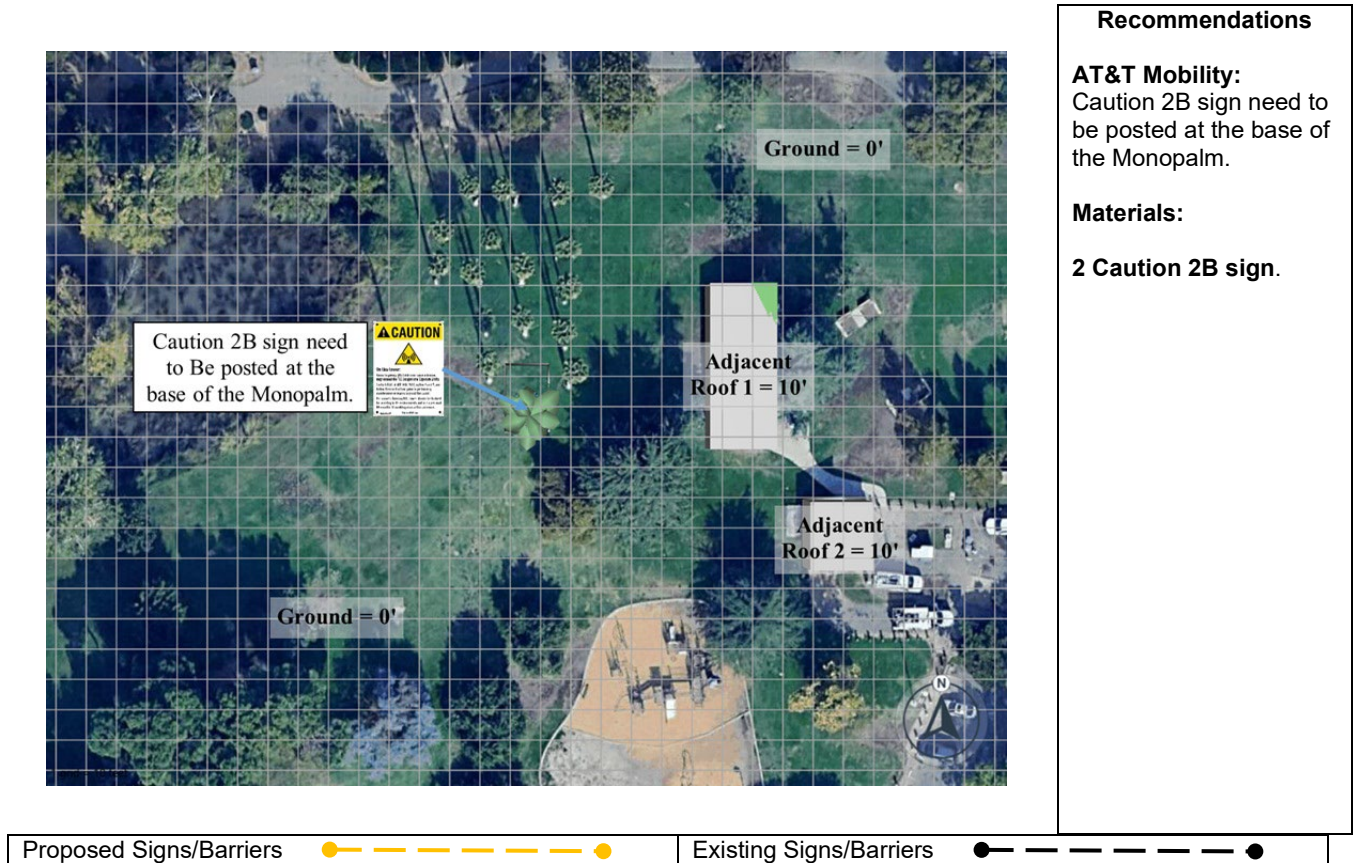


Figure 2: Mitigation Recommendations

Appendix A: Operating Parameters Considered in this Analysis

Ant #	Operator	Antenna Make	Antenna Model	Type	Frequency (MHz)	Block	mech/ elec Az (Deg)	mech downtilt (Deg)	Horizontal Beam Width (Deg)	Antenna Length/ Aperture (ft)	Antenna Gain (dBd)	TPO (Watts)	Total ERP (Watts)	Antenna Centerline Ground Level (ft)	Bottom of Antenna Ground Level (ft)
1	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	700	B12A	60	0	71	8	13.15	240	4956.90	53	49
1	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	850	B5	60	0	60	8	13.85	240	6610.13	53	49
1	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	1900	B25	60	0	58	8	15.75	240	13068.03	53	49
1	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	2100	B66	60	0	57	8	24.25	240	14494.72	53	49
2	AT&T	ERICSSON	AIR6472	Panel	3500	B77G	60	0	63	3	25.15	54.22	14426.46	55	54
2	AT&T	ERICSSON	AIR6472	Panel	3700	B77M	60	0	66	3	12.31	81.33	26622.59	55	54
3	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	700	B14	60	0	71	8	14.88	160	3304.61	53	49
3	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	1900	B25	60	0	58	8	15.17	240	13068.03	53	49
3	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	2100	B66	60	0	57	8	13.15	240	14494.72	53	49
4	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	700	B12A	180	0	71	8	13.85	240	4956.90	53	49
4	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	850	B5	180	0	60	8	15.75	240	6610.13	53	49
4	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	1900	B25	180	0	58	8	24.25	240	13068.03	53	49
4	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	2100	B66	180	0	57	8	25.15	240	14494.72	53	49
5	AT&T	ERICSSON	AIR6472	Panel	3500	B77G	180	0	63	3	12.31	54.22	14426.46	55	54
5	AT&T	ERICSSON	AIR6472	Panel	3700	B77M	180	0	66	3	14.88	81.33	26622.59	55	54
6	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	700	B14	180	0	71	8	15.17	160	3304.61	53	49
6	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	1900	B25	180	0	58	8	13.15	240	13068.03	53	49
6	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	2100	B66	180	0	57	8	13.85	240	14494.72	53	49
7	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	700	B12A	300	0	71	8	15.75	240	4956.90	53	49
7	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	850	B5	300	0	60	8	24.25	240	6610.13	53	49
7	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	1900	B25	300	0	58	8	25.15	240	13068.03	53	49
7	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	2100	B66	300	0	57	8	12.31	240	14494.72	53	49
8	AT&T	ERICSSON	AIR6472	Panel	3500	B77G	300	0	63	3	14.88	54.22	14426.46	55	54
8	AT&T	ERICSSON	AIR6472	Panel	3700	B77M	300	0	66	3	15.17	81.33	26622.59	55	54
9	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	700	B14	300	0	71	8	13.15	160	3304.61	53	49
9	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	1900	B25	300	0	58	8	13.85	240	13068.03	53	49
9	AT&T	COMMSCOPE	NNH4-65C-R6-HG	Panel	2100	B66	300	0	57	8	15.75	240	14494.72	53	49

Alternative Sites Analysis



Proposed



AT&T Mobility

Wireless Telecommunications Facility

At

Rahilly Park

3400 N. Parsons Avenue, Merced, CA 95340

Site ID: CVL02828

Introduction

New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (“AT&T”) has a significant gap in its service coverage in the City of Merced. AT&T proposes to install a new 55-foot-tall wireless communications facility (“WCF”) disguised as a monopalm tree at Rahilly Park (“Proposed Facility”) as a means to fill AT&T’s gap in coverage in this portion of the city. The city park property is located in an (R-1-6) Low Density Residential zoning district in the city of Merced. The Proposed Facility consists of twelve panel antennas (three sets of four antennas) mounted on a pole and camouflaged as a monopalm tree (“monopalm”), with related equipment to be housed within a 8-foot-high CMU wall enclosure finished to match existing park buildings/structures. The Proposed Facility is designed to minimize visual impacts, blend within the existing environment, and the antennas will be painted green and obscured by the faux palm branches. The new site location will have little to no negative effect on the aesthetic quality of its surroundings due to the existing tall palm trees located on the property. Effectively the existing grove of Palm trees located adjacent to the proposed site will screen much of the facility from residences and the public right of way. The Proposed Facility is the least intrusive means to fill the significant gap of the alternatives investigated by AT&T as explained below.

Objective

AT&T Mobility has identified a significant gap in its service coverage in the City of Merced, Merced County in an area roughly bordered by E. Donna Dr to the north, McKee Rd to the east, Oregon Dr to the south, and Cherokee Ave to the west. The Proposed Facility will improve coverage to many dozens of homes in several neighborhoods, community parks, elementary school, local churches and other points of interest in the immediate vicinity. The service coverage in this portion of the city is described in the accompanying Radio Frequency propagation maps.

Methodology and Zoning Criteria

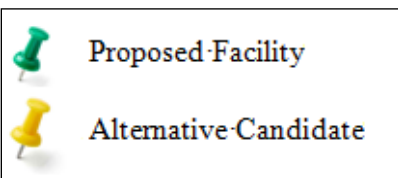
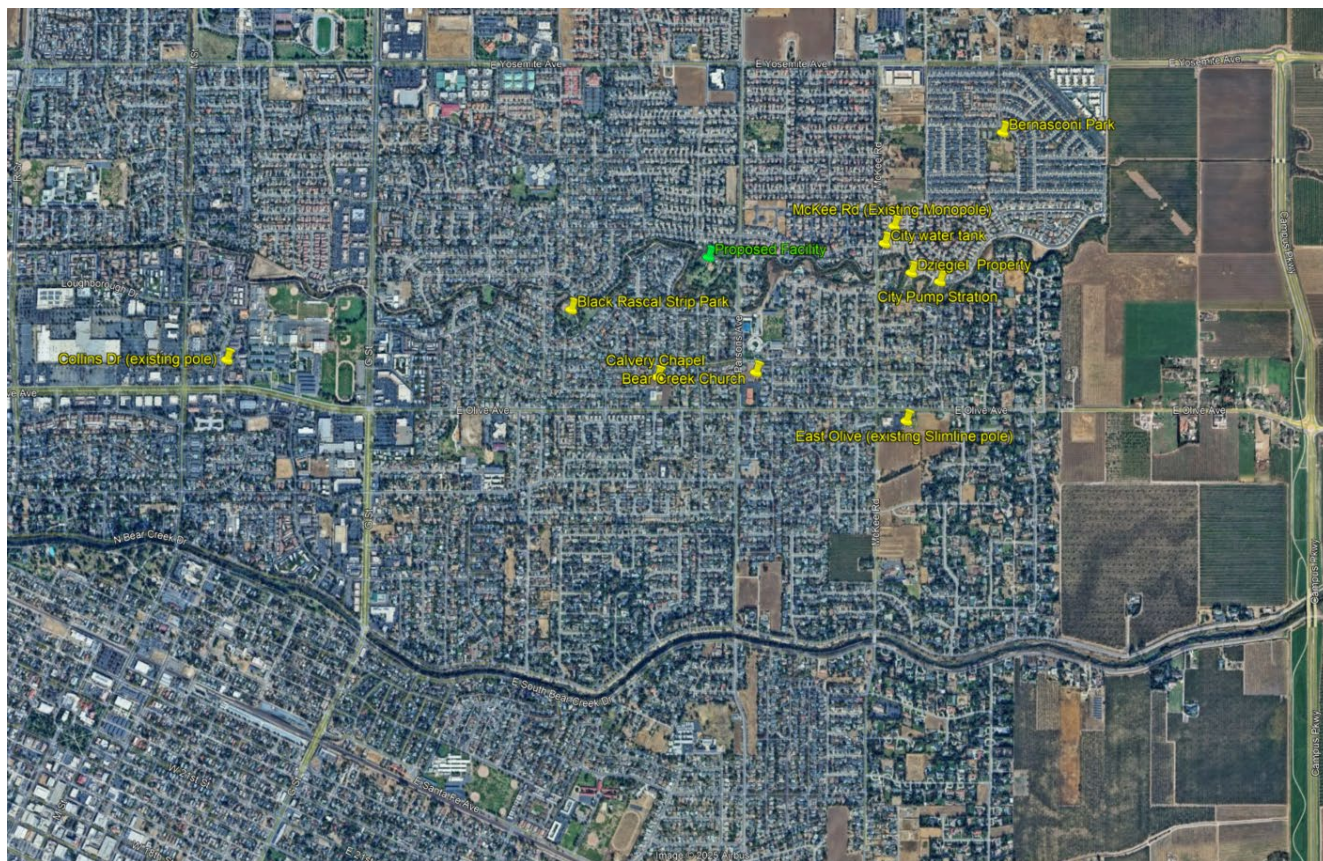
The location of a WCF to fill a significant gap in coverage is dependent upon topography, zoning, existing structures, collocation opportunities, available utilities, access and a willing landlord. Wireless communication is line-of-sight technology that requires WCFs to be in relatively close proximity to the wireless handsets to be served.

AT&T seeks to fill a significant gap in service coverage using the least intrusive means under the values expressed in the City of Merced Municipal Code. AT&T seeks to meet the Code requirements and provide the best available design by placing this Monopalm WCF in an (R-1-6) Low Density Residential Use zone district at the minimum height needed to address the significant service coverage gap.

Analysis

AT&T investigated potential alternative sites for facilities to fill the identified coverage gap in this portion of the city. AT&T searched for, but did not find, feasible collocation opportunities in and around the coverage objective. Due to the need for antennas with a centerline height of (53) feet above ground level, AT&T proposed a stealth WCF in the form of a Monopalm tower. The following map shows the locations of the Proposed Facility and the alternative sites that AT&T investigated. The alternatives are discussed in the analysis which follows.

Location of Candidate Sites



Proposed Facility – Rahilly Park 3400 N. Parsons Avenue, Merced, CA



Conclusion: Based upon location, a willing landlord and the superior coverage as shown in the AT&T Radio Frequency coverage service maps, the Proposed Facility is the least intrusive means for AT&T to meet its service coverage objective.

The city owned park is located in a (R-1-6) Low Density Residential Zoned District at 3400 N. Parsons Avenue Ave, Merced, CA. AT&T proposes to install a 55-foot stealth monotree tower to camouflage its twelve antennas. The Proposed Facility is the best available design to minimize visual impacts in the area. The site location will have little to no negative effect on the aesthetic quality of its surroundings due to the existing grove of tall Palm trees located on the property adjacent to the proposed site. Effectively the existing grove of palm trees will screen much of the facility from residents and travelers in the area. The Proposed Facility is the least intrusive means to fill the significant gap of the alternatives investigated by AT&T.

Alternative 1 – Bear Creek Community Church 1717 E Olive Ave, Merced, CA



Conclusion: Not Permitted

This property is located approximately 0.34 miles south from the Proposed Facility. It was decided by the city planning commission that a WCF located at the church property would not meet Merced Municipal code, namely a WCF at the church property would not minimize visibility from residentially zoned properties and would not minimize scenic views from residentially zoned properties.

Alternative 2 – McKee Rd (existing Monopole tower) 3360 McKee Rd, Merced, CA



Conclusion: Not Viable or available

The Existing 72 ft. tall Monopole tower is located approximately 0.51 miles northeast from the Proposed Facility. The existing Monopole tower is owned by Crown Castle Corporation and is Not viable due to unavailable tower space, structural capacity and insufficient ground lease space within the existing Crown Castle leased premises for AT&T's proposed equipment.

Alternative 3 – City water tank, McKee Rd, Merced, CA



Conclusion: Not available

The City of Merced owned water tank is located approximately 0.48 miles northeast of the proposed Facility. The city public works and engineering Dept were not interested in leasing antenna space on the existing water tank and or ground space to AT&T at the property due to security purposes.

Alternative 4 – Dziegiel Property, Creekview Dr, Merced, CA



Conclusion: Not available

This property is located approximately 0.55 miles east from the Proposed Facility. The property owners were not interested in leasing ground space to AT&T for a WCF.

Alternative 5 – Calvary Chapel Church, 1345 E Olive Ave, Merced, CA



Conclusion: Not available

This property is located approximately 0.35 miles southwest from the Proposed Facility. The church board/representatives were not interested in leasing ground space to AT&T for a WCF.

Alternative 6 – East Olive (existing Slimline Monopole), 2222 E Olive Ave, Merced, CA



Conclusion: Not Viable

The Existing 50 ft. tall Slimline Monopole tower is located approximately 0.69 miles southeast from the Proposed Facility. The existing Slimline Monopole tower is owned by Crown Castle Corporation and is Not viable due to unavailable tower space and structural capacity for AT&T's proposed equipment.

Alternative 7 – Black Rascal Strip Park, Merced, CA



Conclusion: Not feasible

The City of Merced Park is located approximately 0.40 miles southwest of the proposed Facility. Due to its location well to the southwest of AT&T's service objective, a WCF here does not serve the target area and would not close AT&T's significant service coverage gap.

Alternative 8 – Collins Dr, (existing Slimline pole) 3168 Collins Dr, Merced, CA



Conclusion: Not feasible

This property is located approximately 1.32 miles southwest from the Proposed Facility. Due to its location well to the southwest of AT&T's service objective, a WCF here does not serve the target area and would not close AT&T's significant service coverage gap.

Alternative 9 – City Storm Pump Station #43 Creekview Dr, Merced, CA



Conclusion: Not Viable or Feasible

This undeveloped parcel owned by the city of Merced is located approximately 0.63 miles east from the proposed Facility. The undeveloped property is not viable due to inadequate access, environmental impact and lack of usable ground space for a wireless communications facility (“WCF”). Additionally, the city of Merced public works Dept. advised that this property would not be a suitable location for a new “WCF”.

Alternative 10 – Bernasconi Neighborhood Park Jardin Way, Merced, CA 95340



Conclusion: Not available

The city owned neighborhood Park is located approximately 0.87 miles northeast of the proposed Facility. The city and its Parks Dept. staff investigated this park location as a possible site for a new WCF and stated that this park location is not available to AT&T for the reason of shortage of available lease space for a WCF. Additionally, a WCF at this location would be more visible than at the Proposed Facility, especially from nearby residential neighborhoods. The Proposed Facility is less intrusive than a WCF at this neighborhood park location.

Conclusion

The Proposed Facility is the least intrusive means by which AT&T can close its significant service coverage gap in this portion of the City of Merced. Denial of AT&T's application or a reduction in height would materially inhibit AT&T's ability to provide and improve service in this portion of the city.

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #25-0001

DRAFT

AT&T Mobility	Construct a 55' stealth mono-palm wireless communication tower and an 8x8 walk in closet.
APPLICANT	PROJECT
605 Coolidge Dr., Ste 100	3400 Parsons Ave
ADDRESS	PROJECT SITE
Folsom, CA 95630	006-150-002
CITY/STATE/ZIP	APN
(916) 798-2275	R-1-6
PHONE	ZONING

34

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Merced City Site Plan Review Committee considered and approved Site Plan Review Application #25-0001 on April 3, 2025, submitted by AT&T Mobility c/o Epic Wireless Group, on behalf of City of Merced, property owner, to construct a 55-foot-tall stealth mono-palm wireless communication tower at 3400 Parsons Ave. within a General Plan designation of Open-Space Park Recreation with a Zoning classification of R-1-6 Zone. Said property being more particularly described as Adjusted Parcel 2 as shown on that map "Bradley's Add. No. I, R.M. Vol. 2, Pg 66" recorded in Book 6, Page 15 of Merced County Records; also known as Assessor's Parcel Number (APN) 006-150-002.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15332 (Exhibit D); and,

WHEREAS, the Merced City Site Plan Review Committee makes the following Findings:

- A) The proposal complies with the General Plan designation of Open Space – Park recreation (OS-P) and the Zoning classification of R-1-6.
- B) The wireless communication tower would be disguised as a palm tree (55-foot-tall stealth mono-palm) located on the northern portion of the parcel. Ancillary cabinet ground equipment would be enclosed by an 8-foot-tall CMU wall. The proposed 55-foot height is necessary to provide coverage to service the area. The proposed cell tower will be setback 184 feet south from the homes on El Portal Drive.
- C) The location is adjacent to single-family homes on El Portal Drive, little visibility from the homes on Shamrock Place, Nottingham Ave., Cascade Creek Ave., and Parsons Ave. There are existing trees in the surrounding area including

April 3, 2025

twelve (12) palm trees on the property, so the cell tower will blend in with others in the area.

- D) Based on elevations provided, the large cellmax antennas located on the site plan does not protrudes out more than the mono-palm branches. The smaller antennas will be covered with a palm stealth “bulb”. Additionally, in order to minimize the visibility, the antennas will need to be painted green (Condition #8).
- E) Applicant has provided an alternative site analysis for co-locations; however, the conclusion is that it is not viable or available (Exhibit F).
- F) Applicant has provided a map of existing and proposed wireless facilities within the three-mile radius to illustrate service for local area and first responders (First Net Program), also known as First Responders Network (Exhibit G).
- G) Support tower is not located in an agricultural zoning district.
- H) The radio frequency emission of the proposed cell tower will meet FCC guidelines (Exhibit E).
- I) The communication tower will not block any of the scenic corridors shown in General Plan Policy OS-1.3B.
- J) The proposed communication tower would not create any unusual structures that are not already permitted within the R-1-6 Zone. Other structures (with similar functions, height, and designs), such as mono-palm tower for wireless communication providers, are allowed within the R-1-6 Zone with Site Plan Permit approval.
- K) According to Section 332 (-C-) (-7-) of the Federal Telecommunication Act, local governments may not (1) prohibit or effectively prohibit personal wireless service (2) unreasonably discriminate among providers of functionally equivalent service providers, (3) regulate personal wireless service facilities based on the environmental effects from radio frequency emission to the extent such emission meets FFC Guidelines.
- L) Staff mailed a public hearing notice to property owners adjacent to the subject site and published the public hearing notice in the *Merced County Times*. As of the time this report was prepared (3/28/25), Planning Staff has received 1 email in opposition to the project.
- M) Per Zoning Ordinance 20.58-2, a Site Plan Review Permit is required because the subject site is in an R1 Zone.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Review Application #25-0001, subject to the following conditions:

1. All applicable conditions contained in Site Plan Approval Resolution #79-1-Amended (“Standard Conditions for Site Plan Application”) shall apply.

April 3, 2025

2. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply including, but not limited to, the California building code and fire codes.
3. The site shall be constructed as shown on Exhibit B (site plan) and Exhibit C (elevation), as modified by the conditions of approval within this resolution.
4. Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.
5. In coordination with the Police Department and Fire Department, a frequency/inter-modulation study shall be prepared. Service may not be initiated until these departments have reviewed and have found the study to be acceptable.
6. At the time of building permit submittal, the applicant shall provide certification by a Radio Frequency Engineer, stating the RFR measurements and that they meet FCC radio frequency radiation standards.
7. The applicant shall work with the Merced Regional Airport and comply with all of their requirements for this type of structure and obtain all proper permits. Said requirements may include, but are not limited to, obtaining approval from the Airport Land Use Commission or showing proof of submitting an FAA Form 7460-1 to the FAA.
8. The private communication tower shall be a stealth mono-palm wireless communication facility and antennas shall be painted green to blend in.
9. The private communication tower shall be maintained at all times. At no time shall the private communication tower be faded or worn down to a state that would be considered unacceptable to City standards.
10. The private communication tower shall not have any form of steps, ladder, or pegs protruding from its side.
11. No signs, other than warning and safety signage, shall be located on a support tower or ancillary facility.
12. Other than lighting required by the FAA or other regulatory agency for the purpose of safety, lights are not permitted on the communication tower.
13. Any noise generated by the facility from the equipment or the tower shall be kept to a minimum so as not to cause a nuisance to the surrounding businesses.
14. At the time of building permit submittal, the applicant shall provide a site plan to the Engineering Department showing all easements which includes, but is not limited to, railroad right-of-way and City easements. The project shall not encroach into any rights-of-way or easements without first obtaining proper approval to do so.
15. The premise shall remain clean and free of debris and graffiti at all times.
16. The CMU wall shall be painted to match existing park building.
17. A landscape plan shall be submitted to Public Works Deputy Director for approval.

April 3, 2025

18. The applicant shall work with the Engineering Department for any improvements required, such as bike path, curb cut, gate, and/ or removeable bollards.

If there are any questions concerning these conditions and recommendations, please contact Jessie Lee at (209) 385-6858.

April 3, 2025
DATE

SIGNATURE

Development Services Technician II
TITLE

Exhibits:

- A) Location Map
- B) Overall Site Plan
- C) Elevation
- D) Categorical Exemption
- E) Radio Frequency Emission Compliance Report
- F) Alternative Sites Analysis
- G) AT&T Coverage Maps
- H) Presentation
- I) Public Comments

From: [planningweb](#)
To: [Lee, Jessie](#)
Subject: FW: Opposed to Review #25-001
Date: Monday, March 24, 2025 7:23:20 AM

From: brenda morgun <[REDACTED]>
Sent: Sunday, March 23, 2025 9:39 AM
To: planningweb <planningweb@cityofmerced.org>
Subject: Opposed to Review #25-001

You don't often get email from [REDACTED]. [Learn why this is important](#)

I would like to voice my disapproval of Site Plan #25-001, as a Merced Citizen I do not believe that there should be a large cell tower in Rahilly Park. People go to this park to get away from the feeling that they are in suburban areas without really leaving. This park is picture perfect for weddings, birthdays, and many other family events. Having a Cell Tower in the middle of it will ruin the atmosphere and really look unsightly to the entire neighborhood. We do not need one there. Cell service is fine in this area. Please leave our parks alone!

Sincerely,
Brenda Morgun

[**NOTICE:** This message originated outside of City of Merced -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

From: [planningweb](#)
To: [Lee, Jessie](#)
Subject: FW: Oppose to the ATT Cell tower in Rahilly Park
Date: Thursday, March 27, 2025 10:22:45 AM

From: brenda morgun <[REDACTED]>
Sent: Thursday, March 27, 2025 9:42 AM
To: planningweb <planningweb@cityofmerced.org>
Subject: Oppose to the ATT Cell tower in Rahilly Park

You don't often get email from [REDACTED] [Learn why this is important](#)

In addition to the tower being unsightly and depleting the property values in my area, I would also like to remind the council that they denied the permit for this tower to be built on East Olive and Parson due to health concerns. This tower will be almost directly in my backyard, in which I have already been through radiation twice, it would be detrimental to my health and the health of the children in the area, including at Chenoweth School, and the play area right next to the proposed site. Please build it elsewhere. There is an open field a bit further up on Yosemite and Parson, it would be a better site.

Thank you.

Brenda Morgun

[**NOTICE:** This message originated outside of City of Merced -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

From: [planningweb](#)
To: [Lee, Jessie](#)
Subject: FW: Opposing site plan #25-001
Date: Friday, March 28, 2025 9:23:41 AM

From: Aurora Martinez <[REDACTED]>
Sent: Thursday, March 27, 2025 5:28 PM
To: planningweb <planningweb@cityofmerced.org>
Subject: Opposing site plan #25-001

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Kim Espinosa

I am absolutely outraged by the proposed cell tower on Parsons (in Rahilly Park) and am writing to voice my strong opposition.

The radiation this tower will emit is not just a concern- it is a direct threat to my family's health, and I refuse to accept that we should be subjected to this without a choice.

What infuriates me the most is that my mother has already suffered through radiation while going through her cancer treatments. She fought for her life, and now, after everything, she is expected to live in a home where she'll be exposed to radiation daily? This is beyond unacceptable. It is cruel. No one should be forced to endure this, yet my family is being put in harm's way for the sake of convenience and corporate interest!

Also it is well known that cell towers decrease property values by as much as 10%, AT&T has turned on Starlink as of February so the tower is not necessary for them to have.

This is not just an inconvenience- it is a violation of our right to a safe home!!

Sincerely,
Aurora Martinez

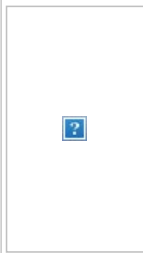
[**NOTICE:** This message originated outside of City of Merced -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

From: [planningweb](#)
To: [Lee, Jessie](#)
Subject: FW: AT&T Tower in Rahilly Park
Date: Monday, April 21, 2025 9:59:15 AM

From: brenda morgun <[REDACTED]>
Sent: Saturday, April 19, 2025 3:08 PM
To: planningweb <planningweb@cityofmerced.org>
Subject: AT&T Tower in Rahilly Park

Dear Planning Commission:

I am writing you to voice again my deepest opposition to building a Cell Tower in Rahilly Park plan #25-006. First of all, I would like to voice that the tower is against Merced Vision 2030 General Plan being that the tower would be on the banks of Black Rascal Creek., as stated in Chapter 7 Policy OS-1.2 to Preserve and Enhance our Creeks in Their NATURAL State. A huge wall around the tower would not look natural and would be all that I see from my backyard. The cell tower would be an environmental catastrophe by depositing microplastics (from the fake leaves made of PVC Plastic) not only in the soil but also Black Rascal Creek that it is planned to be next to. Rahilly park is one of our 5 large parks in Merced City which makes it a treasure to the community. This is only one of the impacts that the tower will have and the proof that it will is here: <https://ehtrust.org/cell-towers-disguised-as-trees-create-microplastic-pollution-an-environmental-nightmare/>



[Cell Towers Disguised as Trees Create Microplastic Pollution - An Environmental Nightmare - Environmental Health Trust](https://ehtrust.org/cell-towers-disguised-as-trees-create-microplastic-pollution-an-environmental-nightmare/)

Fact: Trees pretending to be cell towers create microplastic pollution. On November 4, 2021, two friends went to the area surrounding the base of AT&T's monopine cell tower at 1857 Hekpa Drive, and found an enormous debris field comprised of many pounds of fallen PVC plastic faux pine branches, many with faux PVC pine needles
ehtrust.org

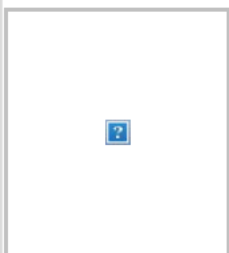
I would also like to bring up that Environmental Health Trust vs Federal Communications Commission NO. 20-1025 in the DC court . This lawsuit in which the Environmental Health Trust won does require the FCC to provide an updated guideline for human exposure to Radiation - which it has not done since 1996, also has failed to comply with the verdict from the Superior Court. <https://law.justia.com/cases/federal/appellate-courts/cadc/20-1025/20-1025-2021-08-13.html>



[Environmental Health Trust v. Federal Communications Commission, No. 20-1025 \(D.C. Cir. 2021\) - Justia Law](https://law.justia.com/cases/federal/appellate-courts/cadc/20-1025/20-1025-2021-08-13.html)

The FCC regulates facilities and devices that transmit radio waves and microwaves, including cell phones and facilities for radio, TV, and cell phone communications, 47 U.S.C. 302a(a). Radio waves and microwaves are electromagnetic energy, “radiofrequency” that move through space, as “RF radiation.” RF radiation at sufficiently high levels can heat human body tissue, resulting in ...

law.justia.com



[The Majority of Studies on Critical Health Endpoints Finds Effects From Wireless Frequencies - Environmental Health Trust](#)

Numerous analyses of studies have found the majority of studies on wireless frequencies evaluated show biological effects. Scientists of the Bioinitiative have repeatedly documented how the majority of studies show effects. A November 18, 2021 letter from Cindy Sage, M.A., David O. Carpenter, MD., Lennart Hardell, M.D., Ph.D., Prof. Philip L. ... documents the majority [...]

Last of course the impact on our property value, which many experts say will drop about 10%. This is not good for our neighborhood. I would like all to say that I oppose the building of any cell tower in our neighborhood, or our neighborhood parks.

Please help us save our parks and neighborhood

Sincerely,

brenda morgun

Resident

[NOTICE: This message originated outside of City of Merced – **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

From: [planningweb](#)
To: [Lee, Jessie](#)
Cc: [Abarca, Kayla](#); [Lowrance, Diana](#)
Subject: FW: Objection To Cell Tower in Rahilly Park 25-0006
Date: Monday, April 21, 2025 2:45:34 PM
Attachments: [image001.png](#)

From: brenda morgun <[REDACTED]>
Sent: Monday, April 21, 2025 12:57 PM
To: planningweb <planningweb@cityofmerced.org>
Subject: Objection To Cell Tower in Rahilly Park 25-0006

Dear Planning Commission:

I am writing to voice my strongest objection to the building of a cell tower in Rahilly Park. I am a resident of the El Portal Neighborhood, and I would like to say that we are already surrounded by Cell Towers - we have one at 3360 McKee Road, although owned by Crown Castle I know that AT&T does in fact rent tower space by them and therefore we do not need Epic Towers to build another one in our location. Not to mention there is new technology to fill in dead zones, Starlink and AST Spacemobile to name a few. Don't let us get stuck with a defunct tower these towers only devalue our neighborhood, takes away our green spaces and subjects our residents to unnecessary Radiofrequency pollution.

I would like to suggest that the planning department look into giving this Epic Towers or Mr. Jones (whom signed the completely bogus environmental waiver) a place further east, such as at the Animal Hospital on Yosemite - or on the commercial section of the Hub, as these towers are usually located on commercial property not our green spaces. I would also like to point out that the Merced Vision Plan states that Merced's Vision is to preserve our parks and creek banks in the Natural State.

Please do not let this guy bully you with USC 47- USC 47 does not give him a right to change our zoning codes. (Section 7 A Nothing in this chapter shall limit or affect the authority of a state or LOCAL government over decisions regarding the placement, construction, and modification of personal wireless service facilities.)

th

I will speak on May 7 at 6 PM

Sincerely,

brenda

[**NOTICE:** This message originated outside of City of Merced -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]



Environmental Assessment Specialists, Inc.

71 San Marino Avenue Ventura CA 93003
Office (805) 650-0949 Fax (805) 650-8054 www.easenv.com

April 22, 2025

City of Merced Planning and Permitting
678 West 18th Street
Merced, CA 95340
planningweb@cityofmerced.org

RE: Invitation to Comment - Cultural Resource Identification Study/Sacred Lands File Search for Proposed Wireless Communications Candidate: AT&T Mobility, LLC - CVL02828 @ 3400 North Parsons Avenue, Merced, Merced County, CA 95340

Environmental Assessment Specialists, Inc. (EAS) is under contract with AT&T Mobility, LLC to submit this proposed telecommunication site information to Native American tribal groups and other interested parties for review. This submittal is being requested for compliance with Federal Communications Commission (FCC) Section 106 of the National Historic Preservation Act (NHPA) to determine if the site will impact historic places and/or archaeologically sensitive sites. Below please find the proposed site description for the above-referenced telecommunications facility.

Site Location and Description

The lease area lies in S17 T7S R14E as shown on the USGS Merced, CA 7.5-minute quadrangle map. AT&T Mobility, LLC proposes to install a new telecommunications facility at this location: new faux tree antenna structure and associated equipment within a new compound including utility trenching. Ground disturbance will be required.

Field assessment for both historic properties and archaeological sites *will be* conducted, and a determination *will be* made of the project's direct and indirect effects on eligible properties. Consulting parties are invited to provide information concerning historic or archaeological properties already listed in the National Register or that could be eligible for listing in the National Register.

If you have any questions regarding historical resources, please feel free to contact me via U.S. mail or email jr1996@easenv.com. Thank you for your consideration.

A handwritten signature in black ink that reads 'Gavin Leaver'.

Gavin Leaver

Environmental Assessment Specialists, Inc.

Please mail your response to:

12301 Kenny Drive
Granada Hills, CA 91344

From: [Aurora Martinez](#)
To: [planningweb](#)
Subject: Objection to #25-0006
Date: Friday, April 25, 2025 11:40:21 AM

You don't often get email from [REDACTED] [Learn why this is important](#)

I'm a Merced Resident and I am writing yet again to voice my furious objection to proposal #25-0006. It is beyond disgraceful that the planning committee is even considering allowing the construction of a completely unnecessary cell tower-one that poses serious health risks to our families through constant radiation exposure, strips away what little green space we have left, and threatens the very existence of the wildlife, such as the California Tiger Salamander, that has long called Rahilly Park home. This decision is not only reckless, it is heartbreaking! How can those entrusted with protecting our communities be so willing to destroy them?

[**NOTICE:** This message originated outside of City of Merced -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

The Following Residents oppose the building of the Cell Tower in Rahilly Park:

NAME & Signature

Address

1	Andra Boese	1385 El Portal Drive
2	Rafael Chavez	1393 EL PORTAL DR.
3	Ahram Elsenkary	1361 EL Portal Dr
4	Agma Malloy	1325 El Portal Dr
5	Jennifer Brown	1304 El Portal Dr.
6	Andra	1324 Tamarack Creek Court Merced
7	MARTHA MARTINEZ	1356 TAMARACK CREEK CT
8	Ramon Curiel	1378 Tamarack Creek Court.
9	Genevieve McClellan	1353 Tamarack Ct Ct
10	Dana Reyes / La C. R.	3442 Cascade Creek Ave.
11	Tim Koles	1237 PANORAMA PT
12	Jorge Pistori / John Pistori	1375 Moraine Drive Ct. Merced
13	PROCE SAND Borne	1395 INDIAN RIDGE CT MERCED
14	Brenda Morgan	1342 El Portal Dr
15	John Hall	1320 El Portal Dr
16	Darren Horal	1320 El Portal Dr
17	Katherine Horal	1320 El Portal Dr
18	Anthony Horal	1320 El Portal Drive
19	Paula Latorre	1320 El Portal Dr.
20	W. M.	1379 Indian Ridge Ct
21	John	1379 Indian Ridge Ct
22	Agma Boese	1289 Ahwahue Drive
23	Agma Boese	1289 Ahwahue Drive
24	Esmeralda Martinez	1312 El Portal Drive.
25	Tom Mott	1312 El Portal Drive.
26	John R. Mott	1352 Donna Ct. Merced
27	Lorraine KeNik	1356 Donna Ct. Merced Dr.
28	Margaret Franklin	1384 Donna Ct Merced
29	John	1392 Donna Court, Merced

2The Following Residents oppose the building of the Cell Tower in Rahilly Park:

NAME & Signature

Address

1 Aurora Martinez	1342 El Portal drive
2 Neil Adrian	1339 Donna Ct
3 Will Noble	1378 moraine dome
4 CAROL COLE	1323 Donna Ct
5 GARCIA DORCE	1320 SILHOUETTE CT
6 Jiri Rasmussen	1372 Silhouette Ct.
7 Humberto Nolas	1359 Silhouette Ct.
8 Mercedes Adams	1348 Ahwahnee Ct
9 Bryan McIntosh	1348 Ahwahnee ct
10 Federico Rodriguez	1370 Ahwahnee CT
11 Kelly Rodriguez	1370 Ahwahnee Ct
12 Tom Clendenen	1377 Ahwahnee Ct
13 Debbie Clendenen	1377 Ahwahnee Ct
14 Katy Miller	1321 Ahwahnee Ct
15 Christopher Miller	1343 Villa Dr.
16 Janet Miller	1321 Ahwahnee Ct
17 Daniel Math	1343 Villa Dr.
18 Melissa Moralez	1327 Indian Ridge Ct.
19 Dian Muelz	1382 El Portal
20 Ismael Muelz	1382 El Portal.
21 Dana Collier	1342 El Portal
22 Robert Bell	1342 El Portal Dr
23	
24	
25	
26	
27	
28	
29	

From: [planningweb](#)
To: [Lee, Jessie](#); [Lowrance, Diana](#)
Subject: FW: Cell Tower Rahilly Park
Date: Tuesday, April 29, 2025 9:39:47 AM

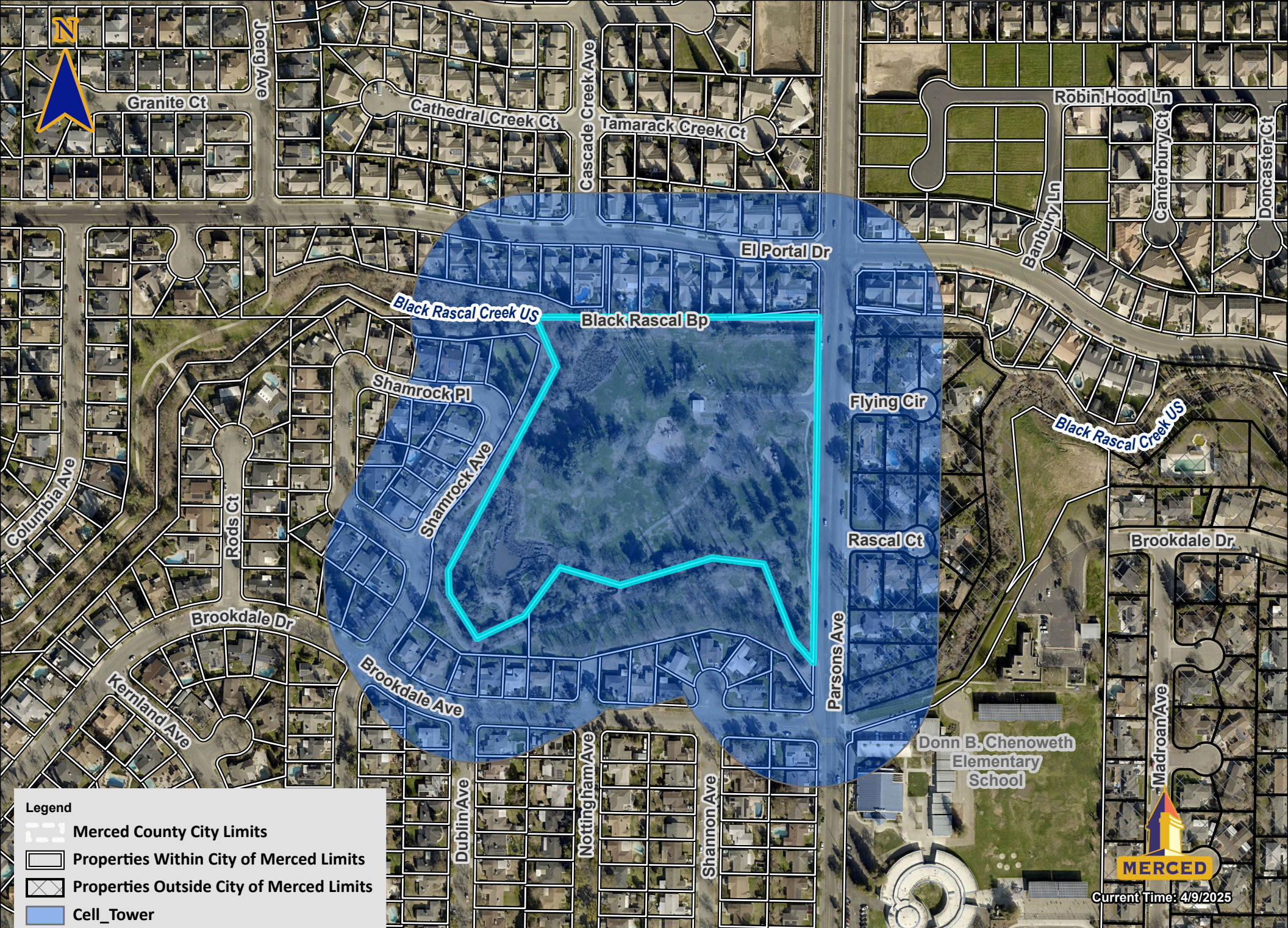
Letter In support

-----Original Message-----

From: Jacqueline Spielman <[REDACTED]>
Sent: Monday, April 28, 2025 5:03 PM
To: planningweb <planningweb@cityofmerced.org>
Subject: Cell Tower Rahilly Park

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

> Hi
> I received a letter from neighbors against the potential cell tower in Rahilly Park (#25-0006).
>
> I have lived in this area for 40 years, long before cell phones. I also work remotely from home and do not have a land line. I 100% support the cell tower in this area as it is needed and has been rejected in the past for this part of Merced. This area is a dead zone for cell service.
>
> I just wanted to share my favor for the tower's construction.
>
> Thank you
> Kevin
>
> Sent from my iPhone
[NOTICE: This message originated outside of City of Merced -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]



Conditional Use Permit #25-0006

ATTACHMENT K

NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: City of Merced
678 West 18th St
Merced, CA 95340

 X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: Conditional Use Permit #25-0006
(Environmental Review #25-0002)

Project Applicant: Carl Jones, AT&T Mobility

Project Location (Specific): 3400 Parsons Ave **APN:** 006-150-002

Project Location - City: Merced

Project Location - County: Merced

Description of Nature, Purpose, and Beneficiaries of Project: To install a 55-foot-tall stealth mono-palm wireless communication tower.

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Carl Jones, AT&T Mobility

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ X Categorical Exemption. State Type and Section Number: 15332
☐ Statutory Exemptions. State Code Number: _____.
☐ General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: As defined under the above referenced Section, the proposed project is considered an in-fill project. The project location is within the City limits on a parcel less than 5-acres in size and is surrounded by urban uses. The site can be served by all required utilities and public services, and the project site has no value as habitat for endangered, rare or threatened species. No significant effects resulting from traffic, noise, air quality, or water quality will result from the construction of the building. The project is consistent with the City of Merced General Plan and Zoning regulations.

Lead Agency: City of Merced

Contact Person: Jessie Lee **Area Code/Telephone:** (209) 385-6858

Signature:  _____ **Date:** April 11, 2025

Title: Development Services Technician II

 X Signed by Lead Agency **Date Received for Filing at OPR:** n/a
(If applicable)

Authority Cited: Sections 21083 and 21110. Public Resources Code
Reference: Sections 21108, 21152, and 21152.1. Public Resources Code



Conditional Use Permit #25-0006

SUBMITTED BY AT&T MOBILITY

55-FOOT-TALL STEALTH MONO-PALM

3400 PARSONS AVE.

Presentation



Background



Relevant Land
Use Policies



Location Map



Site Plan &
Elevations

Background

1

Project originally went to the Site Plan Review Committee Meeting on 4/3/2025.

2

Due to interface review, a Public Hearing was held; where 5 speakers spoke against this project.

3

Due to community interest, the Site Plan Review Committee voted to refer this item to the Planning Commission (per MMC 20.68.050(C)(2))

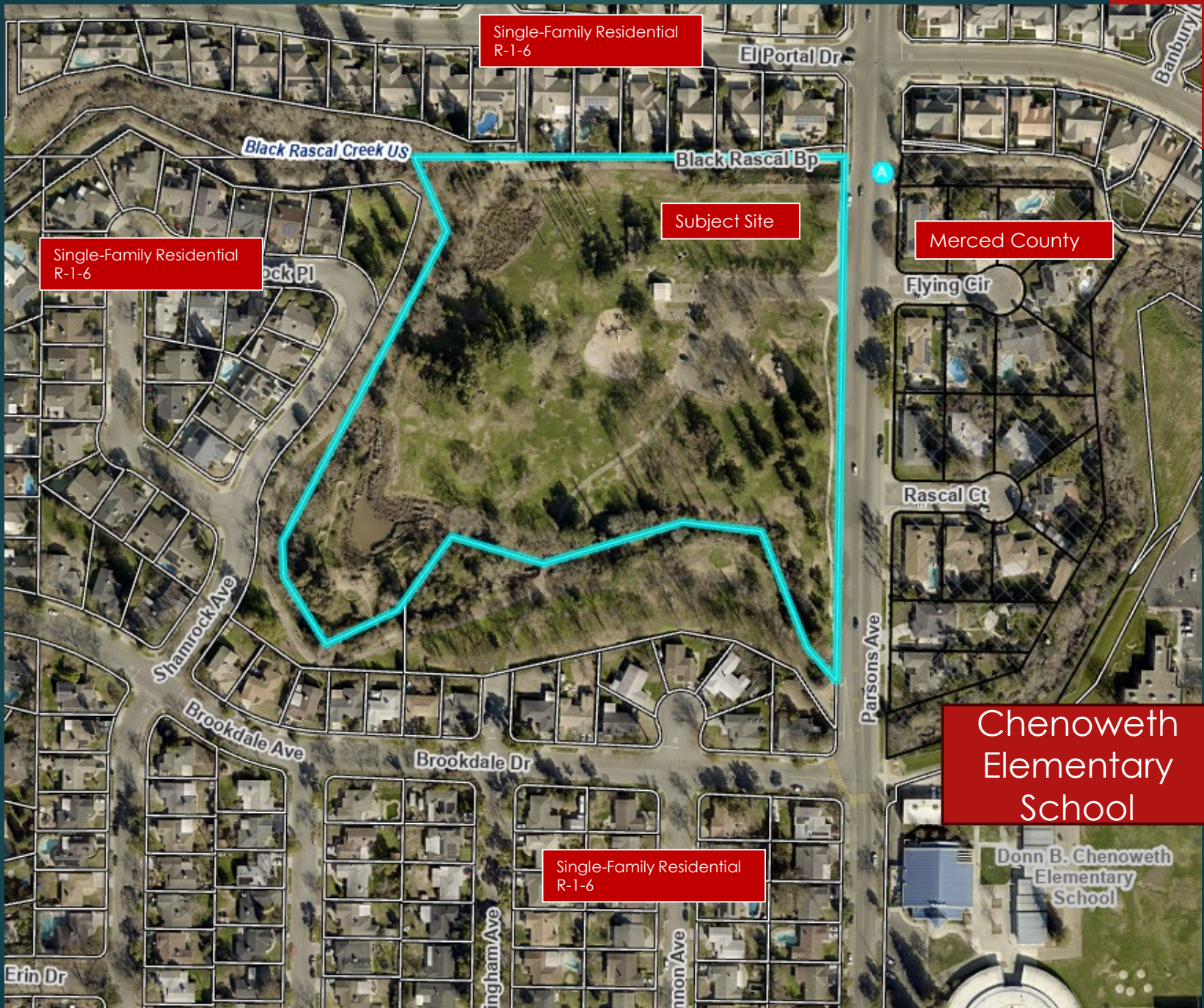
Relevant Land Use Policies:

The project complies with the General Plan designation of Open Space and Zoning classification of (R-1-6).

The maximum height of a structure allowed within the R-1-6 Zone is 35-feet. The Municipal Code (MMC 20.58.2) allows a Stealth Wireless Communication Facility and Antenna over 140% of height limit with the approval of a land use permit.

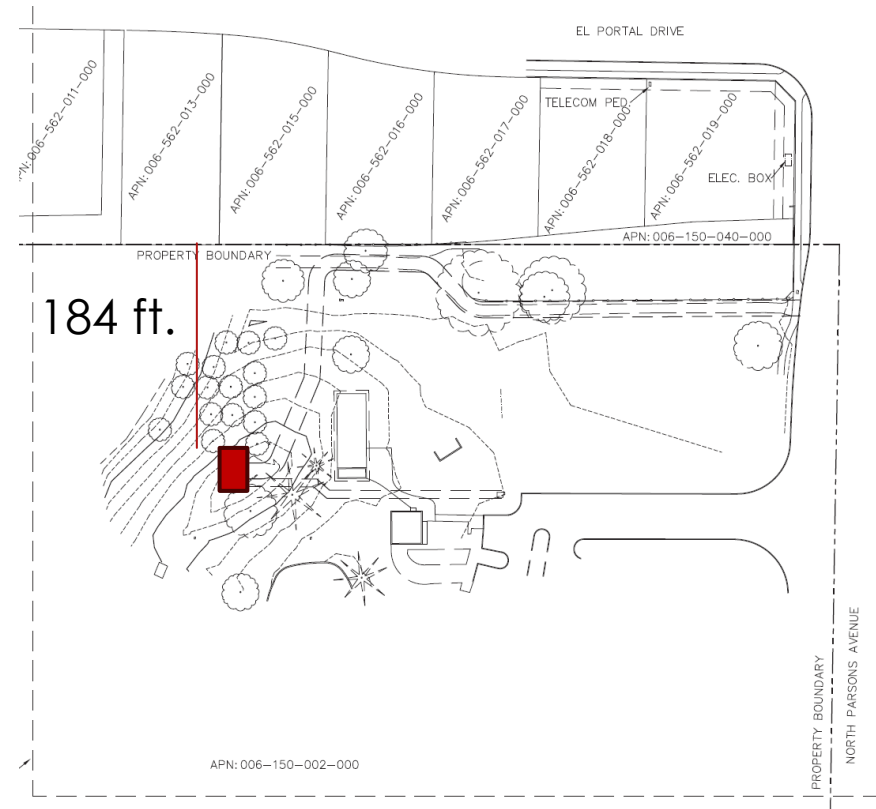
Stealth facilities are intended to blend-in with the surrounding environment. Some examples include wireless towers disguised as trees or flagpoles.

The communication tower would not block any of the scenic corridors identified in the General Plan (Policy OS-1.3.B)

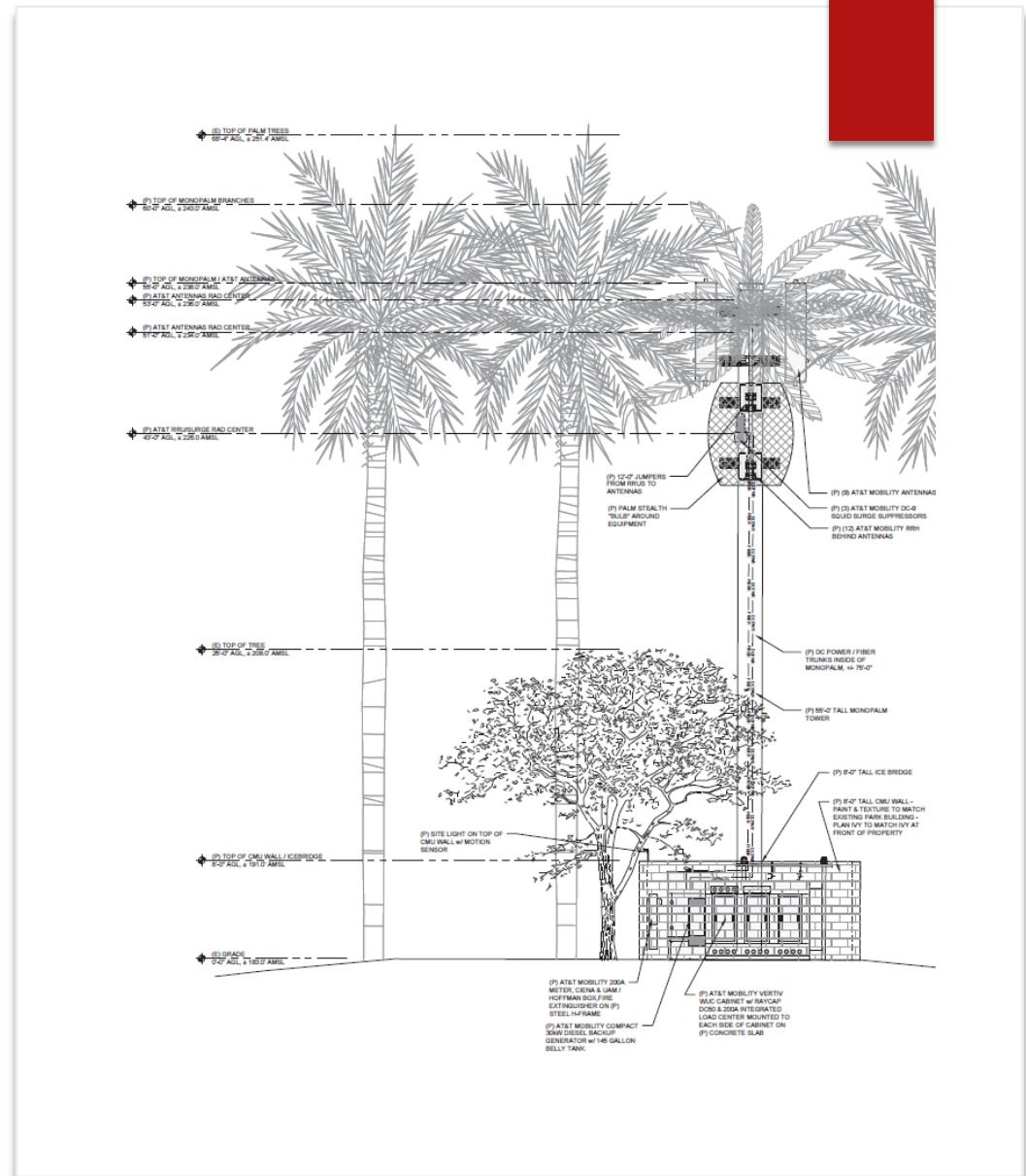


SITE PLAN

- ▶ Proposed Tower to be located on ground level, on the northeast quadrant of the subject site
- ▶ Tower Equipment to be located inside an 8-foot-tall CMU block wall.
- ▶ 184 ft. setback from properties to the north.

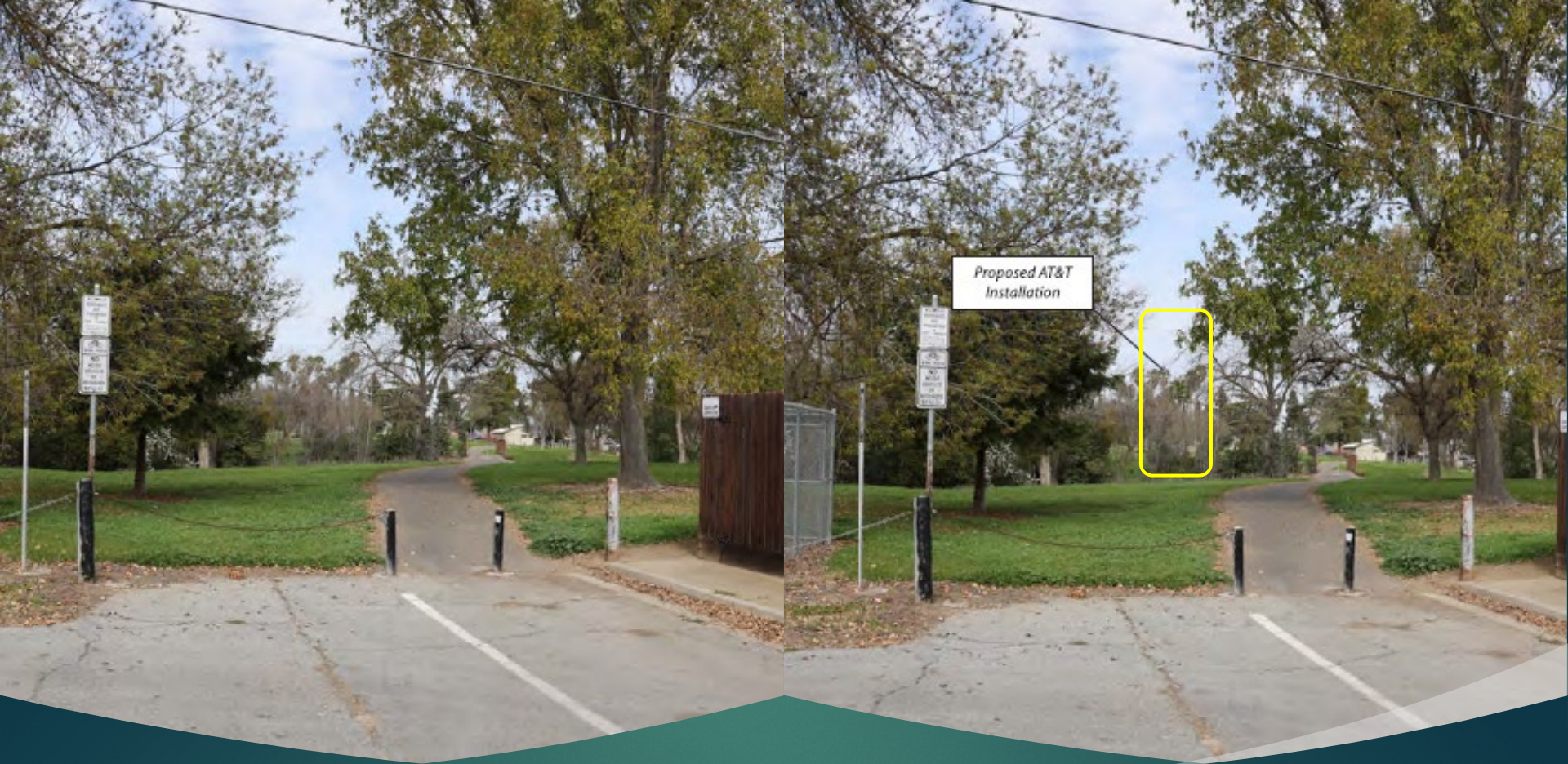


- ▶ Stealth Mono-palm Tower Design
- ▶ Height of structure is 55ft.
- ▶ Mono-palm branches up to 60ft.
- ▶ Antennas shall be painted green to blend in (Condition #13).
- ▶ Ancillary cabinet ground equipment. Will be enclosed by an 8-foot-tall sound-proof fence.





View from Shamrock Place



View from Nottingham Ave.



View from Cascade Creek



View from Parsons Ave.



View from Rahilly Park



Views
from
adjacent
properties
to Rahilly
Park.

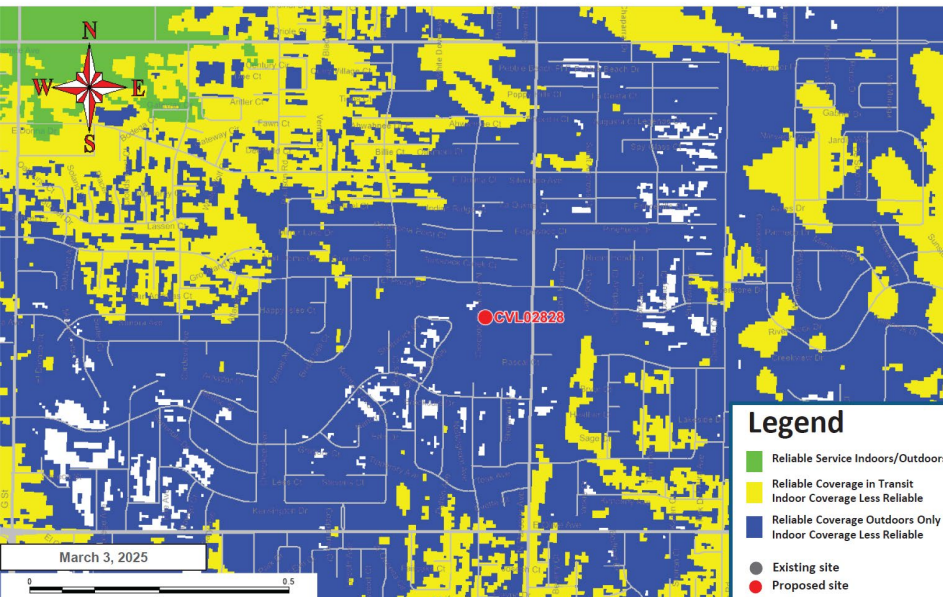
Conditions

- ▶ **Condition #8** At the time of building permit submittal, the applicant shall provide certification by a Radio Frequency Engineer, stating the RFR measurements and that they meet FCC radio frequency radiation standards.
- ▶ **Condition #9** The applicant shall work with the Merced Regional Airport and comply with all of their requirements for this type of structure and obtain all proper permits. Said requirements may include, but are not limited to, obtaining approval from the Airport Land Use Commission, or showing proof of submitting an FAA Form 7460-1 to the FAA.
- ▶ **Condition #10** The maximum overall height of the “Mono-Pine” stealth facility shall not exceed 55 feet. Antennas mounted to the stealth facility shall not be mounted higher than 60 feet in height.
- ▶ **Condition #13** The color of the Mono-Pine shall match that of a real pine tree. These colors tend to be green (leaves) and brown (bark) and shall be consistently maintained. The antennas and any mounting equipment shall be painted to match the colors of the “tree.”
- ▶ **Condition #21** Any noise generated by the facility from the equipment or the tower shall be kept to a minimum, so as not to cause a nuisance to the neighborhood.

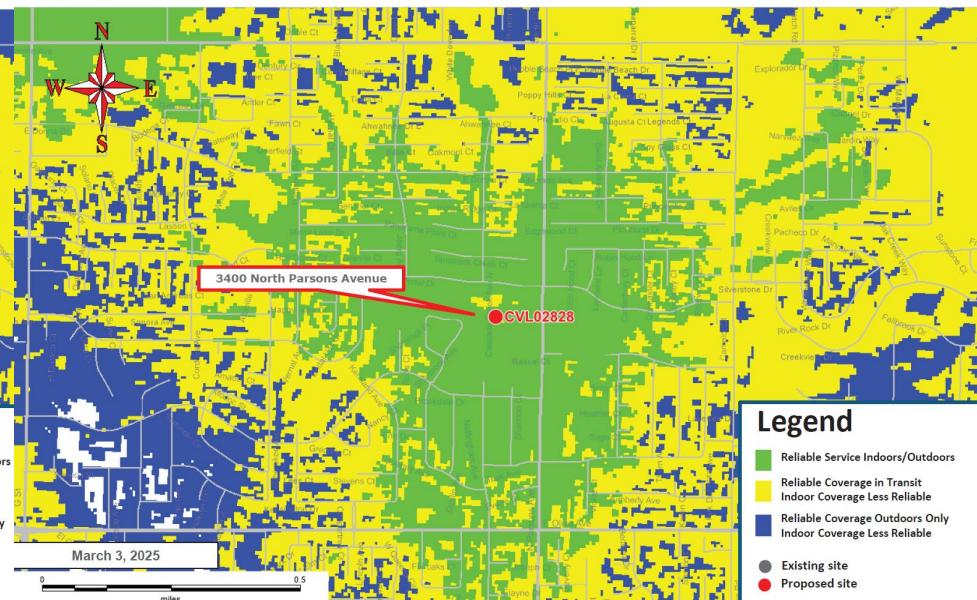
Mandatory Findings

- ▶ Development Standards MMC 20.92.060 (Finding H, Exhibit B)
- ▶ Mandatory Findings for Conditional Use Permit MMC 20.68.020 (Finding J, Exhibit B)
- ▶ Wireless Communication Facilities Findings MCC 20.68 (Finding K, Exhibit B)

Existing LTE 700 Coverage

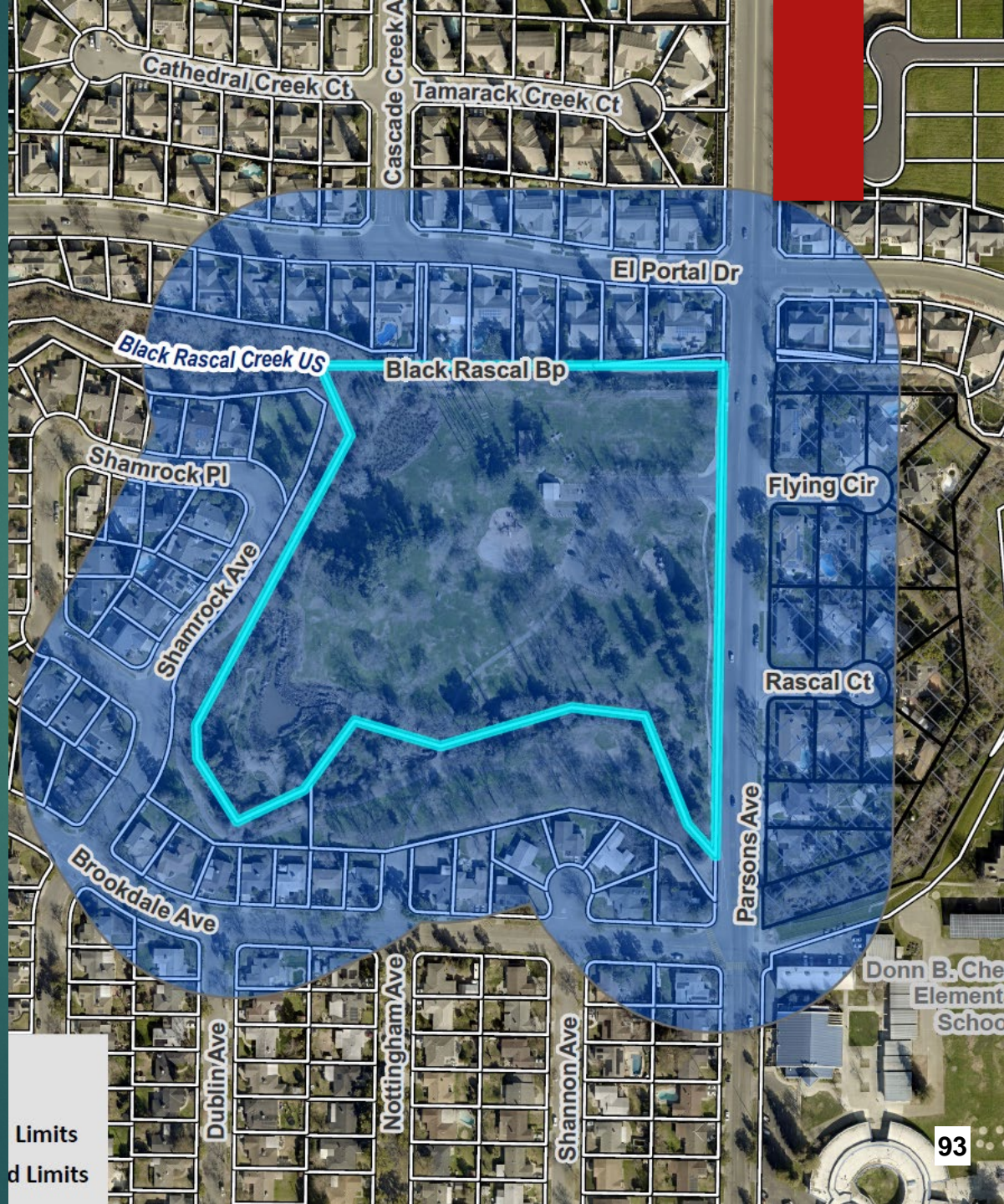


Proposed LTE 700 Coverage – 3400 North Parsons Avenue @ RC = 51 ft



Public Hearing Notice

- ▶ Per MMC 20.68.050(E) SPR for interface review required notifying only property owners directly adjacent to the subject site.
- ▶ For the May 7, 2025, public hearing, a notice was mailed out to all property owners within the 300-foot radius.



Limits
d Limits

Public Comments

- ▶ Site Plan Review – Staff received 3 emails in opposition to the project. At the meeting, there were 5 speakers in opposition to the project.
- ▶ Planning Commission – Staff has not received the project prior to this presentation being prepared.

Planning Commission Action

- ▶ After the Public Hearing, the Planning Commission may Approve/Disapprove/Modify:
 - ▶ Environmental Review #25-0002
 - ▶ Conditional Use Permit #25-0006