



on behalf of



May 5, 2025

Via Email

City of Merced
Planning Commission
678 West 18th Street
Merced, CA 95340

**Re: AT&T Mobility Proposal for Stealth Wireless Communication Facility
CUP Application No. 25-0006
Rahilly Park**

Dear Chair Gonzalez, Vice-Chair Greggains, and Commissioners Delgadillo, Ochoa, Smith, Swiggart, and Thao:

I am writing in support of AT&T Mobility's application for the Conditional Use Permit No. 25-0006, which seeks approval to construct a stealth 55-foot-tall wireless communication facility to be designed and disguised as a palm tree in Rahilly Park. In fact, AT&T's application is made on behalf of the City of Merced, as property owner of Rahilly Park. The proposed facility is desperately needed to address AT&T's significant service coverage gap in this portion of the city. In addition to providing more robust and competitive wireless services, including significant improvements to 4G LTE and 5G services, this facility will provide FirstNet services to support first responder communications.

AT&T's Need for the Proposed Facility

AT&T's radio frequency engineers identified this significant gap in service coverage, which includes a large area that is roughly bordered by East Donna Drive to the north, McKee Road to the east, Oregon Drive to the south, and Cherokee Avenue to the west. AT&T's radio frequency engineering propagation maps (Agenda Item Attachment F) identify this gap area, AT&T's specific service objectives, and how AT&T intends to close this gap. This coverage gap is significant because it includes hundreds of homes in several neighborhoods, community parks, an elementary school, and local churches.

AT&T's proposed facility will improve critical wireless services to the area, which are needed now more than ever as customers increasingly use mobile phones as their primary communication devices. Data shows that more than 88% of California adults, and more than 98% of Californians under age 18, rely exclusively or primarily on wireless communications in their homes.¹ Additionally, customers rely on their mobile phones to do much more than just voice communication, including E911 service, video streaming, GPS, Internet access, and texting. In fact,

¹ See *Wireless Substitution: State-level Estimates from the National Health Interview Survey, 2019*, available at [Wireless Substitution: State-Level Estimates from National Health Interview Survey](#).

in 2023 California reported to the FCC that there were 23,315,779 wireless calls to 911 and 98,365 texts to 911.²

AT&T's proposed facility is also an important part of AT&T's commitment to supporting public safety through its partnership with FirstNet. Created by Congress in response to the 9/11 attacks, the First Responder Network Authority selected AT&T to build and manage this first-ever nationwide first responder wireless network. The Proposed Facility will provide new service on Band 14, which is the nationwide frequency set aside by the U.S. government for public safety. Deployment of FirstNet in the target gap area will improve public safety in the city by putting advanced wireless technologies into the hands of public safety agencies and first responders.

AT&T's Proposed Facility in Rahilly Park

To close this significant coverage gap, AT&T has worked closely with City Staff to develop the proposed tower that will be disguised as a palm tree in the southeast portion of the park. AT&T and City Staff took care to ensure this location and design will have little to no effect on the aesthetics of the surrounding area. This "monopalm" will blend well among so many mature and growing trees, including the existing palm grove in this portion of the Rahilly Park. The antennas will be painted green and obscured by the faux palm branches. The equipment enclosure will be fully concealed behind a soundproof wall that will be finished to match the existing park buildings and structures.

In addition to recommending approval, City Staff has prepared draft conditions of approval that will, among other things, ensure the stealth nature of AT&T's proposed facility. For example, draft conditions 11-14 provide details for required stealthing, including specifications for the faux palm branches and bark. Additionally, draft condition 19 prescribes the design for the wall and gate, and draft condition 20 provides landscaping requirements. AT&T stands ready to comply with these conditions and to ensure this installation will have a minimal impact on the park and surrounding neighborhoods.

AT&T's Analysis of Alternative Sites & History of Considering Rahilly Park

When AT&T first identified this significant coverage gap, its radio frequency engineers determined that Rahilly Park is an ideal location for a new wireless facility to close this gap. At that time, however, the city was not interested in leasing space to AT&T. AT&T thus searched for another location for its proposed facility.

After scouring the area and evaluating numerous candidate properties, AT&T was only able to identify one site that was available and feasible to close its gap: Bear Creek Community Church, located at 1717 East Olive Avenue in the city. AT&T filed its application to construct a faux pine tree tower at this church property. That application was converted to conditional use permit application No. 1277.

During proceedings on that earlier application, City Staff asked whether AT&T could pivot to Rahilly Park. Even though the city had already declined to lease space in Rahilly Park, AT&T again discussed a possible site in the park with city officials. The city again declined to lease space to

² See *Sixteenth Annual Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges* (Dec. 30, 2024), at 14, available at [FCC's Sixteenth Annual 911 Fee Report](#).

AT&T for a site in the park. The church-site application was heard by the Planning Commission on September 18, 2024. During the Planning Commission hearing, multiple city residents expressed disappointment that the city had not be willing to lease space in Rahilly Park to AT&T. In the end, the Planning Commission denied the application. AT&T appealed that denial to City Council.

While the appeal to City Council was pending, city officials reached out to AT&T's project team to again request consideration of Rahilly Park as an alternative site. After further discussions, the city yet again declined to pursue leasing space to AT&T in the park. On January 6, 2025, the City Council denied AT&T's appeal. In doing so, Councilmembers questioned why the city had not been willing to lease space in Rahilly Park.

Following denial of the earlier application by the City Council, city officials and AT&T's project team continued to discuss the possibility of an alternative site in Rahilly Park. Rather than bringing a federal lawsuit under the Telecommunications Act based on the denial, AT&T chose to continue to work with city on a solution for its significant service coverage gap.

AT&T's project team met again with city staff and city officials to work collaboratively on a solution. Together, the city and AT&T revisited Rahilly Park options. We dug into possible locations and stealth designs. And we identified the best available proposal for a new wireless communications facility in the park.

Approval of the Rahilly Park Monopalm is a Win-Win

The proposed monopalm in Rahilly Park is the best available and least intrusive means by which AT&T can close its significant service coverage gap. The facility will appear as a palm tree in a palm grove. The proposed design and draft conditions of approval will ensure there will be little or no aesthetic impact to the park or the surrounding neighborhoods. The proposed facility is safe – it will easily comply with the FCC's regulations. The proposed facility promotes safety – residents, businesses, and first responders will gain critical coverage. And the park location allows the city to generate revenue from the proposed facility.

On behalf of AT&T and Epic Wireless Group, I respectfully request the Planning Commission to approve AT&T's Conditional Use Permit No. 25-0006 to authorize installation of this stealth facility in Rahilly Park.

Sincerely,



Carl Jones
Senior Site Acquisition Manager
Epic Wireless Group, LLC
On behalf of AT&T Mobility