



# TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

## TRANSMITTAL MEMO

### Town of Jackson

- ☒ Public Works/Engineering
- ☐ Building
- ☐ Title Company
- ☒ Town Attorney
- ☒ Police

### Joint Town/County

- ☒ Parks and Recreation
- ☒ Pathways
- ☒ Housing Department

### Teton County

- ☐ Planning Division

- ☐ Engineer
- ☐ Surveyor- *Nelson*
- ☐ Assessor
- ☐ Clerk and Recorder
- ☐ Road and Levee

### State of Wyoming

- ☐ Teton Conservation
- ☐ WYDOT
- ☐ TC School District #1
- ☐ Game and Fish
- ☐ DEQ

### Federal Agencies

- ☐ Army Corp of Engineers

### Utility Providers

- ☐ Qwest
- ☐ Lower Valley Energy
- ☐ Bresnan Communications

### Special Districts

- ☒ START
- ☒ Jackson Hole Fire/EMS
- ☐ Irrigation Company

<p>Date: October 23, 2018</p> <hr/> <p>Item #: P18-301</p> <hr/> <p>Planner: Brendan Conboy</p> <p>Phone: 733-0440 ext. 1302</p> <p>Fax: 734-3563</p> <p>Email: <a href="mailto:bconboy@jacksonwy.gov">bconboy@jacksonwy.gov</a></p> <hr/> <p><b>Owner</b> St. John's Medical Center 625 E. Broadway Ave Jackson, WY 83001</p> <p><b>Applicant:</b> AT&amp;T Wireless – Tamara Shiveley 1152 W. 2400 S. Suite C West Valley City, UT 84119</p>	<p style="text-align: center;"><b>REQUESTS:</b></p> <p>The applicant is submitting a request for a Conditional Use Permit for an antenna for the property located at 555 E. Broadway, legally known as 11D321 see also 59P448.</p> <p>For questions, please call Tyler Brendan Conboy at 733-0440, x1302 or email to the address shown below. Thank you.</p>
<p><b>Please respond by:   November 5, 2018 (Sufficiency)</b>  <b>November 12, 2018 (with Comments)</b></p>	

**RESPONSE:** For Departments not using Trak-it, please send responses via email to:  
[tstolte@jacksonwy.gov](mailto:tstolte@jacksonwy.gov)



**PLANNING PERMIT APPLICATION**  
**Planning & Building Department**  
**Planning Division**

150 E Pearl Ave. | ph: (307) 733-0440  
P.O. Box 1687 | fax: (307) 734-3563  
Jackson, WY 83001 | [www.townofjackson.com](http://www.townofjackson.com)

**For Office Use Only**

Fees Paid \_\_\_\_\_  
Check # \_\_\_\_\_ Credit Card \_\_\_\_\_ Cash \_\_\_\_\_  
Application #s \_\_\_\_\_

**PROJECT.**

Name/Description: Jackson DT IDL04058 FA 10129826  
Physical Address: 555 East Broadway Avenue Jackson WY 83001  
Lot, Subdivision: \_\_\_\_\_ PIDN: 22-41-16-27-4-00-003.02

**OWNER.**

Name: St. Johns Medical Center Phone: 307.739.7488  
Mailing Address: 625 E. Broadway Jackson WY ZIP: 83001  
E-mail: jjohnston@tetonhospital.org

**APPLICANT/AGENT.**

Name: AT&T Wireless - Tamara Shiveley Phone: 801.230.4877  
Mailing Address: 1152 N. 2400 S. Suite C WVC, UT ZIP: 84119  
E-mail: tamaras@shiveassoc.com

**DESIGNATED PRIMARY CONTACT.**

\_\_\_\_ Owner ☒ Applicant/Agent

**TYPE OF APPLICATION.** Please check all that apply; see Fee Schedule for applicable fees.

<b>Use Permit</b>	<b>Physical Development</b>	<b>Interpretations</b>
____ Basic Use	____ Sketch Plan	____ Formal Interpretation
<input checked="" type="checkbox"/> Conditional Use	____ Development Plan	____ Zoning Compliance Verification
____ Special Use		
<b>Relief from the LDRs</b>	<b>Development Option/Subdivision</b>	<b>Amendments to the LDRs</b>
____ Administrative Adjustment	____ Development Option Plan	____ LDR Text Amendment
____ Variance	____ Subdivision Plat	____ Zoning Map Amendment
____ Beneficial Use Determination	____ Boundary Adjustment (replat)	____ Planned Unit Development
____ Appeal of an Admin. Decision	____ Boundary Adjustment (no plat)	____ Other: _____



**PRE-SUBMITTAL STEPS.** *Pre-submittal steps, such as a pre-application conference, environmental analysis, or neighborhood meeting, are required before application submittal for some application types. See Section 8.1.5, Summary of Procedures, for requirements applicable to your application package. If a pre-submittal step is required, please provide the information below. If you need assistance locating the project number or other information related to a pre-submittal step, contact the Planning Department. If this application is amending a previous approval, indicate the original permit number.*

Pre-application Conference #: P18-253 Environmental Analysis #: \_\_\_\_\_  
Original Permit #: \_\_\_\_\_ Date of Neighborhood Meeting: \_\_\_\_\_

**SUBMITTAL REQUIREMENTS.** *Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Provide **one electronic copy** (via email or thumb drive), and **two hard copies** of the submittal packet.*

*Have you attached the following?*

- ☒ **Application Fee.** Fees are cumulative. Applications for multiple types of permits, or for multiple permits of the same type, require multiple fees. See the currently adopted Fee Schedule in the Administrative Manual for more information.
- ☒ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. If the owner is a partnership or corporation, proof that the owner can sign on behalf of the partnership or corporation is also required. Please see the Letter of Authorization template in the Administrative Manual for a sample.
- ☒ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is held, the submittal requirements will be reviewed at the conference followed by a written summary. The submittal requirements on the TOJ website are intended as a reference to assist you in submitting a sufficient application.

#### **FORMAT.**

The main component of any application is demonstration of compliance with all applicable Land Development Regulations (LDRs) and Resolutions. The submittal checklists are intended to identify applicable LDR standards and to outline the information that must be submitted to sufficiently address compliance with those standards.

For some submittal components, minimum standards and formatting requirements have been established. Those are referenced on the checklists where applicable. For all other submittal components, the applicant may choose to make use of narrative statements, maps, drawings, plans and specifications, tables and/or calculations to best demonstrate compliance with a particular standard.

**Note:** *Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.*

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

  
Signature of Owner or Authorized Applicant/Agent  
Tamara Shiveley  
Name Printed

10.16.18  
Date  
site acquisition agent  
Title

## GENERAL DYNAMICS INFORMATION TECHNOLOGY, INC.

DATE 7/5/18

32-1/1110

PAY  
TO THE  
ORDER OFTown of Jackson\$ 2,500.00Two Thousand Five Hundred Dollars and <sup>10</sup>/<sub>100</sub>DOLLARS  Security Features  
included.  
Details on Back.

Bank of America.

VOID AFTER 270 DAYS

Customer Connection FOR Jackson DT-45740-91163-377677993

⑈ 2220770253⑈ ⑆ 111000012⑆ 445 122 5621⑈



## LETTER OF AUTHORIZATION

St. Johns Medical Center \_\_\_\_\_, "Owner" whose address is: 625 East Broadway  
Jackson WY 83001

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)  
St. Johns Medical Center \_\_\_\_\_, as the owner of property  
more specifically legally described as: 555 East Broadway Jackson WY 83001

(If too lengthy, attach description)

HEREBY AUTHORIZES AT&T Wireless applicant Tamara Shiveley as  
agent to represent and act for Owner in making application for and receiving and accepting  
on Owners behalf, any permits or other action by the Town of Jackson, or the Town of  
Jackson Planning, Building, Engineering and/or Environmental Health Departments  
relating to the modification, development, planning or replatting, improvement, use or  
occupancy of land in the Town of Jackson. Owner agrees that Owner is or shall be deemed  
conclusively to be fully aware of and to have authorized and/or made any and all  
representations or promises contained in said application or any Owner information in  
support thereof, and shall be deemed to be aware of and to have authorized any subsequent  
revisions, corrections or modifications to such materials. Owner acknowledges and agrees  
that Owner shall be bound and shall abide by the written terms or conditions of issuance of  
any such named representative, whether actually delivered to Owner or not. Owner agrees  
that no modification, development, platting or replatting, improvement, occupancy or use of  
any structure or land involved in the application shall take place until approved by the  
appropriate official of the Town of Jackson, in accordance with applicable codes and  
regulations. Owner agrees to pay any fines and be liable for any other penalties arising out  
of the failure to comply with the terms of any permit or arising out of any violation of the  
applicable laws, codes or regulations applicable to the action sought to be permitted by the  
application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing  
on behalf of a corporation, partnership, limited liability company or other entity, the  
undersigned swears that this authorization is given with the appropriate approval of such  
entity, if required.

OWNER:

Pam Beaupre CEO  
(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: CEO

(if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or  
other non-individual Owner)

STATE OF Wyoming )

COUNTY OF Teton ) SS.

The foregoing instrument was acknowledged before me by Pam Beaupre this 21 day of  
June, 20010.

WITNESS my hand and official seal.

Shannon Stec  
(Notary Public)

My commission expires: 6/6/2020

(Seal)





AT&T Mobility  
2890 South 25<sup>th</sup> East  
Idaho Falls, ID 83404  
[www.att.com](http://www.att.com)

October 15, 2018

Whom It May Concern at the Town of Jackson, WY, Planning Department,

AT&T's wireless facility at 555 East Broadway, Jackson, WY 83001 (AT&T site FA Code 10129826) will comply with all American National Standards Institute (ANSI) standards for electromagnetic radiation adopted by the Federal Communications Commission (FCC) for wireless telecommunications facilities.

The proposed AT&T wireless telecommunication facility will comply at all times with FCC regulations prohibiting localized interference with reception of television and radio broadcasts.

The proposed AT&T wireless telecommunication facility will not interfere with public safety frequencies servicing the town and its residents.

If I can be of further assistance in this matter, please do not hesitate to contact me by phone at (208)317-0011 or by email, [jr129e@att.com](mailto:jr129e@att.com).

Best regards,

A handwritten signature in cursive script, appearing to read "J. Shad Rydallch".

J. Shad Rydallch  
AT&T Senior Specialist Radio Access Network Engineer  
RF Safety for Rocky Mountain Region  
2890 S 25th East, Idaho Falls, Idaho 83404  
m 208.317.0011 | [jr129e@att.com](mailto:jr129e@att.com)



AT&T Mobility  
2890 South 25<sup>th</sup> East  
Idaho Falls, ID 83404  
[www.att.com](http://www.att.com)

October 15, 2018

Whom It May Concern at the Town of Jackson, WY, Planning Department,

AT&T's wireless facility at 555 East Broadway, Jackson, WY 83001 (AT&T site FA Code 10129826) will comply with all Federal Communications Commission ("FCC") Radio Frequency ("RF") exposure rules.

The FCC rules set the maximum permissible exposure allowable from RF transmissions for the general population. The FCC has determined that a person may be exposed to RF emissions below those exposure limits with no harmful effects. The FCC's OET Bulletin 65 (Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields) provides guidance in determining RF exposure levels.

Additionally, the FCC has written OET Bulletin 56 (Questions and Answers about Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields), an excellent document on RF safety which can be downloaded from <http://www.fcc.gov/encyclopedia/radio-frequency-safety>

If I can be of further assistance in this matter, please do not hesitate to contact me by phone at (208)317-0011 or by email, [jr129e@att.com](mailto:jr129e@att.com).

Best regards,

A handwritten signature in blue ink that reads "J. Shad Rydalch".

J. Shad Rydalch  
AT&T Senior Specialist Radio Access Network Engineer  
RF Safety for Rocky Mountain Region  
2890 S 25th East, Idaho Falls, Idaho 83404  
m 208.317.0011 | [jr129e@att.com](mailto:jr129e@att.com)



Town of Jackson Planning Department  
150 E. Pearl Avenue  
Jackson, WY 83001

October 17, 2018

RE: Compliance with Applicable Codes - AT&T project Jackson DT IDL04058 FA 10129826 located at 555 East Broadway Avenue, Jackson, WY 83001

This letter is submitted in accordance with Sec. 6.1.10.D.3.d.vii of the Town of Jackson Land Development Regulations. AT&T affirms that the proposed Base Station known as "Jackson DT IDL04058 FA 10129826", to be located on the rooftop of the existing building at 555 East Broadway Avenue, will be constructed and maintained in compliance with all applicable non-discretionary structural, electrical, energy, building and safety codes.

Respectfully Submitted,



Tamara Shiveley  
Real Estate Specialist  
Shiveley and Associates, Inc.  
Consultant to AT&T  
801-230-4877  
tamaras@shiveassoc.com



## HOUSING MITIGATION PLAN

For CUP Application for Wireless Telecommunications Site at 555 East Broadway Avenue in Jackson

AT&T is proposing to put an unmanned wireless communication site at 555 East Broadway Avenue in Jackson. The antennas will be placed on the roof of an existing building. There will be no square footage related to this project.

.000246 X 0 sq. ft. = 0

AT&T believes it does not qualify to provide housing given that there is no square footage and the site is unmanned.

## CONDITIONAL USE PERMIT APPLICATION FOR WIRELESS COMMUNICATION FACILITY

Submitted to Town of Jackson  
Planning Division  
October 16, 2018

### 1. GENERAL INFORMATION

---

**Applicant:** New Cingular Wireless, PCS LLC ("AT&T" or the "Applicant")  
4393 Riverboat Road, Ste. 400  
Taylorsville, UT 84123

**Representative:** Tamara Shiveley  
[tamaras@shiveassoc.com](mailto:tamaras@shiveassoc.com) 801-230-4877

**Property Owner:** St. Johns Medical Center

**Site Address:** 555 East Broadway Avenue, Jackson, WY 83001

**APN:** 22-41-16-27-4-00-003.02

**Name of Project:** Jackson DT IDL04058 FA 10129826

**Zoning:** Public/Semi-Public (PSP)

AT&T is submitting this application pursuant to a Letter of Authorization from St. Johns Medical Center.  
*See Letter of Authorization*

### 2. PROJECT DESCRIPTION

---

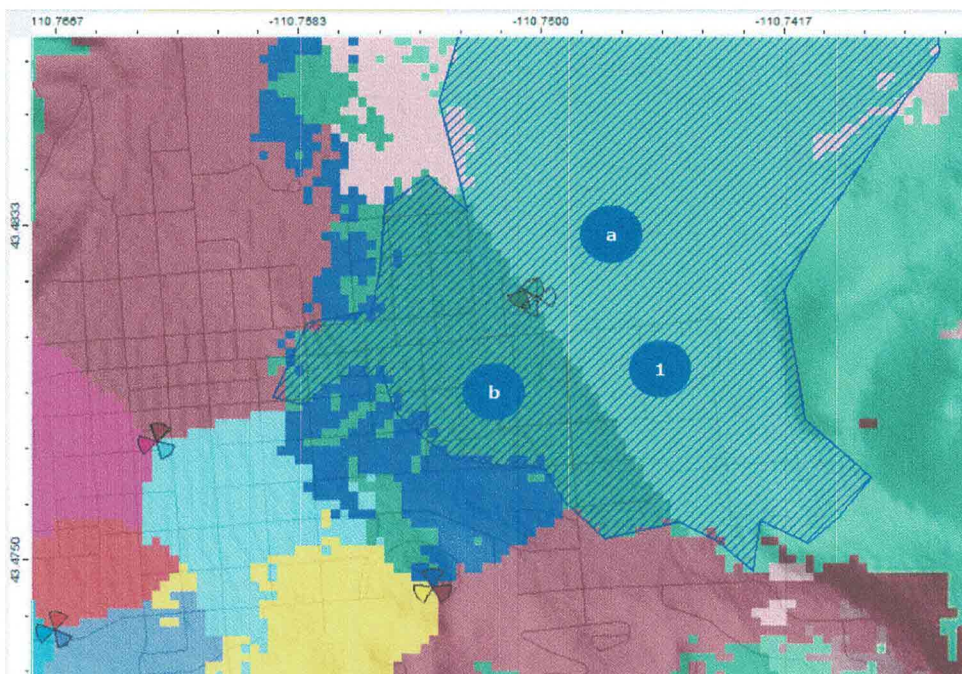
**Request and Justification:** AT&T is upgrading equipment all over the Jackson area and throughout the State of Wyoming in order to support the federal directive to build FirstNet capable sites. FirstNet is a dedicated communication network for first responders. After 9/11, the 9/11 Commission recommended the establishment of a single, interoperable network for public safety and FirstNet was created as a result. FirstNet's mission is to build and deploy the first-ever high-speed nationwide wireless broadband network dedicated to first responders. FirstNet helps first responders respond effectively and efficiently and stay safe while helping others during day-to-day operations and disaster response and recovery and when managing large events. In order to deploy FirstNet service, wireless infrastructure is required. The proposed facility will include FirstNet antennas and broadcast FirstNet service.

In addition to the FirstNet directive, AT&T is attempting to improve the coverage and capacity in the Town of Jackson to meet the increase in demand. As you know, Jackson is a desirable vacation destination and each summer large amounts of tourists visit the area bringing with them their wireless devices. These devices require large amounts of data to transmit videos, photos, emails and downloads. This increased demand for data requires wireless carriers to upgrade wireless equipment to meet the ever changing technology.

New Cingular Wireless, PCS LLC ("AT&T") currently has a wireless communication facility located on the hospital's tower next to the Professional Office Building on the St. John's Medical Center Campus at 555 East Broadway Avenue in Jackson; however, the current tower will not support any new technology equipment resulting in the need for AT&T to relocate the existing site. The current antenna system on the Medical Center Campus tower will not allow for growth. Moving the antenna system to the rooftop of the Professional Office building will allow growth of the antenna system to add capacity, including the ability to add FirstNet Band 14. The lower antenna height on the rooftop of the Professional Office Building does show a smaller coverage footprint on the southeast and southwest but most of this lost coverage can be made up from the Snow King Lodge site. Within this stealth structure on the Professional Office Building, AT&T will be able to add a third antenna array to add new capacity and improve coverage to the west and northwest.

There is limited area within the P/SP zone in this area of town including only the St. John's Medical Center Campus and (3) parcels owned by St John's Medical Center and used as parking areas. AT&T already has a lease in place with the medical center for its current site and AT&T's equipment is currently located within the Professional Office Building on the medical center campus. In order to meet AT&T's cover objectives, it is AT&T's desire to stay on the hospital property and are proposing to build a stealth structure over the entrance to the Professional Office Building.

## Seeking to maintain coverage and add capacity

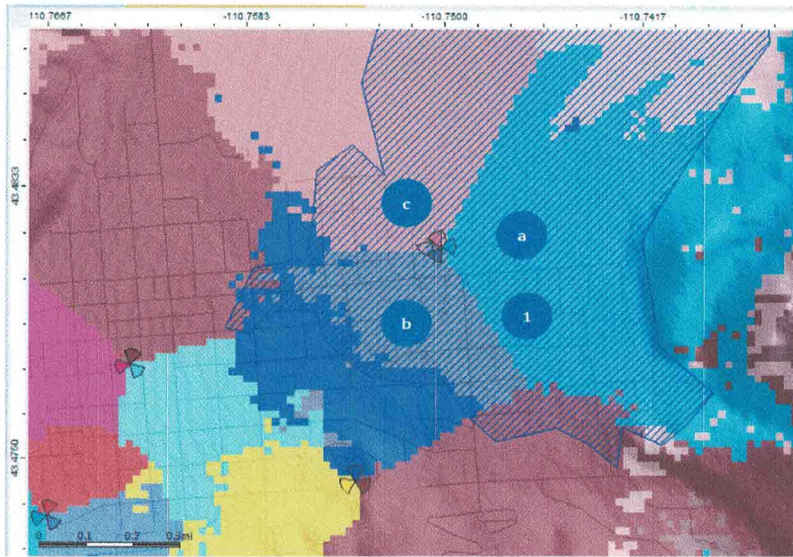


Coverage footprint of existing site on Hospital's communication structure (a) Light Green & (b) Dark Green. (1) Blue Diagonal Lines: Existing footprint.

Figure 1: Coverage offered by current site at St. John's Medical Center (a & b) and other existing or proposed AT&T sites in Town of Jackson (Town Parking Garage, Snow King Lodge, Jackson Fairgrounds)



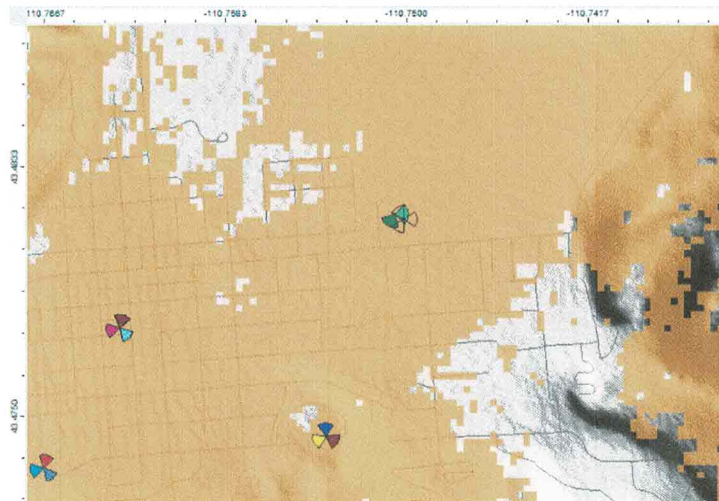
## Seeking to maintain coverage and add capacity



Coverage footprint of new antennas on Hospital's office building: (a) Light Blue, (b) Gray & (c) Pink. (1) Blue Diagonal Lines: Existing footprint. Lower antenna height shows smaller footprint on South East & South West

Figure 2: Coverage with new stealth structure on Professional Office Building

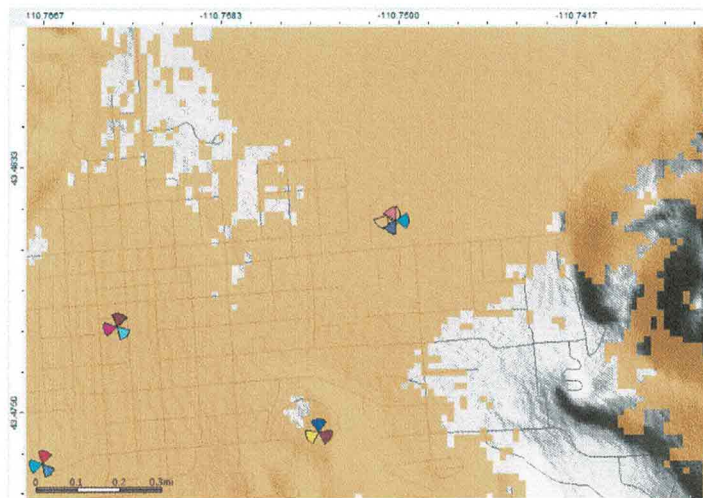
## Current good indoor coverage



Orange: Identifies where prediction models show we have acceptable indoor coverage.

Figure 3: Current Indoor Coverage

## Replacement site's good indoor coverage



Orange: Identifies where prediction models show we have acceptable indoor coverage.

Figure 4: Replacement site Indoor Coverage

**Alternate Sites Considered:** There is limited area in the P/SP zone including four (4) parcels all of which are owned by St. Johns Medical Center. Several options were explored on the hospital properties but this was the least invasive choice given the hospitals expansion and remodel plans and that there will be no need to relocate AT&T's equipment area.

**Determination of Need:** As noted above, AT&T must find an alternative location for the current site on the St. Johns Medical Center property that will support FirstNet capabilities, maintain the coverage needs, and meet increased capacity demands within this section of the Town of Jackson. The proposed site at 555 E Broadway is the best available location to serve this coverage area.

### **3. ANALYSIS OF LAWS APPLICABLE TO THIS APPLICATION**

---

Federal, state, and local laws apply to this application.

While the federal Telecommunications Act acknowledges a local jurisdiction's zoning authority over wireless facilities, it limits the exercise of that authority in several important ways.

- A local regulation may not prohibit, or have the effect of prohibiting, the provision of wireless services. 47 U.S.C. §332(c)(7)(A) and (B)(i)(II).
- A jurisdiction is prohibited from considering the environmental effects of radio frequency emissions (including health effects) of the WCF site if the site will operate in compliance with federal regulations. 47 U.S.C. §332(c)(7)(B)(iv).
- A jurisdiction may not discriminate among providers of functionally equivalent services. A jurisdiction must be able to provide plausible reasons for disparate treatment of different providers' applications for similarly situated facilities. 47 U.S.C. §332(c)(7)(B)(i)(I).

- The Telecommunications Act requires local jurisdictions to act upon applications for wireless communications sites within a “reasonable” period of time. The shot clock applicable to this application is 150 days.<sup>1</sup>

The Facility will operate in accordance with the Federal Communications Commission’s Radio Frequency emissions regulations. Therefore, issues regarding environmental effects are preempted under federal law.

This application is also subject to and complies with the Town of Jackson Land Development Regulations, including Article 6, Division 6.1.10.D Wireless Communication Facilities.

---

<sup>1</sup>The FCC rules clarify that the shot clock begins to run when the application is submitted and further state that “[a] determination of incompleteness tolls the clock only if the local government provides notice to the applicant within 30 days that the application is incomplete and while specifically delineating all missing information, and specifying the code provision, ordinance or application instruction or other publically-stated procedure requiring that the information be submitted. Following a resubmission the clock can be tolled again only if the local government notifies the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice.” *See FCC Report and Order, FCC 14-153. Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies. October 17, 2014.*



#### 4. PROPOSED DEVELOPMENT PROGRAM

---

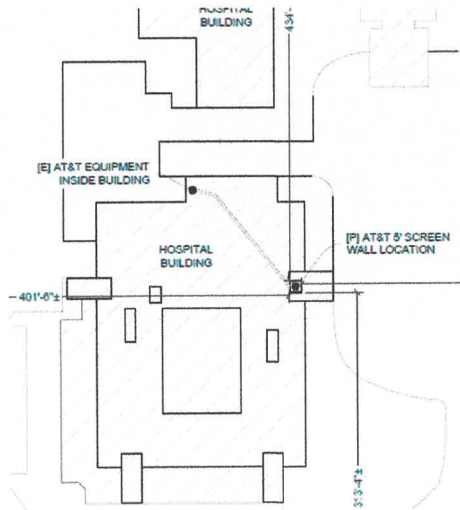
**Existing Condition:** The existing building is used as a Professional Medical Office building on the St. John's Medical Center Campus.



Figure 5: Existing Building

**Proposed Use:** The proposed wireless communication site will be built on the existing building and will include a 5' tall x 10' wide x 10' deep "stealth", roof-mounted facility built above the entrance to the Professional Office Building. This is in compliance with Sec. 6.D.3.f.2.iii, which limits the height of any roof-mounted wireless facility to 5 ft. above the roof on which it is affixed. The "stealth" structure will be constructed of a fiberglass, radio frequency-transparent material which will conceal the roof-top antennas while allowing the antenna signal to transmit. This addition will be painted to match the current exterior of the building (see photo simulations in Figure 8).

The electronic equipment will remain where it is currently located within a room in the Professional Office Building. The equipment area measures 112" x 106". This area encloses the electronic equipment and power racks.

[illegible]

*Jackson DT*





Figure 8: Proposed Roof-mounted Stealth Screen Structure

**Height and floor area:** Described above in Figure 6 and 7

**Setbacks:** There are no setbacks applicable to the roof-mounted antennas as they are being proposed within the confines of the existing building. The entire wireless facility will be on the roof or within the building.

**Utilities:**

Utilities are already present at the existing site and will be brought to the new stealth site across the roof of the building and concealed with a non-penetrating covered cable chase. This will run from the existing equipment area to the new site.



## **5. SITE AND FLOOR PLANS**

---

The enclosed site plans meet the minimum standards established in the Administrative Manual. Sheet T-1 includes project data;

- GN-1 includes general notes for the project
- SS-1 and SS-2 includes a professional land survey of the subject property;
- A-0 includes an overall site plan with photo simulations
- A-1 includes a site plan for the proposed wireless facility with a photo simulation
- A-2 includes an equipment plan of AT&T's area inside the Professional Office Building;
- A-3 and A-3.2 includes existing and proposed antenna elevations including existing and proposed photo simulations;
- A-4 includes a detailed plan of the antenna facilities within the "stealth" structures;
- R-1 includes equipment details;
- G-1 includes grounding details;

No changes to the floor plan of the existing building. Layouts for the "stealth" structures and equipment area are included within the site plans.

## **5. POSTED NOTICE**

---

When hearing dates are scheduled, Applicant will prepare required signs and post notice as required by Sec. 8.2.14.C.4.

## **6. REVIEW CRITERIA**

---

Pursuant to the requirements outlined in the Pre-Application Conference Summary, the following items are addressed below.

### **GENERAL INFORMATION**

Planning Permit Application has been provided.

Notarized Letter of Authorization has been provided.

Application Fees have been paid by enclosed Check No. 253 in the amount of \$2,500.00.

Review Fees Applicant acknowledges responsibility for payment of review fees necessitated by the review of the application.

Mailed Notice Fee Applicant acknowledges responsibility for payment of mailed notices in excess of 25 notices.

Digital Format Applicant has submitted all application materials in digital format on the enclosed CD.

Response to Submittal Checklist Applicant has provided responses to the comments identified in the Pre-Application Conference Summary in the text of this narrative.

Title Report per the Pre-Application Meeting, this is not required.

Narrative description of the proposed development This has been provided herein (see "Project Description," above).

Proposed Development Program This has been provided herein (see "Proposed Development Program," above).

Site Plan The Site plan is enclosed as part of the construction drawings provided.

Floor Plans There are no proposed changes to the floor plan of the existing building.

**SUBMITTAL CHECKLIST: Subsection B, Physical Development:**

The following items are required to be addressed:

**Structure Mass and Location and Maximum Scale of Development:** The existing building is currently used as a Professional Medical Office Building on the St. John's Medical Center campus. The front of the building has a covered entrance where the stealth facility is proposed. The existing building with covered entrance has as its highest point 18.2 ft. high. The proposed 5 ft. high addition of the "stealth" structure will bring the total height to 23.2 ft. high. This addition will be in proportion to the existing building. The dimensions of the "stealth" structure on the rooftop are 5' (H) x 10' (L) x 10' (W). The equipment area is currently located, and will remain within, a room in the medical office building. The dimensions of AT&T's equipment area within this room are 112"x 106". Setbacks are not applicable as this site and all equipment is and will be located within the confines of the existing building.

**Building Design:** The existing building is a traditional design with a stucco façade. The proposed "stealth" design is intended to appear to be a design extension of the covered entrance and will look to be consistent with the surrounding buildings. The "stealth" structure will be constructed of a fiberglass, radio frequency-transparent material which will conceal the roof-top antennas while allowing the antenna signal to transmit. The "stealth" roof-top structure will be painted to match the existing building. The visual impact will be minimal as this will appear to be a logical extension of the building to the general public. Applicant understands a meeting with the Design Review Committee is required.

**Site Development:** No new driveways or access points are proposed. The site will be accessed from East Broadway and the Professional Medical Office Building parking lot. No new easements are proposed. It is possible that during construction a crane will be needed to transport building materials to the roof; however this will be determined at a pre-construction meeting with Town of Jackson building officials. Construction of this site is estimated to take approximately 60 to 90 days. Staging for construction materials will be coordinated with property owners and will not obstruct or impact hospital operations. There is no pedestrian access to the site as it is on the rooftop of the existing building and the equipment is kept in a locked room.

**Fencing:** Fencing is not applicable as the wireless site will be located within a stealth structure on the rooftop and the equipment is kept within the Professional Office Building in a locked room.

**Wildlife Friendly Fencing:** Not applicable, per Pre-Application Conference Summary

**Environmental Standards:** Not applicable, per Pre-Application Conference Summary

**SUBMITTAL CHECKLIST: Subsection D, Development Options:** Not applicable, per Pre-Application Conference Summary

**SUBMITTAL CHECKLIST: Subsection E, Additional Zone-Specific Standards:** Not applicable, per Pre-Application Conference Summary

**SUBMITTAL CHECKLIST: Article 4, Special Purpose Zones:** Not applicable, per Pre-Application Conference Summary

**SUBMITTAL CHECKLIST: Article 5, Physical Development Standards Applicable in all Zones:**

The following items are required to be addressed:

**Division 5.1, General Environmental Standards:** Not applicable, per Pre-Application Conference Summary

**Division 5.2, Environmental Standards Applicable in Specific Areas:** Not applicable, per Pre-Application Conference Summary

**Division 5.3, Scenic Standards:** This site will not include exterior lighting per Div. 5.3.1 and is not in a Scenic Resources Overlay per Div. 5.3.2.

**Division 5.4, Natural Hazard Protection Standards:** Not applicable, per Pre-Application Conference Summary

**Division 5.5, Landscaping Standards:** All antennas will be located behind “stealth” screens on the roof-top of the existing building. The electronic equipment will be concealed within a room in the existing Professional Office Building. There will be no ground equipment outside making landscaping not applicable.

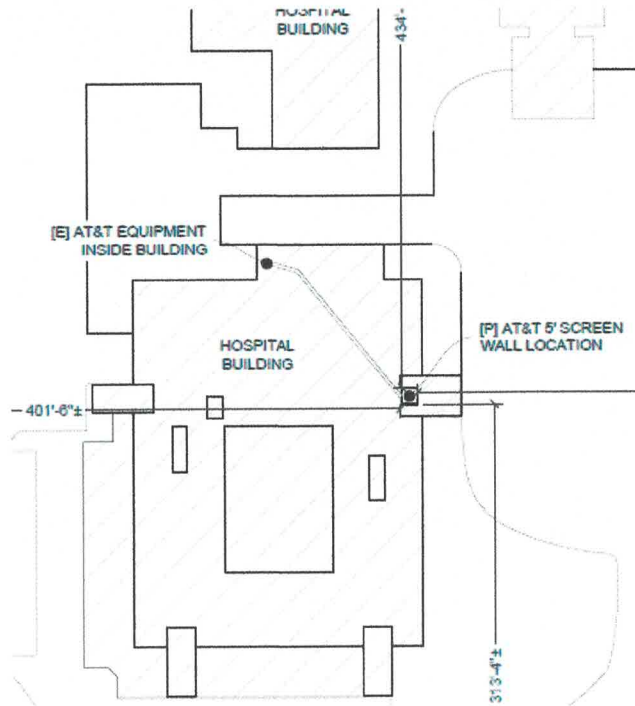


Exhibit 9: AT&T equipment area located within building

**Division 5.6, Sign Standards:** Not applicable, per Pre-Application Conference Summary

**Division 5.7, Grading, Erosion Control and Stormwater Management:** Not applicable, per Pre-Application Conference Summary

**Division 5.8, Design Guidelines:** The proposed materials are appropriate based on the context of the existing building. The material used for the screen wall additions will be durable, radio-frequency transparent fiberglass and will be maintainable over time. AT&T will be responsible for maintaining the



painted surfaces of the screen wall addition to match the existing façade of the building. The proposed material is the only possible choice for the purpose of antenna concealment. In summary, the proposed site plans are in compliance with Design Guidelines set forth by the Town of Jackson.

**SUBMITTAL CHECKLIST: Article 6, Use Standards Applicable in all Zones:**

The following items are required to be addressed:

**Division 6.1, Allowed Uses:** The proposed site is located in the (P/SP) zone district and wireless communication sites are an allowed use.

**Division 6.2, Parking and Loading Standards:** The parking, loading and maintenance requirements of this section do not apply because the proposed site will be an unmanned, unoccupied space. The site will be visited only occasionally by one technician in one vehicle for a short period of time for monitoring and maintenance of the electronic equipment.

**Division 6.3, Employee Housing Requirements:** Not applicable, per Pre-Application Conference Summary.

**Division 6.4, Operational Standards:** There will be no outside storage; all equipment and materials associated with the site will be kept in the designated equipment area inside a room in the existing Professional Office Building as shown on Sheet A-0 and A-2 of the site plans. The unoccupied site will generate no refuse or recycling; it will be visited only occasionally by an AT&T technician to monitor and maintain equipment. The site will not generate any significant noise and no vibration. The HVAC unit in the equipment area at the site produces no significant noise and will be well within the 65 DBA guideline set forth in the Town of Jackson LDRs. All AT&T facilities are monitored remotely 24/7; therefore the likelihood of fire, explosive hazards or electrical disturbances is minimal.

**SUBMITTAL CHECKLIST: Article 7, Development option and Subdivision Standards Applicable in all Zones:**

The following items are required to be addressed:

**Division 7.1, Development Option Standards:** Not applicable, per Pre-Application Conference Summary

**Division 7.2, Subdivision Standards:** Not applicable, per Pre-Application Conference Summary

**Division 7.3, Open Space Standards:** Not applicable, per Pre-Application Conference Summary

**Division 7.4, Affordable Housing Standards:** Per the Pre-Application Conference Summary notes, "Applicant shall provide a Housing Mitigation Plan consistent with the Housing Department Guidelines. It is likely that no requirement exists, but the paperwork must be filled out and provided with the CUP application." A Housing Mitigation Plan has been enclosed with this application.

**Division 7.5, Development Exaction Standards:** Not applicable, per Pre-Application Conference Summary

**Division 7.6, Transportation Facility Standards:** Not applicable, per Pre-Application Conference Summary

**Division 7.7, Required Utilities:** The proposed site is an unmanned, unoccupied facility which requires only electric power and fiber optic connection for operation. No water, sewer, or irrigation will be required. There is an HVAC system in the AT&T electronic equipment area to keep the equipment area temperature controlled. There will not be a generator stored on site.

**GENERAL STANDARDS AND DESIGN REQUIREMENTS:**

**The following standards are required pursuant to Sec.6.1.10.D.3.f:**

- i) **Must be Stealth:** The application meets this requirement with all antennas and equipment concealed from public view. The proposed design minimizes visual impacts by matching the existing facade with radio frequency-transparent fiberglass screening painted to match the exterior of the existing building. Antennas and equipment will not be visible from the street. The "stealth" addition will appear consistent with the architecture and design of the existing building. It will not be obvious that a wireless communication site is located there, i.e., the presence, purpose, or nature of the facility is not readily apparent to a reasonable observer.
- ii) **Standards to be applied include the following:**
  - a. **Determination of Need** – Please see "Alternatives Sites Considered" and "Determination of Need" sections of this report.
  - b. **Concealment Element** – The proposed design is the most effective concealment that can be provided within the constraints of the 5 ft. limitation on height for a rooftop communication facility. There is no intent to frustrate the purpose of the conditions of approval. The concealment structures are intended to blend with the existing building.
  - c. **Height** – The highest point of the proposed facility is 5 ft. above the roof to which it is affixed, in compliance with this section. Although taller antennas would have been preferable, AT&T proposes 4 ft. tall antennas inside the 5 ft. tall screen wall concealment structure.
  - d. **Setbacks** – No setbacks are applicable as the proposed facility and equipment area are within the confines of the existing building.
  - e. **Other conditions** – The proposed facility is designed and will be maintained to be visually compatible with adjoining terrain and structures. The proposed site will not be used for the storage of excess equipment and there will be no outdoor storage. All equipment associated with the site will be contained in the designated equipment area within the building.
  - f. **Landscaping** – As the wireless facility will be located on the rooftop and within the Professional Office building, landscaping is not applicable.
  - g. **Signage** – No commercial messages will be displayed at the proposed facility. Signage will be limited to that required by federal regulatory agencies.
  - h. **Lighting** – No lighting is proposed for this facility.
  - i. **Quantity limit** – There is a limit of one (1) tower per legally created parcel of property per Town of Jackson LDRs. There will be no towers on this parcel only a roof mounted wireless communication facility.
  - j. **Emergency generator** – There is no generator on site.
  - k. **Noise level** – The site will not generate any significant noise and no vibration. The HVAC unit at the site produces no significant noise and will be well within the 65 DBA guideline set forth in the Town of Jackson LDRs.
  - l. **Visibility** – Antennas will be completely concealed behind the proposed screen wall addition. As noted above, the screen wall addition is designed to appear to be a logical extension of the existing building. This application includes elevation drawings and



photo-simulations showing the existing and proposed designs. Due to the nature of the stealth facility on the rooftop and existing equipment space within the building, there is no space for future collocation. First, in order to minimize the visual impact of the facility to appear to be a natural extension of the building and fit within the size and scale of the building, the “stealth” screen has been constructed as large as possible to meet this objective. Additionally, with the 5 ft. height requirement in the Town of Jackson LDRs, additional equipment is needed by AT&T in order to accommodate FirstNet capabilities when using 4 ft. antennas. This leaves no space within the “stealth” walled structure for another carrier. AT&T is currently utilizing the minimum space required within the Professional Office Building for its equipment and is not proposing additional space to St. John’s Medical Center. There is currently no additional space within this room for additional equipment from another collocator.

- m. **Notice** – The facility will be in compliance with all requirements for public hearings. When dates for the required public hearings are scheduled, Applicant will order notice signs to be posted at designated locations on the property.
- n. **Access** - No part of the facility will obstruct access or cause the existing building to fail to comply with the American Disabilities Act.
- o. **Security** – Opportunities for unauthorized access will be minimized with entrance to the electronic equipment area within the Professional Office Building in a locked room. In addition, AT&T facilities are monitored remotely 24/7, providing additional security for the site.
- p. **Building Design** – The proposed “stealth” walled structure is in scale and architecturally integrated with the existing building design to be visually unobtrusive. The proposed screen wall addition will be painted to match the façade of the existing building. As noted above, it will not be obvious that a wireless communication site is located on the roof, i.e. the presence, purpose or nature of the facility is not readily apparent to a reasonable observer.

## **7. CONDITIONAL USE PERMIT REQUIREMENTS:**

---

The following findings must be made prior to approval of a conditional use permit:

- **The application is compatible with the desired future character of the area:** As demonstrated in the project description and determination of need sections of this application, this wireless site is necessary to provide FirstNet, maintain coverage and meet increase capacity capability in this area. Everything possible has been done to integrate the design of the wireless facility into the existing building. Surrounding lot uses include other buildings on the St. John’s Medical Center Campus, apartment buildings, residential buildings and a church.
- **The application complies with the use specific standards of Division 6.1:** Jackson Land Development Regulations allow wireless communication sites in the P/SP zone district.
- **The application minimizes adverse visual impacts:** As described throughout the application, this site is designed to be within Town of Jackson LDRs and to replicate the exterior finishes of the existing building as well as architecturally appear to be a logical extension of the building.
- **The application minimizes adverse environmental impacts:** There will be no adverse environmental impacts associated with this development. The proposed site will be unoccupied and requires only minimal electric utility service for operation. There will be no ground disturbance associated with the construction of this site.



- **The application minimizes adverse impacts from nuisances:** The proposed site will not generate any significant noise, no dust, odor or other impacts that could be considered a nuisance.
- **The application minimizes adverse effects on public facilities:** There will be minimal impact on public facilities. This site requires only minimal electrical service. The site will be unoccupied and requires no water, sewer, trash collection or other public services. The site will generate no traffic; it will be visited only occasionally by a sole technician to monitor and maintain the equipment. AT&T facilities are monitored remotely 24/7 and standard operating procedures minimize security risks.
- **The application complies with all other relevant standards of these LDRs and all other Town Ordinances:** The proposed development will comply with all Land Development Regulations, building code requirements and other ordinances.
- **The application is in substantial conformance with all standards or conditions of any prior applicable permits or approvals:** Applicant believes the proposed plans meet or exceed all requirements of applicable permits and required approvals.

In summary, the application satisfies the criteria established for Conditional Use Permit findings.

---

#### **"FCC SHOT CLOCK"**

AT&T requests that the Town of Jackson issue a written decision granting AT&T's request within (90) days of the date this application is submitted pursuant to *Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7) to Ensure Timely Siting Review*, Declaratory Ruling, 24 FCC Rcd 13994, para. 46 (2009 Declaratory Ruling). If applicable, within fourteen (14) days of the date the application is submitted, AT&T requests the Town to inform AT&T in writing of the specific reasons why the application is incomplete and does not meet the submittal requirements; and in doing so, to please specifically identify the code provision, ordinance, instruction or public procedure that requires the information be submitted.

---

#### **7. CONCLUSION**

AT&T respectfully requests the Town of Jackson to grant conditional use permit approval for the above described project. The proposed site will be part of the FirstNet directive by the federal government as well as the more comprehensive AT&T wireless network and approval of this application will allow AT&T to meet its federally mandated obligations under the license granted by the Federal Communications Commission (FCC) pursuant to the Telecommunications Act of 1996.