



BUELL CONSULTING, INC.

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Site Acquisition
Permitting
Site Management

October 24, 2006

Development Services Center
Growth Management Department
City of Rapid City
300 6th Street
Rapid City, SD 57701-2724

Re: Application to Pennington County for Conditional Use Permit
Proposed Verizon Wireless Communications Facility (RCYC Black Gap)
9200 S. Highway 79

Attached please find the following:

- 1.) City 11-6-19 Application and County Conditional Use Permit Application
- 2.) Project narrative describing a proposed Verizon Wireless communications facility including a 120' monopole design antenna structure & a 12' x 30' equipment shelter
- 3.) Aeronautical study performed by Jeppeson, October 9, 2006
- 4.) Site plan drawing
- 5.) Survey

Please advise me at your earliest convenience that the application is received at 303-220-9100.

Sincerely,

John M. Rowe

Buell Consulting, Inc.
Agents for Verizon Wireless
ComRealEst@aol.com
303-220-9100 Office
303-221-8420 Fax
303-618-4615 Portable

Verizon Wireless Project Reference: RCYC Black Gap
9200 S. Highway 79 (within 3 miles of Rapid City)

Cellular Inc. Network Corporation
d/b/a VERIZON WIRELESS

Conditional Use Permit
Application
Pennington County, South Dakota

October 23, 2006

Cellular Inc. Network Corporation d/b/a Verizon Wireless is proposing to construct a cellular telephone communications facility (including a 12' x 30' equipment shelter and a 120' monopole design communications tower) at 9200 S. Highway 79 on a 60' x 60' leased area on property owned by Lloyd Byram (a/k/a Lloyd A. Byram) just outside of the city limits of Rapid City. Verizon Wireless has retained Buell Consulting, Inc. regarding site acquisition and permit matters.

Legal Description of the Property

Government Lot 4, Excepting the East 410' thereof, in Section 4, T 1 S, R 8 E, BHM, Pennington County, South Dakota

Property Zoning and Surrounding Zoning

The subject property is located in the General Agricultural (A-1) District and is surrounded by General Agricultural (A-1) zoning on the North and East, Limited Agricultural (A-2) zoning on the South & General Commercial (GC) zoning on the West.

Proposed Use

"Utility substations to include antenna, microwave and communications towers ..." are listed as Conditional Uses in the A-1 District and " may be permitted upon review by the Board upon recommendation of the Commission according to the provisions contained in Section 510- Conditional Use Permits". The proposed facility will improve coverage and capacity along the Hwy 79 corridor South of Rapid City and the surrounding area. Each new site in a locale enables the existing surrounding sites to improve quality of signal to the surrounding area.

Area Regulations

The subject property is a Government Lot 62.07 acres in size surpassing the minimum area of 40 acres. In the Agricultural District, 25' front yard, side yard or rear yard setbacks are required. Along section lines an additional 33' of setback is required. In 1999, the section line right of way abutting Highway 79 was relocated west along with the relocation of Highway 79. Upon review with the Pennington County Planning Director, Dan Jennisen, it was understood that such a relocation having occurred prior to 2004 would effectively constitute a vacation of the section line right of way along with the relocation of the Highway 79 right of way. The proposed site will be far in excess of 500' from the nearest existing residence zoning district. The antenna structure proposed will be 120' tall.

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FAA Approval

As the development of a new site progresses beyond site leasing and local permit approval, Verizon Wireless usually applies to the FAA for its approval somewhat later in the process. Typically, Verizon Wireless asks that local jurisdictions make their approval contingent upon subsequent FAA approval. The decision to proceed with the costs of obtaining local entitlements is not without a prior Air Space Evaluation, however.

In October, 2006, Verizon Wireless authorized the commissioning of FAA consultants, Jeppesen, to perform an Obstruction Analysis Report under Federal Aviation Regulations Part 77 Sub-Part C. A summary of the findings are that the consultant was confident that if an application were to be made for a 140' structure, the application would be approved. According to the report an 'FAA Notice of Proposed Construction or Alteration' would not even be required. See a copy of the consultants findings enclosed in this package. The 140' came from estimating appurtenances up to 20' above the proposed 120' pole.

Site Selection Process

On July 24, 2006 Verizon Wireless assigned the work for the development of this new cell site location in Pennington County to Buell Consulting, Inc., St. Paul, MN for Site Search, Site Acquisition and Local Permit Procurement. John M. Rowe, an agent for Buell, initiated field work on the new site location by researching land owners and zoning regulations in July & August. Rowe phoned and visited the Pennington County Planning staff during the initial month of the assignment concerning the code, policies, the location of the search area and the properties under consideration.

The following additional property owners were contacted in the process of researching the area and developing an initial site candidate information package for Verizon Wireless:

Byram, Foley, Morris, Hart Ranch/ Duininck Bros & Gilchrist Land Co., Johnson, and Jensen. After these investigations, the following candidate locations were submitted to Verizon Wireless for selection by their engineers, construction & project management personnel.

Candidate # 1- Parcel # 5504300001 owned by Lloyd Byram is the location of this applicant's proposed application for a communications tower facility by Conditional Use Permit for a 120' monopole.

Candidate # 2- Property owned by Foley is located south of the proposed site on a slightly high elevation near a crest in the road before Black Gap comes into sight.

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Candidate # 3- Property owned by Morris is located north of the proposed site.

Candidate # 4- Property owned by Duinink Bros & Gilchrist Land Co. and managed by Hart Ranch is located across Highway 79 from the proposed site.

Summary

Sound planning has gone into the site selection process for the proposed development, taking into account guidance started in the initial stages from the Planning & Zoning Administrator. The proposal meets the criteria for granting a conditional use permit in that the proposed use has been contemplated in the ordinance for the A-1 District.

The proposed cellular communications facility as designed will insure continuation of the best quality cellular telephone service that Verizon Wireless can offer in the area.

Verizon Wireless will comply with all regulations of Pennington County and the conditions of any permit granted in connection with this application.

Questions about this application should be directed to:

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