

Planning Commission Staff Report

Date: December 9, 2009

Case No.: 5.0793-CUP Time Extension

Type: Conditional Use Permit Time Extension

Location: 3601 East Mesquite Avenue

APN: 680-120-032

Applicant: Core Communications for TowerCo

General Plan: OS – P/R (Open Space – Parks / Recreation)

Zone: O (Open Land)

From: Craig A. Ewing, AICP, Director of Planning Services

Project Planner: David A. Newell, Associate Planner

PROJECT DESCRIPTION:

The project is a time extension request for a Type II Conditional Use Permit (CUP) that was granted for an existing sixty foot tall commercial communication antenna monopole on October 21, 1998. The wireless communication facility is on a property located at 3601 East Mesquite Avenue. At the time of its approval in 1998, a Condition of Approval that limits the use of the CUP to a ten-year (10) term was imposed on the project. This application is a request by Core Communications to allow the continued operation of the monopole under its previous approval granted in 1998.

RECOMMENDATION:

That the Planning Commission approve a time extension of the Conditional Use Permit to allow the continued operation of the monopole without specified term, subject to all other Conditions of Approval.

PRIOR ACTIONS:

On September 23, 1998, the Planning Commission reviewed the project and recommended approval to the City Council.

On October 21, 1998, the City Council reviewed the proposed project and by a vote of 5-0 approved the subject monopole.

BACKGROUND AND SETTING:

The monopole is located west of Demuth Park at the rear of the Family YMCA property, which is approximately 2.65 acres in size. Single family residences exist to the north and open space recreation exists to the west, south and east of the site. The existing building on the site was constructed in 1979 and is approximately 13,232 square feet in size.



Monopole

ANALYSIS:

Pursuant to Section 94.02.00 (Conditional Use Permit) of the Palm Springs Zoning Code (PSZC), "The conditional use permit is intended for those types of land uses which require special consideration in a particular zone or in the city as a whole due to: the size of the area needed for full development of such use; the unusual traffic, noise, vibration, smoke or other problems incidental to its operation; special locational requirements not related to zoning; or to the effect that such uses may have on property values, health, safety, and welfare in the neighborhood or in the community as a whole. It is also for uses whose approximate location is indicated on the general plan but

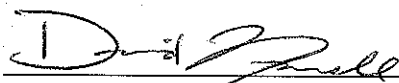
whose exact location and arrangement must be carefully studied. In granting the Permit, certain safeguards to protect the health, safety, and general welfare may be required as conditions of approval."

Furthermore, Section 94.02.00(B)(6)(XIII) of the PSZC states that, *"the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property standards. Such conditions may include "Duration of time".*

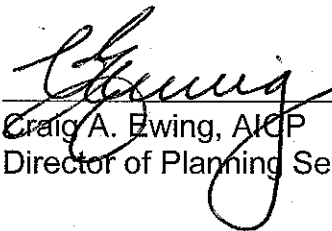
Currently, the Zoning Code does not specify time limits for Conditional Use Permits; CUPs are generally considered to *"run with the land"* except in the cases of abandonment. In this case, the Planning Commission and the Council in 1998 imposed a ten-year time limit on the CUP for the monopole, with a clause that *"extensions of time may be granted by the Planning Commission upon demonstration of good cause."* There were no specific reasons given for the imposition of the condition, however, staff has reviewed the existing monopole, surrounding area and approved Conditions of Approval, and determined that no significant changes have occurred that would suggest that the project is no longer in conformance with the previously approved project. The applicant has also provided a letter that lists how the monopole complies with each condition of approval.

CONCLUSION:

An inspection of this project site by staff indicates that the monopole is still in operation with a well maintained equipment and leased area. The operators of the wireless facility have met all the conditions of approval imposed on the project in 1998, and staff recommends to the Commission deletion of any term on the CUP. All other conditions of the CUP as well as regulations associated with commercial antennas would remain in effect.



David A. Newell
Associate Planner



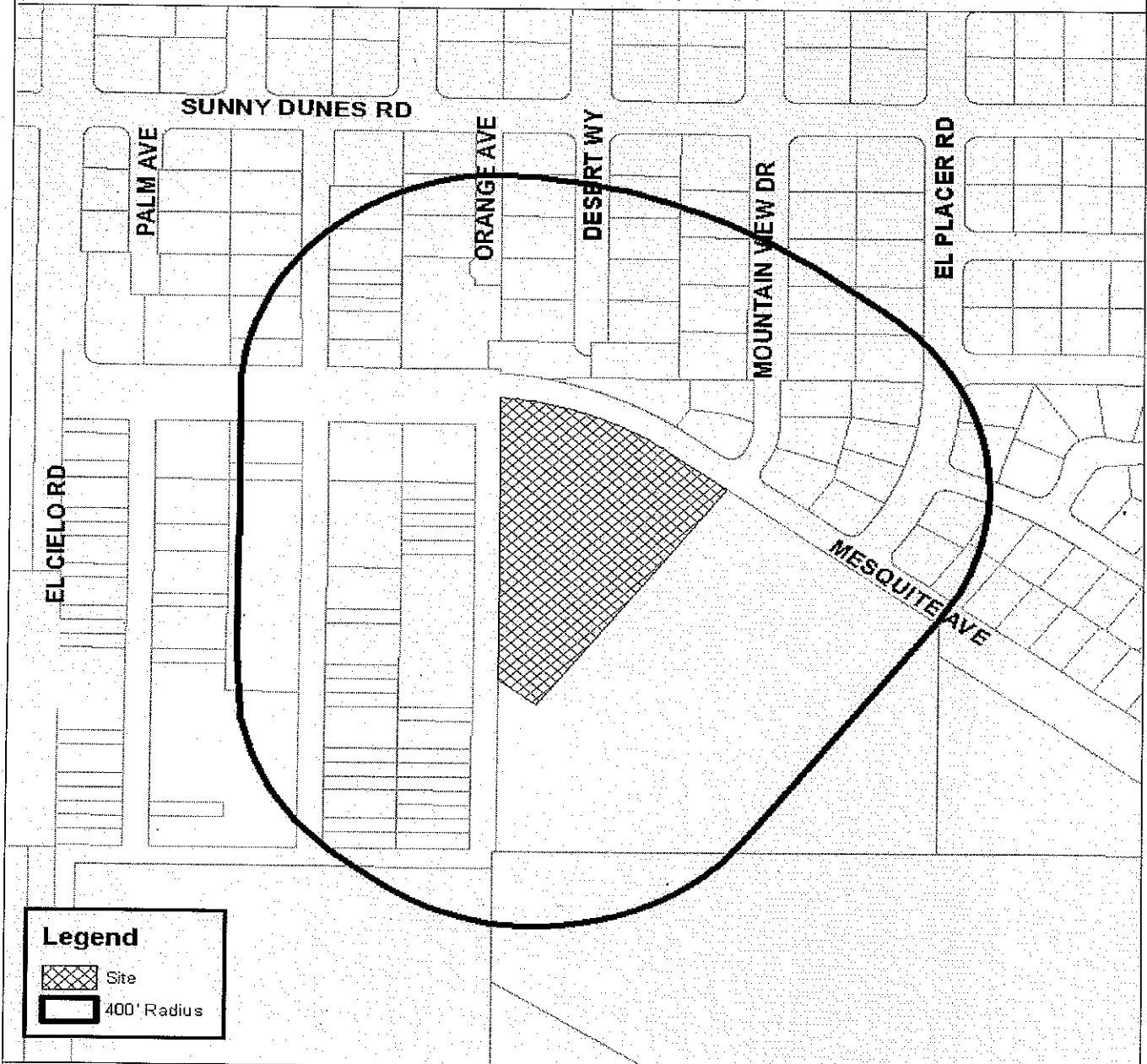
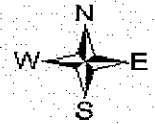
Craig A. Ewing, AICP
Director of Planning Services

ATTACHMENTS:


- 400' Radius Map
- Draft Resolution
- Letter of request from Applicant
- Resolution No. 19382
- City Council minutes from 1998 hearing



Department of Planning Services Vicinity Map



Legend

-  Site
-  400' Radius

CITY OF PALM SPRINGS

CASE NO: 5.0734 CUP
Time Extension

APPLICANT: Core Communications

DESCRIPTION: To consider a time extension request of a previously approved conditional use permit for a wireless communication monopole located at 3601 E. Mesquite Avenue, Zone O (Open Land).

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A REQUEST FOR TIME EXTENSION FOR AN EXISTING MONOPOLE; CASE NO. 5.0793-CUP, FOR A CONTINUED OPERATION OF THE WIRELESS COMMUNICATION FACILITY LOCATED AT 3601 EAST MESQUITE AVENUE, ZONED O, SECTION 19.

WHEREAS, on September 23, 1998, the Planning Commission voted to recommend approval of a Type II Conditional Use Permit, Case No. 5.0793 CUP, to the City Council for the installation of a wireless communication antenna on a monopole with a total height of fifty feet; and

WHEREAS, on October 21, 1998, the City Council approved Type II Conditional Use Permit, Case No. 5.0793 CUP, by Resolution 19382 subject to conditions, including Condition of Approval No. 3: *"This Conditional Use Permit shall be valid for a period of ten years from the effective date of approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause."*; and

WHEREAS, Core Communications ("Applicant") on behalf of TowerCo has filed an application for an extension of time for Case No. 5.0793 CUP; and

WHEREAS, on December 9, 2009, the project was reviewed by the by the Planning Commission in accordance with applicable law; and

WHEREAS, the existing project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and per Section 15303 of CEQA Guidelines, a categorical exempt was previously adopted by the Planning Commission on September 23, 1998. The preparation of additional environmental documentation is not necessary because there are no changed circumstances related to the project that will result in any new significant environment effects or a substantial increase in the severity of previously identified significant effects.

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: All Conditions of Approval previously imposed on the operation of the project have been met and a demonstration of good cause has been made by the applicant.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby deletes Condition No. 3 of Resolution No. 19382 for Case No. 5.0793-CUP.

ADOPTED this 9th day of December, 2009.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig Ewing, AICP
Director of Planning Services

2903-H Saturn St., Brea, CA. 92821
(714) 345-5210 Office
(714) 333-4441 Fax
e-mail: mfelten@corecomgroup.com

COMMUNICATIONS
Authorized representative for TowerCo

RECEIVED

July 29, 2009

OCT 05 2009

**PLANNING SERVICES
DEPARTMENT**

David Newell
Associate Planner
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263
Riverside, CA 92502

SUBJECT: CUP No. 5.0793/3061 E. Mesquite Avenue, Condition of Approval No. 3

Dear Mr. Newell,

On behalf of TowerCo, I would like to thank you so for assisting me with our request to remove or extend the time condition of the CUP for the existing wireless telecommunications facility at 3061 E. Mesquite Avenue. Conditional Use Permit number 5.0793 for this site requires an extension of time be granted by the Planning Commission after the initial 10 years. It is our request that the existing facility be granted an additional time extension indefinitely or for a minimum of another 10 years.

Per Condition of Approval No. 3, extensions of time may be granted by the Planning Commission upon the demonstration of good cause. The existing site is still actively providing wireless coverage to the City of Palm Springs. In addition, it has been and continues to operate in conformance with the original conditions of approval. Below is a compliance report demonstrating the existing facility continues to be in good standing.

CONDITIONS FOR CUP 5.0793

1. TowerCo understands and abides by this condition. The existing facility conforms to applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and all other City Codes, ordinances and resolutions which supplement the zoning district regulations.
- 1a. TowerCo understands and abides by this indemnification condition.
2. Commencement of use was exercised within two (2) years from the effective date of approval.
3. TowerCo understands this condition and is therefore applying for an extension of time.
4. TowerCo understands and abides with the requirement that if the communications antenna, monopole and lease area are ever proposed to be modified in any manner, the proposed modifications shall be submitted to the Director of Planning and Building for review and approval prior to installation.
5. TowerCo understands and abides by this condition. At this time the fifty (50) high antenna is still required.
6. TowerCo understands and abides by this condition.

7. The maximum height of the monopole and communications antennas does ^{not} exceed fifty (50) feet.
8. TowerCo abided by this condition. A compacted walkway was installed as requested by the applicant.
9. TowerCo abided by this condition. Stucco finish matching the color of the Youth Center was approved and applied to the equipment shelter.
10. TowerCo understands and abides by this condition.
11. TowerCo abided by this condition. No barbed wire was used for fencing material; instead a combination masonry wall and wrought iron were approved and used as required.
12. This condition was completed as requested.
13. TowerCo abided by this condition. The equipment shelter matches the colors of the Youth Center and the roof is painted an earth tone.
14. TowerCo understands and abides by Section 9303.00 of the Zoning Ordinance.
15. Manufacturer's cut sheets of all exterior lighting on the monopole, building, in the landscaping and in the parking lot were approved as required.
16. TowerCo continues to abide by this condition by not allowing any outside storage except as approved.
17. TowerCo understands and abides by this condition.
18. TowerCo abided by this condition, therefore receiving a building permit.
19. TowerCo continues to comply with Section II of Chapter 8.04 of the Palm Springs Municipal Code.
20. TowerCo understands this condition and is consistent with the approved location.
21. TowerCo understands and abides by this condition.
22. Knox access has been provided.
23. Portable fire extinguishers have been provided per NFPA.
24. A fire alarm plan were previously submitted and approved by the Fire Department.
25. The fire department reviewed and approved the installation.
26. The street address is posted on site.

Based on these facts, we request that the existing facility be granted an additional time extension indefinitely or for a minimum of another 10 years.

Please let me know if anything additional is needed or if you have any questions. I can be contacted at 714-345-5210 or mfelten@corecomgroup.com.

Thanks so much,



Michelle Felten
Zoning Manager

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**PLANNING SERVICES
DEPARTMENT**

RESOLUTION NO. 19382

OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS,
CALIFORNIA, APPROVING, SUBJECT TO THE
CONDITIONS STATED, CONDITIONAL USE PERMIT NO.
5.0793 FOR NEXTEL, FOR INSTALLATION OF A
COMMUNICATIONS ANTENNA ON A MONOPOLE AND A
EQUIPMENT FACILITY AT 3601 E. MESQUITE, O ZONE,
SECTION 19.

WHEREAS, Nextel, (the "applicant") has filed an application with the City pursuant to Section 9402.00 of the Zoning Code for a Conditional Use Permit for a installation of a communications antenna at 3061 E. Mesquite Ave, O Zone, Section 6; and

WHEREAS, notice of a public hearing of the Planning Commission of the City of Palm Springs to consider Applicant's Application for Conditional Use Permit No. 5.0793 was given in accordance with applicable law; and

WHEREAS, on September 23, 1998 a public hearing on the application for Conditional Use Permit No. 5.0793 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, at the conclusion of its public hearing on September 23, 1998, the Planning Commission adopted Resolution No. 4604, recommending that the City Council approve Conditional Use Permit 5.0793 subject to the findings and conditions stated in Resolution No. 4604; and,

WHEREAS, notice of a public hearing of the City Council of the City of Palm Springs to consider Applicant's Application for Conditional Use Permit No. 5.0793 was given in accordance with applicable law; and

WHEREAS, on October 21, 1998 a public hearing on the application for Conditional Use Permit No. 5.0793 was held by the City Council in accordance with applicable law; and

WHEREAS, the City Council has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including but not limited to the staff report, and all written and oral testimony presented.

THE CITY COUNCIL HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to CEQA, the City Council finds as follows:

The project is categorically exempt from the requirements of CEQA pursuant to Section 15303 which states that construction of new small equipment is exempt from CEQA.

Section 2: Pursuant to Zoning Ordinance Section 9402.00, the City Council finds that:

- a. The proposed communications antenna at the location set forth in the application is properly one for which a broadcasting transmitter is authorized by the City Zoning Ordinance as a Type II Conditional Use Permit.

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- b. The proposed communications antenna, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.
- c. The site for the communications antenna is adequate in size and shape to accommodate said use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses of the land in the neighborhood.
- d. The site for the proposed communications antenna will not impact streets and highways properly designed in the subject area.
- e. The conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare, including any minor modifications of the zone's property development standards.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the City Council hereby approves Conditional Use Permit No. 5.0793, subject to those conditions set forth in Exhibit A, on file in the City Clerks Office which are to be satisfied prior to the issuance of a Certificate of Occupancy unless other specified.

Section 1: Pursuant to Government Code Section 65863.5, that the City Clerk, within 30 days from the Project approval, notify the County Assessor of said action.

ADOPTED this 21st day of October, 1998.

AYES: Members Barnes, Hodges, Oden, Reller-Spurgin and Mayor Kleindienst
 NOES: None
 ABSENT: None

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

By [Signature]
 City Clerk

[Signature]
 City Manager

REVIEWED BY: [Signature]

EXHIBIT A

CUP No. 5.0793/Nextel Monopole/3061 E. Mesquite Ave.

October 21, 1998

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

PLANNING:

1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations.
 - 1a. The owner and applicant shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.0793. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive further indemnification hereunder, except, the City's decision to settle or abandon a matter following an adverse judgement or failure to appeal, shall not cause a waiver of the indemnification rights herein.
2. Commencement of use or construction under the Conditional Use Permit shall be within two (2) years from the effective date of approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
3. The Conditional Use Permit shall be valid for a period of (10) years from the effective date of approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
4. If the communications antenna, monopole and lease area are ever proposed to be modified in any manner such as the inclusion of other antennas, satellite dishes and/or other support equipment, the proposed modifications shall be submitted to the Director of Planning and Building for review and approval prior to installation.

5. If the technology regarding the communications antenna changes in where the fifty (50) foot high antenna is obsolete, then the monopole and antenna shall be removed.
6. If the use of the subject property is ever changed, the City reserves the right to modify or revoke the conditional use permit application.
7. The maximum height of the monopole and communications antenna shall be fifty (50) feet.
8. A compacted walkway shall be installed by the applicant from the existing parking lot to the lease area for maintenance purposes. The material and location of the walkway shall be shown on final plans and shall be approved by Planning prior to the issuance of building permits.
9. The applicant shall apply a stucco finish to the equipment shelter that matches the color of the Youth Center. The applicant shall submit a color material sample of the stucco finish to Planning for approval prior to the issuance of building permits.
10. If the monopole and antenna are ever abandoned or if the conditional use permit ever expires, the monopole and antenna shall be removed within 30 days.
11. Barbed wire fencing material shall not be permitted. A combination masonry wall and wrought iron fence shall be provided for screening the monopole and the equipment shelter. Plans shall be submitted to Planning staff for review and approval prior to the issuance of any building permits.
12. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Building and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.
13. All materials on the flat portions of the roof of the equipment shelter shall be earth tone in color. The equipment shelter shall match the colors of the Youth Center.
14. All roof mounted mechanical equipment shall be screened from all possible vantage points both existing and future per Section 9303.00 of the Zoning Ordinance. The screening shall be considered as an element of the overall design and must blend with the architectural design of the building(s). The exterior elevations and roof plans of the buildings shall indicate any fixtures or equipment to be located on the roof of the building, the equipment heights, and type of screening. Parapets shall be at least 6" above the equipment for the purpose of screening.
15. Manufacturer's cut sheets of all exterior lighting on the monopole, building, in the landscaping, and in the parking lot shall be submitted for approval prior to issuance of a building permit.
16. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

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17. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved by the Director of Planning & Building.
18. Prior to the issuance of building permits, locations of all telephone and electrical boxes must be indicated on the building plans and must be completely screened and located in the interior of the building. Electrical transformers must be located toward the interior of the project maintaining a sufficient distance from the frontage(s) of the project. Said transformer(s) must be adequately and decoratively screened.

POLICE DEPARTMENT:

19. Developer shall comply with Section II of Chapter 8.04 of the Palm Springs Municipal Code.

WASTE DISPOSAL SERVICES:

20. The location of the trash enclosure is acceptable subject to approved construction details approved by the Director of Building and Safety consistent with approved City details.

BUILDING DEPARTMENT:

21. Prior to any construction on-site, all appropriate permits must be secured.

FIRE:

22. Provide "Knox Access" on entry gates.
23. Provide portable fire extinguishers per NFPA.
24. Submit fire alarm plan to Fire Department prior to installation for review and approval.
25. Submit fixed fire suppression system plans to the Fire Department, if applicable.
26. Post street address.

CITY OF PALM SPRINGS
CITY COUNCIL MINUTES
October 21, 1998

A Regular Meeting of the City Council of the City of Palm Springs, California, was called to order by Mayor Kleindienst, in the Council Chamber, 3200 Tahquitz Canyon Way, on Wednesday, October 21, 1998, at 6:00 p.m., at which time, the City Attorney announced items to be discussed in Closed Session, and at 7:00 p.m., the meeting was convened in open session.

ROLL CALL: Present: Councilmembers Barnes, Hodges, Oden, Keller-Spurgin, and Mayor Kleindienst

Absent: None

The meeting was opened with the Salute to the Flag by Troop 905, and an invocation by Fr. Miguel Ceja, Our Lady of Solitude.

REPORT OF POSTING OF AGENDA: City Clerk reported that the agenda was posted in accordance with Council procedures on October 16, 1998.

REPORT OF CITY ATTORNEY ON MATTERS DISCUSSED IN CLOSED SESSION (All Entities) - See items on Page 5 of agenda this date.

PRESENTATIONS:

Director, Dept. of Transportation - "Topping Out" Piece of Airport Terminal Expansion
PSHS Student Body Report
Invitation to Celebrate Rev. Jeff Rollins 40th Anniversary, Pastor First Baptist Church, 11-1-98, 3:30 p.m.
Red Ribbon Week

COMMUNITY DEVELOPMENT AGENCY: HOUSING AUTHORITY: INDUSTRIAL DEVELOPMENT AUTHORITY: FINANCING AUTHORITY: - No Business

APPROVAL OF MINUTES:

It was moved by Oden, seconded by Barnes, and unanimously carried, that the Minutes of September 30, 1998 & October 7, 1998 be approved.

PUBLIC HEARINGS:

1. C.U.P. 5.0793 - NEXTEL COMMUNICATIONS

Recommendation: That the Council approve a Type II Conditional Use Permit for the installation of a 50-ft high communications antenna on a monopole, and an equipment (078-080) facility shelter at 3601 E. Mesquite Avenue (P.S. Youth Center property). ✓

Director of Planning & Building reviewed the staff report and added that the facility will serve a dual purpose; that the monopole will be located on the south side of the facility; that it is 540 feet from the nearest single family residence; that there are visual exhibits available for review; that the Planning Commission did recommend approval; that conditions were added by the Planning Commission to fence the base of the monopole; and added that all engineering requirements have been met.

Mayor declared the hearing open.

Barb Sidell, 17275 Darian Avenue, Irvine, stated that the staff report was sufficient to cover all points; that the applicant does accept all conditions required; and requested approval.

Greg Pettis, Executive Director Palm Springs Youth Center, requested approval of the project; and added that the revenue will help offset expenditures of the Center; that communication will be helped throughout the Valley and requested approval.

Dick Sroda, Palm Springs, questioned the validity of the project; and added that the monopole will be visual blight; that most move here for the beauty of the surroundings; that the monopole will affect the skyline; that the City should review whether it can get a franchise fee for airspace; and requested the Council deny the request.

Darrell Meeks, Morongo Valley, questioned whether there was available City property to place the equipment on to help offset the utility user tax; and added that if the monopole is installed at the Youth Center, precautions should be taken to safeguard the children.

There being no further appearances, Mayor declared the hearing closed

Councilmember Barnes requested the Planning Director review the visual displays,

Planning Director stated that the graphics were computer enhanced to indicate what the area would look like with the screening and growth; that the growth was calculated; that the fence would be wrought iron; that the height would be approximately eight feet high; that it would take an aggressive climber to scale the fence; and that there have been no reported problems in the area with the other poles being climbed.

Resolution 19382 as recommended was presented; after which, it was moved by Hodges, seconded by Oden, and unanimously carried, that R19382 be adopted.

2. AIRPORT MASTER PLAN LAND USE PLAN - AMENDMENT

Recommendation: That the Council approve amendment to the Airport Master Plan Land Use Plan, from Revenue Support Commercial (RSC) to Terminal Area (TA), to allow a proposed automated taxi/bus holding facility at the SE corner of Maristo Road and El Cielo Road. (051-028)

Mayor Kleindienst abstained due to a Fair Political Practice Commission ruling regarding the Airport Master Plan.

Director of Planning & Building reviewed the staff report and added that there will be added benefits of the location; that taxis will no longer be parked on streets surrounding the airport waiting on calls; that there were some complaints that the area should not be used as a transportation site; that the Planning Commission take all comments into consideration; that the building model is available for display; and that the plans are likewise available for review.

Mayor pro tem declared the hearing open

Gerry Bess, stated that he did reside across the street from the proposed project; that there is a concern of the residents about the location of a transportation facility next to the residences; that there is no one in the City to lodge a complaint with; that an ombudsman is needed; that it seems there is no curfew in place for planes taking off or landing; that the airport will soon become a burden to the residents if issues are not addressed; and that airport issues are becoming excessive.

There being no further appearances, Mayor pro tem, declared the hearing closed.

Councilmember Hodges clarified that the City does not have an ombudsman; but that airport staff is willing and able to assist with any type of concerns; that the voters endorsed the airport expansion in 1992; that the entire community was involved and the matter was approved; that Councilmembers are always willing to listen and respond to concerns; that the proposal is terrific; and that the implementation will meet a goal and need of the City.