

Approved September 21, 2022



**SCOTTSDALE AIRPORT ADVISORY COMMISSION
PUBLIC MEETING
Scottsdale Airport Aviation Business Center
Stearman/Thunderbird Meeting Room
15000 N. Airport Drive
Scottsdale, Arizona
Wednesday, June 15, 2022**

MINUTES

PRESENT: Charles McDermott, Chair
Peter Mier, Vice Chair
Larry Bemosky
John Berry
Ken Casey
Cory Little (telephonic)
Rick Milburn

STAFF: Gary Mascaro, Aviation Director
Meredith Tessier, Senior Planner
Carmen Williams, Aviation Finance & Administration Manager
Tiffany Domingo, Staff Coordinator
Sarah Ferrara, Aviation Planning & Outreach Coordinator
Chris Read, Assistant Aviation Director-Operations

GUESTS: David Hovey, Optima, Inc.

CALL TO ORDER

The meeting was called to order at 5:00 p.m.

ROLL CALL

A formal roll call confirmed the presence of Commissioners as noted above.

AVIATION DIRECTOR'S REPORT

Gary Mascaro, Aviation Director, informed the Commission that during the Annual Runway Safety Action Team meeting conducted by the FAA, they announced that the AIP grant for the North Taxiway and runup has been approved and the Airport should receive the grant agreement for approximately \$4.5 million within six weeks.

1. Regular Meeting: May 18, 2022

COMMISSIONER MILBURN MADE A MOTION TO APPROVE THE REGULAR MEETING MINUTES OF MAY 18, 2022 AS PRESENTED. COMMISSIONER BERRY SECONDED THE MOTION, WHICH CARRIED 7/0 WITH CHAIR McDERMOTT, VICE CHAIR MIER AND COMMISSIONERS BERNOSKY, BERRY, CASEY, LITTLE AND MILBURN VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

PUBLIC COMMENT

There were no public comments.

REGULAR AGENDA ITEMS 1-6

1. Discussion and Possible Action for a Recommendation to the Planning Commission and City Council regarding case 20-ZN-2002#4, to amend zoning case #20-ZN-2002 including an amendment to the One Scottsdale Development Plan, a Zoning District Map Amendment from General Commercial, Planned Community Development (C-4 PCD) to Planning Community Development (PCD) with comparable Planned Airpark Core Development (PCP) zoning including a development plan to allow residential units with amended development standards (Floor Area Ratio, Building Height, Stepback Plane, and Special Conditions-Building material), for a mixed-use development with a building height of 147 feet, on a +/-21.88-acre site located at 18777 N. Scottsdale Road

Meredith Tessier, Senior Planner, provided an overview of the site location, details and surrounding uses. The site is located in the Influence Area Zone of AC-1, which requires the applicant to file the FAA height analysis, noise disclosure notice and requirement to dedicate aviation easement on private land. The site is well outside the 59 DNL contour line. An overview of the zoning district map amendment request was provided. The proposed development will consist of 1,300 residential units for sale and for rent as well as 31,000 square feet of commercial area. Currently PCD districts with bonus provisions allows height to 134 feet and the developer is requesting a height of up to 147 feet, including mechanical equipment. The site is in Planning Unit 1 with the One Scottsdale Master Site Plan and the land use allocated the site for an auto dealership. As such, the applicant is requesting an amendment to increase the density.

Applicant representative, David Hovey, provided an overview of his company, Optima, Inc. He reviewed the project details and the accompanying public outreach project process. A Planning Commission hearing will be held in early August to review the project proposal. He discussed the development's roof system for sound attenuation. The project will construct a public park system with public bicycle and pedestrian path and 80 percent open space and underground parking.

The project phasing plan was reviewed. One of the focuses will address water conservation, including rainwater capture, water monitoring analysis and technology.

Chair McDermott asked whether the developer has filed FAA Form 7460. Mr. Hovey confirmed that the form was filed on May 9th. The public period ends today. An approval letter is expected from the FAA in the coming weeks.

Chair McDermott asked how many coordinate locations were submitted. Mr. Hovey said they submitted the entire project and was not aware of how many coordinates were included. Chair McDermott commented that Building 4 pokes through the conical surface for Part 77, which is problematic from FAA's perspective. Mr. Hovey stated his understanding that the conical surface is more of a red flag alert system from the FAA. The FAA has informed Optima that they do not expect any issues. Chair McDermott stated that he would like to know how many and from what locations the points were taken. It is not ideal to have red obstruction lights on buildings located on Scottsdale Road. The Commission's role is to protect the airspace around the Airport and to prevent penetration of Part 77.

Mr. Mascaro displayed a graphic based on the study area ground level of approximately 1,600 feet, which shows penetration of the conical surface. There have been occasions where developments have penetrated conical surfaces with installation of lighting, however based on his experience, he has never seen penetration to this extent in the past. The penetrations in the southeast corner are particularly concerning, due to the existing levels of single engine pattern work activity. Commissioners concurred with these concerns.

Mr. Mascaro cited to some of the positives, including the sound attenuation. Piston engine aircraft have slowly disappeared from the Airport with only a few flight schools remaining, which means less traffic in the area. Disclosure notices will be critical for the condos.

In response to a question from Chair McDermott, Mr. Hovey confirmed that the consultants did address the conical approach issue, but were told that there should not be a problem with the FAA and that he is surprised to learn that the flashing lights pose such an issue.

Discussion ensued regarding the need for stipulations on any potential approval by the Commission. Mr. Mascaro provided clarification. The Commission serves as a recommendation board. Its recommendations go to the Planning Commission and ultimately to City Council. The Commission is free to provide whatever recommendations it deems appropriate, including approval with stipulations or disapproval unless corrections or made.

CHAIR MCDERMOTT MADE A MOTION TO APPROVE CONTINGENT UPON THE DEVELOPER DEMONSTRATING THAT THE ENTIRE PROJECT IS BELOW ALL PART 77 SURFACES AND THAT A SUCCESSFUL DETERMINATION OF NO HAZARD BE ISSUED IN ACCORDANCE WITH FORM 7460 AND THAT NO RED LIGHTS ARE REQUIRED TO MITIGATE ANY OBSTRUCTION. COMMISSIONER CASEY SECONDED THE MOTION.

Discussion:

Vice Chair Mier asked for clarification on the red-light mitigation. Chair McDermott stated that for the development to stay under Part 77, it must receive a successful determination of no hazard by the FAA and the determination cannot say that there is no hazard provided that a red light is installed.

In response to a question from Commissioner Berry, Chair McDermott stated that the conical surface is a 21 slope over the site and that it could be higher on the west end than on the east end. Mr. Hovey asked whether the proposal is that no elevator shafts are located on conical surface side. Chair McDermott clarified that no structure of any type can penetrate Part 77. The developer would have to demonstrate that the entire project, including elevator shafts, are below part 77 surfaces.

Mr. Mascaro provided guidance on the motion process. The motion was reread into the record:

CHAIR MCDERMOTT MADE A MOTION FOR RECOMMENDATION TO THE PLANNING COMMISSION AND CITY COUNCIL REGARDING CASE 20-ZN-2002#4 WITH STIPULATIONS. THE SITE MUST RECEIVE, "FINDING OF NO HAZARD," FROM THE FAA 74460-1 HEIGHT ANALYSIS. HEIGHTS OF ANY OF THE STRUCTURES CANNOT PENETRATE THE CONICAL SURFACES OF FAA PART 77 AND NO RED FLASHING LIGHTS SHOULD BE REQUIRED OR INSTALLED ON THE BUILDINGS. COMMISSIONER CASEY SECONDED THE MOTION WHICH CARRIED 7/0 WITH CHAIR MCDERMOTT, VICE-CHAIR MIER, COMMISSIONERS BERRY, BERNOSKY, CASEY, LITTLE, AND MILBURN VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES

2 Discussion and input regarding Monthly Operations Report

Chris Read, Assistant Aviation Director-Operations, reviewed the report. IFR totals are slightly lower than last year by 1.4 percent, however, fiscal year to date totals are 10 percent over IFR ops for last year. There were three alerts and a few incidents.

In response to a question from Commissioner Bernosky regarding the faulty gear indication Type 1 versus the faulty gear indication Type 2, Mr. Read clarified that it is up to the FAA control tower to determine alert levels.

Mr. Read stated that a number of parking violations were included in the enforcement actions. U.S. Customs continues to show strong revenues for last month of \$110,625, 191 uses and 18 U.S. visits. Fiscal year to date revenue was \$1.1 million. There were 48 PPRs for the month.

Commissioner Casey asked whether Ross was the only operator with fuel leaks. Mr. Read stated the leaks are documented according to the ramp location.

3 Discussion and input regarding Financial Report for April

Ms. Williams reviewed the report. The approved budget for revenue was \$5.3 million and actuals came in at \$7.3 million. For expenses, the budget was \$2.4 million, and actuals came in at \$2.3 million. Compared to last year, revenues are higher by approximately \$128,000 for the month, with expenses essentially the same. FBO jet fuel sales accounted for approximately 75 percent of total fuels. AVGAS was 2.2 percent and Airport Operators totaled 22.7 percent. April fuel totals are up 6.3 percent over last April, with a difference of approximately 110,000 gallons. Totals gallons fiscal year to date are up 17.8 percent over last year.

4. Discussion and Input Regarding Public Outreach Programs and Planning Projects

Sarah Ferrara, Aviation Planning & Outreach Coordinator, stated that the Pilot Forum was recently hosted. FAA participated as well, with a focus on noise abatement procedures at the Airport. There were approximately 30 people in attendance for the virtual event. A total of eight voluntary curfew letters were sent out in May. In terms of tracking projects, ten have been identified as being within the Airport Influence Area. Staff continues produce list serv and social media content, including a recent notice regarding the overnight runway closure and the two FAA meetings. Staff participated in the Airpark Chamber Economic Development bus tour on May 25th, with approximately 50 people in attendance. Staff also participated in a presentation for a realtor's group.

5. Administrative report from the Aviation Director, or designee, regarding the status of pending aviation- related items

Mr. Mascaro stated that Project Cactus will likely be scheduled for review on July 7th. Optima McDowell Mountain Village will be forwarded to the Planning Commission and City Council.

6. Discussion and Possible Action to Modify the Airport Advisory Commission Meeting Schedule and Commission Item Calendar

COMMISSIONER CASE MADE A MOTION THAT THE COMMISSION TAKE A BREAK FROM MEETINGS FOR JULY AND AUGUST 2022. VICE CHAIR MIER SECONDED THE MOTION WHICH CARRIED 7/0 WITH CHAIR MCDERMOTT, VICE CHAIR MIER, COMMISSIONERS BERRY, BERNOSKY, CASEY, LITTLE, AND MILBURN VOTING IN THE AFFIRMATIVE WITH NO DISSIDENTING VOTES

PUBLIC COMMENT

There were no public comments.

FUTURE AGENDA ITEMS

There were no items added.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 6:07 p.m.

SUBMITTED BY:

eScribers, LLC