



**SCOTTSDALE AIRPORT ADVISORY COMMISSION  
PUBLIC MEETING  
Scottsdale Airport Terminal Lobby  
15000 N. Airport Drive, Scottsdale, AZ  
February 10, 2016**

**MINUTES**

**PRESENT:** Brad Berry, Chairman  
John Celigoy, Vice Chair  
Ken Casey  
Michael Goode  
Bob Hobbi (arrived at 6:29 p.m.)  
William Schuckert  
Steve Ziomek

**STAFF:** Sarah Ferrara, Aviation Planning & Outreach Coordinator  
Shannon Johnson, Management Analyst  
Gary Mascaro, Aviation Director  
Chris Read, Airport Operations Manager  
Matt Thompson, Scottsdale Aviation Intern  
Keith Niederer, Senior Planner

**GUESTS:** Mark Hiegel, President and CEO, Scottsdale Chamber of Commerce  
Mr. Freneau, Arizona Jet Services, LLC  
Mr. Newman, Desert Aircraft Leasing  
Kurt Jones, Tiffany & Bosco  
Karin Taylor, Arizona Strategies  
Jill Hegardt, DMB  
Mike Burke, DMB  
Trevor Barger, Espiritu Loci

**CALL TO ORDER**

Chairman Berry called the meeting to order at 6:00 p.m.

## **ROLL CALL**

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

## **PLEDGE OF ALLEGIANCE**

Chairman Berry led the meeting in the pledge of allegiance.

## **AVIATION DIRECTOR'S REPORT**

Aviation Director Mr. Gary Mascaro provided an update on two items.

Signature Flight Support's parent company, BBA Aviation, received approval from the Department of Justice to purchase all the Landmark Facilities in the world. However, the Department of Justice is requiring Signature to divest six facilities. This will occur in the next 90 days and includes Scottsdale Airport as one of the bases. There is no information at this time of who the purchaser may be. BBA controls Landmark and created a Landmark holding company for which the COO, Ted Hamilton is responsible. There is no connection per se between Signature Flight Support and Landmark Aviation at this time. An update will be provided as information is received.

The RFP bids are closed for the hangar redevelopment project; two bids were received. The Evaluation Committee met which included Vice Chair Celigoy and a recommended bid has been selected by the Committee. However, the information remains confidential while negotiations continue. If these are successful, there will be a presentation to the Commission in March. The full project package includes all office space leases, restaurant leases, package of the construction budget review report for the cost of the project and the hangar lease agreements.

In response to a question from Commissioner Goode, Mr. Mascaro stated that bidders could bid on one or both hangers. Commissioner Goode asked whether the adjacent 11-acre parcel has been sold. Mr. Mascaro replied that it is currently owned by a private investment company.

## **APPROVAL OF MINUTES**

### **1. Approval of Minutes**

Regular Meeting: January 13, 2016

Vice Chairman Celigoy made a motion to approve the minutes of the January 13, 2016 regular meeting as corrected. Commissioner Ziomek seconded the motion, which carried by a vote of six (6) to zero (0). Commissioner Hobbi was not yet present.

## **PUBLIC COMMENT**

No members of the public wished to address the Commission.

**REGULAR AGENDA                    ITEMS 1 - 13**

1. Discussion and Possible Action Regarding Application for Airport Aeronautical Business Permit for Jet Services, LLC to Conduct Aircraft Maintenance and Repair Services

Management Analyst Ms. Shannon Johnson stated that Arizona Jet Services seeks ratification of its permit to conduct aircraft maintenance and repair services. They have met all the requirements. Mr. Freneau of Jet Services, LLC, described the mobile services offered as light maintenance as well as inspections. They operate in one location at this time and have been in business since 2004.

Commissioner Schuckert made a motion to ratify the Airpark Aeronautical Business Permit for Jet Services, LLC to conduct aircraft maintenance and report services. Commissioner Ziomek seconded the motion, which carried by a vote of six (6) to zero (0). Commissioner Hobbi was not yet present.

2. Discussion and Possible Action Regarding Application for Via Linda-Ancala, LLC to conduct Hangar/Shade Leasing Services

Ms. Johnson stated that Via Linda-Ancala, LLC seeks ratification of its permit to conduct aircraft maintenance and repair services. They have met all the requirements.

Mr. Newman was present and stated that he represents Desert Aircraft Leasing, which has entered into a lease with Via Linda-Ancala. Desert Aircraft Leasing will be using the hangar leased from Via Linda-Ancala to store a Cessna 206, which is leased out seasonally. There will be no operations out of the hangar other than off-season storage.

In response to a question from Commissioner Ziomek, Ms. Johnson stated that the business permit is for Via Linda-Ancala, however since the owner just leases out space to one owner, he has Mr. Newman as a representative this evening.

Vice Chairman Celigoy made a motion to ratify the Airpark Aeronautical Business Permit for Via Linda-Ancala, LLC to conduct hangar shade leasing services. Commissioner Goode seconded the motion, which carried by a vote of six (6) to zero (0). Commissioner Hobbi was not yet present.

3. Introduction by New President/CEO of the Scottsdale Area Chamber of Commerce

Mark Hiegel, President and CEO introduced himself and provided a summary of his educational and professional background.

4. Discussion and Possible Action for a recommendation to the Planning Commission and City Council on Case 20-ZN-2002#3, a request to modify the existing Planned Community (P-C) District, with comparable Planned Regional Center (PRC) Zoning and development plan to increase residential units, allowable height and non-residential square footage

Chairman Berry recused himself from the meeting due to a conflict of interest.

Mr. Keith Niederer, Senior Planner, provided the presentation. Highlights included:

- The site of the amendment is generally bound by the Loop 101 freeway to the south, Scottsdale Road to the west, Thompson Peak Parkway on the north and the undeveloped Arizona State Land to the east.
- In 2002, the City Council approved a rezoning of the property to a planned community district on 129 acres.
  - Zoning approval was for 1,100 residential units, 1.8 million square feet of commercial office space and 400 hotel units.
  - Allowable building heights range from 36 to 60 feet.
  - Currently there are three developed properties, including apartments on the north side of Legacy Boulevard, between Legacy and Thompson Peak and the Henkel Building located at the northeast corner of Scottsdale Road and the 101.
- The current request is to amend zoning entitlements approved in 2002 as follows:
  - Increase the total number of residential units from 1,100 to 2,466, including the existing apartments.
  - Increase allowable amount of commercial office area from 1.8 million to 2,866,145 square feet.
  - Increase allowable building heights to a maximum of 90 feet.
- The subject property is located within the AC1 Airport Influence Area.
- The proposed office, retail and residential uses were permitted with the original case and are also permitted in the AC1 Airport Influence Area with the conditions that the owner submit a fair disclosure statement and an avigation easement.
- Properties located within AC1 typically come before this Commission for a recommendation to the Planning Commission and City Council when there is an increase in residential density or a change in zoning to a residential use.
- The subject property is located approximately 2.5 miles northwest of the approach end to runway 21, outside the 55 DNL noise contour line.

Vice Chair Celigoy asked whether adjustments were made on the noise study relative to the height above ground with respect to the Airport traffic departing to the north. Mr. Mascaro replied that the contours shown are approved Contours by the FAA based on evaluation of the traffic patterns in 2004. It is an average day/night noise level. It does not take into account single events. Vice Chair Celigoy stated that traffic departing to the north has to be at 2000 MSL at the Henkel Building on the corner of Scottsdale Road and the 101. He asked about impacts going from a maximum height of 60 feet or approximately 1,600 feet elevation level, going over the 90-foot structure at approximately 300 feet for departing traffic and whether this was considered. Mr. Mascaro stated that one of the zoning requirements is to file the FAA 7460-1 form, which evaluates these factors. Results will be provided to the City.

Kurt Jones, Tiffany & Bosco was present, representing DMB and the rezoning entitlement for the One Scottsdale project. Also present was Karin Taylor, Arizona Strategies, Jill Hegardt and

Mike Burke with DMB and Trevor Barger, Espiritu Loci. Highlights of Mr. Jones presentation included:

- Meetings have been conducted with the Grayhawk Board, the Village Board, Discount Tire representatives and Scottsdale Healthcare representatives.
- The subject property is 120 acres in partnership with the Marley-Corrigan family.
- The parcel south of Legacy Boulevard down to the Henkel Building is in a partnership with Macerich and is currently entitled for 1,100 residential units.
- It is 1.8 million square feet and entitled for non-residential commercial square footage as well as 400 hotel rooms.
- Existing apartments range from three to four stories.
- With regard to the Development Review Board case, proposals include:
  - On the north side of Legacy Boulevard between Thompson Peak and Legacy Boulevard an office and commercial development that conforms to all the zoning standards currently allowed under the 2002 entitlements.
  - Four three-story office buildings, two parking structures and pads for future commercial use.
  - All entitlements conform to the height requirements with everything north of Legacy Boulevard stipulated to 36, 45 or 60 feet.
  - Deed restriction stipulates a 1715 elevation, which matches the roof of the Discount Tire building.
  - The amendment to zoning today and the request to the City conforms with the City's character area and plan.
- When the general plans were approved, the Zoning Ordinance was changed to allow for a PCP district, which is the planned Airpark Core District, which allows for heights of 84 feet and up to 134 feet.
- In 2002, 60 feet was the maximum height for the existing zoning district, or PRC district. Currently, the maximum height is 90 feet. The intent is to be in conformance with the General Plan and also to bring the zoning in conformance with allowed heights. The only area that is increasing to 90 feet is an area previously approved for 60 feet.
- Requests for additional height, square footage and residential units all pertain to the area south of Legacy Boulevard. The percentage of residential units above the 60-foot level would be approximately 25 to 40 percent.
- The idea is to create an employment campus with support residential areas.
- There will be no more residential builds north of Legacy Boulevard, other than 750 units already allocated for existing apartments.
- For 90-foot structures, the building has an allowable height of up to 100 feet, to allow for required mechanical units on top of the building.

Commissioner Ziomek noted that at the previous meeting, there was extensive discussion concerning noise complaints, primarily from the Grayhawk area. The approach path coming into Runway 21 is directly over the development area. He asked about flight path studies. Mr. Jones replied that he has graphics that the City of Scottsdale has posted on their website showing all the flight paths.

Vice Chair Celigoy asked about community outreach. Mr. Jones stated that meetings were held in December and January with all adjacent neighbors. There has not been negative feedback, with the exception of emails that have been sent to City Council members when the proposal was reported in the Arizona Republic. Vice Chair Celigoy concurred with the frequent receipt of negative feedback regarding noise complaints around the Airport.

Commissioner Ziomek commented that he did not have a problem endorsing a program that takes commercial buildings to 90 feet. Based on the feedback and complaints from residents, he would be hesitant to increase the residential portion to 90 feet. Ms. Sarah Ferrara, Aviation Planning & Outreach Coordinator, provide flight track data based on location.

Commissioner Hobbi arrived.

Mr. Mascaro clarified that the request increases total residential units from 1,100 to 2,466. He asked about the nature of the residences, whether condo rentals or homes, adding that the Airport rarely receives noise complaints from apartments. Mr. Jones replied that some of those details are not yet known. He noted that although entitled for 1,100 units since 2002, only recently were the 750 apartments built.

Mr. Mascaro asked about sound attenuation, noting that the AC1 regulations do not require enforcement or input of sound attenuation. Mr. Jones replied that they would investigate what sound attenuation standards are appropriate for the buildings.

Commissioner Hobbi stated that many of the Commissioners volunteered to serve on the basis of protecting the Airport. He agreed with Commissioner Ziomek that zoning changes to commercial property were acceptable, since commercial properties do not generate noise complaints. However, there are various committees formed around Scottsdale specifically to address noise issues at the Airport. It is difficult to agree to this zoning change for residential properties. Commissioner Hobbi stressed that the Commission is pro-business. He asked about the possibility of separating the zoning change requests into commercial and residential zoning. Commissioner Ziomek said he could support commercial above 60 feet. He would have difficulty support permanent residences above 60 feet, due to sound issues. Mr. Mascaro stated that the Commission will provide a recommendation to the Planning Commission and to City Council, however, a final decision will be made by City Council.

Karin Taylor, Arizona Strategies and DMB, referred to the company's work adjacent to Phoenix Mesa Gateway Airport, Verrado, and Marley Park in Surprise, near Luke Air Force Base. DMB has spent significant time working on capability issues and has often been held out as the standard for how to develop in close proximity to airports. They are willing to work with the City on any residential development over 90 feet, including sound attenuation. Their intent is to conform existing zoning to the intent of the City of Scottsdale with the updates to the General Plan and zoning ordinances.

Commissioner Hobbi recommended a case by case approach, as opposed to agreeing to permanent changes without a specific plan. Mr. Mascaro clarified that this involves one project and developer, and so in essence, represents a case by case scenario.

Ms. Taylor asked whether there is a noise attenuation standard that could be agreed to which would satisfy the concern on minimizing noise issues for residential use buildings over 60 feet. Vice Chair Celigoy commented that this would be contingent on the noise study. Mr. Mascaro stated that current regulations state that building in AC2 must include noise attenuation. This is spelled out in the building code. Any stipulation could specify that residential buildings higher than 60 feet will have the same noise attenuation standards as those located in AC2. Ms. Taylor clarified that this would apply to residences, such as condos, and not rentals, such as apartments. Commissioner Schuckert commented that in the past, there have been requests that apartments that were not noise attenuated not be allowed to be converted to condos.

Commissioner Ziomek suggested this be included in the recommendation. Commissioner Schuckert clarified that his recommendation would be that both rental and for sale properties be noise attenuated.

Commissioner Schuckert made a motion to approve the recommendation to the Planning Commission and City Council on Case 20-ZN-2002#3, to modify the existing Planned Community (P-C) District, with comparable Planned Regional Center (PRC) Zoning and Development Plan to increase residential units, allowable height and non-residential square footage, with all residential units to have sound attenuation consistent with AC2. Commissioner Goode seconded the motion.

Commissioner Goode suggested the addition of language specifying that these criteria apply to residential buildings higher than 60 feet. Commissioner Schuckert amended his motion to include addition of this language. The motion was to approve the recommendation to the Planning Commission and City Council on Case 20-ZN-2002#3, to modify the existing Planned Community (P-C) District, with comparable Planned Regional Center (PRC) Zoning and Development Plan to increase residential units, allowable height and non-residential square footage, with all residential units above 60 feet in height to have sound attenuation consistent with the standards currently required by AC2. Commissioner Goode seconded the motion.

Commissioner Ziomek suggested changing the motion to reflect approval of the plan only to commercial above 60 feet with no application to residential buildings.

The motion failed by a vote of two (2) to four (4). Commissioners Casey, Ziomek, Schuckert and Hobbi dissented. Chairman Berry was recused.

Commissioner Ziomek made a motion to approve the recommendation to the Planning Commission and City Council on Case 20-ZN-2002#3, to modify the existing Planned Community (P-C) District, with comparable planned Regional Center (PRC) Zoning and Development Plan to increase residential units, allowable height and non-residential square footage, with all residential units to have sound attenuation consistent with AC2 with the stipulation that there can only be commercial between 60 and 90 feet and no residential. Commissioner Hobbi seconded the motion, which carried by a vote of six (6) to zero (0). Chairman Berry was recused.

Chairman Berry returned.

5. Scottsdale Aviation Intern Will Provide an Overview of the Navigable Airspace Obstruction Initiative

Sarah Ferrara, Aviation Planning & Outreach Coordinator introduced Mr. Matt Thompson, who provided a report on the recent airspace analysis performed during the Master Plan update to identify any obstructions in navigable airspace. Highlights included:

- Analysis is performed to identify objects that exceed the height standards set by the FAA with Part 77.
- This airspace analysis was last completed in 1997.
- Objectives of a clear, navigable airspace:
  - Provide a safe flying environment for all aircraft operating in and out of Scottsdale Airport.

- FAA applies departure and approach procedures in and out of airports and if it deems that an obstruction is a hazard to the approach, it can shut down the approach until the obstruction is cleared.
- The approach surface where most obstructions were identified has a slope of 34:1, meaning a one-foot rise in elevation for every 34 feet horizontally from the end of the runway. If anything penetrates this zone, it would be considered an obstruction.
- The majority of the 179 obstructions identified were trees and buildings. Property owners were identified and notified via written notice, including location of obstruction and were advised on how to file Form 7460 for permanent obstructions. Trees identified as obstructions would have to be topped or removed.

In response to a question from Chairman Berry, Mr. Thompson explained that Form 7460 is a one page form that can be completed electronically online. Thus far, only two percent of the owners have submitted form 7460.

Commissioner Casey asked who was responsible for the measurements. Mr. Thompson replied that the measurement analyses were completed by Coffman Associates when they completed the Master Plan update. In response to a question from Commissioner Casey, Mr. Mascaro stated that as part of the Airport Master Plan, the FAA typically recommends airports update their Master Plan every ten years, however there is no hard and fast requirement. There is no requirement for the obstructions to be resolved in a certain period of time, however, if the penetration is significant enough and is identified by the FAA, they could shut down the approach.

Commissioner Ziomek asked about the high volume of obstructions. Mr. Mascaro replied that the owners, particularly of older buildings, likely submitted a Form 7460-1 and received a determination, but the record was lost. Others have not yet submitted Form 7460-1. For 99.9 percent of cases involving buildings, the owners are advised to place a red safety light on top of the building. Trees grow into obstruction areas over time.

Mr. Thompson stated that 86 percent of the property owners have been notified of the obstruction. Of these, 27 have responded and are working on resolving the obstruction. Eight percent have provided a previous FAA determination or have topped or removed trees.

Commissioner Ziomek inquired as to ramifications for noncompliance. Mr. Mascaro referred Commissioners to Appendix A to the Airport Zoning Code, where the requirements are listed. Noncompliance could result in code enforcements by the City.

6. Discussion and Input Regarding Airport and Airpark Aeronautical Business Permit Additions, Cancellations or Revocations

Ms. Johnson referred to the list of Airport and Airpark business permits and major tenants. The only change to the Airport list is the addition of Arizona Jet Services for aircraft maintenance and Via Linda-Ancala in the Airpark.

7. Discussion and Input Regarding Banner Tow Operation around Scottsdale Airport

Vice Chair Celigoy asked whether Banner Tow is being allowed inside Class D airspace. He added that according to witness statements, Banner Tow was not complying with altitude over large crowds over the weekend. Mr. Mascaro confirmed that the air traffic control tower controls Class D. The City does not have jurisdiction. He was unable to comment about heights. Banner Tow was operating during the event. In response to a question from Vice Chair Celigoy, Mr. Mascaro stated that he did not know where Banner Tow originates from. Commissioner Ziomek surmised that they originated from Falcon Field, as they are coming from south of the Talking Stick Resort over the Salt River Pima-Maricopa Indian Community. Vice Chair Celigoy asked about opportunities to discuss this as a safety item during meetings with the FAA. Mr. Mascaro confirmed that staff could share the concerns of the Commission to the FAA. Another suggestion is to contact the Flight Standards District Office, which holds enforcement authority for pilots.

8. Discussion and Input Regarding Monthly Construction Report

Mr. Chris Read, Airport Operations Manager, provided updates. Highlights included:

- Bravo Taxiway is progressing smoothly, approximately two to three weeks ahead of schedule and approximately 90 percent complete. Phase 4 is complete and Phase 5 is underway. Impacts include 15 runway closures.
- The Airport Ops building is approximately 90 percent complete. In response to a question from Commissioner Ziomek, Mr. Read stated that there is no observation deck on the building.
- The pull box project and placement of rock at the end of the runway went to City Council last night and was approved. The next steps are getting the contracts signed and beginning work.

Commissioner Ziomek asked about the status of the self-serve and asked about any damage caused by the Falcon 20 that ran down the runway. Mr. Read stated that he met with a Landmark representative today regarding the self-serve. Everything is place to pump gas, however the computer components for billing are not yet complete. It should be completely functional by the end of the month. As far as the Falcon 20, 15 runway and taxiway lights were destroyed and two taxiway guidance signs were destroyed. The repairs were completed promptly.

In response to a question from Commissioner Ziomek on fuel rates, Mr. Mascaro stated that he could not go into detail, except to say that it will be very competitive.

9. Discussion and Input Regarding Monthly Operations Reports for January

Chris Read referred to the written report, covering based aircraft numbers, operational comparisons for total and IFR operations, alerts, incidents, enforcements, actions, customs update and PPRs over 75,000, of which there are two this calendar year.

#### 10. Discussion and Input Regarding Financial Reports for December 2015

Ms. Johnson provided the report. Highlights included:

- Revenue is down 7 percent in revenue year-to-date, due to late payments not received until January; however, in reviewing January numbers, total revenue is tracking right on par.
- Revenues are on target for January.
- Expenses are down 21 percent.
- The Aviation Fund cash balance is approximately \$9.2 million, inclusive of both funds.
- For accounts receivable, the account overdue 120 days is a tenant of a small office space that left some time ago. The amount due is a small dollar amount and collection procedures are underway.
- For flowage in December, the total was up 11 percent in jet fuel compared with the same period last year.
- Avgas and Airpark were up 8.1 percent compared with the same period last year.
- Total year to date is up approximately 2 percent.

#### 11. Discussion and Input Regarding Public Outreach Programs and Planning Projects

Ms. Ferrara stated that as staff was preparing the report, they found out that the draft Reauthorization Bill for the FAA had just been unveiled. It included interesting language on the FAA flight path changes, some of which may be beneficial to some Scottsdale residents. Notable bullet points included:

- RNAV departure procedures. They would like the FAA to consider the feasibility of splaying out the tracks when possible, so that a single corridor is not affected greatly.
- Notify and consult the Airport and communities impacted by new flight path changes. This involves providing more public outreach.
- Require FAA to review any procedures that were implemented between February 14, 2012 and September 30th, 2014 to determine if the procedure has significant effect on the community.

The Bill was presented to the House and will need to continue to the Senate.

- The Metroplex project has been officially suspended. Valley airport directors are getting together to send a letter to the FAA to request a seat at the table when the project begins again.
- Media was managed well in regards to the Falcon 20 incident.
- Twitter follows are increasing with beneficial exchanges taking place.
- Department staff attended the 2016 Schedulers and Dispatchers event in Tampa Bay.
- Commissioners were gifted with a passport holder as a sample of a gift that is provided to visitors.
- A meeting was held the previous week with a resident regarding noise issues. Another meeting is scheduled tomorrow with Grayhawk residents.
- One project was listed in the Airport influence area under the planning and zoning report. No voluntary curfew letters were sent in January.

Commissioner Hobbi said the reauthorization bill will have enormously negative consequences for business in general aviation.

12. Discussion and Input Regarding Public Status of Aviation Items to City Council.

Mr. Mascaro referred to the list of items that have gone to the City Council. The first two items have been approved. The third item is scheduled for March 15.

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

Chairman Berry addressed changing the Commission's next meeting from Wednesday, March 9 to Tuesday, March 8 since Mr. Mascaro will be out of town. Commissioners also agreed to switch their meeting times to the third Wednesday of each month. Mr. Mascaro stated that the March meeting change could be made by motion. Changing the recurring meeting time might require action via the bylaws. He offered to bring the bylaws forward to the next meeting and the Commission could make an adjustment at that point.

Commissioner Casey made a motion to move the next meeting from March 9 to March 8. Commissioner Ziomek seconded the motion, which carried by a unanimous vote of seven (7) to zero (0).

#### **FUTURE AGENDA ITEMS**

No agenda items were added.

#### **PUBLIC COMMENT**

No members of the public wished to address the Commission

#### **ADJOURNMENT**

With no further business to discuss, being duly moved and seconded, the meeting adjourned at 7:35 p.m.

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