



**SCOTTSDALE AIRPORT ADVISORY COMMISSION
REGULAR MEETING**

**Scottsdale Airport Aviation Business Center
Stearman/Thunderbird Meeting Room
15000 N. Airport Drive
Scottsdale, Arizona
Wednesday, January 17, 2024**

MINUTES

PRESENT: Charles McDermott, Chair
Peter Mier, Vice Chair
April Beauboeuf
Ken Casey
Michael Goode
David Reid
John Spalj

STAFF: Gary Mascaro, Aviation Director
Kelli Kuester, Aviation Planning and Outreach Coordinator
Greg Bloemberg, Planner Principal
Matthew Johnson, Operations Supervisor
Tiffany Domingo, Administrative Assistant

GUESTS: Katie Zimdars, Board this Flight
Katy Salmon, Board this Flight
Nick Fournier, Board this Flight
Ken Edmonson, JSX Air

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, welcomed everyone to the meeting. Director Mascaro reported that the Airport is officially in its busy season with Barrett Jackson week starting on Friday and running through the following week. He announced that Matthew Johnson was stepping in to give the ops report for Chris Read, who will be retiring soon. He noted that total operations are up, but business operations are down. He informed the Commission that this is no surprise, and that more information would be given during the Ops report. He thanked Ms. Domingo, the administrative assistant, who was present to assist staff. He recognized Chair McDermott and Vice Chair Mier for their hard work and dedication in the past year.

1. Regular Meeting: November 15, 2023

COMMISSIONER CASE MADE A MOTION TO APPROVE THE REGULAR MEETING MINUTES OF DECEMBER 13, 2023, AS PRESENTED. COMMISSIONER REID SECONDED THE MOTION, WHICH CARRIED 7/0 WITH CHAIR MCDERMOTT, VICE CHAIR MIER AND COMMISSIONERS BEAUBOEUF, CASEY, GOODE, REID AND SPALJ VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

PUBLIC COMMENT

There were no public comments.

REGULAR AGENDA ITEMS 1-14

1. Election of Officers

CHAIR MCDERMOTT MADE A MOTION TO APPOINT VICE CHAIR MIER AS CHAIR. COMMISSIONER BEAUBOEUF SECONDED THE MOTION, WHICH CARRIED 7/0 WITH CHAIR MCDERMOTT, VICE CHAIR MIER AND COMMISSIONERS BEAUBOEUF, CASEY, GOODE, REID AND SPALJ VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

CHAIR MIER MADE A MOTION TO APPOINT COMMISSIONER GOODE AS VICE CHAIR. COMMISSIONER CASEY SECONDED THE MOTION, WHICH CARRIED 7/0 WITH CHAIR MIER, COMMISSIONERS BEAUBOEUF, CASEY, GOODE, MCDERMOTT, REID AND SPALJ VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

2. Discussion and possible action regarding application for Airport Aeronautical Business Permit for Board this Flight, LLC, to conduct in-flight catering services at Scottsdale Airport.

Kelli Kuester, Aviation Planning and Outreach Coordinator, stated that the applicant has met the requirements of the permit. Katie Zimdars, Katy Salmon, and Nick Fournier from Board this Flight were present to answer questions.

In response to Commissioner's questions, the Applicant confirmed that Board this Flight is a new business and stated their goal is to provide an elevated in-flight experience for charters and aviation companies throughout the Airport. The business operates out of a permitted and shared commercial kitchen located in Old Town, Scottsdale and the product is transferred to FBOs at the

Airport where pilots will bring the food onboard the day of the flight. They do not have references currently and have only completed the marketing process. This would be their first venture at the airport. Mr. Fournier, a corporate pilot, provided his experience in the aviation industry and how it is used to determine customer likes and dislikes because the goal is to provide an elevated quality of product compared to typical offerings. They do intend to perform outreach to Airport FBOs.

COMMISSIONER CASEY MADE A MOTION TO APPROVE AN AERONAUTICAL BUSINESS PERMIT FOR BOARD THIS FLIGHT, LLC, TO CONDUCT IN-FLIGHT CATERING SERVICES AT SCOTTSDALE AIRPORT. VICE CHAIR GOODE SECONDED THE MOTION, WHICH CARRIED 7/0 WITH CHAIR MIER, VICE CHAIR GOODE AND COMMISSIONERS BEAUBOEUF, CASEY, MCDERMOTT, REID AND SPALJ VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

3. Discussion and possible action regarding application for Airport Aeronautical Business Permit for Delux Public Charter, LLC dba JSX Air to conduct aircraft charter services at Scottsdale Airport.

Ms. Kuester stated that JSX has met the requirements of the permit. Ken Edmonson, Senior Director of Real Estate and Aviation Security was present to answer questions. Mr. Edmonson introduced himself and provided a brief overview of his background.

Commissioner Reid asked about the expectations and aspirations for JSX and its operations at Scottsdale. Mr. Edmonson stated the goal is to provide a unique charter operation for a very specific clientele, such as those who prefer to avoid the larger airports.

In response to a question from Commissioner Reid, Mr. Edmonson said they plan to provide services to the Boulder and Denver areas, Las Vegas and Burbank, California and hope to expand their services based on community need.

In response to a question from Vice Chair Goode, Mr. Edmonson stated that the base of operations will be at Atlantic Aviation with an agreement for 60 exclusive parking spots.

Commissioner Spalj inquired about flight volumes. Mr. Edmonson stated that soft days consist of three flights scheduled in and out of Scottsdale. On heavy days, there will be five flights. These will consist of Embraer 135s and 145s, configured for 30 seats. The 135s include a one-by-one setting.

Commissioner Spalj asked about the anticipated max number of flights per day when executed against the preferred business plan. Mr. Edmonson said that unfortunately, he could not speak to the business plan from the commercial department, aside from the fact that they have great aspirations for the Scottsdale area.

Commissioner Spalj stated that there have been complaints from local operators about JSX Air customers parking in their lots and asked how this is being addressed. Mr. Edmonson said they are working with Atlantic to ensure this does not occur and customers are directed to use ride share options whenever available.

Chair Mier asked which location has the largest volume of daily flights. Mr. Edmonson stated that there are approximately 30 flights per day at the Las Vegas location. Commissioner Spalj asked

about expectations for Scottsdale to reach that activity level. Mr. Edmonson said he was unsure whether the capacity exists to handle that volume of daily flights.

Commissioner Reid inquired as to how the company plans to handle its growth, particularly in terms of parking. Mr. Edmonson said that in some locations, there is virtually no parking, which has required the company to be creative. They do have real-time communications from the operations center to all customers, which allows them to direct customers to parking locations and a full-time valet service available.

In response to a question from Commissioner Beauboeuf, Mr. Edmonson stated that flights began this week. Commissioner Beauboeuf sought clarification that they have already begun flights without approval of the permit. Mr. Mascaro noted that they are permitted to obtain administrative approval to start at risk, a process that most operators follow, with the understanding that they must come to the Commission for permit ratification.

Commissioner McDermott asked the applicant to explain the difference between its operations and a commercial service operation, such as American or Southwest. Mr. Edmonson said JSX provides a much more enjoyable experience compared to large airlines. They are a Part 135 air carrier certified and operate under DOT Part 380 authorization, which is a sale by the seat to a charter market. They have a TSA approved security program with weapons and explosive detection systems in place.

In response to a question from Vice Chair Goode, Mr. Edmonson stated that they currently have 48 aircraft in service.

Commissioner Reid asked how future potential parking issues will be resolved. Mr. Mascaro noted that the permit includes a stipulation regarding protecting the Airport's interests, particularly regarding its own parking lot, which was built and intended for use by Airport customers. There have been several conversations with the tenant, Atlantic Aviation, and they are aware of the concerns. Some out-of-the-box ideas may be employed in the future, if necessary.

COMMISSIONER MCDERMOTT MADE A MOTION TO APPROVE AN AERONAUTICAL BUSINESS PERMIT FOR DELUX PUBLIC CHARTER, LLC, DBA JSX TO CONDUCT AIRCRAFT CHARTER SERVICES AT SCOTTSDALE AIRPORT. COMMISSIONER SPALJ SECONDED THE MOTION, WHICH CARRIED 7/0 WITH CHAIR MIER, VICE CHAIR GOODE AND COMMISSIONERS BEAUBOEUF, CASEY, MCDERMOTT, REID AND SPALJ VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

4. Request by owner for a zoning district map amendment from Planned Community District, with the P-C comparable Industrial Park (P-C I-1) zoning to Planned Community District with P-C comparable Planned Airpark Core, Airpark Mixed-Use-Residential (P-C PCP AMU-R) zoning, a minor amendment to the General Plan 2035 to change the land use designation from Employment to Mixed-Use Neighborhoods, and a minor amendment to the Greater Airpark Character Area Plan to change the land use designation from Employment to Airpark Mixed Use-Residential (AMU-R) to accommodate an amendment to the original development plan and Land Use Budget (13-ZN-2020 and 19-ZN-2002#6) to allow for 1,975 multi-family residential units, a hotel, and +/- 47,000 square feet of retail in six buildings ranging in height from three to five stories, up to 67 feet in height, on a +/- 43-acre portion of a +/- 68-acre site, located at 8300 E. Axon Way

Chair Mier read from the Commission charter regarding Aviation-related development proposals at or surrounding the Airport in conflict with 14 CFR Part 150 as amended or other Aviation-related laws, ordinances, rules, regulations or planning documents. The Commission is responsible for advising the City Council and taking action to inform the Planning Commission regarding conflicts. The Commission charter addresses land use policies at or surrounding the Airport in conflict with 14 CFR Part 150 as amended or other aviation-related laws, ordinances, rules, regulations or planning documents. In addition to advising City Council, the Commissioners may take action to inform the Planning Commission regarding conflicts.

Greg Bloemberg, Planner Principal, provided a presentation on the amendment requests and project details, beginning with the project site location at the southeast corner of Hayden Road and the 101. The proposed General Plan amendment details were reviewed and the site plan and flight activity including arrivals and departures over the site were discussed in detail.

The applicant provided introductory comments and discussed the process of working with City staff on the site planning and reviewed additional project details.

The following public comments were provided:

Susan McGarry from Stonebrook II HOA, commented about concerns regarding traffic impacts, local streets, building heights, and proposed density.

Gayl Howell, from Stonebrook II, expressed disappointment with the plan to change the land use designation.

Lisa Kotler, Stonebrook II homeowner, commented about concerns regarding the density and impact on traffic.

A written comment was provided by Mary Kennett, Stonebrook II opposing the project and is attached to the minutes.

Commissioner Casey acknowledged the valid concerns of the homeowner and residents. He asked for clarification that recommendations of the Commission are intended to relate specifically to issues that impact the Airport. Chair Mier confirmed that this is the Commission charter.

Commissioner Casey asked for clarification of the term, "Minor zoning change" Mr. Bloemberg stated he did not have the criteria for making this determination. Long Range Planning received the application based on the criteria in the General Plan and the Greater Airpark Character Area Plan and deemed it to be a minor amendment. Commissioner Casey surmised that going from business use to residential use would qualify as a major change as opposed to minor.

Commissioner Spalj asked for clarification on the housing units. The Applicant stated there are 1,975 units ranging from one to three bedrooms. Commissioner Spalj commented that this assumes a total population of approximately 4,000 residents. It is the Commission's job to analyze these proposals in terms of the long-term viability of the Airport. The addition of such a significant volume of residents vastly increases the potential for Airport-related complaints. Multifamily housing of this density threatens the long-term viability of the Airport, and he is opposed to the project for this reason. The Applicant noted that the development will consist of rental units, as

opposed to owned units, which should alleviate some concerns. In addition, the applicant will be required to file an avigation easement.

A Commissioner noted it is common for developers to eventually transition apartments to condominium units. Once the units become owned condo units and residents are no longer transient, they have the right to make complaints related to the Airport. The Applicant agreed that this does happen, although this is why the avigation agreement is important.

In response to a Commissioner question, the Applicant stated they have already discussed and would be willing to include a deed restriction to prevent a transition to condominium units.

Commissioner Reid stated regardless of the legalities, the zoning involves moving from employment and light industrial to a mixed-use high density residential neighborhood. There is potential for an adversarial relationship with the neighbors of the Airport. Whether these neighbors are renters or owners is not particularly relevant. There should be consideration and concern for all residents considering the density of the development surrounding the Airport. The Applicant pointed out that new residents to the area will be aware of the proximity to the Airport and their leases will include an avigation easement. Commissioner Casey commented that signing leases in the abstract is quite different than the actual experience of living near an airport.

Commissioner Casey asked whether a potential transition from rental apartment units to owner occupied condominiums would have to be presented to the Commission for a zoning change. Mr. Bloemberg stated that he did not believe this would fall under the City's purview. Mr. Mascaro confirmed that should the developer decide to transition the units to condominiums in the future, they are not required to request approval, as the zoning rights will already have been confirmed. The Applicant stated they would be willing to stipulate to a requirement for approval for any potential transition to condominiums in the future.

Commissioner Beauboeuf stated she understood the project was not originally designed to include residential housing. The Applicant provided an overview of the rezoning requests made for the property thus far, noting that previous requests had applied to only one parcel of the property. Commissioner Beauboeuf inquired as to who is expected to populate the rental units. The Applicant stated they anticipated Axon employees would populate the rentals.

Commissioner McDermott asked for details of the sound attenuation methods to be incorporated into construction. The Applicant described them as being like those utilized in other buildings proximate to airports, which have various codes and requirements, including roofing materials, windows, and doors.

Commissioner McDermott inquired about postconstruction testing to demonstrate whether the noise remains below threshold levels. Mr. Bloemberg stated he was unaware of any such requirements.

Commissioner McDermott asked for clarification that an avigation easement does not provide a rental resident with the ability to complain about airport related noise issues. Mr. Bloemberg clarified that the avigation easement does not provide relief avenues for rental property resident complaints.

Commissioner McDermott requested a status on the FAA's determination. The Applicant stated that today's request is specific to the zoning request. The headquarters building has already been approved by the FAA. They have provided the FAA with the details of the four corners of the proposed buildings to be included in construction. The FAA has completed their review and determined no hazards; however, some buildings will be required to include red obstruction lighting. Commissioner McDermott clarified that the FAA does approve projects and determinations merely provide a decision of no impact on the Airport.

Commissioner Spalj commented that the largest volume of noise complaints regarding the Airport in one year totaled approximately 16,000, with 1,450 last year 1,900 the year prior and the addition of 4,000 additional residents in close proximity is a significant concern.

In response to a question from Vice Chair Goode, the Applicant stated that Axon purchased the 70 acres of land in September of 2020. At that time, Axon went through an approval process with Scottsdale to amend zoning for the headquarters building, which was ultimately granted. One of the primary goals of Axon is to provide housing options for its employees, particularly as the campus expands.

A Commissioner inquired as to whether Axon plans to expand to the property on the other side of Hayden. The Applicant identified the location of the manufacturing facility on the site map.

In response to a Commissioner question, the Applicant surmised that Axon will likely be subsidizing housing for its employees in some fashion. They have not identified a target percentage of employees who will choose to live in the proposed development. It estimated that Axon will have approximately 4,000 employees once development is complete.

In response to a Commissioner question, the Applicant stated that the hotel will consist of 425 rooms.

COMMISSIONER REID MADE A MOTION TO NOT RECOMMEND A ZONING DISTRICT MAP AMENDMENT AND MINOR GENERAL PLAN AMENDMENT TO CITY COUNCIL. COMMISSIONER SPALJ SECONDED THE MOTION, WHICH CARRIED 7/0 WITH CHAIR MIER, VICE CHAIR GOODE AND COMMISSIONERS BEAUBOEUF, CASEY, MCDERMOTT, REID AND SPALJ VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

5. Discussion and possible action regarding Airport Advisory Commission By-Laws

Mr. Mascaro stated that this item is presented to the Commissioner on an annual basis as needed for an opportunity to review and comment on the existing by-laws. No action was taken.

6. Discussion and possible action to approve the Airport Advisory Commission Annual report

Mr. Mascaro noted that as required by City Council, each board and commission must submit an annual report. He welcomed comments, suggestions, or changes to the annual report prior to its submission.

COMMISSIONER SPALJ MADE A MOTION TO APPROVE THE AIRPORT ADVISORY COMMISSION ANNUAL REPORT FOR 2023. COMMISSIONER BEAUBOEUF SECONDED THE MOTION, WHICH CARRIED 7/0 WITH CHAIR MIER, VICE CHAIR GOODE AND

COMMISSIONERS BEAUBOEUF, CASEY, MCDERMOTT, REID AND SPALJ VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

7. Discussion and possible action to modify various sections of the Airport and Airpark Rules and Regulations

Matthew Johnson, Operations Supervisor, reviewed the purpose of the rules and regulations, noting they serve as primary guiding document for Scottsdale Airport. The review process is intended to evaluate the document to foster long term economic health and enhance the safe operating environment at the Airport and Airpark. The rules and regulations also provide guidance to tenants and property owners in conjunction with Airport safety. Changes in this version include clarification on the definition of special event as well as clarifications on Airpark rules and regulations.

COMMISSIONER REID MADE A MOTION TO MODIFY VARIOUS SECTIONS OF THE AIRPORT AND AIRPARK RULES AND REGULATIONS. COMMISSIONER MCDERMOTT SECONDED THE MOTION, WHICH CARRIED 7/0 WITH CHAIR MIER, VICE CHAIR GOODE AND COMMISSIONERS BEAUBOEUF, CASEY, MCDERMOTT, REID AND SPALJ VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

8. Discussion and input regarding Airport and Airpark Aeronautical Business Permit additions, cancellations, and revocations.

Kelli Kuester, Aviation Outreach & Planning Coordinator, noted the updated report includes the two permits approved during today's meeting. Sawyer MX, LLC has cancelled its aircraft maintenance permit. Sawyer Aviation has cancelled its flight training permit. Elite Flight Travel, LLC dba MOD Jets, LLC, has cancelled its aircraft charter and management permit.

9. Discussion and input regarding monthly financial report for November 2023

Kelli Kuester, Aviation Outreach & Planning Coordinator, stated the approved budget for revenues was \$3.57 million with actuals totaling \$3.69 million. For expenses, the approved budget was \$1.44 million with actuals totaling \$1.37 million. Compared to last year, revenues are slightly lower by approximately \$2,000. Expenses are slightly higher by approximately \$15,000. The difference is related to required security gate repairs and as well as new cameras in Customs. The Aviation Cash Balance is approximately \$11.9 million as of November 30th. For fuel totals, FBO fuel sales accounted for 72.6 percent, AVGAS was 2.9 percent and Airpark Operators were at 24.5 percent. Approximately 1.5 million gallons were pumped, up 5.9 percent from last October.

In response to a question from Commissioner Spalj, Mr. Mascaro stated it is safe to assume that fuel flowage will increase as JSX ramps up operations.

Chair Mier commented that Scottsdale Airport is to begin offering sustainable aviation fuel and asked whether usage will be tracked separately than regular fuel. Mr. Mascaro confirmed that Jet Aviation has announced availability of sustainable aviation fuel, which assists with supporting zero carbon emissions. It does not appear that these fuels can be separately tracked, as they are comingled in the tanks.

10. Discussion and input regarding Monthly Operations Report

Mr. Johnson discussed aircraft numbers, noting they have not changed and reviewed a dip in December, two alerts, incidents, and enforcements during this period.

Chair Mier asked for a review of the term, "Notice of Violation". Mr. Johnson stated that a Notice of Violation is typically issued for an individual or entity that has violated an airport rule or regulation. The operation staff investigates incidents as necessary and after a third violation, permanent revocation or citation are possible. Mr. Mascaro clarified that the enforcement matrix serves as a guideline. The rules allow the Aviation Director to issue permanent revocations when necessary. The Aviation Director also has the authority to issue civil and criminal citations.

Mr. Johnson stated that total uses for Customs are on par for the fiscal year-to-date, but slightly reduced compared to last year.

Vice Chair Goode noted the significant jump in Airport operations in October. While itinerant traffic remained steady, and local activity decreased. Mr. Mascaro stated that local operations include the touch and goes, landing and takeoff pattern work. When the tower was busy with business jet traffic, they likely requested that the pattern work flights temporarily relocate their activity.

11. Discussion and input regarding quarterly noise complaint summary

Ms. Kuester noted this report covers the period from October 2023 to December 2023. There were 16 callbacks and three email responses from staff. For the quarter, there were a total of 51 complaints, including 25 repeats and 26 new. There was a total of 426 complaints, compared to 509 for the same period the previous year. Based upon the aircraft noise complaint map, the three top compliant areas are Grids D8, H5 and J2. Major concerns involve flight training activity, pattern work, and late night and early flights.

12. Discussion and input regarding public outreach programs and planning projects

Ms. Kuester stated that one voluntary curfew letter was issued in December. In terms of monitoring property development through the City's Planning Department, there is one project for the month of December within the Airport Influence Area. For community outreach and marketing, the Airport remains active with social media posts. The most recent list serv notice was sent out on January 4th, informing Airport users that sustainable aviation fuel is now available at Jet Aviation.

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

Mr. Mascaro reported that the lighting project approved by the Commission in November was approved in City Council's consent agenda on January 9, 2024. There have been no new items added to the list of aviation-related items by the Planning Commission, Design Review Board or City Council. It is anticipated that Banner Health Medical Campus will be presented to the Commission in the future, as will One Scottsdale.

14. Discussion and possible action to modify the Airport Advisory Commission meeting schedule and Commission item calendar

There were no modifications to the calendar. The next meeting is scheduled for February 21, 2024.

PUBLIC COMMENT

There were no public comments.

FUTURE AGENDA ITEMS

There were no items identified.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 6:43 p.m.

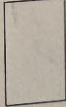
SUBMITTED BY:

eScribers, LLC



This card is used to submit written comments to the Board or Commission.
Written comment cards may be submitted to the Staff at any time. Cards submitted after public
testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

WRITTEN COMMENTS



AGENDA ITEM #4 REWORDED
AGENDA ITEM #9 REWORDED*

NAME (print) Larry Kowart MEETING DATE 1-17-24

NAME OF GROUP/ORGANIZATION (if applicable) Scottsdale Stonebrook II

ADDRESS 8149 E. Thurston Dr. ZIP 85255

HOME PHONE 480 225 3754 WORK PHONE _____

E-MAIL ADDRESS (optional) KKENNETT94@AOL.COM

AGENDA ITEM # 4 SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) flight near residency
of fire stories too dangerous w/ low flying
aircraft, flight schools, helicopters.
Also - will we need to view constant red flashing lights?

This card constitutes a public record under Arizona law.

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