



MEMORANDUM

Airport - Memo No. 21-017

DATE: November 19, 2020

TO: Kevin Mayo, Planning Administrator

FROM: Chris Andres, Airport Planning Administrator *CA*

SUBJECT: Airport Conflict Evaluation
PLH19-0063/PLT19-0055 Elux at McQueen
Southeast Corner of Loop 202 and McQueen Road

At their November 18, 2020 meeting, the Chandler Airport Commission ("Commission") discussed the Elux at McQueen residential project located at the southeast corner of Loop 202 and McQueen Road.

Finding: The Commission determined the proposed development **constitutes a conflict** with existing or planned airport uses.

Conflict(s) Cited: The proposed development contains 162 multifamily residential units and the site will experience aviation noise and vibration impact from aircraft in the normal traffic pattern and arrival and departure routes. Approximately 324 residents would be expected to be exposed to aircraft noise at this location.

Conflict Resolution(s): Retaining the current non-residential land use is the preferred corrective action.

Physical corrective actions: (1) construction of all units built with noise attenuation construction materials and techniques to reduce the ambient interior noise levels to less than 45 decibels; (2) installation of at one roadway-style sign at the site's entrance identifying the presence of low flying aircraft.

Administrative corrective actions: (1) all prospective tenants should be required to sign separate disclosure statements, acknowledging (i) the proximity to the Chandler Airport, including the heliport, (ii) the potential for impact from aircraft noise and vibrations, and (iii)) proximity to an aircraft engine testing facility and aircraft storage; (2) dedication of an avigational easement to the City; (3) display of a large size map in the management/sales

office identifying the Airport Impact Overlay District, the noise contours and overflight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98), and the noise contours as identified in the Chandler Airpark Area Plan; (4) submittal of a signed affidavit and photograph of the prior referenced map display; (5) inclusion of an affirmative disclosure statement on the final plat; (6) requirement that all rental leases shall provide that all questions, concerns, or complaints any tenant may have about airport operations shall be directed solely at the multifamily apartment manager; (7) requirement that all rental leases shall provide that it shall be within the sole and absolute discretion of the multifamily apartment manager (and not the tenant) to determine whether or not, when and how to communicate any tenant's question concern, or complaint to the Chandler Municipal Airport Administrator.

(8) If the development is converted to condominiums in the future, all prospective purchasers of property in the subdivision should be required to sign separate disclosure statements, acknowledging (i) the proximity to the Chandler Airport, including the heliport, (ii) proximity to aviation-related activities including aircraft engine testing and aircraft storage, and (iii) the potential for impact from aviation noise and vibrations; (9) all prospective purchasers of property should be required to sign the disclosure statements before a purchase contract is signed and again at the transaction closing; (10) dedication of an avigational easement to the City; (11) display of a large size map in the onsite sales office identifying the Airport Impact Overlay District, the noise contours and overflight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98), and the noise contours as identified in the Chandler Airpark Area Plan; (12) submittal of a signed affidavit and photograph of the prior referenced map display; (13) inclusion of an affirmative disclosure statement on the final plat; (14) inclusion of the physical and administrative corrective actions in the Subdivision Public Report that is submitted to the Arizona Department of Real Estate.

Commission Members in Attendance: Chairman Dave Sperling, Vice Chair Chris Hawley, Sherri Koshiol, Robert Bozelli and Sky McCorkle were in attendance. This attendance represented a quorum.

The Commission voted 5-0 to forward a report to the Planning Administrator indicating the finding noted above.

cc: David De La Torre, Planning Manager
Lauren Schumann, Senior City Planner
Attachment: Airport Conflict Evaluation



MEMORANDUM

Airport - Memo No. 21-016

Date: November 18, 2020

To: Chandler Airport Commission

Through: Joshua H. Wright, Assistant City Manager

From: Chris Andres, Airport Planning Administrator *CA*

Subject: Agenda Item 4.b – Airport Conflict Evaluation
PLH19-0063 & PLT19-0055 Elux at McQueen
Southeast Corner of McQueen Road and the Loop 202

Recommendation

Staff recommends the Airport Commission ("Commission") present an Airport Conflict Evaluation (ACE) report to the Zoning Administrator and City Council with a finding of "conflict with airport uses" for the proposed Elux at McQueen multifamily development.

Background

The approximately 12.87 acre site at the southeast corner of McQueen Road and the Loop 202 freeway (*Exhibit A - Vicinity Map, Exhibit B - Property Location*) and is zoned Agricultural (AG-1). Adjacent land uses include the Loop 202 freeway to the north; a multifamily residential subdivision to the east; a single family residential subdivision to the south; McQueen Road, and vacant land to the west.

The site is approximately 0.5 miles to the northwest of the Airport property line and is not located within any noise contours (*Exhibit A- Vicinity Map*).

The proposed project is an approximately 162 unit multifamily residential development with 12.59 dwelling units per acre (du/ac) (*Exhibit C - Site Plan*). The Applicant's request is to:

- Rezone from Agricultural (AG-1) to Planned Area Development (PAD) zoning for multifamily residential, Preliminary Plat, and Preliminary Development Plan (PDP) for site layout and architecture.

The City of Chandler General Plan designates the property for Neighborhoods and Growth Area within the Chandler Airpark. The Chandler Airpark Area Plan designates the property as High Density Residential (*Exhibit D – Chandler Airpark Area Plan Land Use Plan*). Goal 5.0 of the Land Use Element of the Chandler Airpark Area Plan is “to protect the Airport from incompatible land uses” and Policy 5.1 states that “the City shall consider flight tracks, noise patterns, and Airport safety zones when determining the appropriateness of proposed developments.”

Analysis

The proposed multifamily residential land use would add 162 dwelling units under the flight traffic pattern, thereby increasing the number of residents exposed to aircraft noise. Per the Chandler Airpark Area Plan (page 2-9), the planned population per dwelling unit for High Density Residential is 2.0. Based on the development intensity, approximately 324 residents would be expected to experience aircraft noise at this location.

The property is not located within an airport noise contour and will experience daily overflights from aircraft in the normal traffic pattern.

The proposed development will experience daily overflights from aircraft in the normal airport traffic pattern (Exhibit E – Flight Tracks). Flight operations are typically between sunrise and sunset and, at this location, the flight traffic pattern altitude is approximately 800 feet above ground level. Outdoor activities are especially susceptible to overflight noise, depending on the nature of the activity. Residences under or near the flight traffic pattern are a significant source of noise complaints for the Airport.

Based on the maximum allowable building heights, the proposed development does not appear to pose a hazard to flight safety or be an airspace obstruction.

Due to the site's proximity to the Airport, the developer will need to file a Notice of Proposed Construction (FAA Form 7460-1) with the Federal Aviation Administration for the final structure heights, including all rooftop antennas, parapets, light poles, other permanent objects, and temporary construction equipment. The form can be submitted online at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

Airport Conflict Evaluation Process

In January 2002, the City Council adopted an Airport Conflicts Evaluation (ACE) Process policy requiring any zoning changes within the nine-square mile Chandler Airpark Area to be reviewed by the Commission to determine if the use and/or development will be a conflict with current and future airport operations. The ACE policy outlines the Commission's tasks as they relate to this review:

1. The Commission's determination as to whether conflicts exist between the proposed development and airport uses;
2. If conflicts exist, the specific areas of conflict;
3. If conflicts exist, a statement of corrective actions which can be taken, if there are any;
4. The Commission Members voting in support of the Commission's determination and those members voting in opposition to the Commission's determination.

Airport staff provides the Commission with information and a recommendation regarding the proposed project and the conflict evaluation process. Staff will compile and forward an ACE report that summarizes the Commission's discussion and findings to the Zoning Administrator. Planning staff will report the Commission's findings regarding potential for airport conflicts to Planning and Zoning Commission and to City Council.

Findings

1. The Airport Commission's determination as to whether conflicts exist between the proposed development and airport uses. **A conflict exists between the proposed development and proposed airport uses.**
2. If conflicts exist, the specific areas of conflict. **The proposed development contains 162 multifamily residential units and the site will experience aviation noise and vibration impact from aircraft in the normal traffic pattern and arrival and departure routes. Approximately 324 residents would be expected to be exposed to aircraft noise at this location.**
3. If conflicts exist, a statement of corrective actions which can be taken, if there are any. **Retaining the current non-residential land use is the preferred corrective action.**

Physical corrective actions: (1) construction of all units built with noise attenuation construction materials and techniques to reduce the ambient interior noise levels to less than 45 decibels; (2) installation of at one roadway-style sign at the site's entrance identifying the presence of low flying aircraft.

Administrative corrective actions: (1) all prospective tenants should be required to sign separate disclosure statements, acknowledging (i) the proximity to the Chandler Airport, including the heliport, (ii) the potential for impact from aircraft noise and vibrations, and (iii) proximity to an aircraft engine testing facility and aircraft storage; (2) dedication of an avigational

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4. The Airport Commission Members voting in support of the Airport Commission's determination and those members voting in opposition to the Airport Commission's determination. This information will be determined through Commission discussion and action.

Public Meetings

An online neighborhood meeting was held on Wednesday, September 30, 2020. No airport issues were identified by the attendees.

Proposed Motion

Move to present an Airport Conflict Evaluation (ACE) report to the Zoning Administrator and City Council with a finding of "conflict with airport uses" for the proposed Elux at McQueen multifamily residential development.

Attachments

- A. Vicinity Map
- B. Property Location
- C. Site Plan
- D. Chandler Airpark Area Plan Land Use Plan
- E. Flight Tracks

Exhibit A: Vicinity Map

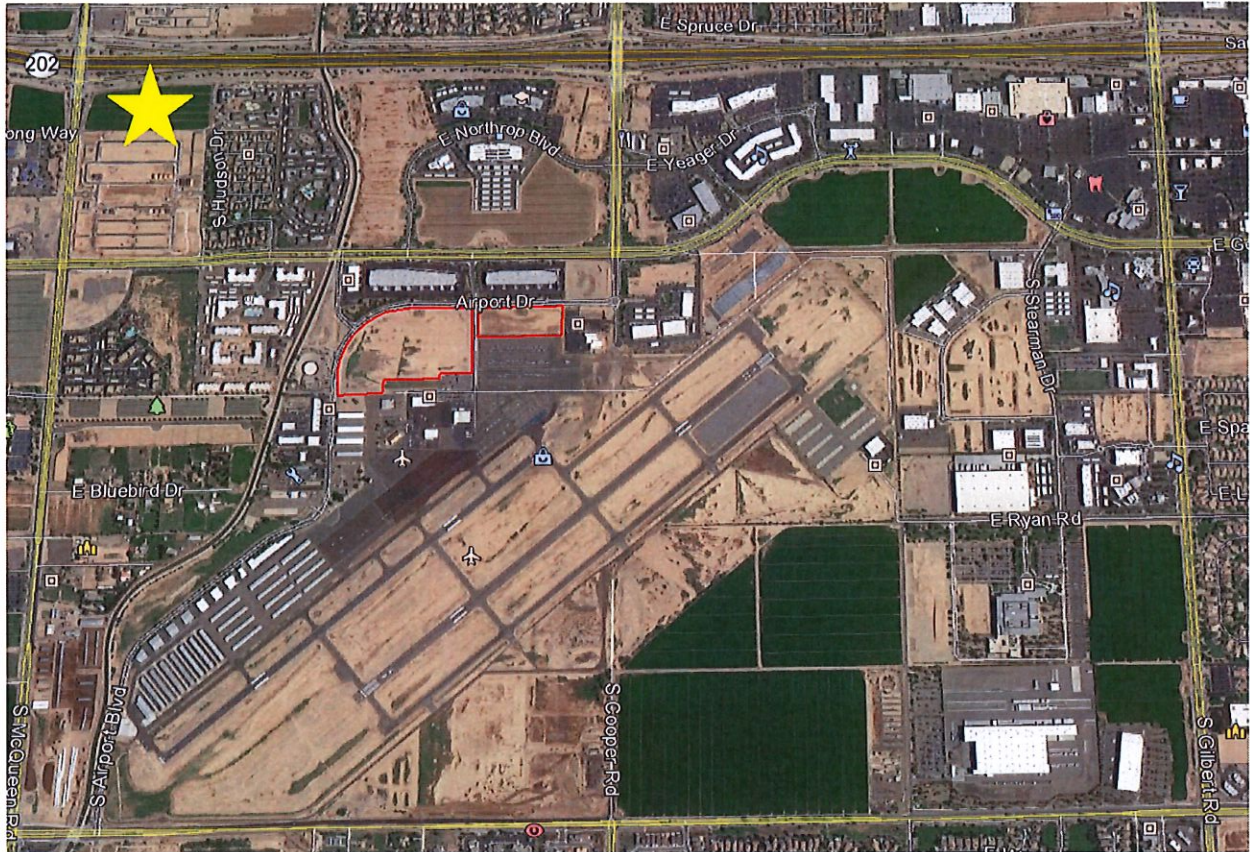


Exhibit B: Property Location

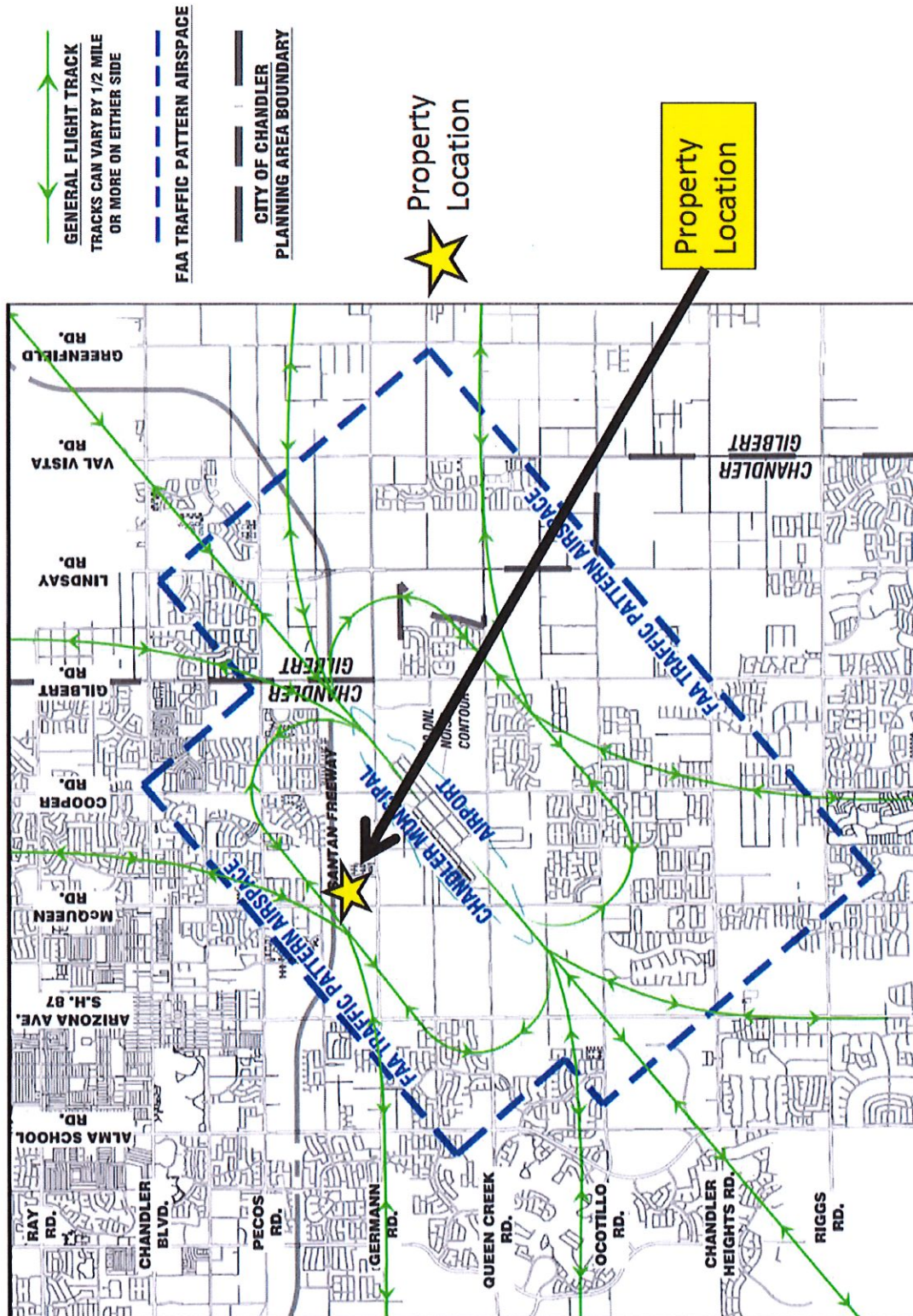


Exhibit C: Site Plan



Exhibit D: Chandler Airport Area Plan Land Use Plan

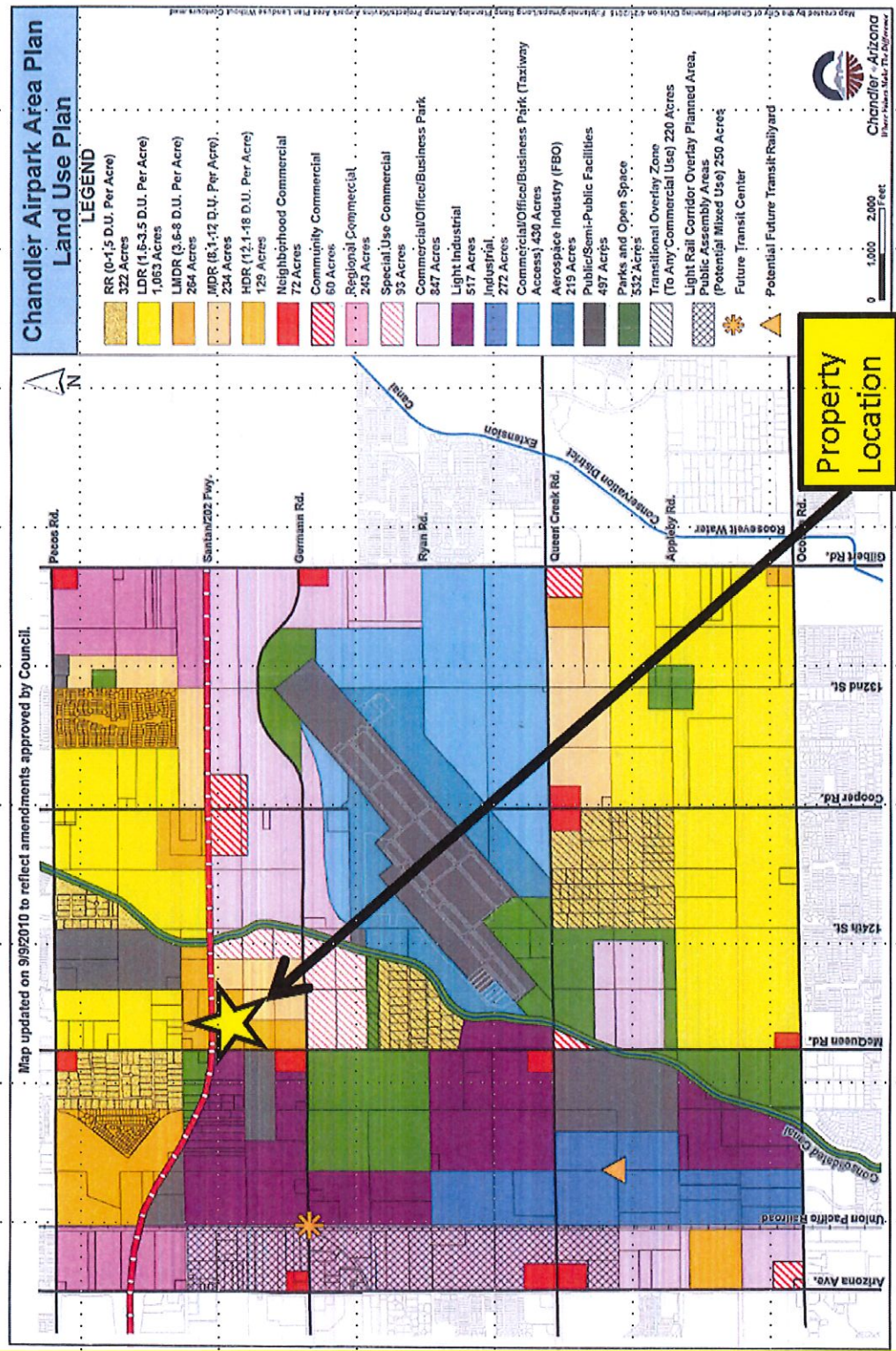


Exhibit E: Flight Tracks

