



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

10 January 2023

Mr. Christopher P. Toale
Director, Community Initiatives Team
56th Fighter Wing
14185 W. Falcon Street
Luke AFB AZ 85309-1629

Mr. Jose Macias
Development Services Department
City of El Mirage
10000 N. El Mirage Road
El Mirage, AZ 85335

RE: PZ-22-12-32; CarMax CUP (APNs: 509-18-979 and 509-18-973)

Dear Mr. Macias

Thank you for the opportunity to comment on the CarMax Wholesale Auction and Production Center Conditional Use Permit. The site sits on approximately 57 acres of vacant land and is located on the northwest corner of W. Olive Avenue and N. Dysart Road in El Mirage, AZ. The applicant requests construction of a CarMax vehicle reconditioning and wholesale auction facility with a private fuel tank/dispenser. The site is located inside the Luke AFB 1988 JLUS Accident Potential Zone II and 80 Ldn, "high noise or accident potential zone," as identified by A.R.S. § 28-8461, and is within the "territory in the vicinity of a military airport," also defined by A.R.S. § 28-8461.

The proposed development is designated as an Employment/Industry (E/I) use. Luke AFB follows A.R.S. § 28-8481 when evaluating compatible land use within the "territory in the vicinity of a military airport". Although there are no land use compatibility concerns, it is important to note that fuel tanks being located inside APZ II does create a safety concern. Specifically, there is an increased risk of accidents and mishaps during take-off and landing associated with the APZ II area and having fuel tanks on the property could contribute to and or exacerbate the damage should a mishap occur.

Subject to the results of an FAA Obstruction Evaluation/Airport Airspace Analysis (OE/AAA); this request, will not negatively impact the flying operations at Luke AFB. Additionally, the proposed development should not release substances in the air that would impair visibility or interfere with aircraft, to include but not limited to steam, dust and smoke; reflective light emissions; electrical emissions; attraction of birds or waterfowl; and explosive facilities or similar activities.

Since the site is located within the “territory in the vicinity of a military airport,” it will be subjected to noise from approximately 165 flights per day, we recommend you review the sound attenuation requirements found in A.R.S. §28-8482. We also encourage an aggressive notification program on the part of the applicant to inform potential occupants about Luke AFB operations.

If you have any questions, please contact my Deputy Director, Mr. Mark James at (623) 856-6175.

Sincerely

CHRISTOPHER P. TOALE

cc:

Colonel Keegan L. McLeese, Vice Commander, 56th Fighter Wing

Mr. Timothy A. Forero, GS-13, General Law Attorney, 56th Fighter Wing