



TO: Planning and Zoning Commission

THROUGH: Brett Burningham, Development Services Director

FROM: Kyle Barichello, Planner II

RE: Public Hearing and Possible Action on Pegasus Airpark PAD Rezone (Case P19-0074), a request from Sean Lake, Pew and Lake PLC, on behalf of the Pegasus Airpark Flight Association to rezone approximately 49.44 acres from R1-43/CUP to MU/PAD for continued use of the Pegasus Airpark Flight Association runway and associated hangars, located east of the northeast corner of Empire Blvd and Ellsworth Road.

DATE: August 14, 2019

STAFF RECOMMENDATION

Staff recommends approval of P19-0074 "Pegasus Airpark PAD Rezone", subject to the Conditions of Approval included in this report.

PROPOSED MOTION

Move to recommend approval of P19-0074 "Pegasus Airpark PAD Rezone", subject to the Conditions of Approval included in this report.

RELEVANT COUNCIL GOALS



Secure Future

SUMMARY

This proposal consists of a request to rezone approximately 49.44 acres from R1-43/CUP to MU/PAD which will replace the existing Conditional Use Permit with a more permanent zoning designation that allows for the continued use of the airport runway and hangars. No changes are proposed to current airpark operations or to the Pegasus Airpark residential subdivision.

The PAD application will be used as a tool to restrict all other development aside from the existing airpark operations. The existing Conditional Use Permit conditions of approval have been updated and modified accordingly as part of the rezoning effort.

HISTORY

- September 5, 1989: The Town of Queen Creek is incorporated as the subject property becomes part of the Town.
- June 20, 1994: Town Council approves the Special Use Permit SU 07-94 (now called Conditional Use Permit) for the airstrip at the Pegasus Airpark development, subject to conditions.
- May 3, 1995: Town Council approves the Preliminary Plat for Pegasus Airpark Development, subject to conditions. The Preliminary Plat consists of 159 lots on 320 acres.
- March 18, 1998: Town Council approves an amendment to the Special Use Permit (SU 01-97) for the Fixed Base Operations which limited the number of aircraft to 225 and allowed for a 100 low lead aviation fuel tank.
- October 15, 2008: Queen Creek Town Council denied a request to allow very light jets and helicopters at Pegasus Airpark (CU08-020).
- March 14, 2012: Town Council approved cases CU12-001 and SP12-002, authorizing the use of very light jets (VLJ's) and other similar aircraft as well as the future installation of a facility for the storage and sale of Jet-A fuel at the Pegasus Airport, with conditions including requiring the Flight Association to complete a noise studies to verify compliance with the Council approved 65 DNL noise standards.
- April 18, 2012: Town Council approved an amendment to CU12-001 and SP12-002 to allow the operation of very light jets and approval of an additional fuel tank to be used for Jet-A aircraft fuel.

PROJECT INFORMATION

Project Name	Pegasus Airpark PAD Rezone
Site Location	East of the northeast corner of Empire Blvd and Ellsworth Road
Current Zoning	R1-43 (Rural Estate District) / Conditional Use Permit (CUP)
Proposed Zoning	Mixed Use (MU)/PAD
General Plan Designation	Rural
Surrounding Zoning Designations:	
North	R1-35 (Residential) – Orchard Ranchettes R1-43 (Residential) – Pegasus Residential
South	RU-43 - (County) - Vacant
East	RU-43 (County) - Vacant
West	R1-43 (Jorde Farms) – Vacant R1-9 (Bellerio) – Residential
Gross Acreage	49.44 Acres
Use Description/Units	Airport Runway and 81 airplane hangars

DISCUSSION

The property is located at the east of the northeast corner of Empire Blvd and Ellsworth Road and the current zoning for the property is R1-43/CUP. The Pegasus Airpark development is approximately 320 acres consisting of 159 lots. This proposal consists of a request to rezone approximately 49.44 acres from R1-43/CUP to MU/PAD which will replace the existing Conditional Use Permit with a more permanent zoning designation that allows for the continued use of the airport runway and hangars. No changes are proposed to current airpark operations or to the Pegasus Airpark residential subdivision.

Under the PAD, two requests are being made:

- 1) Rezoning of the 49.44 acre Pegasus Airpark runway from R1-43/CUP to Mixed Use District (MU)/PAD.
- 2) Rezoning of the 81 airplane hangar properties from R1-43/CUP to Mixed Use District (MU)/PAD.

Individual, signed rezoning applications from each of the hangar owners are included with this request and a Prop 207 waiver has been provided on behalf of the Pegasus Airpark Association.

The proposed Mixed Use (MU) zoning district that will allow for an aviation terminal and associated terminals. The MU district is designed to provide a mixture of residential and public uses that serve a neighborhood or community. Additionally, the MU district encourages an integration of uses and supports transportation alternatives.

To allay any concerns over potential permitted uses that would be objectionable to adjacent property owners, it is the intent of the applicant and property owner to use the PAD as a development tool to exclude all of the permitted or conditional uses in the MU zoning district other than an aviation runway and terminal and associated hangars. Excluding all other uses perpetuates the sole and continued use of the subject property as an airport runway. Additionally, establishing a zoning district for the runway ensures future buyers that the runway is properly zoned and is not subject to the same continued evaluation process as a Conditional Use Permit.

About the Airpark

While the creation of the airpark was being considered by the Town of Queen Creek, the FAA was also holding hearings and ultimately approved the location for Pegasus in March of 1994 (Airspace case # 93-AWP-208-NRA). Pegasus Airpark was approved as a Visual Flight Rule (VFR) airpark only, with no Instrument Flight Rule (IFR) activity allowed. This is an important distinction since airparks operating with VFR activities have less-intense uses than those operating with IFR activities. Moreover, the airpark adheres to its own Operation and Safety Regulations as well as a myriad set of rules and regulations established by the Federal Aviation Administration.

The Pegasus Airpark runway is used only by Pegasus Airpark residents and their invited guests. The airpark presently has the lowest level of traffic among all East Valley airports as shown in the graphic below:

<i>Airport</i>	<i>Average Flights per Day</i>
<i>Chandler Municipal Airport</i>	<i>550</i>
<i>Falcon Field</i>	<i>900</i>
<i>Gateway Airport</i>	<i>800</i>
<i>Pegasus Airpark</i>	<i>Less than 10</i>
<i>Scottsdale Airport</i>	<i>503</i>
<i>Stellar Airpark</i>	<i>110</i>
<i>Source: Airnav.com</i>	

The hanger use was allowed pursuant to a Conditional Use Permit that was approved by the Town Council in June of 1994 and amended in March of 1998 and 2012. The current permit allows a total of 225 planes with 92 allowed at the Fixed Based Operators (FBO).

The airpark adheres to its own Operation and Safety Regulations as well as a myriad set of rules and regulations established by the Federal Aviation Administration.

Change in proposed Conditions of Approval – Applicant Responses

Attached to this staff report is a document containing the tracked, redlined version of the current conditions of approval stipulated by the existing Conditional Use Permit the applicant seeks changes to. All changes proposed are meant to update and replace

redundant and no longer necessary conditions of approval that have existed since the inception of the airpark.

The attached document provides additional context for why the applicant is proposing to remove and revise certain conditions currently in effect. A summary of these include:

- Removal of conditions: 2,3,4,6,7,8,11,13, and 16-22
- Modification of conditions: 9,13, and 14

The conditions of the approval provided at the end of the Staff Report will govern this property into the future. These updated conditions are a product from the modifications of the old CUP case and have been determined to adequately meet the intent of the previous CUP conditions of approval.

ANALYSIS

General Plan Review: The current General Plan designations for this property is Rural. The primary use of the surrounding area is residential.

Zoning Review: The zoning designation of the property is proposed to be Mixed Use PAD (MU/PAD). This designation allows for both airport operations and their associated hangars. The PAD will be used as a tool to limit other uses typically allowed with MU zoning. No PAD deviations are proposed.

Planned Area Development (PAD) Overlay Compliance: The purpose of the Planned Area Development Overlay District (PAD) is to provide for the orderly development of land consistent with the Town of Queen Creek General Plan and Zoning Ordinance while permitting flexibility in the design, construction and processing of residential, commercial and/or industrial developments of a quality which could not be achieved by traditional lot by lot development under conventional zoning concepts. All PAD requirements listed in the Town's Ordinance have been reviewed by staff and determined to be in compliance.

Public Notification/Participation: The applicant held one (1) neighborhood meeting on June 20, 2019 with 29 residents. Notification of the meeting was mailed to property owners within 1,200 feet of the project, as required by the Zoning Ordinance. The attendees were given the attached handouts, which included a graphic depicting the property subject to the rezoning, and Conditions of Approval that are being proposed to the Town as part of the rezoning ordinance. Overall, residents were supportive of the request and no additional public input has been received.

CONDITIONS OF APPROVAL

1. This project shall be developed in accordance with the plans attached to this case and all the provisions of the Zoning Ordinance applicable to this case.
2. The total number of planes allowed on the entire Pegasus Airpark Development shall not exceed 225; this number includes both the residential area and the Fixed Base Operators (FBO). The maximum quantity of planes allowed on the FBO is 92 planes. There may be fewer than 92 planes at the FBO, with a greater number of planes in the residential area, provided that the combined total does not exceed 225 for the entire Pegasus Airpark Development.
3. The following commercial uses are prohibited: charter, courier, commercial flight schools, scheduled air service and crop dusting.
4. Aircraft noise shall not exceed a level of 65 DNL at any boundary of the site.
5. The Town shall have the right to review Airpark operation performance to ensure compliance with these conditions. Review of airpark performance shall include, but not be limited to, review of all FBO and flight association operations, books, accounts, reports, correspondence and audits.
6. Aircraft allowed to operate from Pegasus Airpark shall be limited to fixed-wing aircraft powered by piston (both gas and diesel engines), turbine, turbo fan, jet engines, as well as potential future equivalent propulsion technologies (i.e., electric powered, hydrogen, etc.), or known as single pilot aircraft. Approach speeds shall be less than 121 knots and wing spans shall be less than 79 feet. Aircraft that are not fully Stage 3 noise compliant as defined by the FAA or that do not comply with the operational limits above related to weight, approach speed and wingspan are prohibited, as are ultra-light aircraft and powered parachutes. Light Sport category aircraft, as defined by the FAA, are not included in this prohibition. The specifications for this airpark shall be published and maintained in the CC and R's for the property, the Flight Association and the FAA airport facilities directory.
7. The airpark shall be operated solely as a private airpark for use by residents of the Pegasus Airpark Development, members of the flight association and their guests.
8. 100 Low Lead and Jet-A aircraft fuel is to be sold only to members of the Flight Association and their authorized parties through the use of a private card-lock system.
9. Developer shall be required to meet all applicable local, state and federal regulations relating to fuel storage and dispensing, and upon request will provide a report to the Town that applicable fuel storage facilities are in compliance with those regulations. The reporting mechanism to the Town shall be, at a minimum, a copy of the notice of approval by the appropriate regulatory agency.

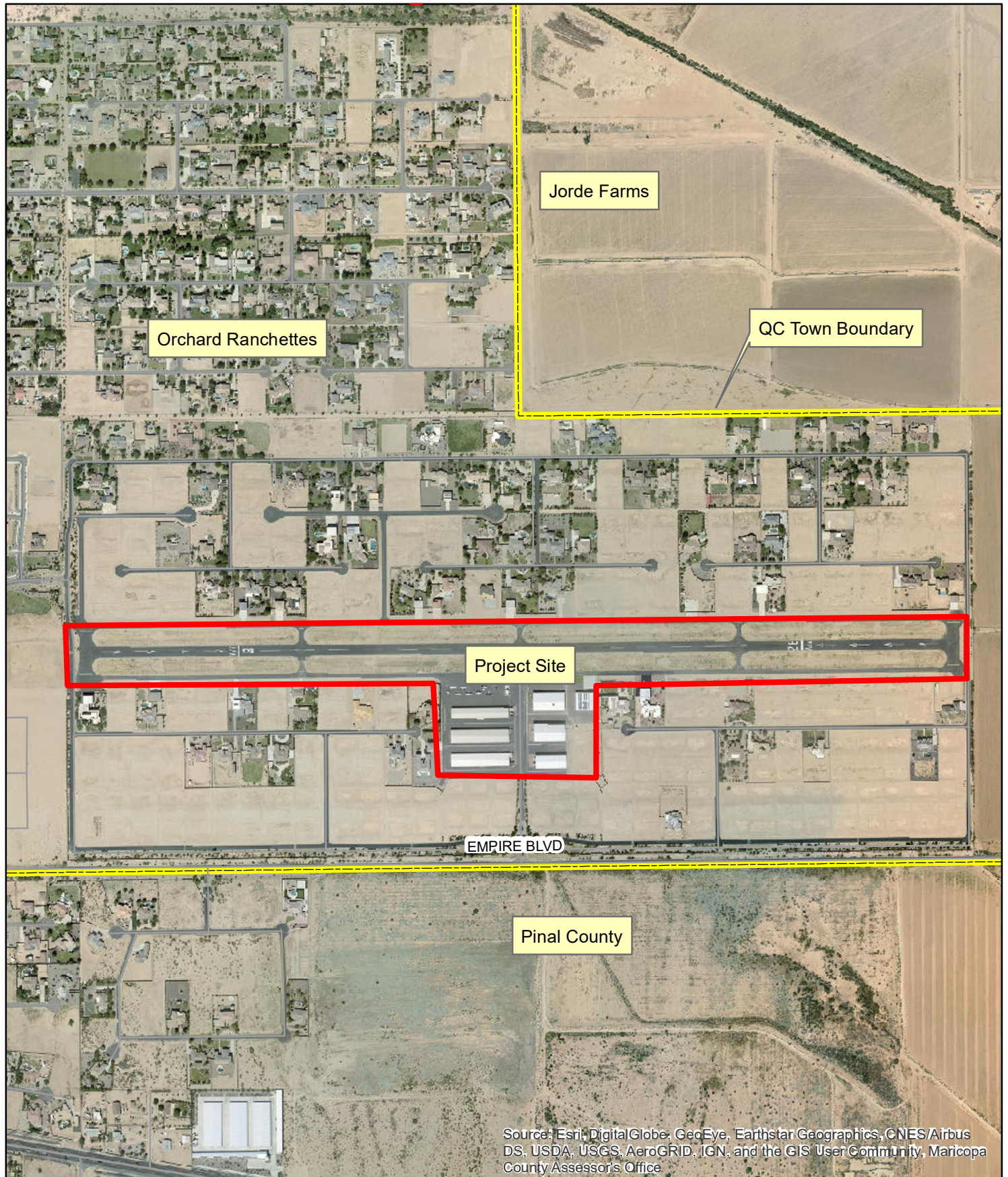
ATTACHMENTS

1. Pegasus Airpark Aerial Exhibit
2. Pegasus Airpark General Plan Exhibit
3. Pegasus Airpark Current Zoning Map Exhibit
4. Pegasus Airpark Proposed Zoning Exhibit
5. Pegasus Airpark PAD Narrative
6. Pegasus Airpark Proposed Conditions of Approval and applicant response
7. Pegasus Airpark Proposed Conditions of Approval Spreadsheet
8. Pegasus Airpark Conceptual Plan
9. Pegasus Airpark Neighborhood Meeting Minutes

Project Name: Pegasus Airpark PAD Aerial Exhibit

Case Number: P19-0074

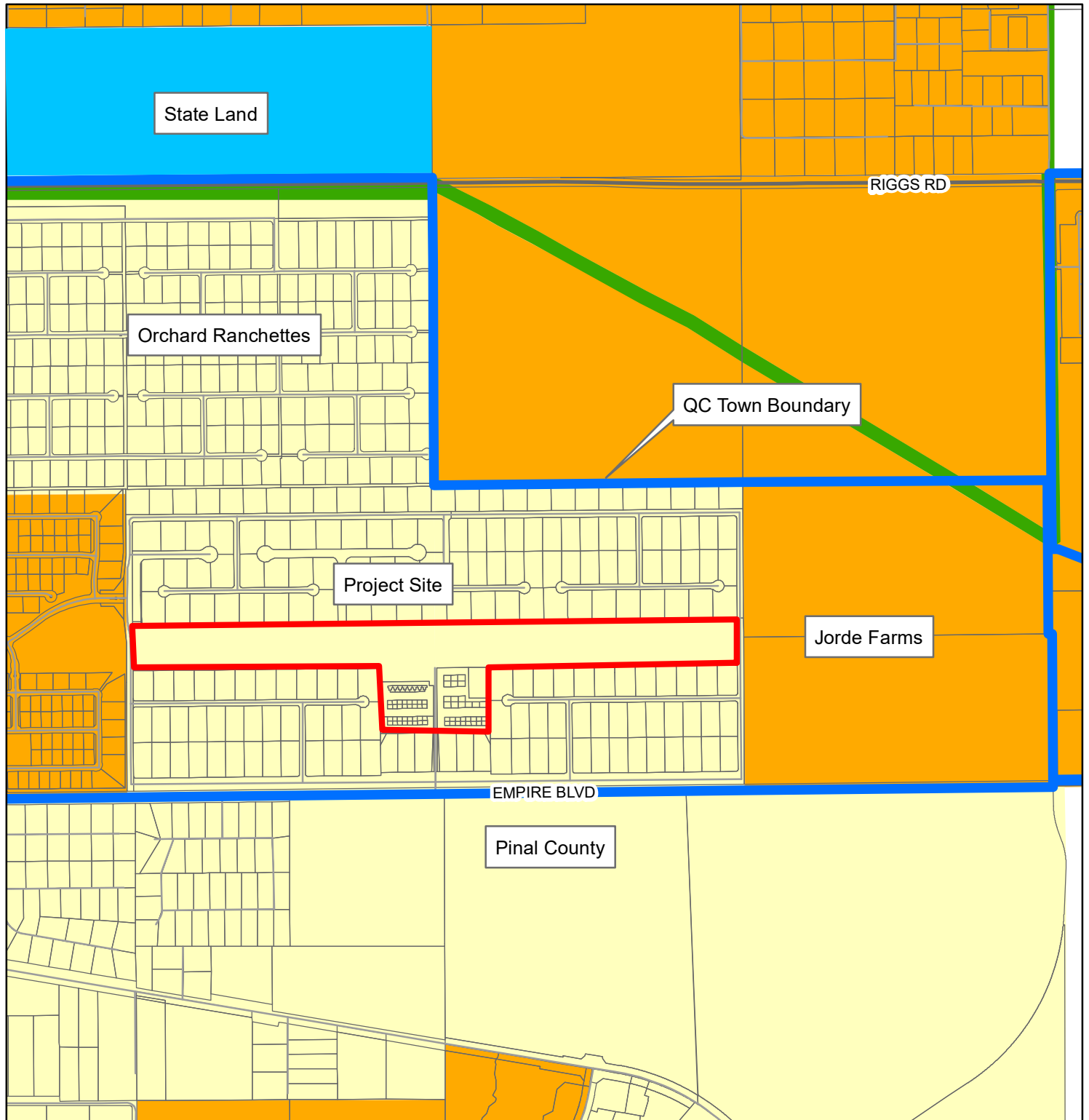
Hearing Date: August 14, 2019 (Planning Commission)



Project Name: Pegasus Airpark PAD General Plan Exhibit

Case Number: P19-0074

Hearing Date: August 14, 2019 (Planning Commission)



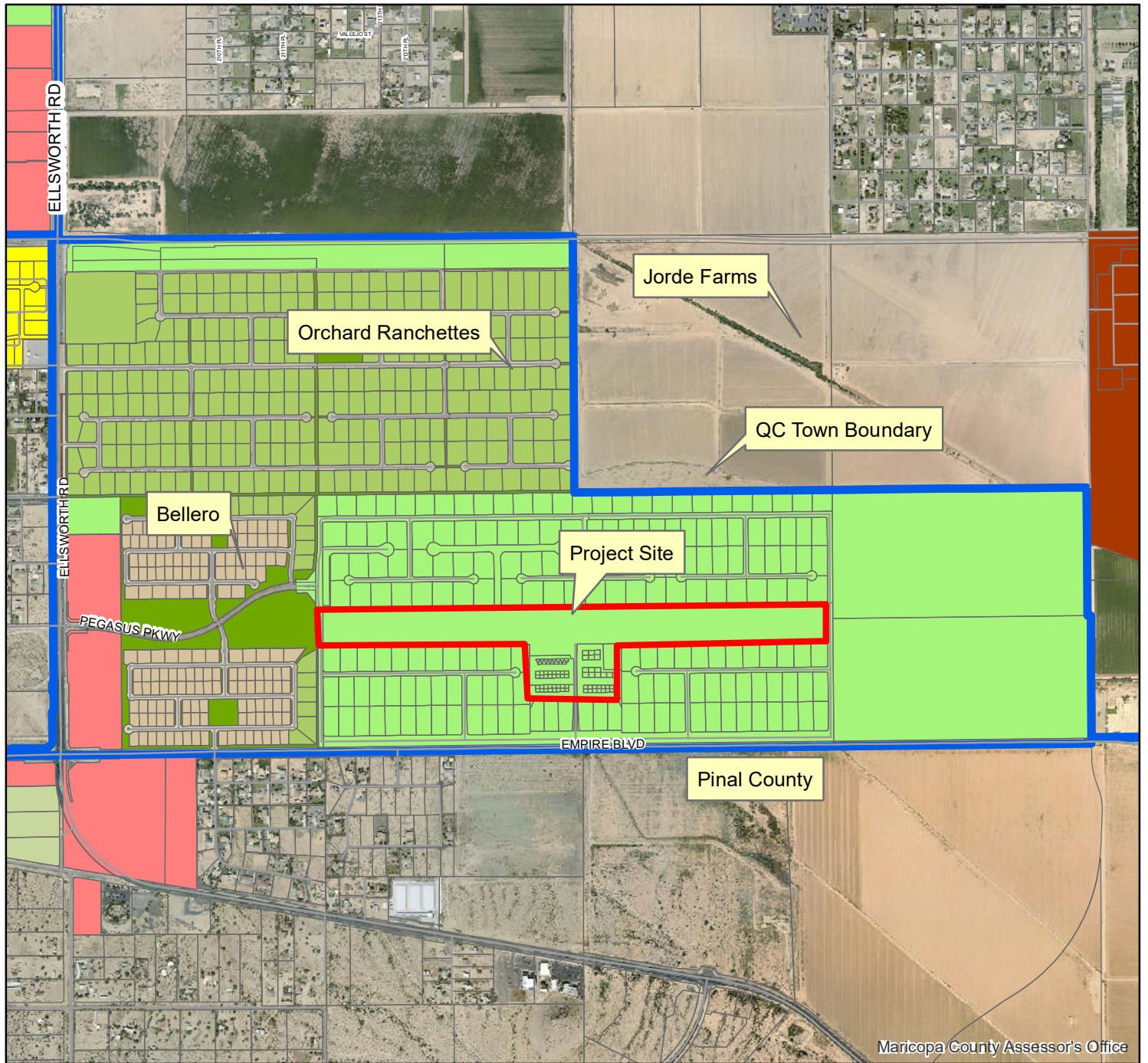
General Plan Land Use

- | | | | |
|--------------|------------|--------------------|--------------------|
| Rural | Commercial | Special District 1 | Special District 4 |
| Neighborhood | Industrial | Special District 2 | |
| Urban | Open Space | Special District 3 | |

Project Name: Pegasus Airpark PAD Current Zoning Exhibit

Case Number: P19-0074

Hearing Date: August 14, 2019 (Planning Commission)



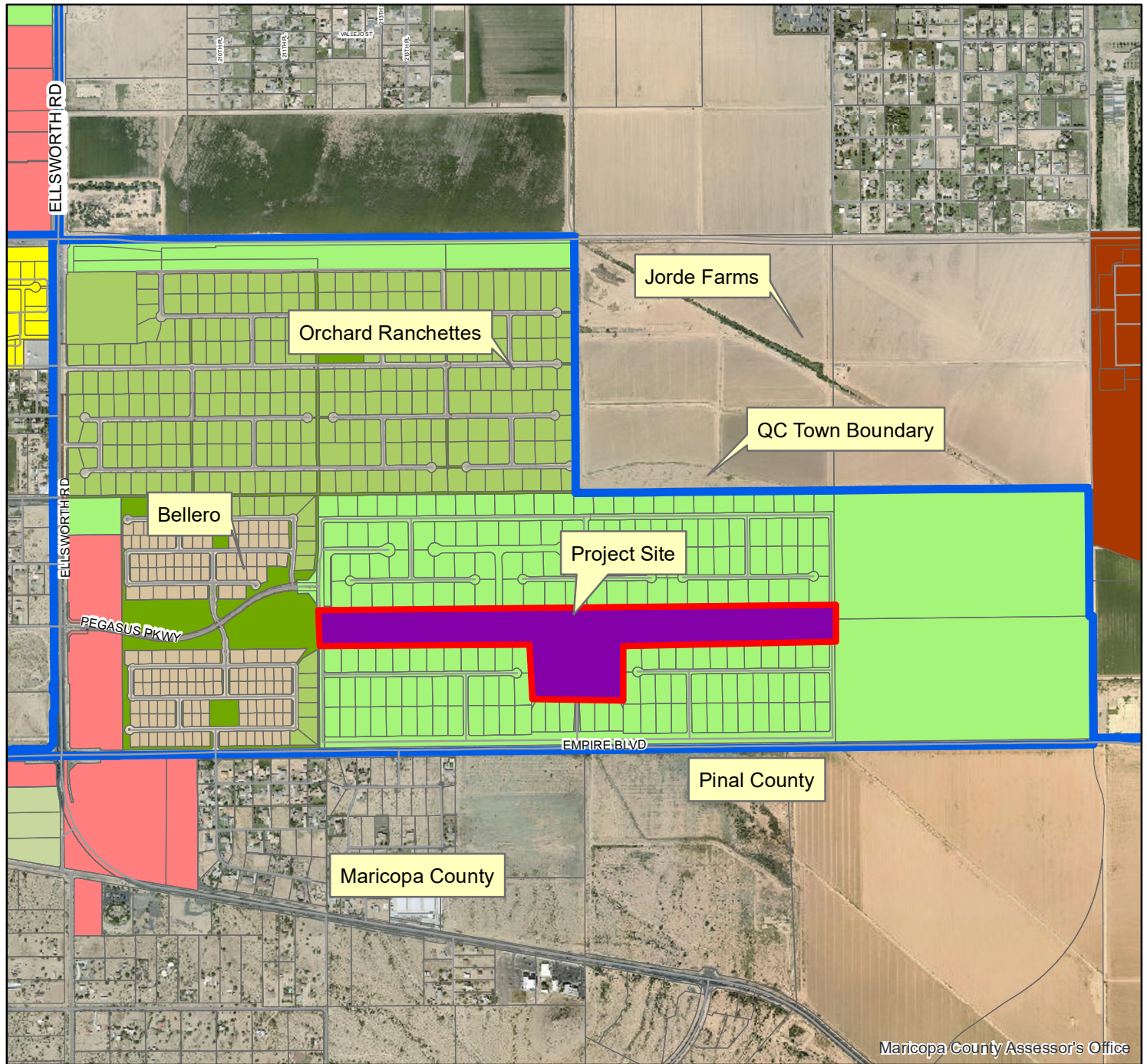
Zoning Districts

C-1 - Commercial	PQP - Public/Quasi-Public	R1-7 - Residential	R1-35 - Residential
C-2 - Commercial	RC - Recreation/Conservation	R1-8 - Residential	R1-43 - Residential
C-3 - Commercial	MU - Mixed Use	R1-9 - Residential	R1-54 - Residential
DC- Downtown Core	R1-4 - Residential	R1-12 - Residential	R1-190 - Residential
EMP A - Office/Industrial Park	R1-5 - Residential	R1-15 - Residential	PCD - Planned Community
EMP B - General Industrial	R1-6 - Residential	R1-18 - Residential	AT - Agritainment

Project Name: Pegasus Airpark PAD Proposed Zoning Exhibit

Case Number: P19-0074

Hearing Date: August 14, 2019 (Planning Commission)



Maricopa County Assessor's Office

Zoning Districts

C-1 - Commercial	PQP - Public/Quasi-Public	R1-7 - Residential	R1-35 - Residential
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Pegasus Airpark

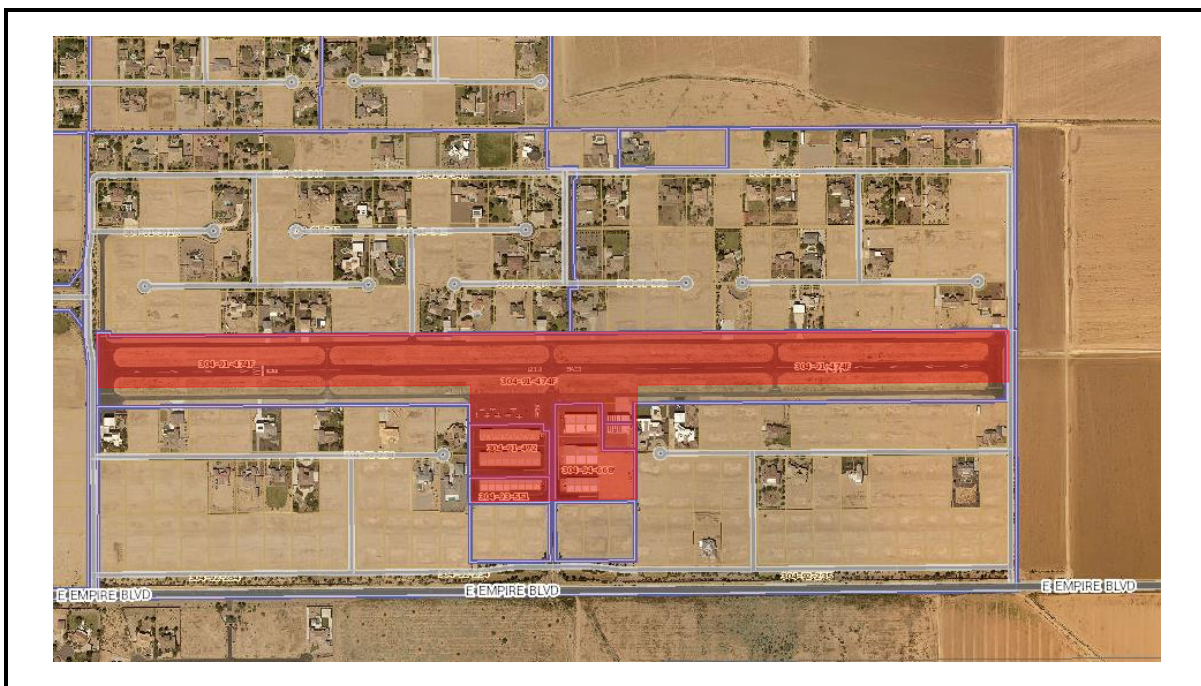
East of the NEC of Ellsworth and Empire Roads

Rezoning Project Narrative

REVISED July 11, 2019

1. Introduction

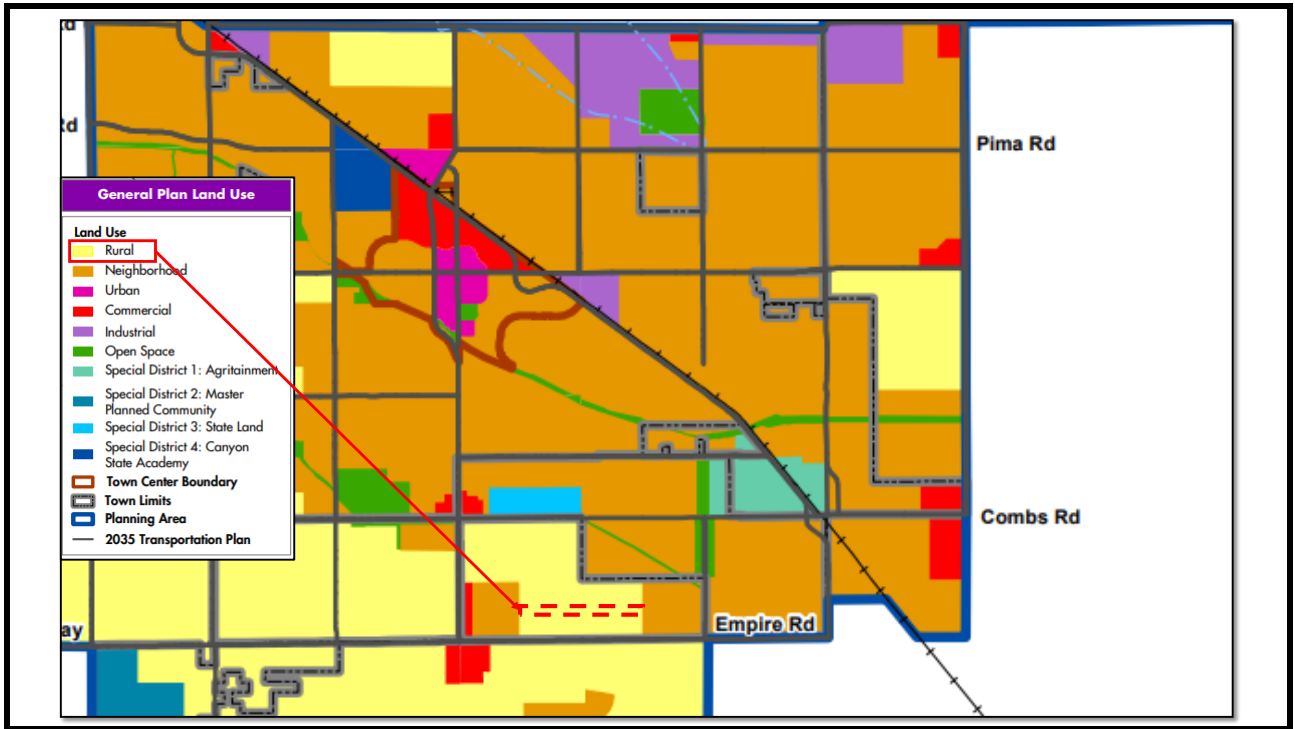
Pew & Lake PLC, on behalf of Pegasus Airpark Flight Association is pleased to submit this project narrative for a rezoning of the 49.44 acre Pegasus Airpark runway, and the 81 hangars associated with the runway. The property is located east of the northeast corner of Ellsworth and Empire Road. The runway is identified as Maricopa County Assessor's Parcel number 304-91-474F and is shown along with the hangar properties in the aerial below.



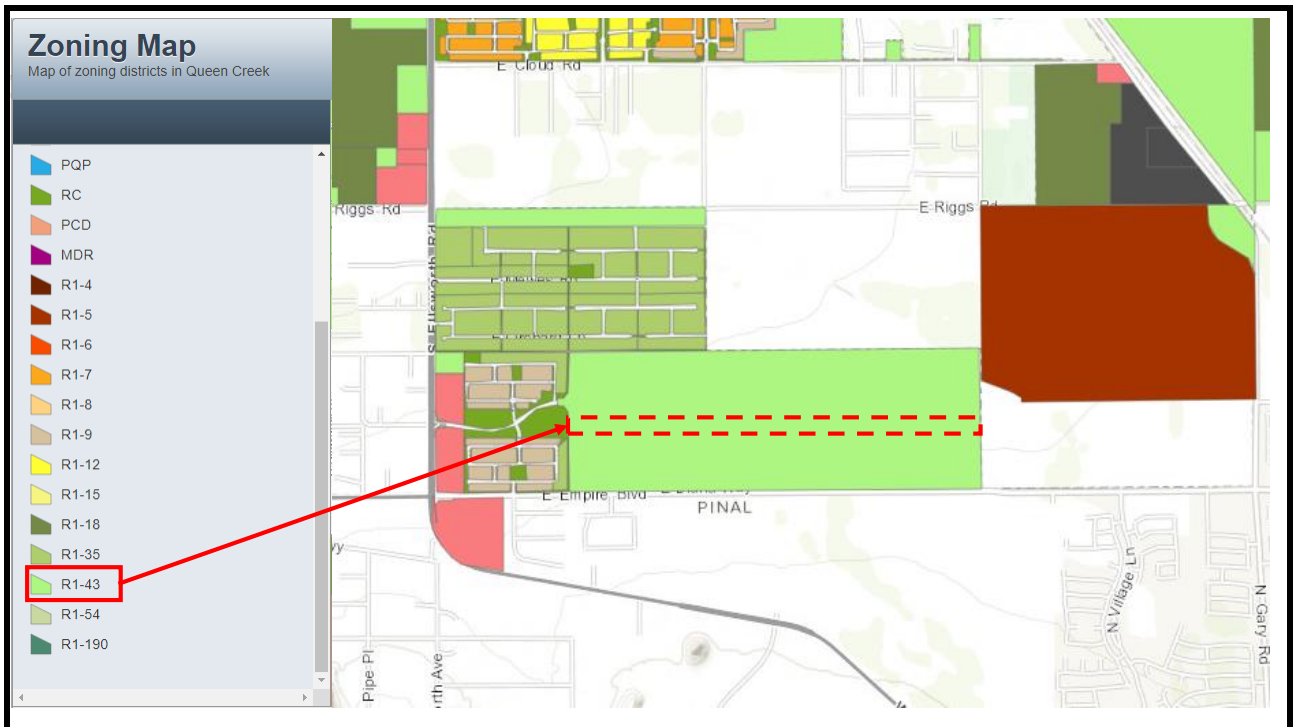
2. Existing General Plan Designation and Zoning Classification

As shown on the next page, the project site is within the Queen Creek planning area and is currently designated in the 2018 Town of Queen Creek General Plan as Rural and is classified as R1-43 as shown on the zoning map.

Town of Queen Creek 2018 General Plan Land Use Map



Town of Queen Creek Zoning Map

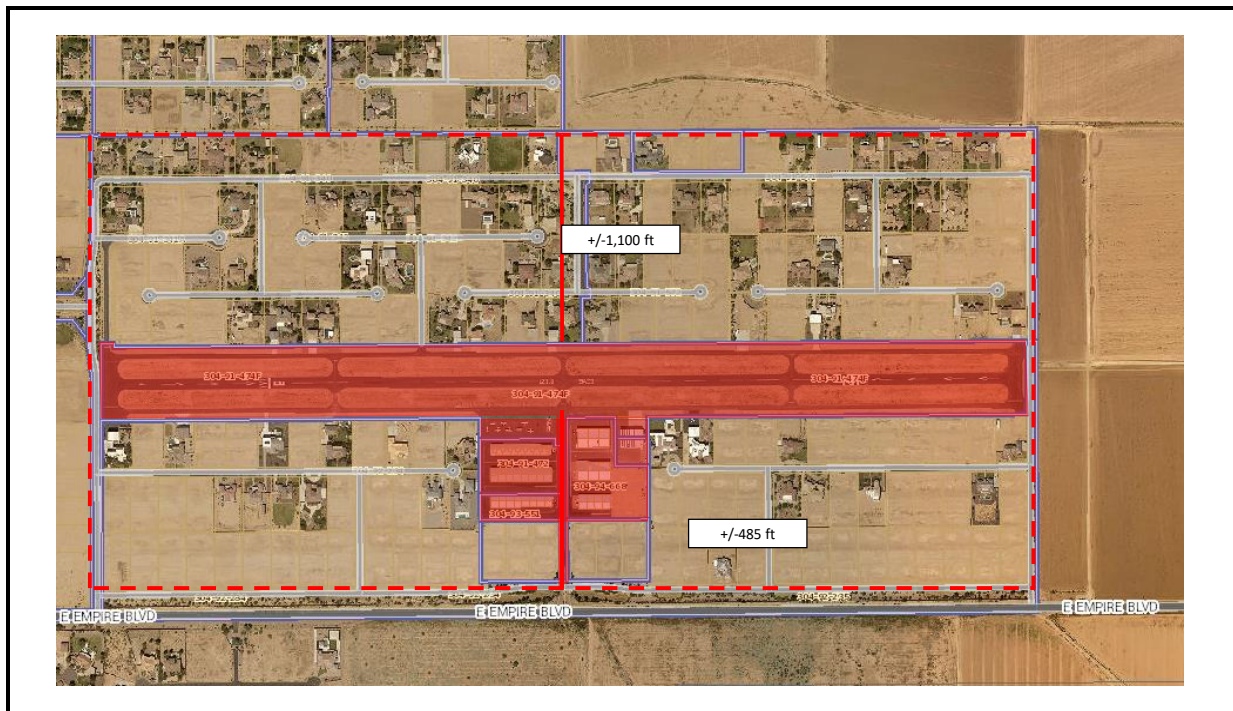


3. Relationship to Surrounding Properties

As shown on the graphic below, Pegasus Airpark itself is bound on the north by vacant Maricopa County property and the Orchard Ranchettes subdivision, on the south by vacant property and residential homes in Pinal County; on the east by a vacant property and on the west by the Bellerio subdivision.

	General Plan Designation	Zoning	Existing Use
North	Rural and Neighborhood	R1-35/Maricopa County RU-43	Orchard Ranchettes/Vacant
South	Rural	Pinal County	Vacant/Residential
East	Neighborhood	R1-43	Vacant
West	Neighborhood	R1-9	Bellerio
Project Site	Rural	R1-43	Airport Runway

In reality, the runway that is the subject of our request is contained within the Pegasus Airpark as a whole, the boundaries of which are shown below. Also as shown, the nearest developed residential properties that are not included in the Pegasus Airpark boundaries are over 1,000 feet away from the runway, and over 450 feet from the boundary of this request.



Like the Bellerio community to the west of the airpark, it is expected that any future residential homebuyers east of the Airpark will be notified of the Airpark and the potential for aircraft noise in this area. It is expected that any future homebuyers will be provided written notice of the

airport, and a sign will be posted in the sales office for the proposed residential lots. It is further anticipated that an Aviation Easement will be recorded at the time of development of the property to the east, currently owned by Queen Creek Ten, Inc. and that noise mitigation measures will be incorporated into the design and construction of the proposed buildings. These requirements are typical of development in the vicinity of an existing airport.

4. Request

Our requests to the Town of Queen Creek will be:

- 1) Rezoning of the 49.44 acre Pegasus Airpark runway from R1-43 (CUP) to Mixed Use District (MU)PAD.
- 2) Rezoning of the 81 Hangar Properties from R1-43 to Mixed Use District (MU) PAD. Individual, signed rezoning applications from each of the hangar owners are included with this request.

The Mixed Use District is the lowest non-residential zoning district in the Town of Queen Creek that will allow for an aviation terminal. The MU district is designed to provide a mixture of residential and public uses that serve a neighborhood or community. Additionally, the MU district encourages an integration of uses and supports alternatives to driving. Pegasus Airpark fits well within this definition in that it blends a mix of uses that are very specific to immediate adjacent property owners. To allay any concerns over potential permitted uses that would be objectionable to adjacent property owners, it is the intent of the applicant and property owner to use the PAD development tool to exclude all of the permitted or conditional uses in the MU zoning district other than an aviation runway and terminal. Excluding all other uses will signal the intent to perpetuate the sole and continued use of the property as an airport runway.

5. About Pegasus Airpark

Pegasus Airpark was created in 1994 when the Town of Queen Creek approved a Master Plan and Special Use Permit for the community. In the wake of the closure of Williams Air Force Base in the early 1990's, there was a demonstrated need for a smaller airport that could be designed to accommodate the needs of smaller aircraft in the far Southeast Valley.

The design and configuration of Pegasus Airpark was inspired by Sky ranch Airpark in Carefree and Stellar Airpark in Chandler. Operational details from the Carefree Airpark were copied and implemented at Pegasus Airpark since those details had been arrived at after much consideration was given to aircraft noise and sensitivity to surrounding neighborhoods. Many of the Conditions of Approval that govern the current operation of the Pegasus Airpark runway were developed and implemented using Carefree Sky ranch as a model (Town of Carefree Ordinance 85-22). These

Conditions include: operation as a private airpark with no services available to pilots from other airports, a prohibition on restaurants, flight training, aircraft sales, helicopters and rotating beacons. In order to assuage similar concerns about aircraft noise, The Town of Queen Creek decided that the runway could be allowed at Pegasus through the Special Use Permit development tool. The Pegasus Airpark runway was granted a Special Use Permit in 1994 by the Town of Queen Creek (SU07-94).

The residential portion of the Pegasus Airpark Community was inspired by Stellar Airpark in Chandler and the Stellar layout was applied at Pegasus Airpark. The housing portion of the Pegasus community was formed as a Master Plan, as it was referred to by the Town in 1994.

While the creation of the airpark was being considered by the Town of Queen Creek, the FAA was also holding hearings and ultimately approved the location for Pegasus in March of 1994 (Airspace case # 93-AWP-208-NRA). Pegasus Airpark was approved as a Visual Flight Rule (VFR) airpark only, with no Instrument Flight Rule (IFR) activity allowed. This is an important distinction since airparks operating with VFR activities have less-intense uses than those operating with IFR activities.

The Pegasus Airpark runway is used only by Pegasus Airpark residents and their invited guests. Consequently, it presently has the lowest level of traffic among all East Valley airports as shown in the graphic below:

<i>Airport</i>	<i>Average Flights per Day</i>
<i>Chandler Municipal Airport</i>	<i>550</i>
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<i>Pegasus Airpark</i>	<i>Less than 10</i>
<i>Scottsdale Airport</i>	<i>503</i>
<i>Stellar Airpark</i>	<i>110</i>

Source: Airnav.com

6. Zoning History

April 18, 2012: Queen Creek Town Council approved an amendment to CU12-001 and SP12-002 to allow the operation of very light jets and approval of an additional fuel tank to be used for Jet-A aircraft fuel.

March 14, 2012: Queen Creek Town Council approved cases CU12-001 and SP12-002, authorizing the use of very light jets (VLJ's) and other similar aircraft as well as the future installation of a facility for the storage and sale of Jet-A fuel at the Pegasus Airport, with conditions including requiring the Flight Association to complete a noise study every 5 years to verify compliance with the Council approved 65 DNL noise standards.

October 15, 2008: Queen Creek Town Council denied a request to allow very light jets and helicopters at Pegasus Airpark (CU08-020).

June 6, 2007: Queen Creek Town Council approves Pegasus Airpark, Phase 5 Amended Plat (SD07-013) which reduced the number of aviation lots to 82.

March 18, 1998: Queen Creek Town Council approves an amendment to the Special Use Permit (SU 01-97) for the Fixed Base Operations which limited the number of aircraft to 225 and allowed for a 100 low lead aviation fuel tank.

May 3, 1995: Queen Creek Town Council approves the Preliminary Plat for Pegasus Airpark Development, subject to conditions. The Preliminary Plat consists of 159 lots on 320 acres.

June 20, 1994: Queen Creek Town Council approves the Special Use Permit (now called Conditional Use Permit, SU 07-94) for the airstrip at the Pegasus Airpark development, subject to conditions.

7. Development Plan

The development plan proposed with this request is simple—to allow the continued operation of Pegasus Airpark as it has been operating since 1994. With the approval of this rezoning, it is anticipated that many of the Conditions of Approval currently applicable to the case will be removed, either because they have already been met or no longer apply to the Airpark. The applicant is proposing a new, streamlined list of Conditions of Approval that are satisfactory to the needs of the Aircraft Association and individual property owners and are sensitive to surrounding structures and uses. They are attached to this narrative for review. Moreover, the airpark adheres to its own Operation and Safety Regulations as well as a myriad set of rules and regulations established by the Federal Aviation Administration.

8. Conclusion

Pegasus Airpark is a valuable asset to the Town of Queen Creek. It allows high net worth individuals who prefer an agrarian lifestyle to continue to live in Queen Creek while indulging in their aviation pursuits. Pegasus has operated for nearly 16 years without incident or complaint. The applicant and property owner look forward to receiving input on this proposed rezoning and working with Town staff to allow the continued operation of this successful airpark in Queen Creek.

**Complete list of Redlined Conditions of Approval for Pegasus Airpark
from Case SU01-97 and Cases CU12-001/SP12-002**

1. The total quantity of planes allowed on the entire Pegasus Airpark Development shall not exceed 225; this shall include both the residential area and the FBO. The maximum quantity of planes allowed on the FBO shall not exceed 92 planes. This provision allows for there to be a lesser quantity of planes than 92 at the FBO, with a greater quantity of planes allowed in the residential area, provided that the total quantity of planes does not exceed 225 for the entire Pegasus Airpark Development. Ok as is.

~~2. Prior to seeking plat approval or any pre-development site activity, any required State and Federal Aviation Administration authorization of the aviation use must be obtained; and, further, there shall be no runway or other aviation lighting other than the minimum required for fixed wing or day or night operation. Aviation lighting shall only consist of pilot-controlled or activated lighting. No continuous lighting shall occur except for pilot-activated beacon lighting. However, this shall not prohibit the standard FAA approved light, illuminating a windsock for wind speed direction.~~

~~3.2. Residential lots shall be not less than one acre in area, exclusive of rights-of-way and taxiway easements; with overall density not exceeding .75 dwelling units per gross acre.~~

~~4. This Special Use approval specifically does not constitute plat or plan of development approval (noting, in particular, access problems on the schematic plan) and it is noted that separate, direct vehicular access to the fixed base operations, runway and other aviation-related common facilities is required. Prior to any building permits or zoning clearances being issued for the FBO developer shall receive site plan (plan of development) approval from the Town Council.~~

~~5.3. The following commercial uses are prohibited: charter, courier, commercial flight schools, scheduled air service and crop dusting. OK as is.~~

~~6. The development shall adopt, and shall enforce by means of effective sanctions, rules prohibiting (except where violations are necessary for safety reasons) "touch and goes." Developer shall establish normal and recommended procedures for general aviation including approach and departure patterns that attempt to minimize noise over residential areas.~~

Rationale: Pegasus Airpark has adopted the requested rules prohibiting "touch and goes" it is published in our internal rules and regulations, and enforced via the CTAF (123.0) frequency anytime it is seen happening. The Flight board and airport manager and members all help to make sure that Pegasus is a good neighbor to the surrounding community.

Rules and regulations concerning flight paths and pattern operations are governed by the FAA. Pegasus Airpark has no specific "approach or departure" specified by the FAA.

Pegasus does follow the FAA convention of flight patterns for takeoff and landing as specified in the FAA FAR/AIM (Federal Aviation Regulations/Airmans Information Manual) as do all airports. The operational procedures are published in the FAA Airport Facility Directory, (link: https://www.faa.gov/air_traffic/flight_info/aeronav/digital_products/dafd/search/advanced/ which is the source for information published on airport information websites and printed publications. Traffic patterns around Pegasus are at the specified 1000' AGL levels set by the FAA for fixed wing operations in congested areas.

- ~~7. All aviation-related buildings (including, but not limited to, hangers and service buildings) are required to be screened from perimeter street view by an approved landscape plan and installation.~~
- ~~8. Required street, drainage and other dedications shall be completed prior to seeking plan of development approval.~~
- ~~9. Aircraft noise shall not exceed a level of **65 DNL** at any boundary of the site. Pegasus Airpark shall be required to submit annual noise reports to the Town. Violation of this noise level will result in the Town issuing a warning to the Airpark. If the Airpark fails to take action against the violator(s) or the noise level is continued to be violated within the next 12 months by any airpark user then within three (3) months after the warning is received then this may be cause for the Town Council to conduct a Public Hearing(s) and consider revoking the Special Use Permit for the airpark. In any event the Special Use Permit shall not be revoked for violation of 65 DNL standard if the Airpark is exercising due diligence in bringing legal action in a court of competent jurisdiction to enjoin the violation.~~

4.

Rationale: All Municipal and public airports operating in the United States and Arizona must comply with the FAA dictated 65 DNL guidelines. The surrounding airports, Chandler, Mesa Falcon Field, and Mesa Gateway all must comply with this rule and are subject to regular noise studies. Shown below are number of flights per day from surrounding airports:

<i>Airport</i>	<i>Flights per Day</i>
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<i>Gateway Airport</i>	<i>800</i>
<i>Pegasus Airpark</i>	<i>Less than 10</i>

For additional information on airport noise and the FAA 65 DNL please see:
https://www.faa.gov/regulations_policies/policy_guidance/noise/basics/
https://www.faa.gov/airports/environmental/airport_noise/

~~10.5.~~ The Town shall have the right to review Airpark operation performance to ensure compliance with the special use permit. Review of airpark performance shall include, but not be limited to, review of all FBO and flight association operations, such as investigation of books, accounts, reports, correspondence and audits. OK as is.

~~11. Hangar and tie-down construction at the FBO site may be allowed prior to residential house construction in accordance with the following: up to 50% of the total planes allowed on the f.b.o (46 planes of the 92 allowed). Once hangar or tie-down construction is completed to allow 46 planes, then one additional hangar may be allowed for every house constructed and a certificate of occupancy (c of o) issued by the town for the house. In general FBO development should be phased to coincide with residential occupancy in the subdivision.~~

~~12.6.~~ Aircraft allowed to operate from Pegasus Airpark shall be limited to fixed-wing aircraft powered by piston (both gas and diesel engines), turbine, turbo fan, jet engines, as well as potential future equivalent propulsion technologies (i.e., electric powered, hydrogen, etc.) with a maximum take-off weight of 12,500 pounds or less and approach speed of less than 121 knots and wing span of less than 79 feet. Aircraft which are not fully Stage 3 noise compliant as defined by the FAA or which do not comply with the operational limits above related to weight, approach speed and wingspan are prohibited, as are ultra-light aircraft and powered parachutes. Light Sport category aircraft, as defined by the FAA, are not included in this prohibition. The specifications for this airpark shall be published and maintained in the CC and R's for the property, the Flight Association and the FAA airport facilities directory.

***Rationale:** Pegasus Airpark has adopted the requested rules prohibiting non single pilot aircraft, these are published in our internal rules and regulations, and enforced via the flight association. The primary limiting factor for Pegasus traffic is the runway and taxiway pavement that is in place. The pavement is also the most costly investment in the airpark. This pavement is not rated or capable of supporting aircraft heavier than 12,500 lbs. For Pegasus to allow such traffic would be a violation of our agreement with the Town and destructive to our investment in our infrastructure. Pegasus is not designed to handle nor does it want to allow aircraft larger than what is known today as "Single Pilot Aircraft", which formerly has been referred to as 12,500 lbs or less. As we go through this zoning process we would request that we update terminology to more accurate descriptions for 2019. This is one of those items.*

Concerning aircraft wingspan: Pegasus is not designed to handle aircraft as large as listed in this section of operational limitations from the Town. An aircraft with a wingspan larger than 65' would be impossible to taxi or move under its own power in the vicinity of the hangar area. The hangar areas have a clearance of 80' between buildings, any aircraft near that wingspan simply will not fit within the airpark. The current largest wingspans on the field is Beechcraft King Air at 50' – 3", and a Pilatus PC-12 at 53' – 4".

~~13. That t~~The airpark shall be operated solely as a private airpark for use by residents of the Pegasus Airpark Development, ~~and~~ members of the flight association and their guests. ~~Guests may be allowed of either residents of the airpark development or flight association members provided that guests have express prior permission from the airpark development or flight association members. Guests will not be allowed by those persons who own or lease hangars or own or lease tie-downs and do not reside on permanent basis at Pegasus Airpark. The exception to this requirement shall be for emergency landings. Such prior permission shall be granted only to persons having a bona fide reason for landing at the airpark, such as persons staying overnight or longer with Pegasus Airpark residents or flight association members who also reside at Pegasus Airpark. No person other than those defined herein shall be permitted to use the airpark, including by way of example and not limitation, those persons visiting for the sole purpose of refueling. This requirement shall be so stated in the appropriate C, C, and R's and the Federal Aviation Administration's Airport Facilities Directory. This in no way shall prohibit bonafide potential buyers to land at the airpark, nor prohibit special lot sales promotions during the initial phases of development of the airpark.~~

~~7.~~

~~14.8.~~ 100 Low Lead and Jet-A aircraft fuel is to be sold to members of the Flight Association and their authorized parties only through the use of a private card-lock system.

~~15.9.~~ Developer shall be required to meet all applicable Federal Aviation Administration fuel storage requirements and report to the Town that applicable fuel storage facilities are in compliance. Reporting mechanism to the Town shall, at a minimum, is via a copy of the notice of approval by the appropriate regulatory agency.

~~16. Any fuel system allowed on the property shall be designed as a private card-lock system for members of the HOA or flight association only.~~

~~17. The Developer shall submit a new "Notice of Proposed Landing Area" to the FAA for airspace approval. Documentation of this approval shall be submitted to the Town prior to issuance of any building permits.~~

~~18. Within 30 days of the date of Council's decision on this Special Use Permit, the applicant/developer shall pay to the Town of Queen Creek for all airport consulting costs up to \$1,500. NOTE: This condition was completed in 1998.~~

~~19. Location and design of a Jet-A aviation fuel tank shall be approved by staff.~~

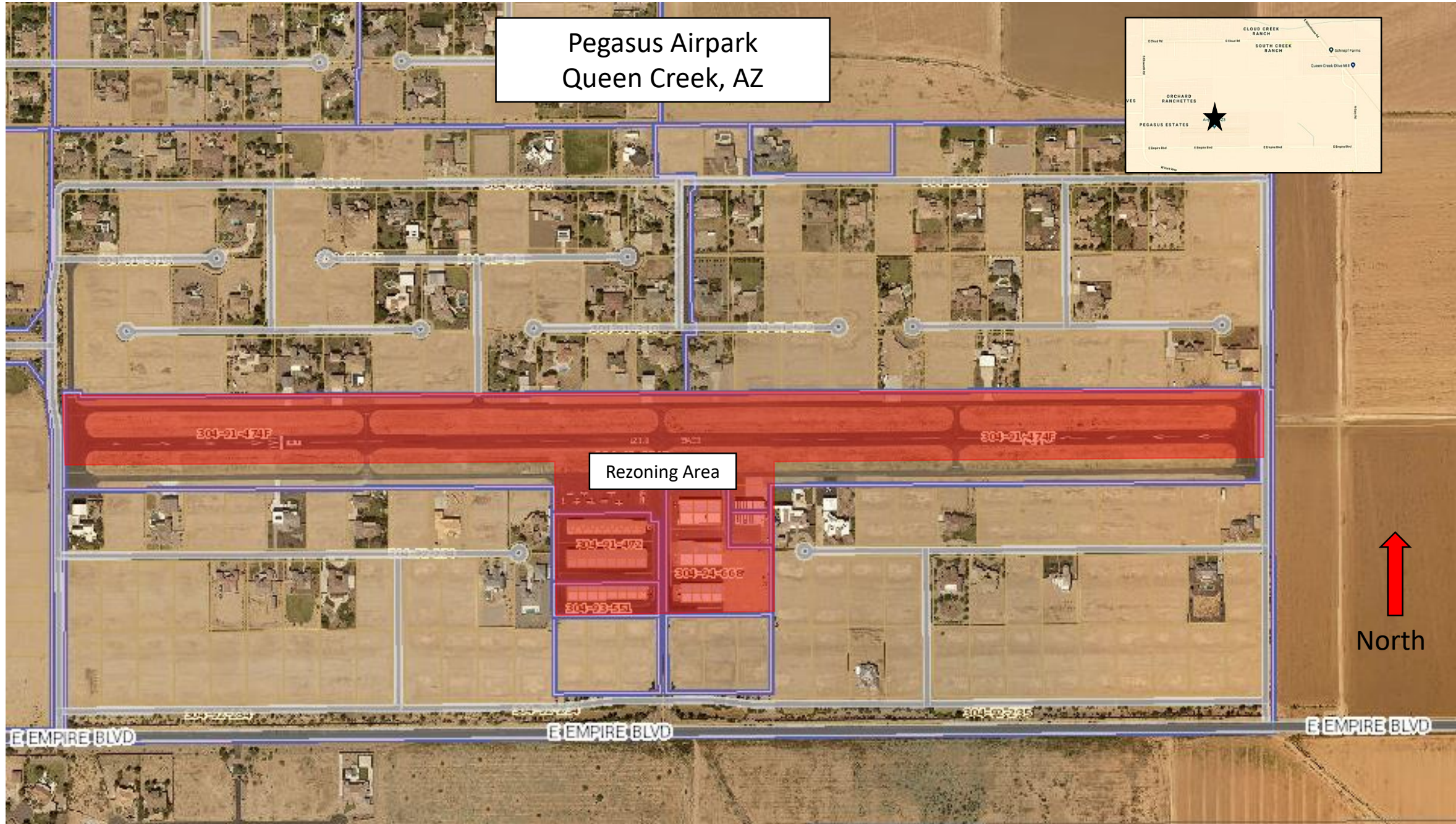
~~20. Medical, police and similar emergency service aircraft, regardless of type may utilize Pegasus Airpark at any time as needed for public safety purposes.~~

- ~~21. The Conditional Use Permit approved in case number CU12-001 is effective upon signature by the property owner of the Prop 207 waiver and filing of the waiver with the Town of Queen Creek Planning Division. Failure to sign and return the waiver to the Planning Division within 5 working days of the date of approval shall render this conditional approval null and void.~~
- ~~22. The Pegasus Flight Association shall complete a third party independent noise study on or before April 18, 2017, and every five years thereafter, and submit the results of the study to the Town to verify the Airpark has not exceeded the 65DNL noise level standard established by the Town Council.~~

Rationale: All Municipal and public airports operating in the United States and Arizona must comply with the FAA dictated 65 DNL guidelines. The surrounding airports, Chandler, Mesa Falcon Field, and Mesa Gateway all must comply with this rule and are subject to regular noise studies. These airports have operations of Chandler - 550, Falcon - 900, Gateway - 800 operations per day. (source www.airnav.com) These airports are on record complying with the FAA 65 DNL standard. When compared to Pegasus operations of 67 per month, how is it possible for Pegasus to be out of compliance? Pegasus has less than 100 operational aircraft on the field and typically has less than 10 operations per day on average in our busiest months. It is not physically possible for Pegasus to be in non-compliance with the FAA 65 DNL standard. As noted in comments to requirements of rule 6, Pegasus Airpark is a very small part less than .0125% of the aircraft traffic in the area of Queen Creek. As shown in the attached document and at: : <http://aftw.org/wp/wp-content/uploads/2014/08/LTA-P50-31.pdf> there are in excess of 800 aircraft flights per day. Pegasus would account for .0125% of that traffic.

*For additional information on airport noise and the FAA 65 DNL please see:
https://www.faa.gov/regulations_policies/policy_guidance/noise/basics/
https://www.faa.gov/airports/environmental/airport_noise/*

Pegasus Airpark
Queen Creek, AZ



Revised Conditions of Approval for Pegasus Airpark - Tracked Changes

Original Condition Number	Text	Change	Rationale	New Condition Number
-	This project shall be developed in accordance with the plans attached to this case and all the provisions of the Zoning Ordinance applicable to this case	Added		1
1	The total number quantity of planes allowed on the entire Pegasus Airpark Development shall not exceed 225; this shall include both the residential area and the FBO. The maximum quantity of planes allowed on the FBO shall not exceed 92 planes. This provision allows for there to be a lesser quantity of planes than 92 at the FBO, with a greater quantity of planes allowed in the residential area, provided that the total quantity of planes does not exceed 225 for the entire Pegasus Airpark Development	Retained		2
2	Prior to seeking plat approval or any pre-development site activity, any required State and Federal Aviation Administration authorization of the aviation use must be obtained; and, further, there shall be no runway or other aviation lighting other than the minimum required for fixed-wing or day or night operation. Aviation lighting shall only consist of pilot-controlled or activated lighting. No continuous lighting shall occur except for pilot-activated beacon lighting. However, this shall not prohibit the standard FAA approved light, illuminating a windsock for wind speed direction.	Removed	Pegasus Airpark has operated according to the rules and guidelines established by the FAA and the Town of Queen Creek for the past 21 years. Operation as a private airpark does not require installation of an airport beacon or other enhanced lighting.	-
3	Residential lots shall not be less than one acre in area, exclusive of rights-of-way and taxiway easements; with overall density not exceeding .75 dwelling units per gross acre.	Removed	This original condition was met in 2003 when the airpark runway and reidnetial plats were recorded.	-
4	This Special Use approval specifically does not constitute plat or plan of development approval (noting, in particular, access problems on the schematic plan) and it is noted that separate, direct vehicular access to the fixed-base operations, runway and other aviation-related common facilities is required. Prior to any building permits or zoning clearances being issued for the FBO developer shall receive site plan (plan of development) approval from the Town Council.	Removed	This condition was satisfied with the development of the runway.	-
5	The following commercial uses are prohibited: charter, courier, commercial flight schools, scheduled air service and crop dusting.	Retained		3
6	The development shall adopt, and shall enforce by means of effective sanctions, rules prohibiting (except where violations are necessary for safety reasons) "touch and goes." Developer shall establish normal and recommended procedures for general aviation including approach and departure patterns that attempt to minimize noise over residential areas.	Removed	Pegasus Airpark has adopted the requested rule prohibiting "touch and goes" and they are published in the Pegasus Airpark Operation and Safety Regulations. Violations of the rules may be punishable by fines and temporary or permanent suspension by the Flight Association.	
7	All aviation-related buildings (including, but not limited to, hangers and service buildings) are required to be screened from perimeter street view by an approved landscape plan and installation	Removed	This condition was satisfied with the development of the runway.	
8	Required street, drainage and other dedications shall be completed prior to seeking plan of development approval.	Removed	This condition was satisfied with the development of the runway.	
9	Aircraft noise shall not exceed a level of 65 DNL at any boundary of the site. Pegasus Airpark shall be required to submit annual noise reports to the Town. Violation of this noise level will result in the Town issuing a warning to the Airpark. If the Airpark fails to take action against the violator(s) or the noise level is continued to be violated within the next 12 months by any airpark user then within three (3) months after the warning is received then this may be cause for the Town Council to conduct a Public Hearing(s) and consider revoking the Special Use Permit for the airpark. In any event the Special Use Permit shall not be revoked for violation of 65 DNL standard if the Airpark is exercising due diligence in bringing legal action in a court of competent jurisdiction to enjoin the violation.	Modified	All municipal and public airports operating in the United States and Arizona must comply with the FAA-dictated 65 DNL guidelines, making this conditions unnecessary and redundant. Moreover, since it's inception, Pegasus Airpark has operated without complaint, rendering the noise studies overly burdensome and unnecessary. Finally, there are mechanisms in place in the airpark's Operation and Safety regulations that allow the association to impose punishments for violations of the noise regulations. The condition NOW READS: Aircraft noise shall not exceed a level of 65 DNL at any boundary of the site.	4
10	The Town shall have the right to review Airpark operation performance to ensure compliance with the these conditions <u>Special Use Permit</u> . Review of airpark performance shall include, but not be limited to, review of all FBO and flight association operations, such as investigation of books, accounts, reports, correspondence and audits.	Modified		5
11	Hangar and tie-down construction at the FBO site may be allowed prior to residential house construction in accordance with the following: up to 50% of the total planes allowed on the f.b.o (46 planes of the 92 allowed). Once hangar or tie-down construction is completed to allow 46 planes, then one additional hangar may be allowed for every house constructed and a certificate of occupancy (c of o) issued by the town for the house. In general FBO development should be phased to coincide with residential occupancy in the subdivision.	Removed	This condition was satisfied with the development of the runway and related hangars.	
12	Aircraft allowed to operate from Pegasus Airpark shall be limited to fixed-wing aircraft powered by piston (both gas and diesel engines), turbine, turbo fan, jet engines, as well as potential future equivalent propulsion technologies (i.e., electric powered, hydrogen, etc.) with a maximum take-off weight of 12,500 pounds or less and approach speed of less than 121 knots and wing span of less than 79 feet. Aircraft which are not fully Stage 3 noise compliant as defined by the FAA or which do not comply with the operational limits above related to weight, approach speed and wingspan are prohibited, as are ultra-light aircraft and powered parachutes. Light Sport category aircraft, as defined by the FAA, are not included in this prohibition. The specifications for this airpark shall be published and maintained in the CC and R's for the property, the Flight Association and the FAA airport facilities directory.	Retained		6

13	The airpark shall be operated solely as a private airpark for use by residents of the Pegasus Airpark Development, and members of the flight association and their guests. Guests may be allowed of either residents of the airpark development or flight association members provided that guests have express prior permission from the airpark development or flight association members. Guests will not be allowed by those persons who own or lease hangars or own or lease tie-downs and do not reside on permanent basis at Pegasus Airpark. The exception to this requirement shall be for emergency landings. Such prior permission shall be granted only to persons having a bona fide reason for landing at the airpark, such as persons staying overnight or longer with Pegasus Airpark residents or flight association members who also reside at Pegasus Airpark. No person other than those defined herein shall be permitted to use the airpark, including by way of example and not limitation, those persons visiting for the sole purpose of refueling. This requirement shall be so stated in the appropriate C, C, and R's and the Federal Aviation Administration's Airport Facilities Directory. This in no way shall prohibit bonafide potential buyers to land at the airpark, nor prohibit special lot sales promotions during the initial phases of development of the airpark.	Modified	With less than 10 flights per month operating at Pegasus Airpark, this restriction on guests seems heavy-handed and unnecessary. The flights association respectfully requests that the Town allow it to manage guest privileges in the airpark as written in the Airpark Operation and Safety Regulations. The regulations pertaining to guest privileges provide for property storage of guest aircraft and the requirement to notify the Airport Manager when a guest is scheduled to arrive. NOW READS: The airpark shall be operated solely as a private airpark for use by residents of the Pegasus Airpark development, members of the flight association and their guests.	7
14	100 Low Lead and Jet-A aircraft fuel is to be sold to members of the Flight Association and their authorized parties only through the use of a private card-lock system.	Modified	Modified to allow those with a private card lock system to purchase fuel.	8
15	Developer shall be required to meet all applicable Federal Aviation Administration fuel storage requirements and report to the Town that applicable fuel storage facilities are in compliance. Reporting mechanism to the Town shall, at a minimum, is via a copy of the notice of approval by the appropriate regulatory agency.	Retained		9
16	Any fuel system allowed on the property shall be designed as a private card-lock system for members of the HOA or flight association only.	Removed	Combined with Condition # 15, above.	
17	The Developer shall submit a new "Notice of Proposed Landing Area" to the FAA for airspace approval. Documentation of this approval shall be submitted to the Town prior to issuance of any building permits.	Removed	This condition was satisfied with the development of the runway.	
18	Within 30 days of the date of Council's decision on this Special Use Permit, the applicant/developer shall pay to the Town of Queen Creek for all airport consulting costs up to \$1,500. NOTE: This condition was completed in 1998	Removed	This condition was satisfied in 1998.	
19	Location and design of a Jet-A aviation fuel tank shall be approved by staff.	Removed	This condition was satisfied with the development of the runway.	
20	Medical, police and similar emergency service aircraft, regardless of type may utilize Pegasus Airpark at any time as needed for public safety	Removed	Emergency access to Pegasus Airpark is regulated by the FAA, making this condition unnecessary and redundant.	
21	The Conditional Use Permit approved in case number CU12-001 is effective upon signature by the property owner of the Prop 207 waiver and filing of the waiver with the Town of Queen Creek Planning Division. Failure to sign and return the waiver to the Planning Division within 5 working days of the date of approval shall render this conditional approval null and void.	Removed	The Prop. 207 Waiver that was the subject of this condition was signed and provided to the Town of Queen Creek as required. It is worth noting that a new Prop. 207 Waiver has been signed and provided to the Town.	
22	The Pegasus Flight Association shall complete a third party independent noise study on or before April 18, 2017, and every five years thereafter, and submit the results of the study to the Town to verify the Airpark has not exceeded the 65DNL noise level standard established by the Town Council.	Removed	All municipal and public airports operating in the United States and Arizona must comply with the FAA-dictated 65 DNL guidelines, making this conditions unnecessary and redundant. Moreover, since it's inception, Pegasus Airpark has operated without complaint, rendering the noise studies overly burdensome and unnecessary.	

**Pegasus Airpark Flight Association
PAD Rezoning Request
Summary of Neighborhood Meeting
June 20, 2019
Hangar # L5, Pegasus Airpark**

The meeting began at 6:00 p.m.

The meeting was attended by 29 interested parties, in addition to Sean Lake and Vanessa MacDonald from Pew & Lake, PLC, Land Use Counsel for the Pegasus Airpark Flight Association. Kyle Barichello from the Town of Queen Creek was in attendance as well. Sign-in sheets are attached to this summary, as well as comment cards provided by some of the attendees.

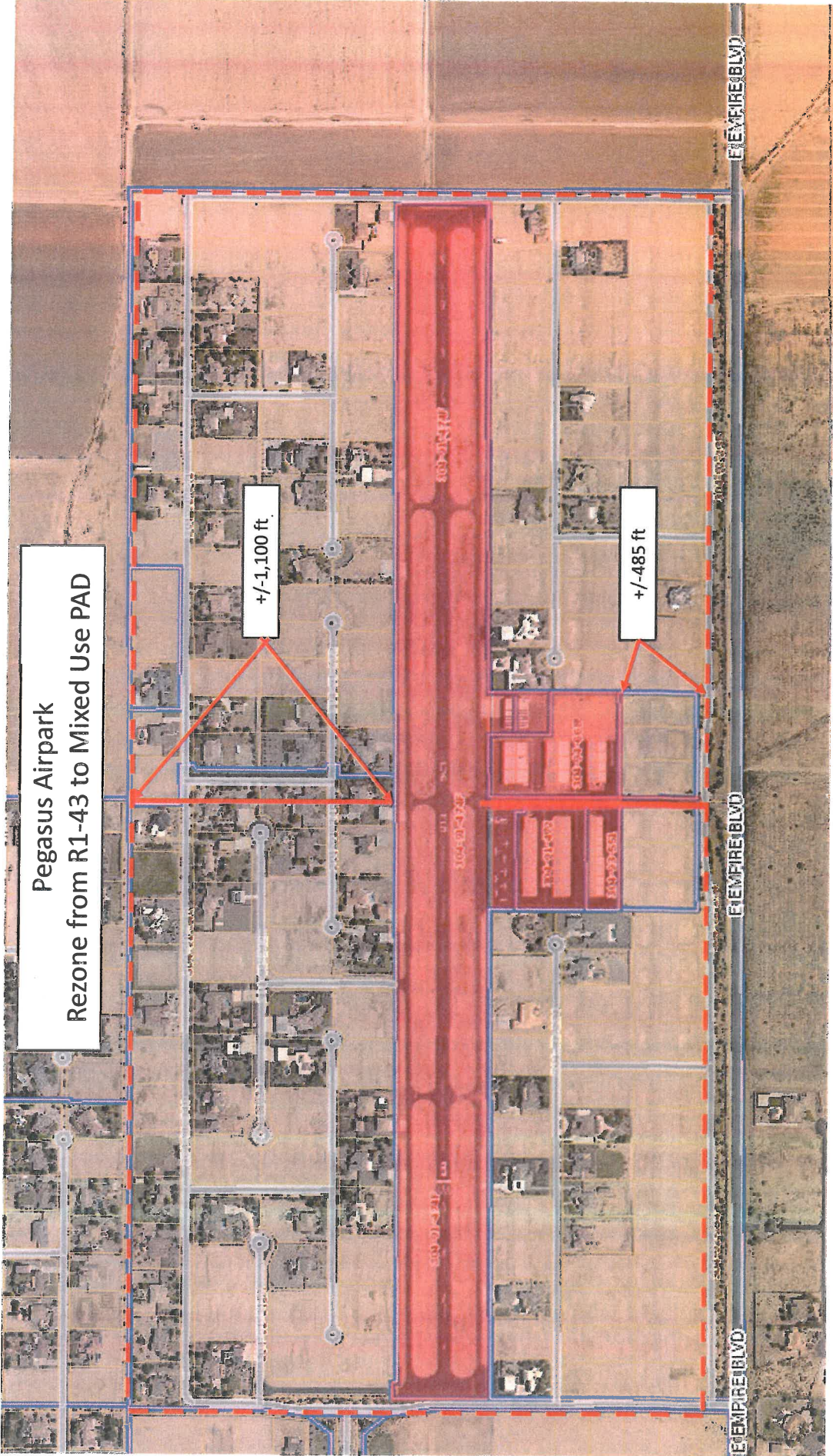
The attendees were given the attached handouts, which included a graphic depicting the property subject to the rezoning, and Conditions of Approval that are being proposed to the Town as part of the rezoning ordinance.

Mr. Lake also explained that the main purpose of the rezoning effort is to establish permanency to the airpark operations, and to remove the revocability that is characteristic of a Use Permit, under which the Airpark currently operates.

Mr. Lake also outlined the steps in the rezoning process: 1) resubmittal of the application materials, 2) receive more staff comments, if necessary, 3) consideration at the Planning Commission, 4) consideration and action by the Town Council. He indicated that the case could likely be heard in August by the Planning Commission and September at the Town Council.

There were no questions from the attendees, and the meeting adjourned at 6:20.

Pegasus Airpark
Rezone from R1-43 to Mixed Use PAD



+/- 1,100 ft

+/- 485 ft

EMPIRE BLVD

EMPIRE BLVD

EMPIRE BLVD

**Complete list of Redlined Conditions of Approval for Pegasus Airpark
from Case SU01-97 and Cases CU12-001/SP12-002**

1. The total quantity of planes allowed on the entire Pegasus Airpark Development shall not exceed 225; this shall include both the residential area and the FBO. The maximum quantity of planes allowed on the FBO shall not exceed 92 planes. This provision allows for there to be a lesser quantity of planes than 92 at the FBO, with a greater quantity of planes allowed in the residential area, provided that the total quantity of planes does not exceed 225 for the entire Pegasus Airpark Development. Ok as is.
- ~~2. Prior to seeking plat approval or any pre-development site activity, any required State and Federal Aviation Administration authorization of the aviation use must be obtained; and, further, there shall be no runway or other aviation lighting other than the minimum required for fixed wing or day or night operation. Aviation lighting shall only consist of pilot-controlled or activated lighting. No continuous lighting shall occur except for pilot-activated beacon lighting. However, this shall not prohibit the standard FAA approved light, illuminating a windsock for wind speed direction.~~
- ~~3.2. Residential lots shall be not less than one acre in area, exclusive of rights-of-way and taxiway easements; with overall density not exceeding .75 dwelling units per gross acre.~~
- ~~4. This Special Use approval specifically does not constitute plat or plan of development approval (noting, in particular, access problems on the schematic plan) and it is noted that separate, direct vehicular access to the fixed base operations, runway and other aviation-related common facilities is required. Prior to any building permits or zoning clearances being issued for the FBO developer shall receive site plan (plan of development) approval from the Town Council.~~
- ~~5.3. The following commercial uses are prohibited: charter, courier, commercial flight schools, scheduled air service and crop dusting. OK as is.~~
- ~~6. The development shall adopt, and shall enforce by means of effective sanctions, rules prohibiting (except where violations are necessary for safety reasons) "touch and goes." Developer shall establish normal and recommended procedures for general aviation including approach and departure patterns that attempt to minimize noise over residential areas.~~

Rationale: Pegasus Airpark has adopted the requested rules prohibiting "touch and goes" it is published in our internal rules and regulations, and enforced via the CTAF (123.0) frequency anytime it is seen happening. The Flight board and airport manager and members all help to make sure that Pegasus is a good neighbor to the surrounding community.

Rules and regulations concerning flight paths and pattern operations are governed by the FAA. Pegasus Airpark has no specific "approach or departure" specified by the FAA.

Pegasus does follow the FAA convention of flight patterns for takeoff and landing as specified in the FAA FAR/AIM (Federal Aviation Regulations/Airman's Information Manual) as do all airports. The operational procedures are published in the FAA Airport Facility Directory, (link: https://www.faa.gov/air_traffic/flight_info/aeronav/digital_products/dafd/search/advanced/ which is the source for information published on airport information websites and printed publications. Traffic patterns around Pegasus are at the specified 1000' AGL levels set by the FAA for fixed wing operations in congested areas.

- ~~7. All aviation-related buildings (including, but not limited to, hangars and service buildings) are required to be screened from perimeter street view by an approved landscape plan and installation.~~
- ~~8. Required street, drainage and other dedications shall be completed prior to seeking plan of development approval.~~
- ~~9. Aircraft noise shall not exceed a level of **65 DNL** at any boundary of the site. Pegasus Airpark shall be required to submit annual noise reports to the Town. Violation of this noise level will result in the Town issuing a warning to the Airpark. If the Airpark fails to take action against the violator(s) or the noise level is continued to be violated within the next 12 months by any airpark user then within three (3) months after the warning is received then this may be cause for the Town Council to conduct a Public Hearing(s) and consider revoking the Special Use Permit for the airpark. In any event the Special Use Permit shall not be revoked for violation of 65 DNL standard if the Airpark is exercising due diligence in bringing legal action in a court of competent jurisdiction to enjoin the violation.~~

4.

Rationale: All Municipal and public airports operating in the United States and Arizona must comply with the FAA dictated 65 DNL guidelines. The surrounding airports, Chandler, Mesa Falcon Field, and Mesa Gateway all must comply with this rule and are subject to regular noise studies. Shown below are number of flights per day from surrounding airports:

<i>Airport</i>	<i>Flights per Day</i>
<i>Chandler Municipal Airport</i>	<i>550</i>
<i>Falcon Field</i>	<i>900</i>
<i>Gateway Airport</i>	<i>800</i>
<i>Pegasus Airpark</i>	<i>Less than 10</i>

For additional information on airport noise and the FAA 65 DNL please see:
https://www.faa.gov/regulations_policies/policy_guidance/noise/basics/
https://www.faa.gov/airports/environmental/airport_noise/

~~10.5.~~ The Town shall have the right to review Airpark operation performance to ensure compliance with the special use permit. Review of airpark performance shall include, but not be limited to, review of all FBO and flight association operations, such as investigation of books, accounts, reports, correspondence and audits. OK as is.

~~11. Hangar and tie-down construction at the FBO site may be allowed prior to residential house construction in accordance with the following: up to 50% of the total planes allowed on the f.b.o (46 planes of the 92 allowed). Once hangar or tie-down construction is completed to allow 46 planes, then one additional hangar may be allowed for every house constructed and a certificate of occupancy (c of o) issued by the town for the house. In general FBO development should be phased to coincide with residential occupancy in the subdivision.~~

~~12.6.~~ Aircraft allowed to operate from Pegasus Airpark shall be limited to fixed-wing aircraft powered by piston (both gas and diesel engines), turbine, turbo fan, jet engines, as well as potential future equivalent propulsion technologies (i.e., electric powered, hydrogen, etc.) with a maximum take-off weight of 12,500 pounds or less and approach speed of less than 121 knots and wing span of less than 79 feet. Aircraft which are not fully Stage 3 noise compliant as defined by the FAA or which do not comply with the operational limits above related to weight, approach speed and wingspan are prohibited, as are ultra-light aircraft and powered parachutes. Light Sport category aircraft, as defined by the FAA, are not included in this prohibition. The specifications for this airpark shall be published and maintained in the CC and R's for the property, the Flight Association and the FAA airport facilities directory.

Rationale: Pegasus Airpark has adopted the requested rules prohibiting non single pilot aircraft, these are published in our internal rules and regulations, and enforced via the flight association. The primary limiting factor for Pegasus traffic is the runway and taxiway pavement that is in place. The pavement is also the most costly investment in the airpark. This pavement is not rated or capable of supporting aircraft heavier than 12,500 lbs. For Pegasus to allow such traffic would be a violation of our agreement with the Town and destructive to our investment in our infrastructure. Pegasus is not designed to handle nor does it want to allow aircraft larger than what is known today as "Single Pilot Aircraft", which formerly has been referred to as 12,500 lbs or less. As we go through this zoning process we would request that we update terminology to more accurate descriptions for 2019. This is one of those items.

Concerning aircraft wingspan: Pegasus is not designed to handle aircraft as large as listed in this section of operational limitations from the Town. An aircraft with a wingspan larger than 65' would be impossible to taxi or move under its own power in the vicinity of the hangar area. The hangar areas have a clearance of 80' between buildings, any aircraft near that wingspan simply will not fit within the airpark. The current largest wingspans on the field is Beechcraft King Air at 50' - 3", and a Pilatus PC-12 at 53' - 4".

~~13. That the airpark shall be operated solely as a private airpark for use by residents of the Pegasus Airpark Development, and members of the flight association and their guests. . Guests may be allowed of either residents of the airpark development or flight association members provided that guests have express prior permission from the airpark development or flight association members. Guests will not be allowed by those persons who own or lease hangars or own or lease tie-downs and do not reside on permanent basis at Pegasus Airpark. The exception to this requirement shall be for emergency landings. Such prior permission shall be granted only to persons having a bona fide reason for landing at the airpark, such as persons staying overnight or longer with Pegasus Airpark residents or flight association members who also reside at Pegasus Airpark. No person other than those defined herein shall be permitted to use the airpark, including by way of example and not limitation, those persons visiting for the sole purpose of refueling. This requirement shall be so stated in the appropriate C, C, and R's and the Federal Aviation Administration's Airport Facilities Directory. This in no way shall prohibit bonafide potential buyers to land at the airpark, nor prohibit special lot sales promotions during the initial phases of development of the airpark.~~

~~7.~~

~~14.8.~~ 100 Low Lead and Jet-A aircraft fuel is to be sold to members of the Flight Association and their authorized parties only through the use of a private card-lock system.

~~15.9.~~ Developer shall be required to meet all applicable Federal Aviation Administration fuel storage requirements and report to the Town that applicable fuel storage facilities are in compliance. Reporting mechanism to the Town shall, at a minimum, is via a copy of the notice of approval by the appropriate regulatory agency.

~~16.~~ Any fuel system allowed on the property shall be designed as a private card-lock system for members of the HOA or flight association only.

~~17.~~ The Developer shall submit a new "Notice of Proposed Landing Area" to the FAA for airspace approval. Documentation of this approval shall be submitted to the Town prior to issuance of any building permits.

~~18.~~ Within 30 days of the date of Council's decision on this Special Use Permit, the applicant/developer shall pay to the Town of Queen Creek for all airport consulting costs up to \$1,500. **NOTE:** This condition was completed in 1998.

~~19.~~ Location and design of a Jet-A aviation fuel tank shall be approved by staff.

~~20.~~ Medical, police and similar emergency service aircraft, regardless of type may utilize Pegasus Airpark at any time as needed for public safety purposes.

~~21. The Conditional Use Permit approved in case number CU12-001 is effective upon signature by the property owner of the Prop 207 waiver and filing of the waiver with the Town of Queen Creek Planning Division. Failure to sign and return the waiver to the Planning Division within 5 working days of the date of approval shall render this conditional approval null and void.~~

~~22. The Pegasus Flight Association shall complete a third party independent noise study on or before April 18, 2017, and every five years thereafter, and submit the results of the study to the Town to verify the Airpark has not exceeded the 65DNL noise level standard established by the Town Council.~~

Rationale: All Municipal and public airports operating in the United States and Arizona must comply with the FAA dictated 65 DNL guidelines. The surrounding airports, Chandler, Mesa Falcon Field, and Mesa Gateway all must comply with this rule and are subject to regular noise studies. These airports have operations of Chandler - 550, Falcon - 900, Gateway - 800 operations per day. (source www.airnav.com) These airports are on record complying with the FAA 65 DNL standard. When compared to Pegasus operations of 67 per month, how is it possible for Pegasus to be out of compliance? Pegasus has less than 100 operational aircraft on the field and typically has less than 10 operations per day on average in our busiest months. It is not physically possible for Pegasus to be in non-compliance with the FAA 65 DNL standard. As noted in comments to requirements of rule 6, Pegasus Airpark is a very small part less than .0125% of the aircraft traffic in the area of Queen Creek. As shown in the attached document and at : <http://aftw.org/wp/wp-content/uploads/2014/08/LTA-P50-31.pdf> there are in excess of 800 aircraft flights per day. Pegasus would account for .0125% of that traffic.

*For additional information on airport noise and the FAA 65 DNL please see:
https://www.faa.gov/regulations_policies/policy_guidance/noise/basics/
https://www.faa.gov/airports/environmental/airport_noise/*

**Pegasus Airpark
Conditions of Approval
Proposed by Pegasus Airpark
June 2019**

1. The total number of planes allowed on the entire Pegasus Airpark Development shall not exceed 225; this number includes both the residential area and the FBO. The maximum quantity of planes allowed on the FBO is 92 planes. There may be fewer than 92 planes at the FBO, with a greater number of planes in the residential area, provided that the combined total does not exceed 225 for the entire Pegasus Airpark Development.
2. The following commercial uses are prohibited: charter, courier, commercial flight schools, scheduled air service and crop dusting.
3. Aircraft noise shall not exceed a level of **65 DNL** at any boundary of the site.
4. The Town shall have the right to review Airpark operation performance to ensure compliance with these conditions. Review of airpark performance shall include, but not be limited to, review of all FBO and flight association operations, books, accounts, reports, correspondence and audits.
5. Aircraft allowed to operate from Pegasus Airpark shall be limited to fixed-wing aircraft powered by piston (both gas and diesel engines), turbine, turbo fan, jet engines, as well as potential future equivalent propulsion technologies (i.e., electric powered, hydrogen, etc.), or known as single pilot aircraft. Approach speeds shall be less than 121 knots and wing spans shall be less than 79 feet. Aircraft that are not fully Stage 3 noise compliant as defined by the FAA or that do not comply with the operational limits above related to weight, approach speed and wingspan are prohibited, as are ultra-light aircraft and powered parachutes. Light Sport category aircraft, as defined by the FAA, are not included in this prohibition. The specifications for this airpark shall be published and maintained in the CC and R's for the property, the Flight Association and the FAA airport facilities directory.
6. The airpark shall be operated solely as a private airpark for use by residents of the Pegasus Airpark Development, members of the flight association and their guests.
7. 100 Low Lead and Jet-A aircraft fuel is to be sold only to members of the Flight Association and their authorized parties through the use of a private card-lock system.
8. Developer shall be required to meet all applicable local, state and federal regulations relating to fuel storage and dispensing, and upon request will

provide a report to the Town that applicable fuel storage facilities are in compliance with those regulations. The reporting mechanism to the Town shall be, at a minimum, a copy of the notice of approval by the appropriate regulatory agency.

Pegasus Airpark Flight Association
NEIGHBORHOOD MEETING
 Sign-In Sheet

Applicant:

Pegasus Airpark Flight Association

Property Location:

North side of Empire Road and east of Ellsworth Road in Queen Creek

Date:

June 20, 2019

Meeting Location:

Pegasus Airpark Hangar
 26559 S. Crismon Road
 Queen Creek, AZ 85242

Time:

6:00 PM

Case:

#	NAME	ADDRESS	ZIP	Email	PHONE
1	Charlie Morgan	1999 E. Elaine Circle QC	85142	cpmorgan@hotmail.com	602-369-7421
2	Nelson Garrison	P.O. Box 459 Queen Creek AZ 8514	85142	AZNA.SONG@GMAIL.COM	602 571 3297
3	Bart Powell	21361 E Pegasus Pkwy	85142	Bart@RADServices.com	480-688-7411
4	Steve Lewis	21615 E Orion Way QC, AZ 85142		slewis-az@hotmail.com	319-750-2944
5	Keith Stratenberg	2423 E Torrey Pines Lane Chandler 85249		KEITH.Stratenberg@gmail.com	480-560-7216
6	STEVE DAY	21902 E STACEY RD	85142	STEPHEN.DAY@COX.NET	602 677 0764
7	Kelly Pack	21927 E. STACEY RD Q.C.	85142	KELLY@BLACKHANDHOME.COM	602-725-0944
8	Jim Runkus	4963 S. Moss Dr. Chandler, AZ	85248	TJRunkus@juno.com	480-802-8520
9	Robert Charette	21975 E. Orion Way Queen Creek AZ	85142	RICHARRETT@Gmail.com	703-994-2339
10	Todd Nuttall	21326 E Stacey Rd Queen Creek	85142	Todd@copilot4biz.com	480-988-0890
11	ROGER PAREUS	1951 W. ORZOLE WAY CHANDLER	85286	RADWEWS1@YAHOO.COM	480-738-6193
12	Ken Foster	21551 E ORION QC	85142	Ken@kfoster.com	530 208 8002

Pegasus Airpark Flight Association
NEIGHBORHOOD MEETING
 Sign-In Sheet

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Property Location:

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Pegasus Airpark Hangar
 26559 S. Crismon Road
 Queen Creek, AZ 85242

Time:

6:00 PM

Case:

#	NAME	ADDRESS	ZIP	Email	PHONE
1	Frank Gillen	21258 E Orion Way Q.C.	85142	FGillen@Abd.com	480-773-0961
2	Clyde Lisa Spencer	21262 E. Stacey Rd	"	cuspencer@yahoo.com	480-540-7947
3	Cheryl McHall	21326 E. Stacey Rd	85142	Cheryl2copilot4biz.com	480-988-0890
4	JENNIFER KELLHER RONALD DESPAIN	21693 E. Pegasus Parkway	85142	rdespain2@cox.net	480-694-5124
5	Eric and Stacy Ames	21738 E. Pegasus Pkwy	85142	stacyames@msn.com	480-540-0593
6	Betty Pearce	P.O. Box 343 Walworth WI	53184	bj3523b@yahoo	602-300-6893
7	Jim & Bonnie Wasson	21816 E. Pegasus Pkwy	85142	jimwasson46@gmail.com	480-766-6872
8	PISI'AK S & A	21251 E Stacey Rd QC	85142	SONNYPISI'AK@GMAIL.COM	480-282-7512
9	Carol Mace	21297 E. ORION WAY	85142	CMACE57030@aol.com	602-531-9303
10	ED CARDINAL	21268 E. PEG PKW	85142	REDBIRDMAN@MSN.COM	908 407 5409
11					
12					

Pegasus Airpark Flight Association
NEIGHBORHOOD MEETING
 Sign-In Sheet

Applicant:

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Property Location:

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Meeting Location:

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 Queen Creek, AZ 85242

Time:

6:00 PM

Case:

#	NAME	ADDRESS	ZIP	Email	PHONE
1	PATRICK McCLURE	21850 E Stacey Rd QC	85142	patwmcclure@cox.net	602-432-3086
2	PETE DIAZ	21494 E PEGASUS PKWY	85142	PETE@PITTSFM.COM	480-353-7559
3					
4					
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12					

Pegasus Airpark Flight Association

NEIGHBORHOOD MEETING

6:00PM- June 20, 2019

COMMENT CARD

NAME Bert Powell PHONE 480-688-5411

ADDRESS 21361 E Pegasus Plwy

COMMENT: I am glad this is finally getting done

Pegasus Airpark Flight Association

NEIGHBORHOOD MEETING

6:00PM- June 20, 2019

COMMENT CARD

NAME Steve Lewis PHONE 319-750-2948

ADDRESS 21615 E Onion Way, Queen Creek, AZ 85142

COMMENT: Great Community + Neighbors.
Good Plans +

Fam in Favor!

Pegasus Airpark Flight Association

NEIGHBORHOOD MEETING

6:00PM- June 20, 2019

COMMENT CARD

NAME Ken Foster PHONE 302088002

ADDRESS 21531 E ORION WAY QC

COMMENT: This is a well run community
and should be approved as a FAD.

Pegasus Airpark Flight Association

NEIGHBORHOOD MEETING

6:00PM- June 20, 2019

COMMENT CARD

NAME CAROL MACE PHONE 602-531-9303

ADDRESS 21297 E. ORION WAY, Queen Creek

COMMENT: Good PLAN, GREAT NEIGHBORHOOD. I AM
IN FAVOR OF THIS 6 VOTES

LOT 25 2 VOTES
2 HAUGARS 4 VOTES

Pegasus Airpark Flight Association

NEIGHBORHOOD MEETING

6:00PM- June 20, 2019

COMMENT CARD

NAME Eric & Stacy Ames PHONE 480 540 0593

ADDRESS 2738 E Pegasus Pkwy

COMMENT: This is a great idea! Lets do it.

Pegasus Airpark Flight Association

NEIGHBORHOOD MEETING

6:00PM- June 20, 2019

COMMENT CARD

NAME Todd Nuttall PHONE 480-988-0890

ADDRESS 21326 E Stacey Rd QC AZ 85142

COMMENT: We just moved into Pegasus in 2018. We spent \$1.5 million building a beautiful home here because of the quality of Pegasus Airpark & the unique access to aviation. We fully support this PAD zoning request.

Pegasus Airpark Flight Association

NEIGHBORHOOD MEETING

6:00PM- June 20, 2019

COMMENT CARD

NAME Robert Charlotte PHONE 703-994-2339

ADDRESS 21975 E Orion Way Queen Creek, AZ

COMMENT: Great facility, well run, and
quiet.

Pegasus Airpark Flight Association

NEIGHBORHOOD MEETING

6:00PM- June 20, 2019

COMMENT CARD

NAME Keith Strutzberg PHONE 480-560-7216

ADDRESS 2423 E Torrey Pines Lane Chandler 85249

COMMENT: Great plan please approve

Pegasus Airpark Flight Association
NEIGHBORHOOD MEETING
6:00PM- June 20, 2019
COMMENT CARD

NAME Frank Gillen PHONE 480 773 0961

ADDRESS 21258 E Orion Way

COMMENT: Good explanation

Pegasus Airpark Flight Association
NEIGHBORHOOD MEETING
6:00PM- June 20, 2019
COMMENT CARD

NAME FRED OLSON PHONE (870) 365-6214

ADDRESS Stacey Rd

COMMENT: Pegasus Airpark is an absolute jewel for the SE Valley. There's nothing else like it in the Phoenix Area - or in the state of AZ for that matter. Pegasus is an invaluable local asset. It's a unique facility that enhances the image of the area and the town of Queen Creek. Pegasus Airpark needs to be preserved and protected for those reasons.

Pegasus Airpark Flight Association
NEIGHBORHOOD MEETING

6:00PM- June 20, 2019

COMMENT CARD

NAME Charles Morgan PHONE 602-369-7421

ADDRESS 1991 E. Elaino Circle CC/AZ 85142

COMMENT: Pegasus Airpark has always served
as an educational engine to the aviation
program at Chandler Gilbert Community
College. I have been a tenured professor there
for over 15 years & Pegasus has become
a very important component of our educational
institution.

TOWN OF QUEEN CREEK NEIGHBORHOOD MEETING NOTICE

PROJECT: Pegasus Airpark PAD Rezone

REQUEST: Town of Queen Creek approval to Rezone the approximately 59.87-acres of the Pegasus Airpark runway and its associated airplane hangars from R1-43 CUP to Mixed Use PAD to allow for the continued operation of the existing runway and its associated hangars. No new development or expansions are included in this proposal.

APPLICANT: Pew & Lake, PLC 480-461-4670

DATE: June 20, 2019 @ 6:00 PM

LOCATION: Pegasus Airpark
26559 S. Crismon Rd. Queen Creek, AZ 85242

DEVELOPMENT SERVICES DEPARTMENT
22358 S. ELLSWORTH ROAD
QUEEN CREEK, ARIZONA 85142

PHONE: 480-358-3094 Website: www.queencreek.org



6/5/19 11:11:09

TOWN OF QUEEN CREEK NEIGHBORHOOD MEETING NOTICE

PROJECT: Pegasus Airpark PAD Rezone

REQUEST: Town of Queen Creek approval to Rezone the approximately 59.87-acres of the Pegasus Airpark runway and its associated airplane hangars from R1-43 CUP to Mixed Use PAD to allow for the continued operation of the existing runway and its associated hangars. No new development or expansions are included in this proposal.

APPLICANT: Pew & Lake, PLC 480-461-4670

DATE: June 20, 2019 @ 6:00 PM

LOCATION: Pegasus Airpark
26559 S. Crismon Rd. Queen Creek, AZ 85242

DEVELOPMENT SERVICES DEPARTMENT
22358 S. ELLSWORTH ROAD
QUEEN CREEK, ARIZONA 85142

PHONE: 480-358-3094 Website: www.queencreek.org



6/5/19 11:51:27

AFFIDAVIT OF SIGN POSTING

The undersigned Applicant has complied with the Town of Queen Creek's posting requirements for the project located 26559 S. Crismon Rd Queen Creek Rd, Az 85242 on June 5th, 2019.

See attached photo exhibit.

For applicant:
Pew and Lake, PLC

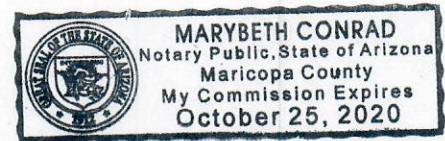
Dynamite Signs, Inc.
Sign Company Name

Malle
Sign Company Representative

Subscribed and sworn to be on this 5th day of June 2019 by
Maria Hitt

IN WITNESS WHEREOF, I Hereto set my hand and official seal.

MaryBeth Conrad
Notary Public



My Commission expires: 10.25.20