



Requesting Department:  
Community Development

**TO: PLANNING AND ZONING COMMISSION**

**THROUGH: TOM CONDIT, P.E.  
COMMUNITY DEVELOPMENT DIRECTOR**

**FROM: WAYNE BALMER, AICP  
PLANNING MANAGER**

**MIKE MCCAULEY  
PRINCIPAL PLANNER**

**DAVE WILLIAMS  
PLANNER**

**RE: PUBLIC HEARING AND POSSIBLE ACTION CU08-020 "PEGASUS  
AIRPARK HELICOPTERS AND JETS" A request by The Pegasus  
Airpark Flight Association, to amend stipulation #12 and #14 of  
Conditional Use Permit 01-97 to allow the operation of helicopters and  
very light jets (under 12,500 pounds) and a request for an additional fuel  
tank to be used for Jet-A aircraft fuel. The property is located  
approximately ¼ Mile east of Ellsworth Road north of Empire Road.**

**DATE: JULY 9, 2008**

#### **STAFF RECOMMENDATION**

Staff recommends approval of CU08-020 , "Pegasus Airpark, Helicopters and Jets" subject to the Conditions of Approval outlined in this report.

#### **RELEVANT COUNCIL GOAL**

Implements the Town of Queen Creek's General Plan.

#### **SUMMARY**

The proposal consists of a request by the Pegasus Airpark Flight Association to amend stipulation #12 and #14 of Conditional Use Permit 01-97 to allow for helicopters and very light jets (under 12,500 pounds) in addition to a request for a fuel tank for Jet-A aviation fuel. Currently aircraft are limited to piston powered fixed wing airplanes only

weighing less than 12,500 pounds. There is currently a fuel tank on site providing 100 Low Lead Fuel for the aircraft based at Pegasus.

## HISTORY

- June 20, 1994: Town Council approves the Special Use Permit (SU 07-94) 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.
- June 6, 2007: Town Council Approves Pegasus Airpark, Phase 5 Amended Plat (SD07-013) which reduced the number of aviation lots to 82.

## DISCUSSION

The applicant is requesting to amend stipulation #12 of Conditional Use Permit CU01-97 to allow for helicopters and very light jets (under 12,500 pounds) in addition to a fuel tank for Jet-A aviation fuel at Pegasus Airpark. Stipulation #12 currently states:

*Pegasus airport shall be designed in conformance with FAA design criteria for a B-II Airport Reference Code. The airport runway strength shall be designed to accommodate only those permitted aircraft that are propeller-driven, fixed-wing aircraft 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. Types of aircraft specifically prohibited are jets of any kind, ultra-lights, turbo-jets and helicopters. The specifications for this airpark shall be published and maintained in the C, C and R's to the property, the Flight Association and the FAA airport facilities directory.*

Additionally, the applicant is seeking to modify stipulation #14 which states:

*The FBO shall not advertise the commercial services offered by the facility. No jet fuel shall be sold anywhere within Pegasus Airpark.*

The applicant has provided the Town with a noise study done by Armstrong Consultants as part of their submittal package. The study indicates that the current noise level for the airport at the point of highest reading is 46.8 DNL which is an averaged day and night measurement. Using anticipated growth projections provided by the Flight Association over the next 10 years the anticipated noise level will be 52.4 DNL according to the report. The maximum noise level as established by the original

Conditional Use Permit (CU01-97) is 65 DNL.

The Flight Association believes that given increases in aviation technology over the past decade that the inclusion of very light jets and helicopters will allow for a broader mix of aircraft. Very light jets are typically 1-2 pilot aircraft with 3-4 passengers for a total of 6 occupants. Some examples of these very light jets would be the Eclipse 400 and 500 or the Citation Mustang. The flight association expects that some of the helicopters that would potentially be based at Pegasus may include the Exec 162, Robinson R-22 and R-44, Hughes 500, Bell Jet Ranger or Eurocopter A350 all of which represent helicopters that are 2-5 passenger aircraft and are a mixture of piston and turbine engines. Their narrative goes on to state that the very light jets may reduce the overall noise signature of the airpark since the very light jets would be replacing older and louder piston powered aircraft. They also indicate that the jet aircraft are certified to higher standards and have engines that are more reliable than piston engines and are flown by pilots with more experience and extensive training.

Staff is recommending approval of the applicant's request to allow Very Light Jets (Under 12,500 Pounds) and Helicopters to be allowed to operate at Pegasus Airpark. Staff does, however, feel that helicopter operations be prohibited from private residences and take place only from the runway, main taxiway and ramp area. This would involve the pilots towing the helicopters from their homes to the ramp area across existing taxiways, which is a common practice at other airports. Additionally, staff is proposing Stipulation # 4 that the Pegasus Airpark Flight Association shall develop recommended approach and departure procedures for the Very Light Jets, Helicopters and Fixed Wing Aircraft which takes into account the residential area surrounding the airport. The Developer was responsible for establishing the original flight patterns for the airport for piston powered fixed wing aircraft.

Additionally, this facility has been used in the past for helicopter operations on an emergency basis by med-evac and police helicopters as a safer option rather than landing in a roadway or unimproved desert area. The applicant has agreed to permit this continued use for emergency circumstances.

According to Neighborhood Preservation, there have been no aviation related complaints received by the Town over the past few years.

## ANALYSIS

**Public Comments:** Staff has received numerous comments both for and against this proposal. Those against the proposal believe it will diminish the property values and contribute to the noise generated at the airport. Those in favor of the proposal feel that it will increase property values and be of benefit to the community to allow more modern aircraft to operate at Pegasus. Copies of the public comments received to date are included in the attachment section.

## CONDITIONS OF APPROVAL

All stipulations from CU01-97 shall remain in full effect unless amended herein:

1. Stipulation #6 of CU01-97 shall be revised to the following: (Changes are underlined)

The Flight Association shall adopt, and shall enforce by means of effective sanctions, rules prohibiting (except where violations are necessary for safety reasons) "touch and goes, practice autorotations or simulated engine failures." The Flight Association shall establish normal and recommended procedures for general aviation including approach and departure patterns that attempt to minimize noise over residential areas. The procedures shall be published in appropriate FAA Facilities guides in addition to provided to all current and future members of the Flight Association.

2. Stipulation #12 of CU01-97 shall be revised to the following: (Changes are underlined)

Aircraft allowed to operate from Pegasus Airpark shall be limited to helicopters and fixed-wing aircraft powered by piston (both gas and diesel engines), turbine, turbo fan and/or jet engines, 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. All aircraft that are not fully Stage 3 noise compliant as defined by the FAA and comply with the operational limits above related to weight, approach speed and wingspan are specifically prohibited in addition to Ultra-lights and powered parachutes. The specifications for this airpark shall be published and maintained in the CC and R's to the property, the Flight Association and the FAA airport facilities directory.

3. Stipulation #14 of CU01-97 shall be revised to the following: (Changes are underlined)

The FBO shall not advertise the commercial services offered by the facility. 100 Low Lead and Jet-A aviation fuel may be sold to members of the Flight Association.

4. Helicopters shall operate from the FBO area, main taxiway or runway only. Under no circumstances are there to be any take off's, landings, or hover taxing at or near private residences or on secondary taxi-ways. An area on the ramp of the FBO shall be designated and marked as a Helipad area.
5. Location and design of a Jet-A aviation fuel tank shall be approved by Staff.

6. Emergency Medical, Sheriff's Office and other emergency services aircraft may utilize Pegasus Airpark any time without restriction.

<b>ATTACHMENTS</b>
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1. Narrative
2. Noise Study
3. Public Comments