

Snell & Wilmer

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May 5, 2023

Chair and Member of the Planning Commission
Planning and Development Department
City of Scottsdale
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

Re: Case No. 1-UP-2023 - Continuance Request

Dear Chair and Member of the Planning Commission:

This firm has just been engaged by Bros and Associates LLC—the owner of the property located directly north of the Applicant’s property—with respect to the Applicant’s request for a Conditional Use Permit in Case No. 1-UP-2023 scheduled to be heard by the City of Scottsdale Planning Commission on May 10, 2023.

Based on the limited materials provided, we have several questions and concerns regarding the safety, scope, and appropriateness of the proposed use. In particular, we lack sufficient information regarding the scope of the Applicant’s proposed helipad operations—including the size, class, and quantity of helicopters; the type of helicopter operations; and the frequency and timing of proposed helicopter flights—to evaluate potential impacts on our client’s adjacent property and to determine whether additional conditions/stipulations of approval may be appropriate. Further, the Applicant has not provided a copy of the Federal Aviation Authority (“FAA”) Determination Letter for Private Use Heliport, so we are unable to determine the effect of the Determination on this Conditional Use Permit application. Likewise, we have questions and concerns regarding the proposed helipad’s conformance with safety and operational standards, including:

- Whether the proposed helipad conforms to applicable FAA, State of Arizona, City of Scottsdale, and Scottsdale Airpark standards and guidelines;
- Whether the size and location of the helipad’s touch-down and lift-off, final approach and takeoff, and safety area zones comply with FAA design recommendations;

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- Whether the proposed helipad's location increases risks to health and safety, such as with respect to rotor downwash, particularly given its proximity to adjacent buildings and the shared taxiway;
- Whether the proposed helipad allows for appropriate aircraft maneuverability to and from the shared taxiway; and
- Whether there is sufficient fire access to the helipad.

It is our hope that further evaluation and investigation—including engaging an aviation consultant or engineer as necessary—can resolve most, if not all, of these questions and concerns. However, as we have just been engaged and given the limited information provided to us in the notice, we respectfully request a one-month continuance to provide us adequate time to address these questions and concerns.

Thank you for your consideration of this request. If you have any questions, please feel free to contact me at ccolyer@swlaw.com or (602) 382-6579.

Very truly yours,

Snell & Wilmer



Christopher Colyer