



Mail Processing Center
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Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2018-AWP-16554-OE

Issued Date: 01/31/2019

Mr. Dwight Alexander
Thunderbird Legacy Development LLC
2030 W. BASELINE ROAD, SUITE 182 B
PHOENIX, AZ 85041

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building 1st and Jackson
Location:	Phoenix, AZ
Latitude:	33-26-40.57N NAD 83
Longitude:	112-04-21.75W
Heights:	1082 feet site elevation (SE) 270 feet above ground level (AGL) 1352 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
 X Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 07/31/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before March 02, 2019. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager of the Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on March 12, 2019 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Policy Group via telephone – 202-267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Paul Holmquist, at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AWP-16554-OE.

Signature Control No: 388724502-395023765

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

ASNs

2018-AWP-16554-OE

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Abbreviations

AGL - above ground level

AAMSL - above mean sea level

RWY - runway

VFR - visual flight rules

IFR - instrument flight rules

NM - nautical mile

ASN- Aeronautical Study Number

CAT - category aircraft

Part 77 - Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

1. LOCATION OF PROPOSED CONSTRUCTION

This proposal is for a 270-foot AGL (1352-foot above AMSL) building on the southwest corner of 1st Street & Jackson, Phoenix AZ. At its closest point (ASN 2018-AWP-16557-OE), the building would be located approximately 13,159 feet (2.18 NM) west of the RWY 8 threshold at Phoenix Sky Harbor International Airport (PHX) Phoenix, AZ. The PHX airport elevation is 1135 feet above AMSL.

This narrative applies to three of the four corners of the proposed building. The four aeronautical study numbers, AGL/AMSL and coordinates expressed in latitude and longitude for the four corners are:

ASN	AGL/AMSL	Latitude/Longitude
2018-AWP-16554-OE	270/1352	33-26-40.57N/112-04-21.75W
2018-AWP-16555-OE	270/1352	33-26-41.76N/112-04-24.80W
2018-AWP-16556-OE	270/1352	33-26-40.41N/112-04-24.75W
2018-AWP-16557-OE	270/1352	33-26-40.37N/112-04-21.74W

2. OBSTRUCTION STANDARDS EXCEEDED

The structure is identified as an obstruction under the following Part 77 standards:

Section 77.17(a)(2): A height that is 200 feet above ground level or above the established airport elevation, whichever is higher, within three nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile of distance from the airport up to a maximum of 500 feet. This building would exceed the Phoenix Sky Harbor International Airport (PHX) Part 77.17(a)(2) surface by the following:

2018-AWP-16554-OE	PHX Part 77.17(a)(2) surface by 5 feet
2018-AWP-16556-OE	PHX Part 77.17(a)(2) surface by 1 feet
2018-AWP-16557-OE	PHX Part 77.17(a)(2) surface by 5 feet

3. EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR: No significant adverse effect. The proposed building would exceed the PHX Part 77.17(a)(2) surface by a maximum of 5 feet. Required obstruction lighting mitigates the penetration.

There are no effects on the VFR traffic pattern.

The impact on any existing or proposed arrival, departure, or en route IFR/VFR minimum flight altitudes: No significant adverse effect. The proposed building would exceed the PHX Part 77.17(a)(2) surface by a maximum of 5 feet. Required obstruction lighting mitigates the penetration.

There are no physical or electromagnetic effects on the operation of air navigation and communications facilities.

There are no effects on any airspace and routes used by the military.

The PHX Airport Master Record can be viewed/downloaded <http://www.gcr1.com/5010web/airport.cfm?Site=PHX>. It states there are 17 single-engine, 11 multi-engine, 28 jet, 8 military and 14 helicopter aircraft based there with 431,171 operations for the 12 months ending 28 February 2018 (latest information).

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR: None.

c. The impact on all planned public-use airports and aeronautical facilities: None.

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures: None.

4. CIRCULATION AND COMMENTS RECEIVED

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside VFR traffic pattern airspace. This does not affect the public's right to petition for review determinations regarding structures, which exceed the subject obstruction standards.

5. DETERMINATION - NO HAZARD TO AIR NAVIGATION

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth in this determination are met.

6. BASIS FOR DECISION

Study for possible VFR effect disclosed that the proposed structure would not have a substantial adverse effect on any existing or proposed arrival or departure VFR operations or procedures. In this case, the proposed building would exceed the PHX Part 77.17(a)(2) surface by a maximum of 5 feet. No other VFR issues could be identified and there are no IFR effects. The incorporation of obstruction lighting will mitigate the Part 77 surface penetrations and make the building more conspicuous to VFR traffic at night.

7. CONDITIONS

Within five days after the structure reaches its greatest height, proponent is required to file a FAA form 7460-2, Actual Construction notification, at the OE/AAA website (<http://oeaaa.faa.gov>). This actual construction

notification will be the source document detailing the site location, site elevation, structure height, and date structure was built for the FAA to map the structure on aeronautical charts and update the national obstruction database.

TOPO Map for ASN 2018-AWP-16554-OE



