

Meadow Lake Airport Association

13625 Judge Orr Road, Meadow Lake Airport (KFLY), Peyton, CO 80831-6051

Date: May 19, 2022

To: El Paso County Planning & Community Development

Subj: **Meadow Lake Commercial-Industrial Park (Rezone)**

Ref: (a) Meadow Lake Commercial Park (CS) (CS221)
(b) Meadow Lake Industrial Park (I-2) (I221)
(c) Meadow Lake Industrial Park (I-3) (I222)
(d) FAA Advisory Circular 150/5190B, "Airport Compatible Land Use Planning"

Representatives of the O'Neil Group met informally with members of the Meadow Lake Airport Association (MLAA) Board of Directors on Wednesday, May 11, to present a draft development plan and solicit our support for a Meadow Lake Industrial Park proposal. After due consideration, the MLAA is strongly opposed to this proposal.

The proposal is based on obtaining a re-zoning or special use variance of the existing commercial (CS) & light industrial (I-2) zoning to include heavy industrial (I-3). The purpose of this rezone is to develop a significant portion of the interior of the Industrial Park for a concrete batch plant operation. The batch plant was previously presented to El Paso County for the NE corner of the Judge Orr/Stapleton roads intersection and was deemed incompatible with the rural residential nature of the community. We see no change to that inappropriateness, especially located an additional mile and half to the south along Curtis Road adjacent to the rural residential neighborhoods of Saddlehorn Ranch and Meadow Lake Estates. We believe it would also be incompatible with Meadow Lake Airport operations.

The proposed new location would be directly under our primary traffic pattern, i.e.; the "Crosswind" leg for aircraft taking off on Runway 15 (at full power and low level), and "Base" leg for aircraft landing on Runway 33 (at reduced power and low level descending to the runway). All powered aircraft operations at Meadow Lake Airport are on the east side of the airport (glider operations on the west side). While we believe the currently zoned commercial and light industrial zoning is compatible with airport operations, a heavy industrial development is inappropriate due to potential hazardous effects on our small general aviation aircraft.

The applicant provided a comparison to a similar operation at Centennial Airport (APA). However, that operation has several significant differences. The batch plant operation at Centennial is in a warehouse district significantly offset to the side of the centerline of a runway that is used only for straight-in arrivals and departures. The proposal at Meadow Lake could have significant environmental concerns directly under our continuous traffic pattern operation. Likewise, it should be noted that even Colorado Springs airport does not permit heavy industry development underneath its close-in flight paths.

The FAA does not have authority over land use issues (until construction extends vertically into the National Airspace System) and therefore its Advisory Circulars establish a standard for guidance, although not regulatory. The sponsor of an airport, in this case Meadow Lake Airport Association, is charged by "Airport Grant Assurances" to coordinate with appropriate land use authorities for compatible land use around the FAA investment. Reference (d) was published in draft form last year and is currently under legal review for final publication this summer. It

provides guidance for land use authorities considering compatible land use around airports and identifies several cautions and concerns regarding heavy industry around airports.

We are very concerned about El Paso County's zoning and variance process around Meadow Lake Airport. There are many incidences, but an example is the Judge Orr Road Ranchettes and Saddlehorn Ranch sub-divisions. We happened to be present at the Planning Commission hearing the day of the Ranchettes presentation. This is a 7-unit residential subdivision on the NE corner of Meadow Lake Airport lies directly under our primary traffic pattern. We had the opportunity to express our concerns at that hearing and the developer publicly agreed to an "Avigation Easement". However, we were also not notified of the hearing for the sub-division with the Board of County Commissioners, who approved the development plan with no mention of aeronautical activities and the plat was recorded without any recognition of airport operations.

As a result of that experience, we learned that we had to pay specific attention when sub-divisions are proposed near the airport, such as Saddlehorn Ranch. Through our diligence and insistence, we were successful in working with a cooperative developer to obtain an Avigation Easement and ultimately, a written BOCC resolution directing annotation of a "Disclosure Notification" on the Sub-Division Plat. Yet even with the resolution, the Final Sub-Division Plat was approved by the County Planning without the required notation, and only after we objected was the Notice handwritten onto the recorded plat.

We have been trying since 2015 to get El Paso County Planning to approve and adopt the Meadow Lake Airport Master Plan Update. Five drafts of the "1041 Application" have been submitted. All have been returned for additional rewrite and comments, frequently in direct opposition to the previous submission or review comments. The El Paso County Master Plan was approved and adopted with incorrect statements about Meadow Lake and without consideration of the inputs submitted by the MLAA and the Colorado Division of Aeronautics. Both letters expressed concern about the "Employment Center" placeholder and failure by the County to recognize state and federal guidelines for protecting this valuable Regional GA asset to El Paso County, the Colorado Aviation System Plan, and the National Plan of Integrated Airport System. With that in mind, we cannot support any rezone or variances to established zoning until El Paso County adopts a published guide or Compatible Land Use Plan for the Meadow Lake Airport Influence Area, and we will actively oppose any proposal that we consider potentially hazardous to our operations or the general public.



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