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Good Evening,

I had hoped to attend the Planning Commissioner hearing Weds, but unfortunately will be out-of-town. Please pass the attached letter to the Commission. We are strongly opposed to the current draft calling us and our runway transition zones an "Employment Center". Development under the stated objectives are directly contrary to FAA and State guidelines, and WILL create unnecessary safety risks to persons on the ground as well as from the air.

Respectfully,  
Dave

# **Meadow Lake Airport Association**

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

Date: May 24, 2021

To: El Paso County Planning and Community Development Department

Subj: **El Paso County Master Plan Review**

- Ref: (a) C.R.S. 24-65.1-202 "*Criteria for Administration of Areas of State Interest*"  
(b) C.R.S. 43-10-113 "*Safe Operating Area Around Airports*"  
(c) Colorado Aviation System Plan (2020)  
(d) Pikes Peak Regional Multi-Hazard Mitigation Plan (2020)  
(e) FAA Denver Airport District Office (ADO) letter dated October 9, 2018  
(f) FAA Denver Airport District Office (ADO) letter dated February 25, 2021  
(g) Colorado Division of Aeronautics letter dated April 6, 2021  
(h) ACRP Research Report 206: "*Guidebook on Effective Land Use Compatibility Planning Strategies for General Aviation Airports*" (2019)

Dear Mr. Dossey,

I had hoped to appear at the County Master Plan Review hearing on Wednesday, May 26, but due to unexpected scheduling conflicts, I will be unable to attend. Since we have had no acknowledgment of our comments concerning the draft Plan, or evidence that our concerns or those of the FAA and Colorado Division of Aeronautics have been addressed, I am providing the following:

The Colorado Revised Statutes, Section 24-65.1-202(5) [reference a] states:

- (a) *Areas around airports shall be administered so as to:*
- (i) *Encourage land use patterns for housing and other local government needs that will separate uncontrollable noise sources from residential and other noise-sensitive areas; and*
  - (ii) *Avoid danger to public safety and health or to property due to aircraft crashes."*

The Colorado Aviation System Plan (2020) [reference (c), page 4-10] states:

*"Lands surrounding Colorado Springs Municipal (COS) and Meadow Lake (FLY) airports are being rapidly converted to residential development, prompting significant concerns by the airports, CDOT Division of Aeronautics, and local government officials."*

The Pikes Peak Multi-Hazard Mitigation Plan [reference d], adopted by the El Paso County Board of County Commissioners on December 15, 2020, devotes ten pages to discussion of the growing potential for the impact of aircraft crashes to population living within hazard areas (Part 77 Areas).

Correspondence from the FAA Denver Airport District Office (ADO) [references e & f] continues to express concern with the lack of attention to the approach and departure surfaces at Colorado Springs and Meadow Lake airports.

The Colorado Division of Aeronautics letter dated April 6, 2021 [reference g], in response to the draft El Paso County Master Plan, stated:

*"In El Paso County, these four airports, in particular Colorado Springs and Meadow Lake, are collectively responsible for supporting over 26,000 jobs in the community and*

*generate nearly \$3.5 billion in annual business revenues (economic output). In support of these facilities and their key roles in your local community and our statewide aviation system, the Colorado Division of Aeronautics has invested over \$36 million in grants and state infrastructure bank loan funds to help ensure the continued safety, viability and capacity of these airports.”*

*“... we encourage El Paso County to help protect the public use airports in your county from encroaching incompatible land uses. Such land uses can have a negative impact on the safety and welfare of the community, and also reduce the safe and efficient operations and development of these airports, most notably Colorado Springs and Meadow Lake. “*

The approach and transition areas off the end of main runways is not just a noise “inconvenience” concern to residential development, but a significant potential safety hazard to persons on the ground as well as in aircraft. As a regional General Aviation Reliever Airport to Colorado Springs Municipal Airport, Meadow Lake is a growing destination to transient aircraft. These visiting aircraft are frequently flown by pilots who are frequently not familiar or experienced with the effects of density altitude on the performance of their aircraft. It is not uncommon for aircraft to perform “off-airport” landings in the departure area of Runway 33. This pasture is designated as an “Employment Center” in the draft Master Plan. Development of commercial outlets; i.e. restaurants, shops, etc., WILL result in serious consequences and even fatalities to persons on the ground as well as aircrew. Compared to the current experience of NO injury and minor damage, if any, this county sponsored “plan” would be inexcusable.

Meadow Lake Airport Association (MLAA) continues to express concern over rezoning and/or development of any areas within the Meadow Lake Airport Influence Area (AIA), until such time as El Paso County develops, approves, and publishes a “*Compatible Land Use Plan*” for the “AIA”. Without the County’s adoption of a “1041” plan for Meadow Lake Airport or otherwise complying with statutory requirements to protect the land areas defined in 14 CFR Part 77, there are no appropriate planning standards with which to evaluate development proposals in the “AIA”.

Respectfully,



David E. Elliott

President, MLAA Board of Directors

cell: (719) 339-0928 email: [falcon20flier@msn.com](mailto:falcon20flier@msn.com)

- Encl: (1) CDoT Division of Aeronautics letter dated April 6, 2021  
(2) FAA Denver Airport District Office (ADO) letter dated February 25, 2021  
(3) FAA Denver Airport District Office (ADO) letter dated October 9, 2018

Copy: Carrie Geitner, Commissioner, District 2  
Holly Williams, Commissioner, District 1  
Stan VanderWerf, Commissioner, District 3  
Longinos Gonzalez, Jr., Commissioner, District 4  
Cami Bremer, Commissioner, District 5  
Christopher Leach, Attorney, Carriere, Little & Leach



**COLORADO**  
Department of Transportation  
Division of Aeronautics

5126 Front Range Parkway  
Watkins, CO 80137  
(303) 512-5250

April 6, 2021

Craig Dossey, Executive Director  
El Paso County Planning and Community Development Department  
2880 International Circle, Suite 110  
Colorado Springs, Colorado 80918

**RE: Colorado Division of Aeronautics Comments on Draft El Paso County Master Plan**

In 1991, the Colorado Legislature created the Colorado Division of Aeronautics (Division) and the Colorado Aeronautical Board (CAB), recognizing the need to “promote the safe operation and accessibility of general aviation and intrastate commercial aviation in this state; that improvement of general aviation and intrastate commercial aviation transportation facilities will promote diversified economic development across the state...” (C.R.S. 43-10-101).

It is with this charge that the Division of Aeronautics respectfully submits comments on the draft El Paso County Master Plan, specifically as it relates to the four public use airports in the county- Colorado Springs, Meadow Lake, Ellicott/Springs East, and Calhan.

In El Paso County, these four airports, in particular Colorado Springs and Meadow Lake, are collectively responsible for supporting over 26,000 jobs in the community and generate nearly \$3.5 billion in annual business revenues (economic output)<sup>1</sup>. In support of these facilities and their key roles in your local community and our statewide aviation system, the Colorado Division of Aeronautics has invested over \$36 million in grants and state infrastructure bank loan funds to help ensure the continued safety, viability and capacity of these airports.

As our Division accomplishes our mission, we are guided in large part by our 2020 Colorado Aviation System Plan (CASP), which was developed in consultation with the Federal Aviation Administration and a robust statewide stakeholder group. The CASP was adopted by the CAB in August 2020 and identifies and prioritizes statewide airport facility and service needs. The plan also identified the top ten system issues affecting Colorado airports, one of which is land use planning and encroachment of incompatible uses on existing airports, as discussed in section 4-18 of the CASP<sup>2</sup>.

<sup>1</sup>2020 Colorado Aviation Economic Impact Study- [www.codot.gov/programs/aeronautics/studies-plans-reports/2020ceis](http://www.codot.gov/programs/aeronautics/studies-plans-reports/2020ceis)

<sup>2</sup>2020 Colorado Aviation System Plan- [www.codot.gov/programs/aeronautics/studies-plans-reports/2020casp](http://www.codot.gov/programs/aeronautics/studies-plans-reports/2020casp)



To that end, we strongly encourage El Paso County to help protect the public use airports in your county from encroaching incompatible land uses. Such land uses can have a negative impact on the safety and welfare of the community, and also reduce the safe and efficient operations and development of these airports, most notably Colorado Springs and Meadow Lake. To accomplish this in your new Master Plan, we would respectfully offer the following specific comments:

1. On all maps, diagrams and drawings which include airports, clearly depict all four public use airports in El Paso County including visual depiction of runway alignments. For example, the map depicting "Key Areas" on page 18, only includes a shaded representation of the Colorado Springs Airport's location and doesn't include the other three airports at all. A clear depiction of airport locations and runway layouts will help facilitate appropriate land uses and increase public awareness of these facilities.
2. For the Colorado Springs Airport, adopt the airport's Overlay Zone in El Paso County, as well as the included APZ 1 and APZ 2 zones that are key for the protection of the public health and safety, and the continued safe and efficient operations of the Colorado Springs Airport.
3. Recognize, identify and protect the runway protection zones at the Meadow Lake Airport from incompatible land uses.
4. Promote and adopt land uses around all four of the county's public use airports that ensure such land uses are compatible with airport operations.

Thank you for your consideration of our comments. On behalf of the Colorado Aeronautical Board and the Division of Aeronautics, we appreciate your support of El Paso County's airports as important parts of your local community, and our larger statewide transportation system. If you have any questions or need additional information about these comments, please contact me at (303) 512-5254.

Sincerely,



David R. Ulane, A.A.E.  
Aeronautics Director





U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Northwest Mountain Region  
Colorado · Idaho · Montana · Oregon · Utah  
Washington · Wyoming

Denver Airports District Office  
26805 E. 68th Ave., Suite 224  
Denver, CO 80249

February 25, 2021

John Green, Planner  
El Paso County Planning and Community Development Department  
2880 International Circle, Suite 110  
Colorado Springs, Colorado 80910

Dear Mr. Green:

The Federal Aviation Administration, Denver Airports District Office (FAA) appreciates the opportunity to comment on the agency referral for the “Solace of Colorado Springs” development. Due to the close proximity of this proposed residential development to the Runway 17R threshold at the Colorado Springs Airport, the FAA has concerns that the proposed development is not compatible with airport operations.

Of particular concern, is the location of the proposed development inside and adjacent to the 65 Day-Night Average Sound Level (DNL) noise contour as shown on the Airport Layout Plan (ALP). 14 CFR Part 150 “Airport Noise Compatibility Planning” Appendix A Table 1 designates residential land use near an airport inside an area with a DNL at or above 65 decibels as “not compatible and should be prohibited”. Although 14 CFR Part 150 also emphasizes “the designations contained in this table do not constitute a Federal determination that any use of land covered by the program is acceptable or unacceptable under Federal, State, or local law”, it is without question that residents inside the Solace of Colorado Springs development will be subjected to ongoing noise and overflights at low altitude, as aircraft approach and depart the airport. As a consequence of these overflights, residents would be exposed to considerable noise impacts.

In addition, the development is close enough to the Colorado Springs Airport that any change to aircraft operations, and the type of aircraft that use the airport, could increase the amount of aircraft noise and overflight over the proposed development. Please be aware FAA would not support any Federal assistance to mitigate aircraft noise or incompatible land uses associated with this proposed development, including the acquisition of houses and relocation of residents. Per FAA policy, remedial noise mitigation measures for new non-compatible development constructed after October 1, 1998 are not eligible for Federal funding (see FAA Final Policy on Part 150 Approval of Noise Mitigation Measures: Effect on the Use of Federal Grants for Noise Mitigation Projects, dated April 3, 1998).

In addition to noise, there would also be visual (perceptual) impacts from aircraft operating to and from of the airport. While these operations represent safe and typical procedures over the currently vacant land, it would be disconcerting to many people on the ground in this area of proposed development, due to a *perceived hazard* of low-flying aircraft. This is a main reason that these types of land uses are strongly discouraged under airport traffic pattern areas, especially under approach areas. Although the frequency of aircraft accidents is comparatively very low, the numbers of aircraft using the concentrated airspace of airport approach areas, together with the complexities of takeoff and landing operations, means accidents are proportionately higher in those areas than in other locations farther away from airports.



U.S. Department  
of Transportation  
**Federal Aviation  
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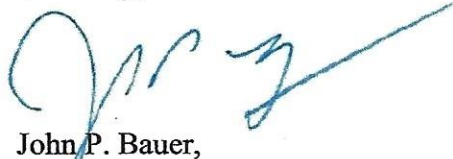
Denver Airports District Office  
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Denver, CO 80249

The proposed Solace of Colorado Springs development mentioned above includes new residential apartment housing approximately 5,800 feet north of the Runway 17R threshold, along an extended runway centerline. Any proponent of construction this close to a public-use runway is required under 14 CFR Part 77, *Objects Affecting Navigable Airspace*, to request an FAA airspace study of the proposed construction to ensure airspace surrounding the airport is not adversely affected. An aeronautical study may be requested by submitting FAA Form 7460-1 via mail or electronically at [www.oaava.faa.gov](http://www.oaava.faa.gov). These aeronautical studies are crucial to protect Airport approach and departure operations.

As a recipient of over \$271 Million dollars in Federal Airport Improvement Program (AIP) funding since 1982, the City of Colorado Springs is obligated to comply with certain Federal grant assurances, which include a requirement to “take appropriate action, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft”. The City of Colorado Springs is also obligated to “not cause or permit any activity or action thereon which would interfere with its use for airport purposes”. We recognize that the City of Colorado Springs does not have zoning and permitting authority over the area in question. With that in mind, we strongly recommend that the City of Colorado Springs work with El Paso County to actively discourage any proposed non-compatible land use near the Airport. Failure to comply with Federal grant assurances may result in the FAA issuing an order terminating eligibility for grants or suspending the payment of grant funds to the Colorado Springs Airport.

We appreciate the opportunity to comment on the proposed Solace of Colorado Springs development and your willingness to provide information on the proposed development. If you need further assistance, please contact our office Compliance Specialist Mike Matz at (303) 342-1251.

Sincerely,



John P. Bauer,  
Manager  
Denver ADO



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Denver Airports District Office  
26805 E. 68<sup>th</sup> Avenue, Room 224  
Denver, Colorado 80249  
303-342-1250; FAX 303-342-1260

October 9, 2018

Craig Dossey  
Executive Director  
Planning and Community Development  
El Paso County  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910

RE: Meadowlake Ranch Development, EA # EA17227 - File # SKP184

Dear Mr. Dossey:

The Federal Aviation Administration, Denver Airports District Office (FAA) was notified by the Meadow Lake Airport Authority (MLAA) that El Paso County is considering approval of the above referenced residential development, Meadowlake Ranch. The FAA is opposed to residential uses of this proposed project. Due to the close proximity to Meadow Lake Airport's Runway 15/33, residential uses of this proposed development could potentially have negative impacts on persons and property on the ground and the safety and utility of the National Airspace System.

Meadow Lake Airport is a busy General Aviation airport, with approx. 383 based aircraft and 65,000 annual operations (a take-off or landing). It is utilized by a variety of aircraft, ranging from small, single-engine propeller airplanes up to jet aircraft that operate during the day and night. The airport is a Federally-funded, public use airport that is required by Federal law to remain open to all types of aircraft 24 hours a day, 7 days a week.

The Federal Government has made a significant investment of public funds in the Meadow Lake Airport. Under the current Federal airport aid program, the FAA has provided over \$7.5 million in development and planning grants to this airport. This investment requires the MLAA, as the airport sponsor, to comply with specific Federal obligations, known as Federal grant assurances. Among many other requirements, Federal grant assurances require MLAA to preserve and operate Meadow Lake Airport in accordance with FAA regulations and standards and to protect the airport from non-compatible land uses.

Incompatible land use at or near airports may result in the creation of hazards to air navigation and reductions in airport utility due to obstructions to flight paths or noise-related incompatible land use caused by residential construction development too close to the airport. FAA considers residential development adjacent an airport to be a non-compatible land use (see FAA Order 5190.6B, Airport Compliance Manual, Chapter 20, *Compatible Land Use and Airspace Protection*).



The southern boundaries of the proposed Meadowlake Ranch is less than 1,300 feet from the end of Runway 15/33 along the extended centerline of this runway. Runway 15/33 is the primary runway at Meadow Lake Airport, serving approx. 95 percent of the airport's annual aircraft operations. This means residents of Meadowlake Ranch will be subject to an average of 95 overflights daily. These aircraft will be at low altitudes as they approach and depart the airport. In accordance with standard operating procedures, aircraft approaching and departing Runway 15/33 could be operating at altitudes lower than 400 feet above the proposed project. This is particularly the case over higher terrain to the north of the airport.

As a consequence of aircraft overflights, residents would be subjected to considerable "single-event" noise impacts from aircraft overflights, which residents are particularly sensitive to during nighttime hours. In addition, there could be visual (perceptual) impacts from aircraft operating into and out of the airport. While these types of operations represent safe and typical flight procedures, it may be disconcerting to many people due to a perceived hazard of low flying aircraft.

Further, there is no guarantee that noise levels at the proposed development will remain the same. The proposed development is so close to Meadow Lake Airport that any change to aircraft operations, and the type of aircraft that use the airport, could readily increase the amount of aircraft noise and overflight over the proposed development. Please be aware FAA would not support any Federal assistance to mitigate aircraft noise or incompatible land uses associated with this proposed development, including soundproofing, the acquisition of houses and relocation of residents. Per FAA policy, remedial noise mitigation measures for new non-compatible development constructed after October 1, 1998 are not eligible for Federal funding (see FAA Final Policy on Part 150 Approval of Noise Mitigation Measures: Effect on the Use of Federal Grants for Noise Mitigation Projects, dated April 3, 1998).

Although the frequency of aircraft accidents is comparatively very low, the numbers of aircraft using the concentrated airspace of airport approach and departure areas, together with the complexities of takeoff and landing operations, does mean that accidents are proportionately higher in those areas than in other locations farther away from airports. MLAA reports that aircraft annually make emergency landings in the area of the proposed development. Most of these aircraft can be towed back to the airport because they have landed in an open field. The most recent incident was on August 23, 2018, when an aircraft lost power and crashed in the area of the proposed development, approx. a ¼ mile north of Runway 15/33. This aircraft sustained substantial damage. This is why the FAA strongly discourages the congregation of people under airport traffic patterns and approach and departure areas. The proposed Meadowlake Ranch development is within the approach and departure areas for Runway 15/33.

The FAA works with airport sponsors and their surrounding communities to keep approach and departures areas near an airport as clear as possible in order to protect people and property on the ground. In particular, land uses involving large congregations of people, including schools, churches and hospitals are strongly discouraged under approach and departures paths. The State of Colorado also has enacted similar requirements to protect persons and property near airports (see Colorado Revised Statute 24-65.1-202, Criteria for Administration of Areas of State Interest, and 43-10-133, Safe Operating Areas Around Airports).

In accordance with Title 14 of the Code of Federal Regulations (14 CFR) Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, and Colorado state law, the developer of Meadowlake Ranch must request an airspace analysis of the proposed developed to determine potential aeronautical hazards in advance of construction to prevent or minimize the adverse impacts to the safe and efficient use of navigable airspace. In particular, multi-storied buildings in the proposed development must be analyzed to determine to if they need to be lowered and/or lighted with obstruction lights.

FAA reviews construction proposals through the submittal of FAA Form 7460-1, *Notice of Proposed Construction or Alteration*. If any portion of the proposal is located within 20,000 feet of a public use runway (and breaks a 100:1 plane coming off the nearest point of the nearest runway); or, is more than 200 feet above ground level at any location, the FAA requires the project's proponent to file a Form 7460-1. If the proposal does not meet any of the criteria above, it may still be necessary to file a Form 7460-1 if the structure requires an FCC license or there is a potential for navigational equipment interference. The FAA uses information provided on this form to conduct an aeronautical review to determine if the proposal will pose an aeronautical hazard and to minimize the adverse effects to aviation. FAA Form 7460-1 can be filed electronically at [www.oa.eaa.gov](http://www.oa.eaa.gov).

For the reasons discussed above, the FAA cannot support the construction of residences so close to Meadow Lake Airport. We recommend El Paso County not approve residential development as proposed and explore alternative uses of this land that better conform with Federal, state and industry recommendations for compatible land uses near airports.

If you have questions regarding the above comments or would like to meet to discuss our concerns, please contact me at (303) 342-1259.

Sincerely,



John P. Bauer  
Manager  
FAA/Denver Airports District Office

cc: Darryl Glen, El Paso County Board  
Leo Milan, Colorado Office of the Attorney General  
David Ulane, CDOT – Division of Aeronautics  
Dave Elliot, Meadow Lake Airport Association