

January 30, 2026

City of Longmont
ATTN: Mayor Susie Hidalgo-Fahring
350 Kimbark St.
Longmont, CO 80501

TRANSMITTED VIA ELECTRONIC MAIL TO: susie.hidalgo-fahring@longmontcolorado.gov

Re: Mountain Brook Flats - Incompatible Land Use Near Vance Brand Airport

Dear Mayor Hidalgo-Fahring, City Council Members, and Longmont City Officials:

On behalf of the nearly 10,000 combined members of the Aircraft Owners and Pilots Association (AOPA) and Colorado Pilots Association (CPA) in Colorado, we are writing to formally express our profound concern regarding the recent groundbreaking on the Mountain Brook Flats development at 2901 Flat Circle Road (40.156634, -105.140948).

It is disappointing to note that this marks our third formal communication with the City of Longmont on this specific topic in the past two years. Despite our previous letters dated July 2, 2024, and September 27, 2024, the city has once again chosen to proceed with a project that is fundamentally at odds with established aviation safety standards and likely in direct violation of both **FAA Grant Assurance #21 (Compatible Land Use)** and your own Airport Influence Zone (AIZ) overlay adopted by the City pursuant to authority granted under C.R.S. § 41-4-104 et. al. and section 15.03.120 of your own municipal code which states "*No permit shall be granted that would allow an existing use to become a hazard or become a greater hazard to air navigation.*"

A Lesson in History and Liability

Longmont does not have to look far to see the consequences of ill-advised residential encroachment. The ongoing legal and community turmoil surrounding the Rock Creek development near Rocky Mountain Metropolitan Airport—located just 25 miles south of you—should serve as a sobering cautionary tale. By approving a 200-unit multi-story complex directly under the approach path of Runway 11/departure path of Runway 29, the City of Longmont is knowingly and intentionally repeating history. This decision ignores the tragic reality of incidents like the June 7, 2024, fatal crash in Arvada, which underscored the inherent risks of creating residential housing in close proximity to airports.

Immediate Regulatory Requirements

Because this development is apparently moving forward---despite the inherent risks---request that the city now act with urgency to mitigate liability and ensure the safety of both the flying public and future residents. AOPA and CPA request the following immediate actions:

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1. **FAA Compliance and Filing:** In accordance with 49 U.S.C. § 44718 and 14 C.F.R. § 77.9, recommend that the city requires the development team of McWhinney Real Estate Services/Landmark Communities to file FAA Form 7460-1
 - As of January 2026, our discussions with the FAA Obstruction Evaluation Group (OEG) indicate no such filing has been made. Constructing near an airport without FAA aeronautical study is not only a safety risk but a federal oversight failure
 - Also note that filing of an FAA Form 7460-1 is required for development near public use airports, not just for buildings that may exceed 200 feet in height
 - Further note that *even if* the FAA OEG issues a determination of no hazard to air navigation, such a determination would likely have no bearing on whether the FAA Airports District Office-Denver considers the development an incompatible land use or not
2. **Recorded Avigation Easements:** To protect the city from future noise and liability litigation, in the strongest terms, we recommend that the city obtains from the developer and records a formal avigation easement that covers the entirety of the Mountain Brook Flats development
3. **Comprehensive Disclosure:** In conjunction with a recorded avigation easement agreement for the development, prospective tenants and buyers should be made fully aware of the operational realities of living near Vance Brand airport. This can be accomplished through (but not limited by) the following instruments:
 - Deed restrictions and subdivision plats
 - Explicit real estate disclosures provided during due diligence
 - Supplemental notices included in all lease agreements and HOA CC&Rs

A Path Forward

While AOPA recognizes the regional demand for housing, safety and sensible urban planning should never be sacrificed for housing density. Residential development near an airport is possible, but doing so should always be executed with a sophisticated understanding of and adherence to state and federal regulations and accepted best practices regarding compatible land use near airports.

Among other sources, in the past we have previously provided resources such as [FAA Advisory Circular 150/5190-4B](#) and various ACRP Guidebooks to assist your department. We strongly encourage your team to revisit the [California Airport Land Use Planning Handbook](#) (Figures E-1 and E-2) for a visual representation of why this specific location is uniquely hazardous, particularly given the siting of the development directly under the runway 11/29 centerline.

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AOPA has been protecting the freedom to fly and the safety of airport communities for 86 years. AOPA and CPA would prefer to serve as partners rather than critics. We remain available to offer our expertise to help Longmont develop a more robust, safety-oriented planning and zoning strategy that prevents such high-risk approvals in the future.

We sincerely hope that Longmont city officials take our recommended actions and consider us as resources on this or any other matter impacting general aviation.

Respectfully,



Brad Schuster, C.M.
Northwest Mountain Region Manager
Aircraft Owners and Pilots Association



Andrew Holmes
President
Colorado Pilots Association

CC:

Diane Crist, Ward 1 Representative
Alex Kalkhofer, Ward 3 Representative
Matthew Popkin, Ward 2 Representative
Sean McCoy, At Large Representative
Jake Marsing, At Large Representative
Crystal Prieto, At Large Representative
Harold Dominguez, City Manager
Levi Brown, Vance Brand Airport Manager
Longmont Airport Advisory Board
FAA Airports District Office, Denver
FAA Northwest Mountain Region Compliance Office
President, Colorado Airport Operators Association
Director, Colorado Department of Transportation-Division of Aeronautics