

- (2) All Development Plans submitted on an existing platted lot in which any portion of the property is located within the AP-O district and that does not have an existing avigation easement across the property, shall include the following statement:
“Prior to issuance of a Building Permit or beginning any development, an avigation easement for the benefit of the Colorado Springs Airport will be established either by Subdivision Plat or separate recorded instrument.”

b. Development Plans within the AF-O: United States Air Force Academy Overlay

- (1) All Development Plans submitted together with a Final Plat in which any portion of the property is located within the AF-O district shall include the following statement:
“Note: This property may be impacted by noise and other similar sensory effects of flight caused by aircraft both in the United States Air Force Academy’s Airmanship program and during special events. This notice shall remain in effect until the Air Force Academy shall cease to be used for flight training purposes, or until all airports on the Air Force Academy shall cease to be actively used. This notice shall run in perpetuity with the land.”
- (2) All Development Plans submitted on an existing platted lot in which any portion of the property is located within the AF-O district and that does not have an existing avigation easement across the property, shall include the following statement:
“All lots and tracts within this subdivision are subject to an avigation easement to the United States Air Force Academy as recorded under reception no. _____ in the office of the Clerk and Recorder of El Paso, County, Colorado.”

E. Decision-Making Body

The decision-making body shall review the Development Plan application or amendment application ~~at a public hearing~~ and shall approve, approve with conditions, or deny the application based on applicable criteria listed in Subsection D above.

1. Manager Decisions

The Manager shall determine if the Development Plan meets the criteria in Subsection D above and approve or refer to the Planning Commission if found necessary for final review authority.

2. Recommendation to the Planning Commission

- a. If the Development Plan is referred to the Planning Commission, the Manager shall prepare a recommendation for the Planning Commission to approve, approve with conditions, or deny the Development Plan based on the criteria in Subsection D above.
- b. Development Plans submitted in connection with an application for a Conditional Use Permit shall be reviewed and a decision made by the Planning Commission pursuant to Section 7.5.601 (Conditional Use).

F. Post-Decision Actions and Limitations

1. Expiration

- a. Except as stated in Subsection b, a Development Plan expires six (6) years after approval if no Building Permit has been issued or no use illustrated on the plan has commenced. Prior to the expiration of a Development Plan, the applicant may request and the Manager may authorize a maximum of two (2), two-year extensions of the Development Plan approval if a review of the plan shows that no major changes in the City’s development standards or in the development pattern of the surrounding properties has occurred.
- b. A Development Plan does not expire for:
 - (1) A single-family residential subdivision project when a final Subdivision Plat for all or a portion of the individual lots has been recorded.