



ROARING FORK VALLEY HORSE COUNCIL

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5/1/2018

To the City of Aspen, Parks and Recreation Department, and Pitkin Planning and Zoning:

Response for - DRAFT April 28, 2018
RE: COZY POINT P & Z PLAN,

RFVHC is not recommending approval of the application at this time. We do not think this application provides the details necessary for the scope of work described. There are discrepancies between the leases and the application, including the proposed use expansions of the City of Aspen Special Events and Parks and Recreation and Aspen Tree.

We want to thank the Board and staff of the City of Aspen, and their Parks and Open Space Department for committing financial support to improve Cozy Point Ranch. We are grateful that the short and mid-term goals and action items listed in the CPR Management Plan are presented here in the application to the Pitkin P & Z. The improvements for the parking lots, the storm drainage run off and the horse paddock areas are planned projects for 2018. We welcome Aspen TREE's inclusion and success. We appreciate Pitkin County's attention to this highly visible City owned property at the entrance to Aspen and to the Town of Snowmass Village.

Our concerns are the lack of details in the application submitted by the applicant, Alan Richman Planning Services, on behalf of the City of Aspen, for approval by Pitkin County P & Z. Our concern speak to the missing detail in the scope of work described in the application,

specific requirements requested in the lease with Aspen Tree, and impacts to the riparian and wildlife areas.

If these details are not addressed, and are approved by Pitkin P & Z, then there may be negative impacts on both lease holders, the infrastructure, health and safety, wildlife, and the general public.

Missing Details from this application, which need to be addressed in an overall Master Site Plan, then submitted to Pitkin P & Z.

Missing are the engineering studies including engineering reports for hydrology studies to determine water flows, environmental studies to determine capacity and location for septic systems, and overall limit for maximum capacity of people - use numbers, within the 10 acres AVLT activity envelope.

Also Missing are engineering studies of existing buildings and facilities including the barns and employee housing. The final design for the dry-lot turnout areas, shelters and fencing is not included.

Missing is an analysis of any changes proposed for Aspen Trees' lease that may affect hay production and critical changes to the water rights.

The RFVHC is very concerned that CPR Equestrian Center, the only public Riding facility left in the Roaring Fork Valley is not negatively impacted and reduced by some of the proposed expansions by Aspen Tree, and the City of Aspen for Special Events and Recreation additions at CPR.

The safety, health and enjoyment of children, families and the horses, depends upon a well-organized, clean, safe, peaceful, and quiet environment.

CPR Equestrian Center horses offer this special, healing connection between humans, nature and wildlife, creating a respite from the stress of everyday hectic life, in our heavily populated, fast moving world of noise and wheels.

Parking

The CPR parking area is a major corridor for daily activities of children, horses, employees, families, visitors, all traveling between the pastures, horse dry-lot areas, the indoor and outdoor riding arenas and barns, the children's camp areas, and is the epicenter for the trail systems going South to Sky Mountain Park, and going North. It is imperative for safety all, the finished parking surface cannot be asphalt or cement.

1. These are the existing details in the CPR leases that are not addressed specifically in the application.

The City of Aspen has stated in the leases that this is shared parking for: the CPR Equestrian Center, hay storage for the 80 plus horses and agricultural equipment, Aspen Tree, the general public, the City of Aspen storage of materials and equipment, and in addition, special event parking, which will incorporate all users into a limited space available.

Under # 3 use, on page 2 of the Aspen Tree lease, states tenant may hold; (b) two special Events per week, that are each intended to be attended by 50 or fewer people that do not further tenant's (Aspen Tree's) educational or programmatic purposes.

In this application, under the Drawing Map for parking lot improvements, the number of parking spaces is not defined. If you count the markings depicting all the parking spaces it looks like they are anticipating and hoping for 84 spots.

We are pleased that the City is moving forward with the regrading and improvements. Our concern that the determination of capacity has not been established.

The CPR Management Plan, determined that in 2015 the total number of user days for Aspen Tree and the CPR Equestrian Center was 17,551.

Currently, the daily regular CPR Equestrian Center requirements are: parking for privately owned trucks and horse trailers, for convenience, safety in case of evacuation, or for visits to veterinarian hospital, employees, farm equipment, horse owners, who typically visit their horses 5-7dys per week, trainers, vets, horse farriers, additional horse care specialists that an owners may need. In addition there are visiting equestrians coming in to use horse facilities and trails.

In the CPR Management Plan it states there were 9,072 user days in 2015.

Aspen Tree currently operating on .5 acres, with visitors and employees, logged in the CRP Management Plan 8,479 user days in 2015.

In the current Aspen Tree lease their operations will expand to 14.23 acres and their use is increasing dramatically. Therefore their user numbers will increase dramatically, affecting parking and septic requirements. On page 2, # 3, Use, The Aspen Tree Lease states: **The tenant may use an agricultural center, which includes a kitchen and a retail store. This describes a “building” and is not mentioned in the application for approval.**

On page #3 of their lease, #4, under the Duty of Operation (a) the lease states that they will operate a public agricultural production and education center year round 7 days per week, permitted access 24 hours per day: including staff members, contractors, agents, invitees, and farm incubation associates.

This is not addressed in the application.

In the Aspen Tree lease #4, (iii) tenant shall have the rights to construct residential structures. These units shall house ranch staff, family members, and short term guests. **This is not addressed in the application.**

Under Uses, page #4, © under Recreational Opportunities it states tenant shall work with the City of Aspen, Parks and Recreation Department, and The Special Events Department to identify additional opportunities such as sporting activities, competitions, fund raising events, hiking and biking, etc, which may exist for developing recreational programming and events at the premises. **This is not addressed in the application.**

Page 7 of the Aspen Tree lease (d) v, Expansion of Premises City and tenant understand that some of the capital improvements tenant intends to construct or install are intended to be located on portions of the property outside of the premises. **Where outside the leased area can this take place, and what are the intended improvements to be constructed? What are the impacts?**

Septic

1 – The Alan Richman, “Cozy Point Ranch” Location and Extent Review application does not address the specific details for the septic systems to service the CPR Equestrian Center and the dramatically

expanded Aspen Tree. On page 6, #5 (III) Location and Extent Review says - relocate one of the two existing leach fields to a new location.

This is the only mention of septic to service the dramatic user increase due to the expansion of Aspen Tree, and the City of Aspen's proposed new use for special events and new recreation. The application does not identify what septic system is being moved and to where.

Currently there are three septic systems located at CPR. Please note Exhibit A map included in the leases.

1 – Septic located at on F8, on the Eastern edge of the Aspen Tree, within the riparian corridor, servicing one of the employee houses and Aspen Tree.

2 – Septic system located in F10, near the Northern edge of the employee park, within the South Eastern edge of the horse paddock, close to the riparian corridor. This system services employee housing and the CPR Equestrian Center Kid's Camp building.

3 – Septic system is located in F10 in the middle of the horse dry lot paddock area, to be improved. This septic system services the main Equestrian center, horse wash stall, public bath room, and employee housing.

Clearly there need to be a comprehensive septic plan to address all the existing and proposed uses.

Water rights - allocation and shared use.

The hay meadows, which are now being given to Aspen Tree, part of (F4, 4.65 acres, and all of F3, 6.57 acres) so approximately 8 acres is supposed to be replaced by a new irrigated area F13, 5.7 acres. This falls short of the hay production needed for the horses at the Equestrian Center.

The reason the current lease holder, CPR Ranch, and RFVHC is critically concerned about the hay fields that are currently under production is because hay prices have jumped more than three and a half times from the year 2017 to 2018. This is due to drought situations in our area, Western and Eastern Slopes of Colorado and surrounding states. Hay prices are not expected to go down.

Prices in 2017 were \$5/bale (feeding 3 bales/ week/horse = \$720/year/ horse cost)

Prices in 2018 are \$17.00/bale (if you can find it – 3 bales/week/horse = \$2,448.00/year/horse cost)

On Page 2, #3 Use, in the CPR Ranch lease it states, that the water rights appurtenant to the premises cannot be negatively impacted by removing any portion of the premises from potential productive ranch, agricultural, or equestrian uses.

These are decreed water use rights. This stipulates keeping the water with the land and the horses. Aspen Tree has a well for water usage.

Looking at the Exhibit A map in the Aspen Tree lease it is evident that hay fields will be taken out of hay production and used for another purpose. It is of grave concern that any loss of hay production or change of water rights will have severe consequences.

Wildlife

In the Alan Richman application document in exhibit # 4, Resolution # 123-2002, recitals state, “be it further resolved by the BOCC that it does hereby approve CPR 1041, Hazard Review, conceptual submission, and GMQS exemption for relocation of three cabins, subject to the following conditions, which shall run with the land and be binding on all successors in interest” ;

#3 states – The applicant shall comply with the following measures to mitigate impacts on wildlife:

A – Only dogs belonging to the people who live or work at CPR shall be permitted on site, and those dogs shall be properly kenneled or contained at all times.

B – Fencing outside the building envelope that is not required for the control of livestock shall be prohibited.

C – Install and use of approved bear proof trash containers as required by BOCC ordinance # 010-2001.

D – Fruit bearing trees and shrubs should be avoided in any landscaping due to the high level of black bear activity in this area.

The Alan Richman application does not describe the purpose for the wildlife fencing which is depicted on the CPR improvement map.

What is the purpose of this wildlife fence? Where is the location of this wildlife fence?

History

The ranch was originally homesteaded by the Jotham Smith Family, who acquired it by right in 1885. True Smith, Jote's son, raised Percheron horses. His famous stallion, "Boston" was the foundation sire for many of the working draft animals on the surrounding, local ranches. It is only fitting that the equestrian facility at Cozy Point Ranch carries on the Western Heritage Tradition of keeping horses in our landscape.

The RFVHC is asking that this application not be approved by Pitkin P & Z at this time, until further analysis and an over-all site plan is developed. We believe that the reasons listed above are concerning and should be addressed before any approval. In general we are pleased with the proposed work laid out in this application, and are hopeful that the City of Aspen and Alan Richman will come back in a short period of time, addressing the concerns we raised.

Respectfully Submitted,

Holly McLain – RFVHC Communication Chairman
Leslie Thomas – RFVHC Project Coordinator

