

ABOR Exclusive —

Related WestPac moving ahead in Snowmass Village

Progress is coming in small steps for Related WestPac in Snowmass Village. But it is progress, says company president Dwayne Romero.

Work is underway on a welcome center that includes parking, a transit center, escalators to the Base Village Plaza, restrooms and lockers. Romero told the ABOR Observer that the \$2.5 million cost of the welcoming center is coming directly from the Related Companies, the principal partner in the Base Village development. It is expected to be completed in October.

The opening of the Viceroy Hotel has, overall, been extremely positive, Romero says, even in the face of lawsuits by dozens of contracted buyers looking to get out of their commitment to purchase condominiums in the building. "The community buy-in has been fantastic," he pointed out. "It's a place locals come for après ski or for dinner. Hopefully that enthusiasm will carry into summer."

Romero is optimistic that the lawsuits around the units will be cleared up soon. He also said the company started hearing from prospective buyers over the winter. "If we can get some of that cloud of ambiguity cleared, there is a buyers base out there," he told ABOR.

In the Snowmass Mall, Related WestPac has been working with tenants to help them through the recession.

"Systematically, we have been working with tenants at the center and the mall and when they have expressed need, we've worked to develop appropriate amendments to the lease to assist and accommodate their situation," Romero told ABOR.

"Not in every case can we help, but we're doing the best we can," he said.

Related WestPac is being sued by the Silvertree Hotel for \$5 million for its failure to execute a purchase agreed to in 2008. The amount is the same as a nonperformance penalty that was part of the purchase contract.

"That deal has come and gone," Romero told ABOR. "Attorneys from the two sides are working through the issues."

Even though it is unlikely that the economy will return anytime soon to the heady days of 2006-08, Romero is encouraged by signs that people are more optimistic and that the market's decline has slowed considerably.

"It's progress in the midst of some pretty difficult situations," he said

Aspen —

Aspen Club expansion approved

Aspen City Council voted 3-1 to approve the Aspen Club's application to add timeshare condominiums, affordable housing and parking to its east end location. Dwayne Romero, Derek Johnson and Steve Skadron voted in favor, and Mayor Mick Ireland against.

Most of the new development will occur on the lower bench of the Aspen Club property, where tennis courts are currently located. Some proceeds from the sale of timeshares are expected to provide funds for reinvestment in club facilities.

Skadron, who proved to be the swing vote on council, explained that he felt there would be a better chance of preserving the Aspen Club with the approval than without.

Tiered electric rates under review

The city of Aspen is reviewing its tiered rate structure for municipal electricity customers.

The city adopted the tiered structure, which charges people and businesses who use more electricity at a higher rate than those who use less, in April 2009 to promote efficiency upgrades and smarter use.

The review comes partly in response to business owners who report noticeable increases in their monthly bill.

Councilman Derek Johnson said the downtown D&E/Four Mountain Sports store he oversees for the Aspen Skiing Co. has paid approximately 20 percent more for electricity under the tiered rate structure. He said the increase would likely be higher if the space hadn't upgraded to more efficient lighting.

Johnson said he's heard from business owners who say their electricity bills have gone up by 50 or 60 percent.

National ski/snowboard area visits up

The National Ski Areas Association says preliminary figures show visits to U.S. ski resorts rose 4.2 percent to 59.7 million last season, making it the second best season ever.

Resorts in the northeast saw a 2.7 percent decrease. Visits in all other regions increased between 3.2 percent and 7.2 percent. The best season ever was 2007-08, when 60.5 million visits were recorded.

Council split over recreation center expansion

A proposal to add fitness and weight room facilities to the Aspen Recreation Center has some City Council expressing reluctance about competing directly with privately owned gyms.

The expansion — estimated to cost between \$3 and \$3.7 million — would add a new floor over the pool with weights and cardio equipment. It would also require an additional \$100,000 to \$150,000 in annual subsidies from the city budget.

Councilman Dwayne Romero said he didn't want to "crowd out" others in the fitness sector. He also questioned the wisdom in pursuing a project that would require public debt, given current economic uncertainties.

Mayor Mick Ireland was more inclined to support the project, noting that overall health benefits to the community.

A final decision has not been made.

New rules for construction noise enacted

A residential construction project that was the source of noise complaints for two years has spurred tougher noise regulations.

The new rules approved by City Council last month affect on-site construction manufacturing, which is defined as taking a material and turning it into something that already is on the market. Examples of on-site manufacturing include stone cutting or milling raw timber into floorboards.

The new rules set maximum decibel levels, limit the number of days the work can occur and require it to be performed in an enclosed area. They also would limit the manufacturing activity to a 9 a.m. to 5 p.m. schedule.

Sign code changes likely

Aspen's sign code may be tightened after a proliferation of the signs last summer generated complaints.

The proposed changes to sign regulations would allow sandwich board signs for restaurant and retail businesses, giving each a six-square foot area in front of each establishment.

City to subsidize garbage can purchases

Aspen City Council plans to help residents pay for the bear-resistant garbage cans that are now a requirement inside city limits.

Approved containers are available locally for approximately \$325, or through the city's aspenbears.com Website for around \$200.

More stimulus funding allocated

Aspen City Council last month allocated \$6,000 for a family fun festival to take place either this summer or fall, \$7,500 for a junior golf tournament at the Aspen Golf Club, and \$10,000 to support a golf tournament that benefits Challenge Aspen.

The spending is part of the city's effort to stimulate the local economy with a \$200,000 set-aside in the 2010 budget. The public was asked last winter for ideas that would bring more tourists to Aspen, and dozens of submissions were received. Last month's allocations come on top of \$147,000 that has already been committed to 10 events.

Councilman Torre expressed doubts about the ongoing viability of the program, and called on the council to review the benefits of the grants.

City to pursue Latino cultural festival

Aspen City Council directed city special events officials to pursue a Latino culture festival. The festival, which likely wouldn't happen until next year, could include elements of Latino art, dance, food and guest speakers. No funding was allocated to the effort.

Councilman Derek Johnson said the idea was partially spurred by the controversial Arizona law that makes it a state crime to be in the country illegally and "the realization that we rely heavily on our Latino friends and neighbors."

Pitkin County —

Hatfield breaks commissioner silence on Stillwater

Pitkin County Commissioner Jack Hatfield broke ranks with his colleagues and came out publicly in support of a proposal to swap 1,268 acres of BLM land at the base of Mt. Sopris to landowners Abigail and Leslie Wexner in exchange for a 520-acre ranch they own in Garfield County.

The Wexners have been seeking an endorsement for the swap from Pitkin County. The BLM land they covet splits their 3,944-acre Two Shoes Ranch on the northwest flank of Mount Sopris. The exchange requires an act of Congress, but local support is considered crucial.

In addition to the 520-acre Suety Ranch in Garfield County, the Wexners offered to extinguish about one third of their development rights at Two Shoes, donate \$1 million to set up a fund to manage the land, and commit staff time to help take care of the ditches on the Suety ranch.

"We have lost a wonderful opportunity," Hatfield said.

Smuggler pine beetle battle resumes

Efforts to combat beetle infestation of lodgepole and other pines on Smuggler Mountain are under way again this year. The city of Aspen, Pitkin County, the nonprofit For the Forest and the U.S. Forest Service are collaborating to remove infected "brood" trees and to treat threatened ones with repellent pheromones.

Mountain pine beetles have killed 2.5 million acres of trees in Colorado and southern Wyoming, leaving many of the forests around Vail, Breckenridge and Steamboat Springs "red and dead."

Plans are to remove 52 trees in the coming month, a significant drop from the 200 felled last year. A helicopter will carry

the infected trees from the open space to nearby chipper that will kill the beetle larvae. The popular Smuggler trail will be closed for about five hours while helicopter removal is under way.

Along with clearing infested trees, a forest crew will tack pouches of beetle pheromone to pines over a 120-acre swath of mountain. The pheromone scent repels the bugs by tricking them into believing trees are already fully colonized by beetles.

Commercial air prices dropped in 2009

The price of flying out of Aspen dropped 17 percent last year, with the average one-way flight from Pitkin County Airport priced at \$232, down from \$278 in 2008.

It marks the lowest average fare since 2002, when the average flight was \$227. Sardy Field, however, remains in the top 5 percentile of most expensive places to fly.

Race for sheriff grows to five

David Britt Wurl, who was a cop in Aspen before any of the other candidates lived in the area, is the fifth candidate to join the race for Pitkin County Sheriff.

Wurl, who goes by his middle name, graduated from Aspen High School in 1969 and joined the Aspen Police Department in 1971.

Though he left the APD after a few years, his law enforcement career stretched into the 1990s and included time with the Garfield County Sheriff's Office, a teaching position at the state law enforcement academy, and work as a detective for the University of Colorado in Boulder in the 1990s.

Wurl now lives in Snowmass Village. He will face Undersheriff Joe DiSalvo, who Braudis, Basalt retiree Rick Leonard, Aspen police officer Rick Magnuson, and sheriff's deputy Hugh Zuker in the Aug. 10 primary.

Improvements under way Rio Grande, East of Aspen trails

The East of Aspen Trail, which runs east along Highway 82 toward Independence Pass, is undergoing extensive improvements so bikers and hikers are no longer skirted onto the roadway shoulder in some areas. Once finished, the trail will include four new pedestrian bridges and provide an unbroken trail connection from the city out to Difficult Campground.

A stretch of the Rio Grande Trail in Woody Creek, running from its intersection with Upper River Road to McLain Flats, will be partially paved, pending a final land-use approval from the county and a thumbs-up from the Woody Creek Caucus. The plan would leave a soft-surface gravel shoulder beside the paved portion.

Cycling festival, half marathon new to valley this summer

Two new sporting events have been added to the schedule of happenings in the upper valley this summer.

The Spin Sports Festival is a four-day Aspen-area bicycling event planned for June 23-26. It will have mountain bike and road bike rides, including an Aspen-to-Ruedi (and back) ride that stops for a party in Lyons Park in Basalt.

The Aspen Half Marathon, set for July 10, starts in Woody Creek at Wilton Jaffee Sr. Park and goes down the Rio Grande Trail to the Basalt-Old Snowmass Trail and ends at Lions Park in Basalt. Organizers hope the inaugural event attracts 200 to 400 runners and that it becomes an annual event.

Basalt —

Basalt Fire District warms up to Hidden Gems

Basalt Fire District officials publicly expressed support for wilderness designation of roughly 90 percent of the lands in the Hidden Gems Wilderness Proposal within the boundaries, but are still negotiating over Basalt Mountain and part of Red Table Mountain.

John Young, a member of the fire district's board of directors, said the firefighters believe some of the remaining 10 percent could be designated Wilderness after some fuels are removed.

He said the fight between the firefighters and Wilderness advocates "doesn't feel right." So the fire district has been in negotiations with the Hidden Gems campaign for the past few weeks.

The improved state of affairs locally comes as Congressman Jared Polis, D-Boulder, considers legislation that would protect some or all of the wilderness proposed by Hidden Gems in Eagle and Summit Counties. Jared, who represents Eagle and Summit in Congress, is not considering any of the Hidden Gems proposed for Pitkin and Gunnison Counties.

Polis held three well-attended meetings on Hidden Gems last week, in Boulder, Edwards and Breckenridge. Wilderness supporters significantly outnumbered opponents in Boulder and Breckenridge, while the crowd was evenly split in Edwards.

The proposed wilderness on Basalt Mountain is located in Eagle County.

RFTA affected by stall at Willits

Uncertainty surrounding the ownership of the stalled Willits Town Center project may affect public transportation policy.

The Roaring Fork Transportation Authority wants to build a new bus stop at Willits as part of its bus rapid transit project, but will only do so if there is a way for pedestrians to safely cross Highway 82. Currently, plans call for a \$2.3 million underpass.

RFTA Executive Director Dan Blankenship said that in order to stay on schedule he needs letters of credit from both Willits Town Center and the Tree Farm by Aug. 1 to cover \$1.8 million of the cost. They are each on the hook for \$910,000.

River Center in Basalt moving ahead

The nonprofit Roaring Fork Conservancy's proposal to build a 8,432-square-foot education and research center was received favorably by the Basalt Town Council.

The building is proposed for a parcel just west of Tacqueria el Nopal restaurant and a few hundred yards from the Roaring Fork River. It will feature research laboratories, offices, conference space and lots of room for hands-on exhibits.

Councilman Pete McBride expressed concerns with its size, and pointed out that the Aspen Center for Environmental Studies center at Hallam Lake, a renowned environmental education center, makes due with just a few thousand square feet. But Councilman Glenn Rappaport said the council should give the Roaring Fork Conservancy "the space it needs" for an effective river center.

The conservancy is seeking a one-step approval process from the council. Developments typically come before the council three times.

Once approved, construction would occur in three phases over six years with slightly more than half of the proposed space constructed in the first phase next year.

Ruedi releases shouldn't affect fishing this year

Officials from the U.S. Bureau of Reclamation don't expect releases from Ruedi Reservoir to adversely affect trout fishing on the Fryingpan River this summer.

Water levels in the Fryingpan last year exceeded 350 cubic feet per second on 23 days between June 1 and Sept. 1, making it extremely hazardous wading. Many fishers have trouble maintaining their balance in waters flowing greater

than 300 cubic feet per second.

An extremely rainy summer or drought could alter this summer's management plan, but Bureau of Reclamation officials expect water levels in will remain in a range of 250 to 275 cubic feet per second, except in late June when releases are normally higher.

Gun range closure in Basalt's sites

The Basalt Town Council endorsed a citizen recommendation that the Colorado Division of Wildlife close its shooting range on the outskirts of town on Sundays.

DOW's Perry Will said the state agency will take a serious look at Basalt's recommendations. But he pointed out that one of DOW's roles is to promote hunting, and that shooting ranges like the popular facility Basalt are seen as vital to the mission.

He also predicted that sportsman would respond to such a closure by setting up make-shift target ranges in the woods.

The town and wildlife division have hired a noise mitigation firm to study the situation and come up with solutions. One plan under consideration is to build open-ended sheds around shooting areas to baffle the noise. Preliminary results of the study are encouraging.

Leaf blowers may soon face regulation, or elimination

Basalt may soon consider enacting restrictions or a full on ban of leaf blowers in town limits, similar to those in affect in nearly 400 towns and cities around the nation.

The town is considering the idea at the request of a citizen who became frustrated with their year round use and all the noise they make. The citizen notes that the only reason they are used in the winter is to move dust around, which needs to be swept up anyway. He pointed out that leaves moved around by leaf blowers also need to be raked up, and questioned their overall utility.

Snowmass Village —

Tax collections show mixed economic picture

Snowmass Village sales tax revenue in March was higher than expected, at \$219,311 for the month.

By comparison, in March 2009 the Town collected \$206,427 in sales taxes, while in March 2008 collections were a whopping \$275,578.

Restaurants, sporting equipment/clothing, food/drug/liquor stores and general retail were among the categories that fared better year-over-year in March 2010.

Lodging, however, was down by 5.8 percent, but much of that loss is attributable to a decline in prices rather than overall occupancy.

Non-Base Village real estate transfer tax collections were \$667,000 through April. The town had budgeted RETT revenue at \$689,113 for the entire year, so the news is better than expected. But the town has taken a major hit by the real estate freeze in Base Village.

Overall, the town government is looking at a \$363,000 reduction in its budget.

Sinclair Meadows forecloses then sells

The 8.6-acre, 17-lot Sinclair Meadows property off Owl Creek road was purchased from Alpine Bank in mid May by a Basalt-registered limited liability company, in a deal brokered by developers Andrew Light and Bob Daniel.

The deal comes just a month after the property was bought out of foreclosure by Alpine Bank. Light said the investors in Sinclair Meadows Holding Co., LLC are Snowmass residents who “could probably be described as ‘second homeowners.’”

Downvalley —

Carbondale allows taller buildings, more density downtown

The Carbondale Town Trustees voted 4-3 in favor of a so-called “overlay zone district” that allows taller buildings and more density within Carbondale's Historic Commercial Core (HCC) zone.

The HCC zone generally includes the areas within a block or two on either side of Main Street between Second and Sixth streets in downtown Carbondale. The new zoning creates a process for developers to exceed the 35-foot building height limit and build more residential units when deemed appropriate by the town.

The new provisions allow for additional building height up to 42 feet. They also allow reduction or elimination of the minimum lot area requirement for residential units, which has the effect of increasing density.

Valley View Hospital to add cancer center in five story expansion

Valley View Hospital in Glenwood Springs received approval for a 143,000-square-foot, five-story building that will house a new cancer center, administrative offices, a cafeteria and underground parking.

The approval includes a height variance of 91 feet, 7 inches; the city's code normally allows 35 feet. Since beginning renovation in 2000, the hospital has added nearly 200 employees.

Glenwood hires Bethel as director of Downtown Development Authority

The Glenwood Springs Downtown Development Authority has hired Leslie Bethel, a designer and planner from Carbondale, as its new executive director.

Bethel is no stranger to development in Glenwood Springs. Her portfolio includes co-authoring both Glenwood's downtown plan in the late '90s and the city's confluence plan in 2003.

Cattle Creek property expected back in process

Carbondale Investments LLC, the new owner of the Cattle Creek residential development, is preparing a revised proposal for the 280-acre parcel located halfway between Carbondale and Glenwood Springs.

Rocky Shepard, project director, says it will have approximately the same density of 900-plus units previously proposed for the land, although it may have more condominiums and apartments mixed in. Once it is built out, the community at Cattle Creek would have roughly the same population as Silt.

Sewer rates up 30 percent this month in Glenwood

Glenwood Springs wastewater customers can expect a 30 percent increase in their sewer bill beginning in June.

The sizable increase in wastewater rates will also be accompanied by a 5 percent rate increase for tap water for 2010.

The increases are the fifth in as many years. They are necessary to pay for several capital improvement projects, most notably the relocation of the city's wastewater treatment plant, which cost \$33 million.

GrassRoots TV debuts downvalley

GrassRoots TV is on the air in Carbondale and Glenwood Springs on Comcast cable channel 82. The station now reaches more than 17,000 cable households in the valley.

The recent switch to an all-digital cable system made the expansion of service possible. Viewers from Aspen to the Ranch at Roaring Fork can still view GrassRoots on cable channel 12.

YOUR PSF DOLLARS AT WORK

STATE

CAR successfully ran legislation to improve provisions within the Colorado Foreclosure Protection Act (CFPA) that were having adverse unintended consequences on sales of distressed properties. These changes include clarifying the definition of "Equity Purchaser", exempting short sales from the CFPA where the Short Sale Addendum is used and modifying the language requirement to only mandate a notification in the principal language of the seller instead of drafting the entire contract in their native language.

NATIONAL

NAR successfully concluded an eight year long battle by **permanently** preventing national banking conglomerates from entering the real estate brokerage and property management businesses.

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