

Ryan Howser

From: Dave Ellis <dai69@reagan.com>
Sent: Sunday, December 11, 2022 5:34 PM
To: Ryan Howser
Subject: Opposition for Special Use Permit - Colorado Pumpkin Patch LLC / Colorado Kids Ranch
Photos attached to separate email, same subject.

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Dear Mr. Ryan Howser,

Please make this letter part of the opposition package to all land use petitions and requests from Colorado Pumpkin Patch LLC and its operations at 18065 Saddlewood Rd., Monument, CO 80132, Schedule 6116000001.

Colorado Pumpkin Patch LLC and its children's amusement park operations non-compliant with El Paso County "agritainment" provisions are a curse to the surrounding residential neighborhood and a very real threat to life and limb of its neighbors. It is hell living in the vicinity of Colorado Pumpkin Patch LLC. Our surrounding neighborhood of 134 RR-5 parcels was established in 1969 as an equestrian community and a "colony of congenial people". It remained this way for decades until the advent of lawless Colorado Pumpkin Patch in the last five years and each year the absurd disruptions and threats to our surrounding neighborhood have gotten worse. El Paso County's continued failure to rein in the egregious Land Use Code violations by Colorado Pumpkin Patch LLC are going to result in the deaths of innocent people if this continues. I have regularly recurring nightmares about this, sometimes all night long like last night.

Colorado Pumpkin Patch LLC goes to great lengths to curry public favor for its children's amusement park while ignoring the most basic legal limitations on its operations. In the eyes of Colorado Pumpkin Patch LLC, anything that will bring in more money should and will be pursued, and damn the surrounding neighbors who thereby suffer. By their own admission the operators of Colorado Pumpkin Patch LLC cannot make their required profit without violating the county's limitation of fifty vehicles on their property, so they totally ignore that limitation. The other half of this crime is that El Paso County did nothing to enforce the fifty vehicle limit for the entirety of the 2022 Pumpkin Patch season.

Here are some of the violations Colorado Pumpkin Patch LLC has cursed their surrounding neighbors with:

- Placed illegal Colorado Pumpkin Patch "bandit signs" along neighboring streets. These signs were removed by neighbors and returned to Colorado Pumpkin Patch LLC.

- Placed traffic cones and a "DO NOT ENTER" sign across the entrance to Charros Loop, thereby blocking off access to an El Paso County public road. These traffic cones and the sign were removed by neighbors and returned to Colorado Pumpkin Patch LLC.

- Continually and openly violated the legal limit of fifty (50) vehicles on the Colorado Pumpkin Patch LLC during the month and a half long autumn 2022 Pumpkin Patch season. See the photos attached to my separate email, same subject, of many hundreds of vehicles on the Colorado Pumpkin Patch LLC property on different days.

-- As a result of its intentional failure to regulate the number of vehicles coming onto its property, Colorado Pumpkin Patch LLC caused many thousands of vehicles to travel through the streets of the surrounding neighborhood upon which residents walk, jog, ride bicycles and ride their horses. Although there are four public entrances to the neighborhood surrounding Colorado Pumpkin Patch LLC, the route most commonly used by Pumpkin Patch patrons is 0.6 miles long through a residential neighborhood with no sidewalks or road shoulders. Therefore thousands of vehicles travel 1.2 miles through our streets (one is paved, all others are dirt) going to and from the Colorado Pumpkin Patch LLC which results in the following problems:

--- Trash thrown out of vehicles into our neighborhood.

--- Public endangerment to neighborhood residents who pursue their normal activities of walking, biking, and horse riding on our streets.

--- Traffic congestion at intersections, especially at the intersection of Hwy 105 and Canterbury Drive and at the intersection of Canterbury Drive and Saddlewood Road.

--- Damage to private property where vehicles going to/from Colorado Pumpkin patch have hit residential mail boxes and even driven "cross-country" across neighboring properties in an attempt to find a shortcut onto the Colorado Pumpkin Patch LLC property.

--- Vehicle traffic accidents and at least one resulting incident of "road rage" between vehicle drivers going to/from Colorado Pumpkin Patch LLC on our neighborhood streets.

--- Fire danger from cigarette butts being thrown from vehicles and vehicles going "cross-country" across neighboring properties.

--- Speeding vehicles on our neighborhood streets.

--- Dirt and dust continually floating in our air.

Once on the Colorado Pumpkin Patch LLC property, patrons drive a cumulative mile on dirt lanes immediately adjacent to surrounding properties going to and from the vehicle parking area, creating billowing clouds of dirt and dust. The parking area is unpaved as well and is quickly reduced from pasture to bare dirt by the huge amount of excess vehicles.

Loud screaming emanates all day long each day the Colorado Pumpkin Patch LLC is in operation, primarily due to non-farm, non-agritainment amusement park rides and attractions Colorado Pumpkin Patch LLC has placed on their property to make a more enticing amusement park for admission paying (up to \$27 per person) children and their families. These loud screams are heard by neighborhood residents far beyond the parcels adjacent or contiguous to Colorado Pumpkin Patch LLC. Screams heard all day have a detrimental psychological effect on the healthiest of people, and the operators of Colorado Pumpkin Patch LLC could care less about it. They have no idea of the pre-existing emotional handicaps nearby property owners who have owned their homes for decades may suffer, e.g. PTSD. For these people the screams all day can and do trigger intense suffering both day and night. One neighbor related how they complained to the county sheriff about all the screams and noise from Colorado Pumpkin Patch LLC. A sheriff's deputy visited and concluded that "it just sounds like a bunch of kids having fun to me." Yes, that's what it would sound like to a visitor for five minutes. But to hear it all day long, day after day, unmitigated from hundreds and cumulative many thousands of children is cruel and psychosis producing to some people. But of course to the Colorado Pumpkin Patch LLC operators the all-day screams are the sound of money headed for their bank account.

The significant suffering and distress caused nearby property owners by Colorado Pumpkin Patch LLC and its failure to abide by restrictions in the county's Land Use Code will reach a breaking point if continued unchecked. And here the apparent total lack of security for patrons of Colorado Pumpkin Patch LLC comes to the forefront. The Colorado Pumpkin Patch LLC property is located in a shallow valley or "hollow" with higher terrain of its neighbors on the sides. The Pumpkin Patch property lacks any shielding walls and is almost entirely devoid of trees or cover. As a result there is a clear tactical field of fire across the entire Colorado Pumpkin Patch LLC from adjacent RR-5 residential properties and roads and almost all of these have a good number of trees to conceal an assailant. Whether it be an estranged parent of a Pumpkin Patch patron or some poor sod driven crazy by the continuous Code violations and threats to life and limb caused by Colorado Pumpkin Patch LLC, a single individual could wreak sustained havoc on the many hundreds of individuals out in the open on the 40 acre Pumpkin Patch grounds. The result could make the 2017 shootings of festival goers from a Mandalay Bay hotel room window in Las Vegas look like batting practice. Before you scoff at this possibility, remember you know nothing about the mental state of potential assailants and with only a small effort you can put yourself in the long suffering shoes of the neighboring victims of the unlawful excesses of Colorado Pumpkin Patch LLC. Disaster is not only foreseeable, it is increasingly more likely every day El Paso County fails to stop the Code violations of Colorado Pumpkin Patch LLC. Should such a tragedy occur, I would expect Colorado Pumpkin Patch LLC to follow the lead of the Mandalay Bay resort and sue the dead and injured victims of the atrocity. Such is my personal opinion of the Colorado Pumpkin Patch LLC's management and its attorneys. I would also expect them to perversely sue El

Paso County for allowing the egregious conduct of Colorado Pumpkin Patch LLC which precipitated such a disaster to continue completely unchecked.

For these reasons and the many more you will hear from other residential property owners surrounding the Colorado Pumpkin Patch LLC, I ask the county to deny any and all petitions from the Colorado Pumpkin Patch LLC for a Special Use Permit for its operations at their current location. The Colorado Pumpkin Patch LLC has proven itself to be a lawless, greedy money making enterprise with no interest in complying with the county's Land Use Code or permits and without a care for the physical and emotional distress it thereby inflicts on the owners of nearby residential properties.

David Ellis
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