

Vail Homeowners Association



Updates On The East Vail Booth Heights Housing Project The Secret Golf Course Housing Project August 1, 2019

The East Vail Booth Heights Housing Project

Latest PEC hearing results. On July 22nd, the PEC held another hearing on the Booth Heights housing project, this time mainly to hear public comments. Kudos to the PEC and Chairman Stockmar for scheduling this hearing (it was not on the original schedule) and for not imposing any time limits on the public comments. Many viewpoints were presented with all of the speakers being opposed to the project; no one spoke in favor of it. There was even a petition in opposition presented which had over a 1000 signatures.

Renderings shocking. At the beginning of the hearing, Triumph presented renderings of how the project would appear. Even though the renderings didn't show the large rock fall berm that would have to be constructed on the up-hill side of the project, the massiveness of the project was shocking.



Is this the future of East Vail?

This rendering, as well as the other ones, should have been part of the original application. They only came about because of questions raised by the PEC. The renderings, nonetheless, make it clear that it will be impossible to screen this project or make it blend into the surrounding landscape.

Even worse, the renderings do not show the large rock fall berm that will have to be built uphill of the project. We are told it will be similar to the Booth Falls berm. That berm was built in 1989/90 (and modified in 1997), and this is what it looks like today.



As is apparent, despite over two decades of growing seasons, that berm still has been unable to generate any screening or softening landscape cover, and it remains a huge scar on the land. If the Booth Heights project is built, both the buildings and the uphill rock fall berm will stand out like a sore thumb on the landscape, forever marring the view, especially for those descending from Vail Pass. Several speakers eloquently described the feeling on descending the pass and making the turn into the valley and being greeted by a pristine landscape which would be lost forever if this project were to be built.

The renderings also make it clear that this project is way too big for the site; that they are only now being made available speaks volumes about the incompatibility of this project in East Vail. There is nothing in East Vail that is even remotely as big as this project and trying to squeeze 270 to 350 people into this site, without any services for them (except for one small store), is like trying to force a square peg into a round hole. Furthermore, notwithstanding the inadequacy of Triumph's traffic study which was done on December 30, 2017, when VMS was not in session and ski passes were blacked out, it is clear that the project would overwhelm the transportation infrastructure and create a potentially deadly situation at the I-70 East Vail underpass. And providing only 60 parking spaces for the 168 to 254 apartment residents is woefully inadequate.

That is why the VHA has been calling for a substantial downsizing of the project. Downsizing would not only lower the visual impact, eliminate the four-story elements and probably allow for more landscape screening, but it would have the additional beneficial effects of reducing the potential impact on the bighorn sheep, reducing the traffic infrastructure impacts and allow more on-site parking.

Very few revisions. Despite two long hearings and hundreds of pages of comments, Triumph has so far made very few changes in the project. It has added 15 parking spaces to bring the total for the apartment units up to 60 (still short of the Town required 84), and it has agreed to retain the few trees on the south side that are outside the property boundaries, but no other specific changes have yet been agreed to.

Wildlife mitigation. Wildlife mitigation remains the big issue. As Bill Andre, the leading local expert with decades of experience with bighorn sheep, noted at the July 22nd hearing, housing has the greatest impact (two times more than any other activity or factor) on bighorn sheep. The TOV's independent experts have continued to work on the environmental impacts and more reports are due, but one thing is already clear; Triumph's proposed mitigation on the NAP site will do nothing to help the sheep. The proposal will require mitigation work on the north and west sides of the project and that such work might delay this project should not be a consideration. Triumph and VR had over two years to address that issue but instead tried to skate through by relying on a pseudo-scientific plan that has now been thoroughly discredited (as has been its author).

It is also futile to try to mitigate human impacts with housing policies or trail or area closures. As Bill Andre also stated at the hearing, the valley is littered with unenforced, failed housing policies and closures which only deter a small percentage of people. In the end, if this project is to be built, it is only habitat enhancement in the right locations that can save the bighorn sheep. So far, that is not part of the mitigation plan for this project. And the only way to ensure a positive outcome is to complete the mitigation work and see it demonstrated effective before approving any construction. As one Commissioner noted, "this is a potential extinction event for the bighorn sheep" and the PEC can't afford to guess on the outcome.

Many questions remain. At the conclusion of the hearing, the Commission made it clear that many questions still remain to be resolved. The Commissioners raised questions about the inadequacy of the parking [Triumph has tried to gloss over that issue by combining the Town House parking into a single ratio and pointing to core town properties], the adequacy of the geological studies, allowing dogs on the site, short-term rentals [some suggested that the allowance of short-term rentals in the TOV, whereby owners can make more by renting to tourists than employees, has greatly exacerbated the employee housing situation], the inadequacy of the traffic study and the ability to prevent residents from using the sheep winter range. Several suggested that wildlife mitigation should be completed before any construction begins, that there should be no winter construction on the west end of the project and that the bus stops should be at the east end of the project. How these issues will be resolved remains to be seen.

Which do you prefer? Here is a comparison of what's at stake with the Booth Heights project—leave the site as is, as shown below:



or bulldoze it and replace it with this housing project:



Concept for the Booth Heights development.

If this is an issue that concerns you, mark your calendar for August 12 at 1 pm and make your views known to the PEC. This will be one of the most consequential decisions that the PEC ever makes and it should have the benefit of your views before it makes that decision.

Even more problems for the bighorn sheep. At the same time, the TOV is moving forward with plans to expand the public works/bus maintenance facility and Buzzard Park. The project includes not only expanded maintenance facilities but consideration is also being given to taking seven acres of hillside for a solar panel farm (the preferred alternative to roof-top installations) and building 144 housing units on the site. This will squeeze the bighorn sheep's range from the west at the same time as the Booth Height's project squeezes it from the east; the bighorn rams' winter habitat is directly uphill from that facility.

Bighorn sheep herds are generally only together during mating season. The rest of the year rams and ewes and their lambs live separately. In East Vail, during the winter periods, the ewes and lambs use the range that involves the Booth Heights project site and adjacent land to the north and west. The rams use the land further west that is uphill from the bus maintenance facility. The survival of the herd depends not only on the health of the ewes and lambs but also on the health of the rams.

The solar panel farm and workforce housing components of the planned redevelopment in particular raise serious issues for the bighorn rams, issues that have not yet received any public airing. That does not have to be

the case for the solar panel farm. It does not need to be sited on the hill side above the project where it will directly impact the bighorns and cause a massive amount of reflective light impact on residences across the valley. The Town could achieve the same green environmental credits by locating that facility in a remote area or by purchasing solar power from other providers (similar to what VR is doing).

The timetable for bus maintenance facility project will begin as soon as the next few months when the Phase I application is filed with the PEC. The plan for Phase I envisions construction this coming fall of a large retaining wall along the north side of the property with building construction to start in March 2020. That timetable may also include construction of the solar panel farm and employee housing units, leaving little time for public comment and input concerning the impact of this project on the environment and the bighorn sheep.

Where is the Environmental Impact Study? Although this project will potentially cause a massive disruption to the bighorn rams' winter foraging habitat—it raises all the issues involved in the Booth Height's project—it appears that, so far, no steps have been taken by the TOV to prepare an EIS for the project. The only reference to an EIS has been in connection with the proposed solar panel farm, even though the zone of influence of the rest of the project will clearly impact the rams. Even just the construction of the north side retaining wall, with related excavation and heavy equipment activity over the coming winter months, will potentially have a negative impact on the rams.

Why no EIS is being prepared is unknown. Even though the TOV is the owner/developer of this project, it is subject to the same requirements as any other developer which in this case should require an EIS. The TOV has already retained three wildlife experts for the Booth Heights project, and they could be readily tasked with preparing an EIS for the public works/bus maintenance facility and Buzzard Park expansion and developing appropriate mitigation measures to offset the negative impacts from the project. It would seem that this is a necessary prerequisite to any approvals for any construction for that project.

This shouldn't be done piecemeal. Because of the impact on the rams' winter habitat, the CPW and local experts are urging that the cumulative impacts on the overall sheep herd of the two projects be considered through a "comprehensive impact lens." As the CPW noted, that type of comprehensive consideration would serve to better inform decisions on each of the projects so that the impacts are not piecemealed and the PEC has the whole picture before it as it considers these projects. The VHA, therefore, urges the TOV to immediately begin an EIS for this project and to instruct its wildlife experts to include a comprehensive assessment of the overall impact on the herd of both of these projects. The VHA further urges that, in so far as the bighorn sheep are concerned, the PEC consider these two projects in tandem and that doing so might cause some delay should be beside the point. As more than one Commissioner noted, from an environmental perspective, the Booth Heights project (and by extension the TOV bus maintenance facility expansion) is one of the biggest decisions that the PEC has ever faced, and they should take all the time necessary to get it right; i.e., there should be no rush to a decision.

Responsibility of the PEC. In approving or rejecting proposed projects, the PEC has the responsibility to fulfill the stewardship role for the TOV mission to "preserve our surrounding natural environment." That was a foundational principle of the Town and it has remained a key element of the Town's mission ever since. It would seem that insofar as the Booth Heights and bus maintenance facility projects are concerned that means no project approvals are warranted unless the developer can assure that all environmental impacts will be completely mitigated, no lingering doubts and no guessing. Stated another way, disturbing the natural environment (and by extension, endangering the bighorn sheep) is a matter that should only be considered if there is no other alternative course of action. Fortunately, that should not be a decision the PEC has to face because there are other workforce housing alternatives, both within the TOV and down valley. And, while it is

still too early to assess impacts from the redevelopment and expansion of the bus maintenance facility (an application has not yet been filed), the PEC should be cognizant of the upcoming issues that project will most likely raise.

What's next? The next (and last scheduled) PEC meeting is set for August 12th at 1 p.m. We have been told that prior to that meeting a revised wildlife mitigation plan will be submitted. There has also been some reference to the possibility of some revisions to the development plan. It is unclear, in that regard, what Triumph will do to respond to the PEC's questions or whether it will simply ask for an up/down vote on the current proposal. If the latter, the VHA urges that the PEC vote "No" on the current proposal.

If there are substantial changes or revisions to either the wildlife mitigation or development plan, the PEC and the public will have scant notice of them before the next meeting since PEC agendas are not usually published until the Friday before the meeting. And if there are substantial changes, the public should have a reasonable opportunity to review and comment on those changes. Therefore, if changes are forthcoming, it does not seem feasible that the PEC would be in a position to vote on this project at the August 12th meeting and at least one more meeting will be necessary. That also raises the possibility that an application for the bus maintenance facility will have been filed so the two projects could be considered in tandem.

Because the August 12th meeting could be the last meeting on the Booth Heights project, the VHA urges that you make plans to attend. This could be the most consequential environmental meeting in the history of Vail, one that will set the course for years to come.

The Secret Golf Course Housing Project

It now appears that the secret efforts to convert the 12th fairway and hole of the Vail Golf Course into a housing project, first brought to light by the VHA a month ago, have been abandoned (at least for now). According to the director of the VLHA, the "conceptual idea was rejected before any meaningful discussion amongst the community could occur." Unfortunately, because of the secret ways in which the LVHA operates, it is never clear what is really going on. The VHA will continue to monitor this and other LVHA activities and bring them to your attention as warranted.

Tell the PEC and Town Council what you think.

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