

Re: Geologic Hazards on East Vail Proposed Housing Site

Dear Editor:

Sunday, between rain storms I walked the social trail from the end of Lupine into the Vail Memorial Park and as rain began back to the asphalt bikepath. Glancing up at the East Vail cliffs above Exit 180 I saw a white cascade of water pouring down the hillside toward the frontage road. Looking more intently, I saw a 2nd wider waterfall pouring over the cliff of the amphitheater walls just to the west, and below it at the next rock band a wide lower falls. Wondering where all that water was going, I drove back to Vail on the north frontage road stopping just below the 5 acre proposed building site for workforce housing. There I saw a wetlands with a steady influx of two streams from the two falls.

The developer is aware of seasonal drainage here, but this is way beyond what he claims can be controlled working with the Army Corps of Engineers. The protected N.A.P. status of the 17 or so acres to the east of the housing site has been labeled geologically sensitive as is known for rockfall and slumping when saturated in wet years. But what resident in this project would want 2 waterfalls above their homes and two streams running through their property, even only "seasonally?" And how stable are those rocks and soils above? The entire parcel including the 5 acre project piece is not a building site for 270-350 residents, it is a candidate for open space and N.A.P. designation. Go see for yourself, I invite you.

Anne Esson

From: Anne Esson

To: Planning & Environmental Commission Meeting June 24, 20

Re: Triumph Proposal for East Vail Housing

What a tough job this body has been handed by a divided Town Council unable to decide between two greater community goods, these made mutually exclusive by the proposed siting of one!

Speaking for myself as a strong advocate for workforce housing since my move here in the early '90's, I am absolutely appalled at the cynicism of the ski company for the choice it is presenting the community between accepting land for sorely needed housing which however, as critical winter habitat for Bighorn Sheep, will lead to the extirpation of the herd. I am only slightly less appalled at the hypocrisy of those staff and elected officials who would accept this housing site. They claim private property rights and a public housing target, trump Vail's oft touted sustainability goals and ignore the availability of the Real Estate Transfer Tax so often used in the past to purchase & preserve open space. Pages 27 & 28 of the Town's beautiful 2018 Report to the Community focuses on Vail's sustainability efforts devoting an entire page, with a stunning photo of Bighorns, on Sustainable Wildlife. Likewise June 10th Vail Resorts' CEO spoke to the Western Governors Conference meeting here in Vail of the sustainability efforts of the company he leads, citing among 3 corporate goals "A commitment to zero net operating impact to forests and wildlife habitat by 2030."

I reflect to both the Town & the ski company that actions speak far louder than words. It is high time for action on behalf of meaningful solutions to affordable housing for our workforce and for habitat preservation for our Bighorn herd. There are ample parcels for siting of housing. VR's Ever Vail site is ideally located and a component of workforce housing was proposed for it in the past. But currently other sites may also be possible, as the old Roost site. We need only the willingness to look beyond the Bighorn habitat.

In the course of deliberations these past months many valuable insights have been advanced. One I think that got insufficient consideration came from a long-time east Vail resident who this spring described the hazards the many Vail Pass closings currently pose causing frequent blockages and transport difficulties for residents, visitors, and emergency personnel in the East Vail exit area. An additional 250-400 residents living beside the north exit would surely raise this exponentially. Also, June 16, 2019 I noted and sent messages and photos to Council & the PEC regarding two spring runoff stimulated waterfalls & water courses above and in the actual Triumph proposed building sites. Though the falls may be seasonal, this does not bode well for residences situated directly below.

But the best analysis of the revised development plan is the detailed 4-page study published June 7, 2019, by the Vail Homeowners Association. This piece examines all tenets of the new proposal, including likely costs to the Town of Vail for infrastructure and increased transportation service. Several glib statements by the developer are refuted regarding effects on the Bighorns, the community, & natural hazards of site. This is the one analysis I would ask you to read before your momentous deliberations to approve, modify, or reject the plan.

Chris Neubecker

From: Shelley Bellm
Sent: Wednesday, June 19, 2019 12:07 PM
To: Chris Neubecker
Subject: FW: Booth Creek Housing project

From: Carroll Tyler [<mailto:ctyler@slifer.net>]
Sent: Wednesday, June 19, 2019 12:05 PM
To: CommDev
Cc: Carroll Tyler
Subject: Booth Creek Housing project

I am totally against this housing project at the entrance to East Vail. There is no reason to destroy the wildlife area and cram housing with limited parking at this site. There is another location near where Sonnenalp is building their big box housing. Vote NO. Carroll Tyler

Broker Associate | Realtor
Slifer Smith & Frampton Real Estate
230 Bridge St., Vail, CO 81657
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June 4, 2019

The Honorable Jared Polis
Governor of Colorado
200 E. Colfax Ave., Rm. 136
Denver, CO 80203

Dear Governor Polis,

[Vail Valley Partnership](#) is the regional chamber of commerce, with over 840 members throughout Eagle County who collectively represent over 80% of the local workforce. We are dedicated to the economic vitality of the valley, and as such our board of governors – which includes residents & business operators throughout Eagle County – has identified workforce housing as our number one priority.

We typically would not engage the State of Colorado, or your office, as housing is primarily a local issue and while the state has a role to play it is our belief that the primary issues related to workforce housing – zoning, density, etc. – are local issues.

However, it has come to our attention that a group of disgruntled residents are planning to ask you “to save the East Vail sheep.” We encourage your office to respect that this is inherently a local – not state – issue. We are aware that the developer has carried out significant community outreach, including to this group, as well as to Colorado Parks & Wildlife and other interested parties for their input.

If your office does take a position on this local issue, we encourage you to enthusiastically support the proposed housing development and proposed wildlife mitigation in a show of support for local innovation and local control.

For background purposes, the East Vail Workforce Housing Subdivision was rezoned by the Town Council in September 2017. By this rezoning, just over five acres of the parcel were zoned to Housing District to facilitate the development of deed-restricted, workforce housing. The remaining eighteen acres were simultaneously rezoned to Natural Area Preservation District, the Town’s most restrictive zone district, to maintain this acreage as open space. The entire 23-acre parcel was previously zoned for single-family and duplex homes.

When the Town rezoned five acres to the Housing District, it guaranteed that 70% of the homes built on the site would be EHUs. As an incentive, the Town’s Housing District also recognizes that up to 30% of a new development can be unrestricted Dwelling Units (not EHUs) in order to subsidize the cost of developing EHUs. In the Housing District, projects are approved based on a project-specific Development Application which is reviewed by the Town’s PEC based on five descriptive criteria.

One of the largest concerns expressed during the rezoning process was the potential negative impact on wildlife, and specifically the local big horn sheep herd whose 1,880-acre winter range surrounds and includes this parcel.



The first step to mitigating the wildlife impacts of a development occurred when Vail Resorts rezoned eighteen acres for Natural Area Preservation, and concentrated the development potential of the parcel onto the five acres that was zoned for housing.

Additionally, over the course of last winter Vail Resorts commissioned a biologist to study the big horn herd and understand how the herd uses the site. The results of this study found a relatively low use of this heavily forested parcel by the herd – but it does more frequently graze on the parcel and cliff-band above the Vail Mountain School and surrounding neighborhoods to our west. One of the other valuable outcomes of the Vail Resort’s study was a series of design recommendations from the biologist that Triumph plans to incorporate into its development plan.

Critical to the development application is an environmental impact report (EIR) as well as a wildlife mitigation plan, prepared by Western Ecosystems, Inc. The EIR and proposed wildlife enhancements are some of the most substantial ever proposed for development on private property in Vail.

“Wildlife protection and enhancements have been fundamental to our development plan from the beginning. In addition to laying out a plan that minimizes impacts to the surrounding open space, we are proposing to permanently set aside and enhance a substantial part of the property at a ratio of more than 3:1 when compared to the portion of the site that will be developed,” said Michael O’Connor with Triumph Development. “We believe this new neighborhood can be a model for environmentally-responsible development that helps address our valley’s critical housing shortage.”

The wildlife mitigation plan outlines a site layout that protects wildlife and proposes enhancements to the Natural Area Preservation parcel that can happen after project approval. In addition, there will be rules and regulations for the development both during construction and while residents live in the neighborhood that will protect wildlife.

We believe that with vision, leadership, and political will, the needs of our local community will be addressed at the local level by our elected officials; we do not require state involvement and respectfully request that you not engage.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Romer", with a long, sweeping horizontal line extending to the right.

Chris Romer
President & CEO
Vail Valley Partnership

cc: Dan Gibbs, Representative Dylan Roberts, Senator Kerry Donovan

Chris Neubecker

From: Shelley Bellm
Sent: Thursday, June 20, 2019 2:38 PM
To: Chris Neubecker
Subject: FW: Booth Heights Neighborhood Development Proposal

From: Elyse Howard [<mailto:elyse@habitatvailvalley.org>]
Sent: Thursday, June 20, 2019 2:36 PM
To: CommDev
Cc: Council Dist List
Subject: Booth Heights Neighborhood Development Proposal

Dear PEC Commissioners,

I am writing to share both my professional and personal support for the Booth Heights Neighborhood Development Proposal recently submitted to the Town of Vail by Triumph Development. This proposal is a unique opportunity to add 61 work force housing units to the Town of Vail without any subsidy from the Town. The subsidy will come from the development of 12 market rate townhomes. The Development Application submitted to the Town of Vail meets all the Town's requirements and does not ask for any variances or financial support from the Town.

Lack of housing affordable to our work force is at a crisis level in Eagle County. 1 in 7 families in Colorado spend more than half their income on housing. In Eagle County, 22% of all households are cost burdened, and for households earning under 60% of the Area Median Income, that number jumps up to 64%. These families are denied the personal and economic stability that safe, decent and affordable housing provides. That means that 22% of Eagle County families are forced to make impossible choices between rent and basic necessities.

In Eagle County, we face a scarcity in the supply of affordable rental and for sale homes for our workforce. Today there is a shortage of 2,780 units, and by 2025 that deficit will grow to 5,900 units. This project, at no additional cost to the Town of Vail would add 61 work force units to our community. As a point of comparison, the Vail Indeed program has closed on 9 deed restrictions in 2019 at an average cost of \$91,000 per unit.

Through my work at Habitat for Humanity Vail Valley I see the critical need for additional work force housing units daily. In our last selection cycle we received 70 applications for six homes. Every single family selected is currently living in unstable and over-crowded conditions. In my 14 years with Habitat, I have seen the living situations of our community members degrade. Currently it is the rule, not the exception for families to be doubled or tripled up living one family per bedroom throughout the Valley. Adding 61 work force units at Booth Heights, will make a positive impact on our overall rental market and has the potential to free up other units throughout the community.

At Habitat, we build six homes annually. It is a complex and expensive endeavor. Affordable housing is not an easy product to build or finance. The Development Proposal submitted by Triumph Development does not ask for any variances, it does not require a financial subsidy from the town. This is a rare and unique opportunity for the Town of Vail to add a meaningful number of units towards the 1000 unit 10-year housing goal at no cost to the Town.

Personally, I have been a resident of Vail's Intermountain Neighborhood since 2000. In addition, my husband and I have a long term rental in East Vail. The last time it was available for rent, we received nearly 50 inquiries. The majority of applicants were employed with in the Town of Vail and desperate for a place to live in order to stay and maintain their employment. To realize the Town's vision to be North America's premier international resort community, we must grow our community. Stable, affordable housing is a critical component to building a strong community. The Booth

Heights Neighborhood is a realistic, viable solution to our Town's severe housing shortage. It will help to grow community by adding 61 workforce units and 12 market rate units for a total of 73 new households to Vail.

Sincerely,
Elyse

Elyse Howard
Development Director
Habitat Vail Valley
O: (970) 748-6718 ext: 121
C: (970) 376-5590

Chris Neubecker

From: Matt Gennett
Sent: Monday, June 10, 2019 8:35 AM
To: Chris Neubecker
Subject: FW: Letter to PEC

From: Ginny [<mailto:ginny.culp@comcast.net>]
Sent: Monday, June 10, 2019 7:51 AM
To: Matt Gennett; Kristen Bertuglia; Patty McKenny
Subject: Letter to PEC

Would you please forward this letter onto all PEC members. Thank you.

June 10, 2019
Vail Planning and Environmental Commission Members

The Planning and Environmental Commission of TOV is now considering a proposal for building 73 units on the East Vail mountainside parcel that sits at the East Vail entrance to Vail. This tract of land is large and prominent in one's impression of Vail as you are entering or leaving Vail. This acreage is interesting because for years and years everyone thought it belonged to CDOT. For decades it appeared on TOV's Comprehensive Master Plan as Open Lands/Space. Turns out it belongs to Vail Resorts. Who is now selling it to a developer for housing, both employee and free-market.

There is strong opposition to building on this site due to it being the rather limited, but critical, winter range of the last herd of bighorn sheep in the area. The parcel is barely enough to keep the sheep herd viable without the addition of hundreds of people, dogs and cars once the horrendously invasive building process is complete. That is one of the reasons I oppose building anything on this parcel.

However I also think this site is a keystone for the TOV. It's a beautiful mountain side and telegraphs Vail resident's commitment to open space and our environment. As declared in the TOV's mission statement. Another commitment the TOV made years ago was to collect a 1% real estate transfer tax on each property sale with the tax proceeds used to buy and maintain open space in the TOV. (Average sales price in Vail is now somewhere around \$1.4 million. The real estate transfer tax (RETT) on that is \$14,000. Average annual income to the fund is just under \$7 million over the past 11 years. The balance in the account is now over \$10 million.) Over a decade ago the Town declared there wasn't very much open space left so those funds should be put to other uses. And indeed they have.

In the past eleven years the TOV has moved approximately \$70 MILLION from RETT into projects that would normally have been paid by other departments like Public Works and Vail Recreation District. It has paid for things like streetscape projects, the golf course clubhouse and grounds, much of Ford Park including Betty Ford Alpine Garden pledges, managing beetle kill and forest fire prevention, water issue management/remediation, bike path and frontage road shoulders, pickle ball courts, Skateboard Park, Dobson Ice Arena and Gymnastics Center and on it goes.

I suggest that the TOV has stopped even looking for open space to preserve because this RETT money has become an integral part of their annual budget. But here is a parcel of land that is meaningful to our community for lots of reasons outlined by many Eagle County residents and it should be preserved. That is what the RETT was designed for. It was a master stroke of future planning by a previous council in providing the ability to preserve open space and contribute to environmental stewardship. I urge the Town of Vail, Vail Resorts and private entities to pursue all avenues to purchase and preserve this pristine piece of land and important habitat for a variety of wildlife, including the Colorado State animal...the Rocky Mountain Bighorn Sheep, for generations to come. It is a living statement about Vail residents' commitment to our natural environment

Ginny Culp

From: [Shelley Bellm](#)
To: [Chris Neubecker](#)
Subject: FW: Booth Heights Housing Development
Date: Wednesday, June 19, 2019 8:24:03 AM
Attachments: [image001.png](#)

From: Barndt, Joel [mailto:Joel.Barndt@efirstbank.com]
Sent: Tuesday, June 18, 2019 10:41 PM
To: Council Dist List
Cc: CommDev
Subject: Booth Heights Housing Development

Hello,

I am writing today with my enthusiastic support for the proposed Booth Heights neighborhood in East Vail. I have worked at the FirstBank of Vail for the previous five years. I have lived in deed restricted housing nearly my entire time in Vail - first at Lionsridge and now at Chamonix.

My wife, Kate, and I were lucky enough to win the lottery at Chamonix and we were the first family to move in. Chamonix is the neighborhood for locals that we hoped it would be. There is a great mix of residents who are all united by our love of Vail. In April, Kate and I welcomed the birth of our first child – a beautiful girl named Kennedy. We are excited to have her attend the newly renovated Red Sandstone Elementary in the near future.

If our Town is going to continue to grow and thrive, we have to find more opportunities for neighborhoods like Chamonix. As a Vail taxpayer, we also need to be cognizant of our budget. From my perspective, the Booth Heights proposal is a clear win-win. No subsidy is being requested from the Town and we are dealing with a well-respected local developer who wants to do the right thing. The Town has indicated that one of its top priorities is to develop more housing. This private property is zoned for Housing - and that's what should be developed on the site. There are not any other options in Town that are available for this type of development.

Wildlife is important. It is one of the reasons we enjoy Vail. But homes for families like mine are equally important. To not develop on the land would be a direct hit to the working class citizens of Vail who rely on projects like Chamonix to continue to live and work in the Town. How can building another Chamonix be a bad thing, if done responsibly? The Town should do its part to protect and enhance wildlife. And the developer should be sensitive to wildlife as well. But wildlife should not be a "veto" card that any opponent can waive to stop a new neighborhood of families like the Barndt's just because they don't like it.

Please do the right thing and find a way to get to "yes" on this new neighborhood. The families of Vail will greatly appreciate it, like my 31 neighbors and I greatly appreciate what you did at Chamonix.

Thanks,



Joel Barndt

Assistant Vice President

NMLS ID #1232956

FirstBank – Eagle County

17 Vail Rd, Vail, CO 81657

T 970.479.3330 F 970.479.3309 | efirstbank.com | [Blog](#)

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Chris Neubecker

From: Shelley Bellm
Sent: Wednesday, June 19, 2019 8:24 AM
To: Chris Neubecker
Subject: FW: East Vail Housing Support

From: Karen Hannah [<mailto:karen.hannah@vailhealth.org>]
Sent: Wednesday, June 19, 2019 7:57 AM
To: CommDev; Council Dist List
Subject: East Vail Housing Support

Dear Planning Commission,

My name is Karen Hannah. I work for Vail Health and moved here with my husband 2.5 years ago. He works for CDOT on Vail Pass. We both work on the east side Dowd Junction. And we also were lucky enough to win the lottery and move into Chamonix Vail at a time when we were desperate to find a home that fit our Vail-centric lives.

I want to convey to you how truly hard it is to find a home here in Vail. Both of us have good jobs and were excited to move here. But it took us two moves in rentals, including a stint in a hotel room for many months before we were able to find a home that we could afford, in the spot that we need to be. Luckily this was just when the Town of Vail was underway with the Chamonix - and we were lucky enough to win the lottery and buy a home that we could afford.

I now find myself on the other side of that dilemma. I'm trying to grow my department at the hospital and hiring people is increasingly difficult because of housing. Of my small staff, one works remotely and commutes from Denver, one commutes from Leadville each day and the other one just resigned because the cost of living is too expensive. This is a really hard place to afford to live. We all know that. But I'm here to put a name and face to the problem. We are a married couple with two good jobs who needed to be close work. A new development like Booth Heights will provide the next Hannah family a place to live - and without it there likely won't be a place for families like ours to move.

Chamonix has been a wonderful neighborhood for us. It is a real neighborhood where all the homes have lights on daily and there is a true sense of neighborhood. Building more neighborhoods like Chamonix is definitely the right thing to do.

I understand how wildlife is important. But homes for people like my husband and I are also really important. And we are lucky enough to live and work here because the Town facilitated the creation of a neighborhood for locals. The Town should feel good about doing its part to support these neighborhoods and in this case, maybe that is simply taking the lead on helping the big horn sheep herd that we read about in the Vail Daily several times a week. But the Planning Commission and Town Council should also find a way to say "yes" the Development Application.

Thank you,

Karen J. Hannah

Director of Decision Support

Vail Health | Decision Support

(970) 479-5117 | vailhealth.org

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Chris Neubecker

From: Shelley Bellm
Sent: Wednesday, June 19, 2019 1:22 PM
To: Chris Neubecker
Subject: FW: Booth Heights Locals' Housing Neighborhood

From: Kevin Denton [<mailto:kevin@vaildenton.com>]
Sent: Wednesday, June 19, 2019 1:20 PM
To: Council Dist List; CommDev
Subject: Booth Heights Locals' Housing Neighborhood

Hello, my name is Kevin Denton and I am a lifelong local, and a new proud Chamonix homeowner. I wanted to share my full support of the Booth Heights Housing development. I would love to see more locals have the wonderful opportunity to own a home in Vail area who can't afford a home without such developments. This valley is in dire straits of affordable housing for the folks who live, work and contribute to making Vail the world renowned town and destination.

My wife and I are so fortunate and love our townhome at Chamonix that Triumph Development did with the TOV. Working with them and the TOV has been great and I hope more lucky locals have this opportunity.

I am also a strong supporter in protecting the wildlife and making sure they are not affected. I have the utmost confidence and faith that Triumph has done through studies and will do everything they can to make sure the wildlife is protected.

I hope they get full support and approval.



Best Regards, Kevin

Kevin Denton | Denton Advisory Group
Cell: 970.306.9330 | Office: 970.476.0476
Kevin@VailDenton.com | www.VailDenton.com

Berkshire Hathaway Home Services | Colorado Properties
225 Wall Street #200 | Vail CO 81657

Click on either logo below to view listings



Wire Fraud Alert: You will never receive wiring instructions from me. All wire instructions will be emailed from the title company via an encrypted email system.

Chris Neubecker

From: Suzanne Silverthorn
Sent: Thursday, June 13, 2019 1:46 PM
To: Chris Neubecker
Subject: FW: Proposed East Vail Workforce Housing

Public comment

From: Amanda Zinn
Sent: Thursday, June 13, 2019 1:40 PM
To: Suzanne Silverthorn
Subject: FW: Proposed East Vail Workforce Housing

FYI

Amanda Zinn
Supervisor
Vail Welcome Centers



Office: 970.477.3520
Cell: 970.376.1754
vailgov.com



-----Original Message-----

From: info@vailgov.com [<mailto:info@vailgov.com>]
Sent: Thursday, June 13, 2019 1:33 PM
To: Info
Subject: Proposed East Vail Workforce Housing

Dear Vail Town Council Members,

I encourage you to vote against the proposed workforce housing project. By stopping the development, you will show your unequivocal support of the existing Bighorn sheep population.

Thank you for supporting biodiversity.

Sincerely,

Michael Bartholomew Ducey
Vail, CO Resident

Submitted By:

Name:: Michael Bartholomew Ducey

Email:: bartducey@hotmail.com

Submitted From:

<https://www.vailgov.com/contact>

Chris Neubecker

From: Patricia Langmaid <patti.langmaid@gmail.com>
Sent: Wednesday, June 12, 2019 10:55 AM
To: letters@vaildaily.com; Council Dist List; Chris Neubecker
Subject: East Vail Development is not a positive for Wildlife.

The present political climate is not good for the environment. As stewards of our valley, from Gypsum to Vail, we must be wary and vigilant. We cannot give up fighting for what is most precious in our valley: wildlife and open space.

Are we sacrificing too much as we grow? Is there an end in sight? Are we going to continue to build on every square inch of the valley and even into [National Forest](#)? There is something ominous about too much growth: it slowly oozes in, erasing our memory of what was.

There is a threat to wildlife in East Vail. A battle is going on to stop a housing development from driving a herd of Bighorn sheep from their critical winter habitat. Reliable science tells us the sheep will not survive when the construction begins and when people move in. I have heard, "They will just move away, down valley ways". That is not the way the biology of sheep works: they will move but it will lead to their demise. Right now, the sheep need serious habitat enhancement that cannot be done in a few weeks. It will take years to do what's needed: a controlled burn, pruning, and seeding over hundreds of acres. The permitting and funding processes alone take time.

The 5 acre piece of land at the East Vail entrance is not the last piece of land in the town of Vail suitable for housing. There are other options which fit the designation of a housing zone.

The Town of Vail should negotiate with Vail Resorts to keep this critical area as Open Space. The sheep are depending on us, the PEC and Town Council to protect their home and insure their survival. Then, the other possible housing options within town should be pursued.

Patti Langmaid
Vail

Sent from my iPad



June 20, 2019

To Whom It May Concern:

Re: Booth Heights in East Vail

Our Town, PEC and the Town Council need to support the proposal for Booth Heights in East Vail.

Housing is our number one problem and we need to get serious about it. Finding homes for the hundreds of hospitality employees that our Town needs is critical to our success.

While the Vail InDeed program is great, from a pure numbers standpoint a few dozen deed restrictions per year through the InDeed Program are not going to get us to the 1000 unit goal in the next 7 years.

The East Vail property is zoned for this Housing and it is the only undeveloped housing parcel in Town. The opposition says "I support housing, but just not in East Vail". I ask where? There are not other properties in Vail zoned for this. It is our only option.

The Booth Heights neighborhood will create more net new locals housing in one neighborhood since the Town Purchased Timber Ridge. Chamonix was a huge success in building a neighborhood for locals and we are thrilled to have the property as our neighbor at the DoubleTree. It should be easy to say "yes" to building another one in East Vail.

Booth Heights will not cost the Town anything to subsidize because it is zoned for locals Housing. When a project comes along that will build a substantial number of units, in a development plan that fits with the neighborhood, that doesn't cost the town anything, it should be easy to say yes.

The decision in East Vail is not Wildlife vs. Housing as the citizen opposition insists. The fact that sheep already spend some their winter above an existing neighborhood and VMS and graze along the Frontage Road is a pretty good sign that they are habituated to human activity. CPW has documented their winter range is 1800 acres which they can and will use other areas if they want. And while the sheep have 1800 acres of winter range to use, our town has just 5 acres of land zoned for locals housing. We have to take advantage of this private property to build that housing.

We can have both Housing and Wildlife. Build the housing we need and make sure it is done in a responsible way as proposed by the developer.. Most importantly, do not be swayed by the NIMBY hypocrisy from people who are lucky enough to live in East Vail. We need homes for our local employees of all types.

Sincerely,

Robert Kisker
Area General Manager
DoubleTree by Hilton Vail

Chris Neubecker

From: Shelley Bellm
Sent: Wednesday, June 19, 2019 8:43 AM
To: Chris Neubecker
Subject: FW: Booth Heights Locals' Housing Neighborhood

-----Original Message-----

From: TRACEY SCHMIEDT [<mailto:traceyschmiedt@gmail.com>]
Sent: Wednesday, June 19, 2019 8:31 AM
To: CommDev
Cc: Council Dist List
Subject: Booth Heights Locals' Housing Neighborhood

To Whom It May Concern:

As a 25 yr full-time resident of Vail, I wanted to voice my support for this development. The lack of affordable housing has been an on-going issue for many years. As a small business owner, the lack of affordable employee housing has directly impacted my ability to hire qualified employees and expand my business.

Many businesses are short staffed, have high turnover and have employees whose monthly outgoings exceed their income due to high housing costs. The good employees leave to areas with a better cost of living. Many of those who remain just stop caring.

The lack of affordable employee housing directly affects many aspects of our visitor's experience. A steady, qualified local work force is essential to the continuing success of our valley. This far outweighs any unsubstantiated claims of lowered housing values. Their homes and experiences here wouldn't exist without these workers.

Thank you for your consideration,

Tracey Schmiedt

Square One Creative Resources
PO Box 3358
Avon, CO 81620

970.376.5028

VAIL HOMEOWNERS ASSOCIATION

June 11, 2019

Town of Vail
Planning and Environmental Commission
75 South Frontage Road
Vail, CO 81657

RE: Booth Heights proposed development

Dear Chairman and Commission Members:

We write to express concerns about the Triumph Properties application to build the proposed Booth Heights development. A hearing is scheduled for June 24th, and because we don't know the scope of that hearing, our comments will be fairly comprehensive; hence, this letter will be longer than usual.

Our concerns fall into several categories. We believe that, as presented, there are inadequate provisions to ameliorate the irreversible negative environmental and wildlife impacts of the project; there are inadequate parking spaces at the project; the project is not compatible with the surrounding neighborhood and the necessary public transportation capacity increases have not been addressed. To deal with those concerns, we offer several suggestions on a way forward.

Bighorn Sheep

As you are aware, this would be a massive development that could be an extinction level event for the East Vail bighorn sheep herd. The project would place between 270 to 350 residents in what is now pristine aspen forest.¹ As admitted by Triumph in its EIR, there will be irreversible negative impacts as bighorn sheep are displaced from the five acres of the project site. Triumph also concedes that those animals will be displaced from “adjacent foraging areas”, but it has not quantified the amount of that displacement. However, using established known distances for the “zone of influence” of human activity, it is clear that the “displacement” will extend out for several hundred yards in all directions. The sheep will also be blocked by bus stops, a bus shelter and landscape steps² from foraging on 2 acres between the project site and Frontage Road. As its biologist's report concedes, it might “not be possible to save” that area.

Bighorn sheep are already severely depressed. They have not bounced back from the brutal 2017 – 2018 winter, largely due to habitat loss. The herd is now close to the tipping point of a “small population” size, whereby it can no longer regenerate itself. It will not take much more to push it

¹ As explained in the application, three rental apartment buildings would house 168 VR employees and that number could go as high as 254 individuals depending on how many people choose to live in a unit. Eight town house units would house an additional 102 residents.

² Triumph's biologist recommends against those improvements for the very reason that they would exclude the sheep from that area. Triumph declined to follow that recommendation

over the edge. Presently, according to Triumph's own biologist's report, the sheep have an effective winter range of just 266.68 acres.³ Taken together, the areas of "displacement" described above could be upwards of 80 acres or 30% of that range. Loss of that much of their foraging range could be devastating.

As a matter of survival, the sheep can be expected to try to continue to use their regular foraging grounds but that will only make matters worse due to the human impact that this project will cause in those areas. Even small disturbances where grazing is interrupted increases heartbeat, respiration and calorie consumption. And the impact is greater if the sheep run off as even only a few yards will add up over the course of the winter in calories burned. The project will also impact the sheep's feeding time and, for bighorns during the winter, that can have serious effects. In addition, ewes are pregnant during the winter, and any impacts to their overall health impacts the unborn lambs. Lambs that are born sub-par are at a greater risk of not surviving their first year. If the ewes do not regain their overall health, they will not breed the next year. So the impacts from one winter can impact the population for 2 or more years, and impacts from continuous human activities will be forever.

Triumph has proposed to offset that loss by enhancing 17.9 acres that are immediately adjacent to the east of the project. That, however, will be of no meaningful help because (1) that entire area is in the zone of influence from human activity at the project, (2) the terrain is a landside area where the land is dislocated and uneven making grazing difficult and (3) that area hasn't seen a sheep in years, if ever, and it is folly to think that the sheep could be enticed to move there. Moreover, even if the sheep would move there and there were no human impacts, that area would make up only a fraction of the habitat that will be lost due to the project.

Triumph has also put forward a fallback argument that maybe the harm to the sheep won't be so bad because they will forage in the areas around the project "under cover of darkness." That shows a serious misunderstanding of the sheep. Bighorn sheep are diurnal (active during the day). See Fitzgerald et al., *Mammals of Colorado*, ("Mountain sheep are gregarious, social mammals. They are diurnal, with two to five foraging bouts interspersed with periods of rest, play..."). The major defense bighorns have against predators is their keen eyesight and the ability to detect movement at great distances; nocturnal activity would reduce the ability of bighorns to detect predators. Anyone who has observed the East Vail herd has noted that they are extremely active during the day.

More wishful thinking is the recommendation to "screen" the project during winter construction (Nov. 15 to Apr. 15) so as not to displace the sheep from the adjacent areas, as though it were only visuals impacts that effect the sheep. The noise, smells and activity from building 11 structures and related in-ground and above-ground infrastructure, including the impacts from necessary heavy equipment, will be huge. Blocking the sheep's view of that, even if possible, is not going to eliminate the impact.

³ Triumph's application repeatedly refers to a range of 1,800 acres, but that is hugely misleading because it includes all of the Booth Falls homes, interconnecting roads and infrastructure, the VMS campus, the TOV bus maintenance facility as well as many other areas that haven't seen a sheep in years. Buried in the report is the fact that "only 15% (266.68 acres)" of that range is actually used by the sheep.

As the EIR concedes, the long-term vitality of the herd really depends on enhancement of the uphill land on the north side of the project, and the report expresses hope that will be done. However, Triumph has presented no plans in that regard.

The burden is on Triumph to demonstrate that the admitted irreversible negative impacts of its project would be ameliorated. The plan it has presented does not do that. As far as the bighorn sheep are concerned, this project is not like anything else that has come before the PEC. Never before has the PEC had to deal with a potential extinction event project. VHA, therefore, urges that before accepting Triumph's EIR (which is largely based on the biologist's report) the PEC should summon the best available scientific input. Only in that way can the PEC truly evaluate the merits of that report.

It is critical for the sheep that any mitigation/enhancement efforts work. VHA, therefore, also urges that since Triumph has placed so much stock in its 17.9 acre enhancement solution that this project should be tabled to give Triumph the opportunity to carry it out. Triumph could start on it immediately so that the 17.9 acre area would be available for forging next winter. Rather than hope it might work, the PEC would be able to know exactly whether it works. If Triumph objects to doing that it will be a clear indication of what Triumph really thinks about its proposal.

Other Animals

Other animals also use the project site. As the EIR acknowledges, Peregrine Falcons use the area for hunting and elk, deer and black bears use it for foraging although the times of those uses vary from the use by the sheep. Prime time for Peregrine Falcons is from March 15 to July 31; for elk and deer it is winter range, and black bears use the area as summer foraging grounds. As with bighorn sheep, those animals, especially elk which are most susceptible to human activity, will lose the use of the project site and surrounding areas in the zone of human activity although the effects of that loss will not be a potential extinction event or as severe. Nonetheless, these animals have also been severely depressed, and the same concerns for their well being exist. If Triumph's proposed enhancement does not work for the sheep, it will also not work for these animals.

The EIR also fails to address the fact that this project, potentially, will block the north/south migration corridor that exists through the area. That corridor was established in the early days of Vail when I-70 was constructed by joint action of the TOV, CDOT and Vail Associates.⁴ The project site sits at a choke point in that corridor, so that if the project is built as intended it will effectively close off that corridor. Triumph should be directed to address how it will ameliorate those impacts.

Inadequate Parking

The present plan also does not provide adequate parking for the VR employees who will be residing in the rental apartment units (Buildings 1, 2 and 3). Instead of the standard two parking spaces per unit (for units between 500 and 2,000 GRFA), only 35 surface parking spaces are provided for those residents. At two persons per bedroom, those apartments could house 168

⁴ There is only one other such corridor in the TOV, and it is in Dowd Junction.

employees or more⁵. (The application states there would be 45 spaces for those apartments, but the Parking Diagram for the project, sheet A.006, shows only 35 spaces, and there is no room to add more; however, even at 45 spaces, there would be woefully inadequate parking for the VR employees.)

Triumph tries to by-step this problem in two ways: (1) by using the parking spaces for the town homes to calculate an overall ratio and (2) by claiming that most residents will use public transportation.

Doing a project-wide calculation for parking is at best misleading because (1) the apartments and townhomes each have their own separately designated parking spaces. VR employees will only be allowed to park in their assigned parking spaces, i.e., the 35 spaces set aside for them, and (2) the parking requirements for town homes are different⁶ so mixing them together with the apartments is an apples/oranges proposition.

The public transportation justification is equally unavailing because it depends on the unfounded assumption that 133 of the VR employees (or 219, if the apartments were maxed out) would use public transportation to get around in Vail while ignoring the inconvenient problem of what the VR employees who drive to Vail will do with their cars while working in Vail.

The public transportation justification also flies in the face of the biologist's recommendation that it should not be done because building two "pull out" bus stops and bus shelters on each side of Frontage Road at the east end of the project and constructing Frontage Road access steps at the east and west end of the project will block Bighorn sheep access to the I-70 right-of-way. Although not addressed by the biologist, doing so will also contribute to closing down the east Vail wildlife migration corridor.

Once again, Triumph has not met its burden, this time in demonstrating that its project has provided adequate parking for the VR workforce employees. While the PEC has discretion to authorize a downward deviation from normal parking requirements in housing districts, it should not be to approve what is in essence tokenism.

Neighborhood Compatibility

As proposed, the density of the project will be 13.5 units per acre,⁷ with a resident population of between 270 to 350 individuals. Aside from making the project incompatible with the East Vail neighborhood, the spill-over effect of jamming that many units into the project space is that there is insufficient room left to provide adequate parking.

⁵ Triumph acknowledges that, depending on how many people would choose to live in a unit, the number of employees in the VR apartments could go as high as 254, making the parking deficit even worse.

⁶ Due to the size of the town homes, each unit should have 2.5 spaces or a total of 76.5 spaces. The plan, however, only provides 65 spaces for those units, a deficit of 11 spaces.

⁷ Triumph prefers to not count the VR employee units in calculating density, but the individuals occupying those units will be residing in the space and should not be ignored.

Under the prior (duplex) residential zoning that existed for this property, there could have only been about 15 residences or a density of three units per acre (about 45 to 60 residents). While there are no corresponding limitations in employee housing zoning, the “character, scale and massing” of employee housing “must be compatible with ... the surrounding neighborhood.” It is hard to see how jamming 11 buildings and 270 to 350 residents into this site, with the attendant congestion impacts, will not change the character of East Vail. While there are some multi-family housing buildings along Bighorn Road, the densities involved nowhere come close to the density of this project, and none of those buildings are taller than 3 stories or involve hundreds of residents.

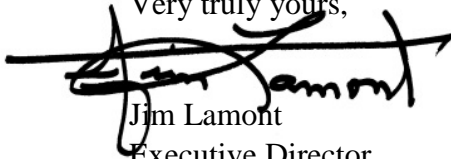
Transportation Impacts

Triumph plans for most residents, especially the VR workforce employees, to use public transportation. It has to take that position to justify the scarcity of parking at the project. Currently, East Vail bus ridership stands at 80,000 per month or less, so adding another 200 riders could result in a 15%, or more, increase in peak hour ridership. However, neither the project proposal nor the EIR addresses this point.

Ridership increase of that magnitude will probably require capacity increases for the East Vail route (bus capacity is 70 passengers/bus which would mean several additional busloads of traffic), but so far, there has been no assessment of those additional operational and capital costs (buses, drivers, maintenance, fuel, insurance, expansion of the bus maintenance facility, etc.). The current annual cost of the East Vail route is \$850,000, and each additional bus costs \$1 million, so the necessary transportation capacity increases could be substantial. The Town of Vail should not be left to foot that bill.

In sum, VHA urges that the project not be approved as presented. Instead, Triumph should be given the opportunity to implement its proposed mitigation proposal and to addresses the other deficits in its development plan.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jim Lamont", written over a horizontal line.

Jim Lamont
Executive Director

Vail Homeowners Association

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VAIL HOMEOWNERS ASSOCIATION

June 17, 2019

Town of Vail
Planning and Environmental Commission
75 South Frontage Road
Vail, CO 81657

RE: Booth Heights proposed development

Dear Chairman and Commission Members:

We write to supplement our June 11th. letter concerning the proposed Booth Heights housing development. In our original letter we generally addressed concerns about this project; now we relate those concerns to the specific design criteria for Housing District zoning and explain how Triumph's Environmental Impact Report is flawed and needs to be corrected. We do so in the context of Triumph's claim that it has demonstrated that it has carried its burden of showing that its proposed development meets those design criteria and that its project will be good for the community and the environment.

There are six design criteria for H zoning. We begin, as Triumph did, with criteria "E" which deals with the environmental impacts of the proposed development.

Criteria "E" requires that all environmental impacts of the project be identified in an Environmental Impact Report together with mitigating measures that will be taken to cure or offset those impacts. The EIR is, thus, a foundational document for a proposed project. The EIR that has been submitted by Triumph, however, contains fatal flaws, both in the identification of the impacts of the project and in the mitigation responses.

In the first instance, Triumph has understated the environmental impact of its project, particularly with respect to the resident bighorn sheep herd. Assessment of the project impact on the bighorn sheep must begin with a bona fide evaluation of the sheep's effective winter range. That was actually done, but in an effort to minimize the impact of its development, Triumph repeatedly and falsely claims that the bighorn sheep have a 1,800 acre winter foraging range. That is demonstrably untrue since the 1,800 acres includes the Town of Vail bus maintenance facilities, all of the Booth Falls and Bald Mountain housing areas, related infrastructure and rock fall barriers, the Vail Mountain School campus and related housing and other areas that haven't seen a sheep in years. The true size of the effective winter range, according to Triumph's own biologist's study, is "only 15% (266.68 acres)" of that range, and it includes the project site.¹ That should have been clearly disclosed at the outset of the EIR.

¹ As Triumph's biologist has recognized, Buildings 1 and 2 of the apartment buildings overlap observed foraging areas, and the entire site must be considered part of the Bighorn sheep's winter range.

Next, the real extent of the project's impact must be determined in the context of that range. According to Triumph's biologist, those impacts will come from direct loss of the project site, "sheep displacement from adjacent foraging areas," increased Frontage Road traffic and the use of area recreational corridors by the housing residents. Of those, the first two can be readily quantified. First, the sheep will be displaced from the five acres of the development footprint. Second, although Triumph's biologist did not calculate the loss of adjacent foraging areas, the known "zone of influence" of human activity extends outward several hundred yards in all directions. Third, the sheep would also be displaced from two acres between the project site and Frontage Road.² The net result will be an irreversible loss of upwards of 80 acres or 30% of their effective winter range. That too should have been clearly disclosed in the EIR.

As far as the Bighorn sheep are concerned, unless effectively mitigated, the loss of so much of their effective range will probably be an extinction level event for all the reasons we have already enumerated in our original response.

Second, the mitigation measures proposed by Triumph will not cure or offset those impacts. To protect the sheep, Triumph has proposed to limit clearing and mass excavation to non-winter months, to put up a construction fence to block the view of the project and to clean and enhance 18 acres to the east of the project. Those measures all fall far short of protecting the sheep.

The noise and smells coming from construction and heavy equipment working on the site will frighten and drive the sheep away from adjacent foraging areas. Those impacts will be continuous, not just during clearing and excavation, so that as long as construction continues during the winter it will impact the sheep. And a construction fence will not prevent those impacts. Even if a fence could block the sheep's view of the construction, it will not block the sounds and smells emanating from construction activity. The only way to do that is to halt construction during the winter months. That would be consistent with the Triumph biologist's recommendation that construction "not occur outside of buildings during the winter range period," but that is another recommendation that Triumph does not intend to follow.

Nor will the proposed clean-up³ of the adjacent parcel cure or offset either the construction impacts or the later impacts of residents at the project. That is because sheep will not use that

² The loss of the two acres between the project site and Frontage Road, although small in area, is instructive as to how seriously Triumph takes its obligation to minimize the negative environmental effects of its proposed development. Triumph's biologist recommended against bus stops and other improvements that would cause the sheep to be displaced from that area. Triumph did not disclose in its EIR that it was ignoring that recommendation and that it intends to build those transportation structures anyway, thus, increasing the negative effects of the project.

³ That proposal has not been well thought-out. It envisions stacking logs and brush for burning in place when there is "sufficient (min. 4 in.) snow on the ground." But that is when the sheep are in their winter range. To burn then would be just another stress factor for the sheep.

area since (1) it is in the zone of influence from human activity at the project, (2) the terrain is a landside area where the land is dislocated and uneven making grazing difficult and (3) that area hasn't seen a sheep in years, if ever, and it is folly to think that the sheep could be enticed to move there. Moreover, even if the sheep would move there, there were no human impacts and that area was a 1:1 trade off for some of the foraging areas lost; that area would only make up a fraction of the total habitat that will be lost due to the project. The sheep would still lose over 20% of their effective winter range.

As Triumph's biologist has recognized, the "real key" to maintaining the bighorn sheep is not dependent on improvements for the 18 acre adjacent parcel but rather on the enhancement of the USFS land to the north and west of the project.⁴ Prior to submitting the EIR, Triumph should have consulted with USFS, CPW and the TOV to develop a plan for the improvement of foraging in that area outside the zone of influence of the project. That it did not do so undermines the credibility of its EIR.

On that basis alone, the PEC should not accept the EIR as presented. Instead it should direct Triumph to submit a new EIR that includes a mitigation plan for improvements in the USFS land, and until that is done, there should be no further consideration of the proposed project. In developing that plan, the area to be enhanced should not arbitrarily be limited to 80 acres since, depending on the terrain involved, it may require mitigation of more than 80 acres to offset the foraging areas that will be lost adjacent to the project. Improvements should include clearing of fallen trees and debris, pruning of bushes and regeneration of shrub land, grasses and forbs with fertilization to encourage growth. Also in developing the plan:

1. Independent experts should be consulted (because Triumph's biologist has a conflict of interest due to his employment) to determine both the location and size of the area to be enhanced as well as the specific measures to be undertaken.
2. Neighborhood representatives should have a seat at the table in developing the plan.
3. Because of concerns about using burns to dispose of logs and slash, the plan should include helicopter lifts for debris removal.

The resulting mitigation plan should be made part of a new EIR. To ensure the implementation of the plan, Triumph should post a bond for the costs of the mitigation, and any approvals of the project should provide that if for any reason a suitable plan cannot be devised and implemented, the project approval would become void.

Third, the revised EIR should also acknowledge a similar loss of range for Peregrine Falcons, elk, black bears and deer. Although those losses would not be extinction level impacts, all are already severely depressed, and the losses would be significant. In addition, the current EIR fails to address the fact that the project site sits in the middle and at a choke point in the East Vail north/south wildlife migration corridor. For migrating animals the development would have the

⁴ In its application Triumph suggests that the TOV, CPW and USFS might launch their own enhancement/improvement plan in that area. That should in no way lessen Triumph's obligation to mitigate the negative impacts of its project. If the TOV, CPW and/or USFS take any such action, it should be additive to, not a substitute for Triumph's mitigation obligations.

significant impact of closing off that corridor. The new EIR should address mitigating measures for that impact.

Fourth, the new EIR should, as well, acknowledge that the project will harm the natural environment by the clear cutting of five acres of pristine aspen forest and the visual pollution that will result from replacing that forest with 11 buildings that will forever mar the view of the valley for visitors approaching from the east. As mitigation, there should be a reduced density and lowering of the masses of the apartment buildings. (See Design Criteria A discussion below). There should also be landscape shielding that will block the project from the east and south.

Criteria “A” requires that the proposed development be compatible with the surrounding neighborhood. At 13.5 units per acre and 270 to 350 residents, the project is not on the “same scale” or otherwise compatible with East Vail. Also not on the same scale are the masses of the three work force apartment buildings (Buildings 1, 2 and 3) which will have four story components facing I-70. The prior multi-family residential zoning on this parcel would have accommodated only about 15 residences or a density of three units per acre (about 45 to 60 residents), and buildings would have been limited to three stories.

East Vail is primarily a residential neighborhood of single and duplex homes. While there are some employee housing units along Bighorn Road and a few multi-family buildings, the densities involved nowhere come close to the density of this project, and none of those buildings are taller than 3 stories or involve hundreds of residents. It is hard to see how jamming 11 buildings and 270 to 350 residents into this site, with the attendant congestion impacts, will not change the character of East Vail.

To be compatible with the surrounding neighborhoods, the project density should be reduced and the mass of the apartment buildings (Buildings 1, 2 and 3) should be lowered by removing the fourth story. Lowering the mass of the apartment buildings will lessen the visual pollution of the project. Reducing density will have the beneficial effects of allowing more parking for the work force employees and lessening the spill-over impact of the project on the bighorn sheep’s winter range.

Criteria “B” requires a functional development plan that will accommodate the needs of the intended residents, 168 to 254 of which will be work force employees. For the size of the apartment units those employees will occupy, the parking requirements are two parking spaces per unit which in the case of the proposed project would be 84 spaces. Triumph’s plan, however, only has 35 spaces for those residents,⁵ leaving 133 to 219 residents with no place to park. That dearth of parking spaces was dictated by squeezing the maximum number of town houses onto the site, leaving no room for more parking for the work force employees. While a number of those employees will use public transportation while in Vail, many will have vehicles that need to be parked somewhere. Triumph has made no provision for those workers. Any project

⁵ Triumph’s application states that there are 45 parking places for the work force residents, but the Parking Diagram, sheet A.006, shows only 35 spaces and there is no room to add any more.

approval should, therefore, be conditioned upon providing the required number of work force parking spaces.

Criteria “C” requires that the development preserve and enhance open space. Triumph claims that it does that by its proposed mitigation plans for the adjoining 18 acres. But at the same time, the project will be degrading up to 80 acres of other adjacent areas. Thus, overall, the project will not be a net positive for open space. As already noted, any project approval should also be conditioned on an offsetting mitigation plan for the USFS land north of the project site.

Criteria “D” requires a safe and functional circulation system. To accomplish that, Triumph proposes building two bus stops and a bus shelter at its access road and constructing landscape steps to/from Frontage Road at the east and west end of the development. That construction would fly in the face of the admonition of its biologist that doing so will block bighorn sheep from one of their prime grazing areas that lies between the project site and Frontage Road. Any project approval should, therefore, not include approval for the bus stops and bus shelters nor for the landscape steps at the west end of the project. Bus access should only be via landscape steps at the east end of the project for the “Falls at Vail” bus stop that, currently, already exists at the I-70 interchange.

Criteria “F” requires compliance with other applicable Vail plans. Those plans include the Town of Vail 2020 plan, the 2009 Sustainability plan, the Town of Vail Land Use plans and the Comprehensive Open Lands plan and its update. Of those plans, only the Open Lands plans expressly address the project site. While recognizing that the entire 23 acre parcel was in private ownership, both the original plan and its update state a strong preference to, if possible, acquire the property and protect it from development. That this was the goal of successive Town Councils over many years is a clear directive that special attention should be paid to environmental considerations in any request to develop this property.

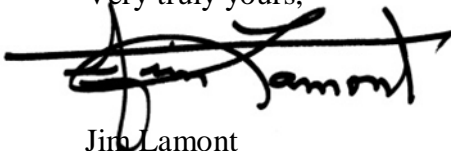
While the other plans don’t expressly address the subject property, inherent in all those plans is the essential role that the Town plays as a steward of the environment to implement the community’s clear goal of protection and improvement of the natural environment and native wildlife, either for the present or as a matter of sustainability for future generations. That role is enshrined as item two of the Mission Statement of the Town Council: *to preserve our surrounding natural environment*. The importance of the environment to the community has been repeatedly confirmed in community surveys, with environmental protection consistently scoring high in community values. In the most recent community survey, protection of the natural environment and wildlife was rated as a high priority (ranked no. 1 for financial prioritizing and a strong no. 2 as a community issue). Those values should also inform the consideration of this project.

Thus, under Criteria F, as the PEC undertakes its review of the Triumph proposal, it should do so as a steward of the environment, paying particular attention to the environmental impacts of the project. That becomes particularly important in so far as the bighorn sheep are concerned. Because of the extinction level implications of this project, there is only one opportunity to get it right. As matters now stand with the present proposal, the Vail Homeowners Association believes that it will result in irreversible loss of wildlife habitat that would not be offset by the

proposed mitigation scheme and that the project is also not compatible with the surrounding neighborhood. In other words, Triumph has not met its burden of showing that its proposed development meets the design criteria or that, as proposed, its project will be good for the community and the environment.

The Vail Homeowners Association, therefore, urges that the proposed Booth Heights project not be approved as submitted and that it be remitted back to Triumph to revise the EIR and otherwise correct the deficiencies listed above. While that will result in a scaling down of the project and other changes, including less housing units, this is not the only opportunity to develop employee housing, especially as the Town looks down valley as it must to achieve its goals. On the other hand, it is the only opportunity for the sheep. They should be embraced as a community asset and not be treated as an inconvenient problem to be dismissed with superficial measures that will inevitably lead to their extinction.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jim Lamont", with a long horizontal line extending to the left.

Jim Lamont
Executive Director

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VAIL HOMEOWNERS ASSOCIATION

June 20, 2019

Town of Vail
Planning and Environmental Commission
75 South Frontage Road
Vail, CO 81657

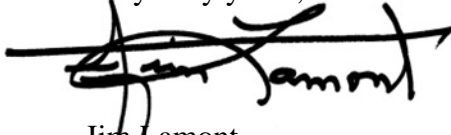
RE: Booth Heights proposed development parking spaces correction

Dear Chairman and Commission Members:

In preparing for Monday's meeting, we noticed a mistake in our prior letters concerning the amount of parking spaces for the apartment units and, therefore, want to correct the record. We inadvertently stated the plans provided only 35 spaces when there are 45 spaces. That does not, however, change our point. As we stated in our June 11 letter, even at 45 spaces, there would be woefully inadequate parking for the workforce employees.

To reiterate, the apartment units would house between 168 to 254 employees. For the size of those units, there should be 84 parking spaces. Even that number would be inadequate. There should be more, not less, parking for the workforce employees.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jim Lamont", with a long horizontal stroke extending to the left.

Jim Lamont
Executive Director

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VAIL HOMEOWNERS ASSOCIATION

June 18, 2019

Mr. Brian Stockmar
Town of Vail
Planning and Environmental Commission
75 South Frontage Road
Vail, CO 81657

RE: Booth Heights proposed development

Dear Mr. Stockmar:

In the interest of having a balanced and fair presentation of the proposed Booth Heights development next Monday, the Vail Homeowners Association would like to respond to Triumph Development's presentation of the project. We don't know how long Triumph will take to present the project (or how many presenters will be involved) but we believe our response could be completed in about 20 to 25 minutes. Obviously that could not be done in the normal public comment format. We would be ready to proceed after the Triumph presentation or, if the Commission had questions of the Triumph representatives, after those questions were over.

Please let us know if this would be acceptable.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jim Lamont", with a horizontal line drawn through the middle of the signature.

Jim Lamont
Executive Director

CC: Commission members

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