



January Powder Day Backup at Chair 37

Photographer -Mike Paulick

# Vail Homeowners Association Newsletter

News, Analysis, and Commentary for Vail Homeowners

March 17, 2014

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**Executive Summary**

The Vail community has created an extraordinary recreational complex for the world to enjoy. In achieving the mantle of success as a global leader, it has inherited a higher responsibility to maintain that success by more intensively managing its imprint upon the natural and man-made environments. This edition of the VHA Newsletter addresses the need for Vail leaders to work collaboratively with the larger community, moving decisively, both in the long and short-term, to transparently balance broadly beneficial economic development efforts with fairly applied environmental protections.

## Vail Town Council/Vail Homeowners Association Goals and Priorities

The Town Council started deliberations in early December on its "Areas of Focus" for the next two years by defining its goals, policy priorities and projects. As understood by the Homeowners Association, many of the objectives were in keeping with the [goals and priorities of the Association](#).

An initial draft of the Council initiatives was turned over to the Town Staff to be fleshed out for final adoption. The resulting [draft document](#), recently made available, grew in length and complexity. It now encompasses almost every conceivable issue, problem or action facing the Town, all of which are given equal weight, so that, for example, recommended environmental actions to deal with Gore Creek pollution stand on equal footing with building a permanent skateboard park or "supporting TOV's ongoing success." In doing so, the draft plan omits any priorities for action and risks diluting the overall effectiveness of the entire plan. Unfortunately, it also contains a lot of "assess, review, study, conduct focus groups and/or develop strategies" for issues that are not new; something that is usually the bane of real progress.

The Council is now planning to conduct additional deliberations on the matter. As those deliberations unfold, the Homeowners Association urges the Town Council to make the hard choices necessary for realistic goals and to differentiate between short-term goals and actions and those with more long-term implications. While favorable results in the short term are always desirable, it is the longer-term issues that can have the most consequences for the Vail community.

Keeping the longer view in focus can also avoid unintended consequences arising from short-term actions. In that respect, the Vail Homeowners urges that a major focus of Vail's action plan should deal with two of its most serious long-term problems, the pollution of Gore Creek and community congestion, both of which degrade quality of life in the community. While the former is currently in the draft plan of action, the latter is only indirectly addressed. Several other issues, discussed below, also deserve special attention.

## Taking Charge of Vail's Evolving Future

Vail has evolved from being a geographically isolated "lifestyle" resort into a highly accessible globalized mega (exurban) resort on the fringe of the Denver metropolitan region. In the process, Vail has been recognized as reaching the pinnacle of hemispheric success, as well it should be. It has become the dominant hub of a developing urban area that

stretches along nearly 60 miles of the I-70 Colorado intermountain corridor. That attainment has spawned both positive and negative consequences.

On the positive side, Vail offers an exceptional lifestyle with outstanding services and many cultural and recreational activities. Vail [continues to add](#) to [Vail Resorts' profitability](#). There are few places in the world that can begin to rival Vail's quality of life, and no other location rival's its extraordinary range of cultural choices available. It is often said, the Vail "ticket" cannot be purchased anywhere else at any price and that makes Vail "the place to be." However, staying atop this pedestal, in the face of expanding global competition, requires long-term strategic analysis and investment. Short-term spending for the promotion of economic development needs to be balanced with improving the natural and man-made environment of the community.

On the other hand, the attractiveness of Vail has created a growing set of long-term problems which Vail's competitors are using to their advantage. Recently, [Big Sky, in Montana](#), sought to capitalize on Vail's congestion. Through recent land acquisitions, Big Sky now outsizes Vail by 500 acres. The theme of its marketing beckons consumers away from Vail and other mountain mega-resorts by playing upon negative images of urban congestion contrasted to Big Sky's low density "elbow room", which their remoteness bestows. It cannot be presumed that this is a "one-off" event and other competitors will probably also seek to take advantage of Vail's drawbacks. Some analysts are predicting that Vail's long-term problems could be its Achilles vulnerability if Vail policy makers do not act decisively to bring them under control.

**Big Sky Montana - Photographer Anonymous**

Chief among those problems are congestion and environmental pollution. Congestion and pollution can become the unintended consequences of growth, especially during hard economic times. If prolonged, the quality of the experience suffers and the economy will be stifled. It does not appear that Vail has yet suffered any serious negative effects but the Homeowners Association believes that the time for action is now, before these problems get out of hand. Unfortunately, the present draft of the Town's "Areas of Focus" does not treat these as priority areas of concern.

We will report extensively on the pollution of Gore Creek later in an upcoming VHA Newsletter. The Town's edited draft of the Council's "Areas of Focus" report recommends completion of the actions recommended in the Gore Creek Water Quality Improvement Plan and "appropriate sized" environmental programs. What all this means remains to be determined.

**Congestion is Manifested in Many Ways:** on I-70, in the Town of Vail's traffic, its parking and on the slopes of Vail Mountain. All are potential long-term problems for Vail because consumers tend not buy when they perceive overcrowding or deterioration of quality. [Unprecedented crowds](#) tend to put people off, particularly day-visitors. Even if snow conditions remain good, such an experience can create a disincentive to return on following weekends. Overcrowding also undermines Vail's strong base of loyal destination

guests and confounds Vail's efforts to improve its lead over its competitors as an [international destination resort community](#). These are, therefore, problems that call out for political leadership. But finding solutions will not be easy. It will require creative, long-term, visionary leadership.

### **Lack of Viable Solutions for I-70 Congestion**

Vail's I-70 rush hour traffic, both east and west bound, has become a common problem in the summer and winter seasons, with major shut-downs in the winter and huge weekend delays throughout the year. CDOT has tried slowing and metering traffic through the Eisenhower Tunnel to no avail. Currently, CDOT is [widening the Twin Tunnels](#) at Idaho Springs but that will not bring any relief to areas west of the Eisenhower Tunnel. Widening I-70 to Vail is presently cost prohibitive and, in the view of many, the wrong solution. Creating even more traffic by an expanded roadway will only increase environmental pressure and noise pollution in Vail where Interstate noise levels already exceed national standards.

For years, proponents of high-speed rail have touted that as the solution but, even if feasible, there is no funding for it. At the present, it is not possible to predict the amount of time it will take to make the drive between [Vail and Denver on Interstate 70](#). According to traffic projections, delays on I-70 will likely become worse. Town leaders have taken steps to address the problem but much more is needed. The Town draft plan recommends mitigation strategies to reduce the impact of I-70, but traffic congestion is not one of the issues to be addressed. While Vail cannot compel CDOT to take any specific action, I-70 congestion should be a major focus of Vail's action plan and the Town should pursue every avenue of redress, including pushing the issue to the national level.

### **Improvements Needed in Vail's Traffic System**

Over the years, creation of multiple roundabouts has greatly improved the flow of traffic within Vail. Recently, CDOT granted the Town nearly \$14 million to construct the \$20 million Simba Run Underpass to deal with the projected growth of the community's internal traffic circulation, so that pressure on the Main and West Vail Interchanges will be held in check. Traffic engineers estimate that the new underpass could add another 20 years to the effective life of those roundabouts. But, the [proposed design has raised objections](#) and calls to scale back the design from neighbors on the north side of the project who are justifiably concerned about its impact on their property. To not design the underpass to handle maximum traffic capacity does a disservice to the larger community. The Town

could seek to remediate the situation by including sound barriers, which could serve to fulfill one of the recommended actions in the Town draft focus plan, a demonstration noise wall project for a longer-term solution to another of Vail's environmental blights, highway noise pollution.

Beyond the Simba Run underpass, significant problems still remain in Golden Peak and along west Meadow Drive, which are not addressed in the draft plan. Finding a solution to the Golden Peak traffic flow will be difficult, but that should not deter

**Simba Run Underpass final location under study**

making it a high priority. The west Meadow Drive situation is part of the larger redevelopment of the Vail Valley Medical Center, which should include shifting the ingress/egress to [VVMC to the Frontage Round](#) via a roundabout.

**Lack of Near-Term Parking Solutions:** The Town has struggled to keep pace with the demand for parking, as study upon study has shown that there is still a deficit of 1,000 public parking spaces, even after hundreds of public spaces have been built in private developments as part of the Vail Renaissance building boom. The result has been increasing use of the Frontage Road as a primary parking venue, with the associated problems of overcrowding and public safety. The Town's draft of its "Areas of Focus" largely ignores this problem, recommending only improving the convenience and efficiency of parking by, for example, conducting focus groups and constructing a new Lionshead entry and skier drop-off (to supposedly improve what was just constructed two years ago). But these actions will not solve the parking problem and much more attention should be directed to this problem because the solution will not be simple or easy.

Some see the proposed development of Ever Vail as at least a partial solution since Vail Resorts has planned nearly 1,200 parking spaces to be included in the project, with many of those spaces to be reserved for public parking. The project also includes extensive facilities for public transportation buses and a transfer facility for private vehicular passengers. However, negotiations on the development are currently stalled because of VRI's position that, because these are facilities that service the public, the Town should rebate to VRI the tax revenues gained from the development to pay for the cost of constructing these facilities. Moreover, the economy has put the project on the back burner and it is

**Sketch of Future Entrance to Ever Vail Parking Structure**

now many years away, so Ever Vail should not be considered as even part of a near-term solution.

Likewise, the construction of a new Town municipal building affords no near-term solution. The [proposed redevelopment of the municipal building](#) had projected a public parking component but that project collapsed and the current draft of Town initiatives only mentions that the Council should "determine future of new town hall." As a result, even though some continue to call for immediate action, any redevelopment of the Town municipal building is probably still years away, even though there are councilpersons insisting that it proceed sooner.

**Vail's Frontage Road parking and this expanse of un-landscaped asphalt is an eyesore and traffic hazard.**

Over recent years, the Town has shifted responsibility to build more public parking onto private developers whenever new projects are constructed. Some private developers, like the Solaris, see the profitability in building excess public parking. Likewise, some of the new, large, residential hotels offer valet parking to day-skiers and visitors who patronize

their restaurants and other on-site services. But this is a tail-chasing-the-dog solution as new development brings more traffic and more parking demand. Whether private developers can ever fill the gap is very questionable.

Recently, the Town has created designated areas of free parking on the North Frontage Road and paved major segments of the South Frontage Road shoulders to accommodate overflow parking. The Town's draft of the "Areas of Focus" plan calls for the completion of shoulder widening/paving on the Frontage Road in 2014. But adding and improving Frontage Road parking doesn't result in an improved guest experience. To the contrary, some see it as a hazard to public safety and a visual eyesore. The Town could put an end to overcrowding by banning Frontage Road parking and charging variable parking rates (to control overcrowding) in the municipal parking structures, not only for peak days during winter, but during the summer as well. It remains to be seen, however, whether the Vail community would support such measures.

**Expanding Flights Into Eagle Airport Will Deliver Quality Not Quantity:** The Vail community could advance the long-term solution of its I-70 accessibility and parking dilemma by given serious support to the ongoing effort to [expand the number of flights](#) servicing the [Eagle County destination guest markets](#). Providing leadership in that regard is currently in the draft focus plan, but with no specific proposed actions. Authorities in charge of the airport have recently presented for public review and comment a [proposed master plan](#) that has been in preparation over the last few years. Recent reports indicate that [funding for expansion of air service](#) may be proposed to come from an increase in sales and lodging taxes. This is an area in which the Town could step up and provide valuable input.

## Mountain Congestion

Anecdotally, it seems that collisions, near misses, out-of-control skiers and boarders, and concerns about safety on the mountain are on the rise. The same is true about mountain congestion in general. While there are inherent risks in skiing, one of those risks should not be getting knocked down by inattentive or out-of-control skiers or boarders. The increase in danger may be a result of [ever increasing pass sales](#) which lure people to Vail Mountain, and, the lack of any effective limit on the number of patrons on any given day. While VRI on-mountain [enforcement and punitive measures](#) are up, VRI does not release details on how much is due to guest safety issues versus other infractions, such as skiing out of bounds. In response to an inquiry by the Association, VRI did, however, state that the "vast majority" was due to "speeding/recklessness."

This is a matter that affects the entire community, not just in terms of individual safety, but also for the longer-term implications of dissatisfied guests who might seek to lessen their risks by turning to other resorts. Ignoring this problem could eventually "kill the golden goose." While there is little that the Town or anyone else, other than VRI, can do from a remedial standpoint, the Homeowners Association urges the Town leadership to engage in a dialogue with VRI expressing the community's concern about this issue.

**Crowd at Chair 5 Vail Back Bowls  
10:30 am Friday, January 31, 2014  
Matt Inden - Photographer**

## **The Vail Golf Course Controversy**

The legal battle over the redevelopment of the Vail Golf Course Clubhouse may be nearing an end. The [District Court just ruled in favor of the Town](#) on all issues. Barring an appeal or petition drive to hold an initiative election, the way is now clear for the Town to proceed with a redevelopment plan that includes commercial event space, something that is anticipated in the draft Council focus report. While the legal battle may be winding down, [controversy over the use of the Clubhouse](#) still rages. The Vail Homeowners Association suggests that now might be the time to come to a sensible, workable solution that respects the principle of "good neighborliness" and it urges all parties to try to do so.

## **Loading and Delivery**



**Truck Deliveries and Trash Removal should be removed from the streets and conducted in existing underground landing and delivery terminals. Photographer - anonymous**

The draft focus plan calls for "review" of the Town's loading and delivery strategy. This is an issue that has been studied to death. The Homeowners Association believes it is past time for the Town to reduce on-street truck deliveries and trash removal service in Vail Village by coupling these services together in a symbiotic relationship. Vail Resorts has offered to Village businesses and the Town, use of its high-capacity recycling facilities in the large Mountain Plaza loading and delivery terminal. While the Town has said it does not want to be involved in the trash hauling business, one of the investments it could make, is to provide, on a lease basis, a fleet of electric delivery carts, to be staged from the VRI Mountain Plaza terminal. The carts could be used by trash and delivery companies to both transfer supplies in, as well as take out recyclables, from the Vail Village businesses they service.

This could present an even more favorable and lasting environmental stewardship image to the community's global visitors during the World Championship by taking the long delayed step to remove the visual blight, congestion and engine exhaust air pollution resulting from on-street truck traffic in the pedestrian areas of Vail Village. The Town of Vail has already caused private developers to expend millions of dollars in building enclosed trucking terminals; it needs to do its part to see that these terminals are used for their intended quality-of-life and environmental sustainability purposes.

### **Town Mandated Recycling... Is This Too Much, Too Fast, Too Soon?**

The draft plan calls for the implementation of a "community wide recycling program" and the Town is currently [considering an ordinance](#) which would require all trash haulers to provide recycling service to residents and businesses beginning July 1, 2014. Consumers would have the choice of selecting "dual stream," in which the consumer would separate the recyclables, or "single stream" service, various levels of service based on container size and the charges for recycling would be "embedded" in a single waste hauling charge. The ordinance would likely require wildlife-proof containers. Residents would apparently still have the option of hauling their recyclables to central recycling stations.

Increasing recycling volumes in Vail is a worthy and important goal. VHA has urged caution and more time for consideration of the issues raised by the proposed ordinance because, while the Town has been working on the ordinance for over a year, many questions have yet to be resolved. Businesses are concerned about the impact of having to acquire and provide space for additional containers. Residents are also concerned about the costs, for both the containers and additional service, and the possible "criminalization" of conduct through fines that could be up to \$999 and/or incarceration not to exceed 180 days. Also of concern is whether these requirements will result in more in-town trips, thereby compounding congestion in commercial areas during permitted delivery hours.

**Typical of well-intentioned recycling in Vail. Should it be criminalized?**

Still to be worked out are: the specifics of a "hardship" exception for businesses which are unable to comply with the new regulations, the enforcement in hotels and condo complexes where property managers and owners could be held responsible for the non-compliant actions of renters and guests, the wildlife-proofing of containers, and, the long-term availability of central collection locations.

The Homeowners Association has urged the Town Council that, before adopting any ordinance, it makes clear how the ordinance will work, at what cost and how it will be enforced. In that connection, VHA has suggested that the Town should prepare a "Frequently Asked Questions and Answers" handout. An ordinance that is not understood, punitive, expensive or unenforceable is not appropriate and could undermine the intent, especially if

it contains unfunded mandates, like the cost of the containers or increases in service rates. Such an ordinance could cause a backlash which may set back the effort to make environmental improvements.

### **Town to be Commended for World Alpine Championship Fix Up/Paint Up Campaign**

Organizers report that their plans are falling into place for the upcoming World Alpine Championship to be held in Vail and Beaver Creek in February of 2015. International television exposure is one of the key factors counted on for an after-event boost in international tourism. In preparation for the event, the Town of Vail is creating incentives by waving building permit fees for businesses to freshen up the appearance of their storefronts and interiors.

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