



## PARKS AND RECREATION DEPARTMENT

Civic Center • 500 East Third Street, Suite 200 • Loveland, Colorado 80537  
(970) 962-2727 • FAX (970) 962-2903 • TDD (970) 962-2620  
[www.cityofloveland.org](http://www.cityofloveland.org)

### LOVELAND OPEN LANDS ADVISORY COMMISSION

October 9, 2013 – 5:30 pm

#### REGULAR MEETING AGENDA

Parks & Recreation Conference Room, Suite 200  
500 E. Third Street, Loveland, CO 80537

#### Notice of Meeting Posted

#### Call to Order

#### Public Comment

#### Approval of Meeting Minutes (July 10, 2013 and September 11, 2013)

#### City Council Liaison – Hugh McKean

#### Larimer County Open Lands Advisory Board Liaison – Hugh McKean

OLAB Agenda/Minutes online: [http://larimer.org/boards/minutes/openlands\\_advisory\\_board.cfm](http://larimer.org/boards/minutes/openlands_advisory_board.cfm)

#### Reports/Correspondence:

1. Big Thompson River Flood Update
2. Open Lands Projects Report

#### Discussion/Action Items:

3. Lazy J Bar S Conservation Easement Amendments

#### Commission Member Discussion Topics

#### Adjournment

Next Regular Meeting Date: November 13, 2013 (*Regional Open Space Boards Meeting*)

Wi-Fi Access Code: accesswifi

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### CITY OF LOVELAND OPEN LANDS ADVISORY COMMISSION

Special Meeting Minutes – July 10, 2013  
River's Edge Natural Area, 960 W. 1<sup>st</sup> Street

**Commissioners Present:** Gale Bernhardt, Rick Brent, Ross Livingston, Steve McMillan, Darren Pape, Jim Roode (alternate), Hugh McKean (City Council Liaison).

**Commissioners Absent:** Lori Bell, Andy Hawbaker, Ted Mioduski, Bill Zawacki.

**Staff Present:** Rob Burdine, Brian Hayes, Debbie Eley.

**The public meeting was called to order at 5:40 pm.**

**Approval of the April 10, 2013 Commission Meeting Minutes:** Tabled until a quorum is present.

**Approval of the June 12, 2013 Commission Meeting Minutes:** Tabled until a quorum is present.

**Council Liaison Report:** Hugh McKean reported that 3,000+ signatures have been received on a petition for a moratorium on fracking to be placed on the fall ballot. Also, a revised GMA with Johnstown received Planning Commission approval.

#### **Reports/Correspondence:**

**1. Parks & Rec Master Plan Update.** Intercept events are planned to engage the public in the master plan process, at the Loveland Loves BBQ event, the Cherry Pie Festival, and the Loveland Library. The consultant, MIG, will contact OLAC members who did not attend the June 19 special meeting for their input regarding open lands for the update.

#### **2. Open Lands Projects Report:**

**a. Cedar Valley Drive Property.** The City closed on the purchase of 50 units of CBT water on June 28. A new Boundary Line Adjustment will include acquisition of the Cedar Valley Drive ROW to the west end of the parcel, for a total acquisition of 5.7 acres, to ensure access to the property regardless of the future status of the road.

**b. 57<sup>th</sup> & Taft Property.** Staff will present two scenarios for a Regional Trail connection to the landowner, who has indicated that he will consider a trail easement purchase that does not bisect the property. Ross Livingston noted that this site satisfies 8 of 12 Open Lands evaluation criteria, as well as priorities identified in the regional study including trails and connecting trail segments. The property may also provide a location for an initial wetland banking site.

**c. Marketing Subcommittee.** Staff met with the subcommittee to discuss possible logo designs and several concepts are being developed.

**d. Swartz Farmstead.** Open Lands and Planning staff met to determine a design concept for the farmstead area. Staff will refine the conceptual plan and representatives from OLAC and HPC will meet to discuss. The Historic Preservation Commission submitted an application for designation of all of the structures on the City of Loveland Historic Register.

**e. Nicholson Property.** The property owner and his attorney continue their efforts to resolve the existing lien on the property.

**f. Annual Report.** 2012 Open Lands Annual Report will be completed soon and posted online and on social media outlets.

**g. Big Thompson Canyon property.** Staff continues to investigate options for access, trails, regional trail connection, and development and long-term management costs. The Forest Service will support a regional trail connection through their property, citing a significant deficiency in foothills trails open to the public. Commission members reiterated their interest in the property, regardless of a regional trail connection. A joint Viestenz-Smith Mountain Park and Open Space property would provide both types of access and recreation.

**3. South Ryan Gulch Initial Property Review.** Staff presented information about an acquisition opportunity in Ryan Gulch of approximately 280 acres. Rick Brent made a motion that staff continue to pursue acquisition of approximately 185 acres of the property, subject to due diligence, with the landowner and trustee. Gale Bernhardt seconded and the motion carried.

**Commission Member Discussion Topics:** None.

**Adjournment:** The meeting was adjourned at 6:45 pm.



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### CITY OF LOVELAND OPEN LANDS ADVISORY COMMISSION

Regular Meeting Minutes – September 11, 2013

500 E. Third Street, Suite 200, Loveland

**Commissioners Present:** Lori Bell, Rick Brent, Ted Mioduski, Andy Hawbaker, Steve McMillan, Darren Pape, Bill Zawacki, Jim Roode (alternate).

**Commissioners Absent:** Gale Bernhardt, Ross Livingston, Hugh McKean (City Council Liaison).

**Staff Present:** Rob Burdine, Gary Havener, Brian Hayes, Debbie Eley.

**The public meeting was called to order at 5:35 pm.**

**Approval of the July 10, 2013 Commission Meeting Minutes:** Tabled until a quorum is present.

**Approval of the August 14, 2013 Commission Meeting Minutes:** Steve McMillan made a motion to approve the minutes as written. Andy Hawbaker seconded the motion and it passed unanimously.

#### **Reports/Correspondence:**

**1. Parks & Recreation Master Plan.** Cindy Mendoza and Melissa Berry, from MIG, provided a summary of the public involvement process to date for the Master Plan update. Respondents have shown support for additional opportunities for publicly-accessible open lands and trails for outdoor recreation. MIG recognizes that it may be difficult to create trails in developed areas, but there may be opportunities along irrigation ditches and at existing sites where future trails are identified. Also, new developments may have the potential to connect to the existing trail network. MIG will conduct a needs assessment and provide recommendations for priorities to formulate 5- and 10-year plans.

**2. River's Edge Natural Area Update.** Construction is on schedule, with the entry sign to be completed this week, the restroom delivered on 9/9 with stone veneer to be installed this week, the boardwalk to be completed 9/15, and staff preparing to install amenities and begin fence tear-down on 9/16. The Grand Opening will include a symbolic fence tear-down of a remaining section of fence, with OLAC member participation. The Loveland Fishing Club will assist with the Colorado Parks & Wildlife fishing clinic and a food concession booth to benefit the annual Kids and Senior Fishing Derbies. Several local businesses will participate with information booths and prizes, including JAX and Wild Birds Unlimited, and local non-profits will provide activities and booths, including Audubon Society bird walks and CSU Environmental Learning Center interactive wetland activities.

**3. Open Lands Projects Report.** The Loveland Open Lands and River's Edge Grand Opening logos were presented. Staff reported on the following property acquisition updates:

- a. 57<sup>th</sup> and Taft. The landowner is not in favor of selling trail easement(s) only and would support a purchase of the entire property or a trade. Staff is working to pursue a partnership with Larimer County and Fort Collins on this regional trail effort.
- b. Big Thompson Canyon. The landowner suggested carving off some of the river-front property to lower the acquisition cost. The existing bridges in the area are county-maintained but the roads are private. Staff plans to meet with CDOT on 9/23 to discuss possible access options.
- c. Boedecker Lake. The bank has received an offer on the property. Public access and parking would be limited in the area due to private roads and county properties. Staff recommends ownership by the HOAs and a possible conservation easement with tax credits to the bank for a full or partial donation.
- d. Jayhawker Annexation. Planning staff is working with Larimer County regarding current code violations that may be present at the 1.5-acre enclave to the east. No decision will be made to proceed with the Jayhawker Annexation until Larimer County responds with a letter regarding the status of the current use of the neighboring property.

**Commission Member Discussion Topics:** None.

**Adjournment:** The meeting was adjourned at 7:50 pm.



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### LOVELAND OPEN LANDS ADVISORY COMMISSION

#### AGENDA ITEM: 1

**MEETING DATE:** October 9, 2013

**DESCRIPTION:** Big Thompson River Flood Update

#### SUMMARY:

*Damage Assessment* – A total of seven Open Lands sites were affected by the Flood of '13. Those most heavily damaged are River's Edge Natural Area, Morey Wildlife Reserve, and the Wild Nature Reserve. Other sites that received damage were Brose, RFJY/CTM, Namaqua Natural Area and Jayhawker Ponds. Viestenz-Smith Mountain Park also received extensive damage; Environmental Education programs have been cancelled and classroom programs are being offered (*Front Range Flood 2013* and *Wildlife Adaptations*).

#### *Recovery and Rebuild*

- **River's Edge** (closed to public access)
  - Assessment complete
  - Contractor cost estimate for cleanup and rebuild of core area is underway
  - Volunteers on-site 10/25 for Make a Difference Day to initiate cleanup
  - Swartz Farmstead is in Demolition Process due to flood damage
- **Morey Wildlife Reserve** (closed to public access)
  - Further Assessments needed
    - met with Wetland Consultant and Wildlands Restoration Volunteers
    - Army Corps/FEMA input
  - Working with Mariana Butte Golf Course and Stormwater to close river breaches
  - Initiating Army Corps 404 Permit process
  - Contacting Restoration Engineer
- **Wild Nature Reserve**
  - Assessment complete
  - Volunteer cleanup project scheduled for 10/12
  - NRCS engaged to assist with re-vegetation efforts
  - Army Corps input required to determine river's future alignment
- **Rec Trail Properties** (closed to public access)
  - Assessments complete
  - Cleanup operations underway with volunteers, staff, and contractors

**Commission Discussion/Action Recommended:** Informational.



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### LOVELAND OPEN LANDS ADVISORY COMMISSION

#### AGENDA ITEM: 2

MEETING DATE: October 9, 2013

DESCRIPTION: Open Lands Projects Report

#### SUMMARY:

##### Property Updates

*57<sup>th</sup> and Taft* – Staff has contacted Larimer County and Fort Collins to discuss how this property fits into the Separator Plan for the region between Fort Collins and Loveland, and to gauge interest in a partnership and GOCO grant for acquisition. The property does provide for regional trail connectivity from the Loveland Recreation Trail to Fort Collins' trail system, along Taft Avenue.

*Big Thompson Canyon* – Staff met with the landowners on August 22<sup>nd</sup> to discuss preservation of 486 acres of Big Thompson Canyon property with connectivity to Viestenz-Smith Mountain Park. Staff scheduled a meeting for September 23<sup>rd</sup> with CDOT on site to discuss possible parking access off of Highway 34. Staff also contacted county engineers concerning a pedestrian bridge over the Big Thompson and determined a Floodplain Special Review permit would be required. Due to recent flooding, the potential exists for staff to collaborate directly with CDOT and their contractors during Highway 34 re-design to incorporate future access to the property through Cedar Cove. Staff will follow up on this potential opportunity.

*Jayhawker Annexation* – City Planning staff is in contact with Larimer County Planning regarding current code violations that may be present at the 1.5-acre enclave to the east. Open Lands staff is currently negotiating with the Landowners for acquisition, to incorporate this property into River's Edge.

*Municipal Code Amendment (Weed Control)* – An ordinance on the 10/15 City Council agenda amends the Weed Control ordinance as follows: 1) aligns Loveland code with County Weed District and State Weed Act; 2) maintains P&R Director's ability to designate "Natural Areas" and 3) adds State Constitutional Amendment for *Cannabis sativa*.

*Parks and Recreation Master Plan Update* – Staff and MIG continue to refine the Open Lands Analysis in order to develop the Needs Assessment and identify future priorities. A joint meeting with MIG and the Parks & Recreation Commission is planned for November.

**Commission Discussion/Action Recommended:** Informational.



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### LOVELAND OPEN LANDS ADVISORY COMMISSION

#### AGENDA ITEM: 3

**MEETING DATE:** October 9, 2013

**DESCRIPTION:** Lazy J Bar S Conservation Easement Amendments

#### SUMMARY:

The City of Loveland currently holds Conservation Easements on the Lazy J Bar S Ranch located at 3756 W. County Road 16 (*see attached map*).

Parcel 1	100 acres	CE co-held with Legacy Land Trust (GOCO grant)
Parcel 2	191 acres	CE co-held with Legacy Land Trust (GOCO grant)
Parcel 3	35 acres	CE held by City of Loveland

The Conservation Easements inadvertently included a prohibition on paving within the building envelopes and within the ranch headquarters area. The Conservation Easements on Parcels 1 and 2 also prohibit nursery activities and divide the annual ditch assessment fees and any special assessments equally between the Grantor and the City.

The parties wish to amend the Conservation Easements to allow for limited paving of the building envelopes on Parcels 1 and 2, and for limited paving on the ranch headquarters (Parcel 3), and to permit nursery activities. In addition, the amended Conservation Easements will require that the Grantor shall pay for 100% of the full annual ditch assessment fees and 100% of any special assessments.

Staff has drafted the CE amendment documents and has received preliminary approval from the landowner, Legacy Land Trust and Great Outdoors Colorado (GOCO). The amended easements will include notice and recognize that the Rocky Mountain Lazy J Bar S Ranch is operating under a Public Site Plan Resolution approved by Larimer County Planning on July 26, 2011, subject to the following conditions:

- Best Management Practices shall be used as outlined in the resource stewardship plan checklist submitted for the facility.
- General Horse Trailer Storage is not allowed. No more than one trailer per horse residing on the property is allowed. All horse trailers shall be currently licensed and operable.

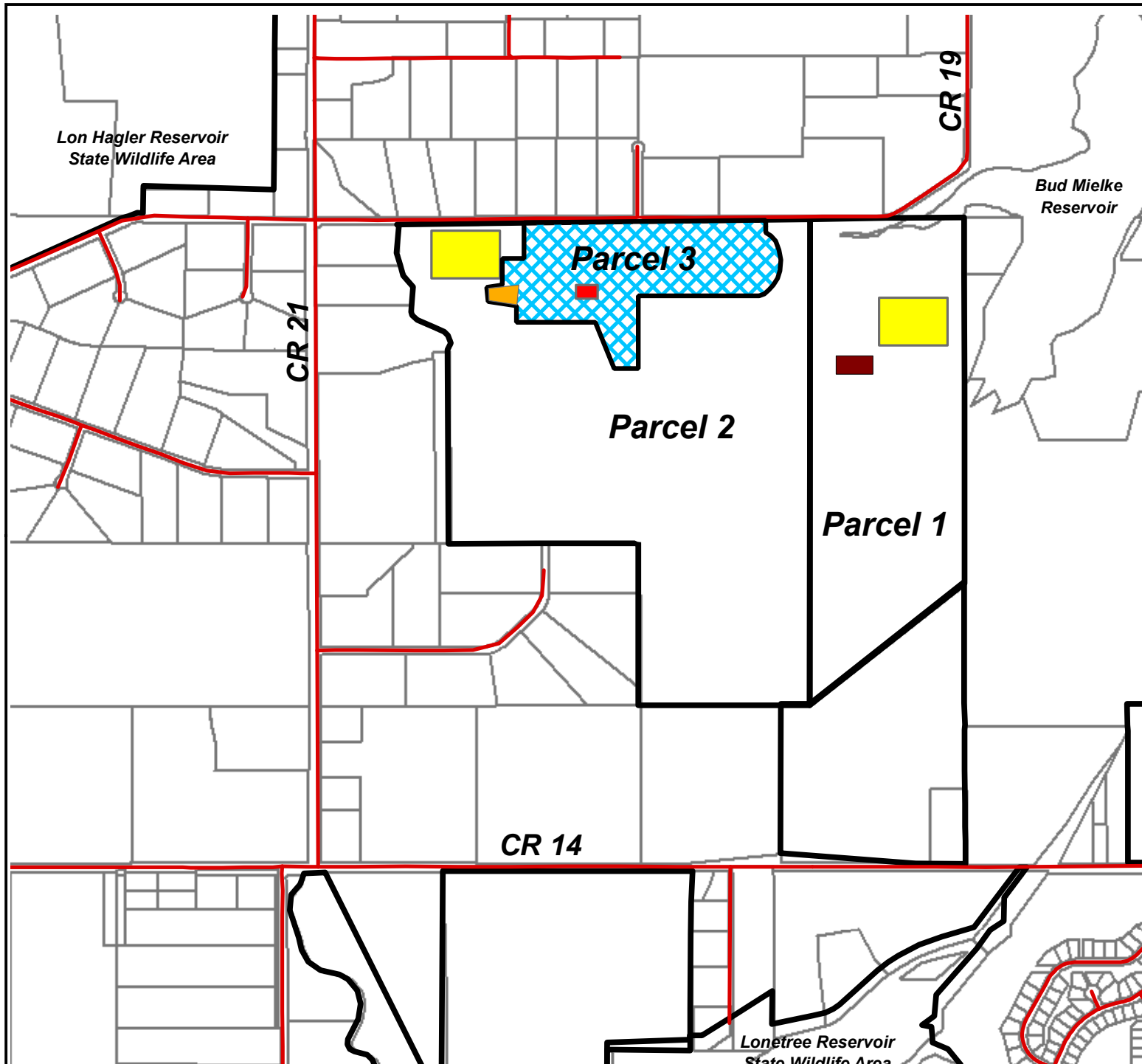


- The routine hours of operation open to the public are limited to the hours between 6:00 am and 10:00 pm.
- The 4 residences on the property are accessory to the Equestrian Operation and are occupied by the owner of the property and/or residents engaged in support of the Equestrian Operation.
- The existing operation is approved with the facilities as shown on the submitted site plans and aerial photographs. No new buildings or additions are allowed as a part of the permit approval.

**Commission Discussion/Action Recommended:** Review and recommend approval of the amendments to Lazy J Bar S Conservation Easements as described above.

## Exhibit C

### Ryan Gulch Conservation Project Site Map



- Ryan Gulch Parcels
- Building Envelope - Home
- Building Envelope - Indoor Arena
- Building Envelope - Machine Shed
- Existing Soil Extraction/ Burn Pile on Parcel 1
- Developed
- State Wildlife Area
- Roads
- Parcels