



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

LOVELAND OPEN LANDS ADVISORY COMMISSION
AUGUST 12, 2015 – 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 8, 2015)

City Council Liaison Report – Hugh McKean

Larimer County Open Lands Advisory Board Report – Kerri Rollins/Hugh McKean

OLAB Agenda/Minutes online: http://larimer.org/boards/minutes/openlands_advisory_board.cfm

Discussion/Action Items:

1. Fort Collins Partnership Request/Property Review/Separator Area Plan
2. Lazy J Bar S/Raptor Ridge CE Amendment Request
3. Hopkins/Hollander CE Amendment Request

Reports/Correspondence:

4. Property Acquisition Updates
5. Open Lands Projects Report

Executive Session (if necessary)

(24-6-402(4)(a) C.R.S.) For information or discussion of the purchase or acquisition of real property

Reminders:

August 20 – PEEPs (Pre-School Environmental Education), 9:30 and 11am at Fairgrounds Park
<http://www.cityofloveland.org/index.aspx?page=225>

September 24 – River's Edge Grand Opening, 5:00 pm

Commission Member Discussion Topics

Adjournment

Next Meeting Date: September 9, 2015

The City of Loveland is committed to providing an equal opportunity for citizens and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act. For more information, please contact the City's ADA Coordinator at bettie.greenberg@cityofloveland.org or 970-962-3319.



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CITY OF LOVELAND OPEN LANDS ADVISORY COMMISSION

Regular Meeting Minutes – July 8, 2015

Parks & Recreation Conference Room, 500 E. Third St., Loveland, CO 80537

Commissioners Present: Rick Brent, Gale Bernhardt, Andy Hawbaker, Ross Livingston, Darren Pape, Jim Roode, Jean Whittaker, Bill Zawacki, Hugh McKean (City Council Liaison), Kerri Rollins (Larimer County Liaison).

Commissioners Absent: Nathan Thompson.

Staff Present: Elizabeth Anderson, Debbie Eley, Brian Hayes, Bree Knouse, Bryn Iten.

The public meeting was called to order at 5:30 pm.

Public Comment: Kathy Hartman, 945 E. 6th St., commented that the public is interested in the property at Boedecker Lake. The bald eagles successfully fledged one young this year, and a pair of great-horned owls also had young.

Approval of June 10, 2015 Meeting Minutes: Ross Livingston made a motion to approve the minutes as written. Jim Roode seconded the motion and it passed unanimously.

City Council Liaison Report. In response to a question from Kathy Hartman, Hugh McKean responded that the economic incentive loan of \$250,000 from the Open Lands CEF has been transferred to Economic Development and will be repaid at 3% interest through sales tax received.

Larimer County Open Lands Advisory Board Report. Kerri Rollins reported that: 1) OLAB and the BOCC voted to make the first Big Thompson flood property purchase on July 10 – the Horn property in Cedar Cove. This is a critical piece among others acquired from the 1976 flood. 2) OLAB voted to partner on the Cascade Cottages project in Rocky Mountain NP, a 40-acre inholding. Larimer County committed \$50K and asked Estes Valley Land Trust and Estes Park to each contribute \$25K. 3) The GOCO Inspire Initiative addresses the recommendations from the county's *Plug in to Nature* report. GOCO has committed \$25M over the next 10 years, and first phase planning grants are due Aug. 26. Larimer County will apply with Fort Collins and Loveland as a "pilot community." 4) The Larimer County Dept. of Natural Resources is looking for office space, possibly at Fossil Creek Regional Open Space, in addition to current offices at Carter Lake Visitor Center.

Discussion/Action Items:

Reports/Correspondence:

1. "A Bigger Vision for the Big T: A Recreation & Conservation Assessment" –

Recommendation of Adoption Draft. Staff updated the commission on changes to the plan in the final draft, including updating the Action Plan to reflect the commission's input, the incorporation of public feedback, and language stating that site-specific plans will incorporate additional, more focused

public input at the neighborhood level. Gale Bernhardt made a motion that the commission recommend adoption of the plan as presented to City Council. Darren Pape seconded the motion and it passed unanimously.

2. Property Review – 1st St. Property. Staff and the City Attorney's Office are working with the owner's attorney representative to negotiate acquisition of the 1.5-acre enclave property on 1st Street. All structures, vehicles, fencing and property would be removed in accordance with the agreement, using an escrow account. A Phase I report will be completed for environmental clearance, with the seller to pay for any Phase 2 testing or cleanup needed. Acquisition of the property will clean up the Jayhawker/River's Edge area and provide improved trail connections and more user-friendly access to all five ponds. Rick Brent made a motion that the commission recommend moving forward to pursue a contract with all stipulations discussed. Jim Roode seconded the motion and it was approved unanimously.

3. Property Acquisition Updates. Staff provided an update on upcoming property closings. The Mineral Addition property (7 ac) near Carlisle and Taft will close on July 15. The purchase eliminates a home site planned in the SE corner and will include an easement across Ryan's Gulch for a pedestrian bridge crossing. The hogback property is under contract, along with adjacent property that provides additional access. Both are scheduled to close in August. The Boedecker property/Long's Third Subdivision (25 ac) closed on June 15. Staff will work with planners, the USFWS, and neighbors on developing a management plan for public access and appropriate buffers for wildlife. The Trust for Public Land is negotiating a purchase and sale agreement on the City's behalf with the owners of the Big Thompson West property near Morey Wildlife Reserve. TPL is also working with a possible purchaser of 280 acres in Ryan's Gulch to place under conservation easement. Both TPL projects could include GOCO grants, tax credits, and partnerships.

4. Open Lands Projects Report.

River's Edge Natural Area. Construction is proceeding quickly and ongoing volunteer trash cleanups are held on Friday mornings.

Morey Wildlife Reserve. Environmental studies are being completed in compliance with FEMA to implement plans for repair and reconstruction.

Sunset Vista Natural Area. Partners Loveland, Fort Collins and Larimer County were awarded a \$1M GOCO Paths to Parks grant to construct the 4.4-mile Long View Trail. The project also received a \$1M CDOT Transportation Alternatives grant.

Lazy J Bar S/Raptor Ridge Conservation Easement. The new owners of the Raptor Ridge property plan to submit a request to amend the Parcel 1 Conservation Easement to: a) change the building envelope; b) allow for a driveway to the building envelope; and c) allow for a loafing shed.

Executive Session:

Bill Zawacki made a motion to suspend the regular open session and convene an Executive Session. Ross Livingston seconded the motion and it was approved unanimously. Executive Session convened at 6:39 pm. At 7:31 pm, Executive Session ended and the open session reconvened.

Rick Brent made a motion that staff pursue acquisition of the 9-acre parcel near the hogback properties to provide an additional buffer and trail connections. Gale Bernhardt seconded the motion and it passed unanimously.

Rick Brent made a motion that staff contact the owner of the parcel west of the recent Boedecker acquisition to determine whether the property could benefit Open Lands and if trail routes are feasible. Darren Pape seconded the motion and it passed unanimously.

Rick Brent made a motion that staff pursue the trail connection/easement over Crown Drive and start working on the trail through Dakota Ridge Conservation Easement. Gale Bernhardt seconded the motion and it passed unanimously.

Commission Member Discussion Topics:

1. Bill Zawacki commented that he recently went fishing at River's Edge and noticed some trash as well as illegal access to closed construction areas.
2. Ross Livingston asked about the property at 37th and Monroe that a citizen inquired about in June. The site has some value being adjacent to Horseshoe Lake, but is separate from Dry Creek and does not contain an identified Natural Area. Staff will respond to the citizen.

Adjournment: The meeting was adjourned at 8:30 pm.



LOVELAND OPEN LANDS ADVISORY COMMISSION

AGENDA ITEM: 1

MEETING DATE: August 12, 2015

DESCRIPTION: Fort Collins Partnership Request

SUMMARY:

Project Summary from the City of Fort Collins Natural Areas Department:

The Natural Areas Department has been working for 20 years in accordance with the 1995 *Plan for The Region between Fort Collins & Loveland* to create a community separator by conserving agricultural lands and open spaces. To date, approximately 5,800 acres of land have been conserved in the separator area, in cooperation with and in partnership with Loveland and Larimer County.

Natural Areas proposes to partner with Loveland on the purchase of this 113-acre property and associated water rights. Natural Areas will contribute \$1.5 M to acquire the land and the ditch company water rights associated with the land (comprising 4 shares of the Louden Irrigating Canal & Reservoir Company and 4 corresponding shares of the Louden Extension Canal and Reservoir Company (together, “4 Louden Shares”). Loveland will contribute \$1.5 M to acquire the 50 CBT Units historically associated with the land (that Fort Collins would have difficulties in acquiring because Fort Collins already owns the maximum number of units allowed under current policies of the Northern Colorado Water Conservancy District) and will contribute towards the purchase of the land. Fort Collins will hold the deed to the land exclusively and own the 4 Louden Shares; and Loveland will own the 50 CBT Units outright. Loveland agrees to lease back the 50 CBT Units for irrigating this site as long as this site remains as irrigated farm land and as long as there is no drought or other reasons requiring Loveland to need this water for their intended municipal uses.

Staff explored partnering on this acquisition with Larimer County. After much discussion, it was determined that there were even higher priority acquisitions for Fort Collins and Larimer County to partner on. These potential projects are good candidates for leveraging local contributions with GOCO grants.

The long term use of the 113 acres has not been determined. There are at least three potential uses that would allow the property to serve as a community separator: 1) the land could be leased out for irrigated or dryland farming; 2) the land could be sold with a conservation easement removing development rights and requiring it to remain in farming;

and 3) the land could be restored to native vegetation and potentially opened up to the public by constructing appropriate trails and parking. For the foreseeable future Natural Areas plans to keep the land in irrigated agriculture assuming a tenant can be found.

Fort Collins Natural Areas will own, manage and maintain this property. If Fort Collins decides to sell the property with a conservation easement preserving it for agricultural purposes, Fort Collins will receive the proceeds from the sale in exchange for holding and monitoring the conservation easement. If for some reason Fort Collins decides to sell the land without a conservation easement; Loveland will receive 22.5% of the proceeds and Fort Collins will receive 77.5% of the proceeds. As stated above Loveland agrees to lease the CBT water to whoever is farming this land as long as there is no drought or other reasons requiring Loveland to need this water for their intended municipal uses.

Fort Collins Natural Areas will hold the deed and be fully responsible for the costs of managing, maintaining and potentially developing trails and parking on the land.

Commission Action Recommended: Recommendation for partnering with Fort Collins for the full amount requested (\$400,000).



LOVELAND OPEN LANDS ADVISORY COMMISSION

AGENDA ITEM: 2

MEETING DATE: August 12, 2015

DESCRIPTION: Lazy J Bar S/Raptor Ridge CE Amendment Request

SUMMARY:

Summary of Bill Anne Wheeler's CE Amendment Request from e-mail dated 7/27/15:

1. Change the location of the 5-acre building envelope on (Parcel 1).
2. Language allowing for hard-surface driveway connects between each 5-acre building envelope (on Parcel 1 and Parcel 2) and public roads.
3. Allow for winter shelters or loafing sheds for livestock on (Parcel 1 and Parcel 2).

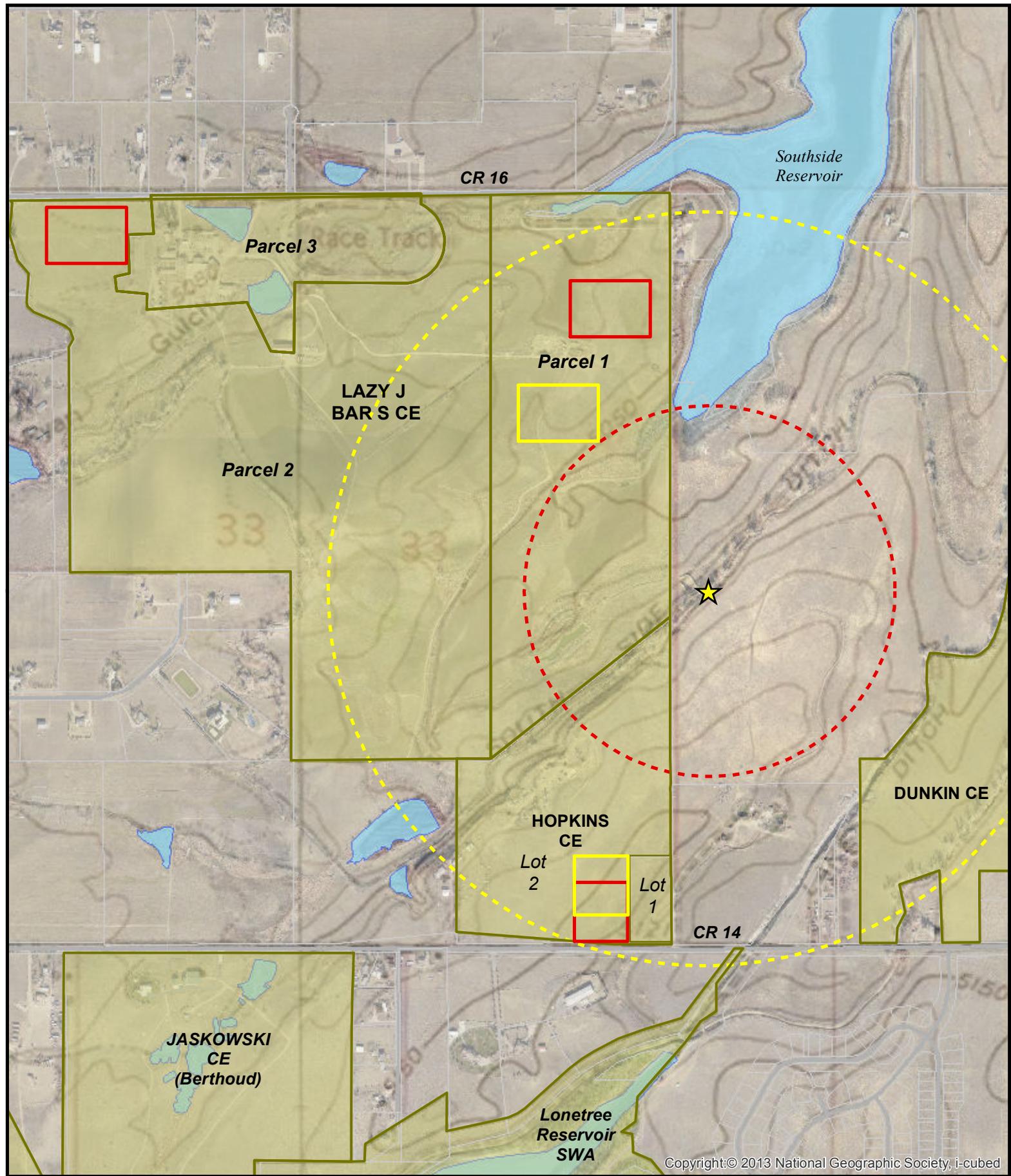
The request was made to the City of Loveland and Legacy Land Trust (LLT) as co-holders of the Conservation Easements. Legacy Land Trust has requested that Loveland review and make recommendations on this request due to current staffing levels at LLT. The City of Loveland has experience working with LLT's attorney (Alan Beezley) on Conservation Easements and Amendments. All attorney costs and recording costs will be paid by the owner.

See attached map showing the entire property, the existing and proposed building envelopes, and buffer zones around the Golden Eagle nest site.

Staff Recommendations:

1. The requested building envelope will be outside of the ¼-mile buffer (no surface disturbance) but inside the ½-mile buffer (seasonal restrictions) from the Golden Eagle Nest, as recommended by Colorado Parks and Wildlife. Any adjustment of the building envelope will be verified with a survey map of the new 5-acre envelope, a map showing the location of the main golden eagle nest site, and the ¼-mile buffer. A monitoring plan will be coordinated with the US Fish and Wildlife Service office in Littleton and the local Colorado Parks and Wildlife representative. All correspondence and monitoring plans will be copied to the City of Loveland and Legacy Land Trust.
2. Allowing hard surface driveways with recycled asphalt and/or road base in staff's opinion will not damage the conservation values of the property.
3. Winter loafing sheds will support the agricultural uses of the property and not degrade the conservation values. Each loafing shed will not be larger than 14' x 36.' The owner has recently removed five loafing sheds from the main ranch headquarters on Parcel 3.

Commission Action Recommended: Recommend approval of the proposed Conservation Easement Amendments with the restrictions as outlined above.



**SOUTH RYANS
GULCH AREA
CONSERVATION
EASEMENTS**

Legend

- Open Lands
- Existing Building Envelope
- Proposed Building Envelope

- Golden Eagle Nest (approx)
- 1/4 mile radius from nest
- 1/2 mile radius from nest



0 250 500 1,000
Feet





LOVELAND OPEN LANDS ADVISORY COMMISSION

AGENDA ITEM: **3**

MEETING DATE: August 12, 2015

DESCRIPTION: Hopkins/Hollander CE Amendment Request

SUMMARY:

Summary of request from Reid Hollander's e-mail dated 7/8/15:

I have attached a PDF showing the current envelope (blue line), the proposed envelope (yellow line), the adjacent building envelope (black line), and the location of a "break" in the rock formation underneath. Essentially nothing changes with the size but we are requesting to move the envelope about 190 feet to the north to line up with the adjacent envelope and get us away from the really rocky part of the property. We have the soils report from the neighbor's construction and that southeast corner really requires a lot of engineering work for septic to go in. Moving it to the north a bit would at least give us some soil to work with on that front and a drop in elevation in case we had to do a built up "engineered" septic system.

Please see attached maps showing the property, the existing and proposed building envelope, and buffer zones around the Golden Eagle nest site.

Staff recommendations:

General policy for Conservation Easement Amendments allows for a change of a building envelope when the geology of a site makes it difficult to build without a financial hardship.

The requested building envelope will be outside of the $\frac{1}{4}$ -mile buffer (no surface disturbance) but inside the $\frac{1}{2}$ -mile buffer (seasonal restrictions) from the Golden Eagle Nest, as recommended by Colorado Parks and Wildlife.

Any adjustment of the building envelope will be verified with a survey map of the new envelope, a map showing the location of the main golden eagle nest site, and the $\frac{1}{4}$ -mile buffer. A monitoring plan will be coordinated with the US Fish and Wildlife Service office in Littleton and the local Colorado Parks and Wildlife representative. All correspondence and monitoring plans will be copied to the City of Loveland.

Commission Action Recommended: Recommend approval of the proposed Conservation Easement Amendment with the restrictions as outlined above.



2975 W Co Rd 14



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LOVELAND OPEN LANDS ADVISORY COMMISSION

AGENDA ITEM: 4

MEETING DATE: August 12, 2015

DESCRIPTION: Property Acquisition Updates

SUMMARY:

Staff will give a brief verbal update on acquisitions recently purchased and underway. Executive Session may be held if needed to discuss negotiations on possible acquisitions.

Loveland Open Lands so far year to date 2015 has purchased 3 properties and has 3 more properties under contract to close by the end of the 3rd Quarter. In addition there are requests from Fort Collins and Larimer County for partnerships and several additional Loveland acquisitions that are actively being pursued and analyzed by staff.

Commission Action Recommended: Informational.



LOVELAND OPEN LANDS ADVISORY COMMISSION

AGENDA ITEM: 5

MEETING DATE: August 12, 2015

DESCRIPTION: Open Lands Projects Report

SUMMARY:

River's Edge Natural Area. The Grand Re-Opening is scheduled for Thursday, September 24 at 5:00 pm. With improved weather conditions, the contractor has made substantial progress. The stone amphitheater is nearly complete, most trails and pond access points have been repaired, and shoring up of the picnic shelters and rock walls are underway. Concrete walks in the Core Area and asphalt paving of the access road should be starting this week. Demolition and reconstruction of the boardwalk will also begin soon, along with grading of the wetland/parking lot drainage swale. A sign plan has been developed, kiosks have been ordered, and sign panels are being developed, to include maps, site rules, fishing regulations, and interpretive information. A volunteer group is scheduled to help with final site cleanup and preparations on September 12. The re-opening event will include fishing and environmental education activities for the public.

Morey Wildlife Reserve. The “Pre-Assessment Environmental Report” identified potential habitat for two sensitive species (Colorado Butterfly Plant and Ute Ladies’-Tresses), along proposed future trail alignments. Occurrence surveys conducted the first week of August did not locate any populations of either plant. Post-flood re-construction at Mariana Butte Golf Course will use the haul road at Morey this fall, therefore, trail and access road re-construction at Morey is planned for late fall/winter. Once the emergency road and haul road have been removed at Morey (per FEMA requirements), the trail and access road can be rebuilt and the site can be reopened.

Sunset Vista Natural Area. Staff is working with Fort Collins and Larimer County to start planning the Long View Trail. An IGA between the three entities will allow the project to be designed, planned and constructed cooperatively. Staff is also drafting a Sunset Vista site management plan to include resources, opportunities and constraints of the property. A local consultant will provide information on possible preservation or use of farmstead structures. The management plan process will include public input on proposed uses and amenities.

Big Thompson Recreation and Conservation Plan. *A Bigger Vision for the Big T* was approved by City Council on July 21. Larimer County will take the plan to Planning Commission and the Board of County Commissioners for approval in August/September.

GOCO Grants. The Trust for Public Land helped prepare a GOCO Open Space grant request for \$500,000 for a 73-acre west Loveland property near Morey Wildlife Reserve. Larimer County has committed a \$250,000 partnership to the project. The property and trails are included in *A Bigger Vision for the Big T* as well as the 2014 *Parks & Recreation Master Plan*. Awards will be announced in December. Loveland is also participating in a joint grant request with Larimer County and Fort Collins for the GOCO Inspire Initiative, to serve as a pilot community to “inspire Coloradans, particularly kids, to appreciate, enjoy and take care of our great outdoors.” The first phase is a planning grant request, for \$100,000. Awards will be announced in October. This effort builds off the county’s 2011 *Plug in to Nature* report.

Quick-Win Projects. Public access on five natural areas is being planned by the Parks & Open Lands Planner, to include soft-surface trails and in some cases, small gravel parking areas for 3-10 vehicles. The five sites are: Nicholson, Brose, RFJY, Mineral, and Mariana Butte. The three sites along the river will be included in the updated Big Thompson Management Plan and are also included in the [Big Thompson Greenway Naming contest](#). Names are being solicited on the Open Lands website and public outreach will also include R2-J schools for involvement by local youth. The deadline to submit names is August 31 and proposed names will be presented to OLAC for selection in September.

Environmental Education/Volunteer Program. PEEPs programs are still highly popular, with two sessions offered each month for pre-schoolers. The EE coordinator will begin communicating with schools to schedule fall sessions for 4th and 5th grade Urban Wilderness programs, and will recruit and train volunteers to help teach. Due to continuing construction at River’s Edge, fall EE programs will be held at Namaqua Park, and the program will be moved to River’s Edge over the winter, for spring 2016 programs. A two-day Volunteer Trail Host training was held in July, with 6 new volunteers eager to help at River’s Edge and Morey.

Conservation Easement Monitoring. Staff has completed 8 of the 16 required annual CE monitoring visits with Legacy Land Trust, Larimer County, and Fort Collins. The remaining site visits will be scheduled in the next few months. No major violations have been observed.