

**SUBJECT: DISCUSSION / DIRECTION - OPEN SPACE ACQUISITION
PRIORITY LIST AND POLICY**

DATE: NOVEMBER 10, 2025

PREPARED BY: EMBER BRIGNULL, OPEN SPACE SUPERINTENDENT

PRESENTED BY: SUSAN MCEACHERN, OPEN SPACE ADVISORY BOARD CHAIR

SUMMARY:

The Open Space Advisory Board (OSAB) participates in evaluating parcels for potential Open Space and/or trail corridor acquisition. This duty, established in the City's Home Rule Charter, is a longstanding and important function of the Board. The evaluation process has occurred regularly since 1995 and is used to assist City Council when considering potential land acquisitions.

Recommendations for parcels to be evaluated originate from OSAB members, City Council, City staff, and the public. Evaluations typically occur every other year, with the most recent exercise currently in progress. The ranking results are shared with the City Council for reference when properties become available for sale or when a right of first refusal or conservation easement opportunity arises.

BACKGROUND / PRIOR DISCUSSIONS:

- Open Space Potential Acquisition parcel evaluations have been conducted since 1995.
- The evaluations help City Council respond efficiently when land becomes available or priorities are pursued.
- OSAB prepares ranking results, maps, and a detailed parcel sheet to support informed decision-making.
- July 5, 2016, City Council Meeting: Discussion/Direction on Open Space Ranking Acquisition Policy. Council provided feedback regarding process improvements to the Acquisition Ranking Process.
<https://laserfiche.louisvilleco.gov/weblink/1/doc/308143/Page1.aspx>
- March 14, 2017, City Council Special Meeting: Discussion/ Direction on Open Space Property Acquisition Priorities. OSAB refined their Acquisition Ranking Process and was seeking guidance for further refinement. OSAB recommended that City Council and staff work proactively to establish relationships with property owners, develop and manage funding strategies and reserves, and build and enhance partnerships with Boulder County, neighboring towns and property owners so that the City is well-positioned to acquire or protect properties once available.
<https://laserfiche.louisvilleco.gov/weblink/1/doc/344678/Page1.aspx>

ANALYSIS:

OSAB Acquisition Priority List

The biennial process includes field visits to undeveloped or partially developed parcels within, or adjacent to, Louisville. Properties are evaluated for three primary Open Space values including Natural Resource, User Experiences, and Strategic Value.

Recommended acquisition strategies may include land dedication, fee simple purchase, conservation easements, trail easements or other strategies as listed in the attached “Strategies and Tools for Open Space Property Acquisition”.

The goal of this process is to provide City Council with timely, research-based information and analysis to aid decisions on whether to pursue potential acquisitions.

OSAB Recommended Open Space Acquisition Policy

The attached “Acquisition Process Recommendations” memo details OSAB’s recommendation to the City Council for the creation of an Open Space Acquisition Policy (Policy). The goal of the Policy is to establish relationships with the property owners of candidate open space parcels, engage with a broker to monitor if candidate parcels are placed on the market for sale, and coordinate site visits with the City Manager and City Council of top priority properties so the property’s value as open space is understood.

Discussion / Direction Items

OSAB and staff seeks the following discussion and direction from City Council:

1. Discuss the biennial OSAB acquisition evaluation process, provide input on communication and presentation preferences.
2. Direction on opportunities for future Council engagement with OSAB regarding land acquisition priorities.
3. Coordination regarding acquisition between City Council; the City Manager’s Office; Community Development Department; Parks, Recreation, and Open Space Department; and OSAB.
4. Direction to staff on OSAB’s recommended Open Space Acquisition Policy.

2025 COUNCIL WORK PLAN:

This item is included in the 2025 Council Work Plan under the priority of Core Services, “Building the Foundation”.

FISCAL IMPACT:

Budgeted?:

The current annual budget allocation from the dedicated sales and use tax to the Open Space Acquisition Reserve is \$300,000. This amount is subject to annual appropriation and periodic review by the Finance Committee and/or City Council. In accordance with the

City's Reserve Policy for the Open Space Fund, the acquisition reserve balance is projected to reach approximately \$3.4 million by 2030.

In 2023, voters approved Ballot Measure 2C, extending the Parks and Open Space sales and use tax for an additional ten years and increasing the portion dedicated specifically to Open Space funding.

Future Open Space property acquisitions will require ongoing maintenance, restoration, and management. To meet best practices in land stewardship and align with City expectations, additional operational funding will be necessary. Depending on the specific property and associated needs, increased expenditures may be required for staffing or contracted services.

ALTERNATIVE(S):

Not Applicable. Discussion and direction.

RECOMMENDATION:

Staff recommends that City Council discuss OSAB's biennial evaluation process, provide input on communication and presentation preferences, give direction on opportunities for future Council engagement with OSAB regarding land acquisition priorities, support interdepartmental collaboration, and provide direction to staff to actively pursue specific acquisition targets.

ATTACHMENT(S):

1. Open Space Acquisition Process – November 10, 2025
2. Open Space Acquisition Process – May 7, 2025
3. OSAB Approved City Manager Proposed Acquisition Process
4. 2025 OSAB Candidate Open Space Ranking- Map
5. 2025 OSAB Candidate Open Space Ranking- Spreadsheet
6. 2025 OSAB Highest-Priority Acquisition Recommendations
7. 2015 OSAB Strategies and Tools for Open Space Acquisition
8. Open Space Acquisition Priority List & Process- Power Point

MEMORANDUM

To: City Council
From: Open Space Advisory Board
Date: November 10, 2025
Re: Acquisition Process Recommendations

Following are the 2025 Open Space Advisory Board acquisition recommendations based on our September review of the properties, including an evaluation of Natural Resource values, User Experiences values, and Strategic values.

Over the past 30 years, Louisville has recognized the many benefits of preserving open space and has developed an outstanding open space and trails system. As Louisville has grown, just a few potential high priority open space parcels remain. Several of these provide critical wildlife habitat and trails connections. Preservation of these remaining priority parcels will support thriving plant and animal life, provide a variety of outdoor activities and enhance our community's economic prosperity. While we recognize the desire for some additional development, especially housing, we hope that Council will consider the long-term benefits of balancing growth with land preservation, as it has done for years.

For our priority properties, we recommend that City Council and staff work proactively to establish relationships with property owners; to explore and create acquisition opportunities over time; to develop and manage funding strategies and reserves; and to build and enhance partnerships with Boulder County, neighboring towns, and property owners so that we are well-positioned to acquire or protect these properties. We understand that there are competing public interests and limited financial resources. The ranking in this list is not intended to establish a sequential order but to provide guidance in prioritizing purchases should multiple opportunities occur at one time. We have also made recommendations about some of the properties dependent on the availability of adjacent or nearby properties. If acquisition opportunities arise for additional properties not on this list, OSAB welcomes the opportunity to provide input and feedback to City Council as they consider and decide whether to acquire a property outright or secure an easement interest in the land. It would also be helpful to have a complete list of properties for which the city has a right of first refusal.



PARKS, RECREATION & OPEN SPACE

To: Diana Langley, City Manager
From: Susan McEachern, OSAB Chair on Behalf of OSAB
Date: May 7, 2025
Re: Acquisition Process Recommendations

Recently the Open Space Advisory Board completed its annual review of the Property Acquisition List (attached) that was created by the Board and after careful consideration and discussion would like to make the following recommendations to the City Council and the City Manager.

- The Board recommends that the City create a formal process for how potential acquisition properties will be identified and purchased. The City doesn't currently have a documented process for property acquisitions and the Board is concerned that this will put the City at a disadvantage relative to private buyers should an appropriate property become available for purchase. By creating and implementing a formal acquisition process it is the Board's belief that the City will be able to make informed decisions about potential acquisitions in a faster and more efficient way that will increase the odds of successfully acquiring a property should Council choose to do so.
- The Board recognizes that the creation of a formal documented acquisition process will take time to develop and would like to recommend the following steps that can likely be implemented in the short term that will increase the odds of the City successfully acquiring properties on the Property Acquisition List should one become available for purchase. They are:
 - **CM/staff** begins the process of proactively reaching out to owners of the highest priority properties as outlined on the attached Property Acquisition List created by OSAB in order to build a relationship with the owner(s) and to express the City's interest in possibly purchasing the property should it become available. A Right of First Refusal can also be sought but likely isn't necessary at this stage.
 - **CM/Director** establishes a relationship with a local commercial real estate broker who can keep the City apprised of the market and properties that might become available. Director appoints someone as the primary contact for the broker and that person periodically checks in with the broker. Broker might also add staff to an MLS search so they are notified in real time as properties are listed for sale.

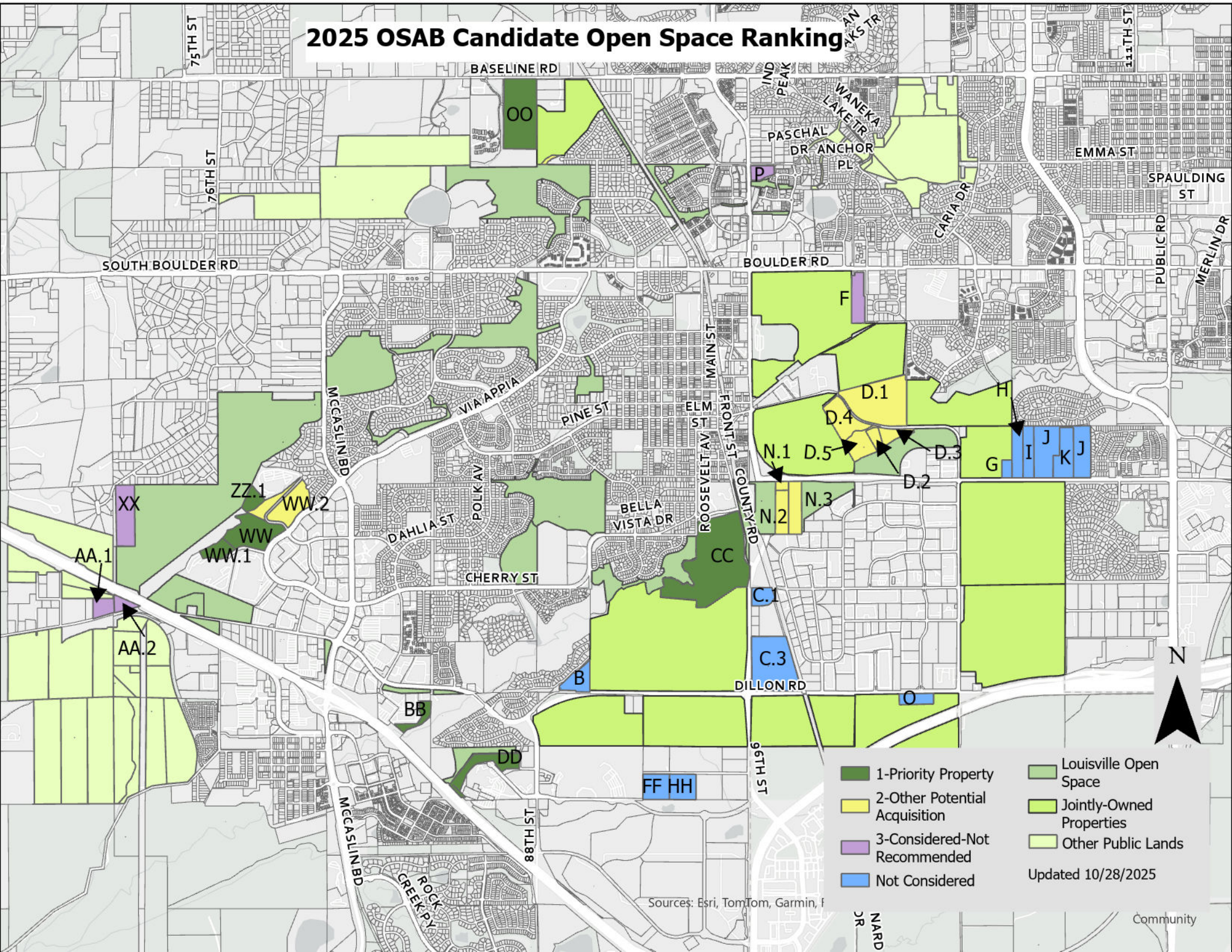
- CM/City Council/Staff participates in site visits of top priority properties as outlined by OSAB's Property Acquisition List, possibly with an OSAB member(s), so CM/City Council understands the reasoning and logic behind OSABs recommendations.

The Open Space Advisory Board believes it is critically important that the City establishes a relationship with the owners of potential acquisition properties as soon as possible and well ahead of when a property might become available for purchase. This will increase the likelihood that the City will become aware of a property's availability before it goes on the market, giving the City more time to carefully consider purchasing the property and ultimately increasing the odds of a successful acquisition.

OSAB Approved City Manager Proposed Acquisition Process



2025 OSAB Candidate Open Space Ranking



2025 OSAB Candidate Open Space Rankings

Property Name	Parcel	Size (acres)	Existing Conservation Easement	Zoning (See note at bottom)	Acquisition Strategy	Narrative/Notes
Priority Property						
Coal Creek Business Park Land. West of Dillon; Noth of Coal Crek Trail	BB	5.04	Y	CB	Fee Simple	Small but high-value Coal Creek riparian parcel with rich habitat, trail connectivity, and strong conservation potential as a buffer against nearby commercial development.
Baseline Horse Property. South of Baseline; West of Callahan Open Space.	OO	33.71		County - RR	Conservation Easement	Large, scenic, and ecologically rich site with high conservation value—offering critical wildlife habitat, trail connectivity, fire mitigation potential, and buffering opportunities—where securing at least a conservation easement (ideally through partnership with the county and Lafayette) is essential to prevent development impacts.
South West of GHX	ZZ.1	4.72		PCC	Fee Simple or Partial Developer Land Dedication	Small but strategic extension of Davidson Mesa with habitat value, scenic views, and potential for a trailhead, while buffering against possible commercial development.
Centennial- (Middle)	WW	19.27		PCC	Fee Simple or Partial Developer Land Dedication	This parcel has important conservation value with strong trail connectivity to Davidson Mesa, Centennial, and south Louisville, featuring notable topography and natural areas that complement WW.1.
Centennial 1- (Western)	WW.1	6.03		PCC	Fee Simple or Partial Developer Land Dedication	Parcel with natural vegetation and views that would expand Davidson Mesa habitat and connectivity, though bordered by an Xcel easement.
Red Barn Property. North of jointly owend Warembourg and West of County Road	CC	67.54	Y	AG	Fee Simple	Existing county conservation easement limits development to the existing house plus two additional houses. However, if the property were available for sale, its unique location and riparian habitat make it a priority purchase to maintain rural character and riparian health
Avista Hospital Noth Property	DD	15			Developer Land Dedication	
Other Potential Acquisition						
Mayhoffer-North of Empire Road	D.1	14.75	Y	County -Ag	TBD	Valuable mainly as part of a combined D2, D4, and D5 conservation easement to restrict building near Coal Creek.
Centennial-Eastern	WW.2	19.6		PCC	TBD	Medium parcel with limited habitat value but potential as a fire buffer, trail link, and development buffer, best pursued with nearby WW and ZZ properties.
SE of HWY 42 & 96 th St. (Western)	N.2	8.28		County -Ag	TBD	Best conserved with N2 and N3 to enable potential Coal Creek Trail realignment and access.
SE of HWY 42 & 96 th St. (Eastern)	N.3	9.9		County -Ag	TBD	Best combined with N2 and N3 to enable Coal Creek Trail access and potential realignment.
Western most Conservation Easement; South West of Empire Road.	D.4	11.05	Y	County -Ag	TBD	Conservation easement.
South East of HWY 42 & 96 th St.-(Western, smallest)	N.1	1.65			TBD	Best conserved with N2 and N3 as a buffer; provides no creek access alone.
Southern Most Conservation Easement; West of Empire Road	D.5	8.9	Y	County -Ag	TBD	Creek protected through a conservation easement.
South of Empire Road adj. to Mayhoffer	D.2	3.33		County -Ag	TBD	Conservation easement.
South of Empire Road adj. to Mayhoffer	D.3	5			TBD	Best conserved with other D properties.
Considered But Not Recommended					TBD	
Santillies- SE of S.Bldr Rd & 95th St.	F	9.13		PCC	TBD	Small parcel with views and trail access that could serve as a community buffer or park, but has low open space value and is more suitable for development.
South of Davidson Mesa & US 36 (Eastern)	AA.2	2.68			TBD	Parcel south of 36 providing potential trail connections from Davidson Mesa to Marshall Trail.
South of Davidson Mesa & US 36 (Western)	AA.1	4.71			TBD	Parcel south of 36 with potential trail connections.
South East of Pascele Drive & HWY 42. Seventh Day Adventists	P	4.9		County - RR	TBD	A small parcel with mountain views and trail connections that could serve as a neighborhood buffer or parkland, but offers low open space value and is likely better suited for development.
West of and adjacent to Davidson Mesa	XX	19.03			TBD	Excellent views; City of Boulder Open Space & Mountain Park adjacent land.

Open Space Advisory Board Highest-Priority Property Acquisition Recommendations

October 2025

Coal Creek Business Park Land (Parcel BB)

Property Features: Approximately 5 acres. A small but high-value riparian parcel adjacent to Coal Creek with trail connectivity along the Coal Creek Trail.

Property Goals: Protect the riparian nature and rich habitat of the property. Provide a buffer against nearby commercial development.

OSAB Recommendation: OSAB recognizes that the property is zoned Commercial Business and recommends preservation of acreage adjacent to Coal Creek Trail.

Baseline Horse Property (Parcel OO)

Property Features: Approximately 34 acres. A large, scenic, and ecologically rich site that includes a barn and farmhouse on land long used for agriculture. It offers critical wildlife habitat, an irrigation ditch, trail connectivity options, and buffering opportunities. Bordered by Lafayette and Boulder County Open Spaces, which connect to Louisville's North Open Space.

Property Goals: Retain the rural nature of the property. Increase open space acreage and provide continuity with adjoining open space properties.

OSAB Recommendation: OSAB recommends that the city work with Lafayette and Boulder County to negotiate a conservation easement, perhaps with the right to develop two custom home properties along the northwestern edge.

Southwest of GHX (Parcel ZZ.1)

Property Features: Approximately 5 acres. Bordered to the west by a powerline easement and Davidson Mesa Open Space.

Property Goals: Retain the rural nature of the property. Expand Davidson Mesa Open Space and enhance trail access opportunities as the surrounding area becomes more developed.

OSAB Recommendation: OSAB recognizes that the property is zoned Planned Community Commercial and recommends preservation of contiguous acreage and potential trail connectivity to Davidson Mesa through the development process. An ideal location for an additional trailhead to reduce overuse of the McCaslin trailhead.

Centennial (Parcel WW)

Property Features: Approximately 19 acres. Bordered to the west by a powerline easement and Davidson Mesa Open Space.

Property Goals: Preserve diminishing grassland habitat. Expand Davidson Mesa Open Space and enhance trail access opportunities as the surrounding area becomes more developed.

Supporting Parcel: If WW is preserved, OSAB would support preservation of WW.1 as well. Acquisition of WW.1 alone would not be recommended.

OSAB Recommendation: OSAB recognizes that the property is zoned Planned Community Commercial and recommends preservation of contiguous acreage and potential trail connectivity to Davidson Mesa through the development process. If Council chooses to develop this area, OSAB would strongly support preservation of at least part of this parcel for a trail connection

Centennial 1 (Parcel WW.1)

Property Features: Approximately 6 acres. Bordered to the west by a powerline easement and Davidson Mesa Open Space.

Property Goals: Preserve diminishing grassland habitat. Increase open space acreage as part of Davidson Mesa Open Space and trail access opportunities as the surrounding area becomes more developed.

Supporting Parcel: If WW is preserved, OSAB would support preservation of WW.1 as well. Acquisition of WW.1 alone would not be recommended.

OSAB Recommendation: OSAB recognizes that the property is zoned Planned Community Commercial and recommends preservation of contiguous acreage and potential trail connectivity to Davidson Mesa through the development process.

Red Barn Property (Parcel CC)

Property Features: Approximately 68 acres. Includes a historic barn and farmhouse on land long used for agriculture. Coal Creek runs through the property. Bordered to the west by Dutch Creek Open Space and to the south by Boulder County Open Space.

Property Goals: Retain the rural nature of the property. Increase Open Space acreage and continuity with adjoining open space properties.

OSAB Recommendation: OSAB recognizes that the property has a conservation easement, but it includes the rights to develop two additional homes. Maintaining the property in its current state would preserve a true jewel of the city's agricultural heritage. To maintain the rich riparian habitat along Coal Creek, OSAB would recommend not adding creekside trails since the existing trail system connects adjacent open space properties very effectively

Avista Hospital North Property (DD)

Property Features: Approximately 15 acres. Adjacent to existing open space and golf course. Excellent viewsheds. Potential trail connection to Highway 36 bike route.

Property Goals: Consider trail to link with Highway 36. Increase Open Space acreage and continuity with adjoining open space properties.

OSAB Recommendation: OSAB recognizes that the property adjoins the current Avista hospital, which opposes trails on the property. Reconsider a trail once medical facilities are no longer active on the site.

Strategies and Tools for Open Space Property Acquisition

12/10/2015

Summary: acquisition discussions between OSAB, City Manager Malcolm Fleming, and OS staff (with input from Boulder & Jefferson County OS staff)

Tool	How it works	Advantages	Disadvantages
Real Estate Retainer	While many large open space agencies have staff dedicated to land acquisitions, this is impractical or unfeasible for smaller agencies due to cost and infrequency of opportunities. A smaller municipality could extend its reach through an established network of real estate brokers in the area. Real estate brokers tend to be the first individuals with knowledge of potential land coming on the market for sale, and may have relationships with landowners in the area. A municipality could provide a select group of brokers its target acquisition list to either pursue transactions, or to simply keep the municipality abreast of potential target acquisition opportunities. It is typical in the real estate industry for a seller to pay all brokerage commissions/compensation.	Expands the reach of smaller municipalities' on-staff resources at minimal additional costs, and may result in additional opportunities	May result in a conflict if multiple brokers identify the same target acquisition at the same time, an event more common in a smaller municipality real estate market.
Right of first refusal/Option Agreement	The right of first refusal is a contract between the buyer and seller which specifies that the land may be acquired by the buyer at a future date. This gives the municipality the opportunity to match an offered purchase price within a specified time period should a landowner receive a legitimate offer to sell. A purchase option is simply a right that the municipality holds to purchase the land by a specified date at a specified price. A right of first refusal and a purchase option can be either donated to the municipality or sold.	Keeps the opportunity open, keeps the dialogue going, inexpensive.	Money paid to the seller for the right of first refusal/option is forfeited if the city cannot or will not purchase the land at the specified time and price.
Fee Simple Acquisition	Most acquisitions of open space have historically been fee simple purchases.	Fee acquisition have the advantage of giving the city full control over the management of the properties' resources, and provide the greatest flexibility for decision making about the best ways to address visitor access, agricultural management, ecological restoration and other management issues.	Most expensive of all acquisition tools
Conservation Easements	Legal restriction voluntarily placed on a property by its owner. Enforcement rights are granted to a public agency or charitable organization. Easement is customized to meet landowner needs, including retention of certain rights.	Landowners can protect land in perpetuity while maintaining ownership. There are significant savings on taxes including property, income and estate taxes. Landowners are motivated to donate CEs because Colorado allows transferable tax credits for qualified donations. Currently, a CE donor can earn up to \$375,000 in state income tax credits. Under policies now in effect, these credits can be carried forward for up to 20 years and used as needed to offset state income tax payments, or sold to others.	Conservation easements are irrevocable and rights included are no longer an option for landowner.
Trail Easements	A partial interest in a property is granted to allow entry onto another landowner's property. Trail facilities are developed within a designated area, to allow users onto the corridor to use the trail. Negotiation between trail managers and owners usually occurs. Owners may be willing to allow access for a fee or donation of the easement.	Easement acquisition is usually cheaper than outright purchase of land. There are less disruptions of existing land uses.	Tensions can arise between entities regarding terms or covenants. Term easements can cause problems if owner does not choose to renew the easement.
Parkland/Trail Dedication	City requires developers and builders to dedicate park/trail lands or pay a fee that is used to acquire and develop park and trail facilities. This exaction fee is a way to offset increased demand for parks or trails created by developer/new homeowner	Cities can conserve open spaces at the pace of land development. Developers can negotiate to construct facilities saving cost to both parties.	Although courts generally uphold this type of exaction, it could result in litigation for requiring payment/land dedication.
Bargain Sale of Land	An agreement is created to sell land for less than fair market value between City and landowner.	Potential tax benefits exist such as charitable donations and a reduction in capital gains tax. Sellers are often motivated to see land preserved.	Less profit for seller than selling at fair market value. Conservation value restraints may limit agency ability to purchase property.

OPEN SPACE ACQUISITION PRIORITY LIST & POLICY

NOVEMBER 10, 2025

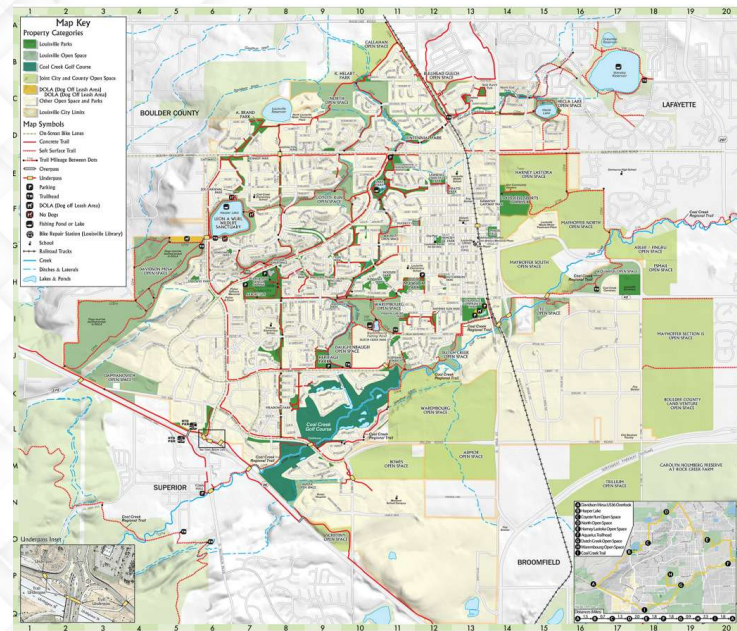
PRESENTED BY:

- **DIANA LANGLEY, CITY MANAGER**
- **SUSAN McEACHERN, OPEN SPACE ADVISORY BOARD CHAIR**
- **ADAM BLACKMORE, PARKS, RECREATION, AND OPEN SPACE DIRECTOR**
- **EMBER BRIGNULL, OPEN SPACE SUPERINTENDENT**

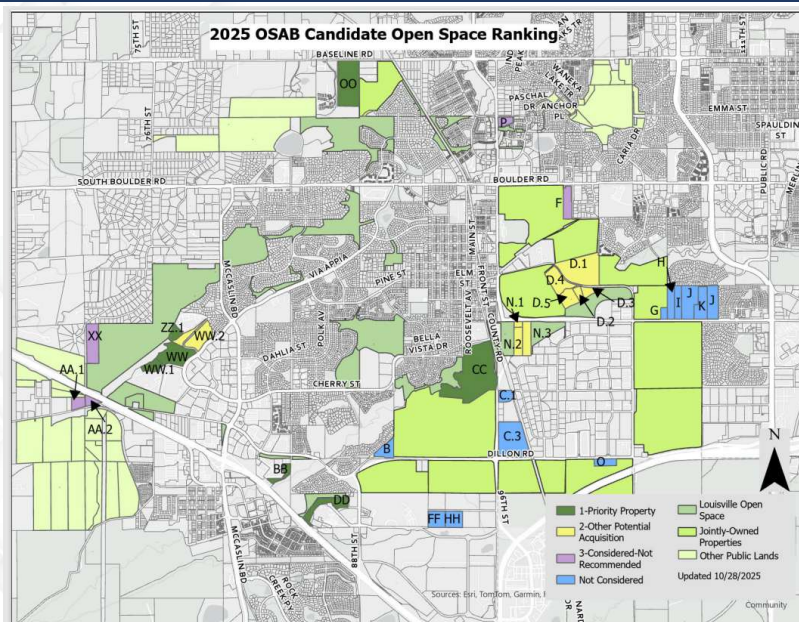
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- 4) Direction to staff on processes to follow and to actively pursue specific acquisitions targets.

Current Open Space, Parks & Trails Map



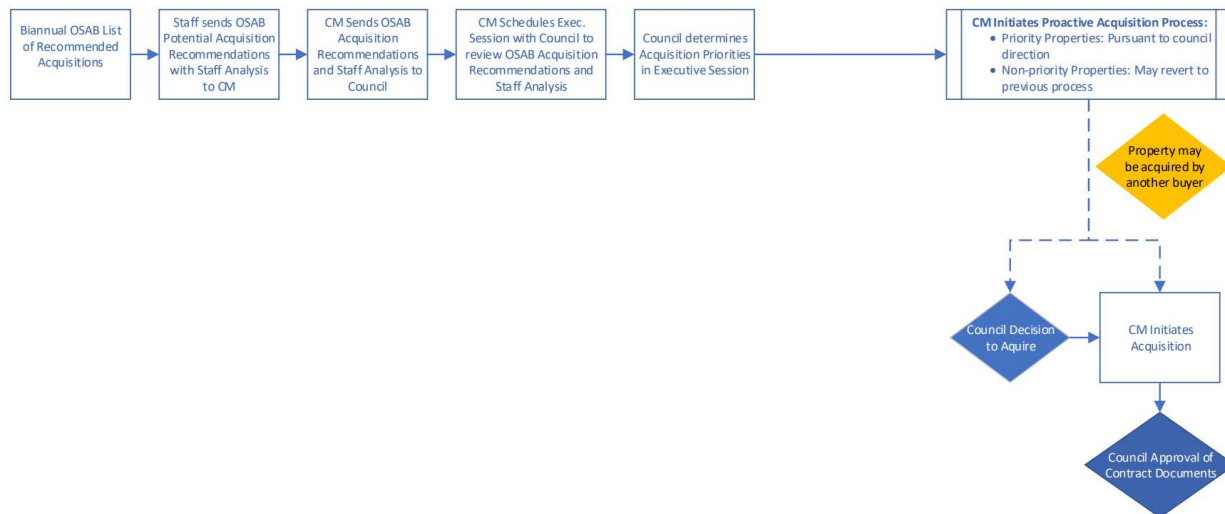
Draft 2025 OSAB Candidate Open Space Ranking Map



Draft 2025 OSAB Candidate Open Space “Priority Property” Ranking

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OSAB Approved City Manager Proposed Acquisition Process



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