

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#231]
Date: Tuesday, January 17, 2017 8:01:38 AM

Name * Andy Baker

Email * andybaker123@yahoo.com

This comment relates to: * Twin Lakes Rd. Change Request

Comment: * Dear Planning Commission,

I recently read this September Daily Camera article,
["http://www.dailycamera.com/news/boulder/ci_30392304/colorados-front-range-likely-see-more-100-degree"](http://www.dailycamera.com/news/boulder/ci_30392304/colorados-front-range-likely-see-more-100-degree)


That makes it more important than ever to protect wildlife havens like the Twin Lakes and their wetlands and grasslands. Please don't bulldoze this area but protect it.

Best,

Andy

Please check box below * I acknowledge receipt of the Open Records Notification

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#232]
Date: Tuesday, January 17, 2017 9:17:33 AM

Name *	Kimberly Gibbs
Email *	kgibbsboulder@gmail.com
Phone Number (optional)	(303) 530-6918
Address (optional)	 7468 Mt. Sherman Road Longmont, CO 80503 United States
This comment relates to: *	Twin Lakes Rd. Change Request
Comment: *	<p>Good morning,</p> <p>Regarding the proposed Medium Density land-use change on the Twin Lakes parcels, please add the Five Votes issue to the Wednesday docket.</p> <p>Thank you, -Kimberly Gibbs</p>
Please check box below *	<ul style="list-style-type: none"><input type="checkbox"/> I acknowledge receipt of the Open Records Notification

From: kimberly gibbs
To: [Boulder County Board of Commissioners](#)
Cc: [kimberly gibbs](#)
Subject: Twin Lakes parcels - efforts to change land-use designation
Date: Tuesday, January 17, 2017 9:21:36 AM

Good morning Commissioners,

Regarding the proposed Medium Density land-use change designation for the Twin Lakes parcels, I have requested that the FIVE votes issue be added to the meeting docket. Also, as a concerned Gunbarrel resident, I am requesting that the Commission adhere to Colorado and County statutes governing land-use changes.

Thank you for your consideration.

-Kimberly Gibbs
Gunbarrel

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Ask a Planner - Web inquiry from Laurel Kallenbach - Twin Lakes
Date: Tuesday, January 17, 2017 9:51:53 AM

Boulder County Property Address : 1675 Dogwood Lane

If your comments are regarding a specific docket, please enter the docket number: Twin Lakes

Name: Laurel Kallenbach

Email Address: Laurel@ecentral.com


Phone Number: (303) 444-5258

Please enter your question or comment: I heard that condos/apartments might be built at Twin Lakes, where these glorious owls nest. I know housing is a huge issue in Boulder County, but I'd rather see this area remain as an owl preserve/Open Space. In these times, we're all called upon to be good stewards of the land, and to let wildlife thrive in our midst. Otherwise, Boulder County will become a paved-over, sterile place with utterly no nature. I give a hoot!

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#233]
Date: Tuesday, January 17, 2017 9:59:05 AM

Name *	Adli Waziri
Email *	boulderburner@gmail.com
Address (optional)	 Boulder, CO 80301 United States
This comment relates to: *	Twin Lakes Rd. Change Request
Comment: *	<p>Colorado State law requires the Planning Commission to have five affirmative votes for any amendment to the Comprehensive Plan, and there were only 4 'yes' votes to approve the designation change to medium density. This means that the Planning Commission rejected the Medium Density request. Please add the Five Votes issue to the Wednesday docket and withdraw or table the rehearing of the Twin Lakes issue.</p> <p>It's time to put an end to the extremely flawed process and county/city manipulations and abuses of power that got us to this point.</p>
Please check box below *	<input type="checkbox"/> I acknowledge receipt of the Open Records Notification

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Ask a Planner - Web inquiry from Adrienne Sines - Twin lakes
Date: Tuesday, January 17, 2017 10:00:59 AM

Boulder County Property Address : 580 s carr ave

If your comments are regarding a specific docket, please enter the docket number: Twin lakes

Name: Adrienne Sines

Email Address: adriennesines@gmail.com

Phone Number: (810) 241-1570

Please enter your question or comment: Please create the Twin Lakes Owl Preserve and Open Space. There are better alternative locations for the development that will not destroy this land and the home of these owls and wildlife.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: Bridget Gordon
To: [#LandUsePlanner](#)
Subject: Slides for Bridget Gordon's time at Jan 18th County meeting
Date: Tuesday, January 17, 2017 10:44:51 AM
Attachments: [Gunbarrel v Boulder Open Space Gordon 1-18-17.pdf](#)

Dear Sir or Madam,

Can you please pass along these slides to the county commissioners to review prior to tomorrow's meeting since I cannot present them during my speaking time? Thank you very much.

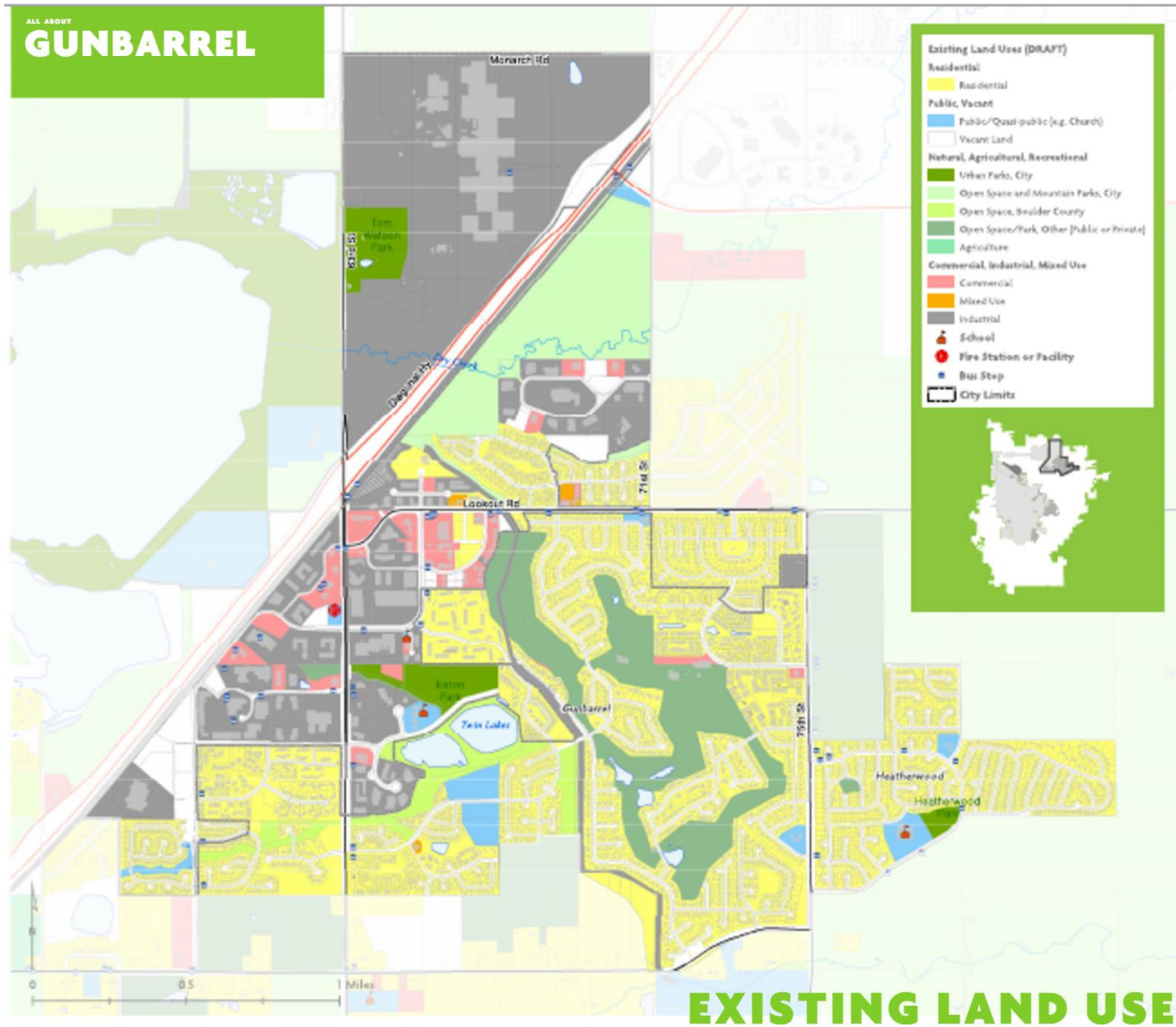
Kind regards,
Bridget Gordon

A Tour of the Inequities of Gunbarrel Parks and Open Space

Bridget Gordon

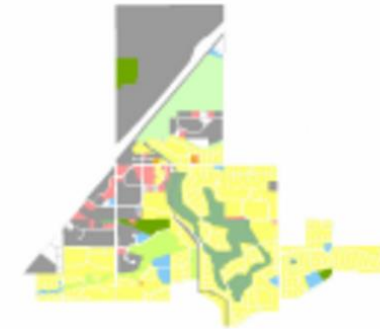
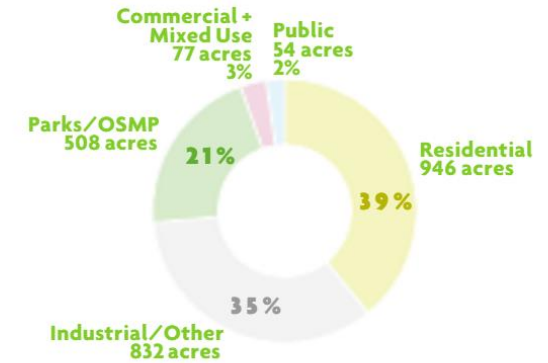
Email to County prior to Jan 18, 2017 meeting

Gunbarrel Sub-community Fact Sheet:



LIFESTYLE

LAND USE



PARKS & OPEN SPACE

3 parks

1 trailhead

SCHOOLS

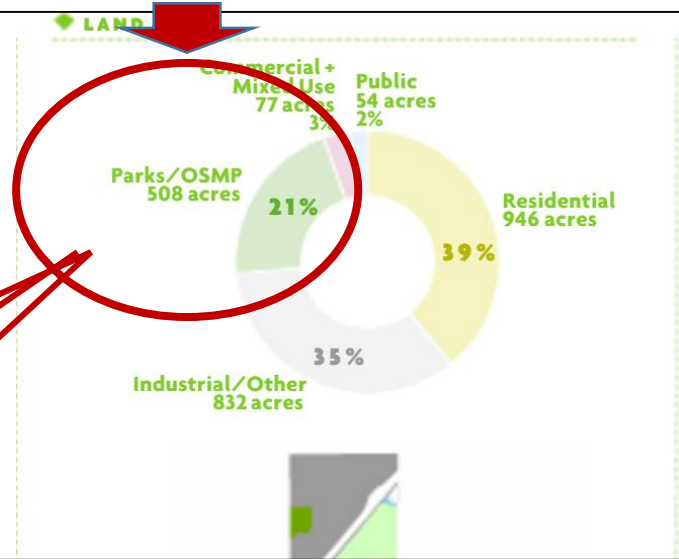
Public	Private
Heatherwood Elementary	Boulder Country Day K-8

Gunbarrel Sub-community Fact Sheet:

1.) I sought data to quantify Gunbarrel's public amenity inequities. Could not use acreage because Boulder Country Club is in the calculations.

2.) Boulder Country Club

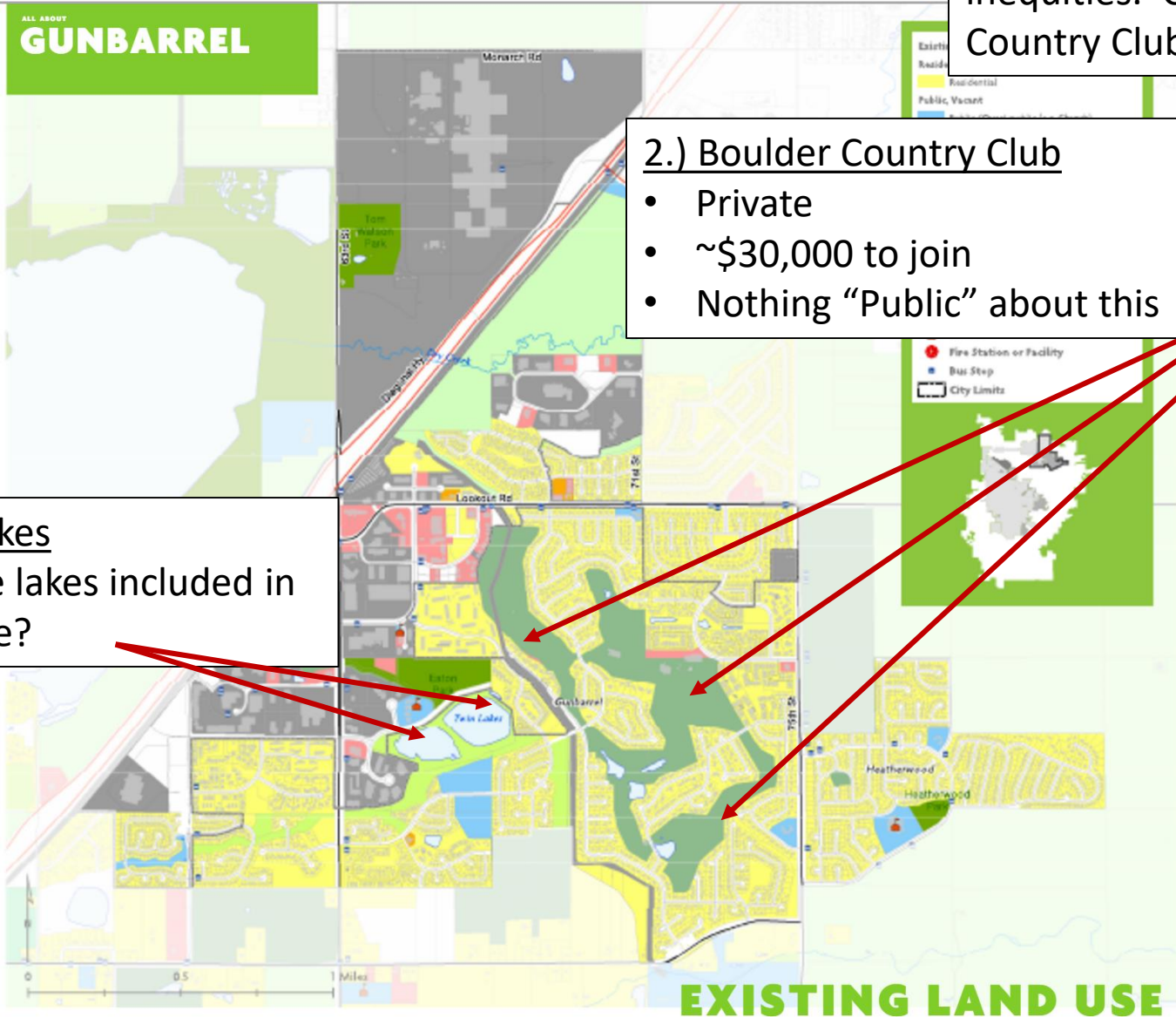
- Private
- ~\$30,000 to join
- Nothing "Public" about this



3. Twin Lakes

- Are the lakes included in acreage?

4.) Instead tallied up public amenities in these boxes. See chart on next page.



PARKS & OPEN SPACE

3 parks

1 trailhead

SCHOOLS

Public	Private
Heatherwood Elementary	Boulder Country Day K-8

Comparison of Public Amenities in Gunbarrel to other Boulder Communities

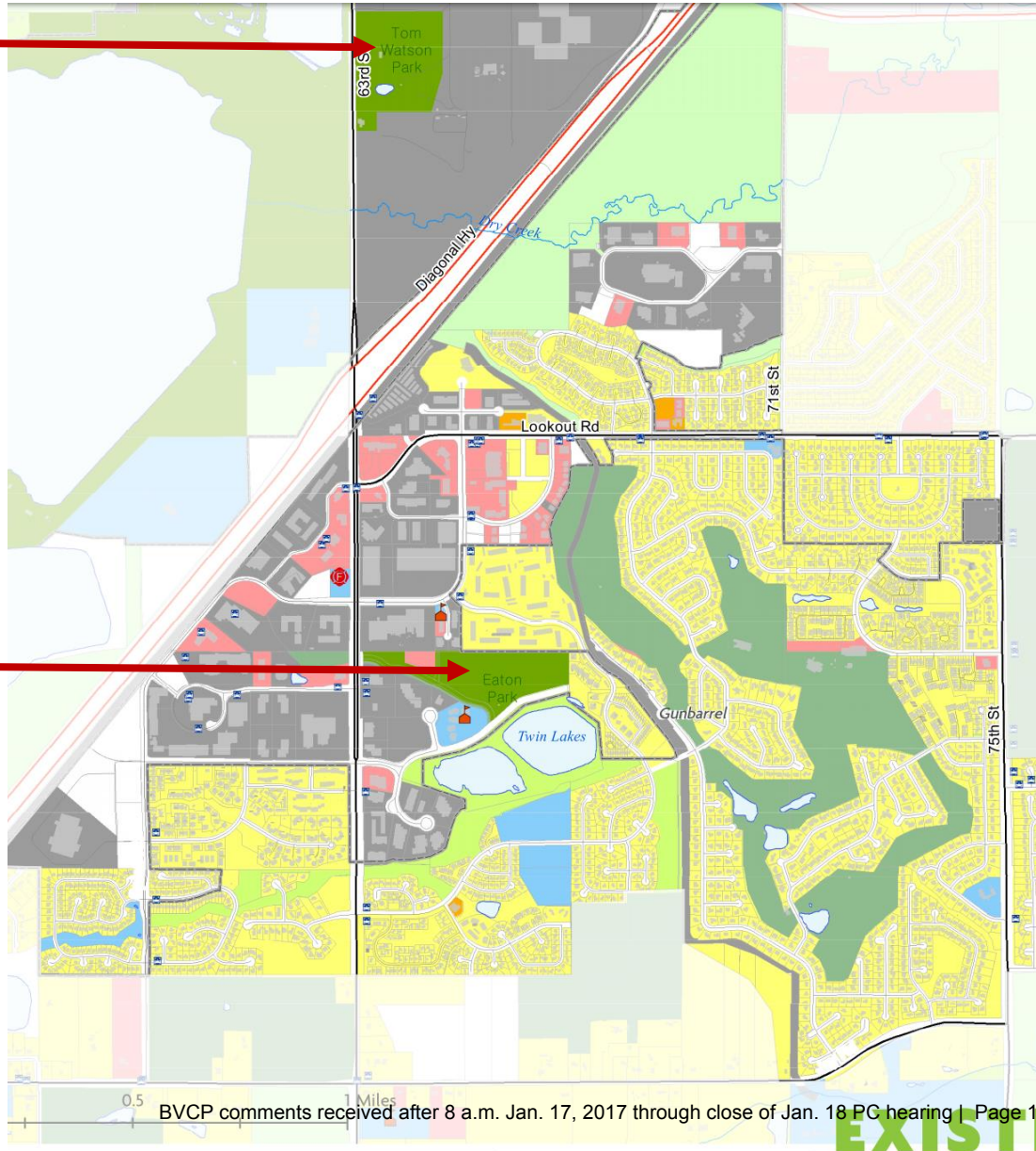
Community	Parks	Athletic Fields	Rec Cntr	Comm Cntr	Public Golf/Pool	Public Schools	# Trl hds	Total of Outside Public Amenities	Pop (2015) *	Fold more Persons per Public amenity than Gunbarrel
Gunbarrel	3					1	1	5	10,800	2160
N. Boulder	12			1		3	2	18	12,670	704 3.1
E. Boulder	2	1					1	4	3450	863 2.5
Palo Pkwy	3	1						4	3650	913 2.4
SE Boulder	10		1	1	1	5		18	23180	1288 1.7
Central (3)	17		1	3	1	7	4	33	29520	895 2.4
South Boulder	6		1			5	9	21	15450	736 2.9

* This does not include all the new people in the 3 new apartment complexes along Lookout Rd. Adding ~2000 more people makes the numbers much worse.

The 3 Parks in Gunbarrel:

Tom Watson Park

- Nice park
- 4 tennis courts
- Handball courts
- 3 miles from home across Foothills freeway



Eaton Park

- 1 bench
- 1 picnic table
- Abandoned bike park

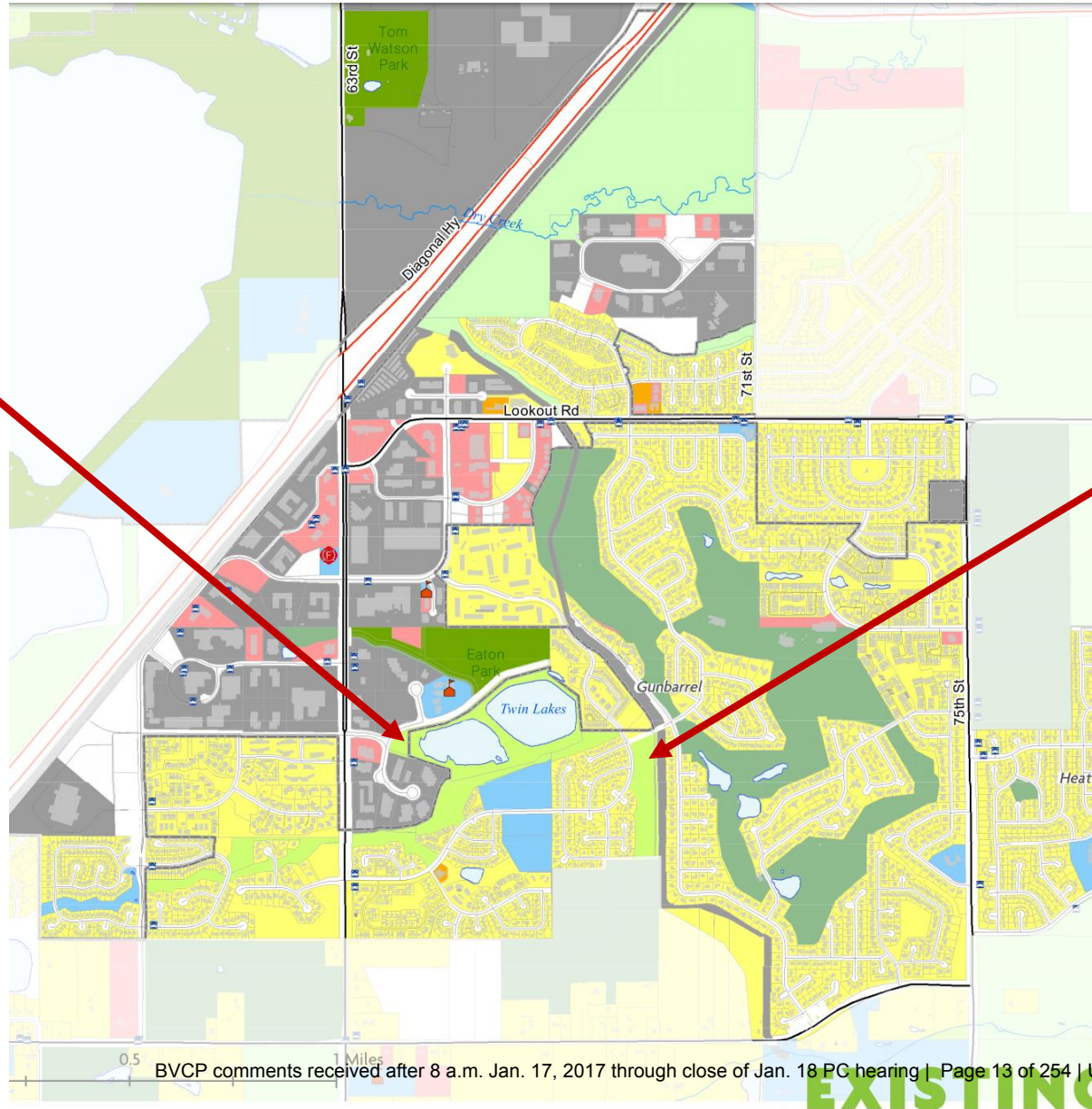
Heatherwood "Park"

- A empty field overrun with weeds

Open Space in Gunbarrel:

Twin Lakes

- The only nice open space in Gunbarrel
- Wildlife
- Not large enough for the population
- **COUNTY**



The City gets most of Gunbarrel's wealth and gives very little back:

Total Net Sales/Use Tax Receipts

Gunbarrel Industrial:

2015 \$6,387,647

2014 \$7,818,546

Gunbarrel commercial:

2015 \$1,541,637


2014 \$1,280,707

***This does not have Avery Brewery which likely raises the income substantially.

Gunbarrel Open Space Summary

- ***Gunbarrel needs more parks and open space per capita, rather than less!***
- ***All other sub-communities of Boulder have 1.7- 3-fold more public amenities per capita than Gunbarrel***
 - Additionally for unknown reasons Boulder City Council allowed the development of the Gunbarrel Town Center apartment complex to be built with less open space than required in the general plan.
- ***You take our retail and industrial taxes, \$7.8 million in 2015, and give us nothing in return.***
- ***It is very unfair to the people of Gunbarrel!***
- ***Fix this inequity using the dedicated PUBLIC SPACE at Twin Lakes for wildlife and parks, rather than making the inequity worse.***

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#234]
Date: Tuesday, January 17, 2017 10:55:10 AM

Name *	Beth Armstrong
Email *	armrasso1969@gmail.com
Address (optional)	 80301 United States
This comment relates to: *	Twin Lakes Rd. Change Request
Comment: *	Hello, I am writing to express my opposition to the proposed medium density land-use change on the two Twin Lakes parcels. My husband and I have owned our home near Twin Lakes since 1994 and, as the only open space in our area, strongly feel that it is important to maintain this as open space for all of us to enjoy. I believe that the vote on this issue at the August meeting (to change this area to medium density) did not receive the required five votes. Please add this issue to the docket for today's meeting. Thank you, Beth Armstrong
Please check box below *	<input type="checkbox"/> I acknowledge receipt of the Open Records Notification

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#235]
Date: Tuesday, January 17, 2017 11:03:46 AM

Name * Jerry P.

Email * jerry@pcbstencils.com

This comment relates to: * Twin Lakes Rd. Change Request

Comment: * Hello, I am writing to express my opposition to the proposed medium density land-use change on the two Twin Lakes parcels. My wife and I have owned a home and have lived for 23 years in the Twin Lakes Subdivision. We believe that the vote on this issue at the August meeting (to change this area to medium density) did not receive the required 5 votes. Please add this issue to the docket for today's meeting. Thank you, Jerry P.

Please check box below * I acknowledge receipt of the Open Records Notification

From: Adli
To: [Boulder County Board of Commissioners](#)
Subject: Stop ignoring state law and abusing public trust on Twin Lakes Issue
Date: Tuesday, January 17, 2017 11:43:32 AM

Commissioners,

It has become clear throughout the Twin Lakes process (or subversion of process in the counties case) that the county will do anything in it's power to reach the ill-conceived and unethically pursued goal of up-zoning of the Twin Lakes Parcels. However, it has become evident that your acceptance of the county planning board's vote on the issue as a 'win' for up-zoning is counter to state law.

Per the Colorado statute 30-28-108: "The adoption of the plan or any part, amendment, extension, or addition shall be by resolution carried by the affirmative votes of not less than a majority of the entire membership of the commission."

Therefore, the '4' yes votes are not sufficient to pass the change to the comprehensive plan and the change failed.

I'm aware of the disingenuous statements by the county that the above only applies to the Boulder County Comprehensive Plan and not the Boulder Valley Comprehensive Plan, but per the county land use code, section 18-117, "The Boulder Valley Comprehensive Plan and any similar subarea plans are considered part of the Boulder County Comprehensive Plan."

Stop subverting the law and abusing the public trust. It's time to concede on the Twin Lakes issue. Prevent the further erosion of confidence in governance, and further wasting of funds (both public and private.)

Thanks,
Adli Waziri

From: Myrna Besley
To: [Boulder County Board of Commissioners](#)
Subject: Follow the statutes
Date: Tuesday, January 17, 2017 12:13:48 PM

Myrna Besley
mysube@aol.com

Dear Elise Jones, Deb Gardner and Cindy Dominico,

I understand that you are in favor of developing the Twin Lakes undeveloped parcels located in the established low density neighborhood, which were originally donated for the use of a park or school. I urge all 3 of you to adhere to the Colorado and Boulder County statutes governing land use changes! I support the use of the land as a neighborhood park to support the people from the (already overdeveloped---just try finding a place to park at the only grocery store in the neighborhood at noon any day of the weekday or on Saturday) Gunbarrel area.

Myrna Besley

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#236]
Date: Tuesday, January 17, 2017 12:41:03 PM

Name * Judith Nespoli

Email * ejnespoli@aol.com

This comment relates to: * Twin Lakes Rd. Change Request

Comment: *

My husband and I were talking recently to an acquaintance who lives in Denver. Randy mentioned that he and his family were moving. His reason: Affordable housing units were built close to their house. At first, he said, everything was fine. Over time there was a turnover of residents. They began to hear loud conversations and arguments in the parking lot at all hours. Car and motorcycle engines were revving loudly. They had a young daughter and were concerned for her safety. Their solution was to move.

Residents of Twin Lakes have invested in their homes and have been paying taxes for the neighborhood where they chose to live. Will the character of their neighborhood change to the point that they too will be compelled to move?

Open space is one of the reasons people choose this area to call home. Wildlife areas are disappearing and this has a damaging effect on the animals we hold dear. Open space will not return once it's developed.

When considering a suitable location for affordable housing, I think of the massive development that has taken place on Lookout Road near King Soopers. That area has a grocery store, bus line, gas station, post office, restaurants, and even a medical center. From what I have heard, out of approximately 600 units not even one unit was earmarked as affordable housing. That location with all it's services would have been perfect for affordable housing, but not Twin Lakes.

I am opposed to rezoning and development of hundreds of units in Twin Lakes.

Thank you for your consideration.

Please check box below *

I acknowledge receipt of the Open Records Notification

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#237]
Date: Tuesday, January 17, 2017 12:59:36 PM

Name * Andrea Banks

Email * mb2b@hotmail.com

Phone Number (optional) (303) 884-9363

Address (optional)  PO Box 7951
Boulder, CO 80306
United States

This comment relates to: * Twin Lakes Rd. Change Request

Comment: *

Dear Boulder Valley County Commission and Commissioners,

We strongly oppose the proposal of turning the Twin Lakes open space into a housing development. Such a proposal would break the bond of trust that the community has when open space is set aside for preservation and not development. While we support the affordable housing goals, we believe there are better solutions that will protect the open space with the nature habitat of Twin Lakes.

We urge you will vote to oppose this plan to turn the Twin Lakes open space into housing. Preserving and caring for open space is what makes Boulder a special place.

Thank you in advance for your time and consideration.



Sincerely,

Andrea and Michael
PO Box 7951
Boulder CO 80306
303-884-9363 (cell)

Please check box below *

I acknowledge receipt of the Open Records Notification


From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#238]
Date: Tuesday, January 17, 2017 1:31:10 PM

Name *	Bridget Gordon
Email *	bridgetL13@gmail.com
Address (optional)	 7057 Indian Peaks Trail Boulder, CO 80301 United States
This comment relates to: *	Twin Lakes Rd. Change Request
Comment: *	Please see attached file. Thank you.
Attach a File (optional)	 gunbarrel_v_boulder_open_space_gordon_11817.pdf 1.77 MB · PDF
Please check box below *	<input type="checkbox"/> I acknowledge receipt of the Open Records Notification

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#239]
Date: Tuesday, January 17, 2017 3:26:43 PM

Name * Sonia Smith

Email * sonia@bouldersmiths.com

Address (optional)  4522 Sandpiper Ct.
Boulder, CO 80301
United States

This comment relates to: * Twin Lakes Rd. Change Request

Comment: *

I spoke at the meeting last August, and I am signed up for January 18, but am not sure I will be able to get away from work. If not, I would like to ask that you stay focused on whether the proposed density is appropriate for this neighborhood and try not to let the affordable housing aspect be the driver here. I get that affordable housing is a major priority for the city of Boulder, the county, and all of Colorado. We have a subsidized housing development down the road from us, and that development has not caused us trouble, and we do not resent its existence. But whether affordable housing is a worthy cause is not what we are debating. If I thought that completely changing the land-use designation, taking away our open space, increasing the traffic driving through my neighborhood, if all that would take care of Boulder's housing inequities and no further development would be necessary in Gunbarrel, I would consider our neighborhood's sacrifice worthwhile. But that will not be the case, and it is not even close to being the case.

This neighborhood has one road going in and out of it. Currently, denser housing units exist toward the outside of the neighborhood, single-family homes toward the inside, and at the very center are 20 acres that have variously been designated for the possibility of a park, a church, or a school. It is a conscientiously laid out plan that keeps most of the traffic toward the outside and leaves a quiet center for walking, biking, relaxing, and enjoying nature. The BCHA proposal, on the other hand, turns the neighborhood inside out so that the highest density would now be in the middle of Twin Lakes. It would take away the quiet center.

This is already a thriving, diverse middle-class neighborhood. We already have several medium-density developments, and we have a subsidized housing complex in our neighborhood. What we don't have is a park, a church, a playground, or a school. All of these at various times have been planned for this 20 acres in front of you today, and the focus should, and I hope will, remain on choosing a land-use designation that honors previous intentions for this neighborhood and minimizes impacts to the current residents. Two wrongs do not make a right. Proposing an upzoning and annexation in the middle of this neighborhood by BCHA did not consider the best interests of this neighborhood and was wrong, and following through with that proposal would be a second wrong.

Thank you.

Please check box below * I acknowledge receipt of the Open Records Notification

From: Susan Davis Lambert
To: [#LandUsePlanner](#)
Subject: Twin Lakes Infrastructure Information/Inter
Date: Tuesday, January 17, 2017 3:59:57 PM
Attachments: [City Water Interviews 11-15.pdf](#)

Dear Planning Commission members,

Please find attached a PDF containing information related to the Twin Lakes area infrastructure, specifically, the existing water/sewer infrastructure. These are two interviews I conducted personally in 2015. I sent in a request for information to the City back then, and both of these Water Systems Maintenance employees called back to discuss. I asked them if I could take notes and use their names, and they agreed. As you will read, they both had serious reservations about any developer building anything else out here, as they already have their hands full with water main breaks and decaying pipes/valves, etc in the Twin Lakes and Red Fox Hills areas.

Thank you for your consideration of this material.

Best Regards,

Susan Lambert
TLAG Board member
303-530-7151

November 2015

Susan Lambert
Twin Lakes Action Group

Below are the notes from the two phone interviews I had in November of 2015 with Josh Meck and Steve Buckbee from the City Water Systems Maintenance Department:

As I emailed last week, I put in two requests to the City Water Systems Maintenance Division, asking for any information regarding the water/sewage infrastructure condition of 1) Red Fox Hills, and 2) the section of Twin Lakes Road that runs along 6655. I had two calls back this morning, one from Josh Meck, from City Water Systems Maintenance, and the second from Steve Buckbee, City Engineering Group. Following are my notes from each conversation:

Josh Meck:

- confirmed Quail Creek Lane has had six water main breaks (he was here working on them as foreman of the job).
- Department is fully aware of the acute water/sewage infrastructure issues we have in RFH and Twin Lakes. Also mentioned Gunbarrel as a whole is very problematic, due to our extremely high water table and the corrosive soil (clay loam).
- says their department map shows stretch of Twin Lakes Road running along 6655 and through RFH has PVC piping, but he knows for a fact it does not, the map is incorrect, because he's been out here on jobs digging up the old ductile iron piping that has failed, replacing it with PVC. Result is a scattered patchwork of primarily ductile iron piping with replacement pieces of PVC.
- Quail Creek Lane, end to end, has been moved up toward the top of the list for capital improvements, for full replacement of water/sewage pipes. Project will begin in 2016. Moved up due to severity and frequency of water main breakages. Water problems here have been discussed frequently within the department. Hot-button issue, b/c of road paving costs.
- to his knowledge, no water/sewage utilities report, assessment, evaluation or request has been processed or received by their department, regarding 6655 Twin Lakes Road, or the BVSD property.
- Evaluating the water line infrastructure along 6655, as well as through RFH, is tricky, because the County recently repaved Twin Lakes Road. That would've been the ideal time to assess the infrastructure, but they did not. So, the surface of the road is County, the water/sewage infrastructure under the road is City. If the City

digs up/disturbs a certain % of Twin Lakes Road in order to evaluate the infrastructure of their water system, the County will make them pay for the repaving.

- the only other good opportunity to assess the underground water infrastructure is actually during a water main break. They can run scopes through the pipes, etc. This has not ever been done here, to his knowledge.

- personally, in his opinion, based on his working knowledge and on-site experience working along Twin Lakes Road on repairs, water main breaks, etc., is that the high-density development proposed for 6655 Twin Lakes, as well as BVSD property, is "crazy", as he put it. He said, "the water underneath those properties has to go somewhere, probably into your neighborhood".

Steve Buckbee:

- no water main breaks reported on Tally Ho Court, mostly gas line problems.

- confirmed six water main breaks on Quail Creek Lane.

- total water main breaks in RFH: TEN. (Has since been updated in 2016 to THIRTEEN). First was in 1991, most occurred in recent years. Eight of the ten breaks due to corroded ductile iron pipes, one due to pressure break, one due to "other" (joint/ valve replacement).

- Said RFH is built on old swamplands. Called it "scary", and said he's heard "scary stories" about jobs out in our neighborhood. Said we also have the Left Hand Ditch, White Rock Ditch, and the two Twin Lakes exacerbating our water table problems - we lay lower than they do.

- When they come to RFH or Twin Lakes on a job, they only have to dig two feet down to hit water. Not muck, but running, flowing water. It always presents a big problem, because while they work, they have to have an apparatus to continuously pump this water out while they work.

- confirmed our clay soil can be corrosive to the ductile iron pipes.

- confirmed water/sewage piping along 6655 is mostly ductile iron, with a smaller % being ACP (asbestos) piping.

- confirmed water main replacement is scheduled for Quail Creek Lane in 2016. Depending upon where the new main will be placed, they may pave over 4 feet of the road, or the entire road. Project expected to take 6-9 months.

- his opinion is that no basements should be built in our area, due to the extremely


high water table. Or all of Gunbarrel, for that matter.

- confirmed that to his knowledge, he knows of no request from anyone (but me) for an evaluation, assessment, or utilities report regarding the water/sewage infrastructure system anywhere along Twin Lakes Road. Nor has one ever been done.

- Suggested I go to Planning & Development Services on Arapahoe and B'way in the Parks Central Building to inquire about any old reports, studies or additional information regarding my submitted inquiries.

- He said should this high-density development go through, part of the City's annexation process requires the County to conduct a water/sewage utilities report for the proposed properties, on the County's dime. The County would be required to submit new engineering analysis for both properties as well.

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#240]
Date: Tuesday, January 17, 2017 4:13:57 PM

Name *	Susan Lambert
Email *	sdavis@boulder.net
Phone Number (optional)	(303) 530-7151
Address (optional)	 4696 Quail Creek Lane Boulder, CO 80301 United States
This comment relates to: *	Twin Lakes Rd. Change Request

Comment: *


Dear Planning Commission members,

Please find attached a PDF containing information related to the Twin Lakes area infrastructure, specifically, the existing water/sewer infrastructure. These are two interviews I conducted personally in 2015. I sent in a request for information to the City back then, and both of these Water Systems Maintenance employees called back to discuss. I asked them if I could take notes and use their names, and they agreed. As you will read, they both had serious reservations about any developer building anything else out here, as they already have their hands full with water main breaks and decaying pipes/valves, etc in the Twin Lakes and Red Fox Hills areas.

Thank you for your consideration of this material.

Best Regards,

Susan Lambert
TLAG Board member

Attach a File (optional)	 city_water_interviews_1115.pdf 34.35 KB • PDF
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Please check box below * I acknowledge receipt of the Open Records Notification

From: Susan Davis Lambert
To: [#LandUsePlanner](#)
Subject: Gunbarrel Public Improvement District Information re Twin Lakes
Date: Tuesday, January 17, 2017 4:27:13 PM
Attachments: [Letter to County On Matching Contribution of Resolution 93-174-2.pdf](#)
[93 Ballot Matching \\$ amendGID support statements.pdf](#)
[1993 ballot 5 of 5.pdf](#)
[1994 to 2009 GPID Financial \(1\).xls](#)
[Vote to Preserve Gunbarrels Beauty.pdf](#)

Dear Planning Commission members,

Please find attached several documents that comprise a summary of information about the Gunbarrel Improvement District, otherwise known as the GGID, or more currently, the GPID (Gunbarrel Public Improvement District). The Boulder County Commissioners are acting Board of Directors for the GPID, which was originally formed in 1993 as a joint effort between the Gunbarrel community, the Boulder County Commissioners and POS. Ron Stewart and Dickey Lee Hullinghorst were instrumental in helping Gunbarrel form the ballot initiative that passed in '93 in order for the taxpayers to tax themselves for the purchase of undeveloped lands in Gunbarrel, to be held as such in perpetuity. The GPID's district borders currently include most of Gunbarrel, and the Twin Lakes parcels are easily within those borders.

Since the BCC purchased the north Twin Lakes property with County General Funds that were commingled with taxpayer-provided GPID funds, it can be argued that the north parcel should rightfully belong to the GPID as part of their land acquisitions. You'll also see there are unmatched, unmet, unfulfilled, and outstanding financial obligations toward Gunbarrel Open Space via the GPID, and GPID's taxpayers, per the 1993 Ballot Initiative.

Thank you,

Susan Lambert
TLAG Board member

Nikki Munson
4554 Starboard Drive
Boulder, CO. 80301
nikki_dsf@hotmail.com
(303) 292-2116
October 24, 2016

To: Boulder County Commissioners,
Director, Boulder County Parks and Open Space

Boulder County Resolution 93-175, forming the Gunbarrel General Improvement District (later changed to Gunbarrel Public Improvement District, GPID) was passed by the Board of County Commissioners on Sept. 2nd, 1993. The resolution states, "The purpose of the District are to provide for the acquisition, construction and installation of open space areas and public parks, including improvement as determined to be appropriate for the accommodation of public recreational uses." GPID residents voted on and passed a 1993 ballot (page 39, 40) to tax themselves through property taxes, for 11 years, to underwrite \$3,600,000 in bonds to fund: \$1,900,000 to purchase open space and \$1,700,000 for road improvements (1994 – 2005.)

In the ballot for Resolution 93-175 (page 40), there was a commitment that if the County Sales and Use Tax for Open Space passed, "the County will provide a matching contribution toward open space purchase within the Gunbarrel General Improvement District up to a maximum amount of \$1,900,000."

The County Commissioners passed Resolution 93-174 proposing a County Open Space tax through a 0.25% increase in County Sales and Use Tax. Boulder County residents approved this increase to purchase open space. Within this resolution's ballot, page 4, paragraph 9 (i) "To permit the use of these funds for the joint acquisition of open space property with municipalities located within the County of Boulder in accordance with an intergovernmental agreement for open space or with other government entities or land trusts." This section is the legal basis to fund the matching funds for the GPID open space.

As of 2007, GPID purchased 6 parcels totaling \$2,300,340. Three parcels are titled exclusively to the GPID and three parcels have shared titles with the County. The County contribution toward these three parcels was \$1,305,634 (The information on the spreadsheet is taken directly from the Boulder County Annual Financial Statement Reports). In 2009 the remaining money in the GPID account was transferred into the County general fund. All proceeds from the agricultural leases on the purchased properties since purchase are also put into the general fund.

To date, based on Resolution 93-174, the County has a remaining obligation of \$594,366 of the matching contribution of \$1.9 mil.

In 2013, using money from the general fund, the County purchased a 10-acre parcel from the Archdiocese of Denver at 6655 Twin Lakes Road within the GPID's boundary for \$470,000. This land was given to the Archdiocese of Denver, by the Twin Lakes Investment Limited Partnership, to build a church or for a church related usage. This is the first and only County purchase of open land within the GPID boundaries since 2007. GPID's residents thought this purchased by the County was in part to meet the \$594,366. However, in 2015, the County (with less than 48 hours notice to the public) transferred title/sold 6655 Twin Lakes Road to Boulder County Housing Authority (BCHA) for the same purchased price at \$00 down payment and 0% interest for 10 years.

At present, the County is updating its Comprehensive Plan (BVCP) with the following requests for 6655 Twin Lakes Road:

- BCHA is requesting to up-zone the parcel to Mixed Density Residential at up to 18 units per acre (Proposal 35) from the current Rural Residential at 6-unit per acre.
- The County's staff recommendation is Medium Density Residential at 14-units per acre.
- GPID's residents are requesting the land to remain undeveloped as open space (Proposal 36).

As a GPID resident for last 25 years, I would like the County to meet its obligation of matching contributions toward open space purchase, Resolution 93-174. As the county commissioners are also the board of directors for the GPID, their primary responsibility within the GPID is to perform their fiduciary duty to the Gunbarrel General Improvement District Resolution's as stated on paragraph 9: "The officers and employees of the County are hereby authorized and directed to take all action necessary and appropriate to effectuate the provision of the Resolution."

The County has used GPID funds, commingled into the General Fund in 2009, to purchase undeveloped land within the GPID boundaries. This land is thus purchased for the GPID, to further the GPID goals of retaining open space within the GPID boundary. The transfer of 6655 Twin Lakes Rd to BCHA was improper, must be reversed and properly designated as open space.

Sincerely,

Nikki Munson

cc: Steve Giang, Boulder Land Use Dept.

The General Improvement District item to fund purchasing Open Space in Gunbarrel will authorize the issuance of bonds for up to \$1,900,000 (NOT the ballot stated amount of \$2,535,000). The County Commissioners passed Resolution GD93-3 that in essence says that any amount over \$1.9 million will be brought to the voters again in a future November election. Why did they do this? Because if the County Sales Tax passes in November, the **County will pay half of the costs to acquire the Gunbarrel Open Space!**

What lands could be purchased for Open Space? The 120 acres known as the Heatherwood Notch and most of the acres along the north side of Jay Rd.

The General Improvement District item to fund Road Improvements in Gunbarrel will provide road resurfacing and associated improvements to the residential roads within Gunbarrel. These improvements are in addition to improvements planned for Lookout Rd., 71st Street and 63rd Street. We have a ranked chart of all of the roads slated for improvements — and every street in Heatherwood is rated #1 for needing work. Again, the County Commissioners have promised support by offering to pay 1/3 of the total cost of these improvements. The bond request will be for \$1,700,000 and NOT the \$2,050,000 stated on the ballot!

Failure to pass this item on the November election, may mean a significant delay before work is done on residential roads. This delay will cause increasing damage to existing roads, that will then require far more extensive repairs at a much higher cost. Passage of this item will accelerate the schedule of repairs and reduce overall costs significantly.

The Boulder County Sales Tax for Open Space (0.25% – 25¢ on \$100 purchased) will raise funds that the County will use to purchase and maintain open space. For Gunbarrel, those funds would provide the 50% match that the County Commissioners have promised to support Gunbarrel's Open Space ballot item. If this item passes, Gunbarrel residents will directly see the benefits in open space purchased within Gunbarrel - to the tune of about \$1.9 million dollars. We will also see the benefit from buffers purchased protecting other communities from growing up to the Gunbarrel Ridge.

There are discussions in progress to expand the trail system in this area. Ideas include a trail system through the northern end of the Heatherwood Notch to 75th and Lookout and another one in place of the railroad tracks crossing 75th and heading both east and west from there. Certainly a strong passage from the Gunbarrel residents would offer a strong voice for where the projects might be focused.

*Gunbarrel Neighborhood Alliance (authors of the Gunbarrel Open Space ballot petition initiative) and Scott Dixon (author of this article) recommend that you **support ALL THREE ballot options** if you support keeping the open lands around Gunbarrel open for public use and our roadways safe.*

SUPPORTING STATEMENT FOR
GUNBARREL GENERAL IMPROVEMENT DISTRICT OPEN SPACE
QUESTION

A **YES** vote on this Question indicates that you support providing funds in order to purchase lands for open space preservation and public parks within the Gunbarrel General Improvement District. Specific purposes for open space purchase include: to provide a buffer to preserve community identity, limit future growth and contain urban sprawl; to allow continuation of existing visual corridors; to retain attractive gateways into and out of Gunbarrel; to preserve agricultural lands of statewide or local significance; and to preserve critical wild life habitats, wetlands and other environmentally sensitive areas.

At this time, the remaining rural and agricultural lands around Gunbarrel continue to be discussed as possible sites for future urban expansion by the City of Boulder. Urban growth on these lands would provide no clear benefits to residents of the Gunbarrel area, but would bring a number of significant negative impacts, including increased traffic, higher road maintenance costs, increased school overcrowding, and the loss of lands considered by many to be fundamental to the identity and beauty of the area. Purchase of rural lands by the General Improvement District to preserve open space around Gunbarrel would provide secure protection for these lands against future urban growth and its attendant negative impacts.

Estimated costs for a property with an assessed value of \$100,000 are approximately \$35 a year for twelve years. The Boulder County Commissioners have indicated that, subject to the passage of this issue and the County Open Space tax, the County will provide a matching contribution toward open space purchase within the Gunbarrel General Improvement District up to a maximum amount of \$1,900,000; this would potentially reduce significantly the net costs to property owners of the District. Further, continued growth pressures are likely to lead to higher future land costs. Postponing support may therefore result in substantially higher total costs, and the possibility that lands desired for open space preservation or public parks would be lost to continued urban growth.

Vote **YES** on this Question to indicate your support for the purchase of lands for open space preservation and public parks within the Gunbarrel General Improvement District.

SUPPORTING STATEMENT FOR
GUNBARREL GENERAL IMPROVEMENT DISTRICT QUESTION 2:
ROAD IMPROVEMENTS

A **YES** vote on this Question indicates that you support providing funds for road repairs, maintenance and safety improvements within the Gunbarrel General Improvement District.

The rapid growth and urban densities of unincorporated Gunbarrel subdivisions have placed great strains on the County road maintenance budget. Over the next five years, the County Transportation Department estimates that costs to repair and maintain Gunbarrel neighborhood roads will be approximately \$2,300,000, or approximately \$460,000 per year. This compares with the total 1993 County paved road maintenance budget of \$520,000. Further, County priorities for road repairs and maintenance are given to mountain and high volume arterial and collector roads; funds available to improve neighborhood roads are quite limited. Put simply, without additional funds provided through the General Improvement District, there will not be sufficient resources available from the County to repair and maintain neighborhood roads in Gunbarrel.

The County has performed a detailed evaluation of all County roads in Gunbarrel and has developed a plan to bring these roads up to proper maintenance levels. Required repairs range from complete surface reconstruction on some older roads to overlays and minor patching on newer roads. The costs for major road repairs are roughly three times those of minor repairs. Therefore, deferring maintenance to a later date is likely to result not only in a degradation in road safety, but also in substantially higher total costs. Preventative maintenance is a more cost effective approach.

Estimated costs for Gunbarrel road repairs, maintenance and safety improvements for a property with an assessed value of \$100,000 are approximately \$31 a year for twelve years. The Boulder County Commissioners have also indicated that, subject to the passage of this issue, the County will contribute an additional \$1 for every \$2 of principal contributed by property owners in the District, thus significantly reducing the net costs to property owners of the District.

Vote **YES** on this Question to indicate your support for providing funding for road repairs, maintenance and safety improvements within the Gunbarrel General Improvement District.

QUESTION NO. 2:

SHALL BOULDER COUNTY GUNBARREL GENERAL IMPROVEMENT DISTRICT DEBT BE INCREASED BY NOT MORE THAN \$2,050,000 IN PRINCIPAL AMOUNT, WITH A REPAYMENT COST OF NOT MORE THAN \$2,988,015 TOTAL PRINCIPAL AND INTEREST BY THE ISSUANCE OF NEGOTIABLE INTEREST-BEARING GENERAL OBLIGATION BONDS FOR THE PURPOSE OF FINANCING AND REFINANCING, IF NECESSARY OR DESIRABLE, THE GRADING, PAVING, CURBING, GUTTERING, DRAINING OR OTHERWISE IMPROVING THE WHOLE OR ANY PART OF ANY STREET OR ALLEY WITHIN THE DISTRICT, TOGETHER WITH ALL NECESSARY, INCIDENTAL AND APPURTENANT PROPERTIES, FACILITIES, EQUIPMENT AND COSTS, SUCH BONDS TO BE PAYABLE FROM PROPERTY TAXES AND ANY OTHER LEGALLY AVAILABLE FUNDS, TO BECOME DUE AND PAYABLE WITHIN 12 YEARS OF THE DATE OR RESPECTIVE DATES OF SUCH BONDS, TO BEAR INTEREST AT A NET EFFECTIVE INTEREST RATE NOT EXCEEDING 7% PER ANNUM, AND TO BE CALLABLE FOR REDEMPTION WITH OR WITHOUT A PREMIUM NOT EXCEEDING 3% OF THE PRINCIPAL THEREOF, AS MAY LATER BE DETERMINED BY THE BOARD OF DIRECTORS, AND IN CONNECTION THEREWITH SHALL BOULDER COUNTY GUNBARREL GENERAL IMPROVEMENT DISTRICT PROPERTY TAXES BE INCREASED WITHOUT REGARD TO RATE BY NOT MORE THAN \$287,770 ANNUALLY TO PAY PRINCIPAL, INTEREST AND PREMIUM, IF ANY, ON SUCH BONDS, AND IN CONNECTION THEREWITH SHALL BOULDER COUNTY GUNBARREL GENERAL IMPROVEMENT DISTRICT BE AUTHORIZED TO RECEIVE AND EXPEND THE PROCEEDS OF SUCH BONDS AND RECEIVE AND EXPEND SUCH PROPERTY TAXES AND OTHER LEGALLY AVAILABLE FUNDS TO THE EXTENT REQUIRED TO PAY PRINCIPAL, INTEREST AND PREMIUM, IF ANY, ON SUCH BONDS OR PROVIDE FOR RESERVES OR ADMINISTRATIVE COSTS OF THE DISTRICT, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION?

The actual total of District fiscal year spending for the current year and each of the past four years and the overall percentage and dollar change for the period are as follows:

Year	Fiscal Year Spending
1993	\$ 0
1992	0
1991	0
1990	0
1989	0

Total Percentage Change: 0% Total Dollar Change: \$0

District estimates of the maximum dollar amounts of the proposed tax increases in 1995, the first full fiscal year thereof, and of District fiscal year spending in said year without such increases are as follows:

Question No.	Maximum Tax Increases	Maximum Fiscal Year Spending Without Tax Increases
1	\$356,118	\$0
2	\$287,770	\$0

The maximum principal amount of the proposed District bonded debt, the maximum annual repayment cost thereof and the maximum total repayment cost thereof are as follows:

Question No.	Maximum Principal Amount	Maximum Annual Repayment Cost	Maximum Total Repayment Cost
1	\$2,535,000	\$356,118	\$3,695,115
2	2,050,000	287,770	2,988,015

The principal balance of total current District bonded debt, maximum annual repayment cost and maximum remaining total repayment cost are as follows:

Principal Balance	Maximum Annual Repayment Cost	Maximum Remaining Total Repayment Cost
\$0	\$0	\$0

A summary of written comments in favor of Question No. 1 filed with the County Clerk and Recorder is as follows:

A "YES" vote on this Question indicates that you support providing funds in order to purchase lands for open space preservation and public parks within the Gunbarrel General Improvement District. Specific purposes for open space purchase include: to provide a buffer to preserve community identity, limit future growth and contain urban sprawl; to allow continuation of existing visual corridors; to retain attractive gateways into and out of Gunbarrel; to preserve agricultural lands of statewide or local

significance; and to preserve critical wild life habitats, wetlands and other environmentally sensitive areas.

At this time, the remaining rural and agricultural lands around Gunbarrel continue to be discussed as possible sites for future urban expansion by the City of Boulder. Urban growth on these lands would provide no clear benefits to residents of the Gunbarrel area, but would bring a number of significant negative impacts, including increased traffic, higher road maintenance costs, increased school overcrowding, and the loss of lands considered by many to be fundamental to the identity and beauty of the area. Purchase of rural lands by the General Improvement District to preserve open space around Gunbarrel would provide secure protection for these lands against future urban growth and its attendant negative impacts.

Estimated costs for a property with an assessed value of \$100,000 are approximately \$35 a year for twelve years. The Boulder County Commissioners have indicated that, subject to the passage of this issue and the County Open Space tax, the County will provide a matching contribution toward open space purchase within the Gunbarrel General Improvement District up to a maximum amount of \$1,900,000; this would potentially reduce significantly the net costs to property owners of the District. Further, continued growth pressures are likely to lead to higher future land costs. Postponing support may therefore result in substantially higher total costs, and the possibility that lands desired for open space preservation or public parks would be lost to continued urban growth.

Vote "YES" on this Question to indicate your support for the purchase of lands for open space preservation and public parks within the Gunbarrel General Improvement District.

A summary of written comments against Question No. 1 filed with the County Clerk and Recorder is as follows:

Gunbarrel proposed that taxes be increased \$356,118 next year to pay for open space and parks. Of the total debt requested \$3,696,115, only two and one half million actually go for open space, and nearly one-third \$1,161,115 goes to pay the finance charges. A more fiscally responsible approach would be to purchase the land as the tax revenue came in, thus saving the taxpayers over a million dollars.

Combining all taxes requested from the city, county and school district new taxes run as high as \$659 for next year, and add total new debt of \$10,925 for the average residence. Open space is expensive to buy and maintain. When purchased it comes off the tax rolls, and adds to your property tax bill.

Considering that federal taxes have just been raised, retroactively to January, a new gas tax has just started, and national health care will boost taxes next year, all on top of rapidly rising property valuations. When are enough taxes enough?

Vote "NO" on this ballot issue.

In addition to the specific comments received against the proposal which are summarized above, certain general comments were received that did not relate specifically to this ballot question but rather stated arguments against all debt increases, tax increases and increases of revenue, debt and spending limits. Such comments generally stated that governments should use their existing funds, rather than borrowed funds, to finance current expenditures and projects, that governments should be able to provide an adequate level of services using their present revenue sources, that governments should cut existing expenditures prior to raising taxes or issuing additional debt, that the electors should not allow governments to keep revenues they receive which are in excess of the increases allowed by article X, section 20 of the Colorado Constitution, that debt and tax increase issues should not be included in the same question and that revenue increase questions must specify the maximum dollar amount of the increase permitted in any year and further generally criticized governmental waste and inefficiencies.

A summary of written comments in favor of Question No. 2 filed with the County Clerk and Recorder is as follows:

A "YES" vote on this Question indicates that you support providing funds for road repairs, maintenance and safety improvements within the Gunbarrel General Improvement District.

The rapid growth and urban densities of unincorporated Gunbarrel subdivisions have placed great strains on the County road maintenance budget. Over the next five years, the County Transportation Department estimates that costs to repair and maintain Gunbarrel neighborhood roads will be approximately \$2,300,000, or approximately \$460,000 per year. This compares with the total 1993 County paved road maintenance budget of \$520,000. Further, County priorities for road repairs and maintenance are given to mountain and high volume arterial and collector roads; funds available to improve neighborhood roads are quite limited. Raising County taxes to perform road repairs and maintenance in Gunbarrel is unlikely, as this would require approval by voters in a County-wide election. Put simply, with-

out additional funds provided through the General Improvement District, there will not be sufficient resources available for the County to repair and maintain neighborhood roads in Gunbarrel.

The County Transportation Department has performed a detailed evaluation of all County roads in Gunbarrel and has developed a plan to bring these roads up to proper maintenance levels. Required repairs range from complete surface reconstruction on some older roads to overlays and minor patching on newer roads. The costs for major road repairs are roughly three times those of minor repairs. Therefore, deferring maintenance to a later date will result not only in a degradation in road safety, but also in substantially higher total costs. Preventative maintenance is a more cost effective approach.

Estimated costs for Gunbarrel road repairs, maintenance and safety improvements for a property with an assessed value of \$100,000 are approximately \$31 a year for twelve years. The Boulder County Commissioners have also indicated that, subject to the passage of this issue, the County will contribute an additional \$1 for every \$2 of principal contributed by property owners in the District, thus significantly reducing the net costs to property owners of the District.

Vote "YES" on this Question to indicate your support for providing funding for road repairs, maintenance and safety improvements within the Gunbarrel General Improvement District.

A summary of written comments against Question No. 2 filed with the County Clerk and Recorder is as follows:

Gunbarrel proposes that taxes be increased \$287,770 next year to pay for street maintenance and repair.

Of the total debt requested, \$2,988,015, only about two-thirds actually goes to maintenance. Nearly one-third \$938,015 goes to pay the finance charges. Street repair and maintenance are normally paid out of the regular operating budget, and the need to raise taxes shows poor financial management.

Combining all city, county and school district tax increases they run as high as \$659 for next year, and add total new debt of \$10,925 for the average residence.

Considering that federal taxes have been raised, retroactively to January, a new gas tax has just started, and national health care will boost taxes next year, all on top of rapidly rising property valuations. When are enough taxes enough?

Vote "NO" on this ballot issue!

In addition to the specific comments received against the proposal which are set forth above, certain general comments were received that did not relate specifically to this ballot question but rather stated arguments against all debt increases, tax increases and increases of revenue, debt and spending limits. Such comments generally stated that governments should use their existing funds, rather than borrowed funds, to finance current expenditures and projects, that governments should be able to provide an adequate level of services using their present revenue sources, that governments should cut existing expenditures prior to raising taxes or issuing additional debt, that the electors should not allow governments to keep revenues they receive which are in excess of the increases allowed by article X, section 20 of the Colorado Constitution, that debt and tax increase issues should not be included in the same question and that revenue increase questions must specify the maximum dollar amount of the increase permitted in any year and further generally criticized governmental waste and inefficiencies.

Boulder County Clerk & Recorder
P.O. Box 471
Boulder, CO 80306-0471
Telephone: 441-3516



OFFICIAL BALLOT
GUNBARREL GENERAL IMPROVEMENT DISTRICT

Boulder County, Colorado

November 2, 1993

Charlotte Houston Boulder County Clerk and Recorder.

QUESTION NO. 1:

SHALL BOULDER COUNTY GUNBARREL GENERAL IMPROVEMENT DISTRICT DEBT BE INCREASED BY NOT MORE THAN \$2,535,000 IN PRINCIPAL AMOUNT, WITH A REPAYMENT COST OF NOT MORE THAN \$3,695,115 TOTAL PRINCIPAL AND INTEREST BY THE ISSUANCE OF NEGOTIABLE INTEREST-BEARING GENERAL OBLIGATION BONDS FOR THE PURPOSE OF FINANCING AND REFINANCING, IF NECESSARY OR DESIRABLE, THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF OPEN SPACE AREAS AND PUBLIC PARKS, INCLUDING IMPROVEMENTS AS DETERMINED TO BE APPROPRIATE FOR THE ACCOMMODATION OF PUBLIC RECREATIONAL USES, TOGETHER WITH ALL NECESSARY, INCIDENTAL AND APPURTENANT PROPERTIES, FACILITIES, EQUIPMENT AND COSTS, SUCH BONDS TO BE PAYABLE FROM PROPERTY TAXES AND ANY OTHER LEGALLY AVAILABLE FUNDS, TO BECOME DUE AND PAYABLE WITHIN 12 YEARS OF THE DATE OR RESPECTIVE DATES

➤	YES	+
➤	NO	+

OF SUCH BONDS, TO BEAR INTEREST AT A NET EFFECTIVE INTEREST RATE NOT EXCEEDING 7% PER ANNUM, AND TO BE CALLABLE FOR REDEMPTION WITH OR WITHOUT A PREMIUM NOT EXCEEDING 3% OF THE PRINCIPAL THEREOF, AS MAY LATER BE DETERMINED BY THE BOARD OF DIRECTORS, AND IN CONNECTION THEREWITH SHALL BOULDER COUNTY GUNBARREL GENERAL IMPROVEMENT DISTRICT PROPERTY TAXES BE INCREASED WITHOUT REGARD TO RATE BY NOT MORE THAN \$356,118 ANNUALLY TO PAY PRINCIPAL, INTEREST AND PREMIUM, IF ANY, ON SUCH BONDS, AND IN CONNECTION THEREWITH SHALL BOULDER COUNTY GUNBARREL GENERAL IMPROVEMENT DISTRICT BE AUTHORIZED TO RECEIVE AND EXPEND THE PROCEEDS OF SUCH BONDS AND RECEIVE AND EXPEND SUCH PROPERTY TAXES AND OTHER LEGALLY AVAILABLE FUNDS TO THE EXTENT REQUIRED TO PAY PRINCIPAL, INTEREST AND PREMIUM, IF ANY, ON SUCH BONDS OR PROVIDE FOR RESERVES OR ADMINISTRATIVE COSTS OF THE DISTRICT, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION?

GUNB-121P

Precinct
GUNB

VOTE BOTH SIDES

403

QUESTION NO. 2:

SHALL BOULDER COUNTY GUNBARREL GENERAL IMPROVEMENT DISTRICT DEBT BE INCREASED BY NOT MORE THAN \$2,050,000 IN PRINCIPAL AMOUNT, WITH A REPAYMENT COST OF NOT MORE THAN \$2,988,015 TOTAL PRINCIPAL AND INTEREST BY THE ISSUANCE OF NEGOTIABLE INTEREST-BEARING GENERAL OBLIGATION BONDS FOR THE PURPOSE OF FINANCING AND REFINANCING, IF NECESSARY OR DESIRABLE, THE GRADING, PAVING, CURBING, GUTTERING, DRAINING OR OTHERWISE IMPROVING THE WHOLE OR ANY PART OF ANY STREET OR ALLEY WITHIN THE DISTRICT, TOGETHER WITH ALL NECESSARY, INCIDENTAL AND APPURTENANT PROPERTIES, FACILITIES, EQUIPMENT AND COSTS, SUCH BONDS TO BE PAYABLE FROM PROPERTY TAXES AND ANY OTHER LEGALLY AVAILABLE FUNDS, TO BECOME DUE AND PAYABLE WITHIN 12 YEARS OF THE DATE OR RESPECTIVE DATES OF SUCH BONDS, TO BEAR INTEREST AT A NET EFFECTIVE INTEREST RATE NOT EXCEEDING 7% PER ANNUM, AND TO BE CALLABLE FOR REDEMPTION WITH OR WITHOUT A PREMIUM NOT EXCEEDING 3% OF THE PRINCIPAL THEREOF, AS MAY LATER BE DETERMINED BY THE BOARD OF DIRECTORS, AND IN CONNECTION THEREWITH SHALL BOULDER COUNTY GUNBARREL GENERAL IMPROVEMENT DISTRICT PROPERTY TAXES BE INCREASED WITHOUT REGARD TO RATE BY NOT MORE THAN \$287,770 ANNUALLY TO PAY PRINCIPAL, INTEREST AND PREMIUM, IF ANY, ON SUCH BONDS, AND IN CONNECTION THEREWITH SHALL BOULDER COUNTY GUNBARREL GENERAL IMPROVEMENT DISTRICT BE AUTHORIZED TO RECEIVE AND EXPEND THE PROCEEDS OF SUCH BONDS AND RECEIVE AND EXPEND SUCH PROPERTY TAXES AND OTHER LEGALLY AVAILABLE FUNDS TO THE EXTENT REQUIRED TO PAY PRINCIPAL, INTEREST AND PREMIUM, IF ANY, ON SUCH BONDS OR PROVIDE FOR RESERVES OR ADMINISTRATIVE COSTS OF THE DISTRICT, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION?

➤	YES	+
➤	NO	+

GUNB-122

VOTE BOTH SIDES

**OFFICIAL BALLOT
COORDINATED ELECTIONS**

Boulder County, Colorado, November 2, 1993

Charlette Houston Boulder County Clerk and Recorder

COUNTY QUESTION A

SHALL BOULDER COUNTY TAXES BE INCREASED \$6.5 MILLION ANNUALLY (FIRST FULL FISCAL YEAR DOLLAR INCREASE) THROUGH A SALES AND USE TAX OF 0.25% (ONE QUARTER OF ONE PERCENT) BEGINNING JANUARY 1, 1994 AND ENDING DECEMBER 31, 2009, WITH PROCEEDS USED FOR TRAILS AND OPEN SPACE ACQUISITION AND MAINTENANCE AS MORE PARTICULARLY SET FORTH IN BOARD OF COUNTY COMMISSIONERS' RESOLUTION 93-174; AND SHALL BOULDER COUNTY DEBT BE INCREASED UP TO \$40 MILLION WITH A REPAYMENT COST OF UP TO \$50 MILLION PAYABLE SOLELY FROM A PORTION OF THE PROCEEDS OF SAID 0.25% SALES AND USE TAX, WHICH AUTHORIZATION SHALL INCLUDE AUTHORITY TO REFUND SUCH BONDS AND REFUNDING BONDS WITHOUT ADDITIONAL VOTER APPROVAL; AND SHALL BOULDER COUNTY BE AUTHORIZED TO RECEIVE AND SPEND THE FULL REVENUES GENERATED BY SAID 0.25% SALES AND USE TAX AND THE PROCEEDS OF SAID BONDS DURING 1994 AND EACH SUBSEQUENT YEAR WITHOUT LIMITATION OR CONDITION AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY BOULDER COUNTY?

"SHALL A COUNTY-WIDE ONE QUARTER OF ONE PERCENT (0.25%) SALES AND USE TAX BE IMPOSED

➤	YES	+
➤	NO	+

IN THE COUNTY OF BOULDER BEGINNING JANUARY 1, 1994 AND ENDING DECEMBER 31, 2009, EXEMPTING THEREFROM SALES AND PURCHASES OF CERTAIN ITEMS, INCLUDING, BUT NOT LIMITED TO, FOOD, FUEL AND ENERGY FOR RESIDENTIAL LIGHT, HEAT AND POWER, AND MACHINERY AND MACHINE TOOLS, THE NET PROCEEDS OF WHICH SHALL BE EXPENDED FOR ACQUIRING, DEVELOPING NECESSARY ACCESS TO, AND PRESERVING OPEN SPACE REAL PROPERTY OR INTERESTS IN OPEN SPACE REAL PROPERTY AND WATER RIGHTS TO BE USED IN CONNECTION WITH OPEN SPACE LANDS, AND DEVELOPING PATHS AND RECREATIONAL TRAILS, AND FOR THE MAINTENANCE, IMPROVEMENT, MANAGEMENT AND PATROL OF SUCH OPEN SPACE REAL PROPERTY; AND SHALL THE COUNTY OF BOULDER BE AUTHORIZED TO CREATE A SPECIAL FUND TO BE KNOWN AS THE "BOULDER COUNTY OPEN SPACE SALES AND USE TAX CAPITAL IMPROVEMENT FUND" (THE "FUND") AND TO ISSUE SALES AND USE TAX REVENUE BONDS

Text Continued

COUN-219-P

Precinct

510 VOTE BOTH SIDES

COUNTY QUESTION A Continued

(THE "BONDS") IN AN AGGREGATE AMOUNT OF \$40 MILLION IN ONE OR MORE SERIES TO BE USED FOR CAPITAL IMPROVEMENTS INCLUDING ACQUISITION OF INTERESTS IN OPEN SPACE REAL PROPERTY AND ACCESS THERETO, WATER RIGHTS, AND IMPROVEMENTS UPON OPEN SPACE REAL PROPERTY, AND DEPOSIT A PORTION OF THE REVENUES OF THE SAID SALES AND USE TAX INTO THE FUND, PLEDGED TO THE REPAYMENT OF THE BONDS, UPON SUCH TERMS AS THE BOARD OF COUNTY COMMISSIONERS AND STATE AND FEDERAL LAW MAY PROVIDE, WHICH AUTHORIZATION SHALL INCLUDE AUTHORITY TO REFUND SUCH BONDS AND REFUNDING BONDS WITHOUT ADDITIONAL VOTER APPROVAL; AND SHALL THE COUNTY OF BOULDER BE AUTHORIZED TO RECEIVE AND EXPEND THE FULL SALES AND USE TAX REVENUES AND THE PROCEEDS OF THE BONDS AND REFUNDING BONDS AUTHORIZED BY THE PASSAGE OF THIS MEASURE, AND TO BUDGET AND APPROPRIATE SUCH REVENUES, PROCEEDS AND EXPENDITURES APART FROM ANY OTHER EXPENDITURE OF THE COUNTY WHICH MAY BE LIMITED PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, AND THE REVENUES AND PROCEEDS AUTHORIZED FOR COLLECTION, RECEIPT AND EXPENDITURE BY THE PASSAGE OF THIS MEASURE SHALL NOT BE COUNTED IN ANY SUCH FISCAL YEAR SPENDING OR EXPENDITURE LIMITATION; ALL THE FOREGOING BEING IN ACCORDANCE WITH THE PROPOSAL SET FORTH IN RESOLUTION NO. 93-174 OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BOULDER DATED AUGUST 31, 1993."

COUN-220

VOTE BOTH SIDES

**OFFICIAL BALLOT
COORDINATED ELECTIONS**

Boulder County, Colorado, November 2, 1993

Charlette Houston Boulder County Clerk and Recorder

"MEASURES REFERRED BY THE GENERAL ASSEMBLY OR ANY POLITICAL SUBDIVISION ARE LISTED BY LETTER AND MEASURES INITIATED BY THE PEOPLE ARE LISTED NUMERICALLY. A 'YES' VOTE ON ANY MEASURE IS A VOTE IN FAVOR OF CHANGING CONSTITUTIONAL OR STATUTORY LAW, AND A 'NO' VOTE ON ANY MEASURE IS A VOTE AGAINST CHANGING CONSTITUTIONAL OR STATUTORY LAW."

REFERENDUM A

"SHALL STATE TAXES BE INCREASED BY \$13,100,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF IMPLEMENTATION, AND BY \$13,100,000 AS ADJUSTED FOR INFLATION PLUS THE PERCENTAGE CHANGE IN STATE POPULATION FOR EACH FISCAL YEAR AFTER THE FIRST FULL FISCAL YEAR OF IMPLEMENTATION, BY REINSTATING THE 0.2 PERCENT SALES TAX ON TOURIST-RELATED ITEMS, INCLUDING LODGING SERVICES, RESTAURANT FOOD AND DRINKS, SKI LIFT ADMISSION, PRIVATE TOURIST ATTRACTION ADMISSION, PASSENGER AUTOMOBILE RENTAL, AND TOUR BUS AND SIGHTSEEING TICKETS FOR THE PURPOSE OF FUNDING STATEWIDE TOURISM MARKETING AND PROMOTIONAL PROGRAMS UNDER THE COLORADO TOURISM BOARD IN ORDER TO ASSIST FUTURE TOURISM GROWTH AND PROMOTE COLORADO'S CONTINUING ECONOMIC HEALTH?"

➤	YES	+
➤	NO	+

STAT-119-P

Precinct

410

DUPLICATE

SOURCE: CAFRS

GUNBARREL PUBLIC IMPROVEMENT DISTRICT, GPID
(Formerly known as Gunbarrel General Improvement District, GGID)

REVENUES:	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	1994 – 2009
Taxes – property		447,425	401,204	371,315	321,672	412,264	411,349	371,455	427,084	424,773	447,516	448,963		2			\$4,485,022
Specific ownership		33,216	33,711	32,047	28,265	36,162	38,564	35,191	32,254		6,210						\$275,620
Interest on investments	41,111	144,978	123,201	82,125	55,354	51,980	66,654	42,526	18,279			14,527	12,680	11,473			\$664,888
Intergovernmental										5,139							\$5,139
Charges for services			320														\$320
Sale of fixed assets						3,000											\$3,000
Miscellaneous			1,200	1,200													\$2,400
Total revenues	41,111	625,619	559,636	486,687	405,291	503,406	516,567	449,172	477,617	429,912	453,726	463,490	12,680	11,475			\$5,436,389
EXPENDITURES:																	
Capital outlay			845,056														\$845,056
Engineering fees	77	822,156	4,533														\$826,766
General government			1,287														\$1,287
Highway & street				71,941													\$71,941
Total non-open space	77	822,156	850,876	71,941													\$1,745,050
Open space purchases/ conservation	291,711	575,069		1,500	572,078	24			300,000	300,000			422	259,536			\$2,300,340
Debt service																	
Principal			285,000	275,000	295,000	305,000	325,000	340,000	360,000	375,000	395,000	415,000					\$3,350,000
Interest & fiscal charge	45,806	433,221	172,973	161,380	148,255	134,200	118,950	102,375	84,695	65,615	44,965	23,640					\$1,536,075
Total expenditures:	337,594	1,830,446	1,288,849	509,821	1,015,333	439,224	443,950	442,375	744,695	740,615	439,965	438,640	422	259,536			\$8,931,465
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(296,483)	(1,204,827)	(729,213)	(23,134)	(610,042)	64,182	72,617	6,797	(267,078)	(310,703)	13,761	24,850	12,258	(248,061)			
OTHER FINANCING SOURCES (USES)																	
Bond proceeds	3,512,731																\$3,512,731
Operating transfers in																	
Operating transfers out to General Funds																	17,655
Total other financing sources (uses):	3,512,731	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(17,655)
EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES AND OTHER FINANCING USES	3,216,248	(1,204,827)	(729,213)	(23,134)	(610,042)	64,182	72,617	6,797	(267,078)	(310,703)	13,761	24,850	12,258	(248,061)	0	(17,655)	
FUND BALANCES, BEGINNING OF YEAR		3,216,248	2,011,421	1,282,208	1,259,074	649,032	713,214	785,831	792,628	525,550	214,847	228,608	253,458	265,716	17,655	17,655	
FUND BALANCES, END OF YEAR	3,216,248	2,011,421	1,282,208	1,259,074	649,032	713,214	785,831	792,628	525,550	214,847	228,608	253,458	265,716	17,655	17,655	0	\$17,655

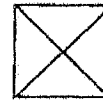
GUNBARREL PUBLIC IMPROVEMENT DISTRICT (GPID) OPEN SPACE PURCHASED																	
(Formerly known as Gunbarrel General Improvement District, GGID)																	
OPEN SPACE PURCHASES:	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	1994 – 2009
Parcels #:	LOT L	LOT M			LOT A				LOT J	LOT I				LOT B			
Warranty deed title:	Wholly owned	Wholly owned			Wholly owned				Jointly owned	Jointly owned				Jointly owned			
Purchase Price:	\$291,711	\$575,069			\$572,078				\$680,000	\$785,170				\$700,000			
GPID money	\$291,711	\$575,069	\$0	\$1,500	\$572,078	\$24	\$0	\$0	\$300,000	\$300,000	\$0	\$0	\$422	\$259,536	\$0	\$0	\$2,300,340
County contribution:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$380,000	\$485,170	\$0	\$0	\$0	\$440,464	\$0	\$0	\$1,305,634

Vote to Preserve Gunbarrel's Beauty

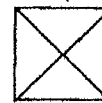
	Gunbarrel District Question #1 Open Space	Gunbarrel District Question #2 Road Improvement	County Sales Tax .25% Question A Open Space
Amount Raised by Gunbarrel Residents	\$ 1.9 million	\$ 1.6 million	N/A
Amount Matched by the County (if Sales Tax passes)	\$ 1.9 million	\$.8 million	N/A
TOTAL RAISED	\$ 3.8 million	\$ 2.4 million	N/A
Cost to Residents for \$100,000 assessed value	\$ 35 / yr. for 12 years	\$ 31 /yr for 12 years	(approx.) \$ 33 /yr for 15 years



YES Gunbarrel Improvement District Should Buy Open Space
(Gunbarrel Question # 1)



YES Gunbarrel Improvement District Should Improve Roads
(Gunbarrel Question # 2)



YES County Sales Tax to Buy Open Space
(County Question A)

Paid for by the Gunbarrel Neighborhood Alliance

Gunbarrel Election Issues

November 2 is ELECTION DAY. Three ballot items are of specific interest to Gunbarrel County residents: The Gunbarrel General Improvement District (GID) option for purchasing **Open Space in Gunbarrel** (only), the GID option for **Road Improvements in Gunbarrel** (*the County will contribute up to 1/3 the total costs - more than Gunbarrel would normally receive*), and the **County Sales Tax for Open Space** throughout the county - *which will pay half of Gunbarrel's Open Space costs* if passed!

The GID funding to purchase Open Space in Gunbarrel will authorize the issuance of bonds for up to \$1,900,000 (NOT the ballot stated amount of \$2,535,000). The County Commissioners passed Resolution GD93-3 that in essence says that any amount over \$1.9 million will be brought to the voters again in a future November election. Why did they do this? Because if the County Sales Tax passes in November, the County will pay half of the costs to acquire the Gunbarrel Open Space! ➔

What lands could be purchased for Open Space? The 120 acres known as the Heatherwood Notch and lands along both sides of Jay Rd.

The GID funding for Road Improvements in Gunbarrel will provide road resurfacing and associated improvements to the residential roads within Gunbarrel. These improvements are in addition to improvements planned for Lookout Rd., 71st Street and 63rd Street. Again, the County Commissioners have promised support by offering to pay 1/3 of the total cost of these improvements. The bond request will be for \$1,700,000 and NOT the \$2,050,000 stated on the ballot!

Failure to pass this item on the November election, may mean a significant delay before work is done on residential roads. This delay will cause increasing damage to existing roads, that will then require

far more extensive repairs at a much higher cost. Passage of this item will accelerate the schedule of repairs and reduce overall costs significantly.

The Boulder County Sales Tax for Open Space (0.25% - 25¢ on \$100 purchased) will raise funds that the County will use to purchase and maintain open space. For Gunbarrel, those funds would provide the 50% match that the County Commissioners have promised to support Gunbarrel's Open Space ballot item. If this item passes, Gunbarrel residents will directly see the benefits in open space purchased within Gunbarrel - to the tune of about \$1.9 million dollars.

Support ALL THREE ballot options!

THIS IS OUR BEST CHANCE TO:

- Control Growth
- Preserve Rural Lands
- Prevent vacant land annexation & urban development
- Reduce the negative impacts of Growth (Schools, road maintenance, traffic and air pollution)
- Limit Traffic increases
- Enhance Road Safety

Maintain & Enhance Gunbarrel's Quality of Life!

IF YOU HAVE ANY QUESTIONS, PLEASE CALL:

Gunbarrel Steering Committee Representatives	
RICK BEAVER	530-1132 (303) 441-5748 (?)
SCOTT DIXON	530-0447 7786 Arlington #R3 80303
RANDY DOLE	530-2762 6084 Chelsea

Manor Ct.
80301

The General Improvement District item to fund purchasing Open Space in Gunbarrel will authorize the issuance of bonds for up to \$1,900,000, (NOT the ballot stated amount of \$2,535,000). The County Commissioners passed Resolution GD93-3 that in essence says that any amount over \$1.9 million will be brought to the voters again in a future November election. Why did they do this? Because if the County Sales Tax passes in November, the County will pay half of the costs to acquire the Gunbarrel Open Space!

What lands could be purchased for Open Space? The 120 acres known as the Heatherwood Notch and most of the acres along the north side of Jay Rd.

The General Improvement District item to fund Road Improvements in Gunbarrel will provide road resurfacing and associated improvements to the residential roads within Gunbarrel. These improvements are in addition to improvements planned for Lookout Rd., 71st Street and 63rd Street. We have a ranked chart of all of the roads slated for improvements — and every street in Heatherwood is rated #1 for needing work. Again, the County Commissioners have promised support by offering to pay 1/3 of the total cost of these improvements. The bond request will be for \$1,700,000 and NOT the \$2,050,000 stated on the ballot!

Failure to pass this item on the November election, may mean a significant delay before work is done on residential roads. This delay will cause increasing damage to existing roads, that will then require far more extensive repairs at a much higher cost. Passage of this item will accelerate the schedule of repairs and reduce overall costs significantly.

The Boulder County Sales Tax for Open Space (0.25% – 25¢ on \$100 purchased) will raise funds that the County will use to purchase and maintain open space. For Gunbarrel, those funds would provide the 50% match that the County Commissioners have promised to support Gunbarrel's Open Space ballot item. If this item passes, Gunbarrel residents will directly see the benefits in open space purchased within Gunbarrel - to the tune of about \$1.9 million dollars. We will also see the benefit from buffers purchased protecting other communities from growing up to the Gunbarrel Ridge.

There are discussions in progress to expand the trail system in this area. Ideas include a trail system through the northern end of the Heatherwood Notch to 75th and Lookout and another one in place of the railroad tracks crossing 75th and heading both east and west from there. Certainly a strong passage from the Gunbarrel residents would offer a strong voice for where the projects might be focused.

Gunbarrel Neighborhood Alliance (authors of the Gunbarrel Open Space ballot petition initiative) and Scott Dixon (author of this article) recommend that you support ALL THREE ballot options if you support keeping the open lands around Gunbarrel open for public use and our roadways safe.

SUPPORTING STATEMENT FOR
GUNBARREL GENERAL IMPROVEMENT DISTRICT OPEN SPACE
QUESTION

A **YES** vote on this Question indicates that you support providing funds in order to purchase lands for open space preservation and public parks within the Gunbarrel General Improvement District. Specific purposes for open space purchase include: to provide a buffer to preserve community identity, limit future growth and contain urban sprawl; to allow continuation of existing visual corridors; to retain attractive gateways into and out of Gunbarrel; to preserve agricultural lands of statewide or local significance; and to preserve critical wild life habitats, wetlands and other environmentally sensitive areas.

At this time, the remaining rural and agricultural lands around Gunbarrel continue to be discussed as possible sites for future urban expansion by the City of Boulder. Urban growth on these lands would provide no clear benefits to residents of the Gunbarrel area, but would bring a number of significant negative impacts, including increased traffic, higher road maintenance costs, increased school overcrowding, and the loss of lands considered by many to be fundamental to the identity and beauty of the area. Purchase of rural lands by the General Improvement District to preserve open space around Gunbarrel would provide secure protection for these lands against future urban growth and its attendant negative impacts.

Estimated costs for a property with an assessed value of \$100,000 are approximately \$35 a year for twelve years. The Boulder County Commissioners have indicated that, subject to the passage of this issue and the County Open Space tax, the County will provide a matching contribution toward open space purchase within the Gunbarrel General Improvement District up to a maximum amount of \$1,900,000; this would potentially reduce significantly the net costs to property owners of the District. Further, continued growth pressures are likely to lead to higher future land costs. Postponing support may therefore result in substantially higher total costs, and the possibility that lands desired for open space preservation or public parks would be lost to continued urban growth.

Vote **YES** on this Question to indicate your support for the purchase of lands for open space preservation and public parks within the Gunbarrel General Improvement District.

SUPPORTING STATEMENT FOR
GUNBARREL GENERAL IMPROVEMENT DISTRICT QUESTION 2:
ROAD IMPROVEMENTS

A **YES** vote on this Question indicates that you support providing funds for road repairs, maintenance and safety improvements within the Gunbarrel General Improvement District.

The rapid growth and urban densities of unincorporated Gunbarrel subdivisions have placed great strains on the County road maintenance budget. Over the next five years, the County Transportation Department estimates that costs to repair and maintain Gunbarrel neighborhood roads will be approximately \$2,300,000, or approximately \$460,000 per year. This compares with the total 1993 County paved road maintenance budget of \$520,000. Further, County priorities for road repairs and maintenance are given to mountain and high volume arterial and collector roads; funds available to improve neighborhood roads are quite limited. Put simply, without additional funds provided through the General Improvement District, there will not be sufficient resources available from the County to repair and maintain neighborhood roads in Gunbarrel.

The County has performed a detailed evaluation of all County roads in Gunbarrel and has developed a plan to bring these roads up to proper maintenance levels. Required repairs range from complete surface reconstruction on some older roads to overlays and minor patching on newer roads. The costs for major road repairs are roughly three times those of minor repairs. Therefore, deferring maintenance to a later date is likely to result not only in a degradation in road safety, but also in substantially higher total costs. Preventative maintenance is a more cost effective approach.

Estimated costs for Gunbarrel road repairs, maintenance and safety improvements for a property with an assessed value of \$100,000 are approximately \$31 a year for twelve years. The Boulder County Commissioners have also indicated that, subject to the passage of this issue, the County will contribute an additional \$1 for every \$2 of principal contributed by property owners in the District, thus significantly reducing the net costs to property owners of the District.

Vote **YES** on this Question to indicate your support for providing funding for road repairs, maintenance and safety improvements within the Gunbarrel General Improvement District.

ITEM 17 RESTRICTIONS IMPOSED BY RESOLUTION NO. 93-175, RECORDED SEPTEMBER 24, 1993 AT RECEPTION NO. 1340657 PERTAINING TO THE CREATION AND ORGANIZATION OF THE GUNBARREL GENERAL IMPROVEMENT DISTRICT. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

ITEM 18 ANY EXISTING LEASES OR TENANCIES, AND ANY AND ALL PARTIES CLAIMING BY, THROUGH OR UNDER SAID LESSEES. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

CERTIFICATION

TO: CHICAGO TITLE INSURANCE COMPANY; THE ARCHDIOCESE OF DENVER A COLORADO CORPORATION; BOULDER COUNTY; THE HOUSING AUTHORITY OF THE COUNTY OF BOULDER, COLORADO.

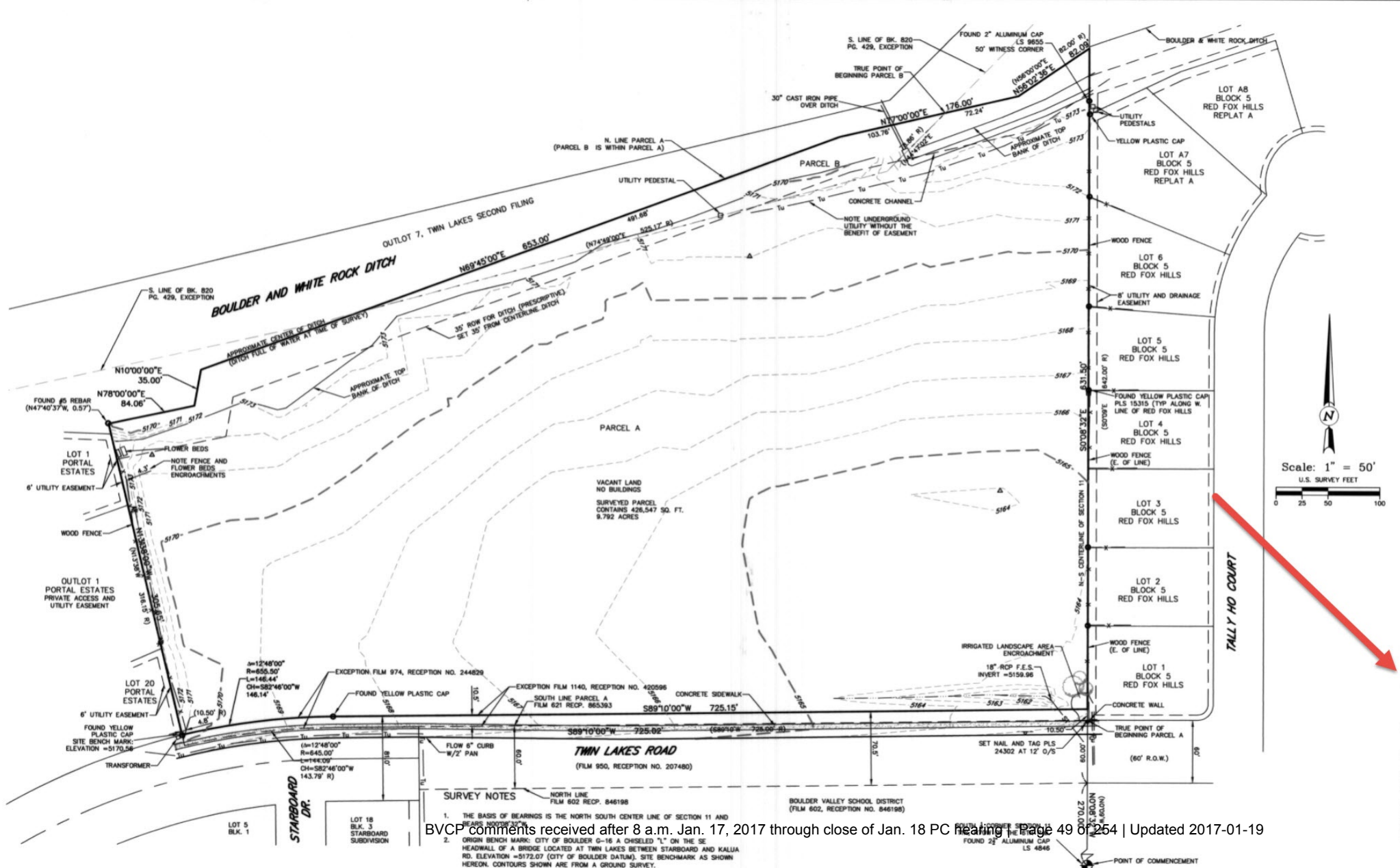
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 8, 11b, 13, 14, 16-19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 15, 2013.



A. JOHN BURI, PLS 24302
FOR AND ON BEHALF OF
SCOTT, COX & ASSOCIATES, INC.



ALTA/ACSM LAND TITLE SURVEY
A PORTION OF THE SW 1/4 OF SEC.
11, T1N, R70W OF THE 6TH P.M.



LEGEND

- EXISTING CONTOUR
- EXISTING SWALE
- PUBLIC LAND CORNER FOUND
- SET #5 REBAR WITH 1" RED PLASTIC CAP STAMPED SCOTT COX ASC PLS 24302 (PAC) (UNLESS NOTED)
- FOUND YELLOW PLASTIC CAP LS 15315 (UNLESS NOTED OTHERWISE)
- EXISTING WATER VALVE
- CONTROL POINT
- EXISTING SIGN
- EXISTING FENCE
- EXISTING UNDERGROUND TELEPHONE
- RECORD COURSE
- MEASURED COURSE PER THIS SURVEY (554°08'29"W 0.08')
- RECORD OR CALCULATED POSITION TO FOUND MONUMENT

TITLE COMMITMENT NOTES

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SCOTT, COX & ASSOCIATES, INC. CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. 1499913, EFFECTIVE DATE APRIL 22, 2013 AT 07:30 AM, WAS SOLELY RELIED UPON FOR INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND ENCUMBRANCES OF RECORD IN THE PREPARATION OF THIS SURVEY.

THE FOLLOWING ITEMS ARE AS ENUMERATED IN SCHEDULE B-2 EXCEPTIONS. [SURVEYOR'S NOTES]

ITEMS 1-8 STANDARD EXCEPTIONS REFER TO TITLE COMMITMENT.

ITEM 9 RIGHTS OF OTHERS TO THOSE PORTIONS OF THE LAND LYING WITHIN THE BOULDER AND WHITE ROCK DITCH, TOGETHER WITH SUCH ADJOINING LAND AS MAY BE USED OR USEFUL IN CONNECTION WITH THE USE AND MAINTENANCE OF SAID DITCH. [DITCH AS SHOWN HEREON]

ITEM 10 AN OIL AND GAS LEASE DATED MAY 3, 1953, RECORDED DECEMBER 2, 1953 IN BOOK 941 AT PAGE 177, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

ITEM 11 TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE PETITION TO NORTHERN COLORADO WATER CONSERVANCY DISTRICT, WHICH WAS RECORDED SEPTEMBER 22, 1955 IN BOOK 991 AT PAGE 573. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

ITEM 12 RESTRICTIONS AS SET FORTH ON THE WARRANTY DEED RECORDED OCTOBER 8, 1955 AT RECEPTION NO. 796170 AS FOLLOWS: "SUBJECT TO RIGHTS OF WAY FOR ROADS, RESERVOIRS, DITCHES, CONDUITS, PIPE LINES, AND UTILITY INSTALLATIONS, WHETHER THEY BE OF RECORD OR EXIST ON THE GROUND; THE FOREGOING IS FURTHER SUBJECT TO THE RIGHTS, IF ANY, OF PARTIES IN POSSESSION OF LANDS SITUATE OUTSIDE OF THE FENCES NOW LOCATED THEREON." [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

ITEM 13 TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE AGREEMENT, WHICH WAS RECORDED MAY 27, 1966 AT RECEPTION NO. 818503. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

ITEM 14 THE EFFECT OF THE BOULDER COUNTY ZONING AMENDMENTS, WHICH WERE RECORDED JANUARY 24, 1967 AT RECEPTION NO. 837840. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

ITEM 15 TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE AGREEMENT, WHICH WAS RECORDED FEBRUARY 28, 1968 AT RECEPTION NO. 872246. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

ITEM 16 TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE APPLICATION FOR CHANGE OF CLASS D ALLOTMENT CONTRACT, WHICH WAS RECORDED SEPTEMBER 26, 1968 AT RECEPTION NO. 892026. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

ITEM 17 RESTRICTIONS IMPOSED BY RESOLUTION NO. 93-175, RECORDED SEPTEMBER 24, 1993 AT RECEPTION NO. 1340857 PERTAINING TO THE CREATION AND ORGANIZATION OF THE GUNBARREL GENERAL IMPROVEMENT DISTRICT. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

ITEM 18 ANY EXISTING LEASES OR TENANCIES, AND ANY AND ALL PARTIES CLAIMING BY, THROUGH OR UNDER SAID LESSEES. [AFFECTS THE PROPERTY BUT IS BLANKET IN NATURE]

CERTIFICATION

TO: CHICAGO TITLE INSURANCE COMPANY; THE ARCHDIOCESE OF DENVER A COLORADO CORPORATION; BOULDER COUNTY; THE HOUSING AUTHORITY OF THE COUNTY OF BOULDER, COLORADO.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5 & 11b, 13, 14, 16-19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 15, 2013.

John B. ...

REGISTERED SURVEYOR
No. 1111
STATE OF COLORADO

- ### SURVEY NOTES
1. THE BASIS OF BEARINGS IS THE NORTH SOUTH CENTER LINE OF SECTION 11 AND SECTION 12 FOR THE 1879 PLAT OF TWIN LAKES SUBDIVISION.
 2. ORIGIN BENCHMARK: CITY OF BOULDER 0-16 A CHISELED "L" ON THE SE HEADWALL OF A BRIDGE LOCATED AT TWIN LAKES BETWEEN STARBOARD AND KALLIA RD. ELEVATION =5172.07 (CITY OF BOULDER DATUM). SITE BENCHMARK AS SHOWN HEREON. CONTOURS SHOWN ARE FROM A GROUND SURVEY.
 3. THE SIZE AND TYPE OF MONUMENTS FOUND ARE SHOWN HEREON. ALL COURSES ARE RECORDED.

From: [Alexander, Frank](#)
To: [Ann Goldfarb](#); [Ben Blaugrund](#); [Daniel Hilton](#); [Doug Young](#); [Leah Martinsson](#); [Lieschen Gargano](#); [Michael Baker](#); [Natalie Feinberg-Lopez](#); [Pat Shanks](#)
Cc: [#LandUsePlanner](#)
Subject: letter from Boulder County Housing Authority
Date: Tuesday, January 17, 2017 4:46:38 PM
Attachments: [BCHA Letter to Planning Commission 2017.01.17.pdf](#)

Dear Boulder County Planning Commission members,

Please see the attached letter from the Boulder County Housing Authority in reference to Wednesday's hearing on the city and county staff recommendation for a Medium Density Residential land use designation on our Twin Lakes property in Gunbarrel.

Please don't hesitate to reach out with any questions you may have. We look forward to seeing you at the hearing.

Thanks,
Frank

Frank L. Alexander, MPA
Director

3400 Broadway, Boulder, CO 80304
Phone: [303 441-1405](tel:3034411405)
Fax: 720 564-2283
Email: falexander@bouldercounty.org
Web: www.BoulderCountyHHS.org



CAUTION: This email or attachments from the Boulder County Department of Housing & Human Services may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient (or authorized to act on behalf of the intended recipient) of this message, you may not disclose, forward, distribute, copy, or use this message or its contents. If you have received this communication in error please notify the sender immediately= by return email and delete the original message from your email system.



January 17, 2017

Dear Boulder County Planning Commission members,

You might have seen the [Guest Column](#) in the Boulder Daily Camera over the weekend related to recent questions from the Twin Lakes Action Group around advocacy for the Medium Density Residential designation request for our Twin Lakes property. As an addendum to [our letter](#) from December 22nd, we wanted to offer some additional perspective on these questions for you to consider, as well as some planning-related information specific to affordable housing that might be helpful for you.

First, government advocacy is not new. Quite the contrary. As noted in a 2009 U.S. Supreme Court decision, “a government entity has the right to speak for itself.” The decision, which is based on multiple previous court decisions around government speech and advocacy, also cites these points:

[The government] is entitled to say what it wishes, and to select the views that it wants to express. It is the very business of government to favor and disfavor points of view. Indeed, it is not easy to imagine how government could function if it lacked this freedom. If every citizen were to have a right to insist that no one paid by public funds express a view with which he disagreed, debate over issues of great public concern to the public would be limited to those in the private sector, and the process of government as we know it radically transformed. To govern, government has to say something[...].

This does not mean there are no restraints on government speech. For example, government speech must comport with the Establishment Clause [...] a government entity is ultimately accountable to the electorate and the political process for its advocacy. If the citizenry objects, newly-elected officials later could espouse some different or contrary position.¹

As a requestor in the Boulder Valley Comprehensive Plan process, BCHA has a right –in fact, a responsibility- to advocate for its request and encourage others to do so as well.

As is the case with other government entities, one critical role we play is to advocate for the needs of the *whole* community, especially those suffering from the daily struggles of supporting themselves in difficult situations. Those in need are often voiceless in these public conversations. Because they’re often working two or three jobs and juggling other responsibilities with fewer resources, it is extremely difficult for them to attend meetings to advocate for themselves. When first introduced, affordable housing proposals such as ours are often years away from construction. And the early public process often includes contentious opposition from immediate neighbors that can be intimidating for many

¹ *Pleasant Grove City, Utah v. Sumnum*, 555 U.S. 460, 467–69 (2009) (internal citations and quotation marks omitted).

people. There is little incentive for those who are deeply in need in our community to participate in this process.

When we reference the tens of thousands of people who are struggling throughout Boulder County, this comes from both U.S. Census data and our own direct experience delivering services such as food, child care, and health coverage assistance, as well as a range of housing supports. You've heard from many affordable housing supporters through the online comment form for the upcoming hearing, through letters sent for this process ([some of them are here](#)) and in public hearings last year, and through our recent housing affordability [survey](#). We respect the opinions of our neighbors in the Twin Lakes area, and we understand some of them are opposed to our proposal. We also believe that policymakers have a responsibility to balance all perspectives in the community and make decisions that take into account the full weight of the entire community need alongside the desires of individual neighborhoods.

The state County Planning Act exhorts Planning Commission members to examine the broader need for and availability of affordable housing within the county. Indeed, counties are encouraged to examine regulatory impediments to the development of affordable housing.²

Since 1975, the [Boulder County Comprehensive Plan](#) has encouraged a “diversity of housing types and densities...to assure decent housing for all persons.” The Housing Policies section of the BCCP begins by recognizing that BCHA's purpose is to “encourage and support housing of good quality and adequate size for all families in the communities and rural areas where they presently live and work.” It continues: “If the private sector of the economy, alone, is unable to provide such housing at a reasonable cost to low and moderate income families, then it is the duty of [BCHA] to secure the necessary housing through available federal, state, and local government and/or a combination of public-private sector cooperative projects where workable and in the best interest of low income housing needs.”

The BCCP directs BCHA to pay “special attention...to providing for dispersal of housing for low and moderate income families and low income senior citizens throughout the residential areas of the county with due consideration to other elements of the county Comprehensive Plan and the availability of water and sewer service, fire protection, public transportation, employment, shopping, schools, social services, and recreational activities.”

BCHA owns and operates hundreds of affordable units across Boulder County. In Gunbarrel, however, less than 1% of the housing stock is affordable. The Twin Lakes parcels are located a short drive or bus ride from services in Boulder, transportation corridors, and job centers. Water, sewer, and other utilities, as well as fire protection services, are readily accessible.

Planning Commission members are “citizen planners.” As the American Planning Association puts it in its [Housing Policy Guide](#):

² C.R.S. § 30-28-106(3)(e).

Planners have the skills and ethical responsibility to create communities where diverse housing options are available to existing and future residents...in order for communities to function, there must be an adequate supply of housing in proximity to employment, public transportation, and community facilities, such as public schools. The housing stock must include affordable and accessible for sale and rental units, not only to meet social equity goals, but in order to ensure community viability.

...

The AICP Code of Ethics strongly and explicitly states that planners have a responsibility to support the needs of underrepresented and disadvantaged people. Land use decisions involving affordable housing may elicit local opposition for a variety of reasons, presenting challenges to planners.

...

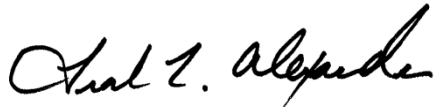
Some of the questions planners should be seeking answers to include: Is there sufficient developable land to meet residential demand in the community? Are housing prices and rents escalating and pricing people out of the for-sale and rental markets? Is affordable rental housing being lost due to age and neglect, or to expiring government subsidies and contracts, or to more attractive higher market rates or conversion to other uses? ... Is new housing accessible to persons with disabilities or adaptable so that persons may age in place? Are key community workers such as teachers and police officers able to live in the communities they serve? Are new immigrants or aging baby boomers or the changing composition of households creating a demand for the design of new housing types?

Answers to these questions are included in the excellent work done by county and city planning staff over the past several months.

As Planning Commission members representing *all* of Boulder County, we appreciate your commitment to considering the needs of both neighborhoods and the broader community. We recognize the challenges you face in determining the weight of the desires of those fortunate enough to already live near the Twin Lakes with the needs of those who are struggling to get by. At the same time, this is a rare opportunity to create a much-needed, beautifully-designed quality affordable housing community that supports school district employees, child care providers, restaurant workers, single mothers and their children, our elders, and many others. Based on our decades of experience as an affordable housing provider, we're confident that ultimately the neighbors will appreciate this community for its diversity, opportunity, and respect for the environment. We know this can be a win-win for the entire community, including our neighbors at Twin Lakes.

Thank you for your time and consideration. We look forward to answering any additional questions you may have at the January 18th hearing, and we ask for your support for the city and county staff recommendation for a Medium Density Residential land use designation on our Twin Lakes property.

Sincerely,




Frank Alexander, Director
Boulder County Housing Authority



Norrie Boyd, Deputy Director
Boulder County Housing Authority

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#241]
Date: Tuesday, January 17, 2017 4:50:51 PM

Name *	Frank Alexander
Email *	falexander@bouldercounty.org
This comment relates to: *	Twin Lakes Rd. Change Request
Comment: *	<p>Dear Boulder County Planning Commission members,</p> <p>Please see the attached letter from the Boulder County Housing Authority in reference to Wednesday's hearing on the city and county staff recommendation for a Medium Density Residential land use designation on our Twin Lakes property in Gunbarrel.</p> <p>Please don't hesitate to reach out with any questions you may have. We look forward to seeing you at the hearing.</p> <p>Thanks,</p> <p>Frank Alexander and Norrie Boyd</p>
Attach a File (optional)	<div style="text-align: center;"> bcha_letter_to_planning_commission_2017.01.17.pdf 243.72 KB · PDF</div>
Please check box below *	<ul style="list-style-type: none"><input type="checkbox"/> I acknowledge receipt of the Open Records Notification

From: linda olson
To: [#LandUsePlanner](#)
Subject: Owl Habitat - Preserve it!
Date: Tuesday, January 17, 2017 5:50:58 PM

I love the owls and it is crucial that their habitat be preserved. It is important to create the Twin Lakes Owl Preserve and Open Space. Please do not bulldoze the most important owl habitat in Colorado; wildlife of all sorts are under extreme pressure from development everywhere - set an important example and do what is right.

From: Michelle MacKenzie
To: [#LandUsePlanner](#)
Subject: Save owl habitat!
Date: Tuesday, January 17, 2017 5:58:01 PM

Please create the Twin Lakes Owl Preserve and Open Space for all of us who love and appreciate owls - and Boulder's biodiversity.

Sincerely,

Michelle Mackenzie

From: Callie Berman
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Tuesday, January 17, 2017 6:00:00 PM

Dear Boulder County Planning Board,

Some things are too great to be usurped in the name of progress. Let Nature have this one. Safeguard the home of the owls.

Callie Berman

From: Marc Grawunder
To: [#LandUsePlanner](#)
Subject: Boulder Great Horned Owl Preserve
Date: Tuesday, January 17, 2017 6:04:27 PM

To Whom It May Concern,

Please support the Boulder Great Horned Owl Preserve! It will be a wonderful place for People and Owls for generations to come.

Thank you!


Sincerely,
Marc Grawunder

From: James Hood
To: [#LandUsePlanner](#)
Subject: Help Owls
Date: Tuesday, January 17, 2017 6:05:45 PM

I love owls, I want protected areas for owls. Set an example for our youth.

James Hood
JH Carpentry
303-909-7568
jimcoboulder@gmail.com

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#242]
Date: Tuesday, January 17, 2017 6:05:49 PM

Name *	Susan Lambert
Email *	sdavis@boulder.net
Phone Number (optional)	(303) 530-7151
Address (optional)	 4696 Quail Creek Lane Boulder, CO 80301 United States
This comment relates to: *	Twin Lakes Rd. Change Request


Comment: * Dear Planning Commission members,

Please find attached a rebuttal from TLAG to BCHA/BVSD's proposed wildlife corridor on the Twin Lakes properties. We carefully considered this proposal and its implications, probable effects, and posed hazards before writing this rebuttal. Please know it is written out of serious concern for the Twin Lakes existing wildlife corridor and the surrounding properties and open lands.

Please feel free to contact me with any questions or comments you may have.

Thank you,

Susan Lambert
TLAG Board member
303-530-7151

Attach a File (optional)	 key_problems_posed_by_bcha_final.pdf 66.85 KB • PDF
--------------------------	--

Please check box below *

- I acknowledge receipt of the Open Records Notification

From: Sheryl Allen
To: [#LandUsePlanner](#)
Subject: another vote
Date: Tuesday, January 17, 2017 6:08:31 PM

to leave the owl habitat alone at Twin Lakes. Please find a different place that is not so crucial to the habitat. Thank you. SHeryl Allen

From: cianagrove
To: [#LandUsePlanner](#)
Subject: Save the owls please!
Date: Tuesday, January 17, 2017 6:09:41 PM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

Sent from my iPhone

Ciana grove
310-993-4746

From: Susan Emerson
To: [#LandUsePlanner](#)
Subject: owl habitat
Date: Tuesday, January 17, 2017 6:11:42 PM

Dear Boulder County Planning Commission,

I am writing this email to advocate for creation of the Twin Lakes Owl Preserve. My family and I love owls so much.

Please make this happen! Thank you very much!

Sincerely,
Susan Emerson
Sam Prudden
Abby Prudden

From: Audrey J
To: [#LandUsePlanner](#)
Subject: Save the owls
Date: Tuesday, January 17, 2017 6:14:07 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

Audrey

From: cbeagy@gmail.com
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Tuesday, January 17, 2017 6:14:15 PM

Dear Boulder County Planning Board:

One of the main reasons I live in Boulder is the city's commitment to trails and open space. These natural spaces are not just for us humans -- they benefit the animals who live here as well. I have taken my elementary school-aged children to see the nesting owls at Twin Lakes several times. Not many children who live in an urban area get to have an experience like this. We are lucky that the owls chose to nest here year after year, and we owe it to them -- and the humans who appreciate them -- to maintain their habitat as a preserve.

Sincerely,

Priscilla Eagye

From: Sandra Waters
To: [#LandUsePlanner](#)
Subject: Twin lakes owls
Date: Tuesday, January 17, 2017 6:15:56 PM

I Please we need to create the Twin Lakes Owl Preserve and Open Space for future generations! Protect the owls!!
Thank you
Sandra Waters-
Gunbarrel CO

From: Charissa Doerr
To: [#LandUsePlanner](#)
Subject: Create Owl Preserve!
Date: Tuesday, January 17, 2017 6:16:11 PM

Owls are amazing creatures and deserve a safe place to live. Please create the Twin Lakes Owl Preserve and Open Space.

From: Dr. Brandy McCans
To: [#LandUsePlanner](#)
Subject: Re: Owls
Date: Tuesday, January 17, 2017 6:16:31 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

--

Please confirm you have received this email. Thank you.

Live Vibrantly ~

Dr. Brandy McCans
www.DrBrandyMcCans.com

707-888-9080

**NOTE: Emails will be answered once per day around 5pm MT, excluding Wednesdays and weekends. If you have an urgent matter please text and leave you name. Thank you.*

From: Donna Sueper
To: [#LandUsePlanner](#)
Subject: YES to the TWIN LAKES OWL PRESERVE and OPEN SPACE
Date: Tuesday, January 17, 2017 6:17:16 PM

We should keep this property in pristine condition!
Donna

From: Richard Lucash
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve and Open Space
Date: Tuesday, January 17, 2017 6:23:35 PM

Please create the preserve; it seems an excellent idea.

--

Sent from my iPhone or iPad. Please excuse typos.

From: Allison Dillawn
To: [#LandUsePlanner](#)
Subject: I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.
Date: Tuesday, January 17, 2017 6:24:27 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

From: Susan Camnitz
To: [#LandUsePlanner](#)
Subject: The Owls at Twin Lakes
Date: Tuesday, January 17, 2017 6:25:04 PM

Dear Planning Board,

Please, please, please, in this time of extreme, national, political uncertainty... please be on the side to preserve and honor what is wild, treasured, glorious and irreplaceable in our little corner of the world. Once species are dishonored and have disappeared, we all will be much the poorer for it. The light is fading on our planet, with anger, avarice, and short-sightedness ruling the day in many corners. Let Boulder continue to be the beacon it has been time and time again! Don't sacrifice the owls!

Sincerely,
Susan Camnitz
Erie, CO

From: Betina Mattesen
To: [#LandUsePlanner](#)
Subject: An Owl Preserve
Date: Tuesday, January 17, 2017 6:27:47 PM

I hope that you and your family members have had a chance to visit the wonderful Twin Lakes owls. I have taken many children. They are really spectacular. A casual visit here will show you how boxed in they would be by more nearby development.

I would like to strive for "a society that matches the scenery". It would be so uplifting, at a time when we all need it, to have Boulder County be a conservation leader that stands up for what is right.

Affordable housing, so important too. But we shouldn't pit lower income people against natural wonder. Not here, not now, please. Because these great owls need a home too.

Thanks.
Betina Mattesen
3982 Ridge Rd
Nederland

From: wanderinglovecat@gmail.com
To: [#LandUsePlanner](#)
Subject: Our Stewardship
Date: Tuesday, January 17, 2017 6:28:35 PM

The owl habitat is important to our community. We treasure the owls. Please vote for our Twin Lakes Sanctuary.

Thank you,
laura fabian, Boulder resident

~ magically sent from my iphone

From: Cheryl Thompson
To: [#LandUsePlanner](#)
Date: Tuesday, January 17, 2017 6:34:41 PM

I am hoping that you all will listen to the comments coming from so many. Please keep the owls safe at Twin Lakes. Do what is needed to keep this area for all the animals and raptors who live there.

Cheryl Thompson

From: Leila McMurray
To: [#LandUsePlanner](#)
Subject: Twin Lakes
Date: Tuesday, January 17, 2017 6:35:10 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

Thank you,

Leila McMurray

Sent from my iPhone

From: Connie Tools
To: [#LandUsePlanner](#)
Subject: Owls
Date: Tuesday, January 17, 2017 6:37:37 PM

Please save the owls! I moved to Colorado 4 years ago and was blown away by the spectacular wildlife. Someone told me about the owls a few years ago when I was going through a very difficult time. I needed those owls and now they need me so I'm writing to beg you to save them. We need each other.

Sincerely,
Connie Daley
Longmont

Sent from my iPhone

From: NANCY ORTENBERG
To: [#LandUsePlanner](#)
Subject: Save the Owls
Date: Tuesday, January 17, 2017 6:38:46 PM

Hello City Planner -

I am a resident and small business owner in Boulder. The owl preserve at Twin Lakes is a treasure. Please save it and designate the area as open space.

Regards,

Nancy Ortenberg

*Nancy Ortenberg, M.A., LMFT
Diplomate Jungian Analyst
703 Walnut Street
Boulder, CO 80302
303.449.2011*

From: Haley McTee
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Tuesday, January 17, 2017 6:43:11 PM

To Whom This May Concern:

I love the owls and enjoy walking past them, observing, and photographing them several days a week. Please create the Twin Lakes Owl Preserve and Open Space so that myself, and many, many others, can continue to enjoy these beautiful creatures living in their natural habitat.

Thank you

From: Mari
To: [#LandUsePlanner](#)
Subject: Owl preserve
Date: Tuesday, January 17, 2017 6:44:57 PM

Dear Representatives,

So proud of Boulder for becoming a sanctuary city for humans!

Now it's time to take the next step and permanently create a sanctuary for our owl relatives and other wildlife in the North Boulder region. Imagine how proud of this generation our grandchildren, great-grandchildren and those of all species will be as we take a stand for all living beings so we can inter-be & co-inhabit this glorious and precious space on Earth!

Thank You for choosing FOR Life on Earth!

Warmly,
Mari Heart

Sent from my iPad

From: Judith Edgar
To: [#LandUsePlanner](#)
Subject: TWIN LAKES OWL PRESERVE and OPEN SPACE
Date: Tuesday, January 17, 2017 6:51:10 PM

Wildlife and beauty matter. On behalf of the famous Twin Lake Owls, I am asking you to let them keep their place in the world. Leaving the hunting meadow as is benefits both the owls and the people who enjoy observing nature. We need more of that, not less.

Thank-you for considering my request.

Judy Edgar

From: April Benson
To: [#LandUsePlanner](#)
Subject: I love owls!
Date: Tuesday, January 17, 2017 6:52:11 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

From: Nadene Pettry
To: [#LandUsePlanner](#)
Subject: Please create Owl Preserve
Date: Tuesday, January 17, 2017 6:52:22 PM

I love owls. Please create Twin Lakes Owl Preserve and Open Space. It is vital to our community and state to preserve open space and natural habitat for our wild creatures. We all benefit.

Thanks and blessings,

Nadene Pettry

Sent from my iPad

From: Christine Wuslich
To: [#LandUsePlanner](#)
Subject: Owl Open Space
Date: Tuesday, January 17, 2017 6:55:49 PM

I am a big fan of owls and wildlife habitat. Please create the Twin Lakes Owl Open Space and let owls and wildlife keep their homes!! Please don't let developers put apartments where the owls already have homes.

Thank you.
Christine

From: Holly Colette
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve and Open Space.
Date: Tuesday, January 17, 2017 6:56:11 PM

Please create the Twin Lakes Owl Preserve and Open Space. The owls are a cherished element of the Boulder County wildlife.

Thank you,

Holly Colette Bonebrake
LMT, RTT, RYT

From: Greg Wilkerson
To: [#LandUsePlanner](#)
Subject: Greg Wilkerson requests that you vote to "Save the Owls Open Space" and not give in to the...
Date: Tuesday, January 17, 2017 6:58:21 PM

Hello,

I am a concerned citizen that is asking you to please vote to save the Owls Open Space in Gunbarrel... and do NOT give in to the mean spirited horrible thought of plowing down the Open Space to make more room for unwanted human habitat.

Thank you for your consideration,

Greg

Greg Wilkerson

Metro Brokers

(303) 447-1068
realtorgreg@hotmail.com

SEARCH HOMES INSTANTLY AT www.GregWilkerson.com

From: BARBARA COLOMBO
To: [#LandUsePlanner](#)
Subject: twin lakes owls
Date: Tuesday, January 17, 2017 7:00:38 PM

Hi!

My name is Barb and I live in Boulder in lower Chautauqua.

I hear you are voting tomorrow night on the Twin Lakes Preserve.

Owls are amazing ...I do hope you will create the Owl Preserve and Open Space to protect these beautiful creatures.

We won't be able to get this back ...please vote in favor of their protection!

Thank you!

Barbara Colombo MFA
503 22nd St
Boulder, CO 80302

From: Jay Schaeffer
To: [#LandUsePlanner](#)
Subject: owls
Date: Tuesday, January 17, 2017 7:01:30 PM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

Jay D Schaeffer
Namaste
jaybikedt@gmail.com

From: Leila McMurray
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Tuesday, January 17, 2017 7:02:54 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

Thank you,

Leila McMurray

Sent from my iPhone

From: Keith E
To: [#LandUsePlanner](#)
Subject: no more development in boulder- especially Gunbarrel
Date: Tuesday, January 17, 2017 7:05:18 PM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

From: Tim Olsen
To: [#LandUsePlanner](#)
Subject: Save the Owls!
Date: Tuesday, January 17, 2017 7:05:38 PM
Attachments: [image001.png](#)

Hello Esteemed Planning Commission,

I hope we will still have owls around for our grandchildren to enjoy. Please create the Twin Lakes Owl Preserve and Open Space.

Tim Olsen, PE

Advanced Energy Systems LLC

AnemErgonics LLC

1428 South Humboldt Street

Denver, CO 80210

Office 303-777-3341

Cell 303-908-2439

tolsen@windtechnology.com



From: Paula Chase
To: [#LandUsePlanner](#)
Subject: Owls
Date: Tuesday, January 17, 2017 7:14:30 PM

It seems that we have more than enough condos in Boulder, and not nearly enough owls . And ... they were here first .

Sent from my iPhone

From: Ryan Lillis
To: [#LandUsePlanner](#)
Subject: Save Open Space for the Owls!
Date: Tuesday, January 17, 2017 7:22:23 PM

As a Boulder resident I would like to strongly voice my support for saving the open space at Twin Lakes as an owl preserve. As a kind of apex predator within the bird group of the area, they play an outsized role in maintaining a healthy ecosystem. Plus, owls are an incredibly popular bird and it gives people a thrill when they see them. This natural wildlife is what makes this area special. Let's keep it that way!

Thank you so much for your consideration!

Ryan Lillis
816 Ithaca Drive Boulder CO 80305
650-644-6141

From: Diane
To: [#LandUsePlanner](#)
Subject: Owl Preserve
Date: Tuesday, January 17, 2017 7:30:19 PM

I support creation of the Twin Lakes Owl Preserve and Open Space. Please vote FOR it!
This is how I want my tax dollars spent.

Thank you,
[Diane](#) Connolly
3410 Everett Drive, Boilder

Sent from [BlueMail](#)

From: Karen Dombrowski-Sobel
To: [#LandUsePlanner](#)
Subject: Please save the owl's habitat
Date: Tuesday, January 17, 2017 7:34:29 PM
Attachments: [PastedGraphic-2.tiff](#)

Hi,

Thank you for taking the time to consider this: Please do not vote in favor of more houses over the animal's open space. Let's preserve Twin Lake's space for the owls. Thank you,
Karen

Karen A Dombrowski-Sobel

kadsphoto.com

treesspeak.com

Join my community page here:

<https://www.facebook.com/treesspeak>

My photographic page on FB:

<https://www.facebook.com/Karen-A-Dombrowski-Sobel-120418458042143/>

Purchase book here:

treesspeak.com



ebook:

www.amazon.com/dp/B00P1QLHV4

From: Datch Baudisch
To: [#LandUsePlanner](#)
Subject: For our love of Owls
Date: Tuesday, January 17, 2017 7:42:41 PM

Please approve the Owls Sanctuary for the benefit of generations to come!
We all need a walk with their wisdom and beauty from time to time!
Let's keep Boulder wild, and a national example for nature lovers, please!!

Thank you!

Peace & Awareness,
Datch Baudisch

From: uniowner uniowner
To: [#LandUsePlanner](#)
Subject: I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.
Date: Tuesday, January 17, 2017 7:50:01 PM

I think its horrible that you all want to hurt the beautiful Twin Lake habitat for low income housing. I think low income housing picks winners and losers and if you want to help with housing lower the property taxes in our area! That is a large reason why many I know are moving out of Boulder and Boulder county as its becoming what we moved to get away from in the first place (congestion and high taxes). Please do not ruin this beautiful space for more housing. The last thing we need is more carbon imprint ruining our environment especially at the benefit for a 'chosen few' at the cost of the collective.

Doug

From: Christopher T.
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve and Open Space
Date: Tuesday, January 17, 2017 7:55:03 PM

Hi,

I wanted to send a note to say that I am a Boulder County resident who enjoys bird watching, including owl watching, and that I am familiar with the Twin Lakes area, having visited the area several times to go on nature walks. I am writing this note to ask that you please create the Twin Lakes Owl Preserve and Open Space. Thank you for your time.

Sincerely,
*Chris

From: lisa sleeth
To: [#LandUsePlanner](#)
Subject: Say YES to the TWIN LAKES OWL PRESERVE and OPEN SPACE in N Boulder
Date: Tuesday, January 17, 2017 7:56:56 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

This is such a big decision and once the preserve is gone it does not grow back. Thank you for your conscientious decision.

Lisa Sleeth
508 Hapgood St
Boulder

Sent from my iPhone

From: Heather B
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Tuesday, January 17, 2017 8:05:50 PM

Dear **Boulder County Planning Board,**
Our family loves the owls and we thoroughly enjoy seeing their natural habitat. Please keep it from being destroyed. I would love for our children's family to be able to visit the Owl preserve and open space. Please create the Twin Lakes Owl Preserve and Open Space!

Thank you,
Heather Baltrush & Family
A Boulder Native since 1978 & family resident since 2003.

Sent from my iPhone

From: Gretche Vahle
To: [#LandUsePlanner](#)
Subject: Owls
Date: Tuesday, January 17, 2017 8:08:42 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space!

From: Angelique Curran
To: [#LandUsePlanner](#)
Subject: Owls
Date: Tuesday, January 17, 2017 8:11:02 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

Sincerely,
Angelique Curran

From: Anita Warren
To: [#LandUsePlanner](#)
Subject: owls
Date: Tuesday, January 17, 2017 8:11:12 PM

Please protect the owls at Twin Lakes. There are so many other places we can build and develop, there is no need to ruin the habitat and homes of the owls to do so. Our children and our grandchildren deserve to be able to see the owls and other wildlife without having to go to a zoo. Boulder County has always been at the forefront of environmental protection and awareness...let's not let that end today.

Thank you.

Anita M. Warren

From: David Schwartz
To: [#LandUsePlanner](#)
Subject: Save the Great Horned Owl Habitat
Date: Tuesday, January 17, 2017 8:17:32 PM

Hello Boulder County Planning Commission:

I heard you guys are thinking about bull dozing the Twin Lakes Great Horned Owl habitat area. Are you crazy?

I moved out of Boulder a couple years ago because of these kinds of idiotic decisions.

Clearly you are loving Boulder to death - as well as the perennial Great Horned Owl Habitat at Twin Lakes. Planning for you guys is an oxymoron.

You should be ashamed of yourselves for even thinking about this. It's disgusting and I intend to take this to the federal courts per protected species statutes.

Best regards,

Dave Schwartz @ ProTrails

From: kawi7425@colorado.edu
To: [#LandUsePlanner](#)
Subject: Owls
Date: Tuesday, January 17, 2017 8:21:38 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space. They have such a special space In the community and taking away their habitat would but a major tragedy.

Sent from my iPhone

From: Melissa Robertson
To: [#LandUsePlanner](#)
Subject: Owls
Date: Tuesday, January 17, 2017 8:23:23 PM

Please create the twin lakes open space and preserve for the owls! I love the owls!
Sincerely,
Melissa

From: William Sawicki
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve and Open Space
Date: Tuesday, January 17, 2017 8:25:29 PM

To whom this may concern,

Please create the Twin Lakes Owl Preserve and Open Space.

Thanks!

William Sawicki

From: Lindsey Vona
To: [#LandUsePlanner](#)
Subject: Spam: Please protect the Owls! We love them!
Date: Tuesday, January 17, 2017 8:26:08 PM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."
It is that simple.

--

Lindsey Vona
Poetic Wonder Design
phone | 1(720) 372 6024
email | poeticwonderproductions@gmail.com
website | www.poeticwonderproductions.com

From: Michelle Galvanek
To: [#LandUsePlanner](#)
Subject: Owl preserve
Date: Tuesday, January 17, 2017 8:27:02 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

**Sincerely,
Michelle Galvanek**

From: Mike Chiropolos
To: [#LandUsePlanner](#)
Cc: [Parker, Kathy M.](#); [Pearlman, Ben](#)
Subject: Updated Five Vote Memo: addressing County Response and IGA
Date: Tuesday, January 17, 2017 8:31:05 PM
Attachments: [TLAG Memo Five Vote Requirement & IGA 1 17 17.pdf](#)
[igabouldervalleydevcompplan \(1\).pdf](#)

Dear Boulder County Planning Commission:

Please find attached a memorandum responding to the County Response on whether the 4-3 vote denied the Twin Lakes change requests for lack of a five-vote majority of the full Commission under State and County law.

After reviewing the IGA and further researching state law as referenced by the IGA - and applicable court decisions - TLAG reaffirms its conclusions in the January 12 memo. Both the initial memo and the County response are attached to the new memo, and a copy of the IGA is also attached for the record.

TLAG respectfully submits that the Commission should discuss the validity of the September 21 vote, and the proper next steps depending on how it answers that question - in advance of the scheduled rehearing on the Twin Lakes parcels tomorrow.

A courtesy copy of this memorandum is provided to the County Attorney's office.

Sincerely,

/s

Mike Chiropolos
Chiropolos Law LLC
1221 Pearl Street - Suite 11
Boulder CO 80302
mikechiropolos@gmail.com
303-956-0595

This message may be privileged, confidential, or otherwise protected from disclosure

MIKE CHIROPOLOS
ATTORNEY & COUNSELOR, CHIROPOLOS LAW
1221 PEARL SUITE 11
BOULDER CO 80302 303-956-0595 -- mikechiropolos@gmail.com

TO: Boulder County Planning Commission
FROM: Mike Chiropolos, Counsel to Twin Lakes Action Group
DATE: January 17, 2017
SUBJ: **Boulder County Planning Commission:
Five Vote Majority Requirement for Amending the Comprehensive Plan**

On January 12, 2017, TLAG provided a memorandum to the Boulder County Attorney's office summarizing the facts and law leading to the conclusion that the September 21, 2016 4-3 vote on the Twin Lakes parcels amounted to a *denial* of the change use requests.

TLAG's initial memorandum (pasted below as Attachment 2) explains that: 1) state law requires a majority of the entire County Planning Commission to approve the County Comprehensive Plan (five votes of the Boulder County Planning Commission); and 2) the Boulder County Land Use Code and Planning Commission Bylaws support that conclusion. Thus, the 4-3 vote denied the change requests.

On January 17, 2017, Boulder County posted its Response on the internet at <http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx> (pasted below as Attachment 1). The County response acknowledges that "approval of a county-adopted master plan, such as the Boulder County Comprehensive Plan, requires an approval by the majority of the membership of the county planning commission." However, the County response then asserts that "TLAG's analysis confuses two different processes – the processes associated with a county-adopted master plan and the processes associated with a joint plan adopted through an intergovernmental agreement."

Accordingly, TLAG has reviewed the Intergovernmental Agreement between the City and County regarding the Boulder Valley Comprehensive Plan, and the state statute cited in the County response. See <http://www.bouldercounty.org/doc/landuse/igabouldervalleydevcompplan.pdf> . TLAG's conclusion remains unchanged.

First, an IGA cannot contract around state law. Second, the IGA supports TLAG's position, confirming that the BVCP is the equivalent of a County Comprehensive Plan for the lands covered by the BVCP. The state statute cited in the IGA as the authority for entering the IGA provides that a city and county can enter an agreement (such as the IGA) that might establish certain procedures for approving that portion of the County Comprehensive Plan subject to the IGA. But the state statute does not alter the state law requirement that any amendment of a County Comprehensive Plan must be approved by a majority vote of the entire Planning Commission.

Third, the preamble to the IGA provides that 1) state law authorizes the Parties "to enter into intergovernmental agreements to plan for and regulate land uses in order to minimize the

negative impacts on the surrounding areas and protect the environment,” and 2) “the County is the ultimate governmental authority with regard to land use control and development in the unincorporated areas of the County[.]” IGA at 1, first and second WHEREASes (emphasis added). This establishes that the IGA is expressly intended to protect the environment and recognize that County has ultimate authority in over incorporated areas of the Boulder Valley, *not* grease the wheels for development gut the Planning Commission’s role in land use decisions.

The state law referenced as the authority to enter the IGA (IGA at page 1, first WHEREAS clause) provides:

(d) An intergovernmental agreement providing for a comprehensive development plan may contain a provision that the plan may be amended only by the mutual agreement of the governing bodies of the local governments who are parties to the plan.

CRS 29-20-105.

The County response does not cite to any statutes or case law to support its position. Nor is the County response signed.

The BVCP provides that the City and County chose to add *additional steps to those required by state law* for approving changes to the BVCP - such as four body review. TLAG is not challenging this aspect of the IGA, or the overall validity of the IGA. TLAG argues that the IGA simply does not support the County’s contention. Under the County’s position, as few as three votes (a majority of a five member quorum) on the Planning Commission could validly amend the Comprehensive Plan. That is two votes less than the *minimum* number required by state law.

Also under the County’s position, the IGA could seemingly write the County Planning Commission out of the process entirely, making the BOCC the sole county approval agency under a two or three-body approval process for lands in unincorporated Boulder County. That would seem to relegate the statutory role of the Planning Commission to a point approaching irrelevance, such as an attempt by a President to ignore the Constitutional role of the Supreme Court.

The IGA explicitly speaks to five-year BVCP updates, providing that "the Plan" [the BVCP] shall be amended every 5 years. IGA at Section 4.0, page 3.

The IGA provides that:

The City and the County, respectively, within their constitutional and statutory geographic jurisdictions, shall exercise their planning, zoning, subdivision, building and related land use regulatory functions consistent with the plans and polices of the Plan, to the end of attaining the goals and objectives of the Plan.

IGA at § 2.0 at page 3.

Although unnecessary to the conclusion that the five-vote requirement applies, this section of the IGA *supports* that conclusion by acknowledging (as it must) that the County acts within its “statutory geographic jurisdiction” under the IGA. The statutes include the five-vote requirement of CRS 30-28-108 (establishing the county planning commission as the agency that adopts or

amends the “county or regional master plan ... by the affirmative votes of not less than a majority of the entire membership of the planning commission.”)

The BVCP would appear to be a “regional master plan” under state law, reinforcing the applicability of the five-vote requirement. This is over and above the fact that the Boulder County Land Use Code establishes that the “Boulder Valley Comprehensive Plan and any similar subarea plans are considered part of the Boulder County Comprehensive Plan.” County Land Use Code Section 18-117 at page 18-3.

Colorado Supreme Court precedent establishes that when a county planning commission fails to substantially comply with state law, the proceedings are of no legal force or effect:

From the foregoing it is clear that in the proceedings before the Planning Commission and those conducted by the Board, there was no substantial compliance with the mandates of the statute governing the exercise of the power to enact zoning regulations, or to amend existing zoning provisions. Holly Development, Inc. v. Board of County Commissioners, 140 Colo. 95, 342 P.2d 1032. The proceedings before the Planning Commission and those before the Board were of no legal force or effect, and failed to change or amend any zoning regulation in effect prior thereto.

Gordon v Board of County Com’rs of County of El Paso, 382 P.2d 545 (Colo. S. Ct. 1963) (emphasis added).

A case arising in Boulder cites to Gordon and reaffirms the holding:

Proper compliance with Section 15 requires that the board of county commissioners resubmit the proposed amendment to the planning commission before taking further action.

Since the board did not substantially comply with the applicable zoning statute, the proceedings before the board, as well as the resultant zoning resolution, were null and void. Accord, Gordon v. Board of County Commissioners, 152 Colo. 376, 382 P.2d 545 (1963).

Colorado Leisure Products Inc. v Johnson et al, 523 P.2d 159, 162 (Colo. S. Ct. 1975). Under our facts for Twin Lakes, the Planning Commission did not comply with state law before purporting to advance the change requests to the County Commissioners.

Thus, the IGA does not alter the requirement that a majority of the full County Planning Commission vote to amend the County Comprehensive Plan. The IGA acknowledges that the BVCP Update amends the Comprehensive Plan. Even if the IGA purported to overrule or amend state law, it is highly likely that such provision would be deemed to exceed the County’s authority: as a political subdivision of the state of Colorado, Boulder County cannot contract around state law.

If there is any law (statute or cases) supporting the County’s position, it is not cited in the County response. Based on the above, the facts and law speak for themselves.

The question of how the Planning Commission should act in light of the fact that the 4-3 vote denied the change requests might bear discussion. Because the Planning Commission vote denied the change requests, the Boulder County Commissioners’ September 27 vote on the

change requests appears similarly invalid because the County Commissioners' vote was premised on the mistaken belief that the Planning Commission had approved the change requests.

Because the County Commission did not request that the Planning Commission reconsider its vote, was the decision to grant a rehearing of a change request that had been denied invalid, and of no force and effect? TLAG's Motion for Reconsideration was based on the mistaken belief that the change requests were approved for the Twin Lakes parcels.

The confusion is of the County's own making. Staff failed to advise the Planning Commission that both state and county law require five votes to amend the Plan. Staff continues to deny that requirement. TLAG promptly contacted the County after learning that the change requests had been denied under state law, giving the County ample time to address the matter in advance of the rehearing date. The County chose not to.

Conclusion

Under the circumstances, it seems incumbent on the Planning Commission to acknowledge that the Twin Lakes change requests were denied in this BVCP Update. Absent any action taken consistent with state and County law and procedural requirements to allow rehearing or reconsideration (such as new votes resulting in legally valid new decisions taken at future meetings following advance notice published in an agenda and applicable public comment opportunities prior to the vote), the denials should be the end of the matter.

Regardless of where one sits on the merits of the various change requests for the Twin Lakes parcels, the approval process must comply with state and county law. The first vote denied the requests and the rehearing was mistakenly scheduled based on a lack of awareness that the first vote is of "no legal force or effect". These issues must be resolved.

Ensuring that state and county law and proper procedures are followed in BVCP and Comprehensive Plan updates is a matter of great importance to the County's 319,000 citizens, and especially to the estimated 47,000 residents of unincorporated Boulder County. The same is true for Gunbarrel's 9,300-some residents, the majority of whom reside in unincorporated areas of the County by choice. Those citizens rightly expect the County and the County Planning Commission to adhere to the law and independently assess the wisdom of proposed land use changes - when faced with development proposals such as the Twin Lakes change requests.

Attachment 1: Boulder County Response to TLAG Memorandum

Boulder County responds to TLAG's analysis of Planning Commission meeting on Sept. 21, 2016

Boulder County Colorado sent this bulletin at 01/17/2017 02:15 PM MST

Over the weekend, Boulder County received a number of communications from Twin Lakes Action Group (TLAG) supporters questioning the validity of the Boulder County Planning Commission's 4-3 vote on September 21, 2016 to approve the request for the Medium Density change to the Boulder Valley Comprehensive Plan update for Twin Lakes.

Specifically, TLAG claims that at least five members were required to vote in favor of the proposal for it to be approved. County staff's position is that the Planning Commission followed the correct voting procedure at that meeting. TLAG's analysis confuses two different processes – the processes associated with a county-adopted master plan and the processes associated with a joint plan adopted through an intergovernmental agreement.

Last September, the Planning Commission was reviewing changes to the Boulder Valley Comprehensive Plan (BVCP), a joint plan adopted by the City of Boulder and Boulder County through an intergovernmental agreement. Accordingly, approvals related to the BVCP by any of the four approving bodies require a majority vote of the quorum for that body. In contrast, approval of a county-adopted master plan, such as the Boulder County Comprehensive Plan, requires an approval by the majority of the membership of the county planning commission.

The Planning Commission meeting scheduled for Wednesday, Jan. 18, will proceed as scheduled. The expected start time for this agenda item is 3 p.m.

For more information, see: <http://bit.ly/bvcp150001>

Attachment 2: TLAG Memorandum dated January 12, 2017:

MIKE CHIROPOLOS
ATTORNEY & COUNSELOR, CHIROPOLOS LAW
1221 PEARL SUITE 11
BOULDER CO 80302 303-956-0595 -- mikechiropolos@gmail.com

Question Presented:

Was the Boulder County Planning Commission's 4-3 vote on the Twin Lakes parcels on September 21, 2016 a denial of the change requests for lack of a five member majority of the full nine member Commission as required by State law, the County Land Use Code, and the Planning Commission Bylaws?

Short Answer: YES, it appears that the 4-3 vote was a denial of all change requests.

Analysis:

First, the Colorado statutes governing County Comprehensive Plans require that the plan, or any amendment to the plan, be adopted by a vote of not less than a majority of the entire membership of the commission.

30-28-108. Adoption of plan by resolution.

A county or regional planning commission may adopt the county or regional master plan as a whole by a single resolution or, as the work of making the whole master plan progresses, may adopt parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter which may be included in the plan. The commission may amend, extend, or add to the plan or carry any part of it into greater detail from time to time. The adoption of the plan or any part, amendment, extension, or addition shall be by resolution carried by the affirmative votes of not less than a majority of the entire membership of the commission. The resolution shall refer expressly to the maps and descriptive matter intended by the commission to form the whole or part of the plan. The action taken shall be recorded on the map and descriptive matter by the identifying signature of the secretary of the commission.

CRS 30-28-108 (emphasis added).

Second, the Boulder County Land Use code provides that the Boulder Valley Comprehensive Plan (BVCP) is considered part of the Boulder County Comprehensive Plan (BCCP):

18-117 Boulder County Comprehensive Plan

That document, including all amendments, adopted by the Planning Commission, which provides policy direction to the County and the public about how existing and proposed land uses ought to be evaluated, how the various governmental and land management

entities in the County should coordinate their activities, and how environmental resources should be preserved. The Boulder Valley Comprehensive Plan and any similar subarea plans are considered part of the Boulder County Comprehensive Plan.

See <http://www.bouldercounty.org/doc/landuse/landusecode.pdf> at Section 18-117, page 18-3 (emphasis added).

Third, the Boulder County Planning Commission bylaws recognize that the enabling authority for the Commission is the state code section including 30-28-118 requiring that any changes to a county comprehensive plan be approved by a majority of the entire Planning Commission. They provide that the Planning Commission shall consist of nine members.

I. ENABLING AUTHORITY

Enabling authority for the Planning Commission of Boulder County is found in Part 1 of Article 28 of Title 30 of the Colorado Revised Statutes, as amended. Additional authority for the actions of the Planning Commission, as generally set forth in these Bylaws, is found in other provisions of the Colorado Revised Statutes which expressly or impliedly authorize or require the Planning Commission to act (including but not limited to the Planned Unit Development Act of 1972 (Article 67 of Title 24); the Special District Act (Article 1 of Title 32); the Preservation of Commercial Mineral Deposits Act (Part 3 of Article 1 of Title 34); and § 22-32-124 concerning proposed school district site acquisition and development, and in the duly enacted provisions of the Boulder County Land Use Code as it currently exists and may be amended from time to time.

II. MEMBERSHIP, APPOINTMENTS, AND TERMS

A. The Planning Commission shall consist of nine members, who shall be appointed by and in the discretion of the Board of County Commissioners.

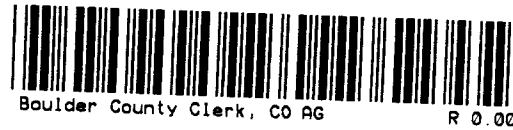
BCCP Bylaws at I and II(A).

Fourth, the Planning Commission Bylaws explicitly provide, consistent with state law, that a “majority of the entire membership” is needed to adopt or amend all or part of the County’s Comprehensive Plan:

E. Five members shall constitute a quorum of the Planning Commission for official action. All official actions of the Planning Commission shall be taken by vote, with a majority of those members present and voting needed to approve a vote except as otherwise expressly provided in these Bylaws. Moreover, to approve any action adopting or amending all or part of the County’s Comprehensive Plan under C.R.S. §§30-28-106 through-109, not less than a majority of the entire membership of the Planning Commission (five members) shall be required to vote in favor of such action.

Bylaws at IV(E) (emphasis added)

In conclusion, it appears that the Motion to Approve the MR recommendation at the September 21, 2016 Planning Commission meeting failed by a 4-3 vote. TLAG’s subsequent Motion for Reconsideration was thus based on the mistaken assumption that the Planning Commission had approved the change request as stated in the motion.



**COMPREHENSIVE DEVELOPMENT PLAN
INTERGOVERNMENTAL AGREEMENT**

THIS INTERGOVERNMENTAL AGREEMENT ("Intergovernmental Agreement") by and between the City of Boulder, a Colorado home-rule municipal corporation ("Boulder" or "City"), and the County of Boulder, a body politic and corporate of the State of Colorado ("County" or "Boulder County") is made to be effective on the Effective Date as defined on the signature page of this Intergovernmental Agreement. The City and the County are collectively referred to in this Intergovernmental Agreement as the "Parties."

WITNESSETH

WHEREAS, § 29-20-101 *et seq.*, C.R.S. as amended, authorizes the Parties to enter into intergovernmental agreements to plan for and regulate land uses in order to minimize the negative impacts on the surrounding areas and protect the environment, and specifically authorizes local (i.e., town and county) governments to cooperate and contract with each other for the purposes of planning and regulating the development of land by means of a "comprehensive development plan;" and

WHEREAS, the County is the ultimate governmental authority with regard to land use control and development in the unincorporated areas of the County, which areas include the Boulder Valley, as defined in the attachment hereto; and

WHEREAS, the City is the only significant potential source of adequate urban facilities and services required for the orderly urban development of the Boulder Valley, where desired; and

WHEREAS, pursuant to §§30-28-106, -108 and -110, C.R.S., as amended, the County Planning Commission and the Board of County Commissioners have made and adopted a master plan for the physical development of the unincorporated area of the County, the Boulder County Comprehensive Plan; and

WHEREAS, pursuant to §31-23-202, C.R.S., as amended, the Boulder Planning Board and the Boulder City Council have adopted the goals, policies, programs and supportive data of the Boulder Valley Comprehensive Plan; and

WHEREAS, pursuant to §30-28-106(2)(a), C.R.S., as amended, the master plan shall not be effective within the boundaries of any incorporated municipality within the region unless such plan is adopted by the governing body of the municipality; and

WHEREAS, §31-23-106, C.R.S., as amended, requires the approval of the Boulder Valley Comprehensive Plan, as it relates to unincorporated areas of Boulder County, by the Boulder County Planning Commission and the Boulder County Board of County Commissioners; and

BCA...



WHEREAS, in order to ensure that the unique and individual character of Boulder and of the rural area within Boulder County outside the Areas I and II of the Boulder Valley Comprehensive Plan (hereinafter the "BVCP") are preserved, the Parties believe that a comprehensive development plan which recognizes the area of potential urbanization within the BVCP which would not be interrupted by Boulder County open space, accompanied by a commitment by Boulder for the preservation of the rural character of lands surrounding Areas I and II within the Boulder Valley and Boulder County, is in the best interest of the citizens of each of the Parties; and

WHEREAS, the Parties acknowledge that this Intergovernmental Agreement may control or limit the County's authority over some properties within the County's jurisdiction but that such control or limitation is justified due to the fact that such properties are currently served by City-owned municipal utilities, are bound by service agreements between the property owners and the City, and/or such properties are located within areas specially affecting the City's interests, including but not limited to entry corridors and areas of special impact upon City resources; and

WHEREAS, the Parties find that providing for the area outside Areas I and II of the Boulder Valley Comprehensive Plan within Boulder County to remain as rural in character through the term of this Intergovernmental Agreement for the purpose of preserving a community buffer through the limitation of annexation by Boulder serves the economic and civic interest of their citizens and meets the goals of the Boulder County Comprehensive Plan; and

WHEREAS, consistent with the municipal annexation, utility services, and land use laws of the State of Colorado, this Intergovernmental Agreement including, specifically, the annexation and open space portions hereof, is intended to encourage the natural and well-ordered future development of each Party; to promote planned and orderly growth in the affected areas; to distribute fairly and equitably the costs of government services among those persons who benefit therefrom, to extend government services and facilities to the affected areas in a logical fashion; to simplify providing utility services to the affected areas, to simplify the governmental structure of the affected areas, to reduce and avoid, where possible, friction between the Parties and to promote the economic viability of the Parties; and

WHEREAS, the functions described in this Intergovernmental Agreement are lawfully authorized to each of the Parties, which perform such functions hereunder, as provided in Article XX, §6 of the Colorado Constitution, and Article 20 of Title 29; Part 1 of Article 28 of Title 30; Part 1 of Article 12 of Title 31; and Parts 2 and 3 of Article 23 of Title 31, C.R.S., as amended; and

WHEREAS, § 29-1-201, *et seq.*, C.R.S., as amended, authorizes the Parties to cooperate and contract with one another with respect to functions lawfully authorized to each of the Parties, and the people of the State of Colorado have encouraged such cooperation and contracting through the adoption of Colorado Constitution, Article XIV, § 18(2); and



WHEREAS, the Parties have each held hearings after proper public notice for the consideration of entering into this Intergovernmental Agreement and the adoption of a comprehensive development plan for the Boulder Valley; and

WHEREAS, the Parties desire to enter into this Intergovernmental Agreement in order to plan for the use of the lands within the Boulder Valley through joint adoption of a mutually binding and enforceable comprehensive development plan.

NOW THEREFORE, in consideration of the above and the mutual covenants and commitments made herein, the Parties agree as follows:

1.0 BOULDER VALLEY COMPREHENSIVE DEVELOPMENT PLAN.

This Intergovernmental Agreement, including the Boulder Valley Comprehensive Plan text and Map attached to this Intergovernmental Agreement as Exhibit A, is hereby adopted by the Parties as a comprehensive development plan as provided in §29-20-105, C.R.S., to be known as the “Boulder Valley Comprehensive Plan” (hereinafter “the Plan.”) The Plan shall govern and control the Plan Area as shown on Exhibit A, or as subsequently amended in accordance with the Plan’s provisions.

2.0 CONSISTENCY WITH BVCP IN PLANNING, ZONING, AND OTHER LAND USE REGULATIONS AND ACTIONS REQUIRED.

The City and the County, respectively, within their constitutional and statutory geographic jurisdictions, shall exercise their planning, zoning, subdivision, building and related land use regulatory functions consistent with the plans and policies of the Plan, to the end of attaining the goals and objectives of the Plan.

3.0 COMPLIANCE WITH BVCP FOR ANNEXATIONS REQUIRED.

The City shall exercise its annexation policies and capital improvements plan consistent with the plans and policies of the Plan, to the end of attaining the goals and objectives of the Plan.

4.0 TERM, FIVE-YEAR PLAN REVIEWS AND UPDATES.

This Intergovernmental Agreement shall extend through December 31, 2017. The City and the County agree that the Plan will be reviewed at least every five years for possible amendments to reflect changes in circumstances and community desires. This Agreement shall extend to all revisions and amendments of the Plan that are jointly approved from time to time by the City and the County. Each Party agrees that in connection with this five-year review, it will hold a duly noticed public hearing for the purpose of determining, *inter alia*, if the term of this Agreement shall be extended an additional five (5) years from the date of



termination then in effect. Notices of the hearing and subsequent action of each Party shall be sent to each of the other Parties.

5.0 PRESERVATION OF LEGISLATIVE DISCRETION.

It is recognized that all provisions of the Boulder Valley Comprehensive Plan that require appropriation of public funds are qualified by the availability of appropriations for those purposes, and the legislative discretion inherent in the appropriation process is not limited by the adoption of the Plan.

6.0 SEVERABILITY.

If any portion of this Plan is held by a court in a final, non-appealable decision to be per se invalid or unenforceable as to any Party, the entire Agreement and the Plan shall be terminated, it being the understanding and intent of the Parties that every portion of the Agreement and Plan is essential to and not severable from the remainder.

7.0 BENEFICIARIES.

The Parties, in their corporate and representative governmental capacities, are the only entities intended to be the beneficiaries of the Agreement and the Plan, and no other person or entity is so intended or may bring any action, including a derivative action, to enforce the Agreement or the Plan.

8.0 ENFORCEMENT.

Either of the Parties may enforce this Agreement by any legal or equitable means including specific performance, declaratory and injunctive relief. No other person or entity shall have any right to enforce the provisions of this Agreement or the Plan.

9.0 DEFENSE OF CLAIMS.

If any person allegedly aggrieved by any provision of the Plan and who is not a Party to the Plan should sue any Party concerning such Plan provision, all Parties shall be notified promptly by any party served; any Party served shall, and any other Party may, defend such claim. Defense costs shall be paid by the Party providing such defense.

10.0 GOVERNING LAW AND VENUE.

This Agreement shall be governed by the laws of the State of Colorado, and venue shall lie in the County of Boulder.



THIS AGREEMENT is made and entered into to be effective on the later of the dates of approval by the City of Boulder or Boulder County (the "Effective Date").

CITY OF BOULDER

By: [Signature]
William R. Toor, Mayor

Date: 7/15/02

ATTEST:

Deputy
[Signature: S. Oster]
City Clerk on behalf of the
Director of Finance and Record

APPROVED AS TO FORM:

[Signature]
Joseph N. de Raismes, III, City Attorney

COUNTY OF BOULDER
BOARD OF COUNTY COMMISSIONERS

By: [Signature: Jana L. Mendez]
Jana L. Mendez, Chair

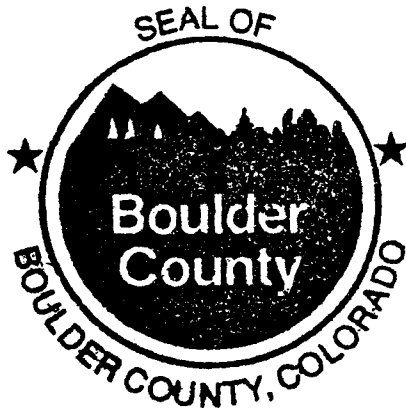
Date: 6/20/2002

ATTEST:

[Signature: Susan M. Ashcraft]
Clerk to the Board

APPROVED AS TO FORM:

[Signature]
County Attorney



From: Daniel Firehammer
To: [#LandUsePlanner](#)
Subject: Owls
Date: Tuesday, January 17, 2017 8:36:58 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space. With species becoming extinct in the wild around the world at an increasing and alarming rate, everything we can do to help prevent it is a must. Save the owls' habitat.

Thank you,
Liz Keith

From: Dave Werner
To: [#LandUsePlanner](#)
Cc: ["Dave Werner"](#)
Subject: Please consider the Twin Lakes Owl Preserve and Open Space
Date: Tuesday, January 17, 2017 8:38:30 PM

The owl along with other bird of prey are becoming rarer in Boulder County which is known for its open space and taking steps to protect this open space. Please continue this process and **create the Twin Lakes Owl Preserve and Open Space.**

Thank you for your thoughtful consideration
Dave Werner
245 Baxter Farm Ln
Erie. CO 80516-6537

From: Allison Lyle
To: [#LandUsePlanner](#)
Subject: Please save the Twin Lake owls!
Date: Tuesday, January 17, 2017 8:39:59 PM

Dear Sir or Madam,

I remember riding along the path by Twin Lakes one summer morning and I stopped randomly to watch the sun rising through the canopy of trees. I was there for about 3 minutes when I looked to my right and saw an owl watching me. It was almost human in the sense that seemed to also be taking in and enjoying the sunrise. It was the most peaceful moment I'd experienced in months.

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

**Thank you,
Allison Lyle**

From: anne@fenerty.com
To: [#LandUsePlanner](#)
Subject: Twin Lakes
Date: Tuesday, January 17, 2017 8:49:33 PM

Please save the Twin Lakes area from development. Saturday my husband and I walked those trails with friends for the first time. We were not the only bird watchers, many other groups as well as families with children enjoyed the beauty of the place.

There are not many lakes and trees in developed areas. Please realize how precious open spaces like this one are in our congested urban life. Thank you. Anne and Mike Fenerty

From: Genna
To: [#LandUsePlanner](#)
Subject: Yes to Twin Lakes Owl Preserve and Open Space!
Date: Tuesday, January 17, 2017 8:50:56 PM

Please create the Twin Lakes Owl Preserve and Open Space!

From: Margaret Ruskiewicz
To: [#LandUsePlanner](#)
Subject: Yes to Twin Lakes Owl Preserve and Open Sapce.
Date: Tuesday, January 17, 2017 8:56:49 PM

To the Boulder County Planning Board,
Thank you for taking the time to consider what the people that live and work in the area, and are apart of the community, would like to have. They want this land and their owls protected. It's understandable that some would like to take land and turn it into housing under the guise of being for the people. It truly only helps put more money in the pockets of developers. There is plenty of opportunity to build up in Boulder and surrounding towns. The continued focus on sprawling out instead of building up is selfish and unnecessary. Boulder County and it's people are capable of going beyond the destructive sprawl precedent by preserving the owl habitat wanted and cherished by many. No one regrets preserving beauty, but you will regret destroying it. Take this perfect opportunity to highlight your progressive stewardship in conservation. It's you, the members of the Boulder County Planning Board, that have the power to create a conscious legacy for the people.
I love our owls and our land. Please create the Twin Lakes Owl Preserve and Open Space.
Sincerely,
Margaret Ruskiewicz

From: Jenny
To: [#LandUsePlanner](#)
Subject: Yes - Owl preserve
Date: Tuesday, January 17, 2017 8:58:10 PM

I love hearing the owls outside my window. Please vote yes to creating the owl Preserve at Twin Lakes!

Thanks
Jenny Wehinger

Sent from my iPhone

From: Robert Thayer
To: [#LandUsePlanner](#)
Subject: owls
Date: Tuesday, January 17, 2017 9:08:44 PM

Please preserve the space for the owls.
Robert Thayer
Longmont, Co 80501

From: Amy Jones
To: [#LandUsePlanner](#)
Subject: Save the owls and keep Boulder great!
Date: Tuesday, January 17, 2017 9:20:16 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

Honoring the wild lands of the Rocky Mountains is what Boulder is all about.

Please honor the land and the animals we live among and preserve this special area!

Amy

Sent from my iPhone

From: Sarah Eastin
To: [#LandUsePlanner](#)
Subject: Please create the Twin Lakes Owl Preserve and Open Space
Date: Tuesday, January 17, 2017 9:23:11 PM

Hello,

I'm writing to encourage to the protection of owls and the creation of Twin Lakes Owl Preserve and Open Space. Owls and the other species that live in this area are so important to the health of our planet and should be protected for future generations to admire and enjoy. I would so greatly appreciate any permanent protections you can give this important habitat to prevent future development.

Thank you so much,

Sarah Eastin

From: annavillachica
To: [Boulder County Board of Commissioners](#)
Subject: Twin Lakes
Date: Tuesday, January 17, 2017 9:23:37 PM

Dear Commissioners,

I am a current resident of Gunbarrel. I moved here in 1999 with my husband to the Twin Lakes area. I have loved living here for 18 years because of the rural uncongested feel that Twin Lakes offers. I am deeply saddened to hear of all the development that is being proposed on the 2 lots off of Twin Lakes Rd.

ON SEPTEMBER 21st when the Planning Commission voted on Twin Lakes. Colorado State law requires the Planning Commission to have five affirmative votes for any amendment to the Comprehensive Plan, and the commission only 4. This means that the Planning Commission rejected the Medium Density request. I am requesting that commissioners adhere to Colorado and County statutes governing land-use changes.

We love living here so much that in 2014 we moved to another house a few blocks east here in Gunbarrel in Red Fox Hills. We, my husband and 2 kids. all enjoy walking and biking, and what we really treasure is the wildlife that we have around us. From our backyard we see red tail hawks and bald eagles hunting prairie dogs, coyotes yipping at night, frogs, raccoons, kestrels, blue herons, deer, foxes, and a plethora of birds and other critters. We call this "The Nature Show", and we moved here because of it. We see the life cycles of all the animals and love to visit the owls at Twin Lakes (as do many others in the Boulder area and beyond). We love the rural feel of this place. We ride our bikes and dogs through these fields. It would be a DISASTER to allow higher density construction here.

This has already happened just North of us near Lookout Rd. & Spine Rd. How many of these apartment units have been rented? Why was this area at Lookout & Spine not proposed for Affordable Housing? Why does Boulder think that "cash en lieu" is a viable way of having developers be accountable for affordable housing?

I am Latina, a teacher and so is my husband - and yes we work at high needs diverse schools. I understand the need for affordable housing in Boulder, but the cost of filling up all available open spaces (especially in Gunbarrel that has little infrastructure) will ruin the whole reason that people want to live here. The idea that the school district is trying to create affordable housing for teachers is ludicrous. What will most definitely happen with this dense of housing is more people, more cars, more traffic, and wildlife will be severely lessened or even gone. Our reason for living here will be gone. Is it really all about money? Really all this more, more and more will make everything less.

Please rethink this plan. It is not what the community wants, it is not what Boulder wants or needs. Please listen to the communities you will be impacting.

Sincerely,

Anna Villachica
4543 Tally Ho Tr.
Boulder, CO 80301

villachi@hotmail.com

From: JL Brown
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl
Date: Tuesday, January 17, 2017 9:24:50 PM

Please create the Twin Lakes owl preserve!!!

Please be part of this critical Owl preserve, I love the beautiful owls!

Thank you so much!!

Janet Brown MD
janetbrownmd@ [gmail.com](mailto:janetbrownmd@gmail.com)

From: Kara Cook
To: [#LandUsePlanner](#)
Subject: Owl preserve
Date: Tuesday, January 17, 2017 9:26:28 PM

A lot of people travel to Boulder for its open space and to get close to nature. Owls are an important part of keeping our ecosystem in Boulder beautiful. Please create the Twin Lakes Owl Preserve and Open Space.

Thanks,
Kara Cook

From: Kira Rukin
To: [#LandUsePlanner](#)
Date: Tuesday, January 17, 2017 9:29:56 PM

Dear Planning Board:

We cherish open space and to live alongside wildlife in our community.
Please create the Twin Lakes Owl Preserve and Open Space.

Thank you!
Kira Rukin

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Ask a Planner - Web inquiry from Ken Gamauf -
Date: Tuesday, January 17, 2017 9:32:46 PM

Boulder County Property Address : Twin Lakes

Name: Ken Gamauf

Email Address: keng4java@netscape.net

Please enter your question or comment: I respectfully request that the Boulder County Planning Commission create the Twin Lakes Owl Preserve and Open Space. There are better locations for development than the Owl hunting grounds. Thank you for your consideration.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: Kids Life!
To: [#LandUsePlanner](#)
Cc: heidi@dreamtank.co
Subject: Fwd: Summer's Owl Letter to the City Council
Date: Tuesday, January 17, 2017 9:33:57 PM

Dear Boulder City Council,

I am sending a new letter - I am now in 6th grade and want to help save the Owl Preserve, so I wanted to make sure you saw this.

Summer Cuppari Gould
6th Grade
Manhattan Middle School

----- Forwarded message -----

From: **Summer Gould** <summercgoald@gmail.com>
Date: Tue, Feb 2, 2016 at 9:44 AM
Subject: owls are amazing - please vote against bulldozing owl preserve
To: council@bouldercolorado.gov
Cc: boulderplanningboard@bouldercolorado.gov

Dear Boulder city council,

Owls are amazing creatures and they are pretty endangered. They are adorable! Owls are amazing hunters and that stupid building could never replace a lot of baby owls and full grown owls. Plus 20 acres is A LOT of land that owls need to survive! As it is owls already don't have enough land. So why take away more!! We have already done it a couple thousand times you know, Not just for owls but for WAY more animals! We have done enough damage to the world, I suggest stopping for good!

From,
Summer Cuppari Gould
age 10
5th Grade, Flatirons Elementary School
Boulder, CO

Heidi Cuppari
Co-Founder & CEO

DREAM TANK

A social entrepreneurship accelerator and think tank for kids ages 8-14.
Kids get to launch their dreams and solve local and global challenges.

www.dreamtank.co
[917-699-8351](tel:917-699-8351)



"Creativity is Intelligence Having Fun" - Albert Einstein

From: erwinturner@comcast.net
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve and Open Space
Date: Tuesday, January 17, 2017 9:34:06 PM

Please create the Twin Lakes Owl Preserve and Open Space.
This area is valuable habitat for owls and many other specie and is enjoyed by a good number of local families.
This is a chance to save some of the dwindling habitat in our county.
Thank you,
George Erwin Turner

From: Lynate Pettengill
To: [#LandUsePlanner](#)
Subject: Please protect Twin Lakes Great Horned Owl habitat
Date: Tuesday, January 17, 2017 9:46:21 PM

Hello,

I hope you will consider protecting the open space next to Twin Lakes, as it provides prime hunting ground for the Great Horned Owls who have nested here for many years. I know that affordable housing is scarce, and that this is an important issue. But it seems like there are other sites that are not ecologically significant which would work much better for a build site.

Thank you so much for your thoughtful consideration of this issue, and for your willingness to serve the people of Boulder County as a planning commissioner.

Warmest regards,
Lynate

Lynate Pettengill

785-331-5556

Skype: lynate7

lynatepettengill@gmail.com

LinkedIn: <https://www.linkedin.com/in/lynate-pettengill-889a429a>

From: MD
To: [#LandUsePlanner](#)
Subject: Please PROTECT the Twin Lakes Owl Preserve
Date: Tuesday, January 17, 2017 9:48:16 PM

I'm writing to encourage you to please PROTECT the Twin Lakes Owl Preserve.

Sincerely,

Nicole Huntley
1717 Folsom St.
Boulder, CO 80302

(512) 508-5622

Not Red nor Blue States but a Green Nation

"What is the nature of a species that knowingly and without good reason exterminates another?"
- **George Small**

"No act of kindness, no matter how small it may be, is ever wasted"

From: Maria Rotter
To: [#LandUsePlanner](#)
Subject: Owls at Twin Lakes
Date: Tuesday, January 17, 2017 10:01:50 PM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space. It would be a shame to lose that precious forest and their habitat.

Maria Rotter


From: Hillary Browne
To: [#LandUsePlanner](#)
Subject: Save the owls
Date: Tuesday, January 17, 2017 10:08:55 PM

I love those owls. Please create a preserve ! Hillary Browne

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#243]
Date: Tuesday, January 17, 2017 10:30:32 PM

Name * joan Zimmerman

Email * jcimm@aol.com

Address (optional)  80302
United States

This comment relates to: * Twin Lakes Rd. Change Request

Comment: *

It has come to my attention that Colorado State law requires the Planning Commission to have five affirmative votes for an amendment to the BVCP and/or the BCCP. When the Commission last voted on the Twin Lakes annexation amendment, however, it did so with only 4 votes. Therefore it makes sense for withdraw or table the rehearing currently scheduled for 1/18. Separately, I urge this Commission to reject, yet again, the request for a change to Medium Density. It violates several values and specifics within the BVCP, violates an owl preserve, is a convoluted attempt to annex land for the City, and explicitly violates the wishes of an already mixed density neighborhood.

Please check box below *

- I acknowledge receipt of the Open Records Notification

From: Brenda Meether
To: [#LandUsePlanner](#)
Subject: Save the owls
Date: Tuesday, January 17, 2017 10:31:53 PM

To whom it may concern,
please create the twin lakes owl preserve and open space. I have always had a great affinity for birds in their natural habitat, owls are one of my favorite birds.

Thank you
Brenda Meether

Sent from my iPhone

From: Joetta Toland
To: [#LandUsePlanner](#)
Subject: Owls
Date: Tuesday, January 17, 2017 10:34:04 PM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

Joetta Toland
Sent from my iPhone

From: Troy
To: [#LandUsePlanner](#)
Subject: Owls
Date: Tuesday, January 17, 2017 10:35:42 PM

Please do take into consideration the habitat of sentient beings who are non-human by preserving the Twin Lakes Owl home. Thank you. Troy- Boulder resident since '92

--

Troy

From: Shanti Green
To: [#LandUsePlanner](#)
Subject: OWLS AT TWIN LAKES
Date: Tuesday, January 17, 2017 10:39:12 PM

To whom this may concern;

I am writing on behalf of the great horned owls that call Twin Lakes their home. I am urging you to make this area a preserve for the owls. This wetland area offers a taste of biodiversity within a housing area and small commercial area. This wonderful wetland is home and hunting ground to the famous owls and their offspring (each year), blue herons, eagles, hawks, coyotes, etc. These Great Horned owls have been nesting in the cottonwood trees for many years. They draw many visitors from far and wide to this area of Boulder County and in turn local businesses reap the benefits due to the presence of the owls. This area allows small children to experience nature; literally right in their backyards. Runners enjoy the path around the lakes and owl enthusiasts return each year to enjoy the new hatchlings and observe their first flight lessons. Please make Twin Lakes a refuge for the Great Horned Owls and preserve this biodiverse gem within our community. Thank you.

Sincerely,
Shanti Green

Sent from my iPhone

From: Anna Castillo
To: [#LandUsePlanner](#)
Subject: We need the OWls. Please create the Twin Lakes Owl Preserve and Open Space
Date: Tuesday, January 17, 2017 10:46:08 PM

Please preserve and create Twin Lakes Owl Preserve and Open Space. It is an amazingly beautiful space with it's majestic Owls where people go to take a break from their hectic lives and tune into and be restored by the beauty of nature and the wonder of seeing these breathtaking birds have a place to live their lives in peaceful cohabitation with the city around them. So, you see, it is a sanctuary for people as well as the Owls. Thank you.

Anna Castillo

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Ask a Planner - Web inquiry from Ming Sun - add the Five Votes issue to the Wednesday docket and to withdraw or table the rehearing.
Date: Tuesday, January 17, 2017 10:48:31 PM

Boulder County Property Address : Twin lakes Gunbarrel Boulder county

If your comments are regarding a specific docket, please enter the docket number: add the Five Votes issue to the Wednesday docket and to withdraw or table the rehearing.

Name: Ming Sun

Email Address: ming_sun@hotmail.com

Phone Number: (720) 279-7897

Please enter your question or comment: Please add the Five Votes issue to the Wednesday docket and to withdraw or table the rehearing.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: Mary
To: [#LandUsePlanner](#)
Subject: owls
Date: Tuesday, January 17, 2017 10:49:36 PM

Hello All,

I am totally in favor of creating an owl preserve for the owls at Twin Lakes, especially since they live there all year long. We need natural spaces for animals and birds and ourselves to experience what it is to be part of nature. Please vote to create an owl preserve that can be used for generations to come.

Thank You,
Mary Kirk
Boulder County Resident and owl friend

From: ME
To: [Boulder County Board of Commissioners](#)
Subject: No to Twin Lakes Density
Date: Tuesday, January 17, 2017 11:00:10 PM

With overwhelming resistance to dramatic changes to our neighborhood, please stop this madness. Keep our open space, quality of life and traffic loads as is. The area simply cannot support this type of density. Adhere to Colorado and County statutes governing land-use changes and find a more appropriate site for this type of development.

Matt Hirschland

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Ask a Planner - Web inquiry from Matt Hirschland -
Date: Tuesday, January 17, 2017 11:07:17 PM

Boulder County Property Address : 4399 S Meadow Dr

Name: Matt Hirschland

Email Address: hirschland@hotmail.com

Please enter your question or comment: I am writing to ask that with regard to the Twin Lakes development question you add the Five Votes issue to the upcoming Wednesday docket and to withdraw or table the rehearing. Continued push for this type of density in our neighborhood against the overwhelming outcry of those directly affected is pure madness. Thank you.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: Robin Eagle Sage
To: [#LandUsePlanner](#)
Subject: Business
Date: Tuesday, January 17, 2017 11:07:39 PM

Please save the owls and create the Twin Lakes Owl Preserve and Open Space.

Thank you,

Robin Sage, MI

From: Laura Guy
To: [#LandUsePlanner](#)
Subject: Message about Twin Lakes and Gunbarrel
Date: Wednesday, January 18, 2017 3:09:59 AM

Hello.

Dear Boulder County Planning Board,

I truly hope you choose to not do to Twin Lakes what you have done to my home and neighborhood in Gunbarrel (I have lived in Gunbarrel North for 20 years), and destroy their neighborhood and environment with rampant development. The quality of life in Gunbarrel has been ruined by overpopulation and horrific traffic. It is inconceivable what has happened to us here in Gunbarrel.

In Twin Lakes there is a different, but still similar, threat. But it is not too late to stave off the threat and avoid catastrophe. You have a chance to save not only a treasured wildlife – and more specifically an owl – preserve, but also to help preserve the neighborhood and its residents' quality of life.

This is not something that was not done for Gunbarrel, and the loss is unimaginable and irrevocable.

Please don't ruin Twin Lakes as you have ruined Gunbarrel.

Laura Guy
Gunbarrel North
Boulder Colorado

From: Daniela Ods
To: [#LandUsePlanner](#)
Subject: Owls
Date: Wednesday, January 18, 2017 5:28:28 AM

Dear Sir, Dear Madame,

I love the Owls.

Please create the Twin Lakes Owl Preserve and Open Space.

Oliveira

From: Jessica Dancingheart
To: [#LandUsePlanner](#)
Subject: Twin lakes
Date: Wednesday, January 18, 2017 5:49:16 AM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

From: Jeanne
To: [#LandUsePlanner](#)
Subject: Save the owls!
Date: Wednesday, January 18, 2017 6:03:43 AM

Hi, I have owls come visit my yard in Gunbarrel regularly. I know they are helping control the rodent population around my home, but more importantly, they are beautiful creatures! We must not destroy their habitat! There is too much of that kind of thing happening in our society. We must save the Twin Lakes Owl Habitat!
Jeanne Kaufman Walsh

Sent from my T-Mobile 4G LTE Device

From: Mary Coleman
To: [#LandUsePlanner](#)
Subject: Owl Habitat - must it be destroyed?????
Date: Wednesday, January 18, 2017 6:16:23 AM

How many times have you listened in awe to the hooting of owls? Let's not destroy the precious homes of these important birds. Please, please, please protect them before it's too late! We must be the voice for the wildlife.

Thank you!
Mary Kravitz

From: Pam Weber
To: [#LandUsePlanner](#)
Subject: Please create the Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 6:52:37 AM

Dear Boulder County Commissioners and County Planner -

My husband and I love the owls and the fact that we have such a wonderful wildlife habitat out here in the Gunbarrel area. We live at 6988 Indian Peaks Trail and utilize the Twin Peaks area all the time, particularly when the owls have their babies.

We love the Owls. Please create the Twin Lakes Owl Preserve and Open Space to preserve this wonderful nature area for future generations of children and owls.

Thank you,

Pam

Pam Weber

pweber3@yahoo.com | 303-527-1552 (home) | 303-653-3146 (cell)

From: Robert Citarell
To: [#LandUsePlanner](#)
Subject: "Owl Nature Preserve"
Date: Wednesday, January 18, 2017 6:54:23 AM

Sirs,

Please CREATE THE OWL NATURE PRESERVE IN NORTH BOULDER as soon as possible!

O.S.M.P. Volunteer and former Audobon Volunteer.

Thank You!

Can't make the meeting!

Robert Citarell Jr.
627 Walden Drive #103
Boulder, Colorado....80305
720-573-6109.

From: Candee Sweeney
To: [#LandUsePlanner](#)
Subject: Save the owls
Date: Wednesday, January 18, 2017 6:54:50 AM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

From: Lauren Casalino
To: [#LandUsePlanner](#)
Subject: Twin Lake Owls
Date: Wednesday, January 18, 2017 7:30:14 AM

Dear planners,

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

They enhance many lives in many ways - 1 example: my 13 year old son, who like many teenagers can be extremely difficult to pry away from screens, came bursting out of his bedroom recently saying "Mom, I hear the owls!" with great excitement in his voice. In a world where people are less and less living in the sensory experience, the relational experience of life, I am heartened by his connection with what the owls bring - other than human appreciation, the call of the wild, the mystery and the aliveness of life.

Please support health for all of us who have been and will be touched by the owls and better stewards of our all important earth as a result.

Thank you!

Lauren

From: Callie Manning
To: [#LandUsePlanner](#)
Subject: Save the Owls!
Date: Wednesday, January 18, 2017 7:33:55 AM

Hello,

Please help me protect the owls by creating the Twin Lakes Owl Preserve and Open Space.
Thank you, please have a nice day.

-Callie Manning

From: Myrna Besley
To: [Boulder County Board of Commissioners](#)
Subject: "5 Votes Issue"
Date: Wednesday, January 18, 2017 7:42:45 AM

Myrna Besley
mysube@aol.com

Dear Commissioners,
I urge you to add the "5 Votes Issue" to tonight's docket and withdraw the hearing regarding rehashing the Twin Lakes development. With the new information on the "5 Votes Issue", there is no need for rehashing.

Myrna Besley

From: Laurie Storm
To: [#LandUsePlanner](#)
Subject: Boulder County Twin Lakes Owl Public Hearing
Date: Wednesday, January 18, 2017 7:50:52 AM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space... by doing the right thing and protecting wild life and wild places. Thank You.

Sincerely,
Laurie Storm
Buffalo, NY

From: Lauren Rubini
To: [#LandUsePlanner](#)
Subject: Please save the Owls at Twin Lakes
Date: Wednesday, January 18, 2017 7:51:38 AM

I truly appreciate your support in protecting the habitat of the owls at Twin Lakes. Please create the Twin Lakes Owl Preserve and Open Space and protect these amazing animals. I love the owls!

Best,
Lauren

Lauren Rubini

Nobody said life would be easy. They just promised it would most likely be worth it.
ENJOY life! It has an expiration date

From: jillhoney@comcast.net
To: [#LandUsePlanner](#)
Subject: Owl Preserve
Date: Wednesday, January 18, 2017 7:56:02 AM

Hi,
I love the owls and go see them whenever I can for years now. Please create Twin Lakes owl Preserve and open space and make sure the owls home is not destroyed.
Thank you
Jill Kreutzberg

From: Deanna McLain
To: [#LandUsePlanner](#)
Subject: Fwd: [Boulder-Naturalist-Outings] Owls - Help Them Win Victory! Tomorrow (Weds Jan 18) Pearl St - Boulder County Public Hearing
Date: Wednesday, January 18, 2017 8:03:36 AM

Dear City of Boulder Policy Makers,

Please show respect for life and do NOT bulldoze the owls. Many years ago I tried to protect a family of burrowing owls in Kansas, sadly their home became a parking lot. Wildlife has an extremely difficult time surviving in this world. It would be heartless to destroy their home.

Save the Owls,

Deanna McLain
970-409-0077

----- Forwarded message -----

From: Ken J Beitel <Boulder-Naturalist-Outings-announce@meetup.com>
Date: Tue, Jan 17, 2017 at 5:58 PM
Subject: [Boulder-Naturalist-Outings] Owls - Help Them Win Victory! Tomorrow (Weds Jan 18) Pearl St - Boulder County Public Hearing
To: Boulder-Naturalist-Outings-announce@meetup.com



The Owls are so close to beating the Boulder County Commissioners who want to bulldoze the most important Owl habitat in Colorado.

Against all odds- our heroes at the Boulder County Planning Commission are close to saying YES to the TWIN LAKES OWL PRESERVE and OPEN SPACE in N Boulder that will save the Owls for generations to come.

We need your help like never before.

Can you spare 5 minutes to write a quick email right now and/or come to speak at the public hearing to save the Twin Lakes Owls tomorrow - Weds Jan 18 after work?

1) Email the Boulder County Planning Board at: planner@bouldercounty.org

2) Next, Sign up to speak online at the Boulder County hearing by clicking this link:
<https://bouldercounty.wufoo.com/forms/w1czlsrt13f6vrz/>

All you have to say at the hearing or in email in your own words is:

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."
It is that simple.

The public hearing at the Boulder County Courthouse at 1325 Pearl St. with our speakers starting around 5pm to about 7pm. You can join the meeting in progress. When you sign up to speak you will be able to check a link to see your aprox speaking time.

Again - Sign up to speak online at the Boulder County Twin Lakes Owl Public Hearing by clicking this link: <https://bouldercounty.wufoo.com/forms/w1czlsrt13f6vrz/>

More Information at: <https://www.meetup.com/BoulderOwlPreserve/events/236480001/>

Thank you! We can win this! Together we will see the Baby Owls flying with joy this April!

Ken

Ken J. Beitel
Chair of Wilderness Conversation
Twin Lakes Owl Preserve and Open Space
www.BoulderOwlPreserve.org
email: info@BoulderOwlPreserve.org
m. [720 436 2465](tel:7204362465)



--

This message was sent by Meetup on behalf of [Ken J Beitel](#) from [Boulder Naturalist Outings](#).

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Meetup, POB 4668 #37895 NY NY USA 10163 | support@meetup.com

From: Kellycmullen
To: [#LandUsePlanner](#)
Subject: Save space
Date: Wednesday, January 18, 2017 8:04:06 AM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

Sent from my iPhone

From: Sue Lesmond
To: [#LandUsePlanner](#)
Subject: Owls
Date: Wednesday, January 18, 2017 8:04:09 AM
Importance: High

Be civilised. Save and protect the owls. The world is watching and this includes the international media!

Susan Lesmond

From: couchjayda@gmail.com
To: [#LandUsePlanner](#)
Subject: TWIN LAKES OWL PRESERVE and OPEN SPACE
Date: Wednesday, January 18, 2017 8:13:03 AM

Please vote yes tonight to the preserve and open space. I have spent countless hours watching those baby owls each year as do many others. It would sadden me to see them moved from their natural habitat. Thank you!

--

Jayda Couch
jaydacgray@gmail.com

From: Kim Basher
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owls and open space.
Date: Wednesday, January 18, 2017 8:18:02 AM

Good morning-

I am unable to attend and voice my concerns over the proposed development around twin lakes and the owl habitat.

This is Colorado. A beautiful breathtaking state where visitors come far and wide to see our beauty and wildlife. Additionally, we have a responsibility to ourselves and our children to preserve at least some of this beauty, calmness, nature in its own state and wildlife locally.

I am a local veterinarian who wholeheartedly stands behind preserving the owl habitat at twin lakes.

Please please consider each and every voice on this matter. Sometimes decisions should be made regarding quality of life, and I'm guessing that there are enough other land options to consider with regards to this development.

Thank you for reading and considering,
Kim Basher DVM
The Home Vet of Boulder

From: Kathy Olivier
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 8:23:01 AM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

From: tjhammer@gmail.com
To: [#LandUsePlanner](#)
Subject: Re: Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 8:31:50 AM

Dear Boulder County Planning Board,

I'm writing to express my support for the Twin Lakes Owl Preserve and Open Space. Such protection will help ensure the preservation of group of birds that is important both ecologically (as predators regulating the population size of rodents and other small animals) and aesthetically (to the many naturalists, birders, hikers, and others who enjoy seeing these large birds of prey in the wild).

Thanks for your consideration,
Tobin Hammer

From: Brandy Gamblin
To: [#LandUsePlanner](#)
Subject: Please protect the owls!
Date: Wednesday, January 18, 2017 8:32:01 AM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space. I am unable to attend the meeting tonight, but please accept this email in my absence. Thank you!

From: Gmail
To: [#LandUsePlanner](#)
Subject: Gunbarrel Owls
Date: Wednesday, January 18, 2017 8:34:40 AM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space." If it is bulldozed, the owls probably will leave an area they have entertained the Boulder area citizens from for over 30 years. Save their hunting ground, please!

Sarah Gregory Long
5120 Williams Fork Trl
Boulder, CO 80301

Sent from my iPhone

From: Tom Richebacher
To: [#LandUsePlanner](#)
Subject: owl habitat
Date: Wednesday, January 18, 2017 8:35:11 AM

Hello there –

I live in 4777 Berkshire Street, Gunbarrel and want to voice my support for creating the **TWIN LAKES OWL PRESERVE and OPEN SPACE.**

Thank you very much,

Tom Richebacher

Sent from [Mail](#) for Windows 10

From: Emily Boyer
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owls
Date: Wednesday, January 18, 2017 8:38:56 AM

Dear Boulder County Planning Board,

I am writing as a resident of the Twin Lakes as a show of support for the Twin Lakes Owl Preserve and Open Space. I have lived in the Twin Lakes area for four years. The reason that I have remained a resident of this beautiful place is the unique natural habitat that I am privileged to enjoy on a daily basis. In particular, the owl habitat of the Twin Lakes has been an incredible place to walk and birdwatch. Many times I have stepped outside my house in the evening to see owls perched in a tree or hooting from the top of my roof. These experiences have always uplifted me and made me proud to live in a county that believes strongly in Open Space protections. At a time when the environment is under such considerable stress and attack from corporate interests I ask that you pass the Twin Lakes Owl Preserve and Open Space to preserve this unique habitat and ensure that future generations can enjoy the natural wonders of this region as I have.

Thank you,
Emily Boyer

From: Morgan T. Bays
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 8:40:27 AM

Hello, I'm writing to express my support for the creation of the Twin Lakes Owl Preserve and Open Space. The preservation of the habitat for these birds is vital for the ecosystem. Thanks for your time.

Morgan T. Bays
Research Administrator/Administrator II
State of Colorado/University of Colorado
425 UCB
Boulder, CO 80309-0425
303-492-7553

'The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.'

-President Franklin D. Roosevelt

From: michelle jung
To: [#LandUsePlanner](#)
Subject: owls
Date: Wednesday, January 18, 2017 8:40:51 AM

Hi There

I am a nature lover and I love the owls that reside in Twin Lakes. Please create a reserve or space where they reside so they may continue to call that area home.

Sincerely,
Michelle Jung
Boulder Resident & Homeowner 32 years

From: Tom Cockerline
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Wednesday, January 18, 2017 8:41:26 AM

I am a Boulder County resident living at 295 Inca Pkwy in Boulder. Please create the Twin Lakes Owl Preserve and Open Space so that this important owl habitat can be preserved.

Thank you,
Thomas H. Cockerline
295 Inca Pkwy.
Boulder, CO 80303

From: Peter Hurst
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Wednesday, January 18, 2017 8:42:10 AM

Dear Boulder County Planners:

It's true. I do love those Great Horned Owls that come every year to the same nest in the broken tree by the stream to protect their eggs, their future owlets. I'm one of hundreds who make the pilgrimage to the stream to stare in wonder at the mother owl on her eggs and the father standing guard on a nearby branch. And then word spreads that they've hatched and we start to see those fluffy little owlets. I bought myself a cheap camera with a zoom lens so I could see into the nest and capture the beauty of these marvelous creatures.

I am 72 and had never seen a Great Horned Owl until we came to live on Driftwood Place 2 years ago. I began daily walks on the trail across the field to the North of Twin Lakes Road and then across the green culvert to the path that leads to the lakes if you go left and to the owls if you go right. What a wonder they are. My peak experience was seeing the adult owls at dusk sitting opposite each other on the branches of two neighboring trees doing a prolonged 'call-and-response' hooting to each other...OMG, to die for.

You are in the position to become their protectors. We can't do it. We have to supplicate you. Please protect our owls, everyone's owls, God's owls so that we and future generations can come to stand in awe of them and connect deeply to this fragile environment.

Peter Hurst
4436 Driftwood Place, 80301

From: Marie Blaney
To: [#LandUsePlanner](#)
Subject: Twin Lakes owl preserve
Date: Wednesday, January 18, 2017 8:43:01 AM

Please vote to create the twin Lakes Owl preserve and open space. All of humanity needs places like this. The owls need this to survive.

Marie Blaney

Sent from my iPhone

From: Anna
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owls
Date: Wednesday, January 18, 2017 8:44:19 AM

Greetings,

I have been going to see the owls at Twin Lakes every winter and spring for about ten years now. I still remember how blown away I was when I saw them for this first time. It was so exciting to be have a nest that was accessible visibly, and the owls, wildlife essentially, that seemed so at ease with the crowds of onlookers and paparazzi. It was also heartwarming to see how clearly well loved these owls are by the community. They have become local animal celebrities, admired by their many fans, and offering a glimpse into the world of nature that is otherwise quickly disappearing, replaced with man made structures and all the trappings of civilization. It would be a huge loss of they were chased out and the meadow replaced with yet more buildings. Please allow this area to instead be turned into a preserve.

“We need another and a wiser and perhaps a more mystical concept of animals. In a world older and more complete than ours they move finished and complete, gifted with extensions of the senses we have lost or never attained, living by voices we shall never hear. They are not brethren, they are not underlings; they are other nations, caught with ourselves in the net of life and time, fellow prisoners of the splendour and travail of the earth.”

~Henry Beston

From: Carole Beck
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owls
Date: Wednesday, January 18, 2017 8:50:18 AM

Hello! I understand you are considering demolishing the habitat for the owls that reside in this area. Please reconsider!! The owls are beautiful birds, that is their home, and everyone enjoys seeing them. It is bad enough that the tree where the great horned owls nested for years at the corner of Federal and 120th streets was chopped down for some unknown reason. Just let the wildlife exist where they are.

Carole

From: Gwen Hoger
To: [#LandUsePlanner](#)
Subject: Owls
Date: Wednesday, January 18, 2017 8:51:59 AM

Please do not bulldoze the twin lakes open space.

Make the owl preserve! As a person new to Boulder I very much enjoy walking in that area and have seen and heard birds often. Do not take this special part of boulder away from anyone!

From: Zac Livingston
To: [#LandUsePlanner](#)
Subject: Twin Lakes
Date: Wednesday, January 18, 2017 8:53:08 AM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

Thanks,
-Zac


Zac Livingston
5480 Ptarmigan Circle
Boulder, CO 80301
970-614-5409

From: Lisa Jones
To: [#LandUsePlanner](#)
Subject: Boulder Great Horned Owls
Date: Wednesday, January 18, 2017 8:57:13 AM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

Have an awesome day! Talk to ya soon!

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#244]
Date: Wednesday, January 18, 2017 8:57:22 AM

Name *	Zac Livingston
Email *	bouldercounty.zacl@spamgourmet.com
Phone Number (optional)	(970) 614-5409
Address (optional)	 5480 Ptarmigan Circle Boulder, CO 80301 United States
This comment relates to: *	Twin Lakes
Comment: *	<p>Regarding the August 30 Twin Lakes public hearing, Colorado State law requires the Planning Commission to have five affirmative votes for any amendment to the Comprehensive Plan, and they had only 4. This means that the Planning Commission rejected the Medium Density request.</p> <p>For the Wednesday 2017-01-18 docket, please both add the Five Votes issue and withdraw or table the rehearing.</p>
Please check box below *	<ul style="list-style-type: none"><input type="checkbox"/> I acknowledge receipt of the Open Records Notification

From: sbwhitman@comcast.net
To: [#LandUsePlanner](#)
Subject: Please create the Twin Lakes Owl Preserve and Open Space.
Date: Wednesday, January 18, 2017 9:01:36 AM

Let the owls keep their home.
Thank you.

From: Livingston, Zac
To: [Boulder County Board of Commissioners](#)
Subject: For Twin Lakes, please follow Colorado and County statutes governing land-use changes
Date: Wednesday, January 18, 2017 9:02:28 AM

Dear Elise Jones, Deb Gardner, and Cindy Domenico:

For Twin Lakes, please follow Colorado and County statutes governing land-use changes.

Regarding the August 30 Twin Lakes public hearing, Colorado State law requires the Planning Commission to have five affirmative votes for any amendment to the Comprehensive Plan, and they had only 4. This means that the Planning Commission rejected the Medium Density request.

Please confirm that you will follow Colorado and County statutes governing land-use changes as they relate to Twin Lakes.

Sincerely,
-Zac Livingston

5480 Ptarmigan Circle
Boulder, CO 80301
970-614-5409

From: Jeremy Steen
To: [#LandUsePlanner](#)
Subject: Owls
Date: Wednesday, January 18, 2017 9:02:41 AM

Save the Owls! Please create the Twin Lakes Owl Preserve and Open Space. We need to protect them. Thank you.

Jeremy Steen
303.817.2940

Sent from my iPhone

From: Dickinson, Laura
To: [#LandUsePlanner](#)
Subject: Owl Open Space
Date: Wednesday, January 18, 2017 9:03:56 AM

“I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.”

Thank you for your time.

laura

Laura Dickinson
MARKETING COORDINATOR

GEO Care, a GEO Group Company®
6265 Gunbarrel Avenue, Suite B
Boulder, CO 80301

Tel: 303-218-1015 Fax: 303 218-1413

Laura.Dickinson@bi.com
www.geogroup.com/GEO-Care

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From: Ellen Aiken
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Wednesday, January 18, 2017 9:20:41 AM

Dear Boulder County Planning Board members,
I am writing to urge the Planning Board to establish the Twin Lakes Owl Preserve and Open Space. As population pressure increases along the Front Range, it is vitally important that we continue to protect open space and preserve wildlife habitat. The City and County of Boulder both have been leaders in creating and preserving open space. Please continue to lead by honoring the values that make Boulder County a model for other counties. Please create the Twin Lakes Preserve!

Thank you for your consideration,
Ellen Aiken

Dr. Ellen S. Aiken
Co-Director, CU Dialogues Program
University of Colorado-Boulder
Ellen.Aiken@Colorado.Edu

From: mike pardee
To: [#LandUsePlanner](#)
Subject: Twin lake owls
Date: Wednesday, January 18, 2017 9:30:53 AM

Please consider a conservation route regarding this parcel of land. Please also consider the burden of this neighborhood with all the additional traffic that this development will cause. People live in Boulder County for the open space! Boulder County is being turned into southern California!

Respectfully
Mike Pardee

From: lisa mcdonough
To: [#LandUsePlanner](#)
Subject: twin lakes owls
Date: Wednesday, January 18, 2017 9:31:35 AM

hello,

i love owls. please create the twin lakes owl preserve & open space. we need to protect our bird habitats.

thank you.

lisa g mcdonough
boulder county resident

Sent from space

From: Thaddeus Baringer
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 9:33:31 AM

Dear Boulder County Planning Board,

Please create the Twin Lakes Owl Preserve and Open Space. I love the owls and believe that open spaces are crucial to making Boulder the special place that it is. I am aware that housing prices will only continue to climb if more housing is not built, but I firmly believe that is worth the cost of keeping as many open spaces as possible in Boulder. That statement is not coming from someone with lots of money either, but rather from a middle-class man who is struggling to come up with funds to buy a home or condo (and probably not directly in Boulder).

Cheers,
Thad Baringer
857 Roxwood lane
Boulder, CO 80303

From: Wendy Cranford
To: [#LandUsePlanner](#)
Subject: Owl Preserve
Date: Wednesday, January 18, 2017 9:43:30 AM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

I'm not up to speed on every detail of this initiative but I do believe that we have to, with much more diligence, be conscious stewards of our environment. And theirs. Their environment is part of our own ecosystem. I believe Boulder is already a fantastic role model for other cities and counties. Let's make this a win for us and the owls in our continued head-of-the-pack position.

Thank you for your consideration.

Kindest Regards,
Wendy Cranford
Director of Client Finance
Metro Support Services, Inc.
PO Box 966 Eastlake, CO 80614
Office: 720-872-2730
Fax: 720-872-2738



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From: lindasfarrell@juno.com
To: [Boulder County Board of Commissioners](#)
Subject: Twin lakes open space areas
Date: Wednesday, January 18, 2017 9:53:42 AM

Please keeping open space in gunbarrell -- because it is so limited for our area!

Please Consider adhering to Colorado and County statutes governing land-use changes.

Thanks,
Linda farrell
4944 Carter ct
Boulder, colorado 80301

Diabetes Industry is Corrupt For Hiding This (Watch Video)
Medical Health Advisor
<http://thirdpartyoffers.juno.com/TGL3131/587f9bfd7c5b61bfc2d0fst02vuc>

From: Jess
To: [#LandUsePlanner](#)
Subject: Twin lakes great horned owls
Date: Wednesday, January 18, 2017 9:56:04 AM

I have lived in twin lakes / gunbarrel area for 10 years. I have spent many an early morning observing the beautiful owls and their yearly babies . We love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

Jess Sekley

From: pam-anderson@comcast.net
To: [#LandUsePlanner](#)
Subject: Twin Lakes Open Space
Date: Wednesday, January 18, 2017 9:56:30 AM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

From: Paul Frenzen
To: [#LandUsePlanner](#)
Subject: Proposed Medium Density Land Use
Date: Wednesday, January 18, 2017 10:03:31 AM

I will be attending the County Planning Commission meeting this afternoon to express my opposition to the proposed medium density land use change for the Twin Lakes area. I think this existing open space should be preserved forever as city/county Open Space, consistent with the existing county land use plan. And I also think that the combined city and county effort to push through this change by ignoring local residents, existing land use planning, and - not least - your own administrative rules - is anti-democratic and reprehensible. Remember, we vote!

Paul D. Frenzen
6212 Old Brompton Road
Boulder, CO 80301
303-527-4997

From: Ashley Anna
To: [#LandUsePlanner](#)
Subject: Owls
Date: Wednesday, January 18, 2017 10:06:08 AM

Hello - I love owls and think this is why this is a special place to live. Please create the Twin Lakes Owl Preserve and Open Space. If I wanted urban sprawl I'd move to Colorado Springs...

Thanks!

Ashley

From: Fran Evans
To: [#LandUsePlanner](#)
Cc: fbonny@comcast.net Evans
Subject: Owls
Date: Wednesday, January 18, 2017 10:07:39 AM

The owls are unique and amazing---- please save their habitat!

Fran Evans

Fran----- from my ipad. Ciao !

From: Anni Wildung
To: [#LandUsePlanner](#)
Subject: Owls on Twin Lake
Date: Wednesday, January 18, 2017 10:10:56 AM

Dear Boulder County Planning Board

I am a huge fan of owls and love that we have so many of them living in Colorado.

I especially love the owl habitat by the Twin Lakes near Boulder.

Please consider creating the "Twin Lakes Owl Preserve and Open Space" to protect them.

Thank you,
ANNI WILDUNG (Boulder)

.....

Anni Wildung
anni@dissimo.com
303.875.8157

.....

From: erika.vanzandt@gmail.com
To: [#LandUsePlanner](#)
Subject: Please create the Twin Lakes Owl Preserve and Open Space- thank you!
Date: Wednesday, January 18, 2017 10:11:04 AM

Thank you for protecting the owls!
Erika Van Zandt

From: Victoria Lyons
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owls Preserve
Date: Wednesday, January 18, 2017 10:15:35 AM

Planning Commission:

I don't claim to be an expert in community housing or in wildlife preservation. However, I am writing to plead with you to strongly consider the long-term effects of obliterating the owl habitat at Twin Lakes to further line the pockets of greedy real estate developers. You know the old adage: "Don't it always seem to go that you don't know what you've got 'til it's gone!" Let's not be "those guys" who paved paradise to put up a parking lot.

I love the Owls and would be so grateful if you would reject the plan to build apartments instead of preserving a greatly valued asset in Boulder County.

Dr. Victoria Lyons
Boulder Resident

Get [Outlook for Android](#)

From: Mary Beth Holland
To: [#LandUsePlanner](#)
Subject: Save the Owls
Date: Wednesday, January 18, 2017 10:21:13 AM

Please consider keeping the Owls' natural habitat/preserve safe from destruction. This is a part of the natural beauty that has attracted many to move here. Please don't let it be destroyed.

We don't need another LA.

Thanks!

Mary Beth Holland

From: Elaine C. Erb
To: [#LandUsePlanner](#)
Subject: Spam: Twin Lakes Affordable Housing
Date: Wednesday, January 18, 2017 10:30:41 AM

Dear Planning Commission:

I'm a longtime resident of Niwot in Boulder County. I feel fortunate to have purchased a home long enough ago to afford living here.

In my work, I am frequently at schools around the district. The teachers I work with so often deal with long commutes to work. They can not afford to be parts of the community where they teach.

I'm also an avid cyclist. Since the opening of the LoBo Trail, we ride along there both for recreation and commuting. This route takes me by the owl habitat and we love to see the owls burrowed in their tree. When I first stated taking this route, I would get lost and traverse the open space now under consideration for affordable housing.

While the property in question is not perfect, we need to find more affordable housing options for our teachers, firefighters, healthcare workers and the people who make the community what it is. I am in favor of housing at this site and hope we can do more to provide the residents with access to transit and to encourage them to access the great trails in the area for biking and walking. We are dealing with fewer and fewer areas that allow for the construction of affordable housing and this area is not unreasonable. Gunbarrel offers a degree of amenities to the residents within a practical distance. I'm sure that every effort will be taken during construction to avoid excessive disruption of the owl habitat. But let's be real, these creatures will continue to live in the area, to hunt over the twin lakes, and to take advantage of the open spaces. Our region suffers most if we can not provide adequate housing for our workers forcing them to commute in and despoil our lands by being separate from the community where they work and relying on SOV transportation.

Thanks,
Elaine C. Erb
Niwot, CO

Elaine C. Erb
ecerb@indra.com
lovetoride.net/boulder

From: Deborah Symonds
To: [#LandUsePlanner](#)
Subject: owls
Date: Wednesday, January 18, 2017 10:37:35 AM

Dear Planners,

I love owls. I have ever since I was about four, and one swooped down toward our car's windshield, and then soared up well before coming close to our car. I was pretty sure it was greeting us, in it's territory. How beautiful. It has stayed with me for many years.

Please create the Twin Lakes Owl Preserve and Open Space.

Deborah A. Symonds
Professor of History
Drake University
Department of History
2805 University Avenue
Des Moines IA 50311 USA
deborah.symonds@drake.edu

From: Gordon Golding
To: [#LandUsePlanner](#)
Subject: Twin Lakes Open Space Initiative
Date: Wednesday, January 18, 2017 10:52:53 AM

Dear Sir or Madam,

I support the TWIN LAKES OWL PRESERVE and OPEN SPACE initiative.
This area is unique and will become more and more of an asset for the Community.
Even from South Boulder, I venture there, particularly to enjoy a totally unique opportunity to witness an Owl family being reared.

The area nearby is experiencing heavy interest and growth.
Witness Avery and all the other new activity.

Planning now for Open Space in such a perfect area is very important.

Gordon Golding
3000 Dover Drive

From: Kristine Lorefice
To: [#LandUsePlanner](#)
Subject: I love the owls. Please Create the Twin Lakes Owl Preserve!
Date: Wednesday, January 18, 2017 10:58:00 AM

Thank you,

Kristine Lorefice

From: Erica Ellis
To: [#LandUsePlanner](#)
Subject: Create the Twin Lakes Owl Preserve
Date: Wednesday, January 18, 2017 11:12:11 AM

I love the environment and the creatures that inhabit this great planet. Please create the Twin Lakes Owl Preserve and Open Space to ensure that these amazing creatures have access to their habitat.

Thank you,
Erica

From: Juli Kramer
To: [#LandUsePlanner](#)
Cc: [Juli Kramer](#)
Subject: Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 11:30:22 AM

I recently had the opportunity to walk through the current open space and view (or at least hear) the owl pair living there. It was thrilling to be able to experience wildlife thriving in a space that we have setup as protected and open - truly heart-warming.

I understand that the land currently used by the owls for hunting is being considered for development. Of course, development would mean the end of the owl pair there. Maybe the owls would be able to find a new location where they could thrive, and maybe they would not. I also understand the need for housing. I am a recent transplant from southern California and so I am, in a very small way, responsible for this need. However, having come from a part of the country where rapid, unmanaged development occurred, I have seen first-hand what unwise development can do to the beauty of an environment. I also am very aware of how special the Boulder area is, with it's vast open spaces and wildlife.

You now have the opportunity to make a statement that BOTH protecting open space and meeting the needs of your citizenry are important and possible. I urge to find an alternative location for housing - perhaps an already-developed, but under-used area. I urge you to preserve and set aside as open space the acreage currently being used by the owls for hunting. It is so important to preserve open space, for if not preserved it will be gone forever.

Please allow the owl pair to stay for all to enjoy.

Sincerely,
Juli

From: Kristie Van Voorst
To: [#LandUsePlanner](#)
Subject: Twin Lakes open space
Date: Wednesday, January 18, 2017 11:36:52 AM

I love the owls! Please create the Twin Lakes Owl Preserve and Open space!

From: Dagney Rodburg
To: [#LandUsePlanner](#)
Subject: Please create the Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 11:42:09 AM

Hello,

I am writing to urge you to create the Twin Lakes Owl Preserve and Open Space.

Having encountered an enormous Great Horned Owl yesterday as it preened on the branch of a tree that overhung my yard, I want others to experience the splendor and slight terror of seeing this magnificent predator in the wild.

Thank you,
D. Rodburg

From: Peter Gengler
To: [#LandUsePlanner](#)
Subject: Owl Preserve
Date: Wednesday, January 18, 2017 11:49:11 AM

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space instead of the housing development.

Thanks,
\Peter

From: Lisa Gillespie
To: [#LandUsePlanner](#)
Subject: YES to the OWL preserve!
Date: Wednesday, January 18, 2017 12:20:11 PM

Thanks so much for creating the **Twin Lakes Owl Preserve and Open Space**. As a long-time volunteer for OSMP, I love knowing that there are areas put aside for the care and preservation of these wonderful creatures.

Thank you for your efforts on behalf of our feathered friends!

Lisa Gillespie

--

Lisa Melli Gillespie, Founder, Potions Master, Speaker
Courageous Soap
www.courageousoap.com

Mobile: 303-494-8820

From: Lynn Harvey
To: [#LandUsePlanner](#)
Subject: Please create the Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 12:22:50 PM

Once gone we can never go back. Please create the Twin Lakes Owl Preserve and Open Space.

--
-o-
V. Lynn Harvey
Research Scientist
Laboratory for Atmospheric and Space Physics
3665 Discovery Drive
Boulder, CO 80303
tel: 303-492-2920
fax: 303-735-3737
email: lynn.harvey@lasp.colorado.edu

From: Louise Padden
To: [#LandUsePlanner](#)
Subject: I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.
Date: Wednesday, January 18, 2017 12:29:34 PM

It's really the least you can do so please do this. Thanks,

Louise Padden
575 Euclid Ave
Boulder CO 80302

From: Evert Brown
To: [#LandUsePlanner](#)
Subject: Preserve the owl habitat
Date: Wednesday, January 18, 2017 12:30:24 PM

Another vote to create the Twin Lakes Owl preserve.

Evert Brown
575 Euclid Av
Boulder CO 80302

From: Molly S
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 1:04:20 PM

"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

From: Anne Burns
To: [#LandUsePlanner](#)
Subject: Please Save the Twin Lake Owls and Their Preserve --
Date: Wednesday, January 18, 2017 1:23:44 PM
Importance: High

Dear Planning Commission,

Our Boulder Owl Preserve is such an important element of our history and what Boulder has always been about – Taking care of our open space and wildlife.

I hope you will give very serious and heartfelt consideration to this wonderful area and our Owls. Please vote to save the Owls and their Preserve at Twin Lakes, and enact a law that prevents even such a mention of destroying this area ever again.

Thank you for your consideration, and kind regards,
Anne

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From: Jim Nolan
To: [#LandUsePlanner](#)
Subject: SAVE THE OWLS, NO UP SIZING THE DEVELOPMENT
Date: Wednesday, January 18, 2017 1:38:32 PM
Attachments: [image001.png](#)

JIM

James P. Nolan, P.E.
Managing Director - Engineering
Heorot Power Management LLC
2575 Park Lanne, Suite 200
Lafayette, CO 80026
3038686990 cell or 3036075581 office



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From: Renee St. Aubin
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Wednesday, January 18, 2017 1:51:16 PM

Dear Boulder County Planning Board:

Please, please, please create the Twin Lakes Owl Preserve and Open Space. I love the owls and Boulder has already become so crowded. I moved here in the early eighties and what I loved about Boulder was the open space and wildlife! I see a lot of wildlife killed by cars and so much development causes a loss of habitat for our wild animals that are trying to live here too.

I really hope this piece of land will be preserved!

Sincerely,

Renee St.Aubin

From: Cara Lauria
To: [#LandUsePlanner](#)
Subject: YES to the TWIN LAKES OWL PRESERVE and OPEN SPACE
Date: Wednesday, January 18, 2017 2:23:30 PM

Owls are so important!!! Please create the Twin Lakes Owl Preserve and Open Space!!!!

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Ask a Planner - Web inquiry from Stephanie Oney - Twin Lakes
Date: Wednesday, January 18, 2017 2:30:17 PM

If your comments are regarding a specific docket, please enter the docket number: Twin Lakes

Name: Stephanie Oney

Email Address: stephoney@yahoo.com

Phone Number: (202) 770-8491

Please enter your question or comment: I love Owls. Please Planning Commission, please create the Twin Lakes Owl Preserve and Open Space. Please save the owls and please do not destroy their habitat.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: Deborah Semler
To: [#LandUsePlanner](#)
Subject: OWLS
Date: Wednesday, January 18, 2017 2:45:40 PM

To whom it may concern,
I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

Deborah

--
null

From: Emily Claire Ruby
To: [#LandUsePlanner](#)
Subject: Save the Owls!
Date: Wednesday, January 18, 2017 2:49:47 PM

**I love the Owls! Please create the Twin Lakes Owl Preserve and Open Space. We need a space for our precious owls.
Thank you,**

**Emily Ruby
Master of Science in Environmental Studies**

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Ask a Planner - Web inquiry from Kyle Joyce - Twin Lakes
Date: Wednesday, January 18, 2017 3:03:54 PM

Boulder County Property Address : 6220 Willow Lane, Boulder CO 80301

If your comments are regarding a specific docket, please enter the docket number: Twin Lakes

Name: Kyle Joyce

Email Address: kyyjoyce@gmail.com

Phone Number: (303) 834-5516

Please enter your question or comment: Please do NOT grant planning permission to destroy the owl habitat in Twin Lakes. It would be very destructive to the wildlife community in Gunbarrel, and there are a variety of places in the county that would provide a better lifestyle for apartment dwellers. Thank you.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: Gabriel DeMola
To: [#LandUsePlanner](#)
Subject: Please create the Twin Lakes Owl Preserve and Open Space
Date: Wednesday, January 18, 2017 3:06:24 PM

To the Boulder County Planning Board:

Urging you to create the Twin Lakes Owl Preserve and Open Space. We have been taking our two young children to Twin Lakes for the past 4 years to witness this beautiful owl family in their natural habitat. We have tried going "owling" in other areas, but have never encountered other owls. The Twin Lakes area and surrounding land is truly special and worthy of preservation.

Thank you for your consideration.

Best,

Gabe DeMola
(South Boulder resident of 7 years)

From: mel.haik@yahoo.com
To: [#LandUsePlanner](#)
Subject: Make an Owl Preserve Open Space
Date: Wednesday, January 18, 2017 3:10:07 PM

Please do this for future generations. ..


"I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space."

Luv&livehappy Mel

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Public Comment: Boulder Valley Comprehensive Plan [#245]
Date: Wednesday, January 18, 2017 3:19:48 PM

Name * Richard Fleming

Email * rfleming.email@gmail.com

Address (optional)  Boulder, Colorado 80304
United States

This comment relates to: * Twin Lakes Rd. Change Request

Comment: *

Please approve the change request of the Boulder Housing Authority and the Boulder Valley School District for the Twin Lakes parcels flanking Twin Lakes Road. I live in Red Oak Park, an affordable housing neighborhood in Boulder, and I can attest that working people have a great need for housing that doesn't consume half or more of their monthly income.

Affordable housing is very scarce in the Gunbarrel area, with only a fraction of a percent of rental housing dedicated to that purpose. The lack of housing options means that many employees are forced to commute long distances to their jobs. And there are many employers in the area, from small and medium-size businesses ranging from coffee shops, museums, tech firms, schools and grocery stores, to companies that rank among the largest employers in the county, including IBM, Lockheed Martin, Crocs and Celestial Seasonings. If workers are afforded the opportunity to live close to where they work, commute times will be vastly shortened, saving the county money in lower maintenance expenditures on streets, bridges and highways, decreasing traffic congestion and cutting air pollution and fuel use across the metro area.

Opponents of affordable housing in Twin Lakes argue that the BHA and BVSD properties are too far from grocery stores and bus stops to be practical for the residents of such a community. In my experience, this is a non-issue. Most of my neighbors (I would estimate 80 to 90 percent) own vehicles. Those that don't, routinely walk to stores or bus stops several blocks from their residences. Given the healthy options that walking and biking represents, people, including myself, don't mind getting where they need to go without a car.

Lastly, I would like to respond to the campaign for an "owl preserve" proposed for the vacant lots. This push is spearheaded by an individual who calls himself "Chair of Wilderness Conservation, Twin Lakes Owl Preserve and Open Space." Mr. Chair describes the 20 acres at issue as "the most important owl habitat in Colorado."

This claim is made without any supporting biological research or evidence. In fact, Colorado Parks and Wildlife reached the opposite conclusion: the lots are not critical wildlife habitat. That finding is supported by three crucial facts:

- 1) No Great Horned Owls nest on the parcels. The lone pair of owls in the area nest in a tree northeast of the housing site, within the established Twin Lakes Open Space.
- 2) The lots play at most a minor role in the owls' hunting routine. A look at an open space map of the Twin Lakes area shows why. There is a wealth of nearby owl hunting habitat, from the most

obvious options of Twin Lakes Open Space and Eaton Park to its the immediate north, to the farm fields preserved as open space a few hundred yards to the south, to the Walden Ponds Wildlife Habitat just to the southeast, to the tree-fringed fairways of Boulder County Club a short flight to the east and the huge expanses of Gunbarrel Hill Open Space and White Rocks Open Space further east, to the wetlands, trees and grasslands surrounding Coot Lake, the Boulder Reservoir and Six-Mile Reservoir to the northwest.

3) Great Horned Owls are highly adaptive, practically omnivorous predators whose habitat stretches over two continents. According to the Cornell Lab of Ornithology: "The Great Horned Owl is one of the most common owls in North America, equally at home in deserts, wetlands, forests, grasslands, backyards, cities, and almost any other semi-open habitat between the Arctic and the tropics...Great Horned Owls have the most diverse diet of all North American raptors. Their prey range in size from tiny rodents and scorpions to hares, skunks, geese, and raptors. They eat mostly mammals and birds—especially rabbits, hares, mice, and American Coots, but also many other species including voles, moles, shrews, rats, gophers, chipmunks, squirrels, woodchucks, marmots, prairie dogs, bats, skunks, house cats, porcupines, ducks, loons, mergansers, grebes, rails, owls, hawks, crows, ravens, doves, and starlings. They supplement their diet with reptiles, insects, fish, invertebrates, and sometimes carrion...

The species adapts well to habitat change as long as nest sites are available."

With their nesting tree located within the official Twin Lakes Open Space, the pair of Great Horned Owls will continue to thrive, no matter that 20 vacant acres become homes for teachers, salesclerks, janitors, restaurant workers, baristas, nurses and office workers.

Please give financially stressed people the chance to thrive in Twin Lakes alongside the wildlife by approving the change request submitted by the Housing Authority and the School District.

Thank you.

Please check box below *

• I acknowledge receipt of the Open Records Notification

From: diva friedman
To: [#LandUsePlanner](#)
Subject: Create the Owl Preserve!
Date: Wednesday, January 18, 2017 3:32:49 PM

Like so many others, I love the owls. Please create the Twin Lakes Owl Preserve and Open Space!

I hope the meeting this evening is a great success in favor of the owls.

**Kind Regards,
Diva F. Olvera**

From: Paul Voss
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owls
Date: Wednesday, January 18, 2017 3:34:06 PM

Just my two cents...we love hearing the owls in the neighborhood and in the Spring we either walk or ride the bikes over to check the baby owls out with the grandson. I'd hate to see this nesting habitat be impacted by high density low income housing.

Paul Voss
4370 Pali Way
Boulder, CO 80301

From: Marci Balge
To: [#LandUsePlanner](#)
Subject: Twin Lakes Owl Preserve
Date: Wednesday, January 18, 2017 3:48:31 PM

The Owls are magnificent!!! Go see them this spring, and please create the Twin Lakes Owl Preserve and Open Space.

Marci Balge

Please note that this message and any attachments may be protected by federal and/or state privacy laws and might also contain information that is privileged, confidential, and/or subject to attorney/client, attorney work product, or other similar protections. If you suspect that you are not the intended recipient of this message, please be so kind as to reply and let me know of my error and then delete the message and any attachments, without further dissemination, copying, or distribution. Thank you.

From: Cindy Kraft
To: [Boulder County Board of Commissioners](#)
Subject: Follow state law on Twin Lakes issue
Date: Wednesday, January 18, 2017 4:32:53 PM

Dear Commissioners,

Throughout the Twin Lakes process, it has been quite clear that the county is absolutely determined to develop the Twin Lakes Parcels. I believe that the determination comes from a good place - you want to provide affordable housing for the lower-income residents of Boulder. I believe that you have ignored a number of issues that prove that the location is not appropriate for affordable housing such as lack of services and transportation. It has also become clear that your acceptance of the county planning board's vote on the issue as a 'win' for up-zoning is counter to state law.

Per the Colorado statute 30-28-108: "The adoption of the plan or any part, amendment, extension, or addition shall be by resolution carried by the affirmative votes of not less than a majority of the entire membership of the commission."

Therefore, the '4' yes votes are not sufficient to pass the change to the comprehensive plan and the change failed.

If you choose to move forward despite this, you will further erode the public trust. You will also be failing to provide a good location for affordable housing to Boulder residents that are counting on you to help them remain in our community. The units would initially fill because of excitement and long-awaited anticipation. But they would eventually see high turnover and exclusion of residents who do not own a vehicle (because of lack of access to nearby services and poor public transportation options). The units would serve those at the top of the income qualification level (those with vehicles), and we would still fail to provide housing to our lowest-income residents.

I know that finding the perfect location for affordable housing is not possible - each location will have pros and cons. But this is **not** the right location.

Do the right thing and scrap the Twin Lakes proposal. Prevent the further erosion of public trust, and declare that you can do better to find the right location for our most marginalized citizens.

Thank you,

Cindy Kraft

From: Crissy Bowen
To: [#LandUsePlanner](#)
Subject: Owls vs. New Housing
Date: Wednesday, January 18, 2017 4:43:07 PM

Greetings Boulder Planning Commission,
We need more affordable housing in Boulder - almost everyone can agree on that. As someone who spent a year trying to buy a condo in Boulder, I realize more affordable options are needed.

As someone who also just got to go on a moonlit hike to see and hear the owls at Twin Lakes, this habitat needs protection.

Please locate new affordable housing where it doesn't threaten to disrupt the owl habitat at Twin Lakes. Please create the Twin Lakes Owl Preserve and Open Space so we don't have to worry about the owls and their habitat disappearing because of unchecked development. There are better alternative locations for the development that will not destroy Colorado's treasured Great Horned Owl.

Thank you for your time and consideration.

Respectfully,

Cristina Bowen

3484 Cripple Creek Square, C18

Boulder, CO

crissybowen@gmail.com

From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Ask a Planner - Web inquiry from Sally Anderson -
Date: Wednesday, January 18, 2017 4:46:13 PM

Boulder County Property Address : Twin Lakes

Name: Sally Anderson

Email Address: sunrisesal@yahoo.com

Phone Number: (720) 771-3542

Please enter your question or comment: I am writing to ask that you please create the Twin Lakes Owl Preserve and Open Space. There are far better alternative locations for the development that will not destroy their habitat in this already-established area.

Thank you for your consideration.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: Nancy Compton
To: [#LandUsePlanner](#)
Subject: YES for the TWIN LAKES OWL PRESERVE and OPEN SPACE
Date: Wednesday, January 18, 2017 4:54:51 PM

Fabulous Boulder County Commissioners -

I'll not be able to join the meeting tonight, but wanted to share my support of the Twin Lakes Owl Preserve and Open Space. I love the owls and am requesting you create this preserve and open space.

Thank you for all the work you do for our community.
Nancy Compton
Superior, CO

From: Laurie
To: [#LandUsePlanner](#)
Subject: Owls
Date: Wednesday, January 18, 2017 5:00:52 PM

Please keep this tiny corner of nature preserved for the owl habitat. We all need a small space for sanctuary and serenity during these turbulent times.

I give a hoot and you should, too!

Thank you,

Laurie A.

Sent from my iPhone

From: Kelsey Cody
To: [#LandUsePlanner](#)
Subject: Preserve Owl Habitat
Date: Wednesday, January 18, 2017 5:48:41 PM

Hello,

Please designate the TWIN LAKES OWL PRESERVE and OPEN SPACE in North Boulder as an area off limits for development.

As you know as planners, the County can always re-designate this for development in the future, but we can never get this habitat back once the bulldozers do their work.

Furthermore, as planners, you are aware that changes you make in one part of an urban/suburban/rural zoning and infrastructure system can have cascading effects that impact other parts of the system in unforeseen ways. Ecosystems have the same properties. Owls in and of themselves may not seem very relevant, but their role in keeping down rodent and small mammal populations helps keep disease reservoirs in check and reduce disease transmission probability to humans and their pets. Since the prey of owls eats seeds and sometimes insects, there will be changes to the ecosystem in other ways - more or less of particular grasses and flowers and even shrubs. This is especially important near streams, where the prey of owls mostly live, since shrubs stabilize stream banks during flooding events. All this is to say that without thorough study of what eliminating owl habitat would do to the surrounding area, it is preferable to leave things largely as they are.

Thanks for taking the time to consider such an important issue.

-Kelsey

Kelsey C. Cody, M.S.
Ph.D. Candidate, Environmental Studies Program
University of Colorado at Boulder
(707) 333-3776
codykc@colorado.edu

From: Kathy Remias
To: [#LandUsePlanner](#)
Subject: Please say YES to the Twin Lakes Owl Preserve and Open Space.
Date: Wednesday, January 18, 2017 5:53:00 PM

Please say YES to the Twin Lakes Owl Preserve and Open Space.
It would be a beautiful place and I love the Owls!
Owls are wonderful to watch and listen to.
Please let these beautiful animals stay and preserve open space at the same time.

Thank-you,
Kathy Remias

Sent from [Outlook](#)

From: Lueb Popoff
To: [#LandUsePlanner](#)
Subject: Spam: Twin Lakes Owl Open Space
Date: Wednesday, January 18, 2017 7:22:29 PM

Dear Boulder County Planning Board,

I'm a native of Boulder and have been carving wild-life for the last 17 years. My most recent commissioned project by a client who lives on Carter Trail was inspired by the Twin Lakes area where Great Horned Owls come to nest each spring. Twin Lakes area needs to be preserved and not developed. This area along with other pockets of wilderness interwoven among our community is what makes Boulder County special. To sanitize our community of these wild-life inhabited areas, is to destroy what makes Boulder County a desirable place to live or visit. Below are photos of my completed carving along with a real Female Great Horned Owl and owlets taken in April 2016 at Twin Lakes.

I love the Owls. Please create the Twin Lakes Owl Preserve and Open Space.

Sincerely, Lueb Popoff

Hollow Log Tree Carving and Sculpture

www.hollowlogonline.com

5915 Flagstaff rd.

Boulder,CO 80302

303.444.7724







From: [Wufoo](#)
To: [#LandUsePlanner](#)
Subject: Ask a Planner - Web inquiry from Ashley Kulik - Twin Lakes Owl Preserve
Date: Wednesday, January 18, 2017 7:41:59 PM

Boulder County Property Address : 3312 16th St

If your comments are regarding a specific docket, please enter the docket number: Twin Lakes Owl Preserve

Name: Ashley Kulik

Email Address: ashleymkulik@gmail.com

Phone Number: (410) 960-6880

Please enter your question or comment: I am a concerned citizen and resident of Boulder for over 8 years. I would like to see Twin Lakes preserved as Open Space land. Boulder's demand for housing/development should not ever compromise our wildlife habitats. This is a huge opportunity for kids and families to learn about preserving and protecting our land and animals that also inhabit here. It's a much bigger impact to our future than housing people temporarily.

Every year 10,000 Boulder Valley School District (BVSD) children will have the blessing of being able see and learn about father, mother and baby owls. I stand with the children, their rights, with those who you cannot hear and the ones who you will hear tonight speak at the hearing. I am a mentor, educator, and entrepreneur and I am asking you to take action on this decision tonight to protect the Twin Lakes Owl Preserve.

Attach a photo or document (optional):

https://bouldercounty.wufoo.com/cabinet/ejdtMngz/fFy7HfZSDyY%3D/bvsvd_logo_and_promise_4x2.jpg - 398.04 kB

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: Lori S
To: [#LandUsePlanner](#)
Subject: Please save the owl habitat
Date: Wednesday, January 18, 2017 7:59:18 PM

We love the owls and love going to see their progress each year. It's an inherent part of the beauty and awe of living in Boulder County. Please save their habitat.

Thank you,

Lori Mitchell