

## **Shady Dell house, shed will remain for now**

**By Jeanne Davant**

Manitou Springs City Council suspended a demolition order for a house and shed on the former Shady Dell Motel property in response to the owners' proposal for improvements.

Attorney Howard Morrison, representing owners Tenzing LLC, said the house has been leased to a tenant who will occupy it while renovating the property, located at 1202 Manitou Ave. The tenant, Dan Martin of Dan's Building Service, stated in a letter that he expected to complete repairs and remodeling within 45 days.

The demolition order called for removal of all five buildings on the property, but the owners requested that the house and shed be allowed to remain after learning that demolition would cost \$45,000.

Three buildings that were part of the motel were removed, but Council refused to modify the order on Nov. 17.

Neighbors have complained that the buildings, which have been targeted by vandals and occupied by transients, were an eyesore and posed health and safety concerns. The owners posted a security guard until the buildings were removed and repaired a broken sidewalk, but neighbors say trash, debris and weeds remain.

Morrison presented a list of improvements Martin plans to make and said the owners also plan to haul away branches and debris and are considering landscaping.

Council voted to give the owners 45 days to complete the repairs, with conditions that the city receives weekly progress reports and that all permitting requirements are met. Council members decided, however, not to require a performance bond or letter of credit from the owners. If the repairs are not satisfactorily completed, Council could reinstate the demolition permit.

## **Red Craggs required to pave**

Council tackled another ongoing neighborhood issue Tuesday night, requiring Red Craggs Bed and Breakfast owner Brett Maddox to pave a driveway and parking lot at the inn.

Council approved Maddox's permit to operate Red Craggs, On-a-ledge and Rockledge Inn in November 2008 with the proviso that he pave the parking and driveway areas by Nov. 1 of this year. Maddox informed the city Nov. 2 that he had been unable to do the paving because of the sour economy.

Planning Director Dan Folke informed Council, however, that Maddox had installed a decorative iron fence and wall. At Tuesday's meeting, Maddox said the fence and wall had cost \$125,000.

That did not sit well with Council.

"For three years you have been fully aware of the paving condition," Mayor-elect Marc Snyder said. "It's very frustrating to hear that you spent \$125,000 on a wrought-iron fence during that period. How do you justify that? You didn't need that to keep your business license."

Maddox said he had put river rock on the parking lot to mitigate dust.

"I thought we were in order with the river rock taking care of the dust issue," Maddox said. Neighbors said, however, that the rock just increased noise coming from the property.

"Our bedroom window faces the parking lot," neighbor Steve Funkhauser said. "It is very difficult to maintain with the dust accumulation." Funkhauser said there have been other instances when "this individual has not acted responsibly in our neighborhood," although "the city has extended numerous advantages to allow Red Craggs to continue."

Funkhauser and Rockledge Lane resident Penny Webb urged Council to revoke Red Craggs' permit, but Rockledge Court resident Dave Strawn said he thought lesser measures were in order.

"The neighbors are just trying to get compliance with what's already in place," Strawn said.

Maddox agreed to chip seal the driveway and lot with asphalt, which he estimated would cost about \$12,000.

He asked Council to give him until May 31 to complete the work, but Council members voted to require that the work be done within 90 days, contingent upon a finding by Folke that chip sealing is an appropriate surface. The use permit for Red Craggs would be revoked on the 91st day if the work were not done.

## **In other business, Council...**

- Passed on second reading an ordinance placing a 90-day moratorium on businesses that would sell medical marijuana. Council will hear a report from its attorneys on possible regulations for such businesses at its Jan. 26 work session.

- Passed on first reading a measure modifying the city's storm water enterprise ordinance. Finance Director Mike Leslie said the new ordinance essentially is a "housecleaning measure" that does not affect the \$9-a-year storm water utility fee water customers pay.

- Passed a resolution formally adopting the 2010 budget, which Council approved Dec. 9.

- Modified a license agreement for a portion of Soda Springs Park used by D'Vine Wine. The business leases a small patio area but uses it for outdoor seating only part of the year. Council agreed to reduce the annual use fee from \$1,200 to \$300 and asked Folke to come up with a fee schedule for similar uses of city property.

- Heard a report from Leslie on October sales tax revenues, which were down 1.2 percent from October 2008. For the year to date, overall sales tax collections are nearly flat compared with last year. Sales in the lodging sector of the city's economy remain most affected by the economic downturn; they have dropped by more than 10 percent from last year.

- Heard a statement from Cox regarding an article in The Gazette about EDC Director Kitty Clemens' resignation. "It was never my intention to take a parting shot at Kitty," Cox said. "I never stated that Council had any concerns about the use of the money we allocated." She said a conversation she had with the reporter about controversy regarding Clemens "was much longer than the few sentences paraphrased in that article, and it was not paraphrased very well.... As much as I would like to blame the reporter, I really messed up this time by taking an opportunity to quote and blew it out of proportion."

- Gave a standing ovation to Councilwoman Donna Ford, whose term expires Jan. 5. "I would like to thank the citizens of Manitou Springs for giving me this opportunity to serve them," Ford said. "It has been quite an experience." Referring to the new Council, she added that she thinks "the city is in very good hands." Outgoing Mayor Eric Drummond and outgoing Councilman Tony Jones, as well as continuing Councilman Ed Klingman, were excused from Tuesday's meeting.

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