



**CITY OF MANITOU SPRINGS  
OPEN SPACE ADVISORY COMMITTEE  
SUMMARY AGENDA  
Council Chambers – 606 Manitou Avenue  
Monday, July 22, 2019**



**I. CALL TO ORDER & ANNOUNCEMENT OF MEMBER OPENINGS**

A Regular Meeting of the Manitou Springs Open Space Advisory Committee was held in Council Chambers @ 606 Manitou Avenue. Chairman Maio called the meeting to order at 6:03 pm and declared a quorum present. The following Committee members attended:

**PRESENT:** Michael Maio, Chair  
Nancy Wilson, Vice Chair  
Sheryl Cline, Committee Member (6:20 PM)  
Shannon Solomon, Committee Member  
Sue Graham, Committee Member  
Andrea Sutela, Alternate Committee Member

**ABSENT:** Anthony “TJ” Maltese, Committee Member (excused)  
Gary Michels, Committee Member (excused)

**GUESTS:** Christina Grow, Parks and Recreation Advisory Board  
Cory Sutela, Medicine Wheel  
Natalie Johnson, Creative District Director  
Shanti Toll, Manitou Trail CATS

1. Two Alternates needed. Consideration of Application submitted by Amanda Taylor. (5 mins)

A new application had been submitted for an Alternate Member position. The Commission determined it was best to have Chairman Maio meet with the applicant in person, as she was not present at this session, prior to making a recommendation for approval to City Council regarding her appointment. The Committee authorized Chairman Maio to make those arrangements and to make the recommendation on behalf of the Committee following their meeting.

2. Current Municipal Ordinance Provisions governing OSAC (1 min)

The Committee was presented with a copy of the current regulations in which they are tied to until the Code updates were approved by City Council.

**II. APPROVAL OF MINUTES**

1. May 20, 2019

**MOTION:**

Vice Chair Wilson moved to approve the May 20, 2019 Regular Meeting Minutes of the Open Space Advisory Committee, as presented.

**SECOND:**

Committee Member Graham seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 5-0.

### III. AGENDA REVIEW and PUBLIC COMMENT ON NON-AGENDA ITEMS

There was no comment from the public or non-agenda items to discuss.

### IV. PARKS & REC ADVISORY BOARD (PARAB) UPDATE – Chris Grow and Tim Bresnahan (5-10 mins.)

Christina Grow, Parks and Recreation Advisory Board Liaison, provided an update regarding the activities of the Parks and Recreation Advisory Board.

### V. NEW BUSINESS

#### 1. Election of Officers-Secretary or adoption of alternating secretarial responsibilities (5 mins.)

There were no volunteers from among the Committee Members regarding a permanent Secretary position for the Committee. Chairman Maio stated the role of Secretary would continue to rotate amongst each of the members and, for the purposes of the current meeting, Committee Member Solomon was assigned this duty.

#### 2. 2020 Budget-Subcommittee (N. Wilson, K. Johnson, D Becker and M Maio-30 mins)

Vice Chair Wilson stated she and chairman Maio had met with Planning Director, Kim Johnson, to discuss the budget for the 2020 year. Vice Chair Wilson stated the projected budget for next year was \$268,200.00 and the goal of the Committee was to save as much funding as possible for when an opportunity arose to purchase a large or extremely strategic piece of land in the future. Vice Chair Wilson presented the changes to the budget between 2019 and 2020.

*During this discussion, at 6:20 PM, Committee Member Cline arrived to the meeting.*

#### **MOTION:**

Committee Member Solomon moved to approve the 2020 Open Space Advisory Committee Budget, as discussed and pending any revisions.

#### **SECOND:**

Committee Member Cline seconded the motion.

#### **DISCUSSION:**

There was no discussion regarding the motion.

#### **VOTE:**

Motion passed, 6-0.

#### 3. Metro Parking Subdivision Approval (10 mins.)

The Committee discussed the Memorandum dated June 25, 2019 from Senior Planner, Michelle Anthony, and the differences between the currently approved plat and the proposed plat regarding this request. Chairman Maio also presented the Committee with a document dated July 4, 2019 which represented his personal comments pertinent to the proposed plat.

Planning Director, Kimberly Johnson, explained the history of this request and the differences between the currently approved plat and the proposed plat. Ms. Johnson stated the approved plat showed a dedication to the City along the east side of the property for the Creek Walk Trail shown as Tract A. Ms. Johnson stated, under the proposed plat, the consultants were proposing a significant reduction to the size of Tract A and proposing an Americans with Disabilities Act compliant pedestrian walkway on the western edge of the property which, as stated by the Manitou Springs Metropolitan District Consultants, was intended to replace the original Creek Walk Trail dedication.

Natalie Johnson, Creative District Director, stated she was not in support of the proposed plat as this

dedication was identified by the community as a highly desired connector for the Creek Walk Trail to Manitou Avenue as it provided access the elementary school, the library, and downtown shopping area.

Shanti Toll, Manitou Trail CATS, stated he was also not in support of the proposed plat and felt from an aesthetic and artistic perspective, the proposal for the Creek Walk Trail to go through a narrow walkway inside of the parking garage was not desired for what the Creek Walk Trail had intended to achieve in terms of experience for the users.

The Committee unanimously agreed the proposed plat did not conform to the vision the community had set forth regarding the Creek Walk Trail.

**MOTION:**

Vice Chair Wilson moved to forward a recommendation for denial of MNS 1801 with the following findings:

1. Regarding the third sentence described under the “Dedication” language, “Trace A” should be corrected to read “Tract A”;
2. The title information provided by Stewart Title Guarantee Company, effective 10-05-2016 as referenced on the proposed subdivision plat, should be updated prior to any approval of the plat by the City Planning Commission;
3. Tract A, dedicated to the City for public trails and park on the proposed plat, fails to conform with a proposed trail easement shown on an Easement Status Map appearing at page 12 of the proposed Creek Walk Master Plan. The Plan requires such an easement to extend along the easterly line of the proposed subdivision, identified as courses “L4” and “L5”, to the northerly right of way of Manitou Avenue.
4. The proposed Creek Walk Master Plan suggests that a verbal approval of the easement has been granted by the Metropolitan District, but a dedication of this area is not reflected on the proposed plat and does not appear in a separately recorded instrument. Any correction of the plat to incorporate such a dedication of the extended easement to the northerly line of Manitou Avenue and should also include a dedication of easement over the improvement known as the Wichita Parking Lot Bridge located over Fountain Creek. Without correction, the right of the public to legally access Manitou Avenue is inconsistent with the requirements and vision of the proposed Creek Walk Master Plan.

**SECOND:**

Commissioner Solomon seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 6-0.

4. Minor Subdivision -Waiver of Portion of Open Space Fees-202-204 Roca Street Tim and Terry Haas Limited Liability Partnership, Applicant (5 mins)

The Committee discussed the Memorandum dated May 31, 2019 from Senior Planner, Michelle Anthony, regarding the waiver of a portion of Open Space Fees for the subdivision.

Vice Chair Wilson stated she was opposed to the granting of a waiver for collection of Open Space Fees on this request due to the fact these fees were one of the limited sources of funding the Committee received. Chairman Maio commented it was difficult for the Committee to compete with other private investors, in terms of land acquisitions, at current market prices and the Committee relied on this funding.

Chairman Maio also stated he had not discovered any language in the City’s Municipal Code which authorized the waiver of fees and felt if this was to be a practice of the City, it needed to be codified.

Chairman Maio also stated it was his understanding the original fees which should have been collected on the original subdivision were not collected and also felt the property owners, as residents of the City, benefitted from the use of the City's open spaces and trail systems.

**MOTION:**

Vice Chair Wilson moved to forward a recommendation for denial of the waiver of a portion of Open Space Fees for MNS 1904 to the City Planning Commission with the following findings:

1. Open Space Fees are a source of funding for maintaining and purchasing open space lands and it difficult to compete with private investors given the currently limited funding channels;
2. The Open Space Fees were not collected when the property was initially subdivided and platted;
3. There is no language in the Municipal Code which authorizes the waiver of Open Space Fees;
4. The property owners, as residents of the City, benefit from the use of the City's open spaces and trail systems.

**SECOND:**

Committee Member Cline seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 6-0.

5. Vacation of Right of Way Correction – 420 El Paso Boulevard

Chairman Maio had brought to the attention of the Planning Department in previous weeks that there was a platted right of way which ran through a property at 420 El Paso Boulevard and was wanting to know if this right of way could be used to access open space on the opposite side of Highway 24.

Staff looked into the matter and discovered the right of way had been vacated and filed with the county some years ago, but due to an error in the legal description, the vacation was misidentified and never fully implemented. Staff has since corrected the error.

**VI. OLD BUSINESS**

1. Report Signage-S. Graham, N. Wilson; M. Maio, D. Becker and Kim Johnson (30-35 mins.)- Signage Subcommittee Meeting July 10, 2019

A. Final Scope of Work proposed by Planning Department and Mediawerx Proposal dated June 17, 2019

The Committee discussed the cost estimates provided by Mediawerx regarding the trail map designs dated June 17, 2019. Due to budget constraints, the Committee determined it was in favor of only pursuing the two-dimensional maps and trail narratives without the three-dimensional maps in the amount of \$4,800.00.

The Committee also gave Staff the directive to update the Scope of Work accordingly and to include language which granted the City full ownership of the maps and mapping materials.

The Committee also authorized Staff to execute the updated contract and to allow for one free meeting with the contractors and one meeting at a cost of \$75.00 to the City.

**MOTION:**

Vice Chair Wilson moved to authorize Planning Director, Kimberly Johnson, to execute the contract with Mediawerx for six (6) two-dimensional maps and six (6) trail narratives at a cost

of \$4,800.00 in which half of the amount was to be paid following the execution of the contract and the final half was to be paid upon project completion.

**SECOND:**

Committee Member Cline seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 6-0.

- B. Design, Materials and Construction-revised frame design provided by Marty Mefford and Dave Chadwell; cost estimates; e-mail correspondence to Planning Director

The Committee discussed the sign design elements and some of the preliminary cost figures for fabrication. The Committee directed Staff to update the sign mock-up and scope of work and to send out for official bids.

**MOTION:**

Committee Member Solomon moved to approve the Scope of Work for the trailhead sign fabrication including the updates discussed.

**SECOND:**

Vice Chair Wilson seconded the motion.

**DISCUSSION:**

There was no discussion regarding the motion.

**VOTE:**

Motion passed, 6-0

2. Report-Land Acquisitions and Donations-G. Michels, S. Solomon and M. Maio (10-15mins.)

- A. Waldo Canyon Report- S. Solomon and M. Maio (5 mins.)

Committee Member Solomon did not attend recent round table meetings regarding the Waldo Canyon system. Cory Sutela of the Medicine Wheel stated he felt it was important for Manitou Springs representatives to attend these meetings and volunteered to provide any information he could as he often attended these sessions.

- B. Acquisition/Donation Properties-S. Solomon and M. Maio-

- (1) Peakview-Daly-McGrew (5 mins.)

The Committee determined it was interested in pursuing the donation of these properties and was willing to perform an appraisal of the property if requested by the current property owner.

3. Report Trail/Open Spaces Maintenance-T.J. Maltese, S. Solomon, N. Wilson, G. Michels and M. Maio

- A. Intemann Trail Re-route; Correspondence with C.J. Runge (10-15 mins)

Shanti Toll of the Manitou Trail CATS informed the Committee of the schedule for volunteer days regarding the trail reroute on Intemann Trail.

- B. Trail Maintenance Suggestions from the Park Department (5 mins.)

The Committee reviewed the suggestions submitted by the Park Department.

4. Open Space Report

- A. Update-Management Plans for Iron Mountain and Black Canyon Cultural Assets-S. Solomon and M. Maio (10-15 mins.)

Committee Member Solomon stated he was continuing to work on a draft to update the Iron Mountain Land Management Plan. Chairman Maio informed the Committee that the cultural

assessment of the Black Canyon Open Space was still underway and the next survey date was scheduled for July 27, 2019 at 11:00 AM.

**B. Site Visits by Palmer Land Trust (5 mins)**

Chairman Maio informed the Committee of Site Visits with the Palmer Land Trust for the annual conservation easement monitoring.

**C. Transient Camping (5-10 mins)**

Chairman Maio provided the Committee with an update regarding transient camping and campsites on the City's Open Spaces and announced he was working with Officer Johnson to evict residents and clean up these sites.

**VII. ADJOURNMENT**

Hearing no further business before the Committee, Chairman Maio adjourned the meeting at 8:52 pm.