Planning Commission Regular Meeting

448 E. 1st Street, Room 190 Salida, Colorado 81201
July 28, 2025 at 6:00 PM

Agenda

Email public comments to: planning@cityofsalida.com
Please register for the Planning Commission Meeting:
https://zoom.us/webinar/register/WN_xjx49yp6TRKd4wWX5LzyUw
After registering, you will receive a confirmation email containing information about joining the webinar. To watch live meetings:
http://www.youtube.com/@cityofsalidacolorado

Call to Order by Chairman

Roll Call

Approval of the Minutes

1. Approve Minutes of June 23, 2025

Unscheduled Citizens

Amendment(s) to Agenda

New Business

Public Hearings

Public Hearings will follow the following procedure: A. Open Public Hearing B. Proof of Publication C. Staff Review of Application/Proposal D. Applicant's Presentation (if applicable) E. Public Input F. Close Public Hearing G. Commission Discussion H. Commission Decision or Recommendation

2. Recommendation on Proposed 5-H LLC Annexation

3. Recommendation on Proposed R-3 Zoning for the 5-H LLC Annexation

Updates

Unfinished Business

Commissioners' Comments

Adjourn

Alternate Notice

**An alternate can only vote on, or make a motion on an agenda item if they are designated as a voting member at the beginning of an agenda item. If there is a vacant seat or a conflict of interest, the Chairman shall designate the alternate that will vote on the matter. If a Voting

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the Community Development Office at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2628 at least 48 hours in advance.

member shows up late to a meeting, they cannot vote on the agenda item if the alternate has been designated.

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Planning Commission Regular Meeting

448 E. 1st Street, Room 190 Salida, Colorado 81201
June 23, 2025 at 6:00 PM

MINUTES

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Call to Order by Chairman – 6:01 pm

Roll Call – Present: Follet, Bomer, Kriebel, Colby, Bush, Derwingson, Walsh (alt) Riggs

(alt), Layton – recused; applicant for hearing item

Amendment(s) to Agenda – none

1. Approval of the Minutes

A correction to the Minutes of June 10, 2025 was provided by Commissioner Colby regarding the voting on Item No. 5 of the agenda concerning the Recommendation on Proposed Granzella- City of Salida Zoning. It was noted and confirmed that the vote was 5-2. As such, the Minutes of June 10, 2025 have been corrected to state: Motion by Bomer, Second by Bush, Approved 5-2.

Motion by Colby, Second by Bomer to amend the Minutes of June 10, 2025 as stated above. **MOITON APPROVED 6-0**

Motion by Bomer, second by Colby to approve the Minutes of June 10, 2025 as amended. **MOTION APPROVED 6-0**

2. Unscheduled Citizens New Business - none

Public Hearings

Public Hearings will follow the following procedure: A. Open Public Hearing B. Proof of Publication C. Staff Review of Application/Proposal D. Applicant's Presentation (if applicable) E. Public Input F. Close Public Hearing G. Commission Discussion H. Commission Decision or Recommendation

3. Recommendation on Proposed Mesa Ridge Annexation

Staff report presented by: Associate Planner Kristen Hodges

Applicant Presentation by: Kenny Layton and Donna Rhodes of SPOT

Public Comment:

1) Paul Jensen (deferred until subdivision item)
2) Wendy Rombold (deferred until subdivision item)
3) Larita Groover of 7285 CR 160 (Crestone Avenue)
4) Mary Anne Hauser of 7455 CR 160
5) Jane Elmore of 302 W. Park Avenue
6) Carol Kerr of 102 Cottonwood Circle
7) Anthony Aguero of 412 Cottonwood Circle
8) Matthew Cefalu of 414 Cottonwood Circle
9) Dawnella Rust of 132 Mesa View Lane

Motion by Bomer, Second by Colby to recommend City Council approve the proposed Mesa Ridge Annexation as it meets the Findings of Fact for annexation subject to staff recommended conditions, minus Condition # 4 regarding the conceptual development of the open space and trail and adding a condition to limit the total number of residential dwelling units to 17 maximum (including both principal and ADU).

MOTION APPROVED 4-2

4. Recommendation on Proposed 7305 CR-160 Zoning (Mesa Ridge Annexation)

Staff report presented by: Associate Planner Kristen Hodges

Applicant Presentation by: Kenny Layton

Public Comment:

1) Wendy Rombold of 104 Cottonwood Circle
2) Larita Groover of 7285 CR 160 (Crestone Avenue)
3) Dewey Groover of 7285 CR 160 (Crestone Avenue)
4) Mary Anne Hauser of 7455 CR 160
5) Jane Elmore (deferred)
6) Carol Kerr of (deferred)
7) Anthony Aguero (deferred)
8) Matthew Cefalu of 414 Cottonwood Circle
9) Dawnella Rust (deferred)
10) Charriff Marquesy (HOA Board - no address given)
11) Rip Pilgrim of 308 Cottonwood Circle
12) Bill Hussey (engineer for the applicant)
13) Pete Poorman 203 Cottonwood Circle
14) Christina Frazier (no address given)

Motion by Bush, second by Derwingson to recommend City Council approve the proposed zoning of the 7305 CR-160 (Mesa Ridge) Annexation site to R-2 Medium-Density Residential Zone District, as the requests meet the applicable review standards.

MOTION APPROVED 5-1

5. Major Impact Review for the Mesa Ridge Major Subdivision

Staff report presented by: Associate Planner Kristen Hodges

Applicant Presentation by: Kenny Layton and Bill Hussey (engineer)

Public Comment:

1) Paul Jensen of 309 Cottonwood Circle
2) Larita Groover of 7285 CR 160 (Crestone Avenue)
3) Dewey Groover of 7285 CR 160 (Crestone Avenue)
4) Mary Anne Hauser of 7455 CR 160
5) Michelle Aguero of 412 Cottonwood Circle
6) Jane Elmore of 302 W. Park Avenue
7) Carol Kerr of 102 Cottonwood Circle
8) Anthony Aguero of 412 Cottonwood Circle
9) Matthew Cefalu of 414 Cottonwood Circle
10) Dawnella Rust of 132 Mesa View Lane

Motion by Bomer, second by Colby to recommend City Council approve the proposed subdivision of the Mesa Ridge property as proposed as it meets the intent of the applicable review standards for a subdivision, subject to the conditions recommended by staff, with the exception of Condition # 3 regarding the path easement and Condition # 4 regarding the agreement with HRRMC for the trail (striking #3 and #4 completely), and adding a condition that the developer will pay the fee-in-lieu for parks and open space per code; and there will be a limit of a maximum of 17 total residential dwelling units (including ADUs).

MOTION APPROVED 4-2

Updates

Director Bill Almquist provided information on the Land Use Code meeting.

Unfinished Business – none

Commissioner Comments - none

Adjourn – 9:57 PM

Motion to adjourn by Bomer, second by Bush, **MOTION APPROVED 7-0**

Alternate Notice

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PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 28, 2025

AGENDA ITEM TITLE: Recommendation on Proposed 5-H LLC Annexation

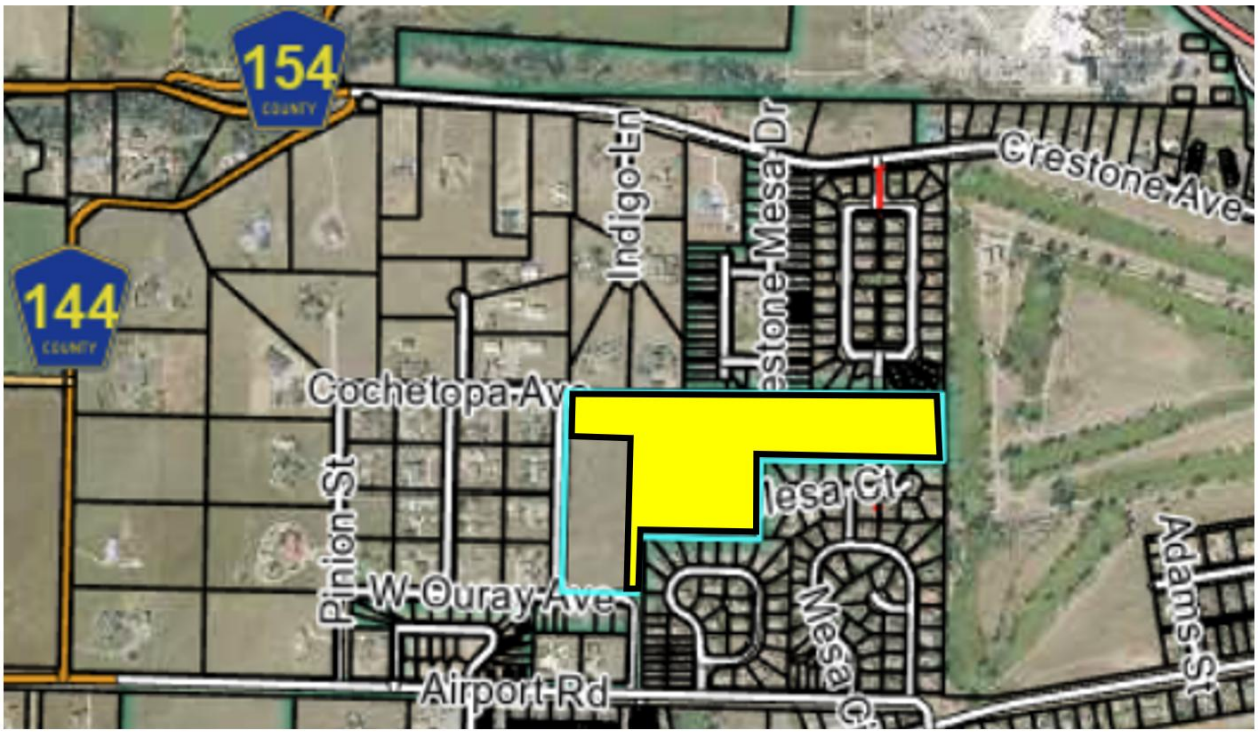
AGENDA SECTION: Public Hearing

REQUEST / BACKGROUND

On June 23, 2025, staff received an application from 5-H LLC to annex a 15.06-acre portion of an 18.32-acre property (Parcel No. 368131400015) located east of Spruce Street and north of West Ouray Avenue. Only the 15.06-acre portion, which is under separate ownership, is requested to be annexed at this time. Resolution 2025-27 confirmed substantial compliance with state statutes concerning the annexation and set the City Council public hearing date for August 19, 2025.

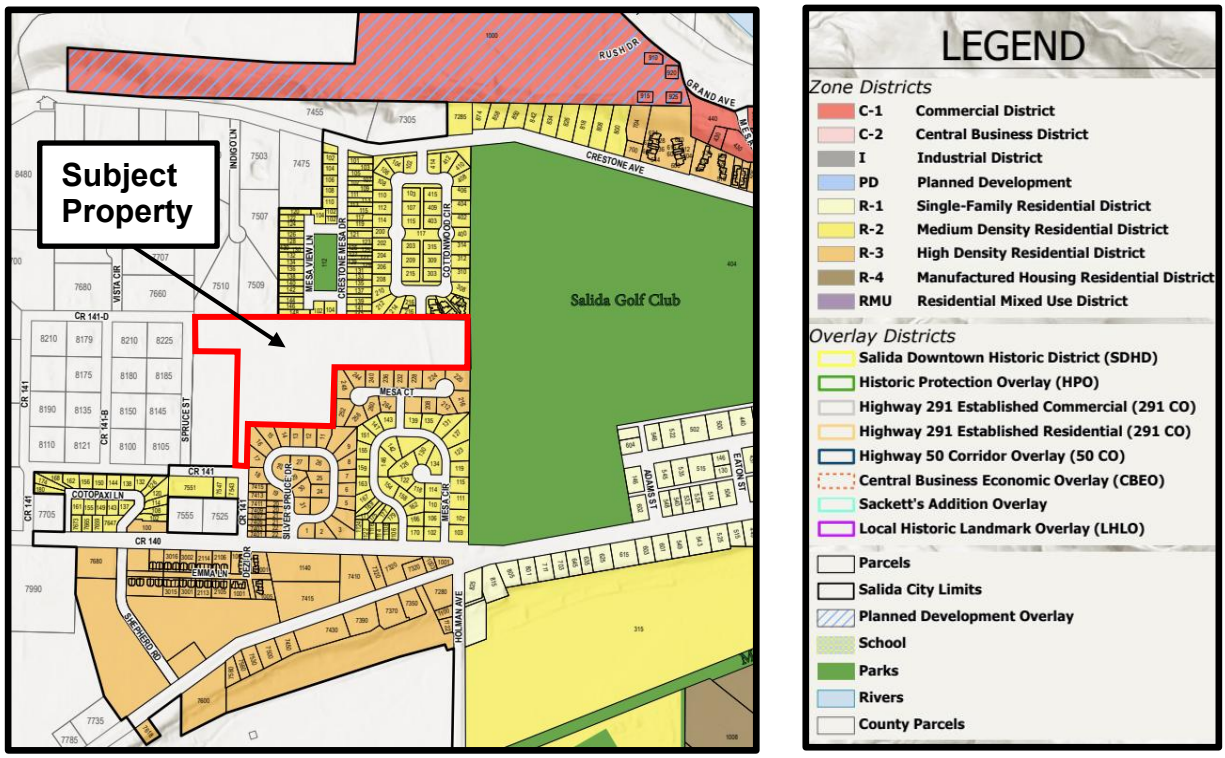
The request to zone the property R-3 High Density Residential will be considered as a separate Planning Commission public hearing item.

Subject Property



Surrounding Land Use and Zoning: The site is currently zoned RM (Residential Mixed) zone district in Chaffee County. Properties to the west remain in Chaffee County and are zoned RS (Residential Suburban). The remaining surrounding properties are within city limits and include the Crestone Mesa and Cottonwood Green subdivisions to the north; the Salida Golf Club (City of Salida property) to the east; and Mesa Village, Cochetopa Estates, and Annex and Winger Minor subdivisions to the south.

City of Salida Zoning Map



PROCESS:

An application for annexation is a multi-step process. When annexing a property, the city must follow state statutes for contiguity and procedural requirements. The steps and standards include:

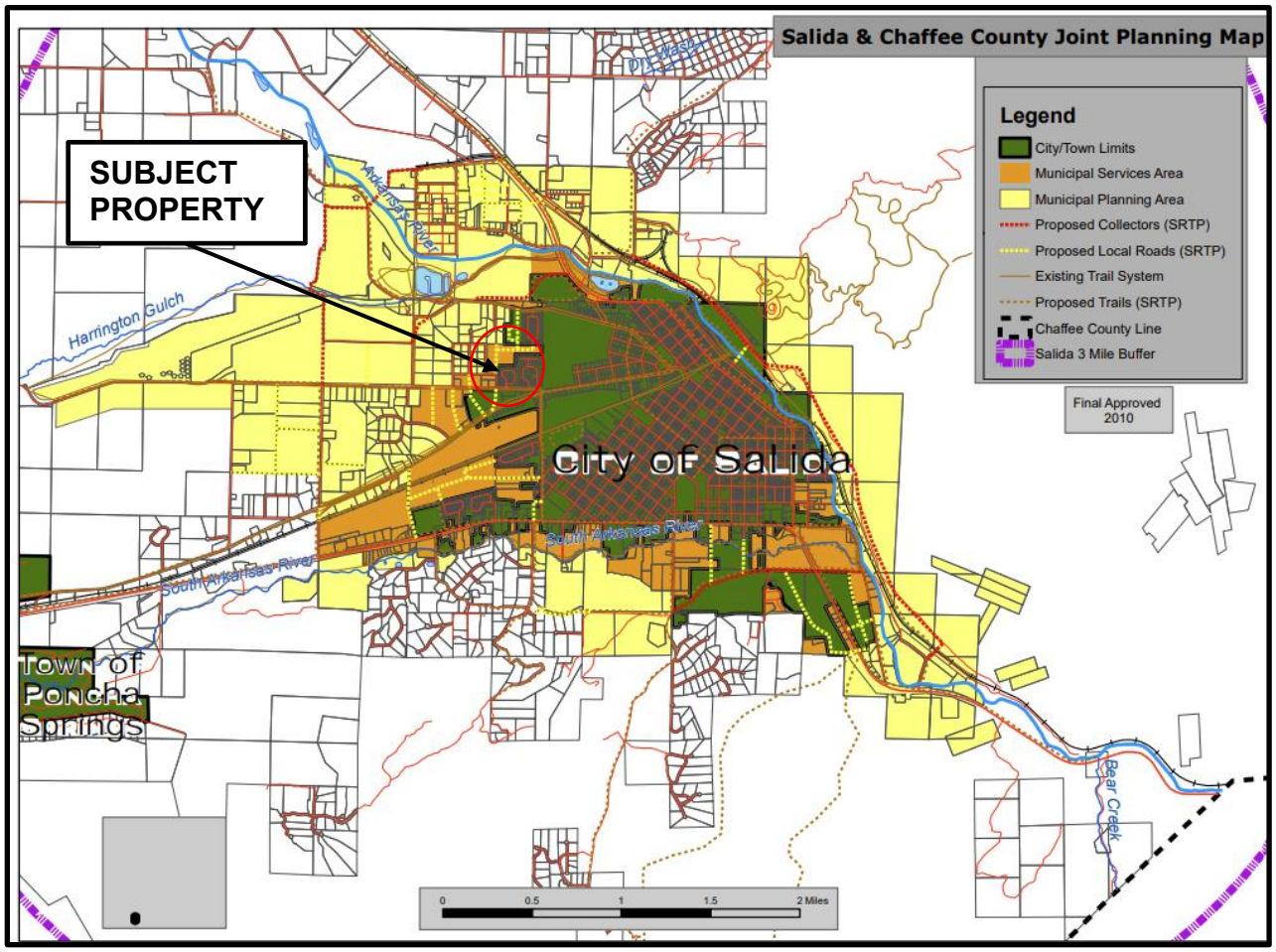
- A minimum of 1/6th (16.67%) of the perimeter of the proposed annexation must be contiguous with the City of Salida city limits.
    - Approximately 66% of the property is contiguous to city limits.
- Staff reviews the petition for compliance with city and state statutes.
    - Completed June 23, 2025.
- City Council adopts a resolution stating the petition is valid and sets a public hearing date that is no less than 30 days and no greater than 60 days from the resolution date.
    - Completed July 1, 2025; public hearing set for August 19, 2025 (42 days later).
- The City Council public hearing is advertised in the newspaper for four consecutive weeks.
- Planning Commission holds a public hearing to review the annexation and recommend the zoning designation of the property.
    - Agenda of July 28, 2025.
- City Council holds a public hearing on the annexation petition.

- City Council holds a public hearing to review and act on the proposed zoning.
- City Council reviews and acts on an annexation agreement.

FINDINGS OF FACT:

As explained above, the annexation shall be considered by the Commission as a required step prior to the zoning of the property. The following findings of facts are required for annexation:

1. The proposed annexation meets the required 1/6th contiguity with the municipal boundary of the City of Salida as shown on the annexation plat.
2. All applicable owners of the property are party to the annexation.
3. The annexation property is within the Municipal Services Area (MSA) of the City of Salida, as defined in the City's Comprehensive Plan and its intergovernmental agreement (IGA) with Chaffee County approved in 2010. According to the IGA, the MSA "encompasses properties which are eligible for annexation and extension of municipal utilities and infrastructure, within the parameters set forth in the Salida Municipal Code and Salida Comprehensive Plan, which may be amended from time to time."



4. The property may be efficiently served by City fire and police departments.
5. The property is a natural extension of the City's municipal boundary and meets the legal requirements for annexation.

RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:

- Salida Police Department: No concerns regarding the annexation. Note that any restriction of street connectivity would have negative impacts on emergency response times and access to the hospital. I am not in favor of having any dead-end cul-de-sacs or other limitations in the future development.
- Salida Fire Department: No concerns regarding the annexation. Likely concurrence with Police Department comments.
- Salida Parks and Recreation Department: City code requirements for parks and opens space including dedication and development of a public park must be satisfied.
- Public Works Department and City Engineering Consultants: ROW connections have been developed for future street connections and the area is within the MSA. Limiting traffic through one neighborhood would adversely affect traffic in other areas. Having multiple points of connection spreads the impacts out. Also, having additional access points is very critical when the day comes to rebuild infrastructure under the street so as not to restrict access. Note that an appropriate drainage analysis and stormwater management infrastructure meeting city requirements must be provided with development.
- Chaffee County Planning Department: The appropriate county subdivision needs to be completed prior to subdividing the remaining property in the city.
- Salida Finance Department: System development fees will be required.
- Salida School District: No response. Fees-in-lieu will be required with development.
- Chaffee County Building Department: No concerns at this time.
- Xcel Energy: No major concerns.
- ATMOS Energy: No comment.
- Visionary Broadband: No comment.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission recommend City Council approve the proposed annexation, subject to the conditions listed below.

RECOMMENDED MOTION:

"I hereby make a motion to recommend City Council _____ the proposed 5-H LLC Annexation as it meets the findings of fact for annexation, subject to specific conditions as outlined below:

1. All proposed development shall meet the requirements of the Municipal Code.
2. The Annexation Agreement shall acknowledge and document the following items:
    a. the City's intent to serve the property with appropriate public utilities;
    b. a park dedication in compliance with city requirements as approved by City Council;
    c. other conditions (as delineated by Planning Commission, if applicable).

Attachments: Proof of publication
Annexation Application
Survey and Draft Annexation Plat

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION FOR THE CITY OF SALIDA CONCERNING ANNEXATION and ZONING APPLICATIONS

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE that on **July 28, 2025** at or about the hour of 6:00 p.m., a public hearing will be conducted by the **City of Salida Planning Commission** at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: https://zoom.us/webinar/register/WN_xjx49yp6TRKd4wWX5LzyUw

The hearing is regarding applications for the 5-H LLC Annexation and Zoning submitted by and on behalf of 5-H LLC for a 15.06-acre portion of an 18.32-acre property (Parcel No. 368131400015) located east of Spruce Street and north of West Ouray Avenue.

The City is currently considering the petition to annex and zone the subject property. The general purpose of the hearing is to review the annexation plat and supportive information and to consider the applicant's request to zone the property R-3 High Density Residential. No specific development plan has yet been submitted.

Any recommendation by the Planning Commission for the Annexation and Zoning shall be forwarded to the City Council for review at a separate public hearing.

Interested persons are encouraged to attend the public hearings. Further information on the applications may be obtained from the Community Development Department by contacting carolyn.poissant@cityofsalida.com (719) 530-2628.

*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff or present your concerns at the public meeting via the above link so your comments can be made part of the record.

Published in The Mountain Mail July 4, 2025.

ANNEXATION APPLICATION

448 East First Street, Suite 112
Salida, CO 81201
Phone: 719-530-2626 Fax: 719-539-5271
Email:planning@cityofsalida.com

1. PROCEDURE (City Code Section 16-9-20)

A. Development Process

1. Pre-Application Conference. Optional.
2. Submit Application.
3. Staff Review for Completeness.
4. Resolution to Accept Application to City Council
5. Establish Public Hearing Date before Council per Colorado Municipal Annexation Act of 1965.
6. Staff Evaluation of Application and Annexation Agreement (if applicable)
7. Establish Public Hearing Date Before the Planning Commission.
8. Public Notice Provided For Hearings.
9. Public Hearing Conducted by Commission.
10. Annexation Ordinance to City Council for 1st and 2nd Reading.

2. APPLICATION CONTENTS (City Code Section 16-9-40)

1. **General Development Application**
2. **Annexation Petition**
3. **Annexation Map**. The preferred scale of the map is one (1) inch equals one hundred (100) feet; the minimum allowable scale is one (1) inch equals two hundred (200) feet. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches. If it is necessary to draw the map on more than one (1) sheet, a sheet index shall be placed on the first sheet. The annexation map shall contain the following:
   a. Annexation Name
   b. Legal description. Legal description of the perimeter
   c. Names and addresses. Names and addresses of the owners, subdivider, land planner and land surveyor registered in the State.
   d. Scale
   e. North arrow
   f. Date. The date the map was prepared.
   g. Boundary lines and dimensions. Boundary lines of the proposed annexation. Distinction of the boundary that is contiguous to the City and the length of the same boundary on the map, including required showing of contiguity in feet.
   h. Platted lots. Lot and block numbers if the area is already platted.
   i. Improvements and easements. The location and dimensions of all existing and proposed streets, alleys, easements, ditches and utilities within or adjacent to the proposed annexation.
   j. Vicinity map. The vicinity map shall show the location of the proposed annexation, in relation to the City.
   k. Acreage. Total acreage to be annexed.
   l. Certificates. Certificates required to appear on the final annexation plat are described in Section 16-9-40 of the Land Use Code.
4. **Digital Copy**. A digital copy of the plat compatible with the City GIS shall be submitted.
5. **Application Fee** - According to current adopted fee schedule

7. Public Notice.

a) A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.

b) Postage Paid Envelopes. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.

c) Applicant is responsible for posting the property and proof of posting the public notice.

8. Petition for Exclusion from the South Arkansas Fire Protection District (optional)

9. Notarized Special Fee and Cost Reimbursement Agreement completed

ANNEXATION PETITION

TO THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, GREETINGS:

The undersigned hereby petition(s) the City of Salida to annex to the City of Salida the territory shown on the map(s) attached hereto and described on the attachment hereto:

This Petition is signed by the landowners qualified to sign. It is intended that this Petition be a one hundred percent (100%) petition for annexation as described in C. R. S. 1973, Section 31-12-107(l)(g), (as amended).

In support of this petition, the undersigned state(s) and allege(s) as follows, to wit:

1. That it is desirable and necessary that the above-described territory be annexed to the City of Salida.

2. That petitioners are landowners of one hundred percent (100%) of the territory, excluding streets and alleys, herein proposed for annexation to the City of Salida.

3. That no less than one-sixth of the aggregate external boundaries of the above-described territory hereby petitioned to the City of Salida is contiguous to the City limits of the City of Salida.

4. Accompanying this petition are two mylars and twenty copies of the annexation map.

5. That a community of interest exists between the above-described territory and the City of Salida, and that the same is urban, or will be urbanized in the near future, and further that the said territory is integrated or is capable of being integrated in the City of Salida.

6. That the above-described territory does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Salida, was held within the twelve months preceding the filing of this petition.

7. That the above-described territory does not include any area included in another annexation proceeding involving city other than the City of Salida.

8. That the above-described territory is not presently a part of any incorporated city, city and county, or town.

9. That the above area described will (not) result in the detachment of the area from any school district and the attachment of the same to another school district.

"INSERT A"

(Description of territory proposed for annexation)

5H LLC ANNEXATION DESCRIPTION:

A tract of land located in the Southeast Quarter of the Southwest Quarter (SE¼ SW¼) and the Southwest Quarter of the Southeast Quarter (SW¼ SE¼) of Section 31, Township 50 North, Range 9 East of the New Mexico Principal Meridian, Chaffee County, Colorado, being more particularly described as follows:
Commencing at the Southeast corner (5/8-inch rebar with a 1½-inch aluminum cap stamped 'LS 16117) of Shavano Vista Subdivision (Reception No. 122596), from whence the witness corner (5/8-inch rebar with 2½-inch aluminum cap stamped "1/4 R9E T50N S31 over S6 T49N, 1997, 14.8 RM LS 16117) to the South ¼ corner of said Section 31 bears South 38°29'22" East 522.00 feet (South ¼ corner is South 14.8 feet from witness corner);
Thence South 88°50'17" East along the North boundary of Chaffee County Road No. 141, a distance of 266.08 feet to the point of beginning of the tract herein described, said point being marked by a 5/8-inch rebar with a 1½-inch aluminum cap stamped LS 16117;
Thence proceeding around said tract, continuing South 88°50'17" East along said North county road boundary, 60.0 feet to a point on the West boundary of Cochetopa Estates, a subdivision located within the City of Salida, said point being marked by a 5/8-inch rebar with a 1½-inch aluminum cap stamped LS 16117;
Thence North 01°03'10" East 258.69 feet to another 5/8-inch rebar with a 1 ½-inch aluminum cap stamped LS 16117 at the Northwest corner of said subdivision;
Thence South 88°55'28" East along the North boundary of Cochetopa Estates 528.84 feet to a 5/8-inch rebar with a 1½-inch aluminum cap stamped LS 16117 at the Southwest corner of Mesa Village No. 2, a subdivision located within the City of Salida;
Thence North 00°55'07" East along the West boundary of said Mesa Village No. 2 and a projection northerly, a distance of 399.31 feet to a 5/8-inch rebar with a 1¾-inch steel disc stamped '6753' at the Northwest corner of that certain tract of land described in Quiet Title Decree recorded in Book 473 at Page 570 of the Chaffee County records.
Thence South 89°56'32" East along the monumented north boundary of said tract described in quiet title decree a distance of 798.67 feet to a 1½-inch pipe, being a point on the monumented East boundary of the said SW¼ SE¼ of Section 30;
Thence North 00°01'18" East along said monumented east boundary, a distance of 290.96 feet to a 5/8-inch rebar with a 1½-inch aluminum cap stamped LS 16117 at the Southeast corner of Cottonwood Green, a subdivision located within the City of Salida;
Thence along the monumented north boundary of the said SW¼ SE¼ and SE¼ SW¼ the following:
First North 89°48'00" West 583.15 feet to a 5/8-inch rebar with a 1½-inch aluminum cap stamped '487' at the Southwest corner of said Cottonwood Green, being common with the Southeast corner of Crestone Mesa, a subdivision located within the City of Salida.
Thence North 89°58'51" West 558.04 feet to another 5/8-inch rebar with a 1½-inch aluminum cap stamped '487' at the Southwest corner of said Crestone Mesa, said corner being common with the Southeast corner of Rainbow Ridge, a subdivision located within Chaffee County;
Thence North 89°43'49" West 500.83 feet to another 5/8-inch rebar with a 1 ½-inch aluminum cap stamped '487' at the Southwest corner of said Rainbow Ridge, being common with the Southeast corner of Vista Grande, a subdivision located within Chaffee County;
And thence North 89°31'25" West 10.75 feet to a 5/8-inch rebar with a 1½-inch aluminum cap stamped LS 16117 at the Northeast corner of said Shavano Vista Subdivision;
Thence leaving the north monumented boundary of the SE¼ SW¼, South 00°43'05" West along the East boundary of Spruce Street in said Shavano Estates, a distance of 140.20 feet to a 5/8-inch rebar with a 1½-inch aluminum cap stamped LS 16117;
Thence South 89°16'55" East 266.07 feet to another 5/8-inch rebar with a 1½-inch aluminum cap stamped LS 16117;
Thence South 00°43'05" West 737.75 feet to the point of beginning.
Containing 15.06 Acres, more or less.

Subject to easements of records or existing, including the rights of others to operate, repair and maintain the irrigation ditch crossing the tract.

Property description prepared by: Michael K. Henderson, 203 G Street, Salida, CO 81201
June 17, 2025

ANNEXATION PETITION

This Section must be filled out if there are multiple properties/property owners petitioning annexation.

Signature of Petitioners Requesting Annexation to the City of Salida, Colorado	Date of Signature of Each Petitioner	Mailing Address of each Petitioner	Description of Property Included the Area Proposed for Annexation Owned by Each person Signing this Petition. (Attach separate sheet, if necessary)
Christi M Harden	6/23/25	130 W 2nd St, Salida, CO 81201	see attached
D. Hughes	6/23/25	130 W. 2ND ST, STE. 1, SALIDA, CO 81201	SEE ATTACHED
[illegible]	6/23/25	130 W 2ND ST, STE 1, SALIDA CO 81201	SEE ATTACHED

CIRCULATOR'S AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF CHAFFEE)

I, DUSTIN T. HUGHES, A MEMBER OF S-H, LLC
being first duly sworn, upon oath deposes and says that she/he was the circulator of the above and foregoing petition and that the signatures on said petition are the signatures of the persons whose names they purport to be.

Circulator

Subscribed and sworn to before me this 12th day of June, A. D. 2025.

Witness my hand and official seal. My commission expires: 2/11/2029.

Notary Public

RACHAEL GARDNER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20254005678
MY COMMISSION EXPIRES 02/11/2029

RESOLUTION OF THE
MEMBERS
OF
5-H, LLC

The undersigned, being all of the Members of 5-H, LLC, a Colorado limited liability company (the "Company"), hereby adopt the following recitals and resolutions and consent to the actions contemplated hereby.

WHEREAS, the Members are determined to grant signing and binding authority to certain persons described hereunder;

WHEREAS, the Members desire to add Walter G. Harder IV, L. Britt Hughes, and Dustin T. Hughes as an authorized signatory of the Company; and

WHEREAS, L. Britt Hughes, the Manager of the Company, in accordance with his authority under the Operating Agreement of the Company is permitted to sign this Resolution.

NOW, THEREFORE, BE IT:

RESOLVED, that the Members consent and desire that Walter G. Harder IV, L. Britt Hughes, and Dustin T. Hughes are authorized signatories of the Company;

RESOLVED FURTHER, that the Members consent and desire that each of the designated named signatories may act independently and need not sign documents jointly or by majority decision.

RESOLVED FURTHER, that these resolutions may be executed in one or more counterparts and all such counterparts shall, for all purposes, constitute one document, binding upon the Members hereto, and the delivery of these resolutions by facsimile or e-mailed .pdf files of scanned copies bearing the respective signatures shall be sufficient and binding upon the Members as if such resolutions were delivered with original signatures.

Executed as of the 21st day of June, 2025.

5-H, LLC

L. Britt Hughes, Manager

RACHAEL GARDNER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20254005678
MY COMMISSION EXPIRES 02/11/2029

STATE OF COLORADO)
) ss.
COUNTY OF CHAFFEE)

The foregoing resolution was acknowledged before me this 21st day of June, 2025, by L. Britt Hughes, Manager of 5-H, LLC.

Witness my hand and official seal.

My commission expires 2/11/2029.

Rachael Gardner
Notary Public

SIGNATURE SPECIMENS OF COMPANY SIGNATORIES:

Walter G. Harder IV

L. Britt Hughes

Dustin T. Hughes

PETITION FOR EXCLUSION OF THE PROPERTY FROM THE SOUTH ARKANSAS FIRE PROTECTION DISTRICT

As an owner of property located in unincorporated Chaffee County, fire protection services are generally provided by the South Arkansas Fire Protection District (SAFPD). These services are supported by a mill levy, specifically for the SAFPD, on your property tax bill. Once a property is annexed into the City of Salida, certain fire protection services will be provided by the City.

If a property owner annexes into the City and does not petition the SAFPD for exclusion from the district, the property owner(s) will continue to pay real property taxes to South Arkansas Fire Protection District. It is the responsibility of the property owner to request that their land be excluded from the special taxing district during the annexation process. The petition to exclude land from the special taxing district should be submitted to the SAFPD if you would like to have your property considered for exclusion by the South Arkansas Fire Protection District Board.

Petitions need to meet the requirements of Section 32-1501(1), C.R.S., in the following respects:

A. Include a "legal description of the property"
B. The petition/request must include notarized signature of the property owner(s)

You may mail or deliver a notarized copy of the request letter along with a full legal description of the property or properties (a copy of vesting deeds(s) will suffice) directly to the District, at 124 E Street, P.O. Box 393, Salida, CO 81201

The District incurs legal fees for exclusions in the range of $650 - $1000. A $500 deposit for legal fees will be required up front.

N/A

5–H LLC LAND SURVEY PLAT

FOR A TRACT LOCATED IN THE

SW1/4 SE1/4 & SE1/4 SW1/4 of SECTION 31, TOWNSHIP 50 NORTH, RANGE 9 EAST, NEW MEXICO PRINCIPAL MERIDIAN

CHAFFEE COUNTY, COLORADO

N W E S

GRAPHIC SCALE 1"=100'

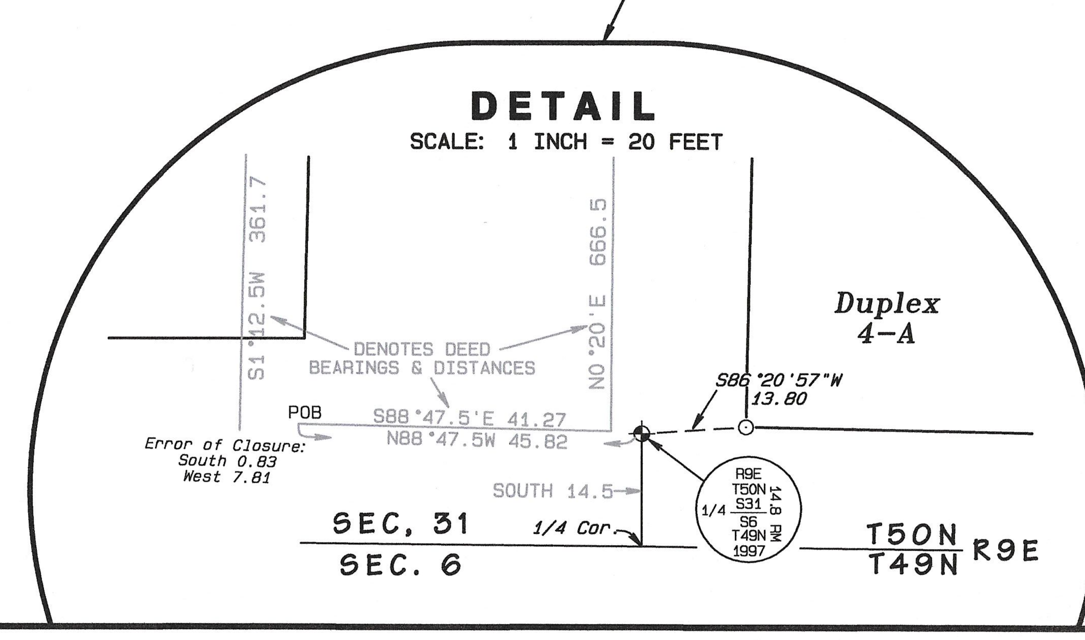
0 100 200 300

DIRECTIONS ARE BASED ON THE BEARING N89°48'00"E BETWEEN REBAR SURVEY MONUMENTS AT THE SOUTHEAST AND SOUTHWEST FORNERS OF COTTONWOOD GREEN, AS SHOWN AND DESCRIBED ON THIS PLAT.

ALL LINEAL DIMENSIONS ARE U.S. SURVEY FEET.

LEGEND:

- Denotes a Recovered 5/8" Rebar with a 1 1/2" Aluminum Cap Stamped: 'LS 16117'.
- Denotes a Recovered 5/8" Rebar with a 1 1/2" Aluminum Cap Stamped: "LANDMARK LS 37937".
- Denotes a Recovered 5/8" Rebar with a 1 1/2" Aluminum Cap Stamped: "487".
- Denotes a Recovered 5/8" Rebar with a 1 3/4" Steel Disc Stamped: "6753".
- Denotes a Recovered 5/8" Rebar with a 1 1/2" Aluminum Cap Stamped: "BEAR LS 31544".
- Denotes a Recovered 1/2" Rebar with a 1" Plastic Cap Stamped: "WK CLARK LS 4542".
- Denotes a Recovered 1 1/2" Pipe.
- Denotes a Recovered 1/2" Rebar with a 1" Plastic Cap Stamped: "CC PLS 26296".
- Denotes a Recovered 5/8" Rebar with a 2 1/2" Aluminum Cap Stamped: 'LS 16117', & as Shown Hereon this Plat.
- Denotes a Recovered 1/2" Rebar with a 1" Plastic Cap, Cap Illegible.
- Denotes a Recovered 5/8" or 1/2" Rebar without a Cap.
- Denotes a 5/8" x 24" Steel Reinforcing Rebar Driven into the Ground with a 1 1/2" Aluminum Cap Stamped: 'LS 16117', to be set for this Survey.
- Denotes a "Caution Underground Gas Line Buried Nearby" Warning Sign.
- Denotes Approximate Location of a Water Line.
- Denotes a Fence.
- Denotes a Water Shut-off Valve.
- Denotes City of Salida Corporation Line.



NOTICE: THE SUBDIVISION OF THIS PROPERTY IS THE RESULT OF A PARTITION ACTION IN CHAFFEE COUNTY DISTRICT COURT. CASE NO. 2023CV30040

SURVEYOR'S STATEMENT:

I, MICHAEL K. HENDERSON, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS LAND SURVEY PLAT WAS PREPARED BY ME AND/OR UNDER MY DIRECT SUPERVISION AND IS BASED ON A MONUMENTED RETRACEMENT SURVEY OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAT, WHICH SURVEY WAS PERFORMED UNDER MY RESPONSIBLE CHARGE AND THAT SAID PLAT AND THE SURVEY ON WHICH IT IS BASED ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

COLORADO REGISTERED MICHAEL K. HENDERSON 16117 PROFESSIONAL LAND SURVEYOR 12/23/24

MICHAEL K. HENDERSON
REG. L.S. NO. 16117
STATE OF COLORADO

GENERAL LAND SURVEYOR'S NOTES:

1) PROPERTY DESCRIPTION IS BASED ON SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 486876 OF THE CHAFFEE COUNTY RECORDS.
2) NO TITLE COMMITMENT WAS PROVIDED BY THE CLIENT AND RECORD EASEMENT RESEARCH WAS NOT REQUESTED OR PERFORMED, EXCEPT BY VISUAL INSPECTION OF THE PROPERTY.
3) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION, ON THE RECOVERED SURVEY MONUMENTS SHOWN AND DESCRIBED HEREON AND ON THE FOLLOWING FILED ADJOINING SUBDIVISION PLATS:
BOUNDARY LINE ADJUSTMENT AND REPLAT (COCHETOPA ESTATES): RECEPTION NO. 309631).
COCHETOPA ESTATES SUBDIVISION: RECEPTION NO. 289761.
MESA VILLAGE SUBDIVISION FILING NO. 2: RECEPTION NO. 194486.
COTTONWOOD GREEN: RECEPTION NO. 348399.
CRESTONE MESA SUBDIVISION: RECEPTION NO. 420923.
AMENDED PLAT OF RAINBOW RIDGE: RECEPTION NO. 308820.
SHAVANO VISTA SUBIVISION: RECEPTION NO. 122596 SHAVANO VISTA AMENDED: RECEPTION NO. 1275118.
WINGER MINOR SUBDIVISION: RECEPTION NO. 494398.
4) ROADS AND STREETS IN SHAVANO VISTA SUBDIVISION WERE PERPETUALLY DEDICATED TO THE PUBLIC USE AND SHOULD BE EXCEPTED FROM THE HISTORIC LEGAL DESCRIPTION ALONG WITH THE LOTS IN SAID SUBDIVISION.
5) NEW LEGAL DESCRIPTIONS WILL BE PREPARED TO MORE ACCURATELY DESCRIBE THE PROPERTY, AS WELL AS THE NEW 4.5 ACRE TRACT, BASED ON THE RESULTS OF THIS SURVEY.
6) THE PROPERTY IS SUBJECT TO THE RIGHTS OF OTHERS TO OPERATE,MAINTAIN, INSPECT AND REPAIR THE IRRIGATION DITCH CROSSING THE PROPERTY PURSUANT TO COLORADO LAW RELATIVE RELATIVE TO DITCH RIGHTS.
7) THE PURPOSE OF THIS PLAT IS THE ESTABLISH THE BOUNDARIES OF THE TRACT OF LAND DESCRIBED AT RECEPTION NO. 486876 AND TO ESTABLISH A NEW 4.5 ACRE TRACT TO BE EXCLUDED FROM SAID TRACT.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT CONTAINED HEREON.

RECORD PROPERTY DESCRIPTION:

Part of the Southwest Quarter of the Southeast Quarter and part of the Southeast Quarter of the Southwest Quarter of Section 31, Township 50 North, Range 9 East of the New Mexico Principal Meridian, Chaffee County, Colorado, described by metes and bounds as follows:
Beginning at a point from whence the brass cap witness corner to the South Quarter corner of said Section 31 bears South 88°47.5' East a distance of 45.82 feet (said witness corner being a distance of 14.5 feet North of said South Quarter corner); thence, South 88°47.5' East 41.27 feet; thence North 0°20' East a distance of 666.50 feet to the Northwest corner of a tract described in Book 298 at Page 459 of the Chaffee County, Colorado records; thence, South 89°40' East a distance of 528.0 feet; thence, North 0°20' East a distance of 330.0 feet to the Northwest corner of a tract described in Book 317 at Page 322 of said Chaffee County records thence, South 89°40' East along the North boundary of said tract a distance of 800.0 feet, more or less, to the East line of the Southwest Quarter of the Southeast Quarter of said Section 31; thence, North 0°13'35" East a distance of 271.31 feet to the Norheast corner of the said Southwest Quarter of the Southeast Quarter of said Section 31; thence, North 89°28'40" West a distance of 2,643.78 feet to the Northwest corner of the Southeast Quarter of the Southwest Quarter of said Section 31; thence, South 0°45'50" West a distance of 895.60 feet along the West line of the said Southeast Quarter of the Southwest Quarter; thence, South 88°47.5' East a distance of 862.2 feet along the North boundary of a tract described in Book 337 at Page 38 of said Chaffee County records; thence, same course, a distance of 417.4 feet along the North boundary of a tract described in Book 329 at Page 216 of said Chaffee County records; thence, South 1°12.5' West a distance of 361.7 feet along the East boundary of said tract to the point of beginning.
LESS AND EXCEPT all lots in Shavano Vista Subdivision per Plat thereof filed October 17, 1966, in the Office of the Chaffee County Clerk and Recorder under Reception No. 122596 and per the Amendment to said Plat filed in said office March 18, 1968, under Reception No. 127518.
LESS AND EXCEPT that portion of subject property as described in Decree recorded August 8, 1985 in Book 473 at Page 570.
TOGETHER WITH the 20' utility easement created by said Decree recorded August 8, 1985 in Book 473 at Page 570 and as depicted on the plat of Mesa Village Subdivision Filing No. 2 recorded August 9, 1979 as Reception No. 194486.

(SEE GENERAL LAND SURVEYOR'S NOTE 5)

LAND SURVEY PLAT DEPOSIT:

CLERK'S NOTE: ON ________________, THIS LAND SURVEY PLAT (LSP) WAS ASSIGNED THE FOLLOWING RECORDING/DEPOSIT NUMBER ____________ BY THE CHAFFEE COUNTY CLERK AND RECORDER'S OFFICE. THIS SURVEY HAS NOT BEEN REVIEWED OR ACCEPTED BY THE CHAFFEE COUNTY SURVEYOR. THIS LSP WAS ORIGINALLY RECEIVED IN THE OFFICE OF THE CLERK AND RECORDER ON ________________, AND IS CONSIDERED TO BE AVAILABLE FOR INFORMATIONAL PURPOSES ONLY.

____
CHAFFEE COUNTY CLERK & RECORDER

Added tie to witness corner: 12/23/24 M.K.H.
Additions: 12/19/24 M.K.H.
Revised 4.5 Ac. Tract w/90° angles at SE & NE corners. 11/18/24 M.K.H.
Corrected 10/15/24 4.5 Ac. tract boundary dimensions: 11/14/24 M.K.H.
Revised 4.5 Ac. tract boundary: 10/15/24 MKH

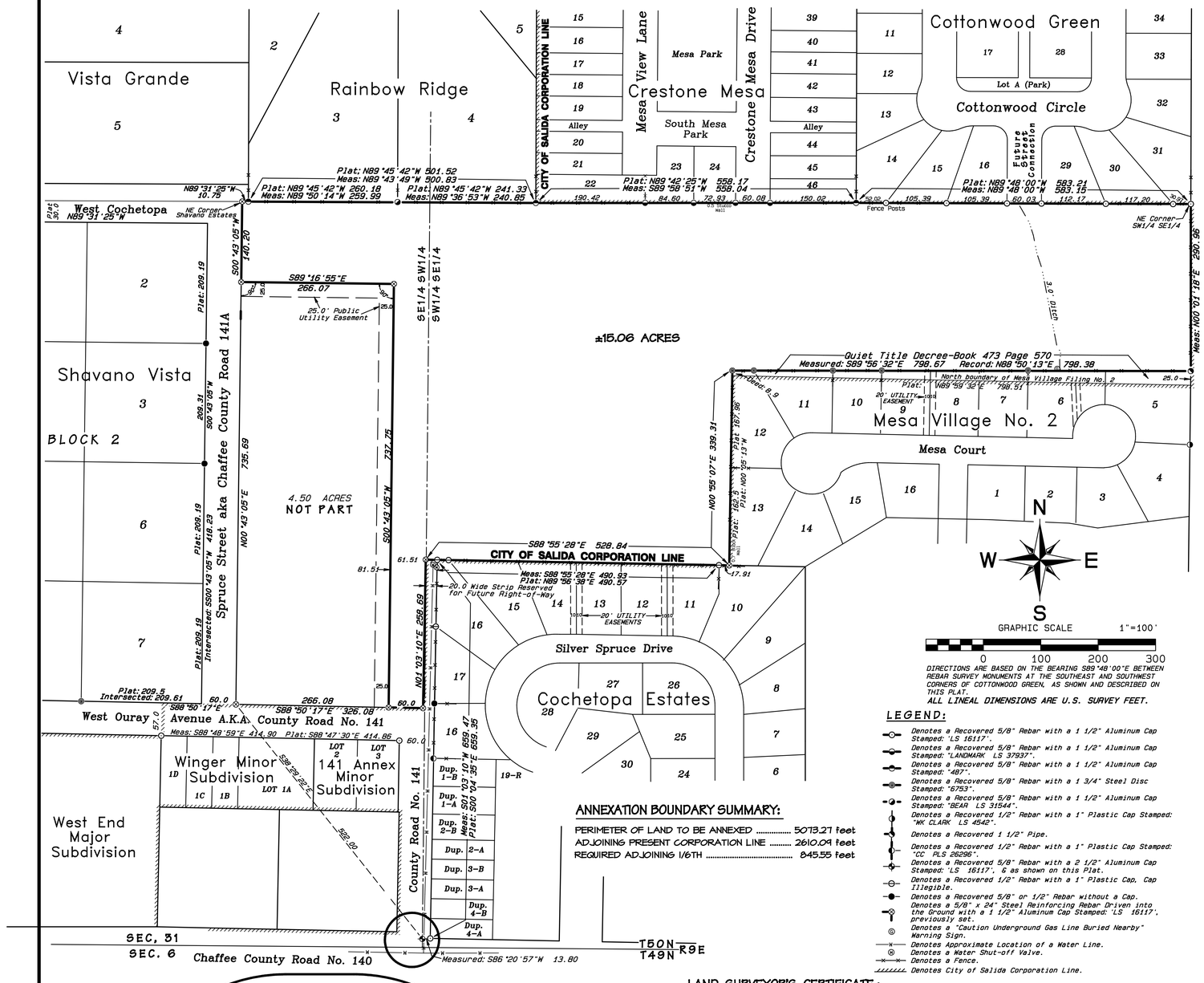
5–H LLC LAND SURVEY PLAT In the SW1/4 SE1/4 & SE1/4 SW1/4 of SECTION 31, TOWNSHIP 50 NORTH, RANGE 9 EAST, CHAFFEE COUNTY NEW MEXICO PRINCIPAL MERIDIAN COLORADO		
Job Number: J-24-122 DESIGNED: B.S.H. DRAWN BY: TMOD CADD M.K.H. CHECKED: Field Book: S346 Pages 62-65	**HENDERSON LAND SURVEYING CO., INC.** 203 G STREET SALIDA, COLORADO DATE: 8/1/24	DRAWING NO. L–24–38

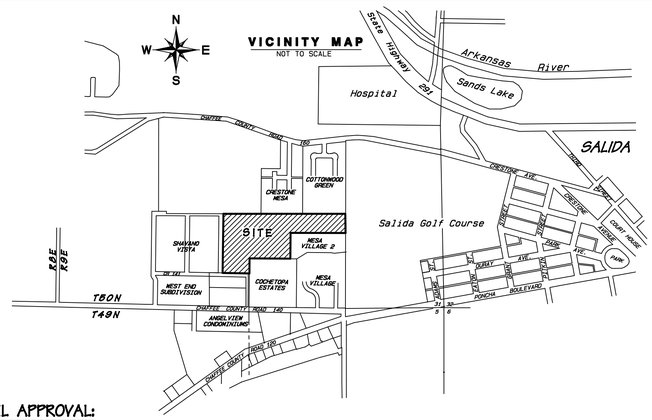
5-H LLC ANNEXATION PLAT

FOR A TRACT LOCATED IN THE

SW1/4 SE1/4 & SE1/4 SW1/4 of SECTION 31, TOWNSHIP 50 NORTH, RANGE 9 EAST, NEW MEXICO PRINCIPAL MERIDIAN

CHAFFEE COUNTY, COLORADO

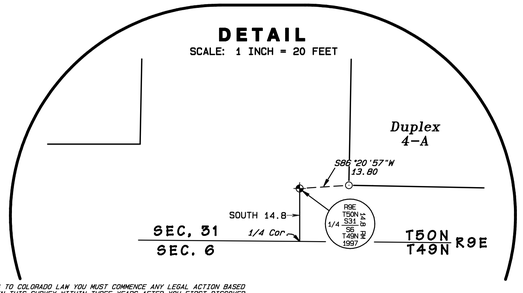




SALIDA GOLF COURSE

DETAIL

SCALE: 1 INCH = 20 FEET



NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT CONTAINED HEREON.

GRAPHIC SCALE 1"=100'

0 100 200 300

DIRECTIONS ARE BASED ON THE BEARING S89°48'00"E BETWEEN REBAR SURVEY MONUMENTS AT THE SOUTHEAST AND SOUTHWEST CORNERS OF COTTONWOOD GREEN, AS SHOWN AND DESCRIBED ON THIS PLAT.

ALL LINEAL DIMENSIONS ARE U.S. SURVEY FEET.

ANNEXATION BOUNDARY SUMMARY:

PERIMETER OF LAND TO BE ANNEXED ..... 5073.27 feet

ADJOINING PRESENT CORPORATION LINE ..... 2610.09 feet

REQUIRED ADJOINING 1/6TH ..... 845.55 feet

LEGEND:

- Denotes a Recovered 5/8" Rebar with a 1 1/2" Aluminum Cap Stamped: 'LS 16117'.
- Denotes a Recovered 5/8" Rebar with a 1 1/2" Aluminum Cap Stamped: "LANDMARK LS 37937".
- Denotes a Recovered 5/8" Rebar with a 1 1/2" Aluminum Cap Stamped: "487".
- Denotes a Recovered 5/8" Rebar with a 1 3/4" Steel Disc Stamped: "6753".
- Denotes a Recovered 5/8" Rebar with a 1 1/2" Aluminum Cap Stamped: "BEAR LS 31544".
- Denotes a Recovered 1/2" Rebar with a 1" Plastic Cap Stamped: "MK CLARK LS 4542".
- Denotes a Recovered 1 1/2" Pipe.
- Denotes a Recovered 1/2" Rebar with a 1" Plastic Cap Stamped: "CC PLS 26296".
- Denotes a Recovered 5/8" Rebar with a 2 1/2" Aluminum Cap Stamped: 'LS 16117', & as shown on this Plat.
- Denotes a Recovered 1/2" Rebar with a 1" Plastic Cap, Cap Illegible.
- Denotes a Recovered 5/8" or 1/2" Rebar without a Cap.
- Denotes a 5/8" x 24" Steel Reinforcing Rebar Driven into the Ground with a 1 1/2" Aluminum Cap Stamped: 'LS 16117', previously set.
- Denotes a "Caution Underground Gas Line Buried Nearby" Warning Sign.
- Denotes Approximate Location of a Water Line.
- Denotes a Water Shut-off Valve.
- Denotes a Fence.
- Denotes City of Salida Corporation Line.

LAND SURVEYOR'S CERTIFICATE:

I, MICHAEL K. HENDERSON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THE MONUMENTS SHOWN HEREON WERE RECOVERED AS INDICATED, AND THIS PLAT ACCURATELY REPRESENTS THE RESULTS OF SAID SURVEY TO THE BEST OF MY KNOWLEDGE. I FURTHER CERTIFY THAT AT LEAST ONE-SIXTH OF THE PERIMETER BOUNDARIES OF THE TRACT TO BE ANNEXED ARE ADJACENT TO THE PRESENT CITY OF SALIDA CORPORATION LINE.

DATED THIS _____ DAY OF _____ , 202___.

_____

MICHAEL K. HENDERSON
REG. L. S. NO. 16117
STATE OF COLORADO

GENERAL LAND SURVEYOR'S NOTES:

1) ANNEXATION DESCRIPTION WAS PREPARED BY MICHAEL K. HENDERSON AND IS BASED ON EXHIBIT C OF CHAFFEE COUNTY DISTRICT COURT ORDER, JUDGMENT AND DECREE FOR PATITITION OF PROPERTY RECORDED AT RECPETION NO. 448481.
2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION AND ON THE LOCATIONS OF THE RECOVERED REBAR SURVEY MONUMENTS SHOWN AND DESCRIBED HEREON AND ON THE RESULTS OF THIS SURVEY AS SHOWN ON THE 5-H LLC LAND SURVEY PLAT DEPOSITED WITH THE CHAFFEE COUNTY LAND SURVEY PLATS AS SUR _____.

CITY COUNCIL APPROVAL:

WHEREAS THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, HAS BEEN PRESENTED WITH AN APPLICATION TO ANNEX THE TERRITORY DESCRIBED HEREIN BY 5-H LLC, A COLORADO LIMITED LIABILTY COMPANY, BEING THE OWNERS OF 100% OF THE AREA TO BE ANNEXED;
AND

WHEREAS, THE CITY COUNCIL BY RESOLUTION ADOPTED _____, 202___, DETERMINED THAT THE ANNEXATION APPLICATION SUBSTANTIALLY COMPLIED WITH THE REQUIREMENTS OF SECTION 30-12-107(1), C.R.S; AND

WHEREAS, AFTER PUBLISHED NOTICE AND PUBLIC HEARING ON _____, 202___, AS REQUIRED BY SECTION 31-12-108, C.R.S., THE CITY COUNCIL ADOPTED RESOLUTION NUMBER _____(SERIES OF 202___), DETERMINING THAT THE ANNEXATION SATISFIED THE REQUIREMENTS OF SECTION 31-12-104 AND 105, C.R.S., AND THAT AN ANNEXATION ELECTION WAS NOT REQUIRED;
AND

WHEREAS, ON _____, 202___, THE CITY COUNCIL ADOPTED ORDINANCE NUMBER _____ (SERIES OF 202___), APPROVING AND ANNEXING 5-H LLC ANNEXATION TO THE CITY OF SALIDA.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO DOES HEREBY APPROVE AND ACCEPT THE 5H LLC ANNEXATION DESCRIBED HEREIN; TO WIT, THE TERRITORY COMPRISING 15.06 ACRES, MORE OR LESS, AND BEING DESCRIBED AS FOLLOWS:

A tract of land located in the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) and the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 31, Township 50 North Range 9 East of the New Mexico Principal Meridian, Chaffee County, Colorado, being more particularly described as follows:
Commencing at the Southeast corner (5/8-inch rebar with 1 1/2-inch aluminum cap stamped 'LS 16117') of Shavano Vista Subdivision (Reception No. 122546), from whence the witness corner (5/8-inch rebar with 2 1/2-inch aluminum cap stamped "1/4 T5ON R9E S31 over S6 T49N, 1997, 14.8 RM LS 16117) to the South 1/4 corner of said Section 31 bears South 38°29'22" East 522.00 feet (South 1/4 corner is South 14.8 feet from witness corner); thence South 88°50'17" East along the North boundary of Chaffee County Road No. 141, a distance of 266.08 feet to the point of beginning of the tract herein described, said point being marked by a 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped 'LS 16117'; thence proceeding around the tract, continuing South 88°50'17" East along said north county road boundary, 60.0 feet to a point on the West boundary of Cochetopa Estates, a subdivision located within the City of Salida; said point being marked by a 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped 'LS 16117'; thence North 01°03'10" East 259.69 feet to another 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped 'LS 16617' at the Northwest corner of said subdivision; thence South 88°55'28" East along the North boundary of Cochetopa Estates 528.84 feet to a 5/8-inch rebar with a 1 1/2-inch aluminum cap at the Southwest corner of Mesa Village No. 2, a subdivision located within the City of Salida; thence North 00°55'07" East along the West boundary of said Mesa Village No. 2 and a projection northerly, a distance of 349.31 feet to a 5/8-inch rebar with a 1 3/4-inch steel disc stamped '6755' at the Northwest corner of that certain tract of land described in Quiet Title Decree recorded in Book 473 at Page 570 of the Chaffee County records; thence South 84°56'32" East along the monumented north boundary of said tract described in quiet title decree a distance of 798.67 fet to a 1 1/2-inch pipe, being a point on the monumented East boundary of the said SW1/4 SE1/4 of Section 30; thence North 00°01'18" East along said monumented east boundary, a distance of 240.96 feet to a 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped 'LS 16117' at the Southeast corner of Cottonwood Green, a subdivision located within the City of Salida; thence along the monumented north boundary of the SW1/4 SE1/4 and SE1/4 SW1/4 the following: First North 84°48'00" West 583.15 feet to a 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped '487' at the Southwest corner of said Cottonwood Green, being common with the Southeast corner of Crestone Mesa, a subdivision located in the City of Salida; thence North 84°56'51" West 558.04 feet to another 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped '487' at the Southwest corner of said Crestone Mesa, said corner being common with the Southeast corner of Rainbow Ridge, a subdivision located within Chaffee County; thence North 84°43'41" West 500.83 feet to another 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped '487' at the Southwest corner of said Rainbow Ridge, being common with the Southeast corner of Vista Grande, a subdivision located within Chaffee County; AND thence North 84°31'25" West 10.75 feet to a 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped 'LS 16117' at the Northeast corner of Shavano Vista Subdivision; thence leaving said monumented north boundary of the SE1/4 SW1/4, South 00°43'05" West along the East boundary of Spruce Street in said Shavano Estates, a distance of 140.20 Feet to a 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped 'LS 16117'; thence South 84°16'55" East 266.01 feet to another 5/8-inch rebar with a 1 1/2-inch aluminum cap stamped 'LS 16117'; thence South 00°43'05" West 737.35 feet to the point of beginning.
Containing 15.06 Acres.

SUBJECT TO THE TERMS AND CONDITIONS OF THE ANNEXATION AGREEMENT RECORDED AT RECEPTION NO. _____ OF THE CHAFFEE COUNTY RECORDS.

APPROVED THIS _____ DAY OF _____, 202___.

BY: _____
MAYOR OF THE CITY OF SALIDA

OWNERS:

5-H LLC, A COLORADO LIMITED LIABILITY COMPANY
130 WEST 2ND STREET, SUITE 1
Salida, CO. 81201

OWNERS CERTIFICATE:

THIS IS TO CERTIFY THAT THE UNDERSIGNED, BEING THE OWNER OF 100% OF THE PROPERTY DESCRIBED AND SHOWN HEREON DESIRE AND APPROVE OF THE ANNEXATION OF SAID PROPERTY TO THE CITY OF SALIDA.

5-H LLC, A COLORADO LIMITED LIABILITY COMPANY

_____
L. Britt Hughes, Manager

STATE OF COLORADO }
} ss
COUNTY OF CHAFFEE }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 202___,

WITNESS MY HAND AND OFFICAIL SEAL

MY COMMISSION EXPIRES _____

NOTARY PUBLIC: _____

ADDRESS:

CITY OF SALIDA CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS EXECUTED ANNEXATION MAP, ALONG WITH THE ORIGINAL ANNEXATION ORIDINANCE FOR THE 5-H LLC ANNEXATION WAS ACCEPTED FOR FILING IN MY OFFICE ON THE _____ DAY OF _____, 202___.

_____
CITY CLERK

CHAFFEE COUNTY CLERK & RECORDER'S CERTIFICATE:

I HEREBY CERTIFY THAT A CERTIFIED COPY OF THIS ANNEXATION MAP AND A CERTIFIED COPY OF THE ANNEXATION ORDINANCE FOR THE 5-H LLC ANNEXATION TO THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, WERE ACCEPTED AND FILED IN MY OFFICE ON THIS _____ DAY OF _____ , 20___, UNDER RECEPTION NUMBER(S) _____ .

_____
CHAFFEE COUNTY CLERK AND RECORDER

	5-H LLC ANNEXATION PLAT In the SW1/4 SE1/4 & SE1/4 SW1/4 of SECTION 31, TOWNSHIP 50 NORTH, RANGE 9 EAST, CHAFFEE COUNTY NEW MEXICO PRINCIPAL MERIDIAN COLORADO	
Job Number: J-25-071 DESIGNED: B.S.H. DRAWN BY: TWO DADS M.K.H. CHECKED: Field Book: S346 Pages 62-65	HENDERSON LAND SURVEYING CO., INC. 203 G STREET SALIDA, COLORADO	
	DATE: 5/29/25	DRAWING NO. L-25-19

PLANNING COMMISSION STAFF REPORT

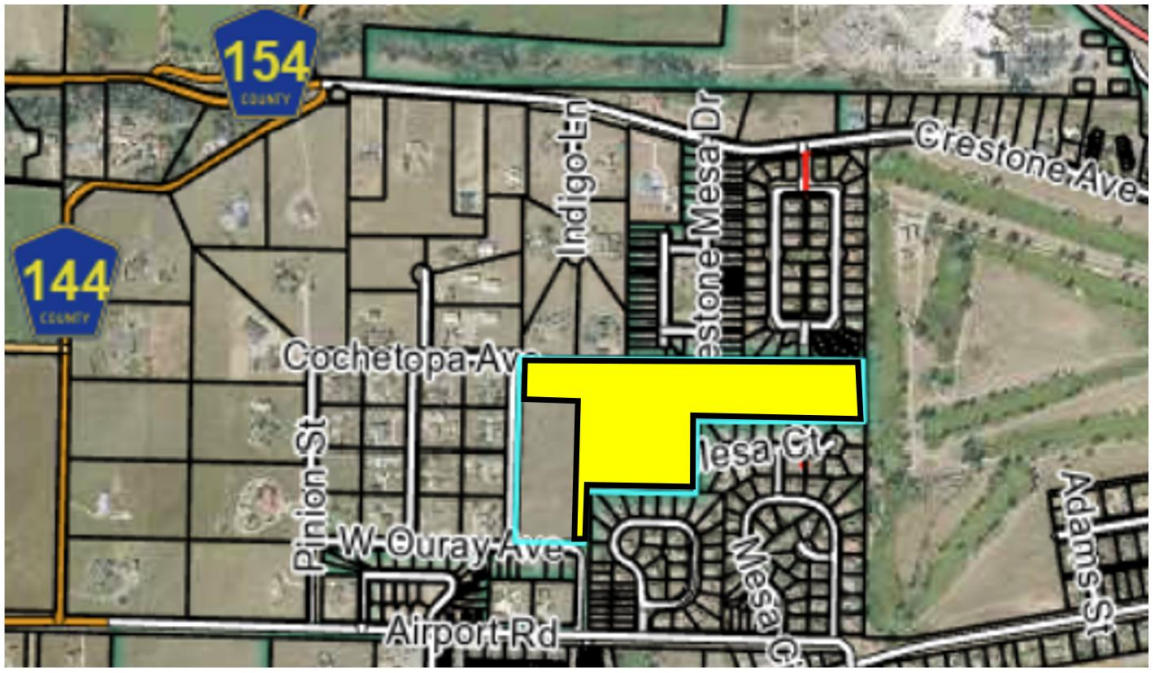
MEETING DATE:	July 28, 2025
AGENDA ITEM TITLE:	Recommendation on Proposed R-3 Zoning for the 5-H LLC Annexation
AGENDA SECTION:	Public Hearing

REQUEST / BACKGROUND

Following approval of the 5-H LLC Annexation a 15.06-acre portion of an 18.32-acre property (Parcel No. 368131400015) into the City of Salida, the applicants, 5-H LLC represented by Walt Harder, Dustin Hughes, and Britt Hughes request zoning the property R-3 High Density Residential.

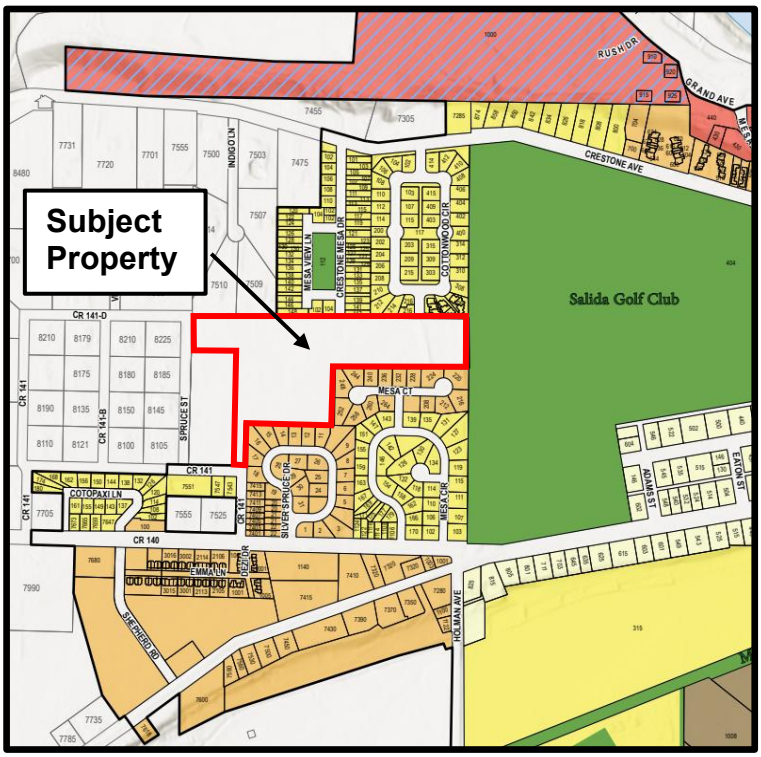
The property is located east of Spruce Street and north of West Ouray Avenue.

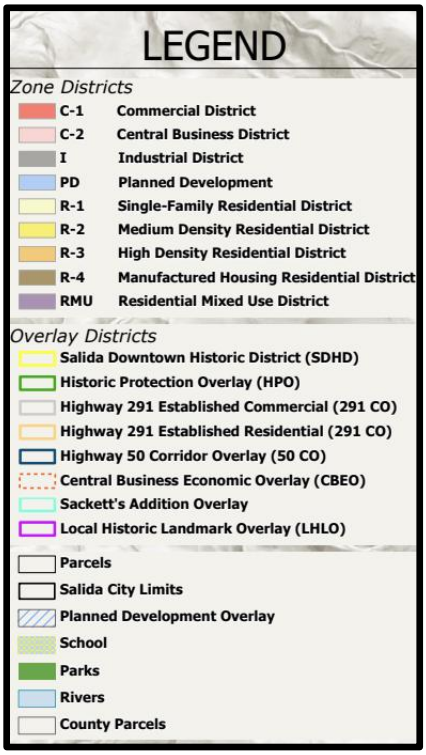
Subject Property



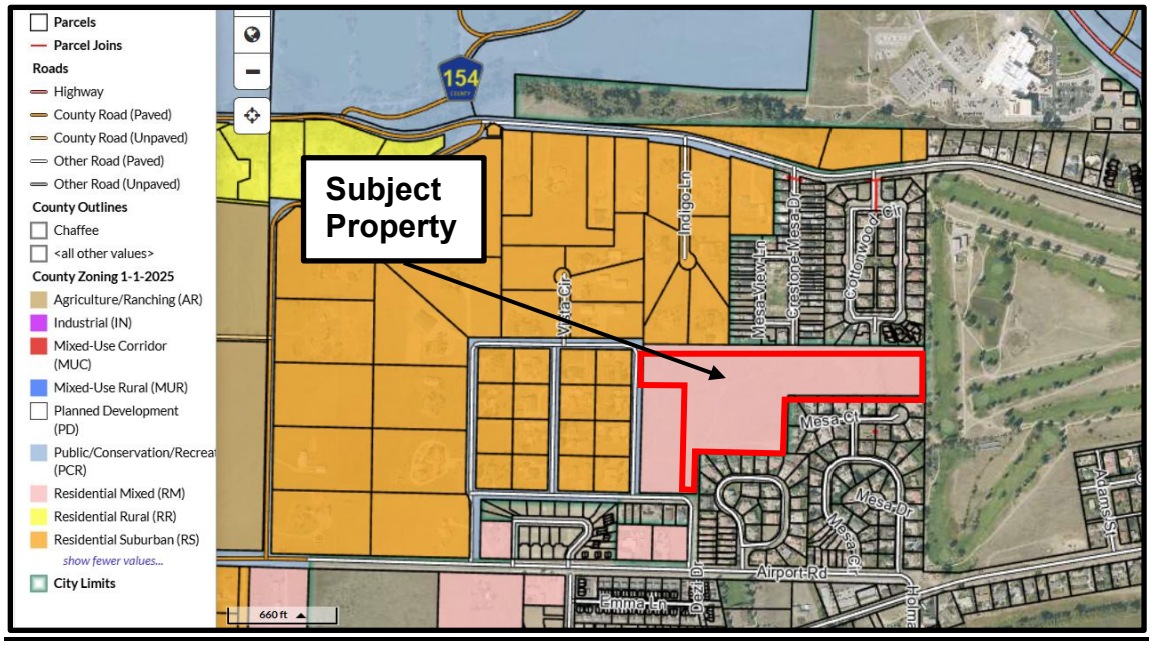
Surrounding Land Use and Zoning: The site is currently zoned RM (Residential Mixed) zone district in Chaffee County. Properties to the west remain in Chaffee County and are zoned RS (Residential Suburban). The remaining surrounding properties are within city limits and include the Crestone Mesa and Cottonwood Green subdivisions to the north; the Salida Golf Club (City of Salida property) to the east; and Mesa Village, Cochetopa Estates, and Annex and Winger Minor subdivisions to the south.

City of Salida Zoning Map





Chaffee County Zoning Map

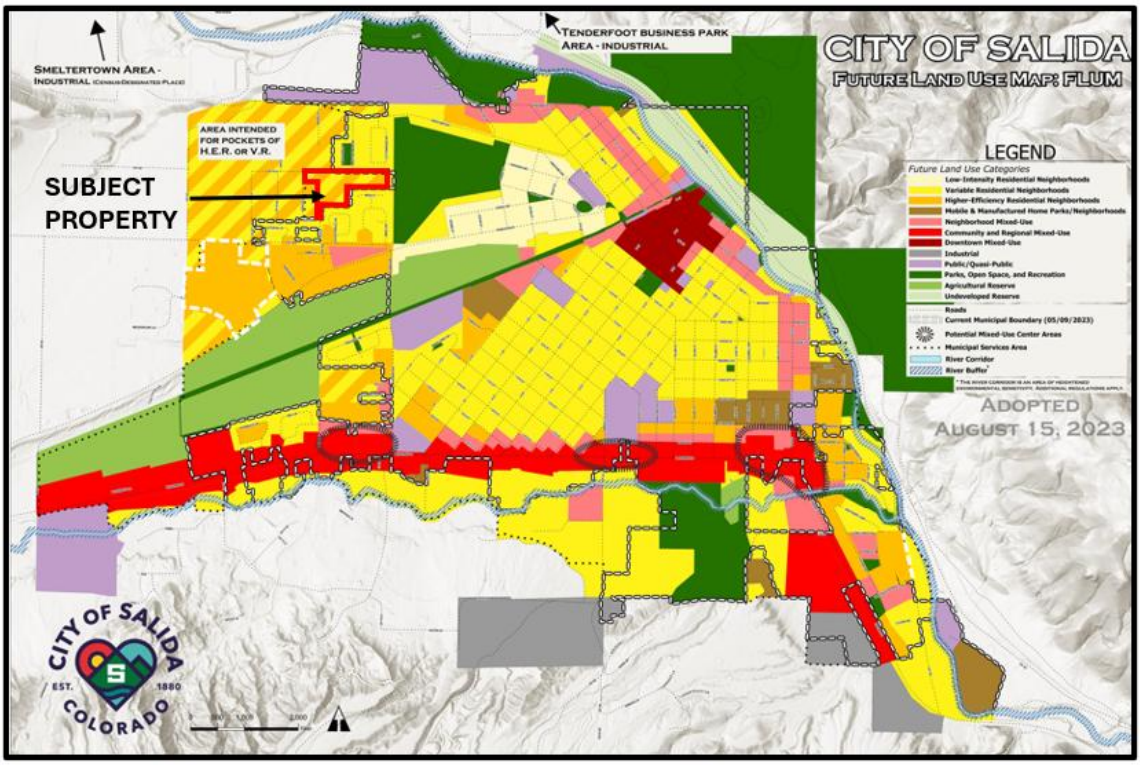


REVIEW STANDARDS FOR ZONING MAP AMENDMENTS (Section 16-4-210):

1. **Consistency with the Comprehensive Plan.** The proposed amendment shall be consistent with the Comprehensive Plan.

- The Comprehensive Plan indicates:
  - New development shall be within the Municipal Services Area (MSA) and be developed at maximum densities to make the best use of available infrastructure.
    - The proposed annexation lies within the MSA and will accommodate urban densities.
  - Proposals should include connections to pedestrian and bicycle corridors, have sufficient water, and promote innovative and energy efficient design.
    - The previously presented Conceptual Plan indicated the provision of an 8-foot concrete shared use path network through the proposed development.
  - Zoning should continue existing patterns of development.
    - Zoning of R-3 High-Density Residential would be consistent with the zoning found in the adjacent properties and would continue the regular pattern of zone district application.
  - The proposed zoning conforms with the city's Future Land Use Map, which calls for either Variable Residential Neighborhoods or Higher-Efficiency Residential Neighborhoods.

Future Land Use Map – Adopted August 15, 2023



2. **Consistency with Purpose of Zone District.** The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.

    - Per the land use code, the purpose of the R-3 High-Density Residential zone district is to provide for relatively high-density duplex and multi-family residential areas, including primarily triplex, townhouse and apartment uses. Complementary land uses may also include such supporting land uses as parks, schools, churches, home occupations or day care, among other uses.

        - The proposed zoning has the capability for providing relatively high-density residential developments. Therefore, staff supports the request to zone the subject property R-3 High-Density Residential.

3. **Compatibility with Surrounding Zone Districts and Uses.** The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.

        - The proposed zoning classification of R-3 High Density Residential is consistent and compatible with the zoning and densities of the majority of the adjacent properties within the city.

4. **Changed Conditions or Errors.** The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.

        - The proposed zoning is occurring because of the requirement to zone the property when annexed into the City in accordance with Section 16-4-50 of the Land Use and Development Code.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission recommend City Council approve the proposed zoning of the property as R-3 High Density Residential as it is consistent with the comprehensive plan and will accommodate appropriate development densities to support the housing goals of the city.

RECOMMENDED MOTION:

"I move to recommend City Council _____ the proposed zoning of the 5-H LLC property as proposed to be annexed, to R-3 High-Density Residential Zone District, as it meets the applicable review standards."