

# Town of Leeds

## Planning Commission Meeting for Wednesday, September 3, 2025

### 1. Call To Order/Roll Call: 7:00pm

ROLL CALL:	<u>Present</u>	<u>Absent</u>
CHAIR: CHUCK BENTLEY	X	
COMMISSIONER: KEN HADLEY	X	
COMMISSIONER: LAURIE SULLIVAN		X
COMMISSIONER: ALAN ROBERTS	X	
COMMISSIONER: DAVID RHOADS		X
TOWN PLANNER: SCOTT MESSEL		X

2. **Invocation:** Commissioner Roberts
3. **Pledge of Allegiance**
4. **Declaration of Abstentions or Conflicts:** None
5. **Agenda:**

- a. Tonight's Agenda of September 3, 2025  
Motion to approve made by Commissioner Roberts, 2<sup>nd</sup> by Commissioner Hadley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
CHAIR: CHUCK BENTLEY	X			
COMMISSIONER: DAVID RHOADS				X
COMMISSIONER: KEN HADLEY	X			
COMMISSIONER: LAURIE SULLIVAN				X
COMMISSIONER: ALAN ROBERTS	X			

- b. Meeting Minutes of July 2, 2025  
Motion to approve made by Commissioner Roberts, 2<sup>nd</sup> by Commissioner Hadley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
CHAIR: CHUCK BENTLEY	X			
COMMISSIONER: DAVID RHOADS				X
COMMISSIONER: KEN HADLEY	X			
COMMISSIONER: LAURIE SULLIVAN				X
COMMISSIONER: ALAN ROBERTS	X			

1. Announcements: We are having a flag retirement on 9/11 Celebration in the park at 7pm.
2. Staff Reports – Discussion on received formal submittal of disconnect on a parcel of real property in Leeds L-2-D.

Scott Messel submitted a staff report to Planning Commission. Alan Robert reads through it. Information purpose is land use so there will be discussion, it's a request for property in Leeds. It's on the north end of Main. Discusses what was entered into the disconnect letter and the process of what the disconnect will go through. The land size is 44 acres, the owner approached the town to do a project that included some property that is not annexed in to be combined with this particular parcel in 2024, and they were looking for some

property that had mixed use. Gives history of where this process has been when it comes to mixed use. Goes over examples of other cities that have had disconnects granted.

Commissioner Chair Bentley: Goes over the density of what was proposed and what the county offers, vs what we proposed. States that we will get the negative side of growth not the benefits. Goes over the items that had caused the disconnect. Asks for the audience's comments.

Councilmember Peot: In the audience, states just for the record I was in favor of the mixed-use ordinance as was that came through originally back at the end of 2024. I did advocate that, just for the record the term used for the state is not affordable housing, its attainable housing, and it is a pretty high cap, so I was in support of allowing that for folks like the missing middle in Leeds. We were shot down, not because of other members of town council, but a certain member stalled on bringing that forward for town council. Also, for the record, we were asked to approve a version of the mixed-use ordinance that did not go through public hearing in town council. I felt like there was some bullying happening from the developer and several of us pushed back on that. I also feel like that the amount of the funding of the sewer was not done in a transparent way, and we should have been able to speak to Mike Chandler, Ash Creek, and assessing what the impact would be for the town as far as how much citizens would have to pay, potentially for impact fees, and how much were responsible for global infrastructure. I can't say that there wasn't some fault on both sides, but generally I was in favor and several of us were, for allowing affordances for attainable housing in mixed-use at a higher density than what was past.

Commissioner Chair Bentley: I don't mind stating so everyone knows where I come from. Paul Morris and his group have been as good a developer as we could ask for. Their projects are funded, they're organized, we know that they're not going to be stopped in the middle and we're ending in a mess. I think he's got a soft spot for Leeds. He wants to be in Leeds. I'm saying we dropped the ball.

Commissioner Roberts: The dynamics of development and what people want to do with their properties is different right now than it was 20 years ago here in Leeds. What I see is the potential for a domino effect on this, I am not saying that the town shouldn't disagree or not support a disconnect. It's not for me to say to what extent we push back on it, but there will be other properties that will approach the town for disconnects because of being unreasonable on allowing them to utilize their properties.

Councilmember Peot: I do appreciate an attempt to work within the town's ordinances initially with you guys, on the flip side, what I saw with the cove is you allowed them to circumvent existing ordinances around planned unit development. I don't think we should set up a scenario where you as a developer are going to come in and say whatever you want and try and force the town into circumventing existing ordinances that could have been used in this case with guardrails that were approved by prior legislative bodies and land use authorities. I don't want to see us as a town go down that path, and I speak on behalf of the majority of citizens in this town.

Commissioner Chair Bentley: I think you've got a point, except the way this was presented, which was legal with state law, it puts everything to the development agreement.

Councilmember Peot: It is legal, but the way it written a legislator, a town does not have to adopt it. We had a plan unit development, which had, it was the perfect use case for that, where it allowed for clustering with open space, and that was completely ignored. That should have been offered as the option. We did not have to accept it as it was written. It is up to the town whether we accept that.

Commissioner Roberts: You're going to live with whatever ramifications or whatever benefits or a combination of both, that come through that process.

Councilmember Peot: They're going in both ways there is for example if the town accepts responsibility as the water use authority that puts all the liability on the town when the wholesale water is no longer available. There are pros and cons to everything, and we need to look at the big picture here. What are the financial and liability ramifications of all of our decisions?

Commissioner Roberts: It causes me to ask the question, why would an area want to incorporate and become a municipality if they did not want to serve individuals within the municipality?

Councilmember Peot: We do have an existing system that allows us, we have our own water district, we have been on septic. I think again we have to assess what the larger cost benefit is of the town and what the citizens. We are representing all the citizens here in terms of what they want to see for the town. We are allowed as a town to set ordinances on zoning and on how those zones are laid out in the town through our master plan. If a developer doesn't feel like that fits in with their plans, then they have the right to de-annex.

Commissioner Chair Bentley: I think in the development agreement we have a lot more leeway and can get more in that than we can through our ordinances because we're not restricted.

Councilmember Peot: But you guys didn't review it, you kicked it back to town council.

Commissioner Chair Bentley: We don't review it we can't. The city council does that.

Councilmember Peot: You could have, as a recommending body, in fact, you would have had to consider that because of the fact that they zoning decisions then moved to the development agreement and you've alleviated all of your responsibility to review that and recommend that. That seems counterintuitive. What I heard is you didn't review that, like you left all the environmental to the town, which is a core part of that particular property from a risk perspective and needs to be reviewed in place.

Commissioner Chair Bentley: We reviewed it as far as the plan they have in effect for future remediation, for monitoring.

Councilmember Peot: Your lawyer missed a huge portion, and there are significant loopholes in the site maintenance agreement environmental covenants to exempt them from having to do any work.

Commissioner Roberts: When I talk about a domino effect, I am not listing the cove as one of those, that's from my perspective.

Councilmember Peot: The counter argument to not having some guardrails in the town is, we have to let developers do whatever they want. They can just write their own development agreement, make their own zones and that's property rights. I disagree that is what the majority of the citizens want in this town.

Commissioner Roberts: The development agreements are agreed upon by both parties, that's the caveat. The nice thing about development agreements is it does not exist until both parties agree to that.

Councilmember Peot: There's a reason we also have ordinances in this town.

Commissioner Chair Bentley: We can't supersede state law.

Councilmember Peot: State law does not require the town to approve of what you did over a planning development.

Commissioner Roberts: In 1953, why did the individuals in this town say, we're going to incorporate? We want to be our own municipality, and we want to look at what's happening in this area and have some influence on what this area becomes.

Councilmember Peot: We did up to a point, I don't think anybody predicted the amount of development pressure here. We had chosen to use LDWA as the water authority for the town and zoning regulations and ordinances were built upon that. I don't think anybody anticipated that we would be sitting here today, again, that doesn't mean we just have to roll over and let the developers decide what the rules are.

Commissioner Roberts: The town has not let a developer drive the bus, but the town has not been driving the bus.

Councilmember Peot: You let the cove drive the bus.

Susan Roberts: The Cove wanted more houses than these guys said that they could have they only gave a 10% increase.

Councilmember Peot: Had you followed the planned unit development, they wouldn't have been able to go to the density that they did. I don't fundamentally have a problem with density, but I do have a problem when we had a perfectly good ordinance in place to allow them flexibility, and it was ignored.

### 3. Discussion Items:

#### a. Bed and Breakfast Code

Commissioner Chair Bentley: This is another ordinance that was moved to the council in December of 2024 and haven't heard from it since. I requested that it get put on because we need to enact it and get it back to the council.

Councilmember Peot: We spend many months together, town council and planning commission working to get that in an acceptable state and it has been ignored and not brought forth on the agenda.

Commissioner Chair Bentley: I felt like it was in an acceptable state. If you get no action one way or the other, we can't modify anything because there's been no discussion.

Councilmember Peot: Can you make a phone call to the person that controls the agenda for town council.

Commissioner Chair Bentley: To get a mixed-use that works that a new ordinance, only has to have one clause change to change the density to five per acre, all other guardrails are in there.

#### b. Land Use

Moved past item because of lack of town planner.

#### c. Code

Moved past item because of lack of town planner.

#### d. Planned Development

Commissioner Chair Bentley: We need to address our PUD, it's really outdated. I would like to suggest that as a planning commission we work on that and get our PUD up to speed.

### 4. Adjournment at 7:33

Approved this 17<sup>th</sup> Day of September 2025.

  
Chuck Bentley, Planning Commission Chair

ATTEST:

  
Cari Bishop, Clerk/Recorder