

Town of Leeds

Planning Commission Meeting for Wednesday, October 1, 2025

1. Call To Order/Roll Call: 7:08pm

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 Sullivan

3. **Pledge of Allegiance**

4. **Declaration of Abstentions or Conflicts:** None

5. **Agenda:**

a. Tonight's Agenda of October 1, 2025

Motion to approve with changes made by Commissioner Roberts, 2nd by Commissioner Sullivan.

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 September 17, 2025

Motion to approve made by Commissioner Sullivan, 2nd by Commissioner Roberts.

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	_____	_____	_____

c. Meeting Minutes of September 17, 2025, Work Session

Motion to approve made by Commissioner Roberts, 2nd by Commissioner Sullivan.

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

- 6. Announcements: NONE
- 7. Staff Reports; NONE
- 8. Public Hearing:
 - a. Amending the Mixed-Use Zoning Ordinance 2025.05

Discussion on a proposed ordinance for a mixed-use zoning, focusing on attainable housing and density for the discussion. There was discussion about whether hotels and short-term rentals should be allowed in mixed-use or residential zones. The consensus was to exclude hotels and short-term rentals from these zones.

The commission reviewed permitted uses, including town homes, patio homes, and neighborhood grocery stores.

Density was a major topic: the proposed maximum residential density for mixed-use zones was debated with suggestions ranging from 4 to 5 units per acre. The commissioners agreed that 4.25 units per acre would be the compromise.

Lot sizes for single-family homes were discussed with a general agreement that 8,000 square feet was a reasonable minimum. The importance of development agreements was emphasized, as these allow the town and developers to negotiate specifics like density and setbacks and aesthetics.

Discussion of building height limits were set at 35 feet with an exception for grocery stores.

Motion to go into public hearing made by Commissioner Sullivan 2nd by Commissioner Roberts.

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			

Wayne Peterson: I would just say it's unfortunate that the notice for the public hearing did indicate that the documents would be available between 9 A.m. and 3 P.m. for review at the town hall by members of the public. And clearly this document is just coming in earlier this evening during the work session. I have a question because I've heard this referred to before and I'm seeing how it is being written here in section 23.1.7.4. Wait, what page is that? is page 17. Much easier. My fingers are in a lot of different spots here. I'm going to be floating a bit, if you'll bear with me. It says for every two-family unit, two family dwelling unit, three family dwelling unit and four family dwelling unit, there shall be an equal number of single-family dwelling or townhome units. And my question is, if there were two four family dwelling units, how many single family dwelling or townhome units would you expect to be there?

If I could share a few other figures that I have here. In the definitions, there are definitions for dwelling, single family dwelling, two family dwelling, three family dwelling, four family dwelling, multiple family. Then additionally in the definition, there are dwelling units, single family, dwelling unit two family, and then it ends. And within the definition of dwelling unit two family on page 5, item 49, it says a building arranged or designed to be occupied by two families, the structure having only two dwelling units. Each dwelling unit will have a separate entrance. It seems to me within it, it's saying it's two units, but the way it's written on page 17, it sounds to me like a four-family dwelling unit is a unit, not, and that gets to the two versus eight question. I think it would be important to spell it out. I know it would be probably in the development agreement, but I think there's a need for this to make clear to anybody who's coming in thinking that they would be looking to use mixed-use and for the town in the future to know what the intent is there. Which is it that you would intend is the part that I'm not, what do you think it is clearly, Chuck, in your mind, if I could request that? Well, in the example of two four-family units, how many single family would there need to be?

Chair Bentley: One for each one.

Wayne Peterson: The only other thing, and I don't know, I realize there's a lot that falls to the development agreement, but is the requirement of 1 for one in the development agreement, or is it going to be as it might be phased out in an actual building in order to avoid the building of all of the four families with a plat that shows the necessary number of one families that never get built?

Commissioner Bentley: I personally think I think that's in the development agreement. And if you allow the phases to be phased, there's always that risk.

Paul Morris: I just wondered why I went to your definition is you have a definition of multiple family, and it's more than four units. That's in your current law, so it's five or more. If you read your definition of apartment, it says C, dwelling, multiple family. An apartment is five or more units. In the mixed-use version the town council adopted, they adopted and used the same words, multiple dwelling, and said it's four or less. You have two definitions that said exactly the opposite. One definition said it's five or more, the other said it's four or less. And that's just when the council did it. And I'm not knocking the council. I know they made some things at the last, and they just landed on multiple family. My suggestion was you already have a definition of single family, two family, three family, and four family, get rid of multiple family in the mixed-use. Leave the definition you already have a multiple family, which is five or more and just use single

family, two family, three family, four family, because that was the intent of the town council. You can't have more than a four-plex in your mixed-use. And you already have those defined terms. That's why I suggested crossing out multiple family. To Wayne's point, and it was an excellent point, and I drafted that language, and the intent was 8 to 8. If you got, for every four-plex, you got to have four houses. That was the intent. Because it uses the word-- and you want to say it better, but when you use the word unit, unit, if you read your definition of single family, two family, three, it says a family is a unit. Now, one way to make it clear, sometimes in ordinances when it's complicated, you don't always want to do it. Sometimes you say, you put right in the words, for example, if there's two fourplexes, that means eight. Sometimes they do that in parentheses. There is going to be no ambiguity that one fourplex is one unit. It's one unit, one dwelling or family unit to family unit. We're not proposing-- I know I'm not going to talk about it now because it's the next public hearing to rezone our property to use. We're not proposing any duplexes, any triplexes, or any fourplexes. I was just trying to make it clear for somebody else who might have the mixed-use. We're doing single family and townhomes only. When you have a fourplex, or a triplex, or a two plex, that's rental. Even if I buy the duplex, or I buy the triplex, two people are going to rent. And there's nothing wrong with that. I have nothing against rental. I got feedback from people in the community in Leeds that in this particular property along there, they'd rather not have it be rental. They'd rather have it owner-occupied. When we went back to the group, we said, OK, let's make it so it's the townhome. How do your home is single family, and let's stay away from the duplex, three-plex, and four-plex. What I'm saying is, it doesn't make a difference to us, but I was just trying to follow the intent of what was in the four or less, and it's one for one, one family unit to one. The other thing I had just, it was challenging because some things like your definition of subdivision is not right, it doesn't match state law, you have several of those where the definitions are wrong. I was going through those and I had a draft and I thought, this. Yeah, scaled back and just went, let's just focus on any of these word chains or mixed-use. And any of the definitions that I propose are changes just to match state law. I didn't come up with anything else other than reading state law and just putting it in there making it match. The definition of law, the definition of parcel, the things that Scott's already gone through with me. Now the other thing is, On the attainable housing, I think you misunderstood the language. The point of the language did not get the zoning on the unincorporated county, because Alan is exactly right. You can't zone until it goes through the public process. Development agreements are amazing from both the government side, exactly what Chuck said. I love them on the government side. I love them on the private side. Everybody knows what you're going to get. If you have a development agreement and it's reported against the property, and mine says, I'm not going to do fourplexes, and then we sell the property to somebody else, oh, I got mixed-use. I'm going to come in and do fourplexes because it's allowed. No, it's in the development agreement. You've got to go back and amend the development agreement. Even though they're allowed in the zone, they're not allowed because of your development agreement. We come to an understanding of exactly what you said. And that binds us, and it binds anybody who buys it. I agree with those. The point of the-- oh, and by the way, one other thing under state law, you cannot, in a development agreement, commit to zoning, future zoning. Same logic, exactly what you just said, Alan. What the intent was, and when you see our plan, half of its unincorporated counting, half is in Leeds. We are putting the attainable housing in the unincorporated county side. That's all I was trying to say is that you can, because you're requiring 10%, the attainable housing, we're doing 30, 30%. We're going to do a lot of attainable workforce housing. I like that. Affordable for the workforce housing. We were just saying, look, if you have a 10% requirement, but it's right next door, literally, the county, that's okay to count. That's all I meant. Otherwise, to meet your 10% on the 150 units, we've got to move 15 of the affordable housing onto the Leeds side. I was just saying, in a logical plan, let's just count it. That's all that was meant. It doesn't give any zoning to the accounting side, because that's not allowed. Anyway, that was the intent. We have not said it, but if you want, I was going to give a little explanation of how we're doing the affordable part of it for the workforce housing. But the short version is we're doing a new business model that's quite exciting. And we're working close with the state housing director and the governor's appointee on affordable housing. And we want to focus on owner-occupied workforce. The way we're doing it is we're bonding for a portion of the vertical construction, so the mortgage is less. And our estimate is that at market rate townhomes, ours will be 20% less. The mortgage with tax and all that will be 20% less than a comparable town home. And the same with the housing. The single-family housing could be a \$650,000 house, and it's going to be the equivalent of somebody who's making the AMI here can afford it. we're going to do 100. The plan right now is 100 patio-owned town homes that meet the affordability for workforce housing. And you have to be screened that you actually-- you are the plumber or the firefighter or whatever and such, and the houses would normally be the six and they would.

We want to have a grocery store, the traditional commercial. We want true mixed-use. I've heard that the community would really like the grocery store. We're involved in the grapevine. They want a grocery store. I've had two different grocery stores; three grocery store people stand on the property with me. Tenderly, it's very difficult because I want all the rooftops first, and Leeds population isn't enough, and our houses aren't built yet, but we are, one of our goals is the grocery store.

Commissioner Chair Bentley: Because it's been stated, we're trying to do a mixed-use, hopefully that works for you, because we want to keep you in. No, we're not going to write it specifically for you. It needs to be for what works for the town. And we don't feel like a hotel works for the town.

Paul Morris: I try to be faithful to exactly what you said. Even if I don't need it, let's make it still clean and the language work well. Now, in the density, I don't know if you're just messing with us, but our density is 4.26. You guys picked 4.25, we're 1-100th, but that's pretty dang close. OK, we can figure out the 0.0, 1-100th. Then on the density of the houses, our smallest one is 8,300. Our average is over 10,000, the pardon leaves. The smallest is, that's why the 8,000 was 8,300. We got some that are 10, 11, even 12, I think. The average is more than 10 on the Leeds side. It was purely a mistake, but I only went with what was the official law for the town that they adopted. The reason for the whole multi-use development is because they had a one definition, which was a planned development, another was the multi-use. They were word for word, the same definition. Somehow, they got combined together in that long, multi-use plan. I just shortened it down to use one set of words that matched. That's what that was all about, is only to use. And it changed the definition, just shortened it, what the category was.

Susan Savage: I really appreciate all your discussion about all this and your thoughts about what you want for the town. I have a little story. At some point when I was serving on the board of directors of the NRCS, which is a part of the Department of Agriculture. We went to a seminar on city planning, and this story was told. It said that AT&T had come into Colorado looking for a home for one of their centers, their big centers. They had several communities that were, of course, interested in having them come in. Everybody was offering them incentives of all kinds to get them to come except for one, that's the community that they chose. Because they said, it was a community that said to them, we know who we are and who we want to be and where we're going. If you want to fit into that, we'd love to have you, but we're not changing it on your account. I guess that story stayed with me. The other thing I wanted to say was there are four legs on an elephant, and then all the ears and tusks and tail and all that. Another leg of this elephant is water, right? These areas will be served by the Water Conservancy District. And the district has just finished a resolution. They've taken since last April; they've been going to all the communities to review this with them. That's pretty draconian. This applies to all new developments. I don't know how that interfaces with what you're doing when part of the community is served by the conservancy district, but that is supposed to apply to all new developments. It would be something to find out about.

Paul Morris: Susan makes a good point. It's the ultra-water conservation standard. The water tank in Grapevine is also going to feed this site, both the county and the unincorporated county and the Leeds site. All of it's going to be served by this, and we agreed to abide by their ultra water conservation standard. The old standard several years ago was one house, on average, one house had that 0.89-acre feet. Current standard right now is 0.59-acre feet per year per house. The new standard the state hasn't approved yet is 0.39-acre feet per house. You can only have 2,000 square feet of watered area. It has to be a drip system. You don't do sprinkler system. The grapevine development, and because it's served by the same water tank, we have agreed that we will abide by the new ultra water conservation standards for this development as well as them.

a. Amending the Mixed-Use Zoning Ordinance 2025.05

Motion to go out of public hearing made by Commissioner Roberts 2nd by Commissioner Sullivan.

Commissioner Bentley: I'll make a motion that we take the revised draft for multi-use with the noted deletions and addition that were been talked about and kept by Scott and that we forward that motion to approve it and forward it to City Council for approval.

Motion to approve made by Commissioner Bentley 2nd by Commissioner Sullivan.

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. Zone Change for the parcel located at L-2-D

The zone change is proposed for a property at the north end of Main Street. The property is partly in unincorporated Washington County and partly in the town of Leeds. The request is to rezone the area to a mixed-use zone, pending approval by the town council. The plan includes a commercial center with a grocery store and other buildings, improved entrance, and lower-density single family homes toward the back. There will be a pedestrian bridge over a wash to connect neighborhoods and make access to the grocery store easier, aiming to serve as a neighborhood commercial hub.

Motion to go into public hearing made by Commissioner Sullivan 2nd by Commissioner Roberts.

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			

Wayne Peterson: I just want to preface my remarks by reminding people who may have heard this before and to tell new people I was a math major, I'm not an attorney. I do wish we could have some input from an attorney. And I understand that Craig Hall had resigned due to his health. The one thing I would just try to highlight for the Planning Commission to be aware of is that the town of Leeds did not hire Craig Hall to be our attorney. Rather, we accepted a proposal from Bennett, Tooler, Johnson, and Deere, BTJD, is how I've always known them. I had to look it up to find out who the four people who had their name on the firm were, to be the town attorney. And my hope would be that they would be able to provide, even if they are not interested in the long term, I think they would have an ethical obligation to still serve the town. And my math major thinks that trying to rezone to a zone that's being proposed to the town council is a step removed that probably doesn't work. And the suggestion about are they okay being zoned to the existing mixed-use. I believe that's the only mixed-use zone that exists in the town of Leeds right now. As a result, I think that the discussion that you're having right now, not trying to complicate things, but just to try to prevent it from being kind of legally not in the order. In the order. Is I think there would be a need to verify or at least go with the concept. I believe, but again, I don't have the background to say it with certainty, that zone that exists in the town is what's currently on the books and not the one that we just heard a public hearing on and a motion to send to the town council recommending approval.

Commissioner Chair Bentley: I concur with that, but I also know that it could be zoned in with the exist, I don't know, but I think it's zoned in under the existing multi-use. And the town can change that and all they use at any time, and that's what they would be under, which is essentially what we're doing.

Wayne Peterson: Not exactly, because of exactly what the case was with that one small parcel, and it's one parcel by the cemetery that is zoned mixed-use right now. It has the mixed-use zone that was repealed in 2016. That applies to them still. And there was a discussion with them that I heard during the work session about did they want to be zoned something different? And they did not. They wanted to keep that mixed-use. The owner at that time, I believe it may have changed hands since then, and there could be another discussion held. The owner at the time that it was repealed said they wanted to maintain it, and it was being maintained. And there have been other preliminary development agreements that became final development agreements. where it applies to the 2005 Leeds land use, not the 2008. Now that got modified while I was mayor, but we had a period where we were operating with both the 2005 applying to some properties and the 2008 to other properties.

Paul Morris: I think what you've said and what Wayne said, I would agree with. That is, at the council meeting, whatever version of the mixed-use, they adopt, and then it can have an immediate effective date. And then if they give us the zoning, that's what will apply. If they don't adopt anything that you did, we'll have the version that's on the books right now. Whatever version is the version that gets adopted is the one that would apply to this particular land. Obviously, it's our hope that at that meeting, they would adopt your recommendation and then adopt then when they give the zoning so do it in that order, just like you did. First, the text changes, and then what zoning. We recognize the true fact that it will be whatever the law is on that day, when they approve, if they approve the zone change, that's what will apply.

Paul Morris discusses the challenges of annexing property into Leeds, explaining that previous recommendations and adopted versions of the law did not work for their needs. Because of this, they filed a petition to disconnect part of the property. If a new development agreement is reached that works for both sides, they are willing to withdraw the disconnection petition and proceed with annexation of the other parcel.

Chris Harvey: In witnessing this whole discussion, I really don't have a sense of how you, feel about it or what direction, Alan, you did make mention of you're not comfortable with the thing, but as stewards of our town, annexation or not annexation, disconnect or not disconnect, approve or not approve, I really don't have a sense of what direction best serves the town for this development, for this proposal, for these guys who so patiently have been trying to, even listening to commentaries if you're the knowledgeable group what are we to know after this whole thing?

I just see so much concern, I say, it doesn't, you've worked hard to get the mixed-use. It sounds like all the wording has been hashed out and what have you. This development is well thought out, right? People are, they're trying desperately be good partners and good stewards of the land. Does it seem like that this body here says, we're kind of for it. We want this to move forward.

Rochelle Gardner: What's the build out time on this about? Projected to be.

Paul Morris: Two to three years. And the one I'm most concerned about is the grocery store. I'm determined to get one. The groceries are hard to negotiate with. I want all the roofs there first. They stand there. I told the town that we all would like one, I'm trying to pull that out in that spot right there for a grocery store. We think of two to three years.

Rochelle Gardner: How many rooftops do stores require?

Paul Morris: You notice some are smaller. The neighborhood grocery, probably the combination of Silver Cliffs and Leeds itself would work. the curb population, one of those smaller grocery. But I've talked to one grocer, and he said, you really want to hit about, that's 30,000 square feet, about 20, 25,000 square feet. Some of those other ones are just those little neighborhood ones, like the one in Ivans out by the- Digby's. No, the other one, that little small neighborhood, that's probably 5,000 square feet. You know, the little neighborhood grocery, Red Mountain. We want something bigger than that. We want a true grocery store. We're trying to get that sweet spot of about 25.

Rochelle Gardner: Well, we would sure like to see the commercial. I don't think that we should count on the income from the commercial at this point for our tax base at this point. Maybe just count on the tax base for the houses and consider that in time that probably we're going to have to contribute to the roads. Our roads, we're not even have enough money to get our roads taken care of, let alone somebody else's roads. And consideration is that Ivins thought they were going to make so much money or whoever it is off of the BlackRock and they ended up with a deficit in their budget and ended up having to raise taxes 34% or something like that. I just think realistically that we shouldn't count on the taxes from something that's not in there yet. Not saying that it I know we want that. Just be aware. Be transparent about it. That yes, we want it and if we want the houses, let's go for it. Let's just be transparent about everything that we could fall in the pit and that we could be responsible for taking care of roads there and taking care of roads here.

Motion to go out of public hearing made by Commissioner Roberts 2nd by Commissioner Sullivan.

Discussion moves on to if the property is annexed, the owners must request a zone change for hat area, as is standard practice for newly annexed parcels. The planning commission has options: approve, deny, or approve with conditions. The property in question is currently split, with part in the municipality and part in the county. The commission is only considering the portion within the town for the zone change. There is concern about basing decisions on the possibility of a disconnect, but the commission agrees that decisions should not be made solely on that basis. The commission is comfortable approving the zone change for the parcel in Leeds as mixed use.

Motion to approve made by Commissioner Sullivan 2nd by Commissioner Roberts.

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	_____	_____	_____

Motion to adjourn the meeting made at 9:07pm

Approved this 5th Day of November 2025.

 Chuck Bentley, Planning Commission Chair

ATTEST:

 Cari Bishop, Clerk/Recorder