

Town of Leeds

Town Council Special Meeting for Tuesday, April 15, 2024

1. Call To Order/Roll Call: 4:11pm

ROLL CALL:	<u>Present</u>	<u>Absent</u>
MAYOR: BILL HOSTER	<u>X</u>	<u></u>
COUNCILMEMBER: DANIELLE STIRLING	<u></u>	<u>X</u>
COUNCILMEMBER: RON CUNDICK	<u>X</u>	<u></u>
COUNCILMEMBER: MICHELLE PEOT	<u></u>	<u>X</u>
COUNCILMEMBER: KOHL FURLEY (On Zoom)	<u>X</u>	<u></u>
TOWN PLANNER: SCOTT MESSEL	<u></u>	<u>X</u>

2. Declaration of Abstentions or Conflicts: None

Wayne Peterson: I want to call a point of order that unless something has been changed in the past three years and three months, the Town of Leeds requires a quorum of the Town Council or Planning Commission to be physically at the location that the meeting was noticed for after that if the quorum is present physically than others may participate electronically.

Mayor: I believe that was changed, for COVID, but I will confirm.

Wayne Peterson: I can address that too. COVID required a special declaration by the mayor indicating that that rule would be suspended, and that suspension was no longer permitted after they decided that the COVID pandemic had passed sufficiently from the meetings to be held in person.

Mayor Hoster: I am unable to consult legal counsel right now. The last time I consulted with him we were able to have a quorum with a party using electronic data, I will try and confirm with him, (The mayor asks Wayne Peterson if we have an active resolution.) Last one that I read, we do have an active resolution for the Town to still hold those public meetings and it hasn't been revoked.

Wayne Peterson: It had to be renewed periodically. It was not an open-ended resolution that allowed you to suspend the requirement of the fiscal quorum.

Mayor Hoster asks for the Clerk to pull up that resolution.

Mayor Hoster: Wayne thanks for your comments and I just confirmed it with our legal counsel and state code. It does not require a quorum to be present for an electronic meeting to consist of, but it does say that they can be present or not during the meeting according to state code and according to our legal counsel. We will proceed with the meeting under those pretenses. We do feel that it might be a little bit presumptuous for us to address the village commercial and the mixed use in a vote, we will try to just have a discussion on those only tonight, but we do have a CUP before us that we'd like to move forward with that we do have the legal authority to vote. (Reference: Chapter 4 Open and Public Meetings Act 52-4-103)

3. **Invocation:** Councilmember Cundick
4. **Agenda:**

Motion to approve made by Councilmember Cundick, 2nd by Councilmember Furley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: BILL HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING				X
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT				X
COUNCILMEMBER: KOHL FURLEY	X			

5. Discussions and Possible Action Items:

a) Conditional Use Permit Application - Iconic Resorts LLC

Mayor Hoster: First item on the agenda is a discussion and possible action for a conditional use permit application by Iconic Resorts LLC.

Iconic Resorts has online representation.

Mayor Hoster: As it stands, this is an administrative action on the conditional use permit for the commercial zone where Iconic Resorts has petitioned the town for development and facilitation and agency of a hotel on that property. It is outside of the standard commercial definitions and requires a conditional use permit, if they comply with all codes for the Town, and as such we have received a recommendation from the Planning Commission. We do have the Planning Commission Chair on the call to address any further questions. In that planning commission recommendation, Commissioner Alan Roberts discussed with the applicant the necessity of adhering to the hillside ordinances as they proceed forward with their development of any roads or any kind of infrastructure that is compromised there.

Brandee Walker: I am with Civil Science and I'm also on the call representing the applicant tonight as their engineer. It is a pretty in-depth document. The Planning Commission did a great job working with us on that. We appreciate them and Town Council tonight. The only other thing that I would like to mention as well as the conditional use recommendation from the Planning Commission stating the hillside needed to be adhered to for the new ordinance. They also had a recommendation that the CUP run with the land as this applicant is the potential buyer of the property. We want to make sure that the conditional use as approved will continue on with the development group.

She goes over the highlights of the project and the description of the plan.

Councilmember Furley: From what I could see it looks like you guys are keeping all the natural vegetation around that, the roads will be improved surface and that will be blacktop. Is that correct?

Brandee Walker: The intention is to keep it as native as possible, the vision for Iconic is to blend with the natural, surroundings and the beauty, really capitalizing on the views. Minimal impact as we can be with grading the roads, the bigger to small drives leading to each cabin site, which will obviously accommodate fire. There is parking at each cabin site, there are also golf carts, once you arrive you will have them to drive to the different sites. The location is the little nook that connects to Toquerville as it winds through the backside of the fire light.

Councilmember Furley: When this starts off will there be two means of egress per fire code when we get this going or will this be done before that gets connected over to fire level?

Brandee Walker: I know that they are actively building that secondary road for Silver Cliffs for secondary access.

We lost connection on the Zoom.

Mayor Hoster brings Commissioner Bentley on to the call for discussion on the CUP. Asking him what they need to discuss before a vote happens.

Commissioner Chuck Bentley: We talked to him about the hillside ordinance. It looked like there were a couple of the cabin sides and one road that they need to be careful with. Also, the condition that this will go with the ground, it does not go with the owner. If they change entities or sell the project, they do not have to come back in for a conditional use permit. It runs with the land. The secondary access is right at the property and its one that drops on the fire light down to La Verkin and Zion. No concerns from Planning Commission.

Mayor Hoster: They are meeting all the administrative matters that must occur for this to occur, its tied to the land. We have the ordinance compliance spelled out.

Councilmember Cundick: I move for approval of the conditional use.

Motion to approve made by Councilmember Cundick, 2nd by Councilmember Furley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
MAYOR: BILL HOSTER	X			
COUNCILMEMBER: DANIELLE STIRLING				X
COUNCILMEMBER: RON CUNDICK	X			
COUNCILMEMBER: MICHELLE PEOT				X
COUNCILMEMBER: KOHL FURLEY	X			

b) Proposed Village Commercial (VC) Zone

Mayor Hoster: Discussion only tonight for the proposed village commercial zone and the mixed-use zone. We want to try and work closer with our development partners and landowners on this one, considering all the moving parts, and timing of things we want to just be extremely cautious. This will be on the agenda for next week I want to assure you of that.

Mayor Hoster opens up for public comment: None in person or online.

Commissioner Bentley: Our opinion was for Village Commercial was a real plus for Leeds. It will preserve Leeds proper. It gives an opportunity for small and family businesses without introducing residential or large commercial with it.

Mayor Hoster: I want to reiterate that this is not tied to the current Grapevine Wash area, this is along the frontage road of Old Hwy 91. There are parts that already exist in the county and in Leeds and we are identifying a pathway that allows for some commercial and residential to co-exist in that area.

Councilmember Cundick: We will not approve any residential in the VC.

Commissioner Bentley: The Village Commercial is written for Leeds main street as we know it today. The mixed-use we have a 30 acre or larger. Multifamily which we have limited to one multifamily unit per one single family residential lot. The apartments will be limited to two stories. The largest commercial you can have are a grocery type store. I would like to see the minimum lot size be 8000 square feet lots. If we adopt this and go forward on it, it gives some flexibility for some commercial and multifamily and single-family residence to happen on the mixed-use parcel. The big plus is that we get input upfront.

c) Proposed Mixed Use (MU) Ordinance Tabled on 2-12-25

Conversation went into multi-use zone discussion.

Mayor Hoster: I just want to address short-term rentals.

Commissioner Bentley: I do not think we should allow short-term rentals. We are trying to keep it small and homey with a comfortable feeling. Short-term rentals, in my opinion, are detrimental to the existing residents and run the price of housing up. In this mixed-use we have gotten that 10% needs to be affordable housing, attainable housing.

Councilmember Cundick: I probably would go at least at 10,000 feet minimum. Chuck said 8,000 and that is something that the council will have to decide on. I am fairly conservative about that.

Commissioner Bentley: Maybe meet in the middle and go 9,000 feet.

Discussion goes back to the multifamily and single-family discussion that was previously made.

Paul Morris: For our development we do not want to do any multi-family. I know that the Planning Commission was looking at more than just us adding our property into the town, looking at other large landowners here. That is why the 30 acres or more, recognizing that some might want to have fourplexes. Our proposal was we wanted just single family, the townhomes and no duplexes, no multifamily. What we were suggesting is and the way the Planning Commission recommended it in order to get the zoning, you have to have a plan center development. That is the approval that goes along with it. We have to have the development agreement at the same time when you annex, and they are tied together. We suggest to you to impose upon us if we annex into Leeds we are not interested in short-term rentals, we are not interested in fourplexes and we are not interested in duplexes. Ours were townhomes and the commercial and the single family. I recognize that other people have said other large land in existing Leeds who have 30 acres or more, they won't want those things that were described. The one to one. We want less dense. This allows 9 units that anchor our proposal was 2 units to the acre. I do not want to disparage any other existing landowner in Leeds that has more than 30 acres and might want to come in and do something a little denser.

Councilmember Cundick: How many townhouses are we looking at?

Paul Morris: 152 units on 68 acres. 2 units to the acre. 78 townhomes and the rest are single family. This is not for us we are not asking for it to be tailored to us.

Mayor Hoster allows for public comments to ask a question.

Eugene Roberts: I'm just curious with all the building, where the water is coming from with all these projects.

Mayor Hoster: As a Town we work with LDWA and these new developments are entitled to their water if they can get it, if they petition to get it from the Washington County Water Conservancy, who regulates all the water and has issued them a conditional will serve, we have to accept their assessment of the water availability and that water will be coming from the Washington Water Conservancy it won't be coming from the LDWA.

Motion to adjourn made at 5:11pm

6. Adjournment:

Approved this April 23, 2025

Bill Hoster, Mayor

ATTEST:

Cari Bishop, Deputy Clerk