

PERRY CITY PLANNING COMMISSION MEETING  
PERRY CITY OFFICES  
November 6, 2025

7:00 PM

COMMISSIONERS PRESENT: Chairman Ryan Vaughn, Vice-Chairman Paul White, Commissioner Beth Thompson, Commissioner Jan Kerr (online), Commission Marcus Wager and Commissioner Blake Broadhead

COMMISSIONERS ABSENT: Commissioner Stephen Moss

CITY STAFF PRESENT: City Administrator Bob Barnhill, Planning Secretary Tyra Bischoff, Deputy Recorder Misty Moesser, Attorney Chris Crockett and City Council Member Blake Ostler

OTHERS PRESENT: Chris Harrild, Sara Edwards, Brett Jones, Jeannine Jensen, Kendall Chambers, Sherri Jensen, Scott Jensen, Rolin Hinrichsen, Ronda Hinrichson, Jordan Christensen, Scott Hunter and Tricia Hunter

ONLINE: None

**ITEM 1: CALL TO ORDER AND OPENING CEREMONIES**

Chairman Ryan Vaughn called the meeting to order at 7:00 PM.

**A. Declare Conflict of Interest, if any**

None.

**ITEM 2: ACTION ITEMS**

(Action Item C was addressed first, followed by Items A, B and then D.)

**A. Amendment to Preliminary Approval for Perry Springs Subdivision Located at Approximately 2250 S 1200 W Parcel #03-157-0142 Applicant: Christopher Harrild**

City Administrator Bob Barnhill presented the amendment to the preliminary approval for Perry Springs Subdivision. He explained that the applicant was proposing a flag lot (lot 73) because it did not meet the frontage requirements due to its location on a curve. He displayed the proposed layout and noted that while the flag lot code states the flag lot access should be between 16-40 feet wide, the proposed layout had a frontage of 39 feet.

Mr. Barnhill explained that flag lots require the Planning Commission to determine if the arrangement is preferable, and all other conditions of the flag lot code were met. He presented two options: the proposed layout or a more traditional flag lot configuration.

Commissioner Kerr commented that her own property has a similar layout with narrow frontage and wider back portion. She mentioned her only issue as a homeowner with such a lot was wishing her house had been built farther back on the wider portion. She stated she preferred the proposed layout over a traditional flag lot.

Commissioner Broadhead asked about the frontage of the adjacent lot to the northeast, which Mr. Barnhill confirmed was 60 feet, meeting the minimum requirement for a conservation subdivision.

Commissioner White stated that the proposed layout seemed intuitive to him.

**MOTION:** Commissioner Broadhead made a motion to recommend approval of the preliminary approval for the Perry Springs Subdivision. Commissioner Kerr seconded the motion.

**Roll Call Vote:**

Commissioner Broadhead, YES  
Commissioner Wager, YES  
Commissioner White, YES  
Commissioner Moss, ABSENT  
Commissioner Kerr, YES  
Commissioner Vaughn, YES  
Commissioner Thompson, YES

**Motion Approved. 6 Yes, 0 No**

**B. Public Hearing: Ordinance 25-U Amendment to Development Agreement for Olsen Orchards Located at Approximately 1111 W 3600 S Parcel #02-038-0004 Applicant: Pat Burns**

Mr. Barnhill explained that this amendment was driven by UDOT requirements. The original development agreement had Hargis Hill Road being rerouted to meet Highway 89 at a perpendicular angle. However, when the developer sought final approval from UDOT, they were told to close off the connection to Highway 89 entirely. The amendment would route traffic to 3600 South or to 1200 West through the development. Mr. Barnhill noted that the developer also needed to relocate a lot that was lost to stormwater storage requirements.

Commissioner Wager asked if UDOT would provide any compensation for this change, such as assistance with the traffic light at 2700 South. Mr. Barnhill confirmed that the traffic light had been approved but wasn't related to this development.

Chairman Vaughn opened the public hearing at 7:32 PM.

Rolin Hinrichson expressed concerns about the narrowness of 3600 South and questioned why it would suddenly be acceptable to route traffic there when it hadn't been before due to safety concerns.

Kendall Chambers also emphasized that 3600 South is narrow, particularly near the Highway 89 intersection, and that adding more traffic through this development would exacerbate the problem.

Jeannine Jensen noted that 3600 South is narrow on both sides of the highway and expressed concern that in Phase 1, all traffic would be forced to use 3600 South since the connection to 1200 West wouldn't be available until Phase 2, creating potential safety issues.

Chairman Vaughn closed the public hearing at 7:39 PM.

The Commission discussed road width issues extensively, with Mr. Barnhill explaining that while the developer would be widening the road on their side, acquiring property on the north side would be difficult as it would require cooperation from multiple property owners.

Commissioners expressed concerns about routing all traffic to the narrow 3600 South entrance at Highway 89 and discussed whether a turn lane could be accommodated at that intersection.

After lengthy discussion about road width, traffic safety, and development phasing, the Commission decided they needed more information before making a recommendation.

**MOTION:** Commissioner Wager made a motion to table Ordinance 25-U. Commissioner White seconded the motion.

**Roll Call Vote:**

Commissioner Broadhead, YES  
Commissioner Wager, YES  
Commissioner White, YES  
Commissioner Moss, ABSENT  
Commissioner Kerr, YES  
Commissioner Vaughn, YES  
Commissioner Thompson, YES

**Motion Approved. 6 Yes, 0 No**

**C. Preliminary Subdivision Application Located at Approximately 75 E 1800 S Parcel #03-159-0132 Applicant: Dallin Aston**

Mr. Barnhill explained that the applicant had requested this item be tabled to resolve engineering items before the Commission considered it for a decision. He briefly showed the proposed subdivision layout, noting that it was in an R1 zone with the density map allowing for 8 townhomes in the area. One consideration for the Commission would be the alignment of the road, as ideally it would align with Maple Hills Drive, but the applicant doesn't own the strip of land necessary for the alignment.

Mr. Barnhill addressed a public concern regarding water pressure, explaining that the development's waterline connections would actually help improve water pressure in the area by providing multiple connection points through the water system.

Mr. Barnhill also invited any members of the public who were interested in this application to contact him at the office with questions.

**MOTION:** Commissioner Wager made a motion to table the Preliminary Subdivision Application. Commissioner White seconded the motion.

**Roll Call Vote:**

Commissioner Broadhead, YES  
Commissioner Wager, YES  
Commissioner White, YES

Commissioner Moss, ABSENT  
Commissioner Kerr, YES  
Commissioner Vaughn, YES  
Commissioner Thompson, YES

**Motion Approved. 6 Yes, 0 No**

**D. Ordinance 25-Q Zone Change Request from Agriculture to R1/3 with Development Overlay Zoning District with a Development Agreement Located at Approximately 1472 Davis Drive Parcel #s 03-157-0119, 03-157-0156 & 03-157-0124 Applicant: Brett Jones**

Mr. Barnhill presented this item, referring to a previous work session with the City Council regarding this development. He summarized City Council comments, which included: support for small lots but with a balance; appreciation for open space but hoping it would be nicer; concerns about the emergency access road; suggestions for different styles of multifamily units; concerns about water on the property; questions about whether the land should remain agricultural; comments about potentially using half-acre zoning rather than R 1/3 zoning; and a preference to stick to code rather than use development agreements.

Commissioner Broadhead added that the City Council understood the area between this property and Walmart would eventually be filled in but wanted to maintain a balance with commercial property closer to Walmart and residential developing from the south.

Mr. Barnhill presented additional information provided by the applicant, including a sketch showing that the emergency access road would eventually need to be removed when a proper aligned road is built. He also shared a report from an engineer stating there were no jurisdictional wetlands on the property except along the northern boundaries near an irrigation ditch, which would be in the conservation area.

Commissioner Wager raised concerns about the emergency access road, citing city code requirements for fully improved public roads. He stated he didn't believe a private crash gate road for emergencies only should be allowed given the number of lots in the development. He did, however, express support for the smaller lot sizes.

Commissioner White compared the verbal agreement with the fire marshal to the earlier situation with UDOT, suggesting such verbal agreements were unreliable. He also questioned whether this property was unique enough to warrant a development agreement.

Commissioner Kerr expressed concerns about the proposed density being too high for an area further away from the highway, contrary to the city's density plan that reduced density as one moved away from Highway 89. She suggested R 1/2 zoning might be more appropriate.

After further discussion, Commissioner White summarized that there were multiple issues with the proposal, but the access road was the most significant.

**MOTION:** Commissioner White made a motion to recommend denial of Ordinance 25-Q. Commissioner Wager seconded the motion.

**Roll Call Vote:**

Commissioner Broadhead, YES  
Commissioner Wager, YES  
Commissioner White, YES  
Commissioner Moss, ABSENT  
Commissioner Kerr, YES  
Commissioner Vaughn, YES  
Commissioner Thompson, YES

**Motion Approved. 6 Yes, 0 No**

### **ITEM 3: APPROVAL OF THE MINUTES**

#### **A. October 2, 2025, Regular Planning Meeting**

**MOTION:** Commissioner Broadhead made a motion to approve the minutes for the October 2, 2025, Planning Commission meeting. Commissioner Thompson seconded the motion.

**Roll Call Vote:**

**Roll Call Vote:**

Commissioner Broadhead, YES  
Commissioner Wager, YES  
Commissioner White, YES  
Commissioner Moss, ABSENT  
Commissioner Kerr, YES  
Commissioner Vaughn, YES  
Commissioner Thompson, YES

**Motion Approved. 6 Yes, 0 No**

### **ITEM 4: DISCUSSION**

#### **A. Future Projects**

Commissioner White raised a concern about parking at multifamily developments, noting he had observed parking spillover onto adjacent streets. He suggested the Commission might need to revisit parking requirements in the future.

Mr. Barnhill mentioned that the State Legislature might be considering limits on parking minimums in the coming year, potentially restricting cities' ability to require more parking spaces. He also noted that he would need to bring an amendment to the Commission regarding garage dimensions for parking stalls due to state legislative changes.

#### **B. Report on past-approved Planning Commission Items**

None.

#### **C. Report from Commissioners regarding previous Council Meetings**

None.

#### **D. Make assignments for representative(s) to attend City Council (November 13)**

The commission made the following assignments for upcoming city council meetings:

- November 13, 2025: Commissioner White

## **ITEM 5: TRAINING**

### **A. Staff**

City Attorney Chris Crockett provided training on nonconforming uses. He explained that nonconforming uses are legally established businesses or structures that were compliant with regulations at the time they were established, but due to subsequent changes in the code, would no longer be permitted under current regulations.

He explained that nonconforming uses can continue but generally cannot be expanded. There are limitations on restoration and reconstruction, and nonconforming uses can be terminated if abandoned or willfully deconstructed. He noted that the burden of proving a nonconforming use exists falls on the property owner, but the burden of proving abandonment falls on the party seeking to terminate the use.

### **Review Next Agenda and Adjourn**

## **ITEM 6: REVIEW NEXT ADGENDA AND ADJOURN**

### **A. Items for October agenda (next meeting November 6, 2025)**

Mr. Barnhill indicated that item 2B from tonight's meeting would likely appear on the December agenda. Commissioners Marcus Wager and Jan Kerr indicated they might be absent for the December meeting. At least three commissioners confirmed they would be present.

### **B. Motion to Adjourn**

**Motion:** Commissioner Wager made a motion to adjourn the meeting.

**All In Favor**

**The meeting was adjourned at 8:50PM.**