



PROVO CITY CORPORATION  
DEVELOPMENT SERVICES DEPARTMENT  
Planning Commission Agenda  
October 22, 2025

### **NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION**

**The Provo City Planning Commission will hold a public hearing on October 22, 2025 at 6:00 PM. Located at: Council Chambers 445 West Center Street.** The items listed below will be discussed, and anyone interested is invited to participate and provide comment. Hearings can be viewed live and on-demand at: YouTube [youtube.com/user/ProvoChannel17](https://youtube.com/user/ProvoChannel17) and on Facebook [facebook.com/provochannel17](https://facebook.com/provochannel17).

### **NOTICE OF PUBLIC MEETING BEFORE PROVO MUNICIPAL COUNCIL**

On Tuesday, **November 11, 2025**, at 5:30 PM. the Provo Municipal Council will consider the items noted below with a star (\*). Items noted on the agendas with a star require legislative action by the Municipal Council. Council agendas can be viewed at the Provo City Council web site on the Thursday prior to the Council meeting at <http://agendas.provo.gov>. For more information, call (801) 852-6120.

Unmarked items are administrative and require the approval only of the Planning Commission. Decisions on the unmarked items may be appealed to the Board of Adjustment by making application by 6:00 PM. **within 14 days of the Planning Commission decision.**

#### Study Session

1. North Park BYU Student Project Presentation – Jessica Dahneke

#### Public Hearings

- \*Item 1 The Provo City Council requests Ordinance Text Amendments to Chapter 14.30 (Accessory Dwelling Units) to replace the map in 14.30.020 and remove 14.30.040. Citywide Application. Nancy Robison (801) 852-6417 [nrobison@provo.gov](mailto:nrobison@provo.gov) PLOTA20250562
- \*Item 2 James Chapman requests a General Plan Map Amendment for 12.56 acres of land to reclassify from Commercial to Residential in order to develop a 150-unit townhome development, located approximately at 1870 South 500 West. Lakewood Neighborhood. Aaron Ardmore (801) 852-6404 [aardmore@provo.gov](mailto:aardmore@provo.gov) PLGPA20250141
- \*Item 3 James Chapman requests a Zone Map Amendment from the FC3 (Freeway Commercial Three) Zone to the LDR (Low Density Residential) Zone for 12.56 acres of land in order to develop a 150-unit townhome community, located approximately at 1870 S 500 W. Lakewood Neighborhood. Aaron Ardmore (801) 852-6404 [aardmore@provo.gov](mailto:aardmore@provo.gov) PLRZ20250142
- Item 4 James Chapman requests Project Plan approval for a 150-unit townhome community in a proposed LDR (Low Density Residential) Zone, located approximately at 1870 S 500 W. Lakewood Neighborhood. Aaron Ardmore (801) 852-6404 [aardmore@provo.gov](mailto:aardmore@provo.gov) PLPPA20250143
- \*Item 5 Terry Cirac requests Ordinance Text Amendments to Provo City Code 14.34.287 (Residential and Mixed-Use Design Standards) to amend the applicability of certain standards. Citywide Application. Dustin Wright (801) 852-6414 [dwright@provo.gov](mailto:dwright@provo.gov) PLOTA20250535

Preceding the public hearing, there will be a Study Session at 5:00 PM. at the Provo Peak Conference Room, 445 W Center Street. The Study Session is open to the public; however, formal presentation of items, public comment and actions will be reserved for the public hearing at 6:00 PM.

To send public comments to Planning Commission members, email them at [dspublichearings@provo.gov](mailto:dspublichearings@provo.gov). Please submit public comment emails before 3:00 PM the day of the hearing. Additional information can be found at [provo.gov/publiccomments](http://provo.gov/publiccomments).



PROVO CITY CORPORATION  
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Copies of the agenda materials, public hearing procedure, and staff recommendations are available the week of the hearing at a reasonable cost at 445 W Center Street, Suite 200, Provo between the hours of 7:00 AM. and 6:00 PM., Monday through Thursday. Agendas and staff recommendations are also generally available on the Provo City Development Services web site the week of the meeting at [provo.gov/agendacenter](http://provo.gov/agendacenter).

Provo City will make reasonable accommodations for all citizens interested in participating in this meeting. If assistance is needed to allow participation at this meeting, please call the Development Services Department at (801) 852-6400 before 12:00 PM. the day before the meeting to make arrangements.

By order of the Provo City Planning Commission  
Planning Secretary, (801) 852-6424



**Planning Commission Hearing  
Staff Report  
Hearing Date: October 22, 2025**

**\*ITEM 1** The Provo City Council requests Ordinance Text Amendments to Chapter 14.30 (Accessory Dwelling Units) to replace the map in 14.30.020 and remove 14.30.040. Citywide Application. Nancy Robison (801) 852-6417 nrobison@provo.gov PLOTA20250562

**Applicant:** Provo City Council

**Staff Coordinator:** Nancy Robison

**Relevant History:** This proposed amendment removes the legislative process of 14.30.040, effectively repealing the section entirely.

Council motioned to move forward with this proposed OTA during their September 23<sup>rd</sup> Work Meeting with a vote of 7:0.

The proposed new map in 14.30.020 is simply for clarity/visual purposes and presents no policy changes.

**Neighborhood Issues:** There has not been a neighborhood meeting on this specific citywide item. However, ADU-related amendments frequently receive mixed feedback when discussed at neighborhood meetings.

**Summary of Key Issues:**

- Expand the borders of the map in 14.30.020, remove zoning labels of ADU permitted parcels on the map, and remove map title.
- Repeal 14.30.040 “Special Use Permit”

**Staff Recommendation:** That the Planning Commission **recommend approval** of the proposed text amendments to the Provo City Council.

**ALTERNATIVE ACTIONS**

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is November 12, 6:00 P.M.*
2. **Recommend Denial** of the requested Ordinance Text Amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

## **OVERVIEW**

The “Special Use Permit” process found in 14.30.040 was enacted in its entirety in November 2022 (Ord 2022-46) and included both an administrative and legislative path for ADU permission. Both included applicants gathering signatures as part of their application. The administrative process ended with approved applicants receiving a special use permit from Development Services to have an ADU. The legislative process ended with applicants’ properties added to the map found in 14.30.020 as a permitted ADU parcel dependent on an affirmative vote from the City Council. The signature gathering as part of the legislative process acted as a waiver for a reduced OTA fee.

In December 2024 (Ord 2024-61), the Council approved an amendment to remove the administrative process in 14.30.040.

Removing the remaining legislative process in 14.30.040 will not revoke an applicants ability to be added to the 14.30.020 map. Rather, applicants will no longer be granted a reduced fee for such an ordinance text amendment application by gathering signatures of adjoining properties.

The new proposed map in 14.30.020 expands the borders of the map and removes the labels of permitted parcels and map title. The City has received ADU applications for properties outside of the map’s current boundaries, which were chosen originally to fit where the then current permitted parcels were. The zoning labels of the greyed-out parcels are not needed as any applicant with any underlying zoning may apply to have their parcel added to the map. The title is removed for the same reason.

## **STAFF ANALYSIS**

Staff support the proposal to amend 14.30 as explained.

Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments.

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

(a) Public purpose for the amendment in question.

**Staff response: Simplifying the ADU process and reducing neighborhood contention during ADU application processes.**

(b) Confirmation that the public purpose is best served by the amendment in question.

**Staff response: Council proposes this amendment to clarify the ADU process and in the hopes to reduce neighborhood contention that arose through the 14.30.040 signature process.**

(c) Consistency of the proposed amendment with the General Plan’s “timing and sequencing” provisions on changes of use, insofar as they are articulated.

**Staff response: There are no timing and sequencing issues related to this proposal.**

(d) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

**Staff response: This proposal does not hinder or obstruct attainment of the General Plan's articulated policies.**

(e) Adverse impacts on adjacent landowners.

**Staff response: Staff do not foresee any adverse impacts on adjacent landowners.**

(f) Verification of correctness in the original zoning or General Plan for the area in question.

**Staff response: Does not apply.**

(g) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

**Staff response: There is not a conflict.**

## **FINDINGS OF FACT**

1. Removing the remaining legislative and signature-gathering process in 14.30.040 will not revoke an applicant's ability to be added to the 14.30.020 map.
2. Visual changes only are proposed for the 14.30.020 map.

## **CONCLUSIONS**

The Provo City Council voted unanimously to move forward with the proposed text amendments to 14.30 in their effort to make ADU application processes clearer and less contentious for staff, residents, and applicants.

## **ATTACHMENTS**

1. Proposed Text Amendments

## **ATTACHMENT 1- PROPOSED TEXT AMENDMENTS**

### **Chapter 14.30 ACCESSORY DWELLING UNITS**

Sections:

- 14.30.010 Purpose and Objectives.**
- 14.30.020 Permitted Use of Accessory Dwelling Units.**
- 14.30.030 Accessory Dwelling Unit (ADU) Development Standards.**
- 14.30.040 ~~Special Use Permit for Accessory Dwelling Unit.~~**

#### **14.30.010 Purpose and Objectives.**

- (1) The purpose of the accessory dwelling unit (ADU) development standards is to encourage promotion of an environment for family life by providing for the establishment of ADUs in conjunction with one (1) family detached dwellings on individual lots. These development standards are hereby established to promote the use of ADUs; to provide flexibility for the changes in household size associated with life cycle; to offer financial security for home owners; and to offer security against problems associated with frailty in old age.
- (2) "Accessory dwelling unit (ADU)" means a residential dwelling unit occupied as a separate dwelling unit on the same lot as a primary dwelling unit, either within the same building as the primary dwelling unit (referred to as an internal ADU), attached to the single-family dwelling, or in a detached building. An accessory building, as defined, is not a mobile home or other portable structure that does not qualify as an ADU.
- (3) The use of an accessory dwelling unit in areas zoned primarily for residential use is a permitted use, except as otherwise provided in this Chapter.

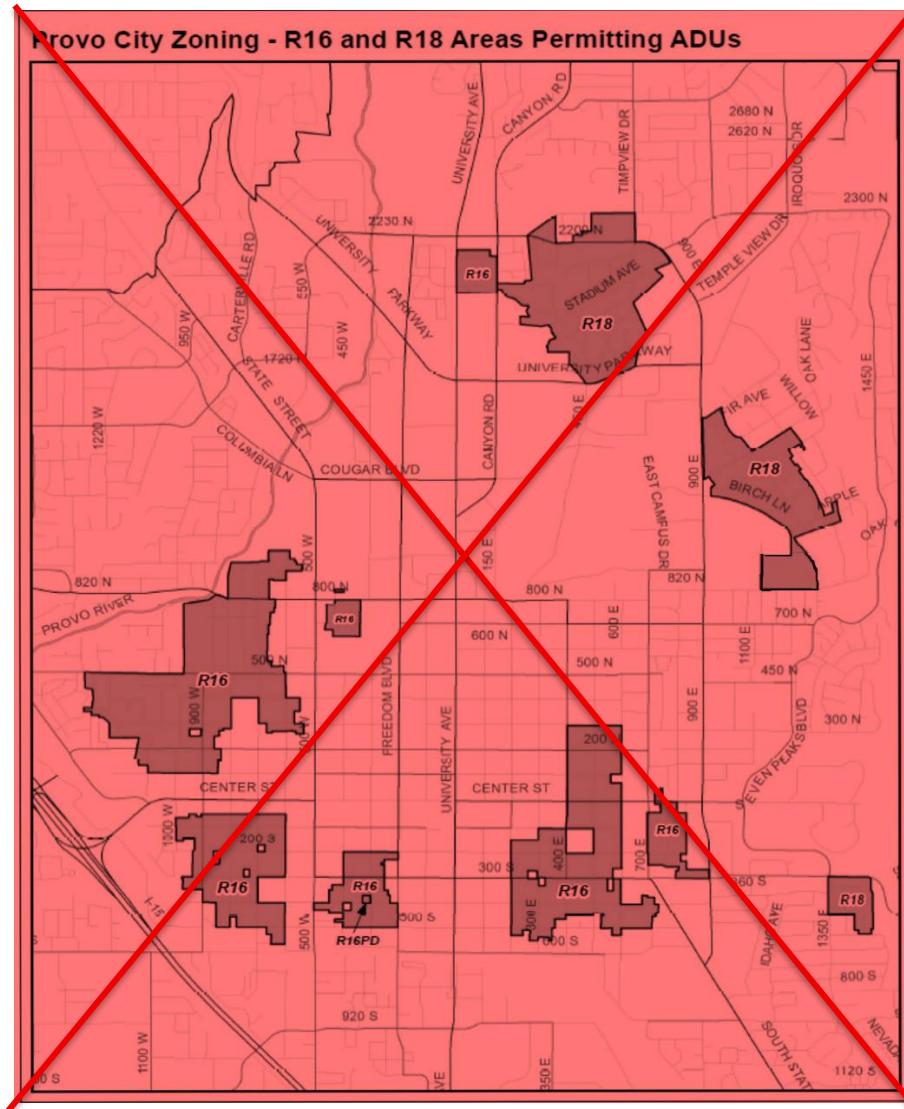
- (a) For purposes of this Chapter, the phrase "areas zoned primarily for residential use" means areas in the following zones: RA, R1, R2, LDR, MDR, HDR, CMU, VLDR, RM, RC, any Project Redevelopment Option (PRO) zone, and Specific Development Plan Overlay zones 2 through 5.

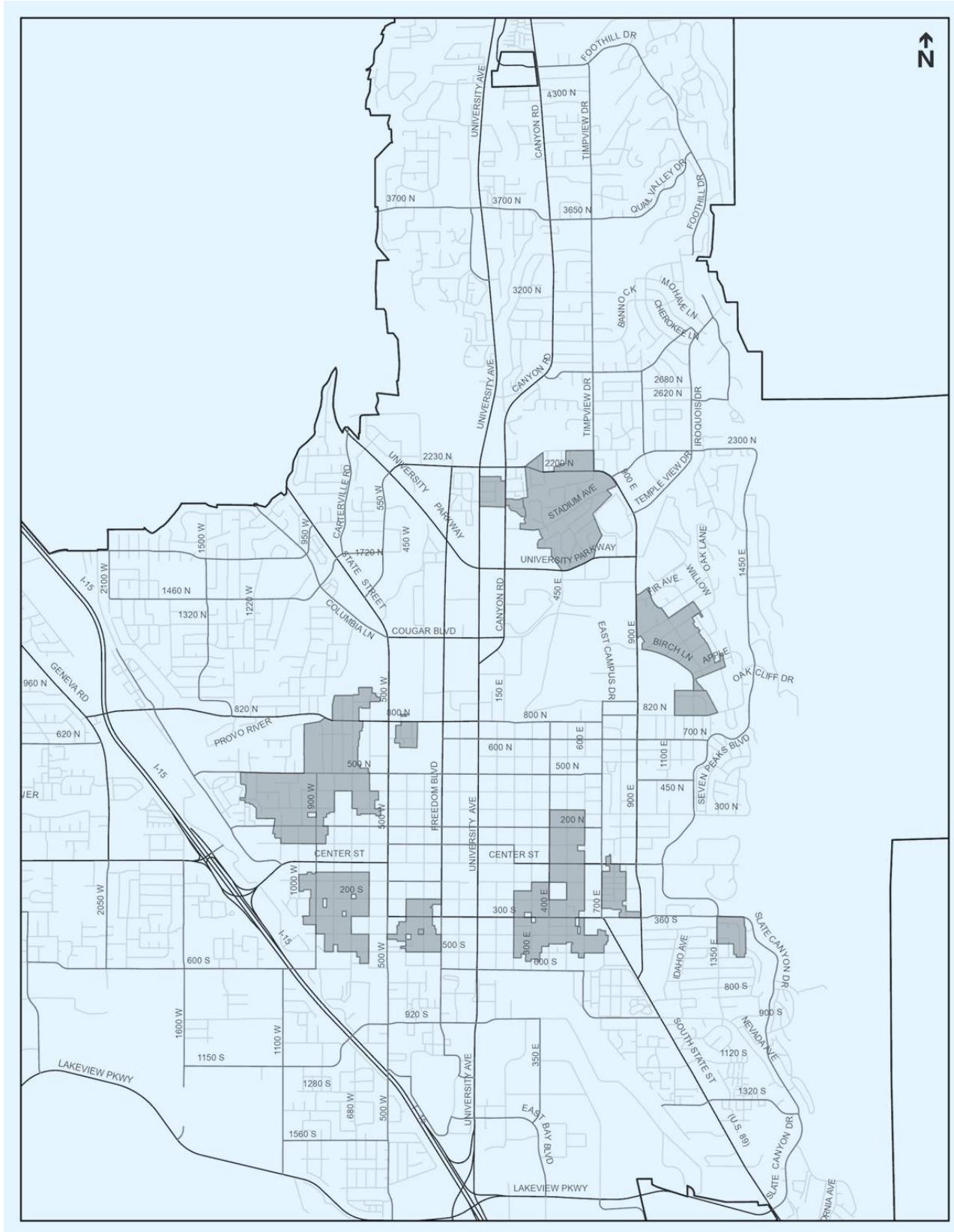
#### **14.30.020 Permitted Use of Accessory Dwelling Units.**

- (1) Notwithstanding the regulation of permitted uses in other chapters of this Title, the regulation of the permitted use of accessory dwelling units is governed by this Section.
- (2) Notwithstanding Section [14.30.010](#), Provo City Code, Utah Code Annotated Section [10-9a-530](#) allows the prohibition of accessory dwelling units in some areas zoned primarily for

residential use. Accordingly, accessory dwelling units are prohibited in the following areas zoned primarily for residential use:

- (a) All Project Redevelopment Option (PRO) zones;
- (b) R2 zones with a Performance Development Overlay (R2PD);
- (c) Areas designated RM, R16, R17, R18, R19, or R110, including such areas with the Performance Development Overlay, except as shown in the map below:





(3) Notwithstanding Subsection (2) of this Section, the use of an accessory dwelling unit in areas zoned primarily for residential use is a permitted use in all areas west of Interstate Highway 15, except the Specific Development Plan Overlay zone 5 (SDP-5) and R2 zones with a Performance Development Overlay (R2PD).

### **14.30.030 Accessory Dwelling Unit (ADU) Development Standards.**

ADUs shall be subject to the following development standards:

- (1) *Number.* No more than one (1) ADU shall be permitted in conjunction with each one (1) family detached dwelling.
- (2) *Location.* ADUs may be located only:
  - (a) Over an attached garage, provided the ADU has access to required parking and does not otherwise disrupt required covered parking;
  - (b) Inside a one (1) family detached dwelling;
  - (c) In an addition to a one (1) family detached dwelling; provided, that the addition will not alter the one (1) family character of the building; or
  - (d) As a detached accessory structure or within a detached accessory structure located in the rear and/or side yard in accordance with the following requirements:
    - (i) The accessory structure in which the ADU is located shall have a building footprint and height less than the main dwelling, but in no case shall the accessory structure be less than two hundred (200) square feet in area;
    - (ii) A detached ADU or a detached accessory structure containing an ADU shall be set back from any property line no less than ten (10) feet or the distance of the existing setback of the one (1) family dwelling from that same property line, whichever is less;
    - (iii) The accessory structure shall be architecturally compatible with the main dwelling;
    - (iv) The accessory structure shall be permanently affixed to a site-built foundation and shall be designed in accordance with Provo City adopted building codes;

(v) The accessory structure must be approved for, and permanently connected to, all required utilities with a connection and meter independent and separate from the one (1) family dwelling; and

(vi) Shipping containers shall not be permitted for use as an ADU unless they can meet all building codes and are clad with materials similar to and architecturally compatible with those of the main dwelling.

(3) *Appearance.* The ADU shall not alter the appearance of the structure as a one (1) family detached dwelling and shall not resemble in any degree a side-by-side, side-to-back, back-to-back, or other type of two-family dwelling. There shall be no external evidence from a street view of occupancy by more than one (1) family, such as two (2) front doors on the main dwelling. The yard areas of the property shall be maintained free of weeds, junk, solid waste, or other materials constituting a violation of the Provo City Code. An ADU shall not be authorized on a property that has outstanding ordinance violations.

(4) *Occupancy.* A one (1) family dwelling with an ADU, which is authorized by and conforms to the requirements set forth in this Section, shall, for purposes of this Subsection, consist of two (2) component parts: the main dwelling unit and the ADU. Those two (2) parts shall be occupied as follows:

(a) Except as otherwise provided in Subsection [\(4\)\(d\)](#) of this Section, either the main dwelling unit or the ADU must be occupied by an owner occupant as that term is defined in Section [14.06.020](#), Provo City Code. If this requirement is not met, no ADU shall be permitted.

(b) The occupancy of the main dwelling unit shall be limited to one (1) "family" as that term is defined in Chapter [14.06](#), Provo City Code, except that if the ADU is also occupied, the occupancy of the main dwelling unit may not include the two (2) additional related or unrelated individuals described in Subsection (b)(i)(B) of the "family" definition in Section [14.06.020](#), Provo City Code.

(c) The ADU shall not be occupied by more than three (3) related or unrelated adults, together with any minor children of those adults.

(d) Owner occupancy shall not be required when the owner has submitted a temporary absence application prior to beginning of the temporary absence and meets the following criteria:

- (i) The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, military service, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or
- (ii) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.
- (iii) The owner has resided in the residence for at least one (1) year prior to beginning the temporary absence.

(5) *Parking.* A one (1) family dwelling with an ADU must have at least four (4) off-street parking spaces.

- (a) Two (2) tandem parking spaces (front to rear) are permitted.
- (b) Parking spaces for a one (1) family dwelling with an associated ADU may be located on a driveway in a required front yard if:
  - (i) The driveway leads to the minimum number of required covered off-street parking spaces; or
  - (ii) The property is listed on the Provo City Landmarks Registry.
- (c) Parking spaces allowed under Subsection [\(5\)\(b\)](#) of this Section may not be between the primary dwelling and the street.
- (d) In no case may the number of off-street parking spaces be less than the number of vehicles being maintained on the premises.
- (e) Parking must comply with all other regulations of Chapter [14.37](#), Provo City Code.

(6) *Utility Meters.* A one (1) family dwelling with an internal ADU shall have at least one (1) but no more than two (2) meters for each water, gas, and electricity utility service, and each meter shall be in the property owner's name. A detached ADU or a detached accessory structure

containing an ADU must have its own separate meter, and each meter shall be in the property owner's name.

(7) *Addresses.* The ADU shall have its own address assigned by Provo City.

(8) *Outside Entrances.* Outside entrances to the ADU shall be on the side or rear of the building. Only one (1) front entrance shall be visible from the front yard.

(9) *Building Codes.* All existing construction and remodeling shall comply with building codes in effect at the time of the original construction or remodeling. Newly constructed ADUs shall meet current building codes.

(10) *Rental Dwelling License.* In accordance with Chapter [6.26](#) (Rental Dwellings), Provo City Code, any person operating an ADU under this Chapter must obtain a rental dwelling license (RDL). This RDL is in addition to any building permits that may be necessary.

(a) In addition to complying with Chapter [6.26](#) (Rental Dwellings), Provo City Code, to be eligible for an RDL a person operating an ADU under this Chapter must:

- (i) Submit a site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters;
- (ii) Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses. Floor plans must have the interior connection clearly labeled;
- (iii) Pay an application fee as shown on the [Consolidated Fee Schedule](#) adopted by the Municipal Council;
- (iv) Cooperate with the Development Services Department in recording a deed restriction with the County Recorder evidencing the restrictions under which the ADU is constructed and occupied. This deed restriction must run with the land as long as the property contains an ADU as provided in this Chapter;
- (v) Renew the rental dwelling license annually; and
- (vi) Establish at the time of the initial application and at every renewal that the dwelling is the owner's primary residence.

- (b) Noncompliance with the standards of this Section is just cause for the denial or revocation of a rental dwelling license for an ADU. Revocation will be in accordance with the license regulations in Chapters [6.01](#) (License Administration) and [6.26](#) (Rental Dwellings), Provo City Code.
- (c) Notwithstanding Section [6.01.090](#), Provo City Code, a rental dwelling license for an ADU automatically expires one (1) year after the date of the approval, or upon transfer of the property to another owner, whichever occurs first.

#### **14.30.040**

#### **Special Use Permit for Accessory Dwelling Unit.**

~~A property owner, or the owners of multiple contiguous properties, seeking to allow an accessory dwelling unit on a parcel, or parcels, in an area where such units are otherwise prohibited by Chapter 14.30 (Accessory Dwelling Units), Provo City Code, may submit a text amendment application to the Development Services Department seeking to amend this Chapter in order to designate accessory dwelling units as a permitted use for all the applying properties. The application must comply with Section 14.02.020, Provo City Code, except that:~~

- ~~(1) The specific filing fee for this type of application, as listed on the Consolidated Fee Schedule, is required instead of the standard amendment fee; and~~
- ~~(2) The application does not need to comply with Section 14.02.020(1), Provo City Code, but instead must include the following:~~
  - ~~(a) A list of addresses including the applying property, or properties, and all immediately adjacent residential properties. For purposes of this Section, "immediately adjacent residential property" means any property:~~
    - ~~(i) For which residential use is a permitted use; and~~
    - ~~(ii) That shares a common boundary with, is directly across from, is diagonally adjacent to, or is within the same cul-de-sac as an applying property, including any property separated from an applying property only by a local street, canal, right-of-way, or similar feature.~~

(b) ~~The names, addresses, and signatures of the owners of at least sixty-six percent (66%) of the properties described in Subsection (2)(a)(ii) of this Section, indicating that they are in support of the amendment; and~~

(c) ~~A completed rental dwelling license application that meets the requirements of Chapter 6.26 (Rental Dwellings), Provo City Code, for each applying property.~~

(3) ~~Submission of the signatures required by Subsection (2)(b) of this Section does not guarantee approval of the application. They serve to demonstrate a degree of neighborhood support to the Council and are required in place of the standard text amendment fee in order to have the application considered. If an applicant wishes to apply without the required signatures, the application must meet all requirements of Section 14.02.020(1), Provo City Code, including payment of the standard amendment application fee and submission of a written petition to the Planning Commission meeting all the requirements in that Section. Final approval or denial of both types of application is at the sole discretion of the Provo City Municipal Council.~~

**Planning Commission Hearing  
Staff Report**  
**Hearing Date: October 22, 2025**

**\*ITEM 2** James Chapman requests a General Plan Map Amendment for 12.56 acres of land to reclassify from Commercial to Residential in order to develop a 150-unit townhome development, located approximately at 1870 South 500 West. Lakewood Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLGPA20250141

<p><b>Applicant:</b> James Chapman</p> <p><b>Staff Coordinator:</b> Aaron Ardmore</p> <p><b>Property Owner:</b> SOUTH POINT DEVELOPMENT LLC</p> <p><b>Parcel ID#:</b> 21:051:0062</p> <p><b>Acreage:</b> 12.56</p> <p><b>Related Applications:</b> PLRZ20250142; PLPPA20250143</p> <p><b>ALTERNATIVE ACTIONS</b></p> <ol style="list-style-type: none"><li>1. <b>Continue</b> to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is November 12, 2025 at 6:00 P.M.</i></li><li>2. <b>Recommend Denial</b> of the requested General Plan amendment. <i>This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.</i></li></ol>	<p><b>Current Legal Use:</b> Vacant land in a commercial zone.</p> <p><b>Relevant History:</b> The property has been vacant since it was annexed into Provo City. The zoning was changed from agricultural to commercial in 2021. The General Plan designation was residential starting in 2009 and changed to commercial in 2021. The property owners have been working on a plan to bring in commercial users for most of the parcel while keeping 12.56 acres for a townhome development.</p> <p><b>Neighborhood Issues:</b> This item was presented at the May 7<sup>th</sup> District 3 Meeting, with the following concerns (minutes are attached):</p> <ul style="list-style-type: none"><li>• Lack of ownership opportunities;</li><li>• Ability to create the north trail with the pump house location; and</li><li>• Overall impact on the neighborhood.</li></ul> <p><b>Summary of Key Issues:</b></p> <ul style="list-style-type: none"><li>• The city would be losing over 12 acres of potential commercial property.</li><li>• The proposed amendment could provide a good buffer between large commercial uses and single-family neighborhoods.</li><li>• The amendment is tied to a plan for 150 rental townhomes.</li></ul> <p><b>Staff Recommendation:</b> That the Planning Commission <b>recommend approval</b> to the City Council of a General Plan Map amendment from commercial to residential for 12.56 acres of land, subject to the following condition:</p> <ol style="list-style-type: none"><li>1. That the Walmart project begins construction prior to signing the ordinance for this amendment.</li></ol>
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## **OVERVIEW**

James Chapman, representing the property owner, requests a General Plan map amendment for 12.56 acres of a 36-acre parcel to reclassify from a commercial designation to residential. The request is one step towards being able to build a 150-unit townhome development over 12.56 acres.

The General Plan for this property has shifted over the years. From “development sensitive” in the early years of it being in the city, to residential in 2009 when the idea of the southwest connector road (later becoming Lakeview Parkway) was first imagined in the General Plan, to the shift to commercial to market the land to grocers and other large commercial users who would appreciate the freeway frontage.

## **STAFF ANALYSIS**

Though the General Plan is only an advisory or visionary document for the city, it does give a signal to both the development industry and the local community of what land uses they can expect to see in the future. In this case, with one of the commercial uses of the site, Walmart, already having been approved by the Planning Commission, there may be more justification to give up some of the commercial land to a residential use. This change can provide a valuable buffer for the single-family neighborhood to the north. However, this is a decision that needs to be examined carefully to explore all of the impacts it may have on the community.

The analysis below is a response to the criteria for amendments found in Provo City Code 14.02.020(2), with staff responses in **bold**:

(a) Public purpose for the amendment in question.

**The applicant states that the purpose is to “provide additional housing options” and provide “a buffer between the Lakewood single-family residents to the north from commercial designated property to the south”.**

(b) Confirmation that the public purpose is best served by the amendment in question.

**Staff agree with the applicant’s stated purposes for the amendment, though there are some questions whether this specific proposal best serves the public and residents of the city. As stated above, removing over twelve acres of commercial property for a 100% rental development may not be the best option to achieve these purposes.**

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

**The proposed amendment is most compatible with General Plan goals on land use and housing, specifically to “strike a balanced approach in locating uses that aligns transit, land use, economics, and open space” (Chapter 3, goal 1) and to “increase the number of housing units of all types across the whole of Provo in appropriate and balanced ways” (Chapter 4, goal 2). The subject location is near an intersection of two arterial-class roads (500 W & Lakeview Pkwy) which helps to justify the mix of uses and a denser housing type.**

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

**There are no timing and sequencing issues related to this request. Relatable goals fall into the "short" to "mid" timing schedule of the General Plan implementation matrix, which ranges from 1 to 10 years from the adoption of the plan (adopted in 2023).**

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

**There is a potential to hinder additional commercial development and job creation as a result of this proposal.**

(f) Adverse impacts on adjacent landowners.

**There should not be any adverse impacts on adjacent landowners related to this request. The ITE manual indicates that retail commercial uses generate more daily trips than residential uses, especially in off-peak hours and weekends. Also, as stated above, the residential land use should create a buffer to the noise and visual impacts of commercial uses along Lakeview Parkway.**

(g) Verification of correctness in the original zoning or General Plan for the area in question.

**Staff have confirmed that the maps are correct.**

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

**This is a proposed amendment of the General Plan Map, so the policies and goals should guide the decision on this proposal.**

## **FINDINGS OF FACT**

1. The subject property (parcel 21:051:0062) is 36.16 acres.
2. The current General Plan designation for parcel 21:051:0062 is Commercial.
3. The proposed General Plan Map amendment is for 12.56 acres of the parcel.
4. The remaining 23.6 acres would remain Commercial.
5. There are accompanying requests to this proposal: a Zone Map Amendment from the FC3 Zone to the LDR Zone (PLRZ20250142) and a Project Plan for a 150-unit townhome development (PLPPA20250143).

## **CONCLUSIONS**

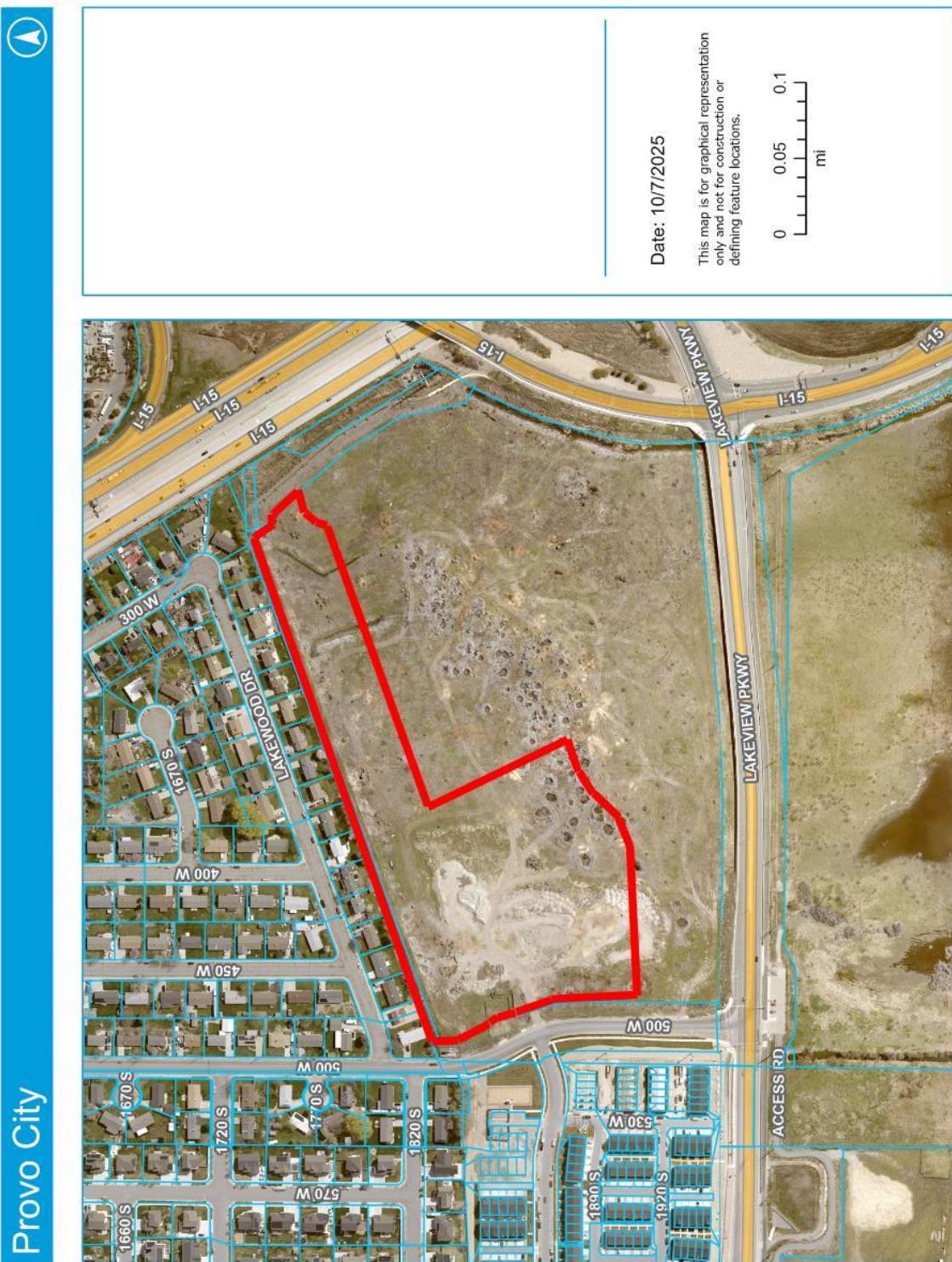
Staff have worked for several years to try to get the right development on this property. The fact that Walmart is set to take the majority of the remaining 23.6 acres of commercial land does help to justify the proposal to turn 12.56 acres back to a residential designation. This is further strengthened by the buffering effect that residential development would provide for the Lakewood Neighborhood from a large commercial retailer. Staff would be more comfortable with this request if Walmart had already started construction or if there was a guarantee that

Walmart will continue to move forward. Without this, the removal of 12.56 acres of commercial land could negatively impact the marketability of future commercial uses on the property.

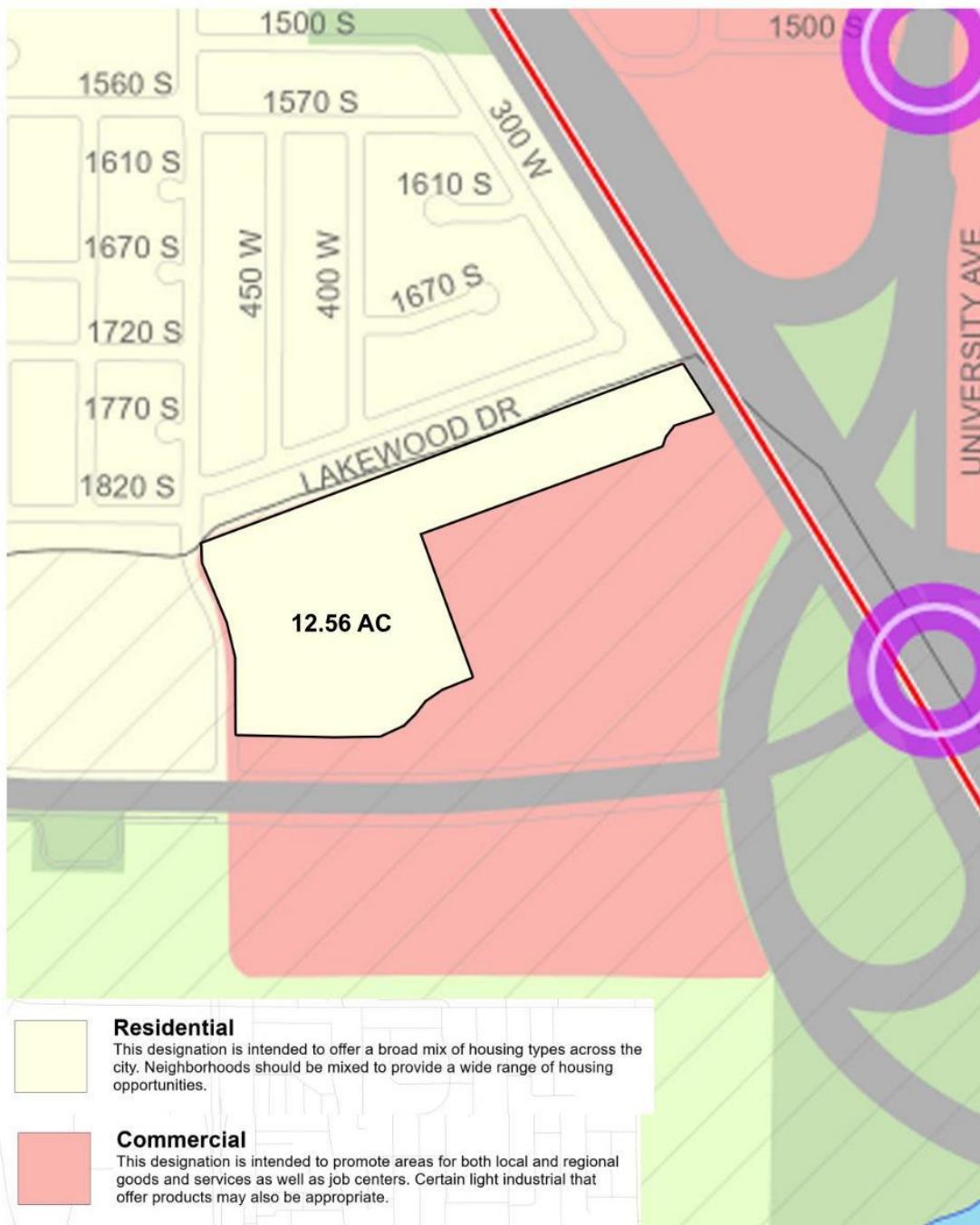
**ATTACHMENTS**

1. Area Map
2. Proposed General Plan Map
3. Neighborhood Meeting Minutes
4. Applicant Statement

**ATTACHMENT 1 – AREA MAP**



**ATTACHMENT 2 – PROPOSED GENERAL PLAN MAP**



### **ATTACHMENT 3 – NEIGHBORHOOD MEETING MINUTES**

**Proposed General Plan Map Amendment for 12.56 Acres of Land to Reclassify from Commercial to Residential to Develop 150 Townhomes at 1870 South 500 West in the Lakewood Neighborhood**

**Proposed Zone Map Amendment from the FC3 (Freeway Commercial 3) Zone to the LDR (Low Density Residential) Zone for 12.56 Acres of Land to Develop 150 Townhomes at 1870 South 500 West in the Lakewood Neighborhood**

Jamie Chapman from Foulger Pratt presented a proposal for rezoning approximately 12.56 acres of land from FC3 (Freeway Commercial 3) to LDR (Low Density Residential) to develop 150 rental townhomes. The proposed site is located near the recently approved Walmart site on Lakeview Parkway.

Chapman explained that the development would serve as a buffer between the single-family neighborhood to the north and the commercial activity of Walmart. He described the project as "build for rent" townhomes, targeting young families and retirees who may not be ready to purchase a home but want a single-family-like living experience.

The site plan included 150 rental townhomes with garages, ample parking spaces, open green spaces, a dog park, and a clubhouse with fitness amenities. Chapman emphasized that the development would exceed the minimum parking requirement and that residents would be required to park in their garages.

Residents raised concerns about the lack of homeownership opportunities and the potential impact on the community. They also inquired about the target market, amenities access, and property management plans. Chapman addressed these questions, stating that the development would be professionally managed and that amenities would primarily be for residents but not gated.

Some residents expressed disappointment that the units would not be for sale, citing the need for increased homeownership opportunities in the area. Chapman explained that his company specializes in multifamily apartment developments and that the financing mechanism for rental properties differs from for-sale developments.

Questions were also raised about drainage, the existing pump house, and the potential for a trail along the property line. Chapman acknowledged these concerns and mentioned that they were working with Provo City Engineering to develop solutions for drainage issues.

**ATTACHMENT 4 – APPLICANT STATEMENT**

**Written Statement  
General Plan Amendment**

**Description of the proposed amendment:**

An ordinance amending General Plan Map of approximately 12.56 acres of real property, generally located at the southwest corner of 500 West and Lakeview Parkway from Commercial to Residential.

The proposed use of this property will be Residential Apartment Townhomes. This will provide additional housing options for Provo city residents while providing a buffer between the Lakewood single-family residents to the north from Commercial designated property to the south. This use is consistent with the Osprey townhome development to the west.

The existing Commercial designation for most of the greater 36.83-acre subject property is appropriate however the entirety is not conducive to successful retail due to the property depth and lack of visibility from major streets. Preserving approximately 24.27 acres of Commercial designated property and re-designating the remainder to Residential is appropriate given the adjacency to the Lakewood single-family neighborhood to the north and the Osprey townhome development to the west.

The proposed amendment will have little impact on existing infrastructure and public services. There are adequate existing utilities in the area to serve the site. Impacts to adjacent streets are being studied as a part of the overall project for the remainder of the Commercial property. Commercial uses are significantly more traffic intensive than residential uses.

**Affected Parcels for General Plan change from Mixed Use Development:**

Parcel #	Owner	Address
21:051:0062	South Point Development LLC	500 West Lakeview Parkway.

(Parcel numbers will be determined at time of recording), see Exhibit "A" for description.

**Signatures:**



South Point Development LLC, By: 

**Planning Commission Hearing  
Staff Report**  
**Hearing Date: October 22, 2025**

**\*ITEM 3** James Chapman requests a Zone Map Amendment from the FC3 (Freeway Commercial Three) Zone to the LDR (Low Density Residential) Zone for 12.56 acres of land in order to develop a 150-unit townhome community, located approximately at 1870 S 500 W. Lakewood Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLRZ20250142

<p><b>Applicant:</b> James Chapman</p> <p><b>Staff Coordinator:</b> Aaron Ardmore</p> <p><b>Property Owner:</b> SOUTH POINT DEVELOPMENT LLC</p> <p><b>Parcel ID#:</b> 21:051:0062</p> <p><b>Acreage:</b> 12.56</p> <p><b>Related Applications:</b> PLRZ20250142; PLPPA20250143</p>	<p><b>Current Legal Use:</b> Vacant land in a commercial zone.</p> <p><b>Relevant History:</b> The property has been vacant since it was annexed into Provo City. The zoning was changed from agricultural to commercial in 2021. The property owners have been working on a plan to bring in commercial users for most of the parcel while keeping 12.56 acres for a townhome development.</p> <p><b>Neighborhood Issues:</b> This item was presented at the May 7<sup>th</sup> District 3 Meeting, with the following concerns (minutes are attached):</p> <ul style="list-style-type: none"><li>• Lack of ownership opportunities;</li><li>• Ability to create the north trail with the pump house location; and</li><li>• Overall impact on the neighborhood.</li></ul>
<p><b>ALTERNATIVE ACTIONS</b></p> <ol style="list-style-type: none"><li>1. <b>Continue</b> to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is November 12, 2025 at 6:00 P.M.</i></li><li>2. <b>Recommend Denial</b> of the requested Zone Map amendment. <i>This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should <u>state</u> new findings.</i></li></ol>	<p><b>Summary of Key Issues:</b></p> <ul style="list-style-type: none"><li>• The city would be losing over 12 acres of potential commercial property.</li><li>• The proposed amendment could provide a good buffer between large commercial uses and single-family neighborhoods.</li><li>• The amendment is tied to a plan for 150 rental townhomes.</li></ul> <p><b>Staff Recommendation:</b> That the Planning Commission <b>recommend approval</b> to the City Council of a Zone Map amendment from the FC3 Zone to the LDR Zone, subject to the following conditions:</p> <ol style="list-style-type: none"><li>1. That the Walmart project begins construction prior to signing the ordinance for this amendment; and</li><li>2. That the developer guarantees some for-sale units.</li></ol>

## **OVERVIEW**

James Chapman, representing the property owner, requests a Zone Map amendment from the FC3 Zone to the LDR Zone for 12.56 acres of land in order to develop a 150-unit townhome development. This proposal is tied to a General Plan amendment to reclassify the same area from commercial to residential.

The area proposed to be rezoned is currently part of a 36-acre property all zoned FC3. Just under twenty acres of the remaining property is part of the Walmart project area, with the other three to four acres being left as future FC3 commercial development pads. West of the rezone proposal, across 500 West, is another LDR zoned townhome development, Osprey Townhomes. North of the subject property is a R1-zoned single-family development; and east is the I-15 highway corridor.

The LDR Zone limits density to no more than twelve units per acre of land. The project proposal accompanying this rezone request is at 11.9 units per acre and has a variety of open space amenities. Current plans indicate that all 150 townhomes would be rental units, which is a concern, but the proposal has met all other LDR zone standards. However, there are remaining staff comments and/or corrections from other city departments for the applicant to address if the proposal is to move forward.

Additionally, staff is uncomfortable with the zone change to residential moving forward without construction starting on the Walmart project since losing the 12.56 acres may deter other commercial development from the site if Walmart does not advance. Staff have recommended that this and the lack of for-sale product be addressed with conditions as it moves to the City Council vote.

## **STAFF ANALYSIS**

Similar to the analysis of the proposed General Plan map amendment with this plan, staff feel that the proposed zone change does offer a good buffer from Walmart for the single-family neighborhood to the north and could provide a healthy mix of uses on the property. However, as previously stated, the Walmart development construction is key to recommending approval on a zone change to LDR for part of this property. Otherwise, it would be a better decision to keep the entire site zoned commercial to maximize development potential, knowing that the FC3 Zone has strong transition standards against single family zoning.

Additional analysis below responds to the criteria for amendments from Provo City Code 14.02.020(2), with staff responses in **bold**:

(a) Public purpose for the amendment in question.

**The applicant states that the purpose is to “provide additional housing options” and provide “a buffer between the Lakewood single-family residents to the north from FC3 zoned Walmart property to the south”.**

(b) Confirmation that the public purpose is best served by the amendment in question.

**Staff agree with the applicant's stated purposes for the amendment, though there are some questions whether this specific proposal best serves the public and residents of the city. As stated above, removing over twelve acres of commercial property for a 100% rental development may not be the best option to achieve these purposes.**

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

**The applicant has stated that the proposed amendment will further promote goals to “encourage healthy and balanced neighborhoods”, “encourage the development of various types of housing inventory”, and “encourage more options for entry level housing including smaller lots and mixed housing...”. These goals align with current General Plan goals found in Chapters 3 and 4.**

(d) Consistency of the proposed amendment with the General Plan's “timing and sequencing” provisions on changes of use, insofar as they are articulated.

**There are no timing and sequencing issues related to this request. Relatable goals fall into the “short” to “mid” timing schedule of the General Plan implementation matrix, which ranges from 1 to 10 years from the adoption of the plan (adopted in 2023).**

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

**There is a potential to hinder additional commercial development and job creation as a result of this proposal.**

(f) Adverse impacts on adjacent landowners.

**There should not be any adverse impacts on adjacent landowners related to this request. The ITE manual indicates that retail commercial uses generate more daily trips than residential uses, especially in off-peak hours and weekends. Also, as stated above, the residential land use should create a buffer to the noise and visual impacts of commercial uses along Lakeview Parkway.**

(g) Verification of correctness in the original zoning or General Plan for the area in question.

**Staff have confirmed that the maps are correct.**

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

**This development proposal includes an amendment to the General Plan Map, so the policies and goals should guide the decision on this proposal.**

Further analysis is provided by responding to the General Plan criteria for “Evaluating Proposed Rezone Applications for Housing Developments” found on page 45, with staff responses in **bold**:

- Would the rezone promote one of the top 3 housing strategies?

- Promote a mix of home types, sizes, and price points
- Support zoning to promote ADUs and infill development
- Recognize the value of single-family neighborhoods

**Yes and no. The proposed rezone would help to promote a mix of home types, sizes, and price points for the larger neighborhood area by bringing in a different product. However, since the proposal is for attached, rental units on the edge of a developed area, this proposal does not promote ADUs nor would it be classified as infill development. The project recognizes the value of the nearby single-family neighborhoods by providing a buffer from large commercial uses.**

- Are utilities and streets currently within 300 feet of the property proposed for rezone?

**Yes. The adjacent streets, 500 West and Lakeview Parkway, have been verified by engineering to be able to handle the additional vehicle trips (with some modifications and enhancements to be installed by the developer).**

- Would the rezone exclude land that is currently being used for agricultural use?

**Yes, this land has not been used for agricultural purposes for many years and is currently in a commercial zone.**

- Does the rezone facilitate housing that has reasonable proximity (1/2 mile) to public transit stops or stations?

**No, the closest transit stop is the East Bay South Station (180 E Lakeview Pkwy), approximately 1 mile away.**

- Would the rezone encourage development of environmentally or geologically sensitive, or fire or flood prone lands? If so, has the applicant demonstrated these issues can reasonably be mitigated?

**Yes. This area is still in the mapped flood plain zone, but the applicant is aware of this and is pursuing an update of that map due to the installation of Lakeview Parkway and anticipated fill that will bring the site up in elevation.**

- Would the proposed rezone facilitate the increase of on-street parking within 500 feet of the subject property? If so, is the applicant willing to guarantee use of a TDM in relation to the property to reduce the need for on-street parking?

**No, the applicant will provide parking to meet code for each townhome.**

- Would the rezone facilitate a housing development where a majority of the housing units are owner-occupied? Is the applicant willing to guarantee such?

**No, the current proposal is for 150 rental townhomes.**

- Would the proposed rezone facilitate a housing development where at least 10% of the housing units are attainable to those making between 50-97% AMI? Is the applicant willing to guarantee such?

**No, the current proposal is for market-rate rentals.**

### **FINDINGS OF FACT**

1. The subject property is 36.16 acres.
2. The proposed rezone is for 12.56 acres.
3. The current General Plan designation is commercial.
4. The proposed General Plan designation is residential.
5. The current zone is FC3 (PCC 14.20C)
6. The proposed zone is LDR (PCC 14.14A)
7. The maximum density of the LDR Zone is 12 units per acre (PCC 14.14A.030)
8. The proposed density of the project is 11.9 units per acre.

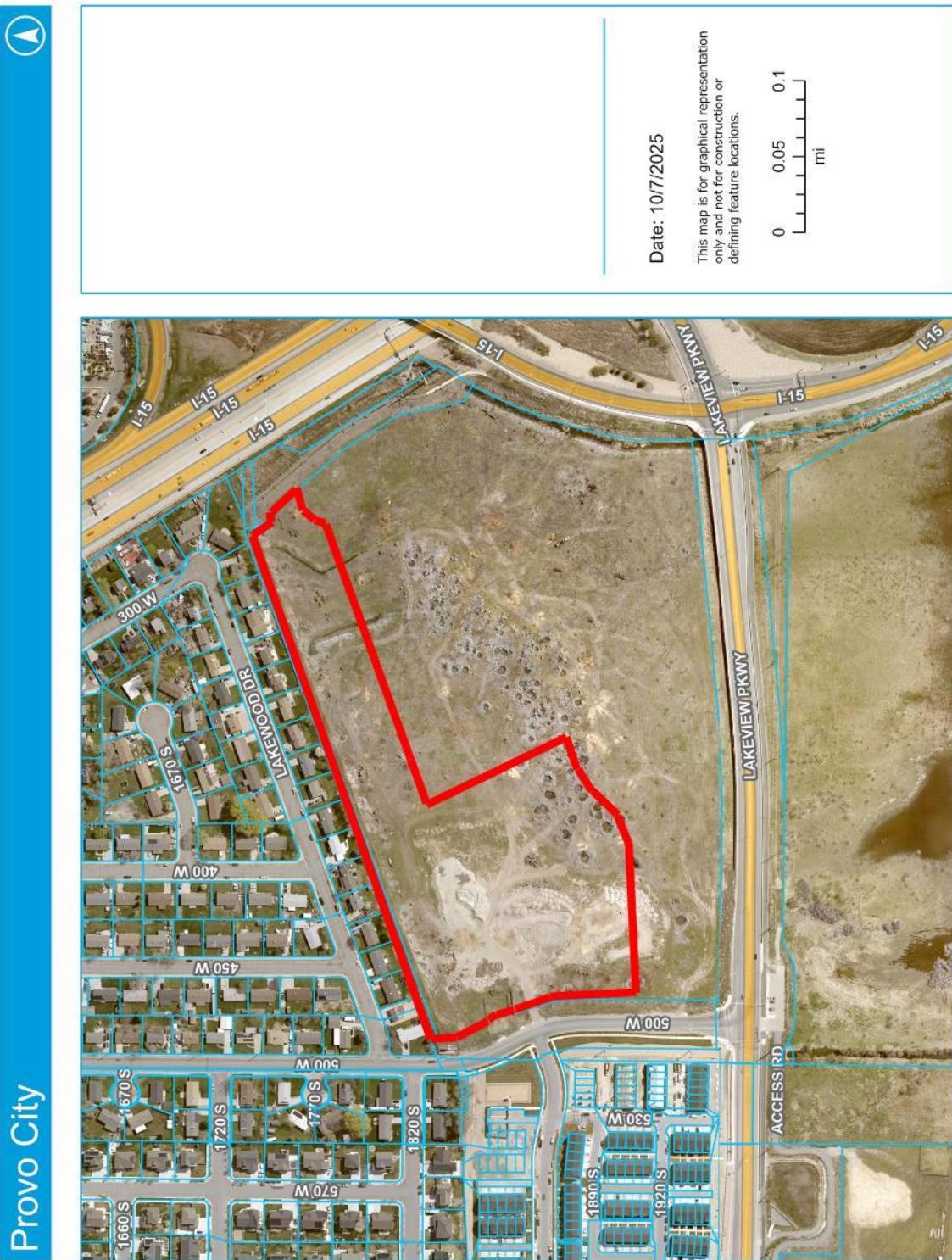
### **CONCLUSIONS**

The support for this proposed rezone, much like the proposed General Plan amendment, depends on Walmart moving forward with construction. Additionally, staff believe that there should be a mix of ownership tied to the development with this rezone request. Staff would be more comfortable with this request if Walmart had already started construction or if there was a guarantee that Walmart would continue to move forward. Without this, the removal of 12.56 acres of commercial land could negatively impact the marketability of future commercial uses on the property.

### **ATTACHMENTS**

1. Area Map
2. Proposed Zone Map Amendment
3. Applicant Statement
4. Neighborhood Meeting Minutes

**ATTACHMENT 1 – AREA MAP**



## **ATTACHMENT 2 – PROPOSED ZONE MAP AMENDMENT**



**ATTACHMENT 3 – APPLICANT STATEMENT**

**Written Statement  
Zoning Map Amendment**

Description of the proposed amendment:

An ordinance amending zone map classification of approximately 12.56 acres of real property, generally located between 500 West and Interstate 15, adjacent to Lakeview Parkway from FC3 to Low Density Residential (LDR).

The proposed use of this property will be Residential Apartment Townhomes. This will provide additional housing options for Provo city residents while providing a buffer between the Lakewood single-family residents to the north from FC3 zoned Walmart property to the south. This use is consistent with the LDR zoned Osprey townhome development to the west.

The proposed zone would further promote the objectives and purposes of the Provo City General Plan by:

Chapter Three of the General Plan lists goals to “encourage healthy and balanced neighborhoods” and “encourage the development of various types of housing inventory” within the city.

Chapter Four of the General Plan lists a goal to “Encourage more options for entry level housing including smaller lots and mixed housing, as well as smaller unit sizes including studios and apartments” within the city.

Affected Parcels for Zone change from FC3 to LDR:

Parcel #	Owner	Address
21:051:0062	South Point Development LLC	2720 North Heritage School Drive (250 W)

(Parcel numbers will be determined at time of recording), see Exhibit “A” for description.

Signatures:

Sean Smith

South Point Development LLC, By: Mark

## **ATTACHMENT 4 – NEIGHBORHOOD MEETING MINUTES**

**Proposed General Plan Map Amendment for 12.56 Acres of Land to Reclassify from Commercial to Residential to Develop 150 Townhomes at 1870 South 500 West in the Lakewood Neighborhood**

**Proposed Zone Map Amendment from the FC3 (Freeway Commercial 3) Zone to the LDR (Low Density Residential) Zone for 12.56 Acres of Land to Develop 150 Townhomes at 1870 South 500 West in the Lakewood Neighborhood**

Jamie Chapman from Foulger Pratt presented a proposal for rezoning approximately 12.56 acres of land from FC3 (Freeway Commercial 3) to LDR (Low Density Residential) to develop 150 rental townhomes. The proposed site is located near the recently approved Walmart site on Lakeview Parkway.

Chapman explained that the development would serve as a buffer between the single-family neighborhood to the north and the commercial activity of Walmart. He described the project as "build for rent" townhomes, targeting young families and retirees who may not be ready to purchase a home but want a single-family-like living experience.

The site plan included 150 rental townhomes with garages, ample parking spaces, open green spaces, a dog park, and a clubhouse with fitness amenities. Chapman emphasized that the development would exceed the minimum parking requirement and that residents would be required to park in their garages.

Residents raised concerns about the lack of homeownership opportunities and the potential impact on the community. They also inquired about the target market, amenities access, and property management plans. Chapman addressed these questions, stating that the development would be professionally managed and that amenities would primarily be for residents but not gated.

Some residents expressed disappointment that the units would not be for sale, citing the need for increased homeownership opportunities in the area. Chapman explained that his company specializes in multifamily apartment developments and that the financing mechanism for rental properties differs from for-sale developments.

Questions were also raised about drainage, the existing pump house, and the potential for a trail along the property line. Chapman acknowledged these concerns and mentioned that they were working with Provo City Engineering to develop solutions for drainage issues.

# Planning Commission Hearing Staff Report

## Hearing Date: October 22, 2025

**ITEM 4** James Chapman requests Project Plan approval for a 150-unit townhome community in a proposed LDR (Low Density Residential) Zone, located approximately at 1870 S 500 W. Lakewood Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov  
PLPPA20250143

<p><b>Applicant:</b> James Chapman</p> <p><b>Staff Coordinator:</b> Aaron Ardmore</p> <p><b>Property Owner:</b> SOUTH POINT DEVELOPMENT LLC</p> <p><b>Parcel ID#:</b> 21:051:0062</p> <p><b>Acreage:</b> 12.56</p> <p><b>Related Applications:</b> PLGPA20250141; PLRZ20250142</p> <p><b>ALTERNATIVE ACTIONS</b></p> <ol style="list-style-type: none"><li>1. <b>Continue</b> to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is November 12, 2025 at 6:00 P.M.</i></li><li>2. <b>Deny</b> the proposed Project Plan. <i>This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.</i></li></ol>	<p><b>Current Legal Use:</b> Vacant land in a commercial zone.</p> <p><b>Relevant History:</b> The property has been vacant since it was annexed into Provo City. The zoning was changed from agricultural to commercial in 2021. The property owners have been working on a plan to bring in commercial users for most of the parcel while keeping 12.56 acres for a townhome development.</p> <p><b>Neighborhood Issues:</b> This item was presented at the May 7<sup>th</sup> District 3 Meeting, with the following concerns (minutes are attached):</p> <ul style="list-style-type: none"><li>• Lack of ownership opportunities;</li><li>• Ability to create the north trail with the pump house location; and</li><li>• Overall impact on the neighborhood.</li></ul> <p><b>Summary of Key Issues:</b></p> <ul style="list-style-type: none"><li>• The city would be losing over 12 acres of potential commercial property.</li><li>• The proposed amendment could provide a good buffer between large commercial uses and single-family neighborhoods.</li><li>• The amendment is tied to a plan for 150 rental townhomes.</li></ul> <p><b>Staff Recommendation:</b> That the Planning Commission <b>approve</b> the Project Plan for 150 townhomes, subject to the following conditions:</p> <ol style="list-style-type: none"><li>1. That the General Plan Amendment and Zone Map Amendment are approved by the City Council;</li><li>2. That the applicant resolves all remaining CRC comments prior to building permit application; and</li><li>3. That a subdivision plat is approved and recorded prior to building permit application.</li></ol>
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## **OVERVIEW**

James Chapman, representing the property owner, requests approval for a 150-unit townhome development located at approximately 1870 South 500 West. The proposal includes amendments to both the General Plan map and the Zone map which would need to be approved by the City Council to permit this proposal to move forward. The concerns in those reports and the recommended conditions to mitigate the concerns may impact this proposed plan. Additionally, there are remaining review comments and corrections from city department staff that will need to be addressed prior to this project moving forward. This report assumes that all of these elements are addressed and evaluates the proposal as it currently stands.

Planning Commission will note that this is a Project Plan, rather than a Concept Plan that is typically brought forward with a rezone request. The current plans have been found to be in compliance with all LDR zone standards for density, parking, open space, and design. The remaining issues are related to public works and power specifications and should be resolved with the submittal of some additional details for staff to review.

Surrounding uses include the Osprey Townhomes to the west, single-family homes to the north, Interstate 15 to the east, and the remaining FC3 commercial property to the south. Access to the site will be from 500 West and will connect to the Walmart property. There are a variety of open space amenities within the project that will help encourage family occupancy including a clubhouse, playground, and workout station (details shown in attachments).

## **FINDINGS OF FACT**

1. The proposed zone for the development is LDR (PCC 14.14A)
2. The proposed density is 11.9 units per acre, just under the maximum 12 allowed.
3. The required parking for the project is 344 stalls (PCC 14.37.060)
4. The proposed parking for the project is 395 stalls.
5. The required amenity space is 2.51 acres (PCC 14.14A.090(6)).
6. The project amenity space is 2.64 acres.
7. The required amenity score is 60 (PCC 14.34.330),
8. The project amenity score is 194.

## **CONCLUSIONS**

This project has been shown to meet all LDR zone standards, so if the General Plan and Zone map amendments are approved the project as shown will comply. There are significant improvements needed on the property, and off-site, that will have to be installed prior to any building permits for the development and should be captured by the proposed approval conditions of this report.

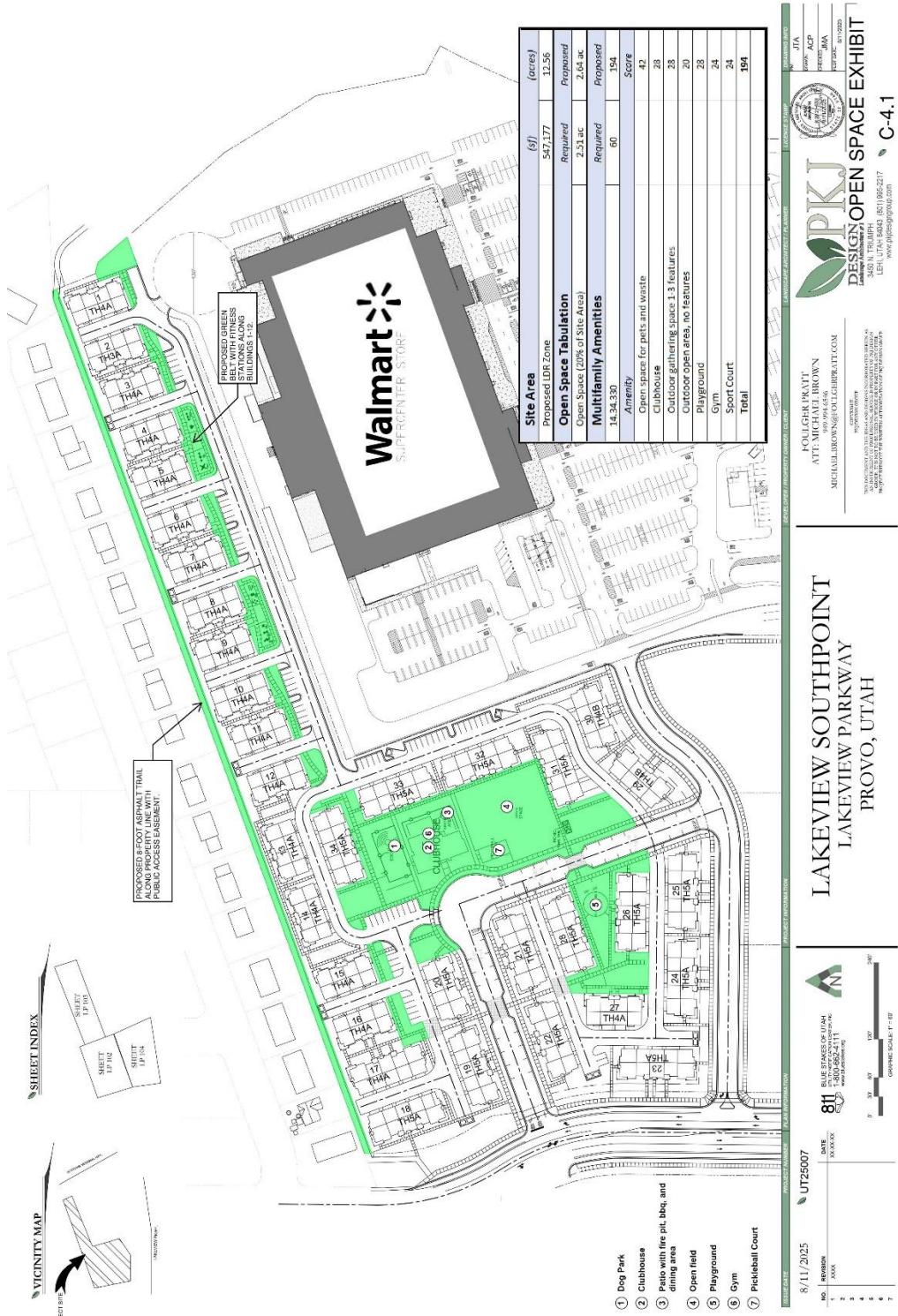
**ATTACHMENTS**

1. Site Plan
2. Amenity Plan
3. Amenity Details
4. Elevations
5. Floor Plans
6. Landscape Plan

**ATTACHMENT 1 – SITE PLAN**



## **ATTACHMENT 2 – AMENITY PLAN**



### ATTACHMENT 3 – AMENITY DETAILS



## TRAIL PACKAGE

Designed to complement cardio workouts, the 12-unit Trail Package emphasizes upper body and core exercises.

For more details on the package visit  
[greenfieldfitness.com/trail-fitness](http://greenfieldfitness.com/trail-fitness)



**AREA 1:**  
**SGR018W**  
**SHP507**  
**SGR105**

2-Person Accessible Lat Pull  
2-Person Static Combo  
Customized Announcement Sign



**BIXBY PARK, LONG BEACH, CA**

**AREA 4:**  
**SGR021**  
**SHP724**  
**SGR105**

4-Person Lower Body Combo  
2-Person Pull-Up Station  
Customized Announcement Sign



**AREA 2:**  
**SGR019**  
**SGR048AW**  
**SGR105**

2-Person Incline Sit-Up Bench  
2-Person Accessible Chest Press  
Customized Announcement Sign

**AREA 5:**  
**SGR104**  
**SHP724**  
**SGR105**

4-Person Leg Press  
Pyrametric Steps (Set of 3)  
Customized Announcement Sign



**AREA 3:**  
**SGR042**  
**SHP510**  
**SGR105**

2-Person Back and Arms Combo  
4-Person Combo Bars  
Customized Announcement Sign

**AREA 6:**  
**SGR022**  
**SGR043**  
**SGR105**

4-Person Peculium, Abs, & Dip Station  
Parallel Bars  
Customized Announcement Sign

[www.greenfieldfitness.com](http://www.greenfieldfitness.com) 888-315-9037

27

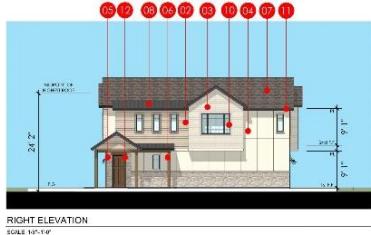
<b>350-2258</b>	Equipment Manufacturer
350-2258A	 The world needs play.



**ATTACHMENT 4 – ELEVATIONS**

KEYNOTES: COLOR SCHEME 1											
01 STUCCO - SW 7012 CREAMY	05 STONE VENEER - ROUGHCUT - LORE VALLEY	09 GARAGE DOOR - TERRASTONE									
02 LAP SIDING - SW 7530 URBAN PUTTY	06 PAINTED COLUMN - SW 7058 BAKED COOKIE	10 VINYL WINDOWS - CHARCOAL									
03 SHINGLES SIDING - SW 7012 CREAMY	07 COMPOSITION ROOFING - MISSION BROWN	11 TRIM FASCIA - SW 7059 IRON ORE									
04 SIDING PANELS - SW 7012 CREAMY	08 STANDING SEAM ROOFING - IRON ORE	12 ENTRY DOORS - SW 7058 BAKED COOKIE									

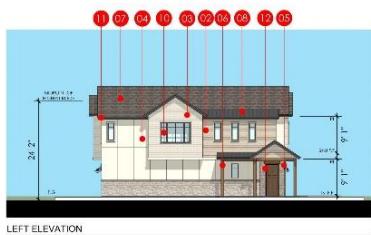
FOR SPECIFIC MATERIAL INFORMATION REFER TO COLOR & MATERIAL BOARDS



RIGHT ELEVATION  
SCALE: 10'-0" x 1'-0"



REAR ELEVATION  
SCALE: 10'-0" x 1'-0"



LEFT ELEVATION  
SCALE: 10'-0" x 1'-0"



FRONT ELEVATION  
SCALE: 10'-0" x 1'-0"

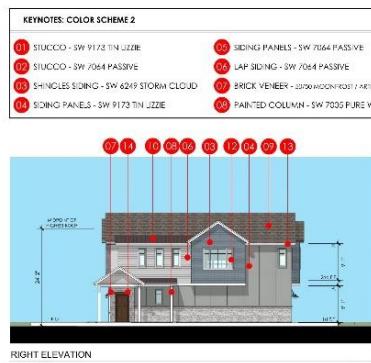
Foulger Pratt

LAKEVIEW SOUTHPOINT  
FOULGER PRATT  
PROVO, UTAH

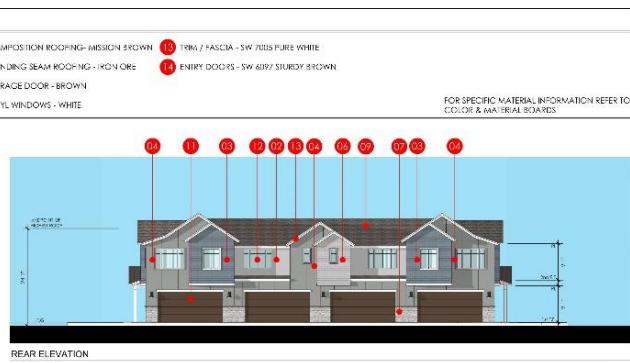
TYPICAL ELEVATIONS  
BUILDING TYPE - TH4A  
COLOR SCHEME 1

SCALE: 10'-0" x 1'-0"  
A-2.0

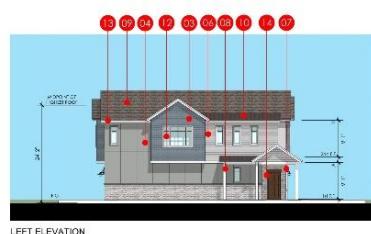
DANIELIAN  
ASSOCIATES  
LAND USE EXPERTS



RIGHT ELEVATION  
SCALE: 10'-0" x 1'-0"



REAR ELEVATION  
SCALE: 10'-0" x 1'-0"



LEFT ELEVATION  
SCALE: 10'-0" x 1'-0"



FRONT ELEVATION  
SCALE: 10'-0" x 1'-0"

Foulger Pratt

LAKEVIEW SOUTHPOINT  
FOULGER PRATT  
PROVO, UTAH

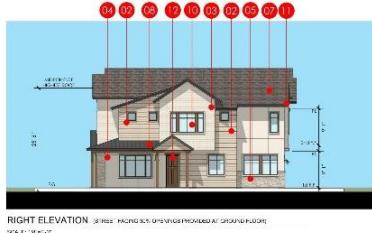
TYPICAL ELEVATIONS  
BUILDING TYPE - TH4A  
COLOR SCHEME 2

SCALE: 10'-0" x 1'-0"  
A-2.1

DANIELIAN  
ASSOCIATES  
LAND USE EXPERTS

KEYNOTES: COLOR SCHEME 1											
01 STUCCO - SW 7012 CREAMY	02 STONE VENEER - ROUGHCUT - LORE VALLEY	03 GARAGE DOOR - TERRASTONE									
05 LAP SIDING - SW 7032 URBAN PUTTY	06 PAINTED COLUMN - SW 9058 BAKED COOKIE	07 VINYL WINDOWS - CHARCOAL									
03 S+INGLES SIDING - SW 7012 CINAMAY	07 COMPOSITION ROOFING - MISSION BROWN	11 TRIM / FASCIA - SW 7025 IRON ORE									
04 SIDING PANELS - SW 7012 CREAMY	08 STANDING SEAM ROOFING - IRON ORE	12 ENTRY DOORS - SW 9058 BAKED COOKIE									

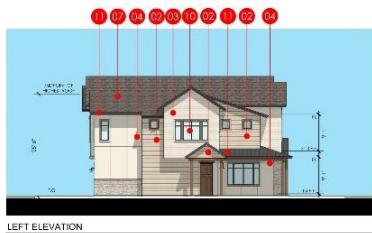
FOR SPECIFIC MATERIAL INFORMATION REFER TO COLOR & MATERIAL BOARDS



RIGHT ELEVATION (STREET FACING SIDE ONLY) PROVIDED AT GROUND FLOOR  
SCALE: 1/8"=10'-0"



REAR ELEVATION  
SCALE: 1/8"=10'-0"



LEFT ELEVATION  
SCALE: 1/8"=10'-0"



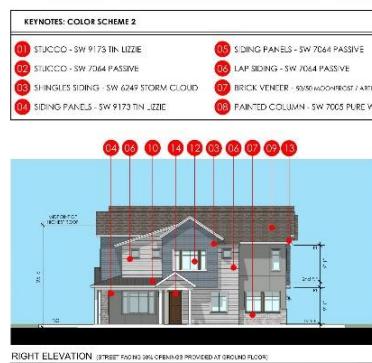
FRONT ELEVATION (STREET FACING SIDE ONLY) PROVIDED AT GROUND FLOOR  
SCALE: 1/8"=10'-0"

Foulger Pratt

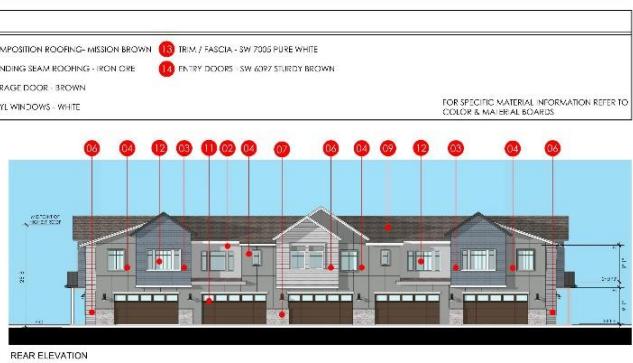
LAKEVIEW SOUTHPOINT  
PROVO, UTAH

TYPICAL ELEVATIONS  
BUILDING TYPE - TH5A  
COLOR SCHEME 1

A-2.2  
DANIELIAN  
ASSOCIATES  
ARCHITECTURE



RIGHT ELEVATION (STREET FACING SIDE ONLY) PROVIDED AT GROUND FLOOR  
SCALE: 1/8"=10'-0"



REAR ELEVATION  
SCALE: 1/8"=10'-0"



LEFT ELEVATION  
SCALE: 1/8"=10'-0"



FRONT ELEVATION (STREET FACING SIDE ONLY) PROVIDED AT GROUND FLOOR  
SCALE: 1/8"=10'-0"

Foulger Pratt

LAKEVIEW SOUTHPOINT  
PROVO, UTAH

TYPICAL ELEVATIONS  
BUILDING TYPE - TH5A  
COLOR SCHEME 2

A-2.3  
DANIELIAN  
ASSOCIATES  
ARCHITECTURE

**COLOR SCHEME 1**



STUCCO  
SW 7012 CREAMY



ROUGHCUT STONE  
LOIRE VALLEY  
ELDORADO STONE



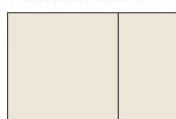
PAINTED COLUMNS/ ENTRY DOORS  
SW 9098 BAKED COOKIE



FASCIA/ TRIM  
SW 7069 IRON ORE



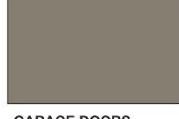
PAINTED LAP SIDING  
SW 7532 URBAN PUTTY  
HARDIE BOARD



PAINTED PANEL SIDING  
SW 7012 CREAMY  
HARDIE PANEL



COMPOSITION SHINGLES  
TIMBERLINE- MISSION BROWN  
GAF



GARAGE DOORS  
TERRASTONE  
GARAGA



PAINTED SHINGLES  
SW 7012 CREAMY  
HARDIE BOARD



STANDING SEAM METAL ROOF  
IRON ORE  
PAC CLAD



VINYL WINDOWS  
CHARCOAL

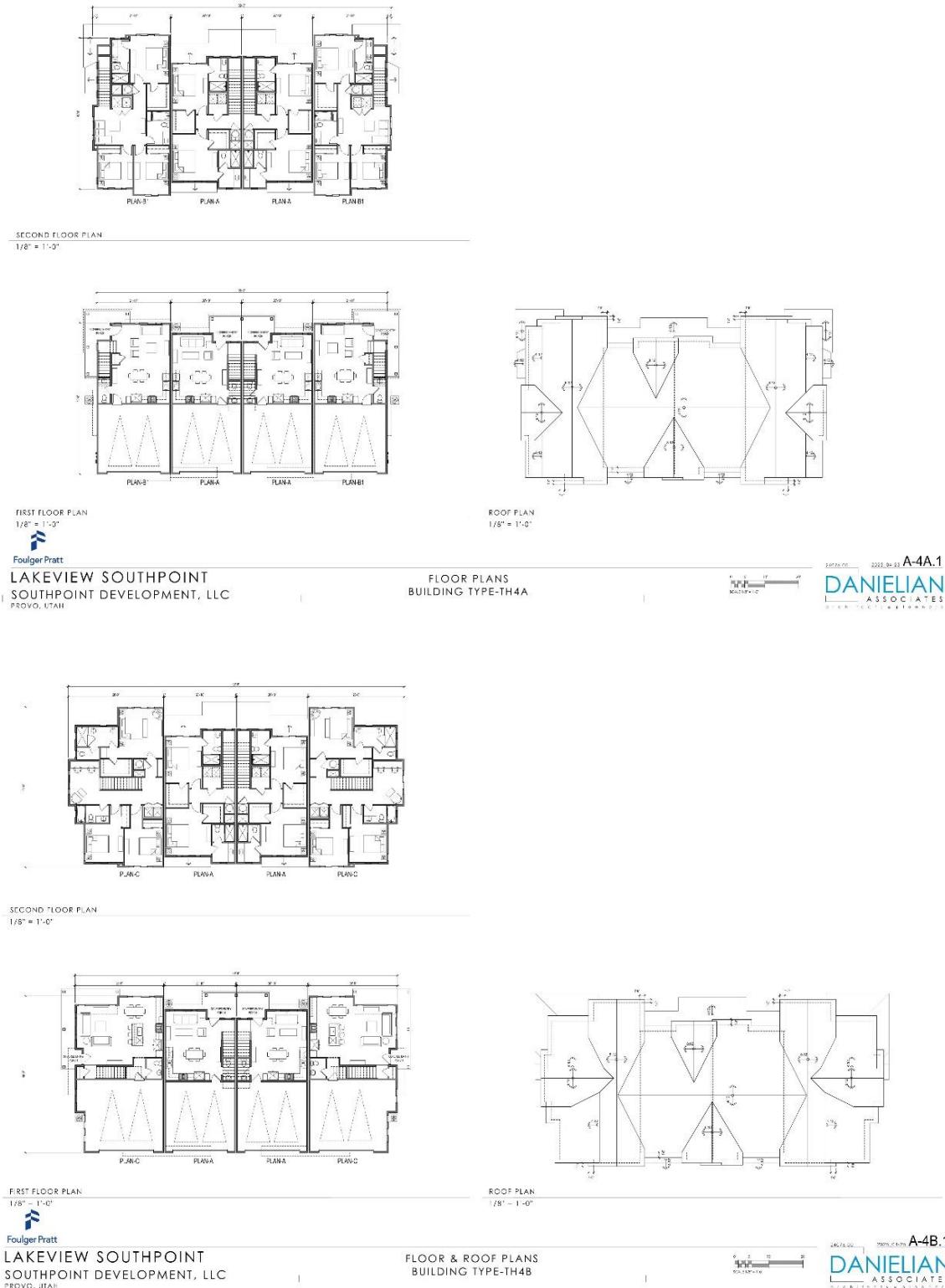


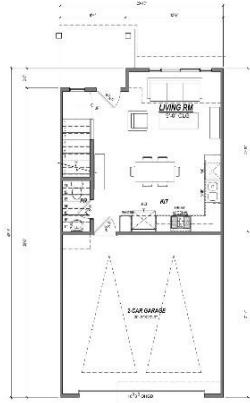
Foulger Pratt  
LAKEVIEW SOUTHPPOINT  
SOUTHPPOINT DEVELOPMENT, LLC  
PROVO, UTAH

COLOR & MATERIAL BOARD  
COLOR SCHEME 1

24971-00 0220-14-21 A-8.0  
**DANIELIAN**  
ASSOCIATES  
ARCHITECTURE PLANNERS

**ATTACHMENT 5 – FLOOR PLANS**





FIRST FLOOR PLAN



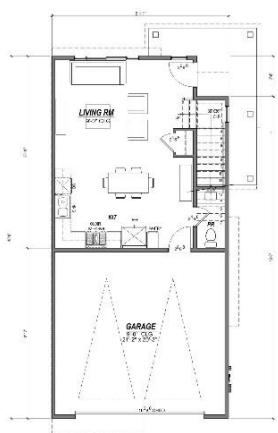
LAKEVIEW SOUTHPPOINT  
SOUTHPPOINT DEVELOPMENT, LLC  
PROVO, UTAH



SECOND FLOOR PLAN

PLAN-A  
2 BR, 2.5 BA  
UNIT AREA: 1,192 SF  
GARAGE: 428 SF

A-7.0  
DANIELIAN  
ASSOCIATES



FIRST FLOOR PLAN



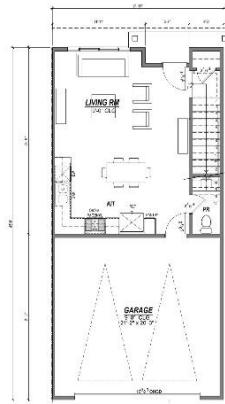
LAKEVIEW SOUTHPPOINT  
SOUTHPPOINT DEVELOPMENT, LLC  
PROVO, UTAH



SECOND FLOOR PLAN

PLAN-B1  
3 BR, 2.5 BA  
UNIT AREA: 1,472 SF  
GARAGE: 445 SF

A-7.1  
DANIELIAN  
ASSOCIATES

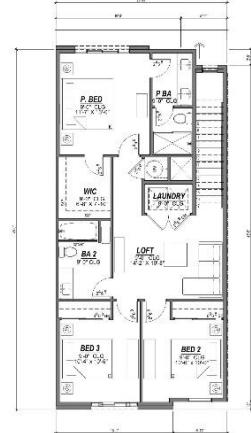


FIRST FLOOR PLAN

1/4" = 1'-0"



LAKEVIEW SOUTHPONT  
SOUTHPONT DEVELOPMENT, LLC  
PROVO, UTAH



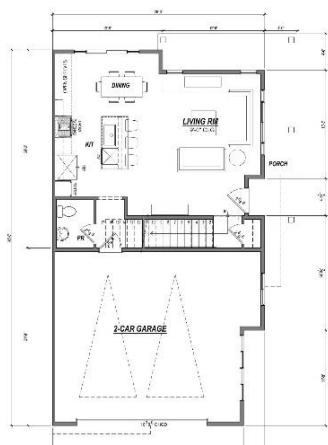
SECOND FLOOR PLAN

1/4" = 1'-0"

PLAN-B2  
3 BR, 2 BA  
UNIT AREA: 1,441 SF  
GARAGE: 445 SF

A-7.2  
DANIELIAN  
ASSOCIATES  
ARCHITECTURE + DESIGN

UNIT PLANS



FIRST FLOOR PLAN

1/4" = 1'-0"



LAKEVIEW SOUTHPONT  
SOUTHPONT DEVELOPMENT, LLC  
PROVO, UTAH



SECOND FLOOR PLAN

1/4" = 1'-0"

PLAN-C  
3 BR, 2.5 BA  
UNIT AREA: 1,731 SF  
GARAGE: 535 SF

A-7.3  
DANIELIAN  
ASSOCIATES  
ARCHITECTURE + DESIGN

UNIT PLANS

**ATTACHMENT 6 – LANDSCAPE PLAN**



**Planning Commission Hearing  
Staff Report**  
**Hearing Date: October 22, 2025**

**\*Item 5** Terry Cirac requests Ordinance Text Amendments to Provo City Code 14.34.287 (Residential and Mixed-Use Design Standards) to amend the applicability of certain standards. Citywide Application. Dustin Wright (801) 852-6414 dwright@provo.gov PLOTA20250535

**Applicant:** Terry Cirac

**Staff Coordinator:** Dustin Wright

**Council Action Required:** Yes

**Relevant History:**

The applicant received approval on a zone map amendment to the Campus Residential (CR) zone for property located at 71 W 880 N on the August 5, 2025, City Council hearing. The design standards in Provo City Code 14.34.287 limited the number of units that would fit on that property in the associated concept plans with that request.

**Neighborhood Issues:**

Citywide Application. No issues provided to staff.

**POSSIBLE ACTIONS**

1. **Recommend approval** to the Municipal Council for the proposed ordinance text amendment to Provo City Code 14.34.287, to amend the applicability of certain standards.
2. **Continue** to a future date to obtain more information or to further consider the information presented.  
*The next available meeting date is November 12, 2025, at 6:00 p.m.*
3. **Recommend denial** to the Municipal Council for the proposed ordinance text amendment to Provo City Code 14.34.287, to amend the applicability of certain standards.

**Summary of Key Issues:**

- Provo City Code 14.34.287(5) requires driveway placement to be towards the side property line for all developments, and the applicant would like to have it only apply to developments over 10 units.
- Provo City Code 14.34.287(4)(a)(ii) requires a thirty-foot habitable first floor along the street-facing façade, and the applicant would like to have it only apply to developments over 10 units.
- This proposal would have direct impact on all future developments under 11 units in the VLDR, LDR, MDR, HDR, CR, and Mixed-Use Zones.

## **BACKGROUND**

Terry Cirac worked on a concept plan and rezone for property at 71 West 880 North earlier this year. Through the review process the concept plan was limited to five residential units due mostly to design requirements of 14.34.287 requiring a habitable first floor along the street frontage and the driveway to be placed on the side of the building. The applicant is now requesting to amend the city code in those areas that limited his design so he can submit a project plan application for additional dwelling units on the property.

This amendment has city-wide impact. Section 14.34.287 contains design standards that apply to all new buildings and uses located in the Very Low Density Residential (VLDR), Low Density Residential (LDR), Medium Density Residential (MDR), High Density Residential (HDR), Campus Residential (CR), Neighborhood Mixed-Use (NMU), and Mixed-Use (MU) zones. Amending this code as proposed would impact designs for any project under eleven units. For context, photographs of projects that were built prior to these standards that the applicant is proposing the exemption on are shown at the end of this report in attachment 3 and images that the applicant had submitted for his site previously are in attachment 4.

## **CODE ANALYSIS**

Sec. 14.020.020(2) establishes criteria for the amendments to the zoning title as follows: **(Staff response in bold type)**

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

(a) Public purpose for the amendment in question.

**Staff response: The purpose of the amendment is to allow greater flexibility for infill development under 11 units.**

(b) Confirmation that the public purpose is best served by the amendment in question.

**Staff response: The amendment will provide more opportunities for infill-development by allowing lower design standards for developments under 11 units. However, these proposals would impact the human-scale, walkability, and visual impact for this scale of development. The Planning Commission and Council will need to determine if sacrificing design best practices for additional apartments best serves the public.**

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

**Staff response: The applicant is looking to update the design standards to help allow more development on his property. The General Plan encourages finding opportunities for small scale, infill development and it also encourages using design standards and updating them to help keep Provo attractive.**

### **Land Use (Chapter 3) –**

**Goal #4 - Utilize and update design standards to further establish Provo as an attractive, healthy, and high-functioning city.**

**4a. Evaluate existing design standards to ensure they are sufficiently facilitating an attractive, efficiently built environment and promoting the health and safety of its residents.**

### **Housing (Chapter 4)**

**Goal #1 - Allow for different types of housing in neighborhoods and allow for a mix of home sizes at different price points, including ADUs.**

**1a. Encourage opportunities for small scale, infill housing development.**

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

**Staff response: The proposed amendment to the ordinance does not conflict with and timing and sequencing of the General Plan.**

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

**Staff response: Amdending the code will allow for more development opportunities that currently are not allowed, but it is removing some of the applicability of the design standards to accomplish this.**

(f) Adverse impacts on adjacent landowners.

**Staff response: No adverse impacts would be expected for adjacent landowners.**

(g) Verification of correctness in the original zoning or General Plan for the area in question.

**Staff response: N/A, citywide application.**

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

**Staff response: No conflicts exist between the map and plan in relation to the proposed amendment.**

### **STAFF ANALYSIS**

The requested text amendment will help provide new opportunities for infill development that currently are not permitted due to residential design standards. Increasing density where the applicant owns property would be beneficial for the housing stock. Lowering the design standards to accomplish this is something that should be considered carefully. The design

standards have been created to help ensure an attractive built environment is maintained throughout the city.

The thirty-foot habitable first floor requirement in Provo City Code 14.34.287(4)(a)(ii) helps ensure that there is an attractive and inviting street presence in residential areas. Without this design standard we may end up with some developments that lack that inviting residential feel. The same thing applies with the requirement in Provo City Code 14.34.287(5) to have driveway placement to be towards the side property line. It is good design practice to have a welcoming visual entrance into a building. Having the exemption for smaller developments will create opportunity for more infill development but could result in a lower visual appeal within neighborhoods.

Attachment 1 shows the proposed changes to 14.34.287 in blue. Attachment 2 contains the justification statement from the applicant to support the requested changes. Attachment 3 contains some photos of properties that have been built before the design standards were adopted to show what developments could look like with the proposed text amendments to the existing design standards.

## **CONCLUSION**

The proposed text amendment will open the door for new infill development to potentially increase the number of dwelling units than it would be able to accommodate with the design standards in place which could help with housing stock.

Removing these design standards for these development projects under 11 units will potentially allow for building designs that are less aesthetically desirable.

## **ATTACHMENTS**

1. Proposed Text
2. Applicant Justification Statement
3. Example Photos
4. Concepts for Cirac Apartments

**ATTACHMENT 1 – PROPOSED TEXT**

**14.34.287 - Residential and Mixed-Use Design Standards.**

...

**(4) - Building Facades.**

...

**(a) - Ground Floor Treatment.**

...

**(ii) Ground Floors in All Applicable Zones.**

**(A) Excepting townhomes, a minimum habitable first floor depth of thirty (30) feet as measured from the street facing facade is required.~~–for building complexes over ten (10) units.~~**

...

**14.34.287 - Residential and Mixed-Use Design Standards.**

...

**(5) – Driveways and Parking.**

**(a) New developments shall provide the minimum amount of driveway access and width required by code as a means of preserving front yard space.**

**(i) ~~For building complexes over ten (10) units, d~~Driveway placement shall be toward the side property line to avoid dividing a building by a single, central driveway to subterranean parking.**

...

## **ATTACHMENT 2 – APPLICANT JUSTIFICATION STATEMENT**

### **JUSTIFICATION STATEMENT**

Placing a requirement to provide a habitable unit with a minimum depth of thirty (30) feet on the first floor creates significant limitations on the constructability of smaller infill developments. Specifically, **Section 14.34.287(5)** and **Section 14.34.287(4)(a)(ii)** do not adequately account for circumstances where surface parking is used to accommodate utilities and site functionality.

By mandating a livable unit on the first floor with the specified depth, the ordinance directly reduces the amount of ground-level area available for necessary parking. This restriction places an undue burden on infill projects, where site dimensions are often constrained, and parking requirements are already challenging to meet.

It is our understanding that Sections 14.34.287(5) and 14.34.287(4)(a)(ii), when originally adopted, were intended to address projects incorporating subterranean parking. The thirty-foot habitable depth requirement functions as a safeguard against blank street frontages that may occur when ground floors are dominated by parking garages. However, in situations where surface parking is used in place of subterranean parking, the same condition does not apply, and the requirement becomes counterproductive.

Therefore, we believe that applying the thirty (30) foot first-floor habitable depth requirement uniformly to all developments is not consistent with the ordinance's original intent. We respectfully request consideration for flexibility or exemption in cases where surface parking is required to support utilities and maintain compliance with minimum parking requirements for infill housing.

**ATTACHMENT 3 – EXAMPLE PHOTOS**



51 W 880 N - Apartments with center driveway instead of ground floor residential.



48 W 880 N – Condos with center driveway and no street frontage access.

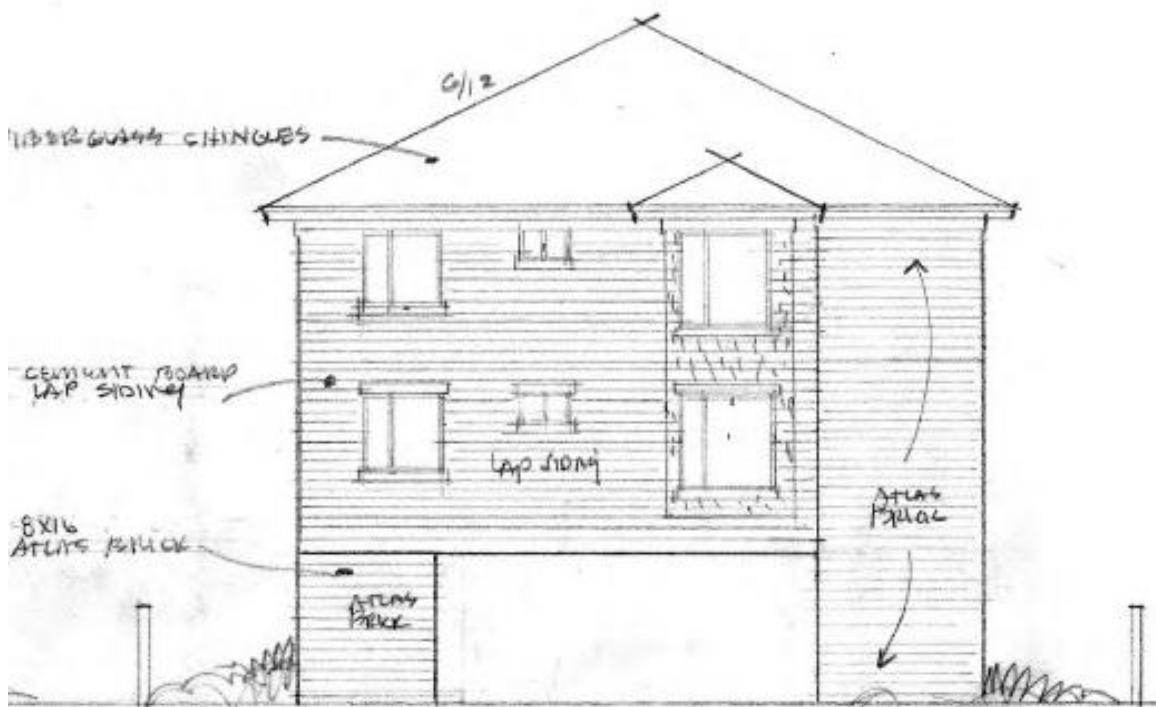


737 E 700 N – Apartments with center driveway and no habitable first floor.

**ATTACHMENT 4 – CONCEPTS FOR CIRAC APARTMENTS**



Approved 5-unit concept elevation with Residential unit/entry on main and driveway on the side.



Proposed 8-unit apartment with no habitable first floor unit/entry and with center driveway.

**Ken S. Grow | October 16, 2025**

***Oct 22 Planning Commission Hearing - Lakeview Parkway zoning change***

As an owner of land on Lakeview Parkway, I'm in favor of the LDR zoning change allowing for a higher density of residential units near the freeway. We need more affordable housing in Provo, but not at the expense of retail services to the community. There are few grocery or other retail services available west of the freeway. Target and Sams Club are in an already large big box retail zoned area. Would a change of the whole zone to a mixed use instead of a freeway zone accommodate the desired project while still encouraging retail services in the area?

Provo City Planning Commission  
**Report of Action**

October 22, 2025

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**ITEM 1** The Provo City Council requests Ordinance Text Amendments to Chapter 14.30 (Accessory Dwelling Units) to replace the map in 14.30.020 and remove 14.30.040. Citywide Application. Nancy Robison (801) 852-6417 nrobison@provo.gov PLOTA20250562

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The following action was taken by the Planning Commission on the above described item at its regular meeting of October 22, 2025:

## **RECOMMENDED APPROVAL**

On a vote of 6:1, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Matt Wheelwright

Second By: Jon Lyons

Votes in Favor of Motion: Matt Wheelwright, Joel Temple, Lisa Jensen, Jonathon Hill, Melissa Kendall, Jon Lyons

Votes Against: Anne Allen

*Jonathon Hill was present as Chair.*

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

### **TEXT AMENDMENT**

The text of the proposed amendment is attached as Exhibit A.

### **STAFF PRESENTATION**

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

### **CITY DEPARTMENTAL ISSUES**

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

### **NEIGHBORHOOD MEETING DATE**

- Citywide application; all Neighborhood District Chairs received notification.

### **NEIGHBORHOOD AND PUBLIC COMMENT**

- This item was Citywide. No public Comments were made

### **PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

- This amendment only improves the ADU process by a little bit, and if this is a tool the City Council wants to use it should be spelled out more clearly.
- The Planning Commission would rather see ADU approval as a special use permit, given to the individual, not something that runs with the property. If the conditions of the approval are not being met, they no longer get the special use permit.
- The City still has problems with people having illegal ADU's and not enough enforcement to bring those properties into compliance.



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Planning Commission Chair



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Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

## Exhibit A

### Chapter 14.30 ACCESSORY DWELLING UNITS

Sections:

- 14.30.010 Purpose and Objectives.**
- 14.30.020 Permitted Use of Accessory Dwelling Units.**
- 14.30.030 Accessory Dwelling Unit (ADU) Development Standards.**
- 14.30.040 ~~Special Use Permit for Accessory Dwelling Unit.~~**

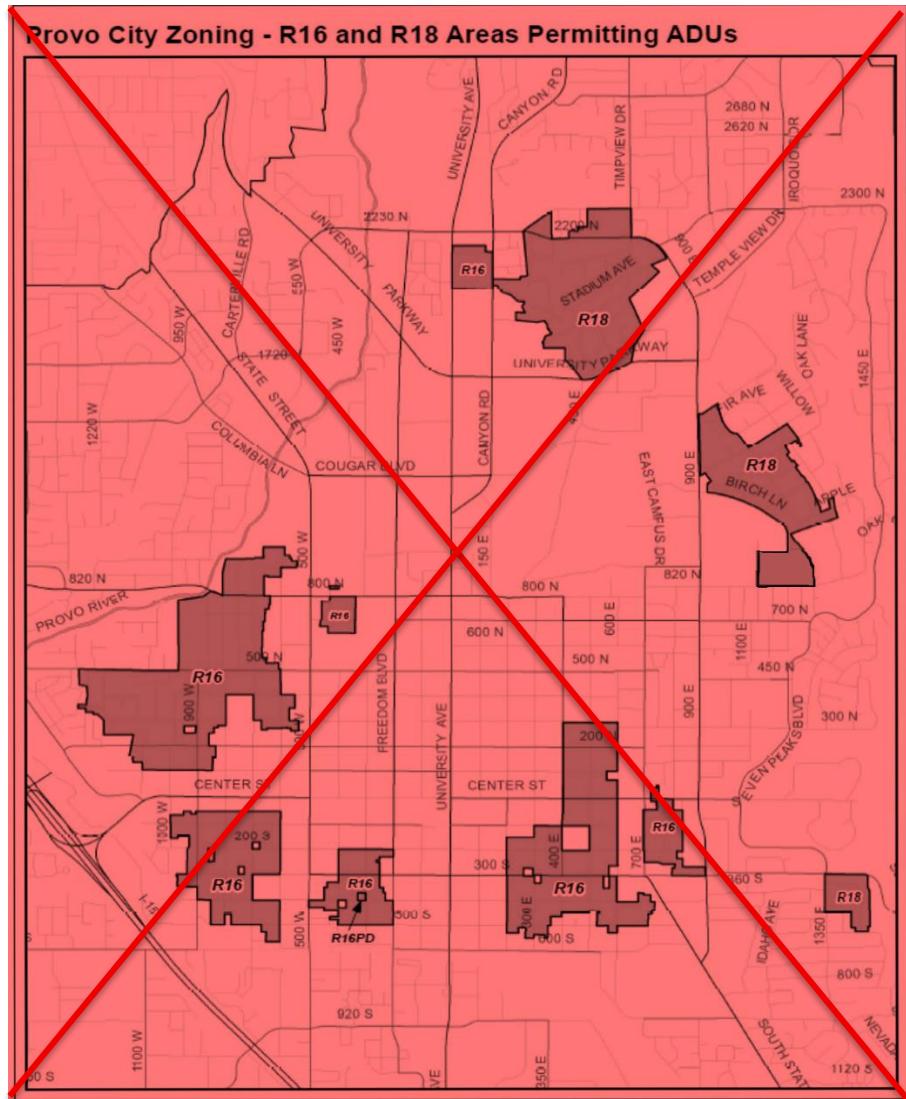
#### **14.30.010 Purpose and Objectives.**

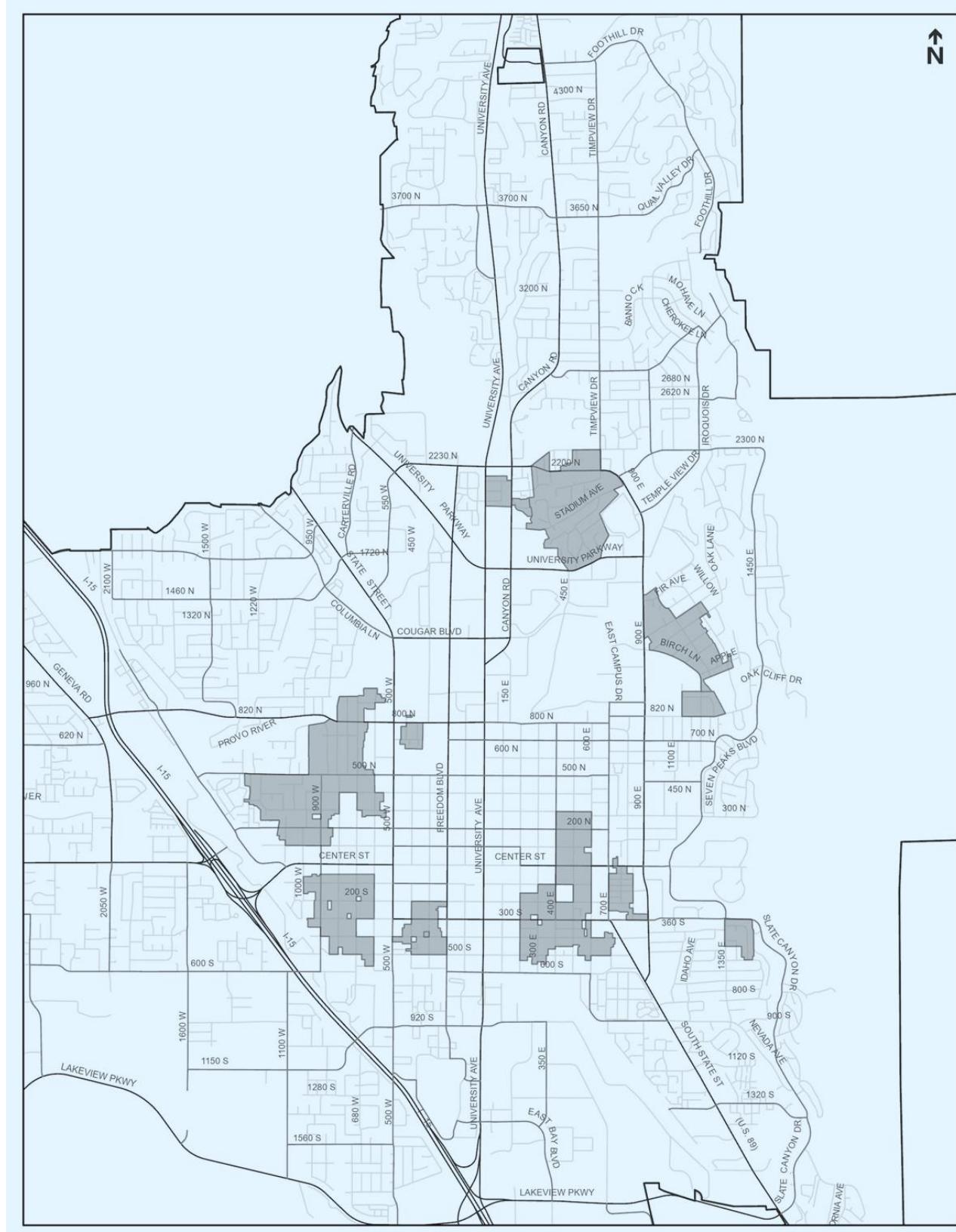
- (1) The purpose of the accessory dwelling unit (ADU) development standards is to encourage promotion of an environment for family life by providing for the establishment of ADUs in conjunction with one (1) family detached dwellings on individual lots. These development standards are hereby established to promote the use of ADUs; to provide flexibility for the changes in household size associated with life cycle; to offer financial security for home owners; and to offer security against problems associated with frailty in old age.
- (2) "Accessory dwelling unit (ADU)" means a residential dwelling unit occupied as a separate dwelling unit on the same lot as a primary dwelling unit, either within the same building as the primary dwelling unit (referred to as an internal ADU), attached to the single-family dwelling, or in a detached building. An accessory building, as defined, is not a mobile home or other portable structure that does not qualify as an ADU.
- (3) The use of an accessory dwelling unit in areas zoned primarily for residential use is a permitted use, except as otherwise provided in this Chapter.
  - (a) For purposes of this Chapter, the phrase "areas zoned primarily for residential use" means areas in the following zones: RA, R1, R2, LDR, MDR, HDR, CMU, VLDR, RM, RC, any Project Redevelopment Option (PRO) zone, and Specific Development Plan Overlay zones 2 through 5.

#### **14.30.020 Permitted Use of Accessory Dwelling Units.**

- (1) Notwithstanding the regulation of permitted uses in other chapters of this Title, the regulation of the permitted use of accessory dwelling units is governed by this Section.
- (2) Notwithstanding Section [14.30.010](#), Provo City Code, Utah Code Annotated Section [10-9a-530](#) allows the prohibition of accessory dwelling units in some areas zoned primarily for residential use. Accordingly, accessory dwelling units are prohibited in the following areas zoned primarily for residential use:
  - (a) All Project Redevelopment Option (PRO) zones;

- (b) R2 zones with a Performance Development Overlay (R2PD);
- (c) Areas designated RM, R16, R17, R18, R19, or R110, including such areas with the Performance Development Overlay, except as shown in the map below:





(3) Notwithstanding Subsection (2) of this Section, the use of an accessory dwelling unit in areas zoned

primarily for residential use is a permitted use in all areas west of Interstate Highway 15, except the Specific Development Plan Overlay zone 5 (SDP-5) and R2 zones with a Performance Development Overlay (R2PD).

### **14.30.030 Accessory Dwelling Unit (ADU) Development Standards.**

ADUs shall be subject to the following development standards:

- (1) *Number.* No more than one (1) ADU shall be permitted in conjunction with each one (1) family detached dwelling.
- (2) *Location.* ADUs may be located only:
  - (a) Over an attached garage, provided the ADU has access to required parking and does not otherwise disrupt required covered parking;
  - (b) Inside a one (1) family detached dwelling;
  - (c) In an addition to a one (1) family detached dwelling; provided, that the addition will not alter the one (1) family character of the building; or
  - (d) As a detached accessory structure or within a detached accessory structure located in the rear and/or side yard in accordance with the following requirements:
    - (i) The accessory structure in which the ADU is located shall have a building footprint and height less than the main dwelling, but in no case shall the accessory structure be less than two hundred (200) square feet in area;
    - (ii) A detached ADU or a detached accessory structure containing an ADU shall be set back from any property line no less than ten (10) feet or the distance of the existing setback of the one (1) family dwelling from that same property line, whichever is less;
    - (iii) The accessory structure shall be architecturally compatible with the main dwelling;
    - (iv) The accessory structure shall be permanently affixed to a site-built foundation and shall be designed in accordance with Provo City adopted building codes;
    - (v) The accessory structure must be approved for, and permanently connected to, all required utilities with a connection and meter independent and separate from the one (1) family dwelling; and
    - (vi) Shipping containers shall not be permitted for use as an ADU unless they can meet all building codes and are clad with materials similar to and architecturally compatible with those of the main dwelling.

(3) *Appearance.* The ADU shall not alter the appearance of the structure as a one (1) family detached dwelling and shall not resemble in any degree a side-by-side, side-to-back, back-to-back, or other type of two-family dwelling. There shall be no external evidence from a street view of occupancy by more than one (1) family, such as two (2) front doors on the main dwelling. The yard areas of the property shall be maintained free of weeds, junk, solid waste, or other materials constituting a violation of the Provo City Code. An ADU shall not be authorized on a property that has outstanding ordinance violations.

(4) *Occupancy.* A one (1) family dwelling with an ADU, which is authorized by and conforms to the requirements set forth in this Section, shall, for purposes of this Subsection, consist of two (2) component parts: the main dwelling unit and the ADU. Those two (2) parts shall be occupied as follows:

(a) Except as otherwise provided in Subsection [\(4\)\(d\)](#) of this Section, either the main dwelling unit or the ADU must be occupied by an owner occupant as that term is defined in Section [14.06.020](#), Provo City Code. If this requirement is not met, no ADU shall be permitted.

(b) The occupancy of the main dwelling unit shall be limited to one (1) "family" as that term is defined in Chapter [14.06](#), Provo City Code, except that if the ADU is also occupied, the occupancy of the main dwelling unit may not include the two (2) additional related or unrelated individuals described in Subsection (b)(i)(B) of the "family" definition in Section [14.06.020](#), Provo City Code.

(c) The ADU shall not be occupied by more than three (3) related or unrelated adults, together with any minor children of those adults.

(d) Owner occupancy shall not be required when the owner has submitted a temporary absence application prior to beginning of the temporary absence and meets the following criteria:

(i) The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, military service, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or

(ii) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.

(iii) The owner has resided in the residence for at least one (1) year prior to beginning the temporary absence.

(5) *Parking.* A one (1) family dwelling with an ADU must have at least four (4) off-street parking spaces.

(a) Two (2) tandem parking spaces (front to rear) are permitted.

(b) Parking spaces for a one (1) family dwelling with an associated ADU may be located on a driveway in a

required front yard if:

- (i) The driveway leads to the minimum number of required covered off-street parking spaces; or
- (ii) The property is listed on the Provo City Landmarks Registry.

(c) Parking spaces allowed under Subsection [\(5\)\(b\)](#) of this Section may not be between the primary dwelling and the street.

(d) In no case may the number of off-street parking spaces be less than the number of vehicles being maintained on the premises.

(e) Parking must comply with all other regulations of Chapter [14.37](#), Provo City Code.

(6) *Utility Meters.* A one (1) family dwelling with an internal ADU shall have at least one (1) but no more than two (2) meters for each water, gas, and electricity utility service, and each meter shall be in the property owner's name. A detached ADU or a detached accessory structure containing an ADU must have its own separate meter, and each meter shall be in the property owner's name.

(7) *Addresses.* The ADU shall have its own address assigned by Provo City.

(8) *Outside Entrances.* Outside entrances to the ADU shall be on the side or rear of the building. Only one (1) front entrance shall be visible from the front yard.

(9) *Building Codes.* All existing construction and remodeling shall comply with building codes in effect at the time of the original construction or remodeling. Newly constructed ADUs shall meet current building codes.

(10) *Rental Dwelling License.* In accordance with Chapter [6.26](#) (Rental Dwellings), Provo City Code, any person operating an ADU under this Chapter must obtain a rental dwelling license (RDL). This RDL is in addition to any building permits that may be necessary.

- (a) In addition to complying with Chapter [6.26](#) (Rental Dwellings), Provo City Code, to be eligible for an RDL a person operating an ADU under this Chapter must:
  - (i) Submit a site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters;
  - (ii) Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses. Floor plans must have the interior connection clearly labeled;

- (iii) Pay an application fee as shown on the [Consolidated Fee Schedule](#) adopted by the Municipal Council;
- (iv) Cooperate with the Development Services Department in recording a deed restriction with the County Recorder evidencing the restrictions under which the ADU is constructed and occupied. This deed restriction must run with the land as long as the property contains an ADU as provided in this Chapter;
- (v) Renew the rental dwelling license annually; and
- (vi) Establish at the time of the initial application and at every renewal that the dwelling is the owner's primary residence.

(b) Noncompliance with the standards of this Section is just cause for the denial or revocation of a rental dwelling license for an ADU. Revocation will be in accordance with the license regulations in Chapters [6.01](#) (License Administration) and [6.26](#) (Rental Dwellings), Provo City Code.

(c) Notwithstanding Section [6.01.090](#), Provo City Code, a rental dwelling license for an ADU automatically expires one (1) year after the date of the approval, or upon transfer of the property to another owner, whichever occurs first.

#### **14.30.040**

#### **Special Use Permit for Accessory Dwelling Unit.**

~~A property owner, or the owners of multiple contiguous properties, seeking to allow an accessory dwelling unit on a parcel, or parcels, in an area where such units are otherwise prohibited by Chapter [14.30](#) (Accessory Dwelling Units), Provo City Code, may submit a text amendment application to the Development Services Department seeking to amend this Chapter in order to designate accessory dwelling units as a permitted use for all the applying properties. The application must comply with Section [14.02.020](#), Provo City Code, except that:~~

- ~~(1) The specific filing fee for this type of application, as listed on the Consolidated Fee Schedule, is required instead of the standard amendment fee; and~~
- ~~(2) The application does not need to comply with Section [14.02.020\(1\)](#), Provo City Code, but instead must include the following:~~
  - ~~(a) A list of addresses including the applying property, or properties, and all immediately adjacent residential properties. For purposes of this Section, "immediately adjacent residential property" means~~

any property:

- (i) For which residential use is a permitted use; and
- (ii) That shares a common boundary with, is directly across from, is diagonally adjacent to, or is within the same cul-de-sac as an applying property, including any property separated from an applying property only by a local street, canal, right-of-way, or similar feature.
- (b) The names, addresses, and signatures of the owners of at least sixty-six percent (66%) of the properties described in Subsection (2)(a)(ii) of this Section, indicating that they are in support of the amendment; and
- (c) A completed rental dwelling license application that meets the requirements of Chapter 6.26 (Rental Dwellings), Provo City Code, for each applying property.

(3) Submission of the signatures required by Subsection (2)(b) of this Section does not guarantee approval of the application. They serve to demonstrate a degree of neighborhood support to the Council and are required in place of the standard text amendment fee in order to have the application considered. If an applicant wishes to apply without the required signatures, the application must meet all requirements of Section 14.02.020(1), Provo City Code, including payment of the standard amendment application fee and submission of a written petition to the Planning Commission meeting all the requirements in that Section. Final approval or denial of both types of application is at the sole discretion of the Provo City Municipal Council.

Provo City Planning Commission  
Report of Action

October 22, 2025

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**\*ITEM 2** James Chapman requests a General Plan Map Amendment for 12.56 acres of land to reclassify from Commercial to Residential in order to develop a 150-unit townhome development, located approximately at 1870 South 500 West. Lakewood Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLGPA20250141

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The following action was taken by the Planning Commission on the above described item at its regular meeting of October 22, 2025:

## RECOMMENDED APPROVAL WITH CONDITIONS

On a vote of 5:2, the Planning Commission recommended that the Municipal Council approve the above noted application with conditions.

### Recommended Conditions of Approval:

1. That the Walmart project begins construction prior to signing the ordinance for this amendment.

Motion By: Jon Lyons

Second By: Melissa Kendall

Votes in Favor of Motion: Jon Lyons, Melissa Kendall, Jonathon Hill, Joel Temple, Matt Wheelwright

Votes Against the Motion: Lisa Jensen, Anne Allen

*Jonathon Hill was present as Chair.*

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

### **LEGAL DESCRIPTION FOR PROPERTY TO BE AMENDED**

The property to be amended to the Residential designation is described in the attached Exhibit A.

### **RELATED ACTIONS**

The Planning Commission recommended approval on the related zone map amendment (PLRZ20250142) and approved the related Project Plan application (PLPPA20250143) with conditions at the October 22, 2025 meeting (items 3 & 4).

### **DEVELOPMENT AGREEMENT**

- Does not apply at this stage of review or approval.

### **STAFF PRESENTATION**

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Staff gave an overview of the report and reasons for the recommendation and answered Planning Commission questions regarding progress of Walmart on the property, details of the townhome site plan, and the remaining commercial pads south of the townhomes.

### **CITY DEPARTMENTAL ISSUES**

- There are remaining issues from the Coordinator Review Committee (CRC) review that need to be resolved.

### **NEIGHBORHOOD MEETING DATE**

- A neighborhood meeting was held on 5/7/2025.

## **NEIGHBORHOOD AND PUBLIC COMMENT**

- The Neighborhood District Chair was present and addressed the Planning Commission during the public hearing.

## **CONCERNS RAISED BY PUBLIC**

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following: The staff report includes all concerns raised by the public.

- Brooke Lawrence gave feedback from the Neighborhood Meeting and other discussions had with neighbors that are concerned about the whole development being rentals, the number of units, and when a traffic signal would be installed at 500 West and 1870 South. She indicated that there was some support for the townhomes and the north trail.

## **APPLICANT RESPONSE**

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Jamie Chapman gave an overview of his company, past work, and this current proposal; listing the benefits it would bring to the city (improved infrastructure, variety of housing, and quality of life). He also detailed parking plans and management under the HOA. Mr. Chapman also indicated that the amenities will be private and does not yet know what the rental rates will be. He also described the design justifications and future commercial space connections.

## **PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

- The majority of the Planning Commission thought the proposal could provide a good buffer from Walmart and appreciated the layout and amenities of the project plan.
- Joel Temple questioned if parking could be shared between Walmart and the townhomes to reduce the amount of asphalt, staff responded that they would have to be on the same parcel. Joel also shared his strong desire for residential units to be at least 300 feet from the Walmart fuel station.
- Anne Allen asked if a continuance should be made to allow the Walmart to proceed first. Commissioners were more comfortable with the recommended conditions in the staff report.
- Jon Lyon wondered if these units would take away demand from other projects in the city. He indicated that this property would be better suited for commercial users.
- The Commission and staff discussed the demand for this type of residential use, identifying these rental units are across from Osprey townhomes, which are all for-sale units.
- Lisa Jensen liked the plan but felt that the proposal is giving up too much commercial land and asked the applicant if that could be cut back, to which the applicant confirmed that the layout proposed is what they are comfortable with.
- The Commission discussed the proposed trail and anticipated connections and hoped that it can connect with established trails/sidewalks. Staff indicated that primary east-west connection would be the sidewalk on Lakeview Pkwy.
- Commissioners discussed buffers of the proposal versus buffers required by the FC3 Zone, and what the best use of the space is for the city.
- Lisa Jensen gave the other commissioners a brief history of the changes on the subject property and discussed with staff what other remaining sites along Lakeview Pkwy could provide commercial uses.
- There was a lot of discussion around percentage of for-sale units that should be offered, in the end the Commission decided to defer that to the City Council to be captured in the development agreement.
- The Commission conducted a straw poll on which Commissioners have a concern about the for-sale units, and which have concerns about losing the commercial designations. Anne Allen indicated concerns on both factors, while Lisa Jensen indicated concern only on losing the commercial designations.



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Planning Commission Chair



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Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

## EXHIBIT A

Commencing at a point located South 2883.88 feet and West 428.55 feet from the North quarter corner of Section 13, Township 7 South, Range 2 East, Salt Lake Base and Meridian: thence North 70°00'00" East along Lakewood Subdivision 1423.25 feet; thence North 87°33'54" East along Lakewood Subdivision 12.51 feet; thence South 21°43'34" East 71.72 feet; thence South 76°22'47" East 18.42 feet; thence South 41°01'59" East 60.00 feet; thence South 70°00'00" West 91.88 feet; thence along the arc of a 65.00 foot radius curve to the left 65.99 feet (chord bears South 40°55'03" West 63.19 feet); thence along the arc of a 25.00 foot radius curve to the right 25.38 feet (chord bears South 40°55'03" West 24.30 feet); thence South 70°00'00" West 717.14 feet; thence South 20°00'00" East 429.38 feet; thence South 70°00'00" West 59.57 feet; thence along the arc of a 196.00 foot radius curve to the left 120.73 feet (chord bears South 52°21'12" West 118.83 feet); thence along the arc of a 170.00 foot radius curve to the right 165.89 feet (chord bears South 62°39'42" West 159.38 feet); thence North 89°23'00" West 375.24 feet more or less to the easterly boundary of 500 West Street; thence along the easterly boundary of 500 West Street the following six (6) courses: thence North 00°37'00" East 125.69 feet, along the arc of a 415.00 foot radius curve to the left 29.28 feet (chord bears North 10°56'58" West 166.41 feet), North 08°32'59" West 50.53 feet, along the arc of a 430.00 foot radius curve to the right 29.28 feet (chord bears North 31°00'52" West 29.27 feet), along the arc of a 270.00 foot radius curve to the right 156.60 feet (chord bears North 16°20'58" West 154.4142 feet, North 00°16'00" East 25.03 feet to the point of beginning.

Area = 547,177 sq.ft. or 12.56 Acres

Provo City Planning Commission  
**Report of Action**

October 22, 2025

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**\*ITEM 3** James Chapman requests a Zone Map Amendment from the FC3 (Freeway Commercial Three) Zone to the LDR (Low Density Residential) Zone for 12.56 acres of land in order to develop a 150-unit townhome community, located approximately at 1870 S 500 W. Lakewood Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLRZ20250142

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The following action was taken by the Planning Commission on the above described item at its regular meeting of October 22, 2025:

## RECOMMENDED APPROVAL WITH CONDITIONS

On a vote of 5:2, the Planning Commission recommended that the Municipal Council approve the above noted application with conditions.

### Recommended Conditions of Approval:

1. That the Walmart project begins construction prior to signing the ordinance for this amendment.

Motion By: Jon Lyons

Second By: Matt Wheelwright

Votes in Favor of Motion: Jon Lyons, Melissa Kendall, Jonathon Hill, Joel Temple, Matt Wheelwright

Votes Against the Motion: Lisa Jensen, Anne Allen

*Jonathon Hill was present as Chair.*

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

### **LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED**

The property to be rezoned to the LDR Zone is described in the attached Exhibit A.

### **RELATED ACTIONS**

The Planning Commission recommended approval on the related general plan map amendment (PLGPA20250141) and approved the related Project Plan application (PLPPA20250143) with conditions at the October 22, 2025 meeting (items 2 & 4).

### **DEVELOPMENT AGREEMENT**

- Applies, referred applicant to City Attorney.

### **STAFF PRESENTATION**

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Staff gave an overview of the report and reasons for the recommendation and answered Planning Commission questions regarding progress of Walmart on the property, details of the townhome site plan, and the remaining commercial pads south of the townhomes.

### **CITY DEPARTMENTAL ISSUES**

- There are remaining issues from the Coordinator Review Committee (CRC) review that need to be resolved.

### **NEIGHBORHOOD MEETING DATE**

- A neighborhood meeting was held on 5/7/2025.

## **NEIGHBORHOOD AND PUBLIC COMMENT**

- The Neighborhood District Chair was present and addressed the Planning Commission during the public hearing.

## **CONCERNS RAISED BY PUBLIC**

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following: The staff report includes all concerns raised by the public.

- Brooke Lawrence gave feedback from the Neighborhood Meeting and other discussions had with neighbors that are concerned about the whole development being rentals, the number of units, and when a traffic signal would be installed at 500 West and 1870 South. She indicated that there was some support for the townhomes and the north trail.

## **APPLICANT RESPONSE**

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Jamie Chapman gave an overview of his company, past work, and this current proposal; listing the benefits it would bring to the city (improved infrastructure, variety of housing, and quality of life). He also detailed parking plans and management under the HOA. Mr. Chapman also indicated that the amenities will be private and does not yet know what the rental rates will be. He also described the design justifications and future commercial space connections.

## **PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

- The majority of the Planning Commission thought the proposal could provide a good buffer from Walmart and appreciated the layout and amenities of the project plan.
- Joel Temple questioned if parking could be shared between Walmart and the townhomes to reduce the amount of asphalt, staff responded that they would have to be on the same parcel. Joel also shared his strong desire for residential units to be at least 300 feet from the Walmart fuel station.
- Anne Allen asked if a continuance should be made to allow the Walmart to proceed first. Commissioners were more comfortable with the recommended conditions in the staff report.
- Jon Lyon wondered if these units would take away demand from other projects in the city. He indicated that this property would be better suited for commercial users.
- The Commission and staff discussed the demand for this type of residential use, identifying these rental units are across from Osprey townhomes, which are all for-sale units.
- Lisa Jensen liked the plan but felt that the proposal is giving up too much commercial land and asked the applicant if that could be cut back, to which the applicant confirmed that the layout proposed is what they are comfortable with.
- The Commission discussed the proposed trail and anticipated connections and hoped that it can connect with established trails/sidewalks. Staff indicated that primary east-west connection would be the sidewalk on Lakeview Pkwy.
- Commissioners discussed buffers of the proposal versus buffers required by the FC3 Zone, and what the best use of the space is for the city.
- Lisa Jensen gave the other commissioners a brief history of the changes on the subject property and discussed with staff what other remaining sites along Lakeview Pkwy could provide commercial uses.
- There was a lot of discussion around percentage of for-sale units that should be offered, in the end the Commission decided to defer that to the City Council to be captured in the development agreement.
- The Commission conducted a straw poll on which Commissioners have a concern about the for-sale units, and which have concerns about losing the commercial designations. Anne Allen indicated concerns on both factors, while Lisa Jensen indicated concern only on losing the commercial designations.



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Planning Commission Chair



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Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

## EXHIBIT A

Commencing at a point located South 2883.88 feet and West 428.55 feet from the North quarter corner of Section 13, Township 7 South, Range 2 East, Salt Lake Base and Meridian: thence North 70°00'00" East along Lakewood Subdivision 1423.25 feet; thence North 87°33'54" East along Lakewood Subdivision 12.51 feet; thence South 21°43'34" East 71.72 feet; thence South 76°22'47" East 18.42 feet; thence South 41°01'59" East 60.00 feet; thence South 70°00'00" West 91.88 feet; thence along the arc of a 65.00 foot radius curve to the left 65.99 feet (chord bears South 40°55'03" West 63.19 feet); thence along the arc of a 25.00 foot radius curve to the right 25.38 feet (chord bears South 40°55'03" West 24.30 feet); thence South 70°00'00" West 717.14 feet; thence South 20°00'00" East 429.38 feet; thence South 70°00'00" West 59.57 feet; thence along the arc of a 196.00 foot radius curve to the left 120.73 feet (chord bears South 52°21'12" West 118.83 feet); thence along the arc of a 170.00 foot radius curve to the right 165.89 feet (chord bears South 62°39'42" West 159.38 feet); thence North 89°23'00" West 375.24 feet more or less to the easterly boundary of 500 West Street; thence along the easterly boundary of 500 West Street the following six (6) courses: thence North 00°37'00" East 125.69 feet, along the arc of a 415.00 foot radius curve to the left 29.28 feet (chord bears North 10°56'58" West 166.41 feet), North 08°32'59" West 50.53 feet, along the arc of a 430.00 foot radius curve to the right 29.28 feet (chord bears North 31°00'52" West 29.27 feet), along the arc of a 270.00 foot radius curve to the right 156.60 feet (chord bears North 16°20'58" West 154.4142 feet, North 00°16'00" East 25.03 feet to the point of beginning.

Area = 547,177 sq.ft. or 12.56 Acres

Provo City Planning Commission  
**Report of Action**

October 22, 2025

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**ITEM 4** James Chapman requests Project Plan approval for a 150-unit townhome community in a proposed LDR (Low Density Residential) Zone, located approximately at 1870 S 500 W. Lakewood Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLPPA20250143

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The following action was taken by the Planning Commission on the above described item at its regular meeting of October 22, 2025:

## APPROVED WITH CONDITIONS

On a vote of 5:2, the Planning Commission approved the above noted application, with the following conditions:

Conditions of Approval:

1. That the General Plan Amendment and Zone Map Amendment are approved by the City Council;
2. That the applicant resolves all remaining CRC comments prior to building permit application; and
3. That a subdivision plat is approved and recorded prior to building permit application.

Motion By: Joel Temple

Second By: Matt Wheelwright

Votes in Favor of Motion: Joel Temple, Matt Wheelwright, Jonathon Hill, Melissa Kendall, Jon Lyons

Votes Against the Motion: Lisa Jensen, Anne Allen

*Jonathon Hill was present as Chair.*

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

### **RELATED ACTIONS**

The Planning Commission recommended approval with conditions on the related general plan map amendment (PLGPA20250141) and zone map amendment (PLRZ20250142) at the October 22, 2025 meeting (Items 2 & 3).

### **APPROVED/RECOMMENDED OCCUPANCY**

\*150 Total Units

\*Type of occupancy approved: Family

\*Standard Land Use Code 1140

### **APPROVED/RECOMMENDED PARKING**

\*344 Total parking stalls required

\*395 Total parking stalls provided

\*2.25 Required parking stalls per unit

### **STAFF PRESENTATION**

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Staff gave an overview of the report and reasons for the recommendation and answered Planning Commission questions regarding progress of Walmart on the property, details of the townhome site plan, and the remaining commercial pads south of the townhomes.

### **CITY DEPARTMENTAL ISSUES**

- There are remaining issues from the Coordinator Review Committee (CRC) review that need to be resolved.

## **NEIGHBORHOOD MEETING DATE**

- A neighborhood meeting was held on 5/7/2025.

## **NEIGHBORHOOD AND PUBLIC COMMENT**

- The Neighborhood District Chair was present and addressed the Planning Commission during the public hearing.

## **CONCERNS RAISED BY PUBLIC**

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following: The staff report includes all concerns raised by the public.

- Brooke Lawrence gave feedback from the Neighborhood Meeting and other discussions had with neighbors that are concerned about the whole development being rentals, the number of units, and when a traffic signal would be installed at 500 West and 1870 South. She indicated that there was some support for the townhomes and the north trail.

## **APPLICANT RESPONSE**

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Jamie Chapman gave an overview of his company, past work, and this current proposal; listing the benefits it would bring to the city (improved infrastructure, variety of housing, and quality of life). He also detailed parking plans and management under the HOA. Mr. Chapman also indicated that the amenities will be private and does not yet know what the rental rates will be. He also described the design justifications and future commercial space connections.

## **PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

- The majority of the Planning Commission thought the proposal could provide a good buffer from Walmart and appreciated the layout and amenities of the project plan.
- Joel Temple questioned if parking could be shared between Walmart and the townhomes to reduce the amount of asphalt, staff responded that they would have to be on the same parcel. Joel also shared his strong desire for residential units to be at least 300 feet from the Walmart fuel station.
- Anne Allen asked if a continuance should be made to allow the Walmart to proceed first. Commissioners were more comfortable with the recommended conditions in the staff report.
- Jon Lyon wondered if these units would take away demand from other projects in the city. He indicated that this property would be better suited for commercial users.
- The Commission and staff discussed the demand for this type of residential use, identifying these rental units are across from Osprey townhomes, which are all for-sale units.
- Lisa Jensen liked the plan but felt that the proposal is giving up too much commercial land and asked the applicant if that could be cut back, to which the applicant confirmed that the layout proposed is what they are comfortable with.
- The Commission discussed the proposed trail and anticipated connections and hoped that it can connect with established trails/sidewalks. Staff indicated that primary east-west connection would be the sidewalk on Lakeview Pkwy.
- Commissioners discussed buffers of the proposal versus buffers required by the FC3 Zone, and what the best use of the space is for the city.
- Lisa Jensen gave the other commissioners a brief history of the changes on the subject property and discussed with staff what other remaining sites along Lakeview Pkwy could provide commercial uses.
- There was a lot of discussion around percentage of for-sale units that should be offered, in the end the Commission decided to defer that to the City Council to be captured in the development agreement.
- The Commission conducted a straw poll on which Commissioners have a concern about the for-sale units, and which have concerns about losing the commercial designations. Anne Allen indicated concerns on both factors, while Lisa Jensen indicated concern only on losing the commercial designations.



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Planning Commission Chair



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Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

Provo City Planning Commission

# Report of Action

October 22, 2025

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**\*ITEM 5** Terry Cirac requests Ordinance Text Amendments to Provo City Code 14.34.287 (Residential and Mixed-Use Design Standards) to amend the applicability of certain standards. Citywide Application. Dustin Wright (801) 852-6414 dwright@provo.gov PLOTA20250535

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The following action was taken by the Planning Commission on the above described item at its regular meeting of October 22, 2025:

## RECOMMENDED APPROVAL

On a vote of 4:3, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Melissa Kendall

Second By: Jon Lyons

Votes in Favor of Motion: Melissa Kendall, Jon Lyons, Lisa Jensen, Anne Allen

Votes Opposed to the Motion: Matt Wheelwright, Joel Temple, Jonathon Hill

*Jonathon Hill was present as Chair.*

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

### TEXT AMENDMENT

The text of the proposed amendment is attached as Exhibit A.

### STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

### CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

### NEIGHBORHOOD MEETING DATE

- Citywide application; all Neighborhood District Chairs received notification.

### NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods.

### CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- No comment from the public.

### APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- The look of the other buildings on the street is disliked and were built before the design standards. The way the proposed amendment is written would not affect these buildings as they have more than 10 units.
- Wants to eliminate the need for a habitable first floor area.

- A PRO Zone application has been submitted, but staff have recommended a text amendment instead.
- This is an ideal spot for infill development.
- The parking would be below the structure and not below grade. The requirement to have a residential unit at grade makes it so that parking can't go there.

## **PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

- This item would have city-wide impact and not be applicable only for this applicant's property.
- Would a reduction in parking for a project like this be a better approach? There is already a parking issue in this area.
- Changing this code impacts the city and would not be a good idea. These other examples that didn't have the design standard are not designed well.
- Structures that turn their back on the public street cause a social problem. The code is good as it is now.
- Garage doors would help.
- PRO zones are going away and that is why the applicant was discouraged from taking that forward.
- Provo has not seen too many developments with less than 10 units.
- These driveways create a miserable pedestrian experience.
- There may be reasons to have this only apply to the Campus Residential zone. The Planning Commission discussed this with the applicant.

## **FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION**

The Planning Commission identified the following findings as the basis of this decision or recommendation:

- The Planning Commission discussed with the applicant the desire to limit the proposed change to only be applicable to the Campus Residential (CR) zone to limit the reach of the text amendment to fewer zones that share the same design standards. The applicant agreed to having that language added to his proposed text amendment.



Planning Commission Chair



Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

**BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS**

## EXHIBIT A

### **14.34.287 - Residential and Mixed-Use Design Standards.**

...

(4) - Building Facades.

...

(a) - Ground Floor Treatment.

...

(ii) Ground Floors in All Applicable Zones.

(A) Excepting townhomes, a minimum habitable first floor depth of thirty (30) feet as measured from the street facing facade is required. *except for building complexes under ten (10) units in the Campus Residential (CR) zone.*

...

### **14.34.287 - Residential and Mixed-Use Design Standards.**

...

(5) – Driveways and Parking.

(a) New developments shall provide the minimum amount of driveway access and width required by code as a means of preserving front yard space.

(i) Driveway placement shall be toward the side property line to avoid dividing a building by a single, central driveway to subterranean parking. *–except for building complexes under ten (10) units in the Campus Residential (CR) zone.*

...