

Provo City Planning Commission

Report of Action

June 10, 2026

ITEM 3 Margaret Jensen requests Concept Plan approval to change the use of property from a single-family home with an ADU to a legal two-family dwelling in a proposed LDR (Low Density Residential) Zone, located at 256 W 300 S. Franklin Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov PLCP20260215

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 10, 2026:

DENIED

On a vote of 6:0, the Planning Commission denied the above noted application.

Motion By: Lisa Jensen

Second By: Jon Lyons

Votes in Favor of Motion: Melissa Kendall, Jonathon Hill, Lisa Jensen, Daniel Gonzales, Jon Lyons, Matthew Wheelwright

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 denial on the related zone map amendment (PLRZ20260028, Item #2) at the June 10, 2026 hearing.

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

- The Neighborhood District Chair determined that a neighborhood meeting would not be required. Neighborhood meeting scheduled for June 17, 2026 for the related zone map amendment (PLRZ20260028, Item #2).

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was not present or did not address the Planning Commission during the 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. No issues were received in written comments subsequent to the Staff Report or public comment during the public hearing.

APPLICANT RESPONSE

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

- Maggie Jensen Kershaw gave an overview of her and her husband's ownership of and dedication to the property. She explained how they intend to create a duplex through the concept plan and associated rezone, and how this use would be consistent with the neighborhood.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Lisa Jensen expressed understanding for the situation but expressed concern about starting a domino effect of rezones in the neighborhood. She expressed concerns over maintenance of the property if it is not owner-occupied but showed appreciation for the current maintenance of the property.
- Matthew Wheelwright explained one reason for owner-occupancy is to have committed, permanent residents.
- Staff clarified that the property could continue to have an ADU.
- Daniel Gonzales expressed desire to hear neighborhood residents' thoughts on the project. He explained the intensity of uses in the surrounding area. He conveyed his desire to keep the neighborhood an owner-occupied, single-family neighborhood and that this neighborhood has been leaning away from this type of use already.
- Jon Lyons explained the importance of following the General Plan over individual family requests.
- Jonathon Hill stated how the zone change would continue even if the ownership changed and that he was hesitant to take away home-ownership opportunities in the city.
- Melissa Kendall expressed that the Commission has to make zone change decisions based on what is best for the city and follows long range plans.
- Daniel Gonzales stated that the zone change may make sense because the property is near two main roads, but that he would like to hear neighborhood comments.
- Jonathon Hill stated that the proposed plan will not increase density but will change ownership type.
- Staff stated they were not sure the current use of all the properties along 300 South, but there is a legal non-conforming triplex and duplex on the same block as the subject property.
- Lisa Jensen proposed rezoning the whole block and there was a discussion on the feasibility of that request.
- The Commission discussed the potential to continue this Item. Daniel Gonzales expressed his desire to keep the single-family character of the neighborhood, but that the rezone might make sense because of the surrounding intensity.
- Jon Lyons stated that the non-conforming triplex on the same block is similar to the proposed concept plan.
- The Commission discussed proposing a zone map amendment for the entire block, and what information would be needed for that request. The Commission requested Staff clarify which zone would be best for the block based on the existing uses, and they discussed proposing a zone change for the entire block at the scheduled neighborhood meeting.
- Lisa Jensen stated that medium density housing can act as a buffer between the downtown and single-family housing.
- Melissa Kendall expressed that she didn't feel the need to rezone the property to make it an investment rather than an owner-occupied property with an ADU.
- Daniel Gonzales explained a similar project in the city that the neighborhood opposed.
- Daniel Gonzales made a motion to continue the associated zone map amendment to see the results of the neighborhood meeting. Lisa Jensen requested that Staff perform zoning verifications on the surrounding properties. Staff explained they could perform those verifications but advised against initiating a wider rezone of the block as it would stray from the neighborhood plan. The motion to continue failed 4:2.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

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

- The Planning Commission did not feel the request was consistent with City Code.



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