

Provo City Planning Commission

Report of Action

August 26, 2026

Item 12 Richard Franz requests Project Plan approval for a 50-lot residential subdivision in the R1.6(PD)(CH) (One Family Residential with Performance Development and Critical Hillside Overlay) Zone, located approximately at 2085 S Montana Ave. Provost South Neighborhood. Jessica Dahneke (801) 852-6413 jdahneke@provo.gov PLPPA20260129

The following action was taken by the Planning Commission on the above described item at its regular meeting of August 26, 2026:

APPROVED

On a vote of 5:0, the Planning Commission approved the above noted application.

Motion By: Jonathon Hill

Second By: Tosh Metzger

Votes in Favor of Motion: Jonathon Hill, Joel Temple, Tosh Metzger, Melissa Kendall, Jon Lyons

Jon Lyons 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.

APPROVED/RECOMMENDED OCCUPANCY

*50 Total Units

*Type of occupancy approved: Family

*Standard Land Use Code 1112

APPROVED/RECOMMENDED PARKING

*150 Total parking stalls required

*150 Total parking stalls provided

*3 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.

CITY DEPARTMENTAL ISSUES

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

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. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Rachel Sink, Provo Resident – expressed concerns regarding wildfires in the area.
- David Sink, Provo Resident – expressed concerns about the retaining wall, building height, and greenspace.
- Steve, Provo Resident – expressed concern about street width and snow removal as well as future parking problems.

- Provo Resident – expressed concerns about the wildlife in the area and how the development will impact that. She also expressed concern about the loss of views for the existing homes in the area.
- Jeniffer, Provo Resident – expressed concern about the parking for the project meeting the requirement on paper but not being enough to meet the physical requirement when the development is complete.
- Angilica, Provo Resident - expressed concerns about building height, possible landslides, impact on wildlife, and snow removal.

APPLICANT RESPONSE

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

- Highlighted that this project has gone through many levels of review to ensure that the layout of the development and the engineering of the structures is safe.
- Went through the material board to show what materials will be used for the buildings.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Lyons asked questions about the hazards existing on the site specifically regarding slope, drainage, and fault buffers. The City Engineer addressed how the development has met standards for developing the area safely in accordance with Engineering requirements.
- Commissioner Lyons, Kendall, and Hill discussed access to the shoreline trail and if the development was going to interfere with trail access. Staff explained that Parks and Recreation staff did not state that this development was interfering with official access to the Shoreline trail.
- Commissioner Kendall asked for more details regarding fire safety, the applicant explained the fire breaks in the system.
- Commissioner Lyons asked the applicant to address the concerns that were raised through public comment. The applicant explained that the goal is not to create a parking problem for the residents of the existing residents or future buyers. He stated there are more spaces than what the code recognizes.
- Commissioner Lyons asked about street width, Staff explained that this project was vested before the street width requirement had been changed.
- Commissioner Hill stated that he believed the applicant had done a complete job in evaluating the concerns that exist within the project. While he thinks that townhomes are a bit of an odd choice for this area, it is the best way to address the hazards and develop the area safely.
- Commissioner Kendall asked about owner occupancy. The applicant explained that each unit will be up for sale and it will be done through pre-sale of lots.
- Commissioner Metzger mentioned that he liked the amenity space, the materials, and that it is a good layout.
- Commissioner Hill and Kendall both agreed that while they would not be in favor of a zone change to create this project, they meet the requirements of the zoning.
- Commissioner Lyons asked the applicant about the maintenance of all the hillside protection such as retaining walls. The applicant stated that all those requirements are stated in the CC&Rs that the HOA will be required to maintain the landscaping, retaining walls, and all drainage related infrastructure.



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