

Provo City Planning Commission

Report of Action

September 09, 2026

- *ITEM 2 James Smith requests a Zone Map Amendment from the M1 (Light Manufacturing) and RC (Residential Conservation) Zones to the HDR (High-Density Residential) Zone to entitle a 19-unit condominium project, located at 985 West 300 South. Franklin Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.gov PLRZ20260213
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The following action was taken by the Planning Commission on the above-described item at its regular meeting of September 09, 2026:

RECOMMENDED APPROVAL

On a vote of 8:0, the Planning Commission recommended that the Municipal Council approve the above noted application and authorize the mayor to sign the development agreement.

Conditions of Approval:

Motion By: Tosh Metzger

Second By: Melissa Kendall

Votes in Favor of Motion: Tosh Metzger, Melissa Kendall, David Conger, Anne Allen, Joel Temple, Matt Wheelwright, John Lyons and Jonathan Hill

Matt Wheelwright was present as Chair.

- Although this proposal was advertised as a High-Density Residential zone change, density was reduced while working with the CRC. The applicant asked for MDR zoning instead of HDR and staff agreed that MDR would be more appropriate.
- Because the concept plan includes less density than the MDR zone permits, staff suggested a Development Agreement to tie the zone change to the proposed concept plan.
- 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 Medium Density Residential Zone is described in the attached Exhibit A.

RELATED ACTIONS

Concept Plan approval (PLCP20260235) granted on September 9, 2026, subject to council approval of the zone change.

APPROVED/RECOMMENDED OCCUPANCY

- 19 Total Units
- All units include three bedrooms for family occupancy

APPROVED/RECOMMENDED PARKING

- 43 Total parking stalls required
- 43 Total parking stalls provided
- 2.25 Required parking stalls per unit

DEVELOPMENT AGREEMENT

- Applies - referred applicant to Council 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.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.
- Preliminary traffic study submitted, to be reviewed as part of project plan approval.

NEIGHBORHOOD MEETING DATE

- No neighborhood meeting was held as it was not required.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was not present or did not address the Planning Commission during the hearing.
- Jason Beal, a neighboring property owner, raised concerns regarding traffic and safety as he had young children. The 300 S 900 W intersection is dangerous. Although it is a four-way stop intersection, drivers routinely run stop signs.

APPLICANT RESPONSE

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

- The applicant presented an overview of the project.
- When asked by the Commission about for-sale verses for-rent housing, the applicant stated that a condominium plat will be created but he was doubtful of the ability of buyers to obtain financing.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Commission questioned the building height and project density in relation to surrounding projects. This would be the only four-story building in the neighborhood. On the other hand, the subject property is distressed, industrial land that is not helpful to the neighborhood. Staff noted that the city has no record of a business license for any industrial use at this location.
- The proposed project will install a cul-de-sac on a dead-ended 300 S Street which would bring the street into compliance with the fire code.
- Location of the proposed building along the west boundary line, adjacent to other stacked condominiums, makes for a good transition into the neighborhood.
- The Commission questioned the closeness of stairways to the sidewalk and thought shifting the building a few feet to the west may be helpful.
- The architecture and building materials were questioned and the applicant was encouraged to address these issues at the project plan stage.
- The MDR zone has architectural design standards in Section 14.34.287 of the 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

EXHIBIT A

QUIT-CLAIM DESCRIPTION FROM THE BAY APARTMENTS LLC TO FRENZEL

BEGINNING AT A POINT ON THAT CERTIAN SPECIAL WARRANTY DEED RECORDED AS ENTRY 54698-2000 IN THE UTAH COUNTY RECORDER'S OFFICE, SAID POINT BEING LOCATED SOUTH 706.85 FEET AND WEST 129.62 FEET FROM THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 114.44 FEET ALONG SAID DEED TO THE BOUNDARY OF PHASE VIII, FRANKLIN PARK CONDOMINIUMS SUBDIVISION ACCORDING TO THE OFFICIAL PLAT ON FILE AS MAP 6966 IN THE UTAH COUNTY RECORDER'S OFFICE; THENCE NORTH 31.79 FEET ALONG SAID PHASE VIII, FRANKLIN PARK CONDOMINIUMS SUBDIVISION TO A POINT ON THE EXTENSION OF AN EXISTING 6-FOOT CHAIN-LINK FENCE; THENCE MORE OR LESS ALONG SAID 6-FOOT CHAIN-LINK FENCE AND EXTENSIONS THEREOF SOUTH 89°46'58" EAST 114.81 FEET TO SAID DEED; THENCE ALONG SAID DEED THE FOLLOWING TWO (2) COURSES: SOUTH 22°41'47" WEST 0.96 FEET AND SOUTH 30.47 FEET TO THE POINT OF BEGINNING. Area = 3,614 SQ. FT. OR 0.083 ACRES

QUIT-CLAIM DESCRIPTION FROM FRENZEL TO FRENZEL

BEGINNING AT A POINT ON AN EXISTING FENCE ON THE NORTHERLY LINE OF BLOCK 32, PLAT A, PROVO CITY SURVEY OF BUILDING LOTS, SAID POINT BEING LOCATED SOUTH 719.42 FEET AND WEST 103.73 FEET FROM THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG EXISTING FENCE LINES AND A LINE PERPENDICULAR TO THE NORTHERLY LINE OF SAID BLOCK 32 AS DETERMINED BY THE EXISTING SIDEWALK ALONG SAID NORTHERLY BLOCK LINE, SOUTH 00°21'17" WEST 198.00 FEET MORE OR LESS TO AN EXISTING 6-FOOT CHAIN-LINK FENCE LINE; THENCE MORE OR LESS ALONG SAID EXISTING 6-FOOT CHAIN-LINK FENCE LINE AND EXTENSION THEREOF NORTH 89°38'43" WEST 141.91 FEET MORE OR LESS TO THE BOUNDARY OF PHASE VIII, FRANKLIN PARK CONDOMINIUMS SUBDIVISION ACCORDING TO THE OFFICIAL PLAT ON FILE AS MAP 6966 IN THE UTAH COUNTY RECORDER'S OFFICE; THENCE ALONG SAID PHASE VIII, FRANKLIN PARK CONDOMINIUMS SUBDIVISION THE FOLLOWING THREE (3) COURSES: NORTH 01°46'00" EAST 209.78 FEET, WEST 3.66 FEET AND NORTH 31.79 FEET TO A POINT ON THE EXTENSION OF AN EXISTING 6-FOOT CHAIN-LINK FENCE; THENCE MORE OR LESS ALONG SAID 6-FOOT CHAIN-LINK FENCE AND EXTENSIONS THEREOF SOUTH 89°46'58" EAST 114.81 FEET; THENCE SOUTH 22°41'47" WEST 0.96 FEET; THENCE SOUTH 42.88 FEET TO SAID NORTHERLY BLOCK LINE; THENCE ALONG SAID NORTHERLY BLOCK LINE SOUTH 89°38'43" EAST 25.89 FEET TO THE POINT OF BEGINNING. Area = 32,568 SQ. FT. OR 0.7477 ACRES

