

Provo City Planning Commission

Report of Action

May 13, 2026

ITEM 6 Reza Fakhrieh requests concept plan approval for a 155-acre residential development with 75 lots and 50 townhomes in proposed A1.1CH (Agricultural with Critical Hillside Overlay), RA (Residential Agricultural), and RACH Zones, located approximately at 5450 N Canyon Rd. North Timpview Neighborhood. Jessica Dahneke (801) 852-6413 jdahneke@provo.gov PLCP20260124

The following action was taken by the Planning Commission on the above described item at its regular meeting of May 13, 2026:

APPROVED

On a vote of 6:2, the Planning Commission approved the above noted application, with the following conditions:

Conditions of Approval:

1. The plans I reviewed showed a grade of over 10% to every home in this subdivision. As this stands every home/townhome built beyond the 10% grade will need to have a residential sprinkler system. This will apply to all grades between 10-15%. No homes will be approved beyond the 15% max grade allowance. Additionally all homes in this subdivision are located in our wildland urban interface (WUI) zone and will require planned fuel breaks recorded in HOA CCR's, and the structures must be built to the current WUI standards. [Koby Hubbs @ 03/19/2026 4:34 PM] Todd Trane (developer) acknowledged the conditions and agreed to sprinklers and WUI requirements. [Koby Hubbs @ 04/07/2026 9:29 AM]

Motion By: Lisa Jensen

Second By: Jon Lyons

Votes in Favor of Motion: Anne Allen, Jon Lyons, Matt Wheelwright, Melissa Kendall, Jonathon Hill

Votes Against the Motion: Daniel Gonzales, Joel Temple

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.

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- Staff highlighted that approximately 3 acres of land has been withdrawn from the rezone and concept plan proposal.

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 04/1/2026.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was present /addressed the Planning Commission during the public hearing.
- Bonnie Marrow, North Timpview Representative summarized the discussion of the April first district meeting including concerns about traffic along canyon road, construction impacts, conservation and public access, fire protection, and maintaining open space. She stated that this proposal is far superior to previous proposals, especially in regard to maintaining public access.

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:

- Bryan Gillespie, Provo Resident, stated that over the years there have been lots of proposals, this is the best one they've seen. This is a great opportunity for trail development and access to trails.
- Kyle Gillespie, Provo Resident, stated that he owns property directly adjacent to the development and his only concern is that he does not want his land to be isolated by this development.
- Ginny Smith, Provo Resident, stated that while being on the committee for the Northeast Neighborhood Plan, they had discussed what would be ideal to be in this land and mentioned that this proposal fits the larger lot, single-family homes.
- Bonnie Marrow, Provo Resident, also stated how this plan hits the closest to hitting what the Northeast Neighborhood Plan proposes and that it is a good plan.
- Scott Smith, Provo Resident, feels that the applicant is respecting the agriculture that is existing in the area. He also brought up that the proposed water tank allows other people to develop.
- Steve Turly, Provo Resident, pointed out that one of the proposed roads goes through his property. He highlights that having two points of ingress and egress this area can't be developed and asked that this project should not be pushed forward until the plan reflects a road that has been agreed to by both property owners.
- Additional residents stated that they think it is a good plan but are concerned about the traffic impact, especially with the changes to University Avenue.

APPLICANT RESPONSE

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

- The applicant explained that they have been developing these plans with the history of the area and feedback from the neighbors and guidelines of the neighborhood plan.
- The applicant highlighted how the proposed zones match with how the surrounding area is currently zoned.
- The applicant highlighted the changes between the original concept plans and the current concept plan including a reduction in density and maintaining public access to the area.
- The applicant explained that they have been working with Public Works and are expanding the water capacity to meet the needs of the project and support the needs of the city.
- The applicant explained that all homes would be deed restricted to being owner occupied.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Temple asked if this area interacted with the wildfire urban interface. Staff explained that it has been reviewed by the fire Marshall and he is okay with the concept plan going forward.
- Commissioner Gonzales confirmed that this area was part of a recent annexation.
- Commissioner Lyons asked if there were areas of over 30% slope. Staff showed the concept plan that was included in the presentation that highlighted the areas of 30% slope.
- Commissioner Jensen asked about agricultural use in the area, staff explained that the property owners who asked to be removed from the rezone are using their property as agricultural and have decided to maintain that zoning.
- Commissioner Jensen asked for clarification regarding lot sizes. Staff explained that the PD and the CH allow for lots to be smaller than the base zone; however, the density of the project needs to stay within the allowed number of units unless it meets the requirements for density bonuses as mentioned in the PD and CH zones.
- Commissioner Jensen asked about concerns with areas that do not currently comply with code. Staff explained that areas of the concept plan that do not comply with the code will have to be changed for the final project plan.
- Commissioner Wheelwright asked about the road section at the north end of the project. The applicant explained that there would be a turnaround for fire.
- Commissioner Jensen asked for more information regarding the trail network in the area and how this project would connect with that. The applicant explained that they are working with Parks and Recreation as well as Conserve Utah Valley to create a well-connected trail system.
- Commissioner Wheelwright asked for more information regarding the townhome layout and how the surrounding

neighborhood felt about them. The applicant explained that they have been working with the neighborhood to respect the existing uses and highlighted that this keeps density off the foothills and closer to the road.

- Commissioner Lyons asked about the impact on traffic, the applicant explained they haven't looked at them in detail yet as they have not been sure of what zones they will be developing with.
- In response to the public comment made by Steve Turley, the Planning Commission invited the applicant and the City to address the access point shown. The applicant explained that the proposed road on the concept plan and highlighted that this is just a concept plan for a rezone, if it does not work at project plan level they will redraw the road. He also pointed out that the City has easement access there. Public Works staff explained that they have shown that there are other ways to configure the road that can address the concern.
- Commissioner Wheelwright and Hill highlighted that their decision has to be focused on the appropriateness of the zone based on the ideas in the concept plan since there are so many details still need to be worked out.
- Commissioner Lyons asked if they could approve the rezone but not the concept plan, staff explained that the Council will vote on the rezone but that would make continuing the concept plan void.
- Commissioner Jensen stated that she was not concerned about the concept plan meeting all the details since it will have to come back for a project plan approval; however, she is concerned about how visible the development will be on the hillside and how that will detract from the foothills. Staff did point out that there are some areas that will be hidden.
- Commissioner Temple stated that it strikes him as agricultural sprawl that increases traffic and strain on city infrastructure instead of agricultural uses and open space.
- Commissioner Gonzales agreed with Commissioner Temple, stating that he did not feel this met the goals of the General Plan.
- Commissioner Allen stated that preserving single-family dwellings is also a goal of the General Plan.
- Commissioner Hill stated that he does not generally like hillside development, but this feels like they have done the best they could with the circumstances.
- Commissioner Kendall stated that she liked that there is some density lower down with larger lots higher up.
- Commissioner Lyons stated his concern about the realignment of Canyon Road and how long it will take for that to happen. Public Works staff explained the different expenses behind the projects and that they are working to address the concern as funding is available to them.
- Commissioner Wheelwright highlighted that the other areas that are not a part of this rezone and development are satisfied with the concept plan and this development would open opportunities for those property owners to better utilize their land.
- Commissioner Jensen listed the pros and cons of the project in her opinion pros included the large lots up in the foothills that keep an open agricultural feel and the increased trail access. The con is visual impact of the development on the foothills.



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