

NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION

The Provo City Planning Commission will hold a public hearing on June 10, 2026 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/provocitygovernment and on Facebook facebook.com/provochannel17.

NOTICE OF PUBLIC MEETING BEFORE PROVO MUNICIPAL COUNCIL

On Tuesday, **July 14, 2026**, 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. Continued Review of Title 14 Rewrite – Aaron Ardmore

Public Hearings

- * Item 1 Provo City requests a Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners. Sunset Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov PLSV20250636
- * Item 2 Margaret Jensen requests a Zone Map Amendment from the R1.6 (One Family Residential) Zone to the LDR (Low Density Residential) Zone in order to change the use of property to a legal two-family dwelling, located at 256 W 300 S. Franklin Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov PLRZ20260028
- 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
- Item 4 Brighton Development requests Project Plan approval for a 26-unit townhome development in the DT1 (General Downtown) Zone, located at approximately 88 West 500 North. North Park Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov PLPPA20260152
- * Item 5 *****CONTINUED***** Bryan Bayles requests a General Plan Map Amendment for approximately 100.7 acres of land to move from the Agricultural (A) and Parks, Recreation, or Open Space (PR&OS) designations to a Commercial (C) designation to allow for an entertainment and hospitality development, located at 6622 N Hwy 189. North Timpview Neighborhood. Aaron Ardmore (801) 852-6404 PLGPA20260220
- * Item 6 *****CONTINUED***** Bryan Bayles requests a Zone Map Amendment from the A1.5 (Agricultural), PF (Public Facilities), and OSPR (Open Space, Preservation, and

Recreation) Zones to the SC3 (Regional Shopping Center) Zone for approximately 100.7 acres of land to allow for an entertainment and hospitality development, located at 6622 N Hwy 189. North Timpview Neighborhood. Aaron Ardmore (801) 852-6404 PLRZ20260221

- Item 7 *****CONTINUED***** Bryan Bayles requests Concept Plan approval for an entertainment and hospitality development in a proposed SC3 (Regional Shopping Center) Zone, located at 6622 N Hwy 189. North Timpview Neighborhood. Aaron Ardmore (801) 852-6404 PLCP20260222
- * Item 8 *****CONTINUED***** Tuscanel Townhomes LLC requests a Zone Map Amendment from the RC (Residential Conservation) Zone to the HDR (High Density Residential) Zone in order to develop a 12-unit townhome project, located at 313 E 200 N. Joaquin Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.gov PLRZ20250330
- Item 9 *****CONTINUED***** Tuscanel Townhomes LLC requests Concept Plan approval for a 12-unit townhome project in a proposed HDR (High Density Residential) Zone, located at 313 E 200 N. Joaquin Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.gov PLCP20250331

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. Please submit public comment emails before 3:00 PM the day of the hearing. Additional information can be found at provo.gov/publiccomments.

Copies of the agenda materials, public hearing procedure, and staff reports 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 reports are also generally available on the Provo City Development Services web site the week of the meeting at 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



***ITEM 1** Provo City requests a Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners. Sunset Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov PLSV20250636

APPLICANT:	Provo City
PROPERTY OWNER:	Provo City
PARCEL ID:	35:749:0003
ACREAGE:	0.13
CURRENT LEGAL USE:	Public Right-of-Way
GENERAL PLAN DESIGNATION:	Residential
CURRENT ZONE:	R1.10
APPLICATION TYPE:	Legislative Decision – Planning Commission will make a recommendation to the City Council.

NEIGHBORHOOD FEEDBACK

No public comments have been received at the time of writing this report. This item was presented at the February 18, 2026, West District meeting.

PROJECT SUMMARY

The Bird Wing Subdivision is located on 1600 West and was recorded in 2019. It had originally dedicated 30 feet to the city for right-of-way (ROW) improvements. City Engineering has determined that 1600 West does not require all of the dedicated ROW and has moved forward with helping the owner install the improvements in front of the two lots in a new location.

The new location leaves an excess property behind the sidewalk that the city no longer needs for ROW. The improvements have been installed, and the city would like to vacate the remaining area to have it deeded back to the adjoining property owners. A street vacation plat will be recorded with the deed.

STAFF ANALYSIS

Before recommending an amendment, the Commission must find that the amendment serves the public interest and aligns with the General Plan, based on consideration of the following:

- (a) Public purpose for the amendment in question;

Staff/Applicant Response: The project will deed property back to the adjoining property owners that is not needed for ROW. The improvements that were intended for the property have been completed.

FINDING: Meets standard.

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

Staff/Applicant Response: Vacation of the ROW will allow the city to deed the property back to the adjoining property owners, which is a standard transaction to complete the proposed transfer of ownership.

FINDING: Meets standard.

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

Staff/Applicant Response: The General Plan goals support creating a system of transportation alternatives, including walking. The improvements created a new sidewalk which supports this goal. The proposed vacation will support this by returning property no longer needed for ROW improvements, and the Engineering Division does not anticipate this land will be needed in the future.

FINDING: Meets standard.

(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/Applicant Response: The proposed vacation will not change the residential use of the property.

FINDING: Meets standard.

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

Staff/Applicant Response: The proposed vacation will not hinder any General Plan policies.

FINDING: Meets standard.

(f) Adverse impacts on adjacent landowners; and

Staff/Applicant Response: Two adjacent properties will be affected by the vacation. These properties will each receive about a 20-foot strip of land on the front of their property. Both existing homes will have at least 23 feet from the new property line which meets the front yard setback of at least 14 feet behind the property line. This change is

not anticipated to have adverse impacts on these property owners.

FINDING: Meets standard.

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

Staff/Applicant Response: The zoning of R1.6, and General Plan designation of *Residential*, are correct.

FINDING: Meets standard.

(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/Applicant Response: No conflicts between the General Plan map and policies have been identified.

FINDING: Meets standard.

APPLICABLE ZONING CODES

Provo City Code 15.04.100 *Vacating or Changing a Subdivision Plat*:
<https://provo.municipal.codes/Code/15.04.100>

Provo City Code 14.10 *R1 – One-Family Residential*:
<https://provo.municipal.codes/Code/14.10>

POSSIBLE MOTIONS AND FINDINGS

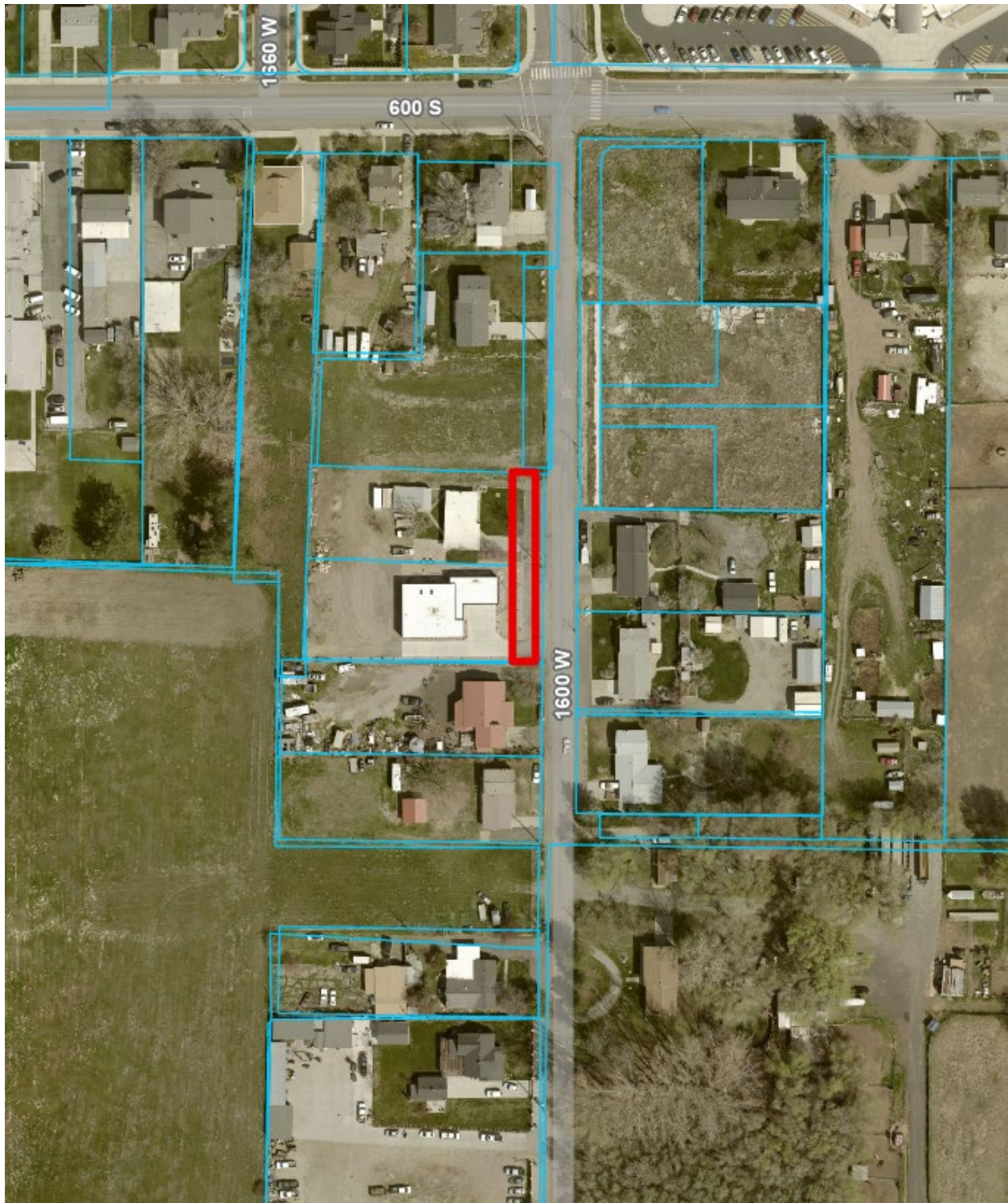
The Planning Commission may make any of the following findings:

1. **Recommend Approval:** The proposal is consistent with the General Plan. *“Make a motion to recommend approval of a Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners.”* (State findings)
2. **Recommend Denial:** The proposal is not consistent with the General Plan. *“Make a motion to recommend denial of a Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners.”* (State findings)
3. **Continue:** New information presented at the public hearing or additional study needs to be done. *“Make a motion to continue the proposed Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners.”* (State findings)

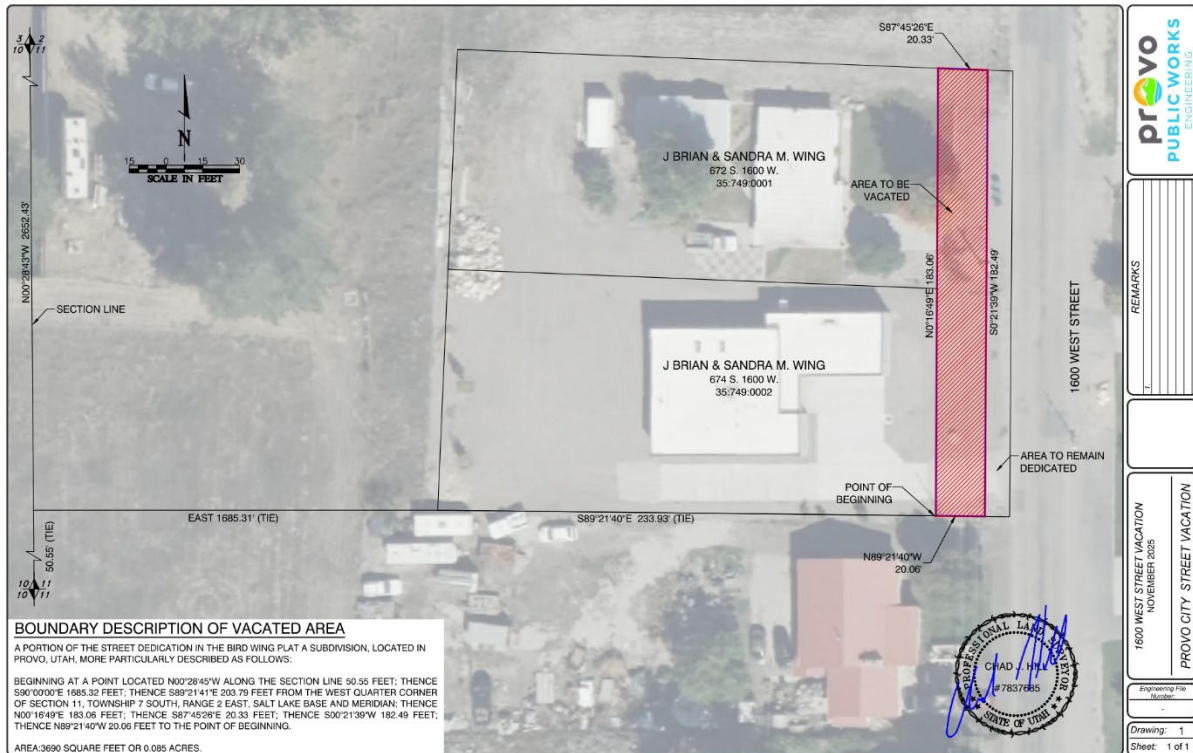
ATTACHMENTS

1. Area Map
2. Street Vacation Boundary Description
3. 2/18/2026 West District Meeting Minutes

ATTACHMENT 1 – AREA MAP



ATTACHMENT 2 – STREET VACATION BOUNDARY DESCRIPTION



ATTACHMENT 3 – 2/18/2026 WEST DISTRICT MEETING **MINUTES**

Presentation on a proposed street vacation for a section of 1600 West

Aaron Ardmore, Planning Supervisor, presented on a proposed street vacation for a section of 1600 West between 672-674 South. He explained that the property owners had dedicated more land than needed for the 1600 West right-of-way, and now that improvements have been completed, the remaining land would be deeded back to the family. Mr. Ardmore noted that this application would go to the City Council for final approval.

When asked about the potential need for the land in the future if road expansion becomes necessary, Mr. Ardmore indicated that engineering staff seemed confident in the current road width, though he couldn't personally guarantee it wouldn't be needed in the future.

***ITEM 2** Margaret Jensen requests a Zone Map Amendment from the R1.6 (One Family Residential) Zone to the LDR (Low Density Residential) Zone in order to change the use of property to a legal two-family dwelling, located at 256 W 300 S. Franklin Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov
PLRZ20260028

APPLICANT:	Maggie Kershaw
PROPERTY OWNER:	JENSEN, MARGARET (ET AL)
PARCEL ID:	04:039:0010
ACREAGE:	0.19
CURRENT LEGAL USE:	Single-Family Residence with basement ADU
GENERAL PLAN DESIGNATION:	Residential (R)
CURRENT ZONE:	R1.6
APPLICATION TYPE:	Legislative Decision – Planning Commission will make a recommendation to the City Council.

NEIGHBORHOOD FEEDBACK

This item is scheduled for the June 17, 2026, Central Neighborhood meeting which falls after the Planning Commission hearing.

Staff have not received any public comments on this item at the time of writing this report.

PROJECT SUMMARY

The existing zoning designation is R1.6, and the applicant is requesting a zone change to *Low Density Residential* (LDR). The owner has moved from the property and wishes to rent the main floor and the basement as separate units, creating a duplex. Duplexes are not permitted in the R1.6 zone, but they are permitted in the LDR zone. There are no proposed changes to the existing building. Both accessory structures will be removed and six 9'x18' parking stalls will be created in the back of the property, two of which will have a covered parking structure.

A concept plan has been submitted (see Item #3 Staff Report), although no changes to the property are proposed other than adding the required parking.

The surrounding zoning is General Downtown (DT1) to the north and east, and single-family residential (R1.6) to the west and south of the property.

STAFF ANALYSIS

Before recommending an amendment, the Commission must find that the amendment serves the public interest and aligns with the General Plan, based on consideration of the following:

- (a) Public purpose for the amendment in question;

Applicant Response: This request is an appropriate adjustment that advances the City's goals for downtown vitality and attainable housing, while preserving the residential character of the neighborhood.

Rezoning this property would allow our client to legally rent an additional housing unit ("ADU") without detracting from the character of the historic neighborhood. Our client has moved from the property and hopes to continue to rent their previous home and ADU structure as a duplex in accordance with LDR zoning.

Staff Response: The zone amendment would not necessarily increase the allowed occupancy of this property as it allows for, and currently contains, two dwelling units (ADU and primary dwelling). However, considering the current owner has moved residences, this rezone would allow two units to continue to exist on this property but at the expense of owner-occupancy. Given the Municipal Council's high priority for owner-occupied housing, a zone change would be a step backward from this goal.

FINDING: Does not meets standard

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

Applicant Response: The property is located along 300 South, one of Provo's busier local streets, with direct access to transit and walkable distance to downtown services and employment. Two of the Property's three non-street boundaries abut commercial uses within the Downtown General ("DT1") zone, and the remaining boundary abuts a legal triplex. A duplex is situated on the corner of the block, and the city has approved high density housing in the surrounding area. This edge condition, situated between downtown commercial activity and established residential blocks, makes LDR particularly suitable zoning for the Property.

The LDR zone is expressly intended to accommodate modest increases in residential density while maintaining the visual and functional character of single-family neighborhoods. Applying LDR here advances that purpose by formalizing a house-form residential pattern that is compatible with adjacent homes, while acknowledging the Property's unique downtown-edge context.

Staff Response: The intent of the existing zoning on the property is to have one unit be owner occupied. This rezone would negate that intent. The abutting triplex and corner-lot duplex have both been established as legal non-conforming uses.

FINDING: Does not meet standard

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

Applicant Response: Modestly increasing the number of residents within walking distance of downtown strengthens the customer base for local businesses, supports lower vehicle transit goals, and enhances street-level activity without requiring new infrastructure. The Property's location along 300 South ensures residents can access downtown services by foot, reducing vehicle trips and parking demand.

Further, LDR zoning would help to meet documented demand for smaller, more affordable units close to jobs and services. By directing a small increment of housing to a downtown-adjacent parcel on a busier street, the city achieves added units where impacts are lowest and benefits are highest.

Staff Response: The Franklin Neighborhood Plan does not call for a zoning designation change on this property. However, the General Plan calls for general residential uses on this property. The Housing section of the General Plan establishes the goal of allowing differing types of housing in neighborhoods.

FINDING: Meets standard

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

Applicant Response: No response.

Staff Response: The only timing concern with this application is bringing the current owner into compliance with zoning codes.

FINDING: Meets standard

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

Applicant Response: No response.

Staff Response: The General Plan includes a list of questions to guide decisions on rezone requests. The following question is on that list:

Would the rezone facilitate a housing development where a majority of the housing units are owner-occupied?

The rezone would create a non-owner occupied property.

FINDING: Does not meet standard

(f) Adverse impacts on adjacent landowners; and

Applicant Response: The property already meets the applicable lot standards and limits set forth in Provo City Code for the LDR zone, including the standards referenced in Sections 14.30. Any improvements will continue to comply with these requirements, ensuring that the residential streetscape, setbacks, landscaping, and the building remain consistent with surrounding homes.

Often, the City's and neighbors' principal concern with non-owner-occupied rental housing is that absent owners may be less attentive to maintenance, less engaged with the neighborhood, and less available as a permanent point of contact. We respectfully acknowledge and share the City's objectives. Although the Property will not be owner-occupied, the owners are committed to meeting the standard of care and accountability commonly associated with owner occupancy. To that end, they have instituted clear stewardship measures to ensure the Property remains a well-maintained, attractive, and reliable contributor to the neighborhood.

The owners maintain the Property's exterior and landscaping at a high standard, including regular yard care, irrigation maintenance, snow and leaf removal as seasonally appropriate, and timely repair or replacement of exterior elements. The owners are consistently engaged and ready to provide routine inspections, enforce lease provisions related to property care and neighborhood compatibility, and promptly address any issues raised by the City or neighbors. The owners are dedicated, permanent points of contact, available to the City and adjacent neighbors and retain responsibility for the 25/7 response to urgent matters and for proactive coordination on non-urgent concerns.

Staff Response: The rezone would likely have no impact on surrounding properties.

FINDING: Meets standard

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

Applicant Response: No response.

Staff Response: Zoning and General Plan designations are correct.

FINDING: Meets standard

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

Applicant Response: No response.

Staff Response: Staff finds no conflict between General Plan Map and Policies.

FINDING: Meets standard

APPLICABLE ZONING CODES

Provo City Code 14.14A, *Low Density Residential Zone*:

<https://provo.municipal.codes/Code/14.14A>

Provo City Code 14.30, *Accessory Dwelling Units*:

<https://provo.municipal.codes/Code/14.30>

POSSIBLE MOTIONS AND FINDINGS

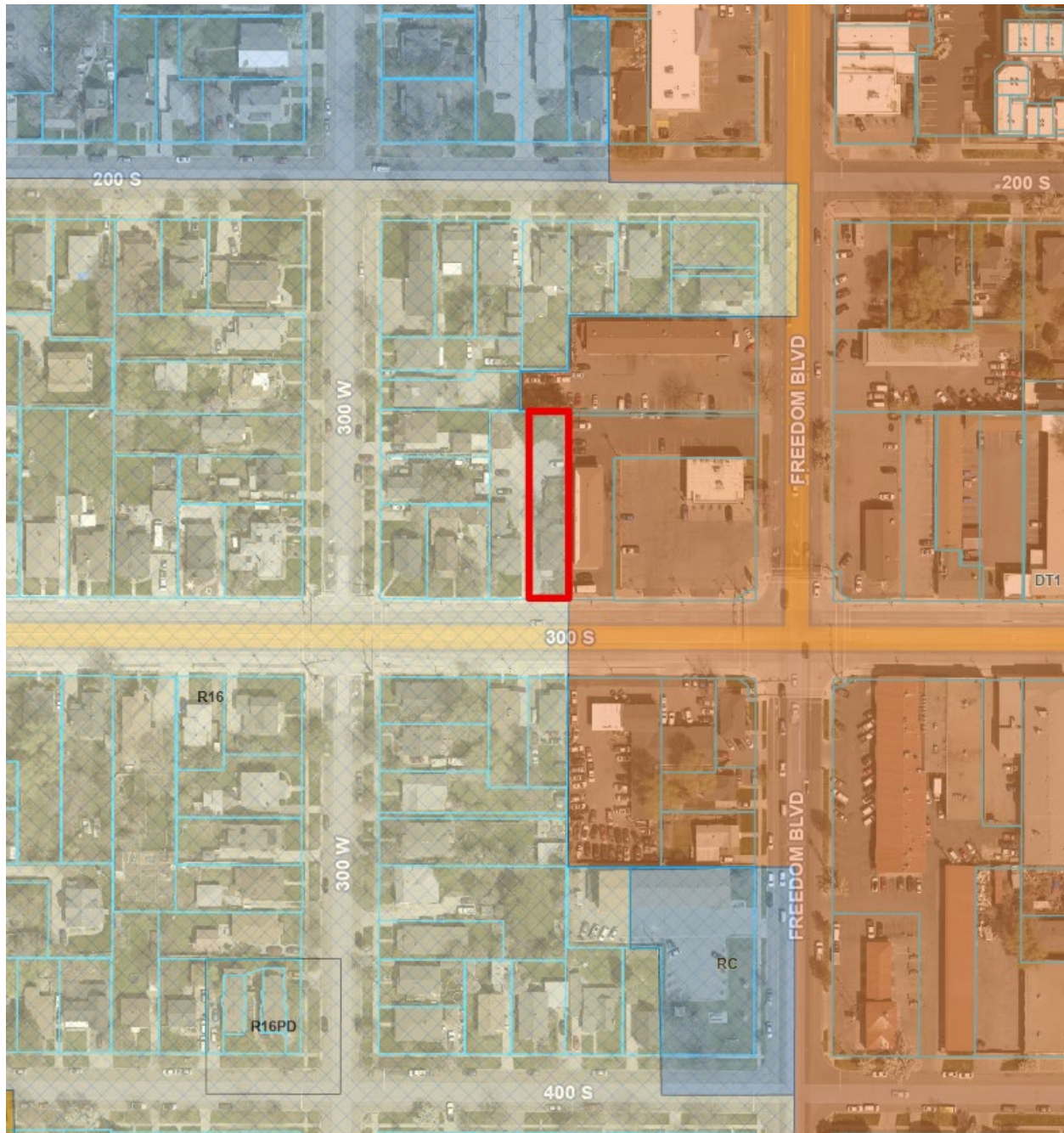
The Planning Commission may make any of the following findings:

1. **Recommend Denial:** The proposal is not consistent with the General Plan. *“I move to recommend denial of the proposed zone map amendment from the R1.6 Zone to the LDR Zone to the City Council”. (state findings)*
2. **Recommend Approval:** The proposal is consistent with the General Plan. *“I move to recommend approval of the proposed zone map amendment from the R1.6 Zone to the LDR Zone to the City Council”. (state findings)*
3. **Continue:** New information presented at the public hearing or additional study needs to be done. *“I motion to continue the proposed zone map amendment from the R1.6 Zone to the LDR Zone”. (state findings)*

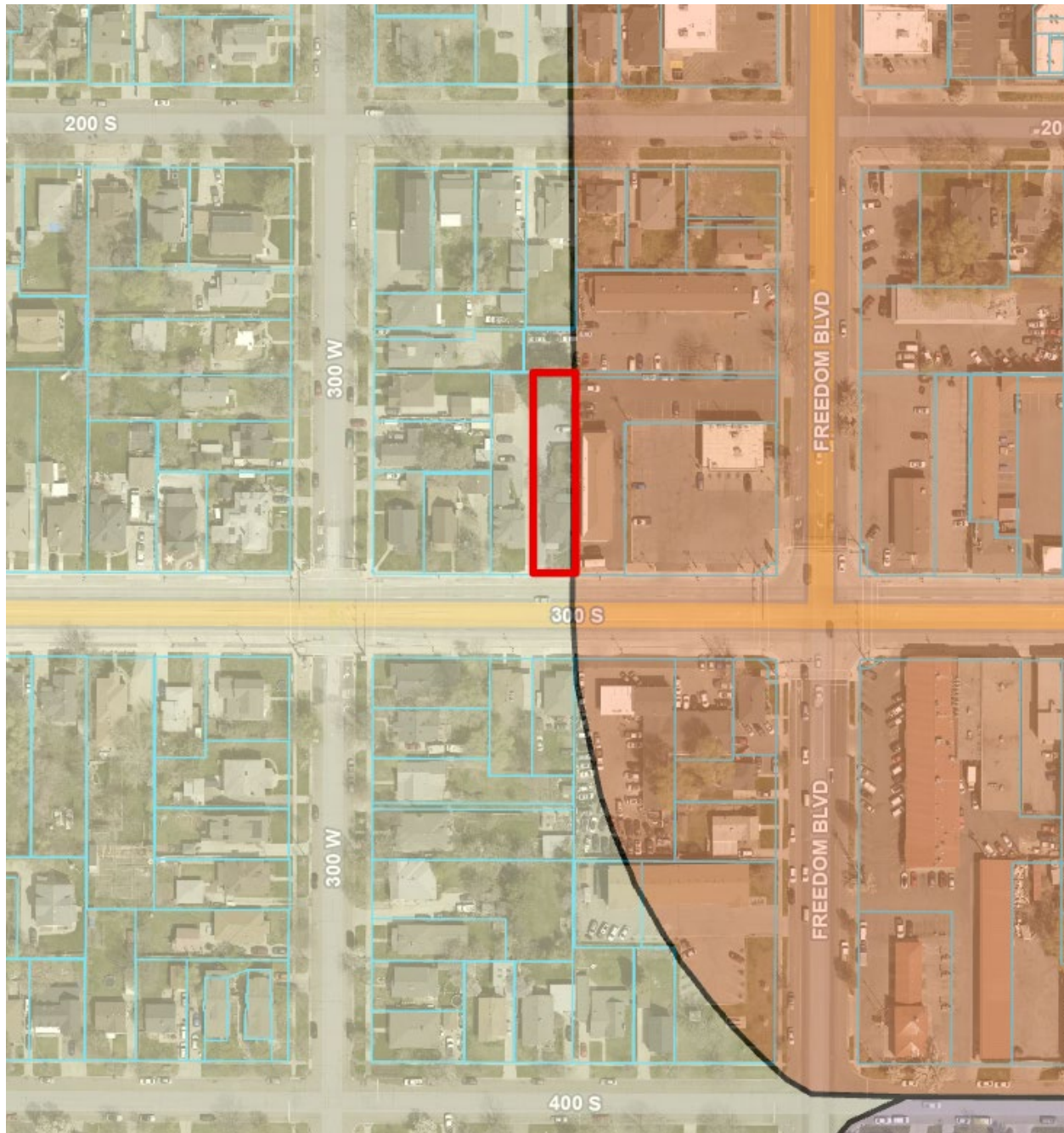
ATTACHMENTS

1. Existing Zone Map
2. General Plan Map
3. Franklin Neighborhood Plan Future Land Use Map
4. Applicant Statement

ATTACHMENT 1 – EXISTING ZONE MAP

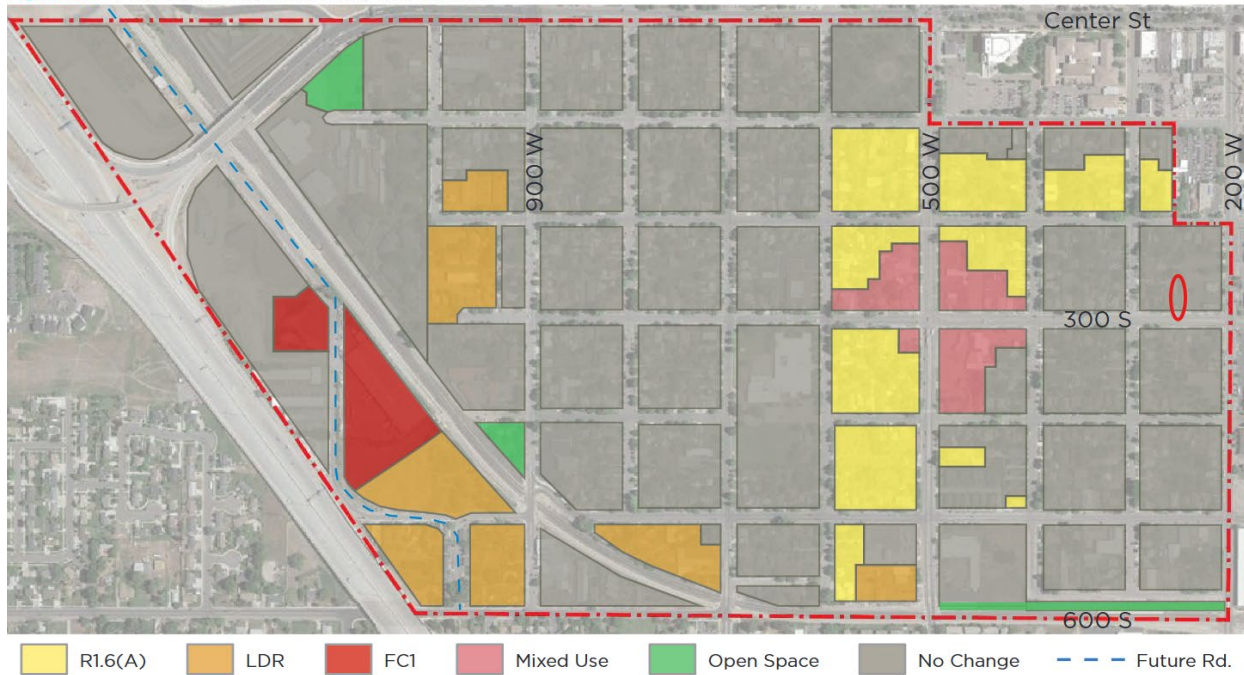


ATTACHMENT 2 – GENERAL MAP



ATTACHMENT 3 – FRANKLIN NEIGHBORHOOD PLAN FUTURE LAND USE MAP

Figure 3.3 - Proposed changes in zoning and land use



ATTACHMENT 4 – APPLICANT STATEMENT

January 15, 2026

VIA Email

Coordinator's Review Committee
Provo City Planning Commission
Provo Municipal Council
455 W Center St, Suite 200
Provo, UT 84601

RE: Zoning Map Amendment Petition to Rezone 256 W 300 S from R1.6 to Low
 Density Residential (LDR)

To Whom It May Concern,

On behalf of the owners, Margaret Jensen and Seth Kershaw, we respectfully petition to amend the Zoning Map to rezone the property located at 256 W 300 S, Provo, Utah (the “**Property**”) from One-Family Residential (“**R1.6**”) to Low Density Residential (“**LDR**”). This request is an appropriate adjustment that advances the City’s goals for downtown vitality and attainable housing, while preserving the residential character of the neighborhood. A complete and accurate legal description of the Property is attached hereto as Exhibit A and the required drawings are attached hereto as Exhibit B.

Reasoning for Zone Change Petition

Rezoning this property would allow our client to legally rent an additional housing unit (“**ADU**”) without detracting from the character of the historic neighborhood. Our client has moved from the property and hopes to continue to rent their previous home and ADU structure as a duplex in accordance with LDR zoning.

The Property already meets the applicable lot standards and limits set forth in Provo City Code for the LDR zone, including the standards referenced in Sections 14.30. Any improvements will continue to comply with these requirements, ensuring that the residential streetscape, setbacks, landscaping, and the building remain consistent with surrounding homes.

Resolution of No Owner-Occupancy Concerns

Often, the City’s and neighbors’ principal concern with non-owner-occupied rental housing is that absent owners may be less attentive to maintenance, less engaged with the neighborhood, and less available as a permanent point of contact. We respectfully acknowledge and share the City’s objectives. Although the Property will not be owner-occupied, the owners are committed to meeting the standard of care and accountability commonly associated with owner occupancy. To that end, they have instituted clear stewardship measures to ensure the Property remains a well-maintained, attractive, and reliable contributor to the neighborhood. Exhibits C and D,

attached hereto, are letters from a previous tenant and a neighbor that attest to the owners' dedication to preserving and maintaining the Property.

The owners maintain the Property's exterior and landscaping at a high standard, including regular yard care, irrigation maintenance, snow and leaf removal as seasonally appropriate, and timely repair or replacement of exterior elements. The owners are consistently engaged and ready to provide routine inspections, enforce lease provisions related to property care and neighborhood compatibility, and promptly address any issues raised by the City or neighbors. The owners are dedicated, permanent points of contact, available to the City and adjacent neighbors and retain responsibility for 24/7 response to urgent matters and for proactive coordination on non-urgent concerns.

In short, while the Property will not be owner-occupied, it will be actively and responsibly stewarded. The owners' commitment to deliver the very outcomes that motivate owner-occupancy requirements address the City's concerns regarding the preservation of the residential character and quality of the neighborhood.

Alignment with City Objectives

The Property is located along 300 South, one of Provo's busier local streets, with direct access to transit and walkable distance to downtown services and employment. Two of the Property's three non-street boundaries abut commercial uses within the Downtown General ("DT1") zone, and the remaining boundary abuts a legal triplex. A duplex is situated on the corner of the block, and the city has approved high density housing in the surrounding area. This edge condition, situated between downtown commercial activity and established residential blocks, makes LDR particularly suitable zoning for the Property.

The LDR zone is expressly intended to accommodate modest increases in residential density while maintaining the visual and functional character of single-family neighborhoods. Applying LDR here advances that purpose by formalizing a house-form residential pattern that is compatible with adjacent homes, while acknowledging the Property's unique downtown-edge context.

Modestly increasing the number of residents within walking distance of downtown strengthens the customer base for local businesses, supports lower vehicle transit goals, and enhances street-level activity without requiring new infrastructure. The Property's location along 300 South ensures residents can access downtown services by foot, reducing vehicle trips and parking demand.

Further, LDR zoning would help to meet documented demand for smaller, more affordable units close to jobs and services. By directing a small increment of housing to a downtown-adjacent parcel on a busier street, the City achieves added units where impacts are lowest and benefits are highest. For these reasons, we respectfully request a favorable recommendation from the Planning Commission and approval by the Municipal Council.

We appreciate your consideration and welcome any questions.

Respectfully submitted,



Brent N. Bateman

CC:

Vanessa Peery
Maggie Jensen
Seth Kershaw

/s/ Margaret Jensen*

Margaret Jensen

**Signed with permission given via email 1/9/26*

/s/ Seth Kershaw*

Seth Kershaw

**Signed with permission given via email 1/9/26*

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

APPLICANT:	Maggie Kershaw
PROPERTY OWNER:	JENSEN, MARGARET (ET AL)
PARCEL ID:	04:039:0010
ACREAGE:	0.19
CURRENT LEGAL USE:	Single-Family Residence with basement ADU
GENERAL PLAN DESIGNATION:	Residential (R)
CURRENT ZONE:	R1.6
APPLICATION TYPE:	Administrative Decision – must be approved if it meets all city standards.

PROPERTY HISTORY

The existing single-family home was built in 1925. There is a detached garage, built in 1928, and another accessory structure on the lot which will be removed. There is an existing basement ADU in the home which was approved in 2018.

NEIGHBORHOOD FEEDBACK

This item is scheduled for the June 17, 2026, Central Neighborhood meeting which falls after the Planning Commission hearing.

PROJECT SUMMARY

The existing zoning designation is R1.6, and the applicant is requesting a zone change to *Low Density Residential* (LDR). The owner has moved from the property and wishes to rent the main floor and the basement as separate units, creating a duplex. Duplexes are not permitted in the R1.6 zone, but they are permitted in the LDR zone. There are no proposed changes to the existing building. Both accessory structures will be removed and six 9'x18' parking stalls will be created in the back of the property, two of which will have a covered parking structure.

STAFF ANALYSIS

Proposed Use: Duplex

Lot Standards: LDR Zone

Required:

- Lot area: 8,000 SF
- Density: 12 DU/acre
- Frontage: 35 ft.
- Width: 40 ft.
- Depth: 90 ft.
- Coverage: 50%

Proposed (existing):

- Lot area: 8,276 SF
- Density: 10.5 DU/acre
- Frontage: 41 ft.
- Width: 41 ft.
- Depth: 198 ft.
- Coverage: ~17%

Finding: Complies.

Setback Requirements: LDR Zone

Required:

- Front: 20 ft.
- Sides: 10 ft.
- Rear: 10 ft.

Proposed (existing):

- Front: 32.21 ft.
- Left Side: 12.9 ft.
- Right Side: 1.35 ft.
- Rear: 128 ft.

Finding: Complies. Right side of home does not meet setbacks, however no changes or expansions are proposed to the existing non-conforming home.

Building Height and Distance

Required: 30' maximum

Proposed: No change to existing building height.

Finding: Complies.

Parking and Access

Required: 6 spaces (3 per unit), including 2 covered spaces.

Proposed: 6 spaces will be provided behind the home, and 2 spaces will have a covered parking structure.

Finding: Complies.

Landscaping

Required: 50% of each yard must be impervious.

Proposed: Approximately 30% of the total lot is landscaped, and approximately 36% of the backyard would be impervious due to the expanded parking area.

Finding: Does not comply.

Design Standards

There are no specific design standards applicable to this home, and no alterations are proposed.

Finding: Complies.

APPLICABLE ZONING CODES

Provo City Code 14.14A, *Low Density Residential Zone*:

<https://provo.municipal.codes/Code/14.14A>

Provo City Code 14.30, *Accessory Dwelling Units*:

<https://provo.municipal.codes/Code/14.30>

POSSIBLE MOTIONS AND FINDINGS

The Planning Commission may make any of the following findings:

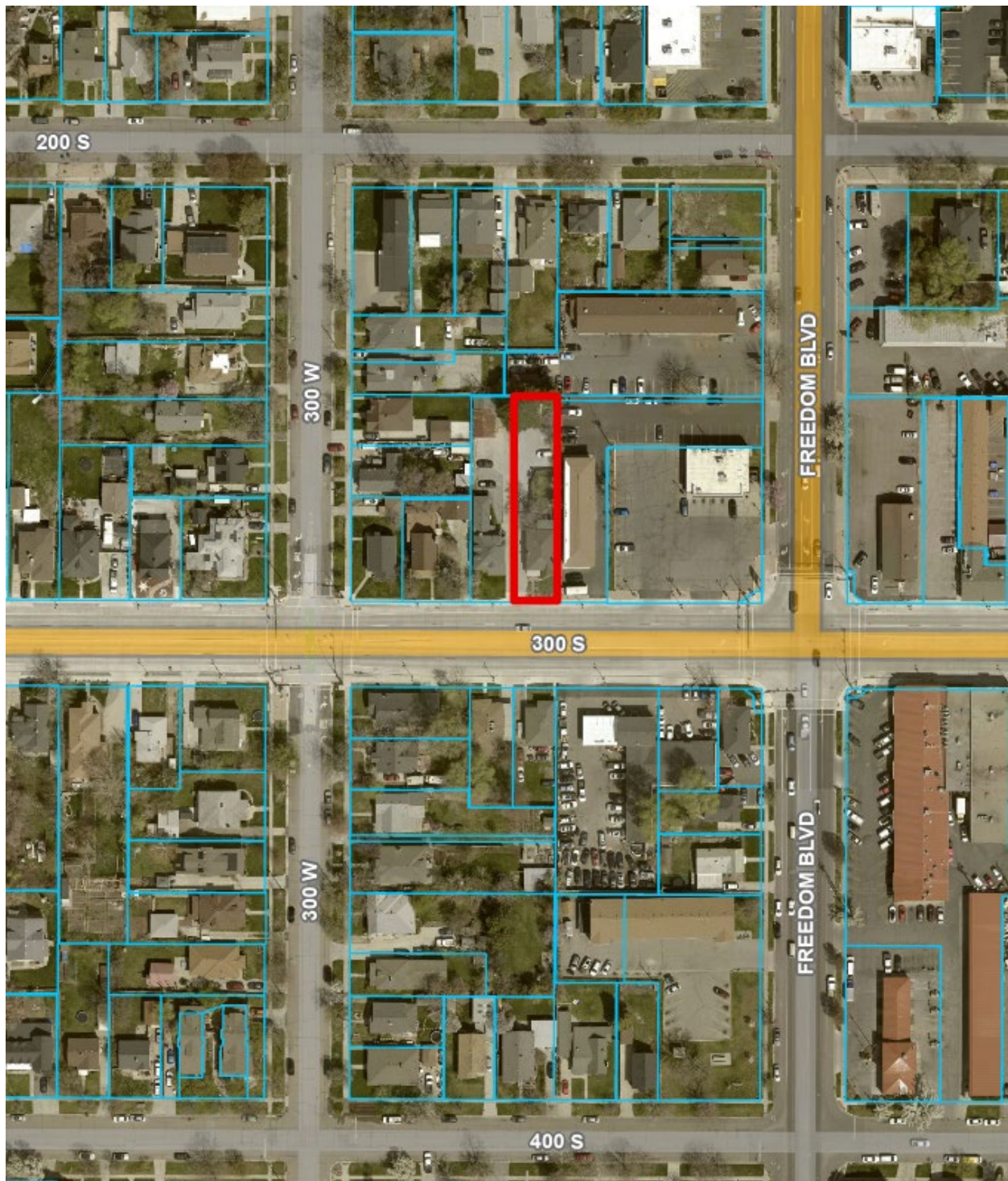
1. **Approve:** Should the Municipal Council approve the zone change, the proposed concept plan is consistent with city code. *"I move that the Planning Commission approve the proposed concept plan to change the use of property from a single-family home with an ADU to a legal two-family dwelling in a proposed LDR (Low Density Residential) Zone at 256 W 300 S, subject to the approval of a zone map amendment to the LDR Zone."* (state findings/reasons)
2. **Deny:** The proposal is not consistent with city code. *"I move that the Planning Commission deny the proposed concept plan 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 at 256 W 300 S."* (state findings/reasons)
3. **Continue:** New information presented at the public hearing or additional

study needs to be done. *“I move that the Planning Commission continue the proposed concept plan 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 at 256 W 300 S.” (state findings/reasons)*

ATTACHMENTS

1. Area Map
2. Site Plan
3. Floor Plans
4. Existing Building
5. Development Summary

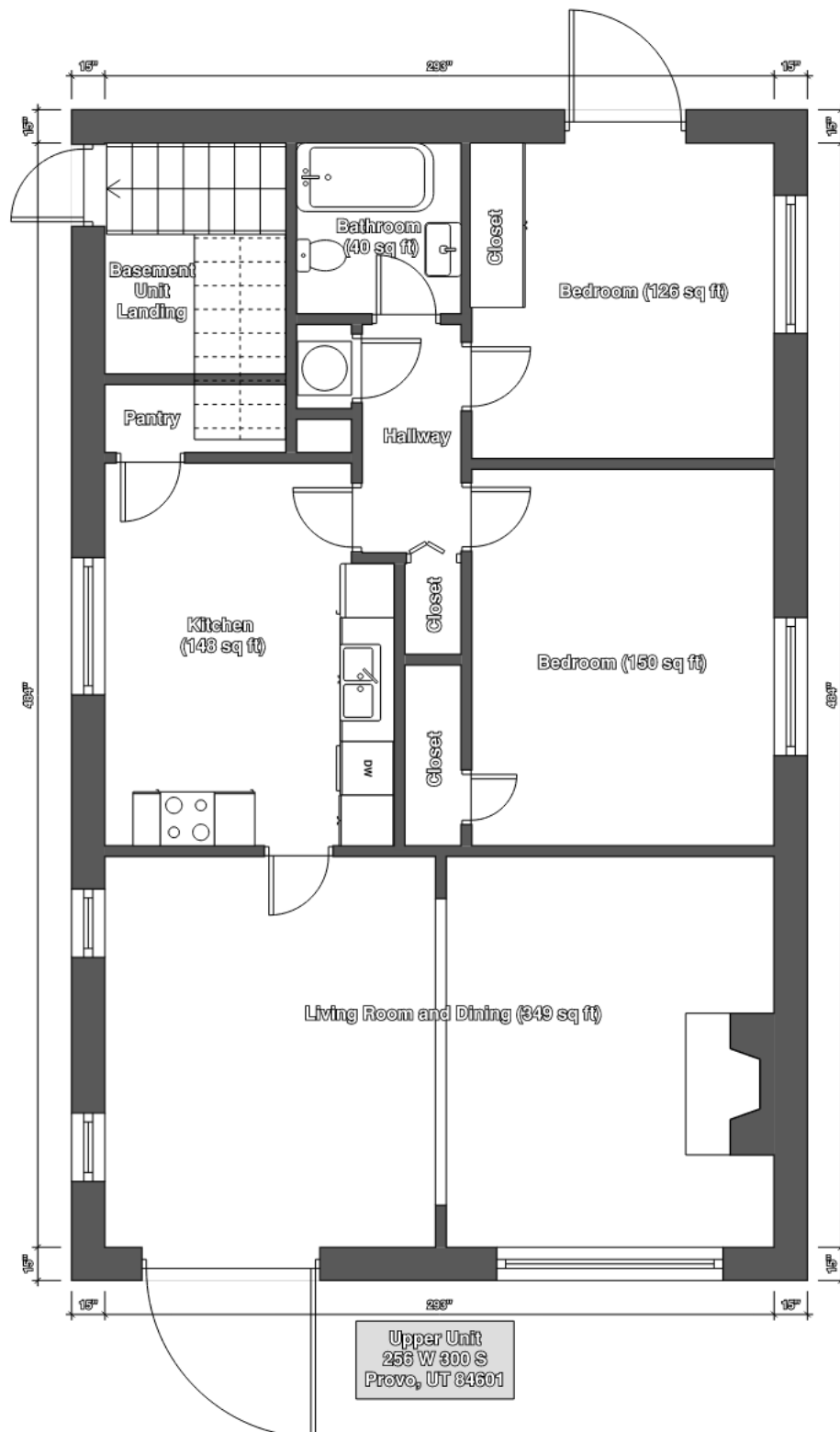
ATTACHMENT 1 – AREA MAP



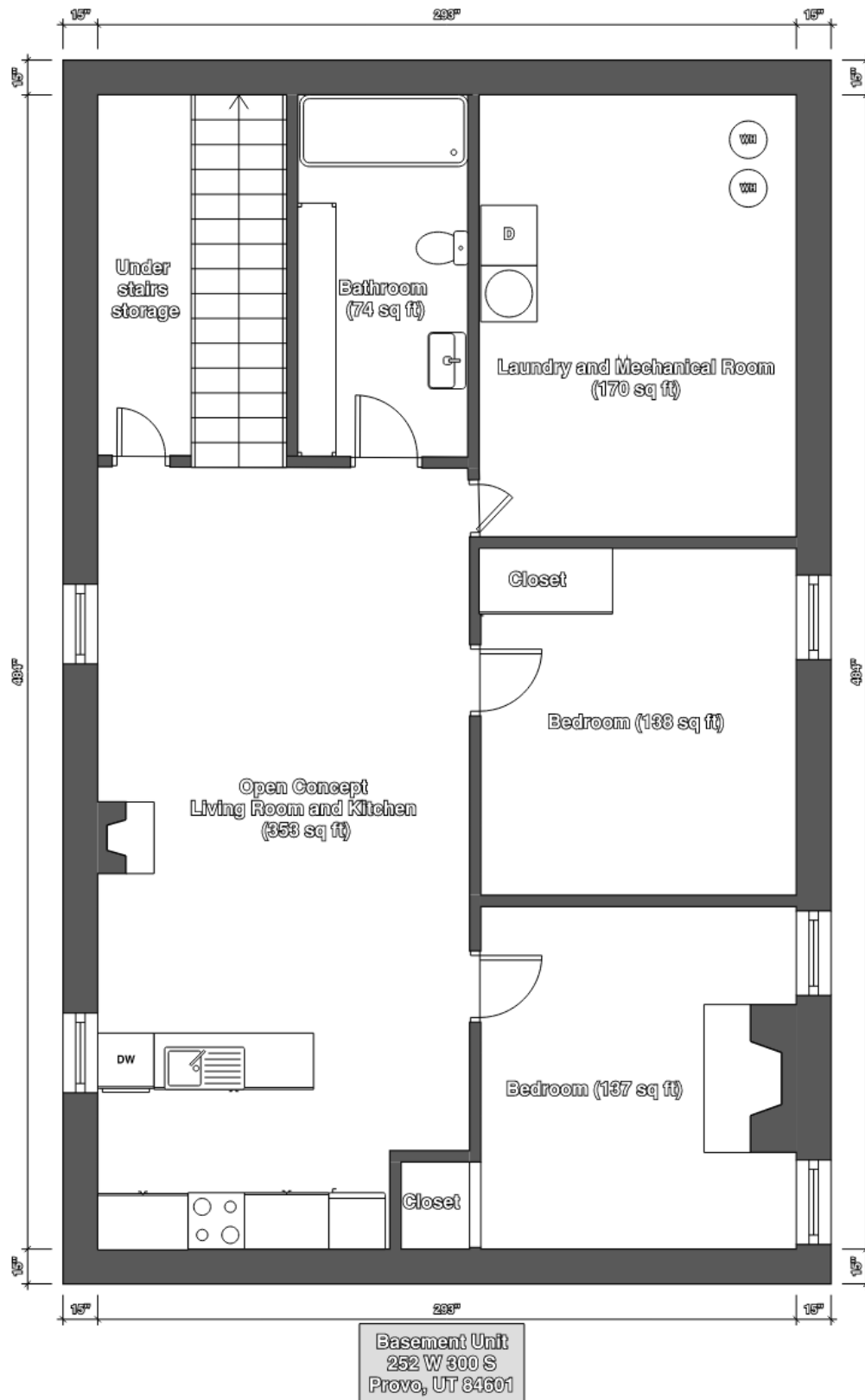
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ATTACHMENT 3 – FLOOR PLANS

(UPPER)



(LOWER)



ATTACHMENT 4 – EXISTING BUILDING







ATTACHMENT 5 – DEVELOPMENT SUMMARY

Development Summary

For property located at 256 W 300 S, Provo, UT 84601 Related to rezoning request: PLRZ20260028

Summary

Total lot acreage: 0.19 acres

- Residential Use: 12%
- Parking: 20%

Total units: 2

Total bedrooms: 4

Total parking: 6

Lot Changes

No plans to alter the existing building.

Margaret Jensen Kershaw

ITEM 4 Brighton Development requests Project Plan approval for a 26-unit townhome development in the DT1 (General Downtown) Zone, located at approximately 88 West 500 North. North Park Neighborhood. Megan Jensen (801) 852-6408
mejensen@provo.gov PLPPA20260152

APPLICANT:	Brighton Development Utah
PROPERTY OWNER:	RENTOLOGY, LLC; ENTREPOLOGY, LLC
PARCEL ID:	21:010:0022, 21:010:0021, 21:010:0020, 21:010:0019, 21:010:0046
ACREAGE:	0.9
CURRENT LEGAL USE:	Vacant
GENERAL PLAN DESIGNATION:	Downtown
CURRENT ZONE:	DT1
APPLICATION TYPE:	Administrative Decision – must be approved if it meets all city standards.

PROPERTY HISTORY

The property currently consists of five lots, each of which used to contain a single-family home which were built around 1950. Most of these homes were converted to duplexes or triplexes. These homes were all demolished from 2019 to 2024.

A project plan and subdivision were submitted to the city in 2023 to combine these lots and build an 86-unit apartment building. This project plan was approved by the Planning Commission, but the application expired in 2025.

NEIGHBORHOOD FEEDBACK

Project Plan requests do not get placed on Neighborhood District agendas, and staff have not received any feedback from the public at the time of this report.

PROJECT SUMMARY

The proposed project will consist of 26 for-sale, three-story townhome units. Each home will have a two-car garage. The property is transitional on the edge of the DT1 zone with adjacent RC zoning to the east. The middle of the project will feature a courtyard with a firepit, ping pong table, corn hole, and pavilion.

Staff are working with the applicant on a deed restriction that will be recorded on each of the platted lots as part of the final plat recording. This restriction will require the following:

- Limit owners to owning only one property in the development.

- Restrict rentals to 25% of the units.
- Require owner occupancy for two years from purchase from the developer.

The project will complete several right-of-way improvements including replacing curb and gutter, creating a bulb-out at the intersection, and designated on-street parking along 100 West.

STAFF ANALYSIS

Proposed Use

Single-family, attached (townhomes)

Lot Standards

Required:

- 1) Minimum Lot Area: 10,000 square feet
- 2) Minimum Lot Width: 65 feet
- 3) Minimum Lot Depth: 90 feet
- 4) Minimum Lot Frontage: 65 feet
- 5) Maximum Lot Coverage: No requirement

Proposed:

- 6) Lot Area: 39,204 square feet
- 7) Lot Width: 200 feet
- 8) Lot Depth: 198 feet
- 9) Lot Frontage: 200 feet along 500 N; 198 feet along 100 W.
- 10) Lot Coverage: ~43%

Finding: Complies

Setback Requirements

Required:

- 11) Front Yard: 0 feet minimum, 10 feet maximum
- 12) Side Yard: 0 feet minimum, 20 feet maximum
- 13) Street Side: 0 feet minimum, 10 feet maximum
- 14) Rear: 0 feet minimum, No required maximum
- 15) Driveway Access: 16 feet minimum, 24 feet maximum

Proposed:

- 16) Front Yard: 0 feet (west)
- 17) Side Yard: 5 feet (north)
- 18) Street Side: 0 feet (south)
- 19) Rear: 32 feet (east)

20) Driveway Access: 23 feet

Finding: Complies

Building Height and Distance

Required:

- 21) Total Maximum Building Height: 100 feet
- 22) Minimum Number of Building Stories: 2 stories
- 23) Maximum Main Floor Elevation: 3 feet above curb
- 24) Minimum First Story Height: 10 feet floor to ceiling
- 25) Maximum Story Height: 14 feet

Proposed:

- 26) Building Height: 31 feet
- 27) Number of Building Stories: 3 stories
- 28) Main Floor Elevation: 0 feet above curb
- 29) First Story Height: 10 feet floor to ceiling
- 30) Maximum Story Height: 12 feet

Finding: Complies

Parking and Access

Required: 2 spaces per unit, plus 0.25 space per unit visitor parking. 25% reduction for DT1 zone. $(26 \text{ units} \times 2.25) \times 0.75 = 44$ required spaces. 3 disabled parking spaces.

Proposed: 55 spaces including 3 disabled parking spaces.

Finding: Complies

Landscaping

Required:

- 1) 40% of the landscaped area should be covered with living vegetation.
- 2) In DT1 zones, open areas between a building and front or side property line shall be landscaped.
- 3) Parkways four feet wide or more shall be planted with trees 25 feet apart. See *Design Standards* for other parkway requirements.

Proposed:

- 1) Landscaped areas will feature mulch planted with a variety of shrubs, grasses, and perennials. Most of the courtyard area will be concrete or sod for recreational

- purposes.
- 2) All areas between buildings and front or side property lines not used for access are landscaped.
 - 3) Trees planted where possible along 500 N and 100 W. Species to be approved by city's Urban Forester.

Finding: Complies

Design Standards

Required: This property is subject to the Downtown Streetscape Standards and Downtown Development Design Standards.

Proposed: The project features street trees, tree grates, decorative pavers, and two decorative streetlights. Staff believe these streetscape improvements will complement the more intense downtown area to the south. The exterior materials will consist of lap siding, brick veneer, stucco, and asphalt shingles. Stucco is limited to less than 20% of each façade as required by code. The front elevations also exhibit balconies and bay windows at varying heights which create visual interest.

Finding: Complies

Other Considerations:

At the time of writing this report, this project has some outstanding CRC comments to address. Staff do not believe these comments will greatly alter the project as proposed. Any approvals given will be conditional upon the applicant's meeting all outstanding CRC comments. A copy of the latest CRC report is attached to this staff report. However, the applicant has submitted updated plans since the last CRC report was issued. These updated plans are included in the attachments and address some of the corrections found in the latest CRC report.

A 6-foot decorative masonry wall is required along the eastern property line abutting the RC zone (University Avenue Condos). This wall is currently reflected in the plans as a CMU wall with a mortar cap.

An area equivalent to 10% of the total residential gross floor area must be developed as recreational amenities. The proposed development provides additional balconies and courtyard space beyond what is required to meet this standard. The courtyard will feature recreational amenities.

APPLICABLE ZONING CODES

Provo City Code 14.21A: *DT1 – General Downtown*:
<https://provo.municipal.codes/Code/14.21A>

Provo City Code 14.34.330: *Multifamily Amenities:*

<https://provo.municipal.codes/Code/14.34.330>

Provo City Code 14.34.295: *Downtown Development Design Standards:*

<https://provo.municipal.codes/Code/14.34.295>

Provo City Code 15.20: *Development Landscaping Requirements:*

<https://provo.municipal.codes/Code/15.20>

Provo City Code 14.37: *Off-Street Parking Standards:*

<https://provo.municipal.codes/Code/14.37>

POSSIBLE MOTIONS AND FINDINGS

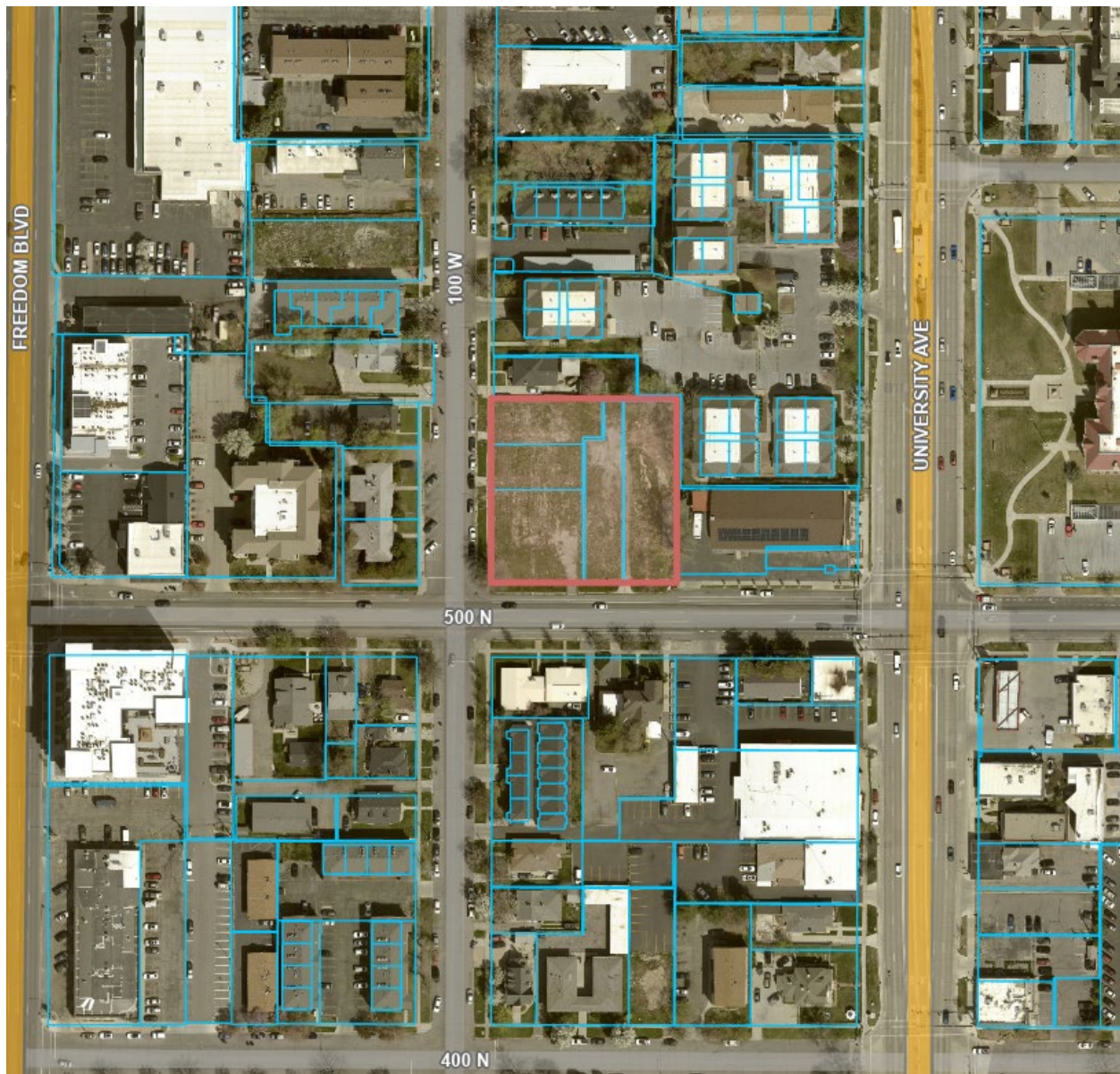
The Planning Commission may make any of the following findings:

1. **Approve:** The proposal is consistent with city code. *“I move that the Planning Commission approve the proposed project plan for a 26-unit townhome development in the DT1 (General Downtown) Zone, located at approximately 88 West 500 North, conditional upon all CRC comments being resolved.”*
(state findings/reasons)
2. **Deny:** The proposal is not consistent with city code. *“I move that the Planning Commission deny the proposed project plan for a 26-unit townhome development in the DT1 (General Downtown) Zone, located at approximately 88 West 500 North.”* (state findings/reasons)
3. **Continue:** New information presented at the public hearing or additional study needs to be done. *“I move that the Planning Commission continue the proposed project plan for a 26-unit townhome development in the DT1 (General Downtown) Zone, located at approximately 88 West 500 North.”*
(state findings/reasons)

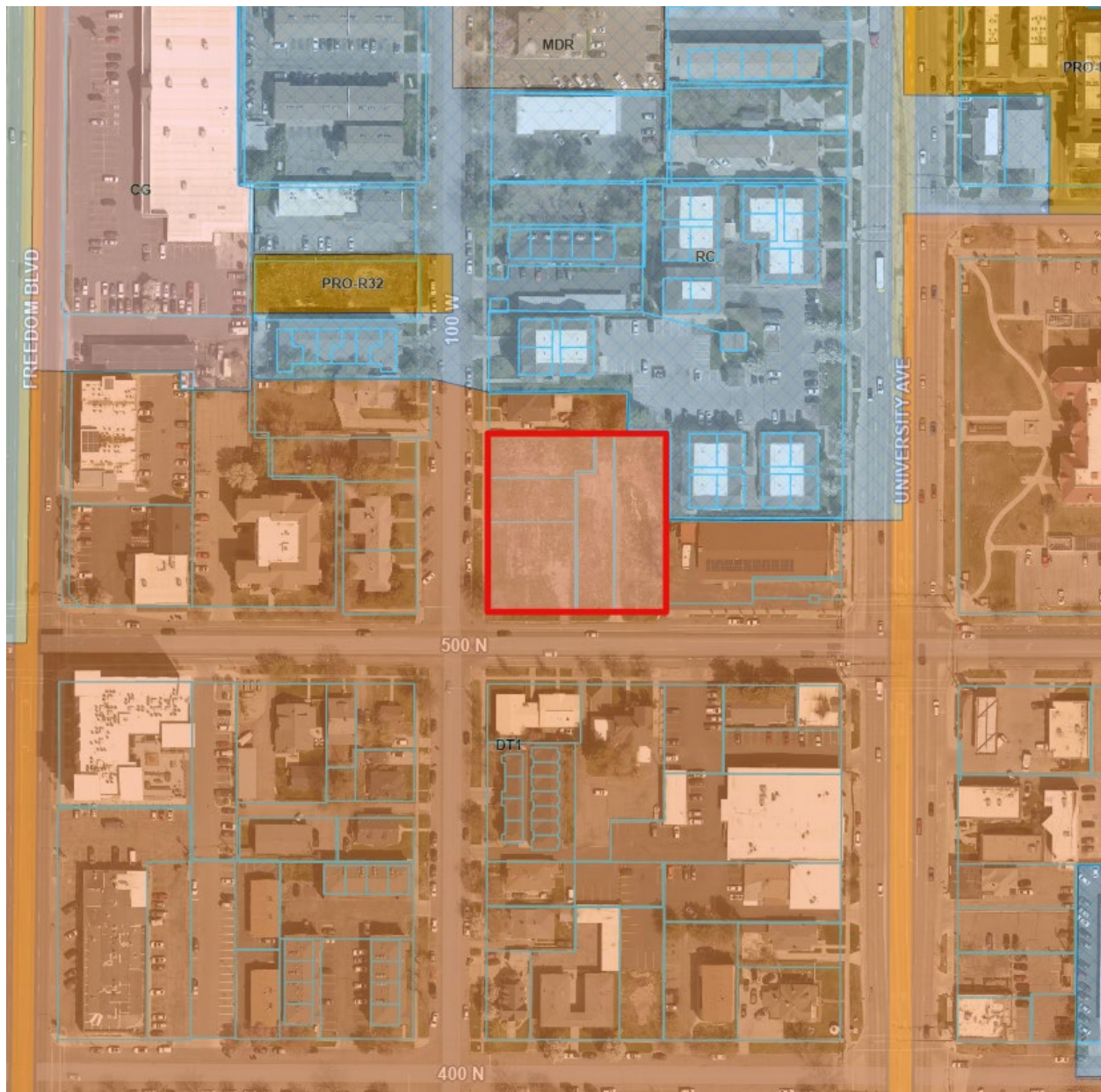
ATTACHMENTS

1. Area Map
2. Zoning Map
3. Site Plan
4. Written Description
5. Elevations
6. Elevation Renderings
7. Courtyard Rendering
8. Floor Plans
9. Landscape Plan
10. Most Recent CRC Report

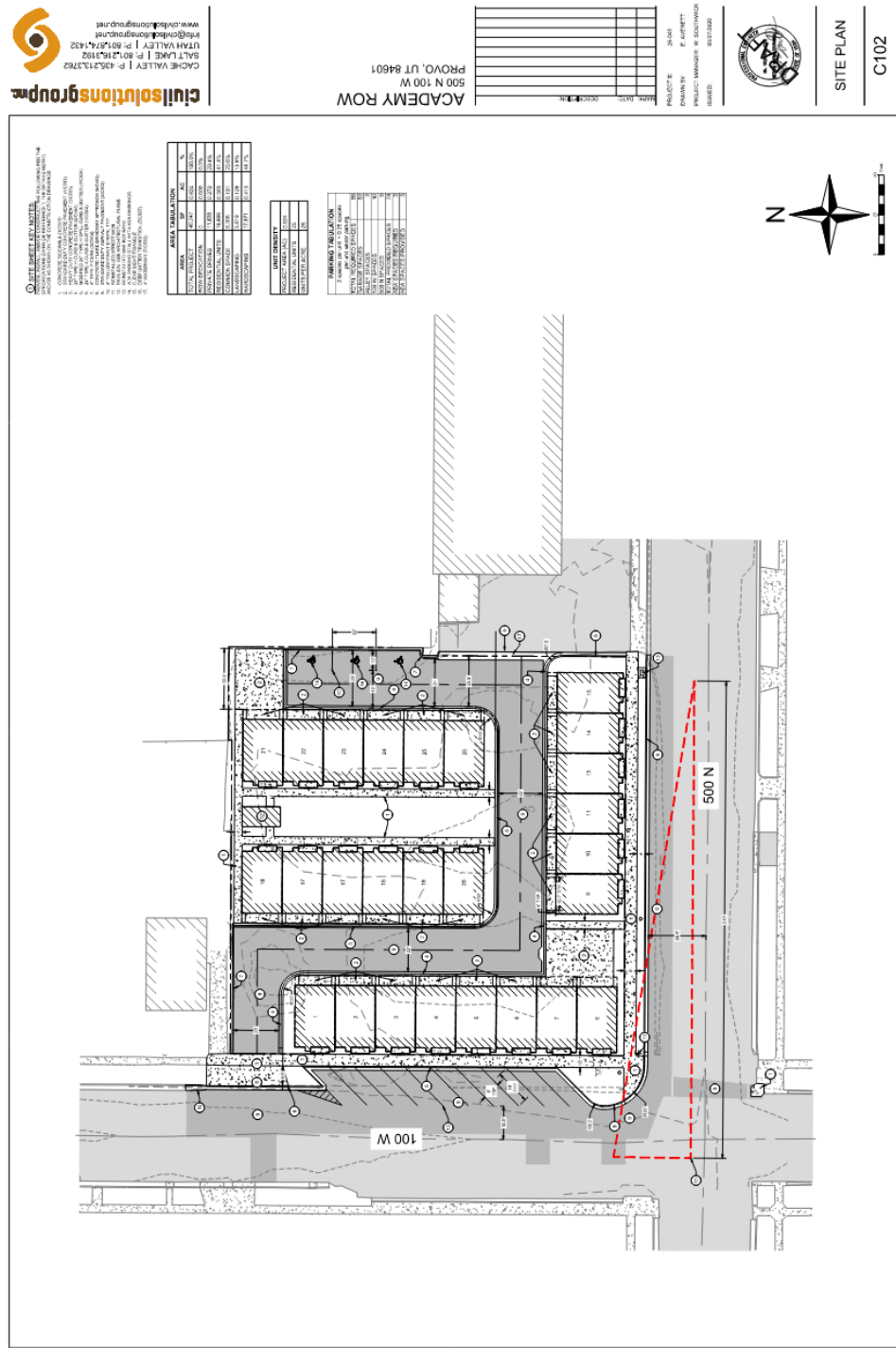
ATTACHMENT 1 – AREA MAP



ATTACHMENT 2 – ZONING MAP



ATTACHMENT 3 – SITE PLAN



ATTACHMENT 4 – WRITTEN DESCRIPTION

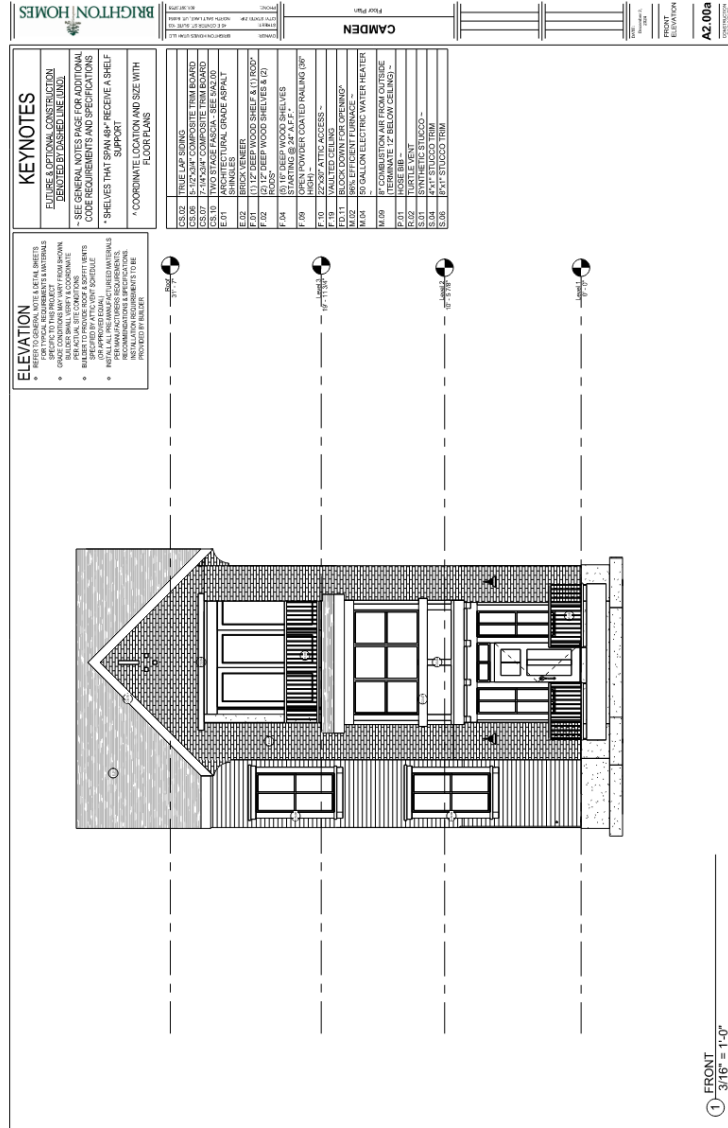
Project Plan Written Description

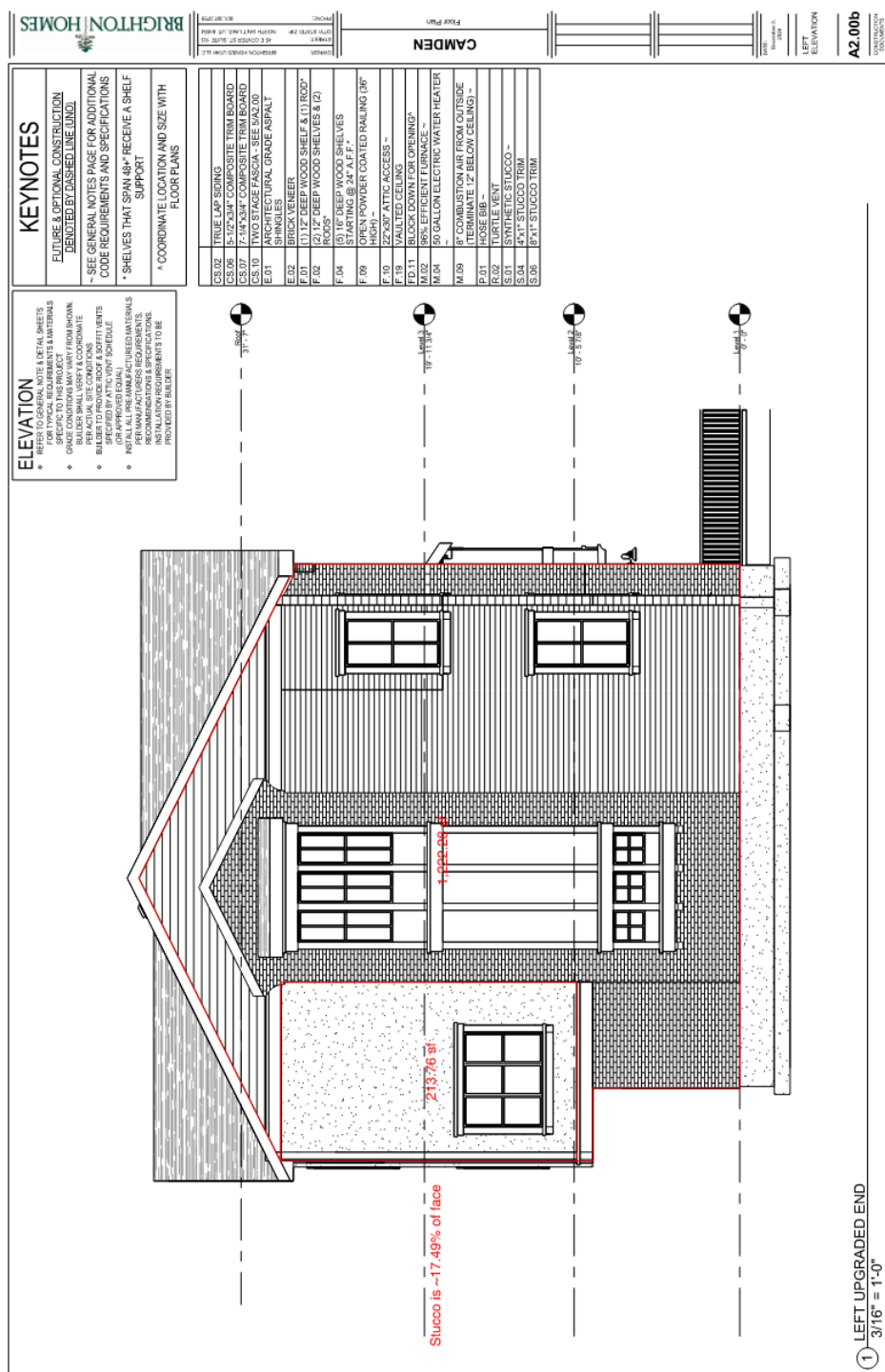
The proposed project consists of the development of a 26-unit for-sale residential townhome community. The project will include the construction of attached three-story townhome units intended for individual ownership.

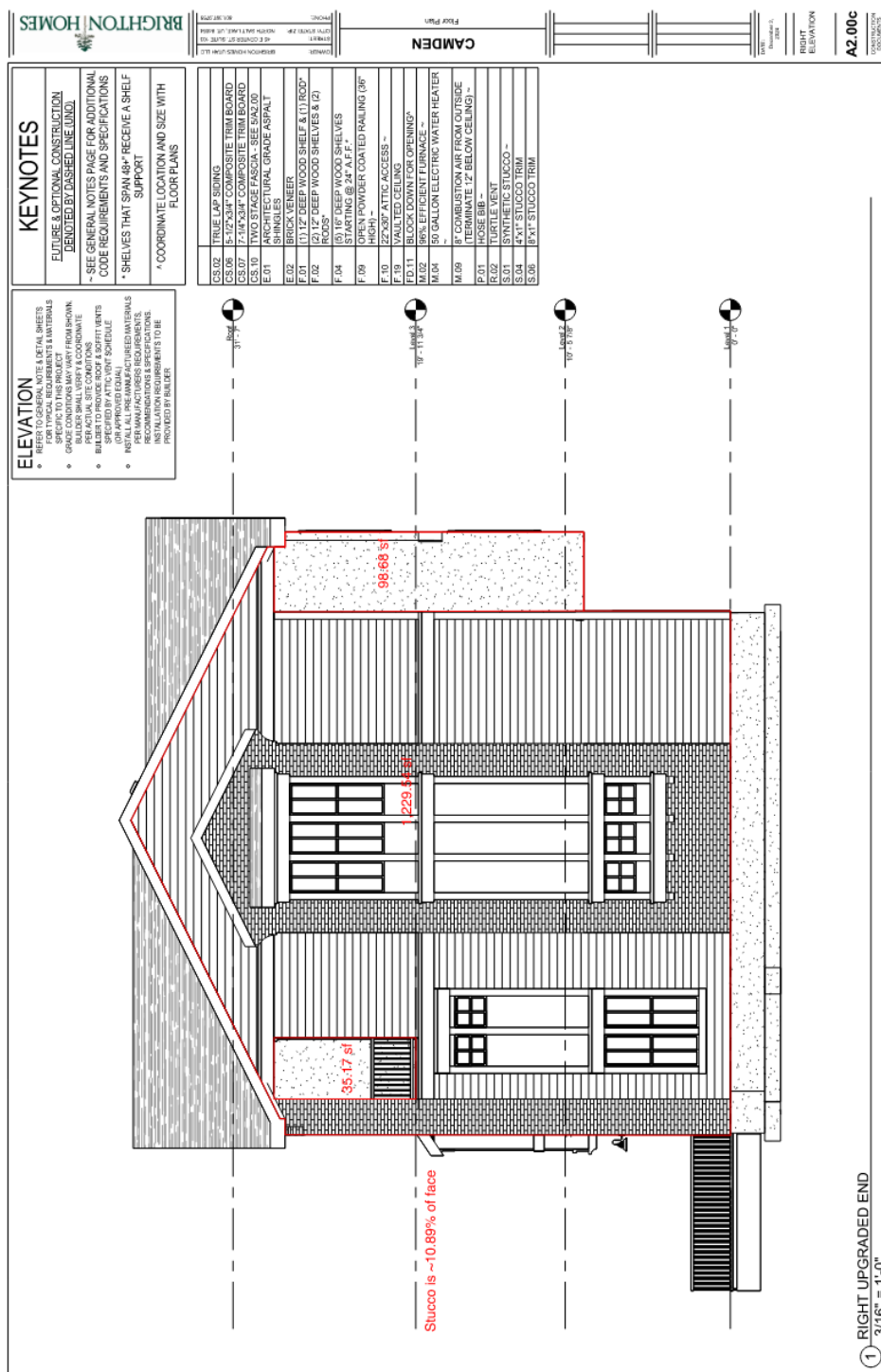
The development will include required site improvements such as landscaping, stormwater management facilities, and utility connections in accordance with City standards. The site will be designed to accommodate both vehicular and pedestrian access, along with required parking for residents and guests.

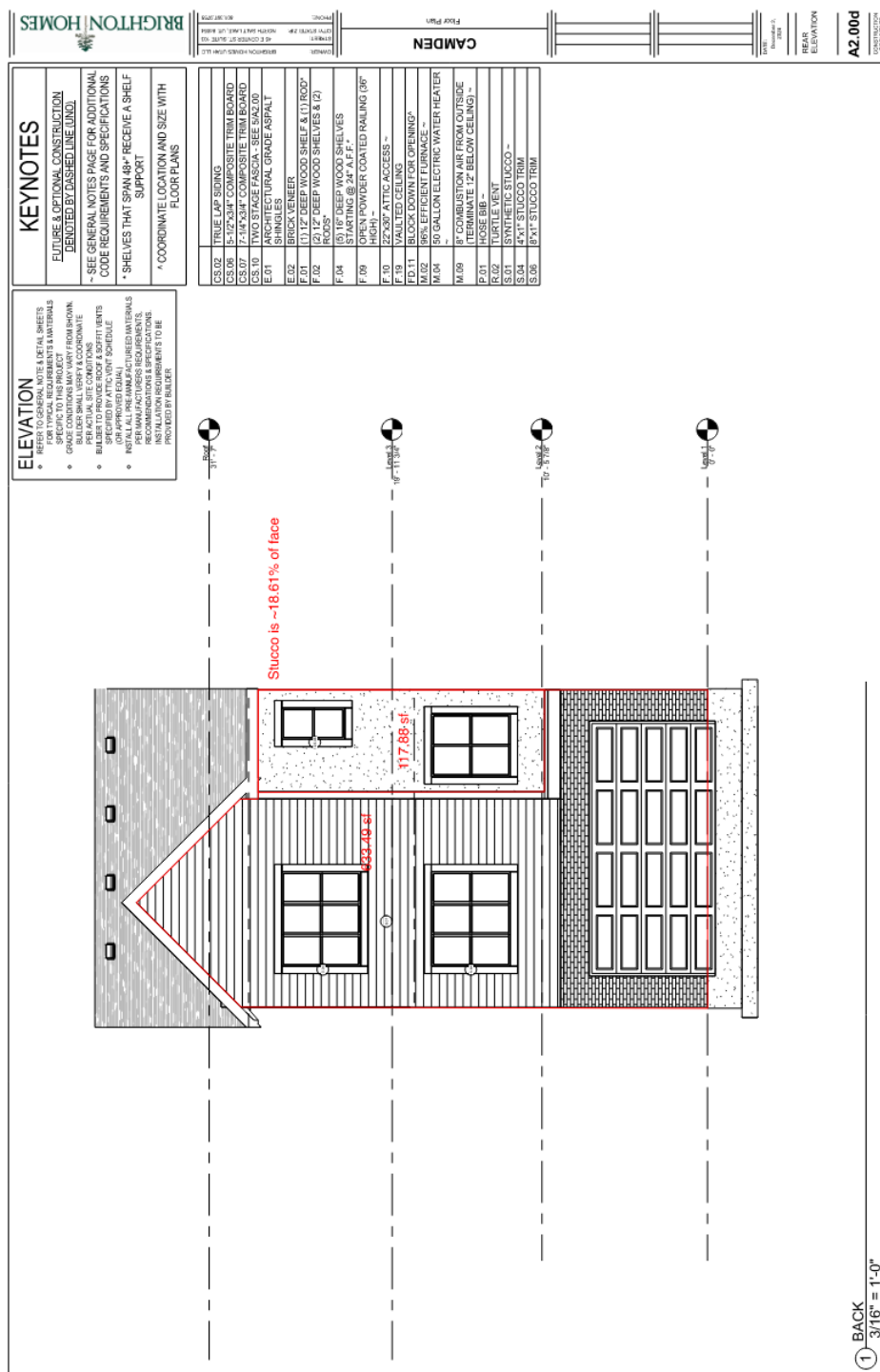
No commercial or non-residential uses are proposed as part of this development. The project is intended to function solely as a residential community.

ATTACHMENT 5 – ELEVATIONS









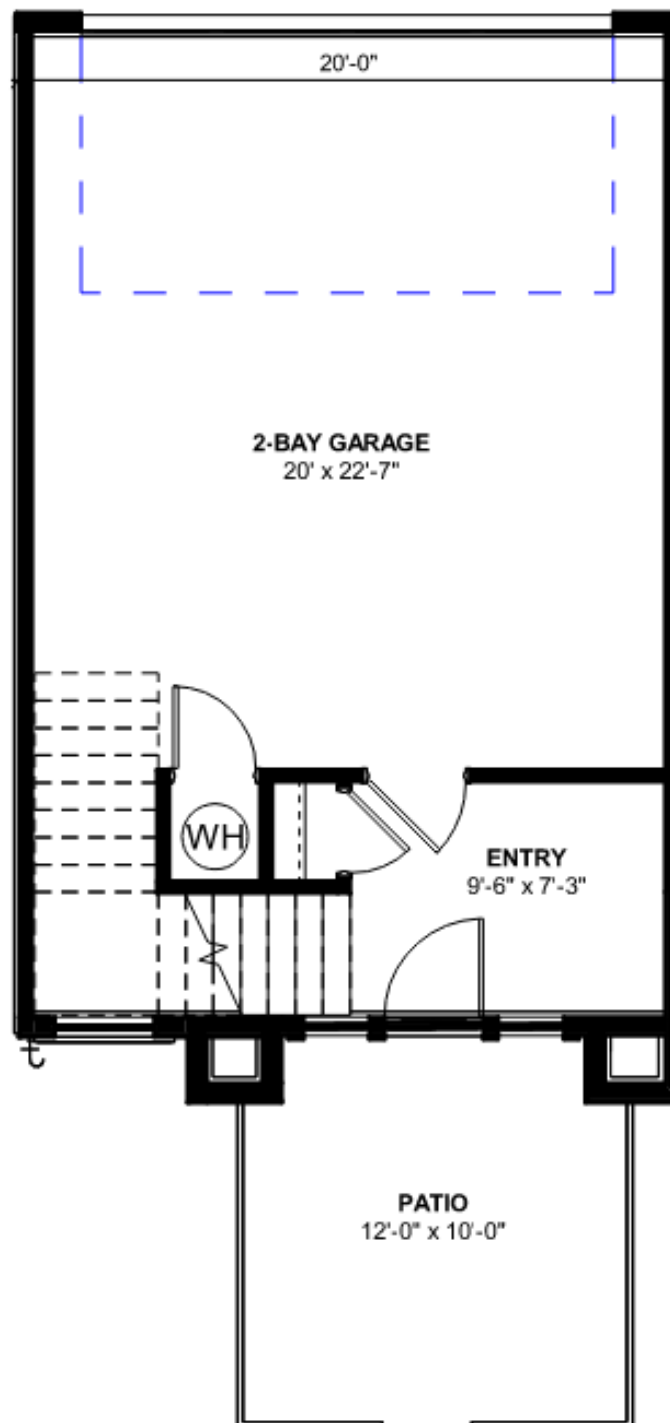
ATTACHMENT 6 – ELEVATION RENDERINGS

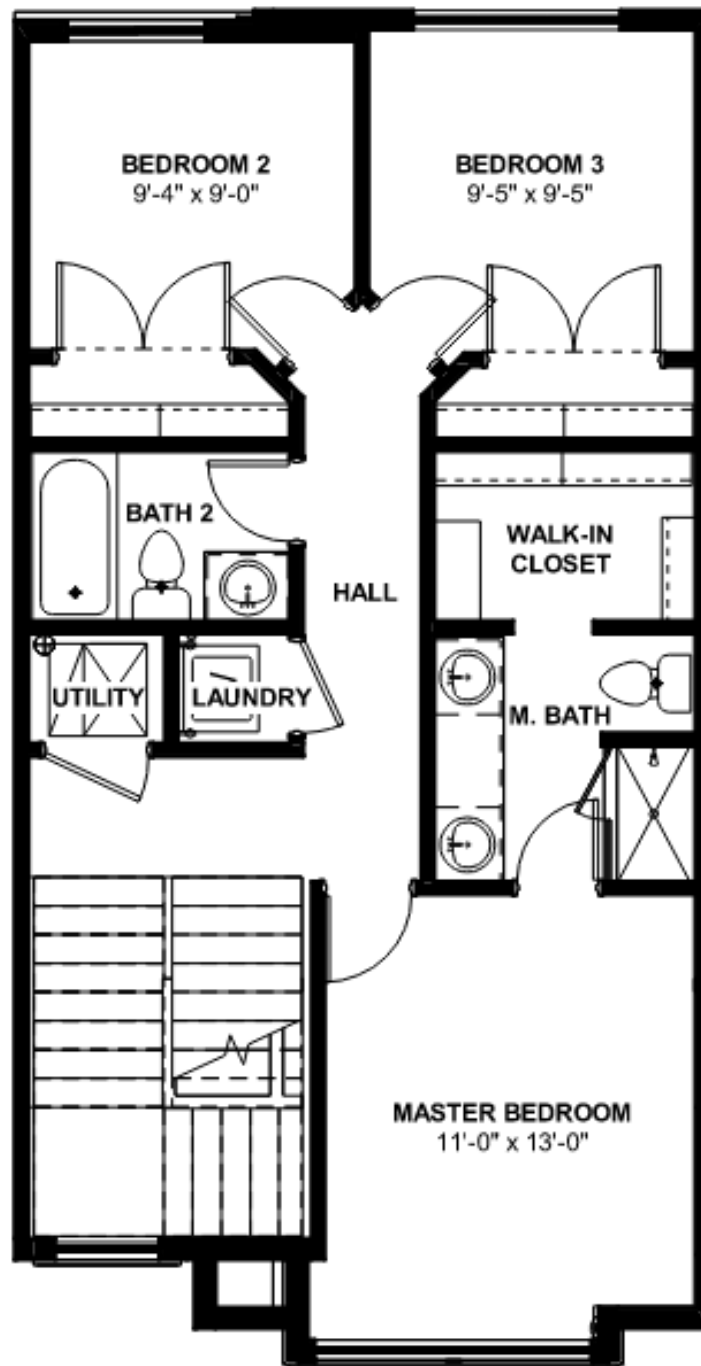


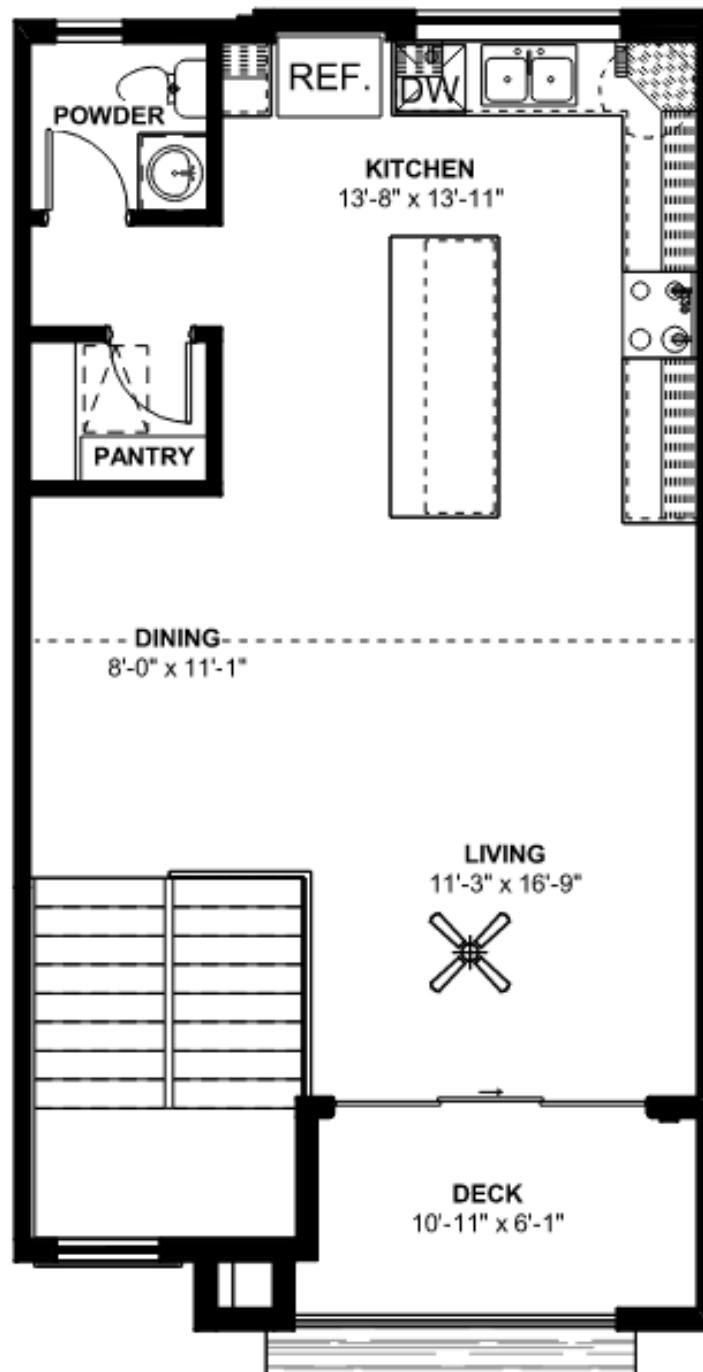
ATTACHMENT 7 – COURTYARD RENDERING



ATTACHMENT 8 – FLOOR PLANS



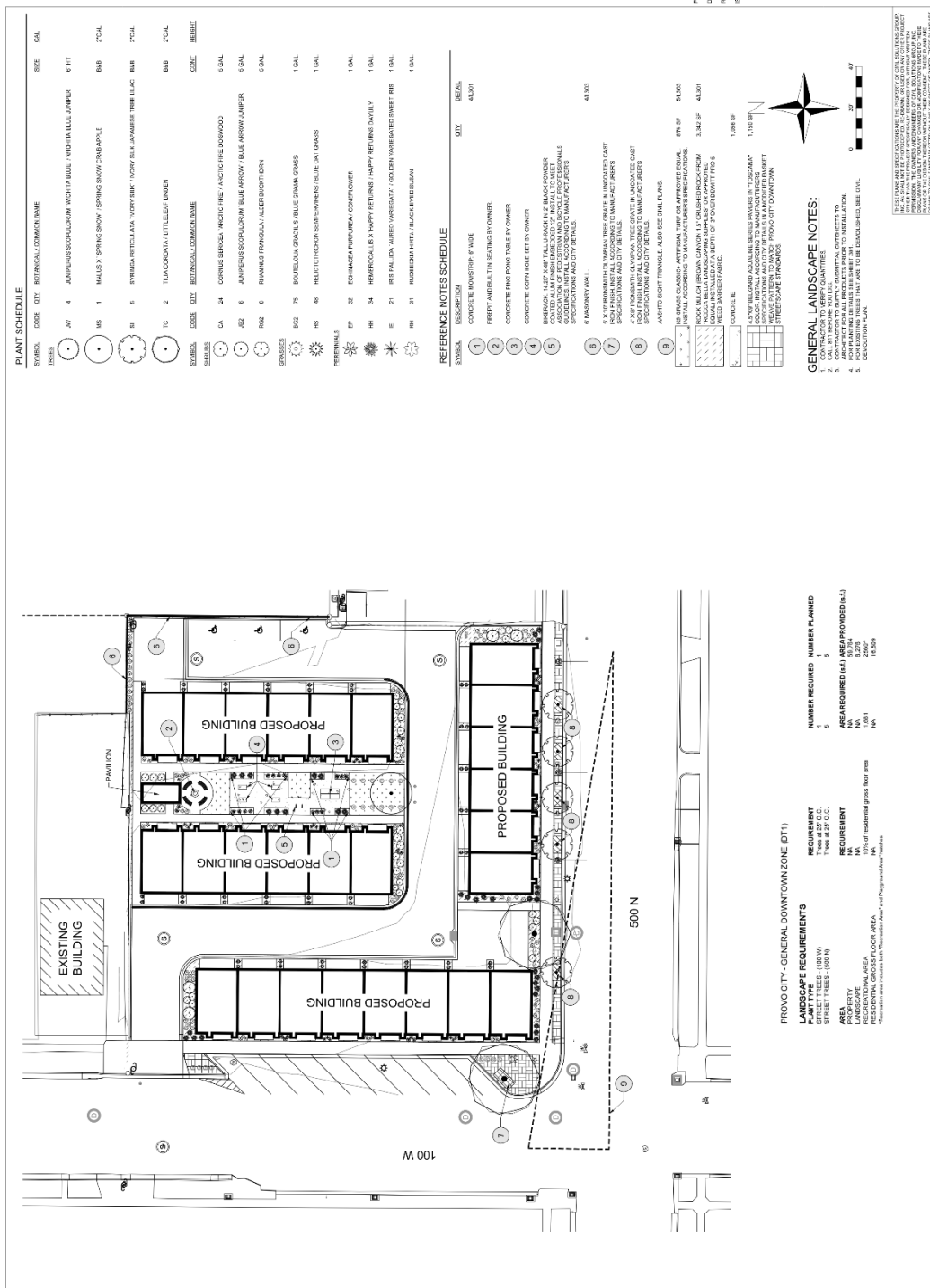




civissolutionsgroup inc.
 CACHE VALLEY | P: 435.213.3762
 SALT LAKE | P: 801.216.3192
 UTAH VALLEY | P: 801.874.1432
 info@civissolutionsgroup.net
 www.civissolutionsgroup.net

ACADEMY ROW
500 N 100 W
PROVO, UT 84601[illegible]LANDSCAPE
PLAN

L101



ATTACHMENT 10 – MOST RECENT CRC REPORT

Coordinator Review Committee Report

For reference, redlined plans may be found online at provo.org/portal under the “My

Items” tab. Submitted: March 27, 2026
Report Date: May 21, 2026

Project Name:

Acade

my Row Address:

Project #: PLPPA20260152

Application Type: Project Plan Approval

Application Expiration: This application will expire March 31, 2027. For exceptions to this rule see Section 15.01.040 Provo City Code.

Please submit a “Complete Set” of revised plans on www.provo.org/portal along with a “Review Response” sheet that replies to each comment on this CRC Report.

Project Review

Review: **Building Inspection Review** **Review Date:** 05/11/2026

Department: Development Services

Reviewer: Rich Bennett

Email: rbennett@provo.gov

Phone: 8019955053

Approval Status: No Revisions Required

Comments:

Review: **Fire Review** **Review Date:** 05/11/2026

Department: Fire

Reviewer: Koby Hubbs

Email: khubbs@provo.gov

Phone: 8018526321

Approval Status: No Revisions Required

Comments:

Review: **Parks and Recreation Review** **Review Date:** 05/11/2026

Department: Parks and Recreation

Reviewer: John Bunderson

Email: JBunderson@provo.gov

Phone: 8018526643

Approval Status: No Revisions Required

Comments:

Review: **Planning Review** **Review Date:** 05/12/2026

Department: Development Services

Reviewer: Megan Jensen

Email: MeJensen@provo.gov

Phone: 8018526408

Approval Status: Revisions Required

Comments:

Corrections: Miscellaneous

§14.37.100(15): Visitor/ADA parking stalls next to wall should increase width by 1

foot
to help door clearance.

Corrections: Miscellaneous
§15.21.090 Photometric Plan:
The average horizontal grade level illumination of security lighting in commercial, industrial or public facility zones shall not exceed one and one-half (1 1/2) foot-candles.
- Vertical features, such as walls of a building, may be illuminated for security to a height of eight (8) feet above grade.

Corrections: Miscellaneous
§15.20.120(3): Parkways 4' or more shall be planted with trees at a distance of 25'. Downtown street trees for 500 N to be approved by City Forester.

Review: **Public Works Review**
05/21/2026 Department:

Review Date:
Public Works

Reviewer: Danielle
Nixon Email:
dnixon@pr

ovo.gov Phone:

Approval Status: Revisions
Required Comments:

Corrections: Miscellaneous
Pipe Size & Material – Upsize SD line on 100 W to 18" RCP. Per Section 6.1 of the Storm Drainage System Design and Management Manual, the minimum allowable pipe diameter is 18" and 15" reinforced concrete pipe for mainline and lateral storm drain pipes, respectively, within Provo right of way. The manual can be found here: <https://www.provo.gov/DocumentCenter/Index/259>.

- Hold Harmless Agreement – Whereas the owner has, or desires, to construct a stormwater system which will connect and drain to a publicly owned storm drainage system, and stormwater from the Provo City right-of-way or public drainage system may in extreme conditions backflow into the private storm drain system, provide a Storm Drain System Hold Harmless Agreement.
- SWDR – Provide Storm Water Drainage Report including calculations. Include detention for a 10-year storm with 0.2 cfs/acre release rate and show a 100-year overflow path to public street. If a positive overflow cannot be established, development must retain the 100-year storm on site. See Section 4.2 of the Storm Drainage System Design and Management Manual at <https://www.provo.gov/DocumentCenter/Index/259>
- Geotechnical Report – A geotechnical report is required for all developments that lie within the high-water table area or for sites proposing to control their runoff through retention and infiltration. The report must identify the groundwater elevation and include the in-situ infiltration rate as well as the design infiltration rate using a safety factor of two. The manual can be found here: <https://www.provo.gov/DocumentCenter/Index/259>. Ensure the report includes waterproofing measures
- Private storm drain detention system will need to be kept outside of City right-of-way.
- Pretreatment – A minimum of 36" (or the required depth by manufacturer's specifications) below the pipe outlet is required for pretreatment. Show the rim, pipe outlet(s), and sump elevations for each inlet. See Provo City Standard Detail P-315. Provo Standard Drawings can be found here: <https://www.provo.gov/DocumentCenter/Index/251>. Provide snout at SD Box No. 3,

4, & 5.

- LTSWMP – A Long-Term Stormwater Management Plan (LTSWMP) shall be submitted for all developments requiring project plan approval. An approved LTSWMP template can be found here:
<https://www.provo.gov/DocumentCenter/Index/260>
- Provide a transition from deep trough curb to standard curb and gutter prior to drive approach on NW corner of property. Pipe will not be allowed underneath sidewalk and/or curb and gutter. Relocate storm drain line farther west towards center of 100 W.

Corrections: Miscellaneous

1. Remove striping from 500 W
2. All curb on city ROW should be the 24" type A standard not 30".
3. Traffic Study: Provide circulation plan for how the west gym access is going to work along with mitigation.
4. There needs to be 10' of separation between the water and sewer located on the SE corner of the project.
5. Show that the clear vision requirements are met at the corner of 100 W and 500 N. Please follow Provo City Standard P-902 or AASHTO's A Policy On Geometric Design of Highways and Streets for this analysis.

Review:	Power Review	<u>Review Date:</u>	05/20/2026
Department:	Power		
Reviewer	Adam Keller		
Email:	akeller@provo.gov		
Phone:	8014711381		
Approval Status:	No Revisions Required		
Comments:	Power design was emailed to Shawn Poor.		
Review:	Urban Forester	<u>Review Date:</u>	05/11/2026
Department:	Power		
Reviewer	Chaz Addis		
Email:	caddis@provo.utah.gov		
Phone:	8018526920		
Approval Status:	No Revisions Required		
Comments:			

Conditions

***ITEM 8** Tuscanel Townhomes LLC requests a Zone Map Amendment from the RC (Residential Conservation) Zone to the HDR (High Density Residential) Zone in order to develop a 12-unit townhome project, located at 313 E 200 N. Joaquin Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.gov PLRZ20250330

APPLICANT:	Tuscanel Townhomes LLC
PROPERTY OWNER:	S & R TRIPLEX LLC and S & R 313 LLC
PARCEL ID:	05:033:0008 05:033:0009
ACREAGE:	0.45
CURRENT LEGAL USE:	Residential
GENERAL PLAN DESIGNATION:	Residential Conservation
CURRENT ZONE:	Residential Conservation
APPLICATION TYPE:	Legislative Decision – Planning Commission will make a recommendation to the City Council.

NEIGHBORHOOD FEEDBACK

A neighborhood meeting was held for the rezoning of this property on May 26, 2022. Some comments supported this type of development in this location, while others were opposed to it and referenced the efforts in the Joaquin Neighborhood Plan to protect the single-family designation in this area with a Residential Conservation designation in the future land use map. The project has decreased in density since the neighborhood meeting in 2022, where a 17-unit apartment was proposed.

The Chair of the Central Neighborhoods District reached out to remind staff that there was strong opposition to this development as it deviates from the neighborhood plan.

PROJECT SUMMARY

The applicant has submitted a zone map amendment and concept plan applications for the property located at approximately 313 E. 200 N. to allow for the property to be developed for 12 new townhome units. The property is currently zoned as Residential Conservation (RC). This zone does not allow new units to be created, and this is why the applicant is seeking a rezone. The applicant is looking for the property to be rezoned to the High Density Residential (HDR) zone to allow for the proposed development as this zone has the needed setbacks for the proposed development to work. The Medium Density Residential (MDR) zone would not allow the development to work because of greater setback requirements.

In 2014, Provo City adopted the Joaquin Neighborhood Plan, which is part of the Provo City General Plan. The future land use designation in the Joaquin plan identifies this location as an area to not allow for increased density. That plan aims to increase density in the northern half of the neighborhood, near BYU campus, and preserve the single-family residential character in the

lower half of the neighborhood.

Because the HDR zone allows for more development potential, like density and building height, than what the applicant is proposing to do, they have proffered to do a development agreement. This agreement would aim to limit the density, height, and require owner occupancy for each unit for at least one year after purchase.

The property surrounding this property is zoned Residential Conservation (RC).

STAFF ANALYSIS

Before recommending an amendment, the Commission must find that the amendment serves the public interest and aligns with the General Plan, based on consideration of the following:

- (a) Public purpose for the amendment in question;

Applicant Response:

This amendment allows a long-held family property to transition into a high-quality, owner-occupied residential community that promotes homeownership, long-term residency, and reinvestment in central Provo.

The proposal expands housing opportunities within an established area already served by public infrastructure, schools, parks, transportation networks, and community services. The project is designed to provide housing for individuals and families who intend to live, invest, and contribute to the community, aligning with the General Plan's emphasis on housing availability, complete neighborhoods, and long-term community stability.

Staff Response:

A neighborhood plan was created that calls for this area to remain low density to help preserve this historic character and encourage higher density to be in the northern portion of the Joaquin Neighborhood closer to BYU Campus.

The properties are part of the National Register of Historic Places in the East Central Historic District. The home on the corner was built in 1880, and the 3-unit row house was built in 1885. Both properties are listed as contributing to the East Central Historic District and are eligible to be nominated to our local Landmarks Register. Properties on the National Register are not protected from demolition.

FINDING:

Does not comply with the Joaquin Neighborhood Plan designation of Residential Conservation.

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

Applicant Response:

This proposal represents approximately four years of collaboration with City staff, neighboring property owners, and elected officials. Multiple concepts were evaluated and refined to arrive at a townhome community that balances neighborhood concerns with the City's goals for high-quality ownership housing.

The proposed development introduces a housing type that bridges the gap between detached single-family homes and larger apartment developments, expanding housing

choice within an established neighborhood. The amendment allows the property to contribute meaningfully to the City's housing supply while utilizing existing infrastructure and supporting the General Plan's direction for infill development.

Staff Response:

Preserving the historic character of this part of the neighborhood while providing increased density closer to BYU would serve the public. The existing structures would be eligible to receive historic rehabilitation tax credits. The proposed amendment would bring that increased density further south from campus.

FINDING:

Does not comply with the Joaquin Neighborhood future land use map that calls for residential conservation zone to remain.

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

Applicant Response:

The proposal is consistent with the goals and policies of the General Plan, particularly those related to housing choice, homeownership opportunities, efficient use of infrastructure, and responsible infill redevelopment.

The project provides ownership housing in a central location, promotes long-term community investment through proposed deed restrictions, and reinvests in an established neighborhood. It supports the General Plan's broader vision of accommodating future residents within developed areas while maintaining high-quality design and contributing to complete, well-functioning neighborhoods.

Staff Response:

The Joaquin Neighborhood Plan identifies 500 North as the transition line for housing density. Increased density is planned for the area north of this transition line and residential conservation is planned for the areas south of 500 North. The plan aims to reduce development pressure on the homes in the lower half of the neighborhood by allowing much higher density closer to BYU campus where the density makes more sense.

FINDING:

Does not comply with the Joaquin Neighborhood future land use map that calls for residential conservation zone to remain.

In section E of chapter 3 in the Joaquin Neighborhood Plan, goal number 2 reads "Require that all future development complies with the future land use map".

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

Applicant Response:

The surrounding area has evolved significantly over time, and the property's current context is substantially different than when earlier planning decisions were made. The amendment allows the site to respond to existing conditions while utilizing established infrastructure and public services.

The proposal represents logical infill redevelopment within an already urbanized area and does not require expansion into undeveloped portions of the City. As such, it is consistent with the General Plan's principles of orderly, efficient, and fiscally responsible growth.

Staff Response:

Public Works looks at the General Plan and Neighborhood Plans as they plan infrastructure needs. Engineering review comment for this development reads: "Our existing Utilities cannot handle proposed HDR development. If this plan makes it to the project plan phase, then some sort of solution needs be proposed to address deficiency in our existing infrastructures to support this development."

FINDING:

Does not comply with Neighborhood Plan as it is proposing higher density than anticipated at this location.

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

Applicant Response:

The proposal is not expected to hinder General Plan objectives. The requested zoning flexibility is intended to achieve a better overall site plan—improving circulation, parking, open space, building placement, and neighborhood compatibility—rather than to maximize density or height.

The project remains below the allowable density and height standards while advancing key General Plan objectives related to housing availability, efficient land use, and infill development. The proposal reflects a balanced approach to growth that supports the City's long-term planning goals.

Staff Response:

In section E of chapter 3 in the Joaquin Neighborhood Plan, goal number 2 reads "Require that all future development complies with the future land use map".

FINDING:

Does not comply with the Joaquin Neighborhood future land use map that calls for residential conservation zone to remain and the request is for High Density Residential.

(f) Adverse impacts on adjacent land owners; and

Applicant Response:

Minimizing impacts on surrounding properties has been a central focus throughout the planning process. Over approximately four years, the project has undergone multiple revisions to improve compatibility, site design, circulation, and neighborhood integration. The current proposal incorporates reduced density, reduced height, private garages,

enhanced landscaping, and proposed owner-occupancy deed restrictions. There is also a willingness to formalize these commitments through a Development Agreement. These measures are intended to ensure the project integrates well with surrounding properties and contributes positively to the neighborhood.

Staff Response:

The proposed change would allow for higher density housing in the area. There would be an increase in traffic. The existing homes and structures that contribute to the historic district would be demolished and the character of the block would be altered with the new development.

FINDING: There would be impacts from the proposed change on adjacent land owners.

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

Applicant Response:

The requested amendment does not suggest that the original zoning or General Plan designation was incorrect at the time it was adopted. Rather, it reflects how the surrounding area has evolved and how the property functions today.

The site is now surrounded by multifamily developments, including Apollo Apartments, Aspenwood Apartments, Fleur de Lis, and Casa Linda, which have substantially changed the character and context of the area. These changes have altered the relationship of the property to its surroundings, including significant impacts on privacy, with approximately 30 Apollo units directly overlooking portions of the property. The proposed amendment recognizes these changes and responds to current conditions and housing needs.

Staff Response:

The zoning is correct.

FINDING:

No issues.

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

Applicant Response:

While portions of the Joaquin Neighborhood Plan contemplate lower-intensity development patterns, this property occupies a unique location within an area that is already characterized by multifamily residential development.

After several years of refinement, the proposal reflects an effort to create the right project for this specific location—not the largest project possible. The project remains below the density and height permitted within the requested zone and utilizes the zoning primarily to achieve improved setbacks, site design, and compatibility.

The proposal also includes proposed owner-occupancy deed restrictions and a willingness to formalize commitments through a Development Agreement. When viewed in the context of the General Plan's broader policies, supporting housing choice, infill redevelopment, efficient use of infrastructure, and sustainable growth, the amendment is

consistent with the intent and long-term vision of the General Plan.

Staff Response:

No issues with the maps and related policies.

FINDING:

No issues.

APPLICABLE ZONING CODES

Provo City Code 14.14C – High Density Residential (HDR)

POSSIBLE MOTIONS AND FINDINGS

The Planning Commission may make any of the following findings:

1. **Recommend Approval:** The proposal is consistent with the General Plan. Motion to recommend approval to the City Council with the condition that a development agreement restricts the height and density to what has been proposed in the concept plan.
2. **Recommend Denial:** The proposal is not consistent with the General Plan. Motion to recommend denial to the City Council for the proposed zone change.
3. **Continue:** New information presented at the public hearing or additional study needs to be done.
Motion to continue this item. (State findings/reasons)

ATTACHMENTS

1. Map of property located at approximately 313 E 200 N
2. Map of existing zoning
3. Future Land Use Map from the Joaquin Neighborhood Plan

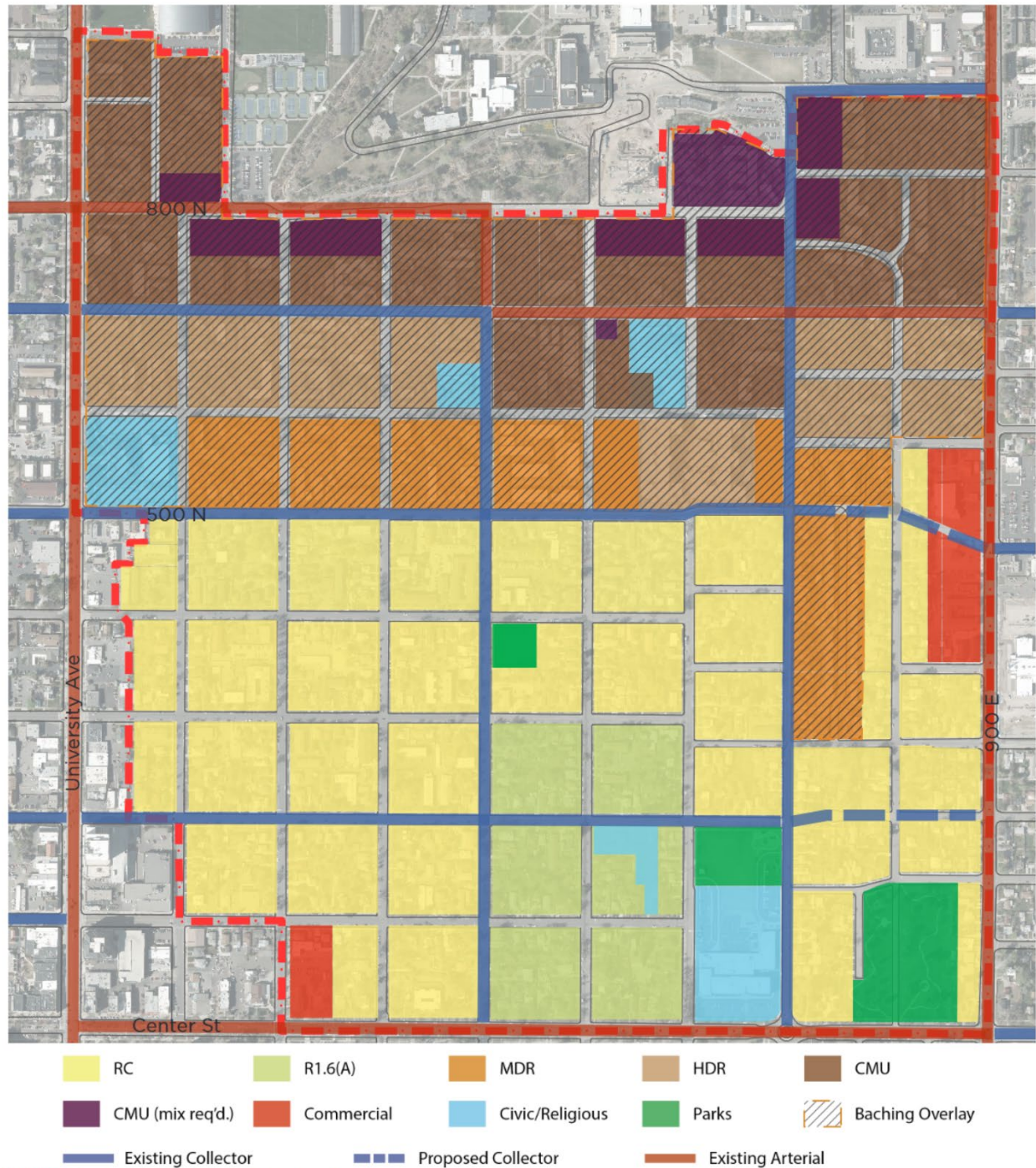
**ATTACHMENT 1 – MAP OF PROPERTY LOCATED AT
APPROXIMATELY 313 E 200 N**



ATTACHMENT 2 – MAP OF EXISTING ZONING



ATTACHMENT 3 – FUTURE LAND USE MAP FROM THE JOAQUIN NEIGHBORHOOD PLAN



ITEM 9 Tuscanel Townhomes LLC requests Concept Plan approval for a 12-unit townhome project in a proposed HDR (High Density Residential) Zone, located at 313 E 200 N. Joaquin Neighborhood. Dustin Wright (801) 852-6414 dwright@prvo.gov
PLCP20250331

APPLICANT:	Tuscanel Townhomes LLC
PROPERTY OWNER:	S & R TRIPLEX LLC and S & R 313 LLC
PARCEL ID:	05:033:0008 05:033:0009
ACREAGE:	0.45
CURRENT LEGAL USE:	Residential
GENERAL PLAN DESIGNATION:	Residential Conservation
CURRENT ZONE:	Residential Conservation
APPLICATION TYPE:	Administrative Decision – must be approved if it meets all city standards.

NEIGHBORHOOD FEEDBACK

A neighborhood meeting was held for the rezoning of this property on May 26, 2022. Some comments supported this type of development in this location, while others were opposed to it and referenced the efforts in the Joaquin Neighborhood Plan to protect the single-family designation in this area with a Residential Conservation designation in the future land use map. The project has decreased in density since the neighborhood meeting in 2022, where a 17-unit apartment was proposed.

The Chair of the Central Neighborhoods District reached out to remind staff that there was strong opposition to this development as it deviates from the neighborhood plan.

PROJECT SUMMARY

The applicant has submitted a zone map amendment and concept plan applications for the property located at approximately 313 E. 200 N. to allow for the property to be developed for 12 new townhome units. The property is currently zoned as Residential Conservation (RC). This zone does not allow an increase in housing density, and this is why the applicant is seeking a rezone of the property to allow for the proposed redevelopment of the site. The applicant is looking for the property to be rezoned to the High Density Residential (HDR) zone to allow for the proposed development as this zone has the needed setbacks for the proposed development to work. The Medium Density Residential (MDR) zone would not allow the development to work because of greater setback requirements.

Because the HDR zone allows for more development potential, like density and building height, than what the applicant is proposing to do, they have proffered to do a development agreement.

This agreement would aim to limit the density, height, and require owner occupancy for each unit for at least one year after purchase.

The property surrounding this property is zoned Residential Conservation (RC).

STAFF ANALYSIS

Proposed Use

11 new residential townhomes.

Lot Standards

Required:

- (1) Minimum Lot Area: One-family attached: ten thousand (10,000) sf.
- (2) Housing density maximum: fifty (50) units per acre.
- (3) Minimum lot frontage: thirty-five (35) feet.
- (4) Minimum lot width: fifty (50) feet and Corner lot: seventy (70) feet.
- (5) Minimum lot depth: ninety (90) feet.
- (6) Maximum lot coverage by structures: seventy-five percent (75%).

Proposed:

- (1) Lot Area: 19,600
- (2) Housing density: 27 units per acre.
- (3) Lot frontage: 100 feet.
- (4) Lot width: 100 feet.
- (5) Lot depth: 200 feet.
- (6) Lot coverage by structures: 44% (8,605 sf).

Finding: Complies

Setback Requirements

Required: Front: 10' min 20' max; Side: 10'; Rear: 20'

Proposed: Front: 10', Side: 10', Rear: over 20'

Finding: Complies

Building Height and Distance

Required: 55' max.

Proposed: 42'

Finding: Complies

Parking and Access

Required: 26

Proposed: 25

Finding: Does not Comply. Code requires 25.5 and it up so 26. A parking reduction would be needed at project plan application.

Landscaping

Required: 1 tree per 2,000 sf of landscape area.

Proposed: 1,907 sf of landscape provided.

Finding: Complies (at project plan application)

Design Standards

Required: 14.34.287
Proposed: Designed to meet standards
Finding: Complies in concept.

APPLICABLE ZONING CODES

Provo City Code 14.14C – HDR Zone

Provo City Code 14.34.287 – Design Standards

POSSIBLE MOTIONS AND FINDINGS

The Planning Commission may make any of the following findings:

1. **Approve:** The proposal is consistent with city code.
Motion to approve the proposed concept plan for 12 new townhome units at approximately 313 E 200 N.
2. **Deny:** The proposal is not consistent with city code.
Motion to deny the proposed concept plan for 12 new townhome units at approximately 313 E 200 N.
3. **Continue:** New information presented at the public hearing or additional study needs to be done.
Motion to continue this item.

ATTACHMENTS

1. Map of property located at approximately 313 E 200 N
2. Concept Plan
3. Landscape Plan
4. Floor Plans
5. Elevations

**ATTACHMENT 1 – MAP OF PROPERTY LOCATED AT
APPROXIMATELY 313 E 200 N**

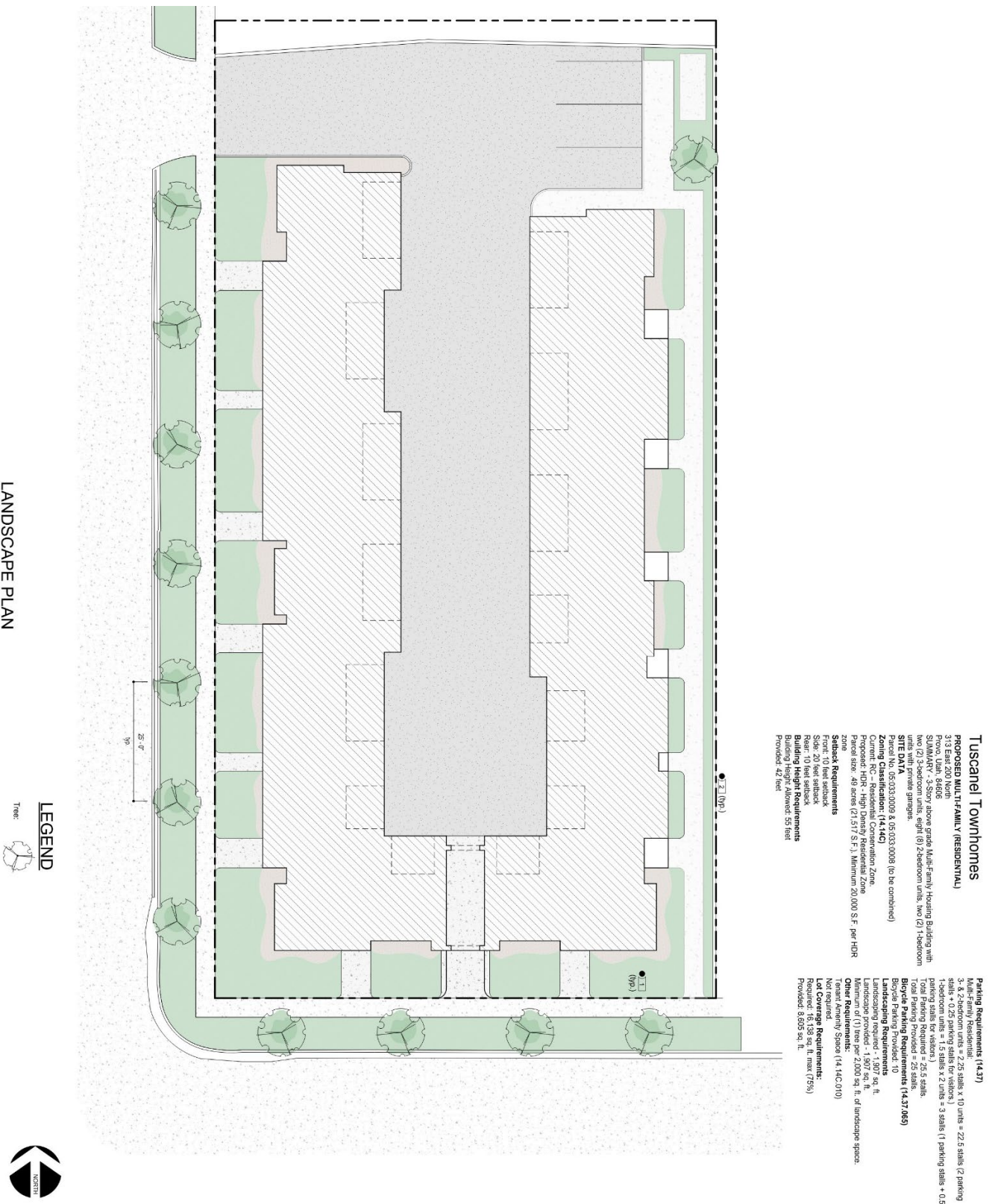


The site plan illustrates the proposed building layout on a rectangular parcel. The building is oriented horizontally, with its long side facing 200 North. The plan includes the following details:

- Proposed Building:** A large, grey-shaded structure with multiple wings. It contains several staircases, labeled "2 Stairs" and "1 Stairs".
- Original Parcel:** Indicated by a dashed line boundary.
- City-Approved Parcel Expansion:** Shaded in a lighter grey, extending the building's footprint.
- Setbacks and Easements:**
 - 22'-0" setback:** Located between the building and the northern boundary.
 - 10'-0" setback:** Located between the building and the eastern boundary.
 - 10'-0" setback:** Located between the building and the southern boundary.
 - 4'-0" utility easement:** Located along the southern boundary.
 - 6'-0" utility easement:** Located along the eastern boundary.
 - 4'-0" utility easement:** Located along the northern boundary.
 - 6'-0" utility easement:** Located along the western boundary.
- Entrances and Exits:** Labeled "ENTRANCE" and "EXIT" on the western side of the building.
- Garage Collection Zone:** A yellow-shaded area located to the west of the building.
- Guest Parking:** Three designated parking spaces labeled "1", "2", and "3" located to the north of the building.
- Other Features:**
 - UTL. POLE #11152:** Located on the northern boundary.
 - UTL. POLE:** Located on the western boundary.
 - SCREENWALL:** Located on the eastern boundary.
 - Garage Collection Zone:** A yellow-shaded area located to the east of the building.
 - Garage Collection Zone:** A yellow-shaded area located to the south of the building.



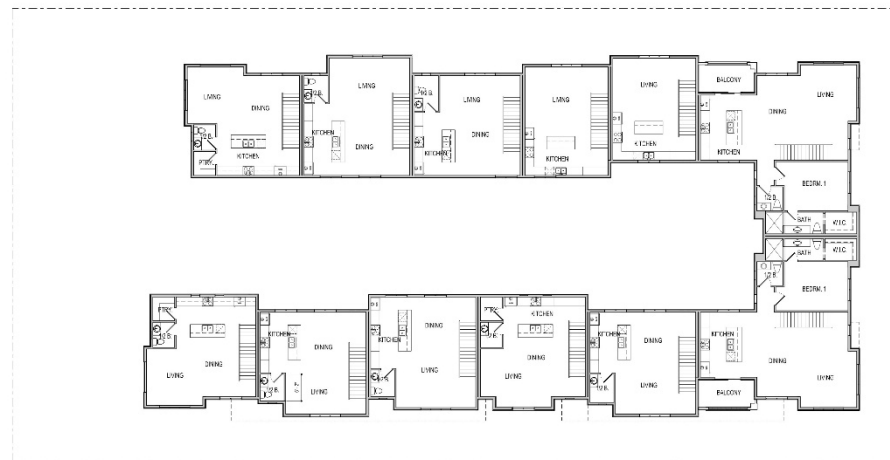
ATTACHMENT 3 – LANDSCAPE PLAN



ATTACHMENT 4 – FLOOR PLANS



GROUND LEVEL FLOOR PLAN

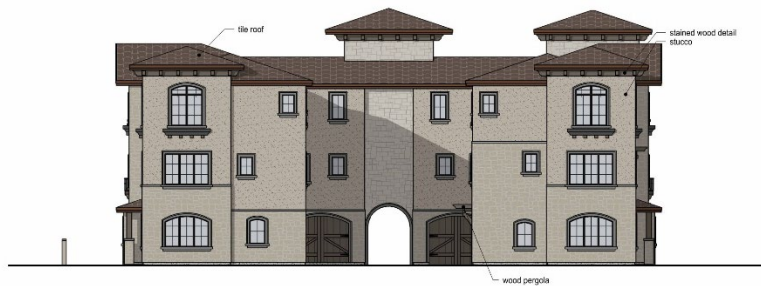


SECOND FLOOR PLAN



THIRD FLOOR PLAN

ATTACHMENT 5 – ELEVATIONS



Provo City Planning Commission

Report of Action

June 10, 2026

*ITEM 1 Provo City requests a Street Vacation for a section of 1600 West Street, between 672-674 South, to deed back to the adjoining property owners. Sunset Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov PLSV20250636

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

RECOMMENDED APPROVAL

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Matthew Wheelwright

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.

LEGAL DESCRIPTION FOR PROPERTY TO BE VACATED

The property to be vacated is described in the attached 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

- A neighborhood meeting was held on 02/18/2026.

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:

- Staff (the applicant) explained that the property was dedicated to the city in 2019 for right-of-way improvements. Those improvements have been completed and the leftover land will be deeded back to the adjacent property owners.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Jon Lyons and Lisa Jensen both stated it seemed straightforward.
- Matthew Wheelwright inquired about obtaining adjacent land along 1600 West. David Day from Public Works explained that no more right-of-way will be needed for improvements along this road.



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



Provo City Planning Commission

Report of Action

June 10, 2026

*ITEM 2 Margaret Jensen requests a Zone Map Amendment from the R1.6 (One Family Residential) Zone to the LDR (Low Density Residential) Zone in order to change the use of property to a legal two-family dwelling, located at 256 W 300 S. Franklin Neighborhood. Megan Jensen (801) 852-6408
mejensen@provo.gov PLRZ20260028

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

RECOMMENDED DENIAL

On a vote of 5:1, the Planning Commission recommended that the Municipal Council deny the above noted application.

Motion By: Melissa Kendall

Second By: Jon Lyons

Votes in Favor of Motion: Matthew Wheelwright, Lisa Jensen, Melissa Kendall, Jon Lyons, 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.

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 denied the related concept plan (PLCP20260215, Item #3) 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

- A neighborhood meeting is scheduled to be held June 17, 2026.

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 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.



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.

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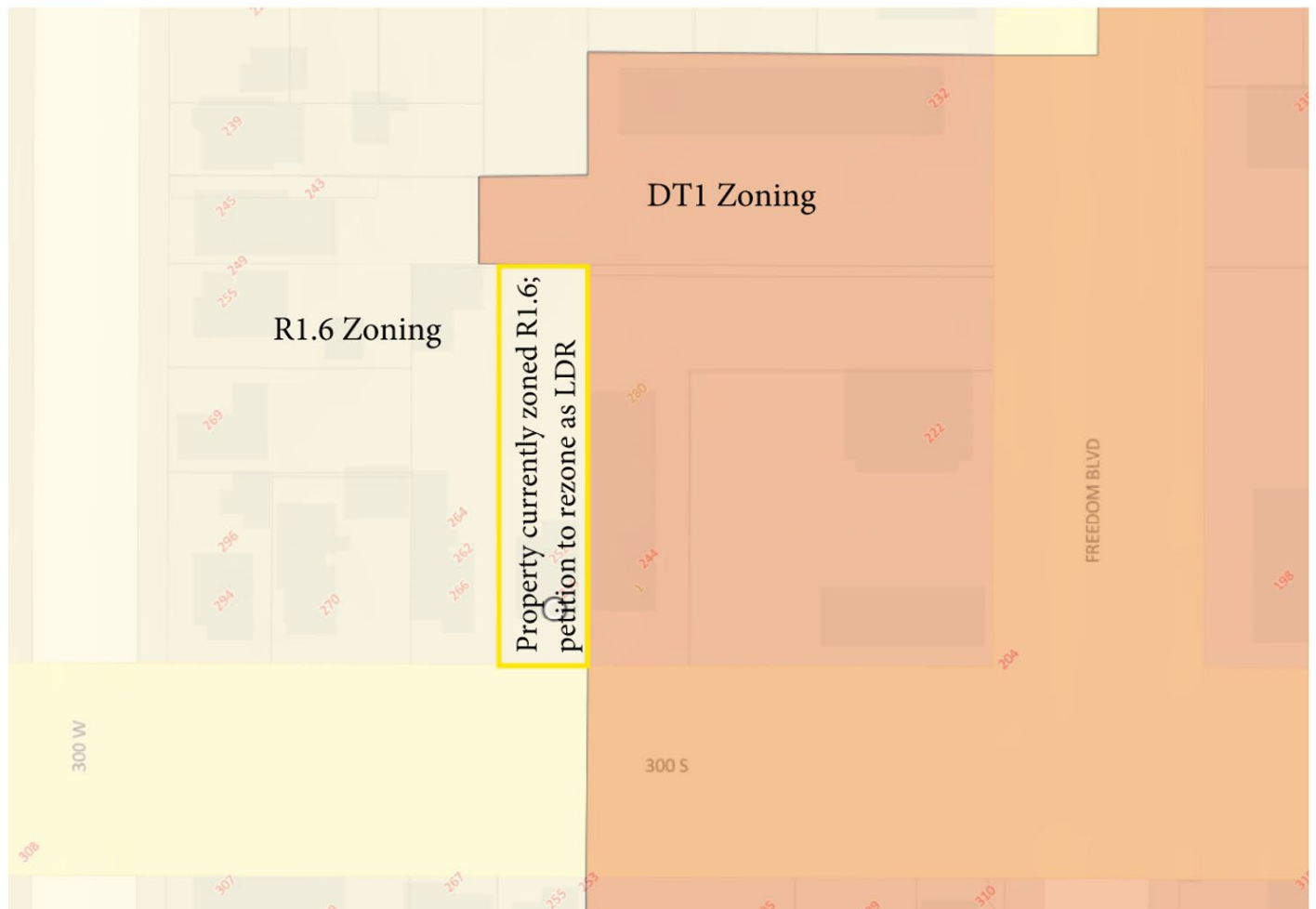
BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A

Legal Description

A PART LOT 3, BLOCK 42, PLAT "A", PROVO CITY SURVEY OF BUILDING LOTS, DESCRIBED AS FOLLOWS TO WIT: COMMENTING 12.00 RODS EAST OF THE SOUTHWEST CORNER OF BLOCK 42, PLAT "A", PROVO CITY SURVEY OF BUILDING LOTS; THENCE NORTH 12.00 RODS; THENCE WEST 2.5 RODS; THENCE SOUTH 12.00 RODS, THENCE EAST 2.50 RODS TO THE PLACE OF BEGINNING.

Parcel number: 04-039-0010



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

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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

June 10, 2026

ITEM 4 Brighton Development requests Project Plan approval for a 26-unit townhome development in the DT1 (General Downtown) Zone, located at approximately 88 West 500 North. North Park Neighborhood. Megan Jensen (801) 852-6408 mejensen@provo.gov PLPPA20260152

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

APPROVED WITH CONDITIONS

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

Conditions of Approval:

1. All CRC comments be resolved.

Motion By: Jon Lyons

Second By: Daniel Gonzales

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

APPROVED/RECOMMENDED OCCUPANCY

*26 Total Units

*Type of occupancy approved: Family

*Standard Land Use Code: 1112

APPROVED/RECOMMENDED PARKING

*44 Total parking stalls required

*55 Total parking stalls provided

*1.68 Required parking stalls per unit

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.

CITY DEPARTMENTAL ISSUES

- There are remaining issues from the Coordinator Review Committee (CRC) review that need to be resolved.
- Traffic study required and reviewed at this stage of project review or approval.

NEIGHBORHOOD MEETING DATE

- The Neighborhood District Chair determined that a neighborhood meeting would not be required.

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:

- Bruce Holt inquired about the height of the buildings and if it would overshadow the house to the north of the property.

APPLICANT RESPONSE

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

- Brigham Hill explained that the previous apartment building proposed on this property was not pursued due to financial constraints.
- He explained that garage storage could be restricted in the CC&Rs of the community to make room for vehicle parking. On-street parking is being added to provide more parking beyond what is required on site.
- The applicant explained that the 2-year owner-occupant deed restriction would only be from initial purchase from the developer. There would still be a 25% rental unit maximum in the development. Shawn Poor explained that the 25% rental limit would be tracked by an HOA management company. They stated they could define a specific number of units that could be rented.
- Brigham Hill explained the amenities in the community and the floor plans in the homes.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Lisa Jensen stated the setback of the building seems like it will not overshadow the home to the north. Staff clarified the height of the buildings is 31 feet.
- Lisa Jensen expressed concern about how the rental limit will be enforced, but that it may be first come, first serve and rely on neighbors reporting non-compliance. Bill Peperone explained that the deed restriction is enforceable by the city.
- Staff clarified there is no minimum density in the DT1 zone.
- Jonathon Hill stated that having the deed restriction is helpful in notifying residents of restrictions and qualifying for federal loans.
- Matthew Wheelwright expressed that the deed restriction will attract the type of homebuyers the city would like to have.
- Staff clarified that the furthest building is less than 150 feet from the nearest fire hydrant.
- Matthew Wheelwright suggested that the applicant provides more vehicle back up space for Unit 8.
- Jon Lyons expressed he liked the project and prefers this density ratio to the previously proposed apartment building.
- Daniel Gonzales expressed appreciation for the architectural design and owner-occupancy requirements.
- Lisa Jensen expressed concern over the kitchen location.



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.

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BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS