

Provo City Planning Commission

Report of Action

July 08, 2026

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- *ITEM 2** 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
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The following action was taken by the Planning Commission on the above described item at its regular meeting of July 08, 2026:

RECOMMENDED DENIAL

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

Motion By: Jon Lyons

Second By: Melissa Kendall

Votes in Favor of Motion: Jon Lyons, Melissa Kendall, Matt Wheelwright, Jonathon Hill, Tosh Metzger, Joel Temple
Matt Wheelwright 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 High Density Residential (HDR) Zone is described in the attached Exhibit A.

RELATED ACTIONS

Item 1 – Planning Commission on July 8, 2026 - PLCP20250331– Denied the Concept Plan

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.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 5/26/2022, 3/30/2023 and 06/17/2026.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was present /addressed the Planning Commission during the public hearing.
- Neighbors or other interested parties were present or addressed the Planning Commission.

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:

- The district chair pointed out that the proposed project does not comply with the requirements.
- There are many apartments in the neighborhood that existed prior to 2002 when the RC zone was put in place.
- There needs to be better buffers between adjacent properties.
- There are needs in the city for homes.

- This does not follow the overall plan that was created for the neighborhood.
- This project will be an improvement to what is there now.
- This doesn't meet the parking requirements.
- On-street parking will be lost to garbage and recycling cans for the 12 units.
- A lot of work went into the Joaquin Plan to improve the neighborhood.
- The RC zone is protecting the single-family housing.
- The applicant has made several changes to the plans to try and meet the feedback from neighbors and the city.
- This will become a gathering space.
- Schools are being lost to a lack of families.
- The design will help it fit into the neighborhood.

APPLICANT RESPONSE

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

- The plan is to use the HDR zone because of the setbacks that it allows.
- The applicant expressed a willingness to do a development agreement that would meet the commitments that the applicant has made.
- The applicant expressed a willingness to for a deed restriction to ensure that the properties are owner-occupied for the first year, and is willing to increase this to two years.
- Pick-up trucks would fit in the garages and there would be room for storage.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The percentage of units that would be allowed to be rented at any given time should be determined.
- Looking for owner-occupancy for longer than just one year.
- The parking requirement is short one stall from being met.
- The RC zone has frozen the neighborhood.
- The architecture is great and it is good to have more types of housing.
- There is a concern about high density creeping into other parts of the neighborhood if this is approved.
- The neighborhood plan saw this development pressure coming and sought to protect the neighborhood and provide a location for the development.



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

COM. AT SW COR OF BLK 33, PLAT B, PROVO CITY SURVEY; E 6 RODS; N 124.06 FT; W 6 RODS; W 124.06 FT TO BEG. AREA 0.45 OF AN ACRE.

And

COM. AT NW COR OF LOT 3, BLK 33, PLAT B, PROVO CITY SURVEY; S 75 FT; E 6 RODS; N 75 FT; W 6 RODS TO BEG.

