

Provo City Planning Commission

Report of Action

June 24, 2026

-
- *ITEM 3** 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
-

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 24, 2026:

RECOMMENDED DENIAL

On a vote of 5:2, the Planning Commission recommended that the Municipal Council deny the above noted application.

Motion By: Joel Temple

Second By:

Votes in Favor of the Motion: Joel Temple, Anne Allen, Lisa Jensen, Melissa Kendall, Matt Wheelwright

Votes Not in Favor of the Motion: Jonathon Hill, Jon Lyons

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 SC3 Zone is described in the attached Exhibit A.

RELATED ACTIONS

Pending actions on a general plan map change application (PLGPA20260220) and Concept Plan approval (PLCP20260222).

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 North Timpview neighborhood held a meeting on June 1, 2026. A report of that meeting and feedback presented is attached to this Report of Action.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was present and expressed a desire for a PRO zone that could be tailored to this unique proposal.

CONCERNS RAISED BY PUBLIC

Prior to the Planning Commission public hearing, over 200 responses to this project were received by the Development Services Department. During the public comment, 50 citizens spoke, not all Provo residents. There were residents and comments in support of the project, but the vast majority of the public comments were not in favor. The following concerns were raised:

- That a venue of 20,000 seats would create too great a traffic burden in the mouth of Provo Canyon;
- That traffic currently stacks at Hwy 189 and Orem 800 N, entering and exiting for venue events will add to the problem;
- That 8,000 parking stalls would overwhelm the site and impact parking lots at nearby parks;
- That it would be too difficult to control noise impacts of venue functions;
- That Provo Canyon should be preserved as open space;
- That a venue of this size would be too great of impact on Provo Canyon;
- That this proposal contradicts a 2020 Provo City Resolution that calls for preservation of Provo Canyon;
- That there are statements in the Hillside and Canyons Master Plan that call for being sensitive to impacts of development on Provo Canyon;
- That the canyons are invaluable for quality of life and should be actively protected;
- That the gravel pit is not active, or only occasionally active, so its impact on the Canyon is minimal;
- That the gun range will likely have to be relocated and there is no plan for that at this time;
- That Utah County needs more cultural venues;
- That the county needs a large venue, like USANA in Salt Lake County;
- That Vesper will be economically beneficial to the city and county;
- That this location, at the mouth of Provo Canyon, has little impact on the canyon, and
- That the gravel pit needs to be reclaimed and this is a good use to accomplish that.

APPLICANT RESPONSE

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

- It is the setting and surrounding mountains that will make the venue special and successful.
- The view of surrounding mountains during venue events is what will make for an exceptional experience.
- The existing gravel pit is a detriment to the Canyon and to Provo City. It does not allow public access in or around it.
- Vesper will be designed to minimize impact on the environment.
- Vesper will maintain public trails and open space around the venue,
- Forty acres of the city's property will be placed in a conservation easement.
- That the venue will only be used for maximum occupancy a handful of times each year.
- That the Development Agreement includes rezoning back to previous zoning if defined timeframes are not met. This is unusual on zone changes and it is a high bar.
- That UDOT will have to approve a traffic plan and mitigation plans. More details will be known on traffic as part of the Project Plan approval review.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The PC debated the size of the proposed venue verses the location; the idea that this location is on the border of being in the canyon; it's not Provo Canyon.
- However, the traffic impacts of a 20,000-seat amphitheater were a significant concern and point of discussion. Highway 189 is an arterial road, but it would be the only access to the site.
- Parking of 8,000 vehicles was of significant concern.
- The PC was uncomfortable with the vagueness of "the venue would only be used for maximum occupancy a handful of times each year." They recommended that this be tied down specifically in the Development Agreement.
- The 125' height of the amphitheater was questioned and if it would be visible from the south, down the canyon.
- There was concern related to granting the zone change with so many unanswered questions; that the city would be giving up too much leverage.
- The PC understood that details come with the project plan application but given the sensitive nature of this site, it was uncomfortable to grant zoning.
- There seemed to be more acceptance of a smaller venue but this was not formally voted on.



Planning Commission Chair



Director of Development Services

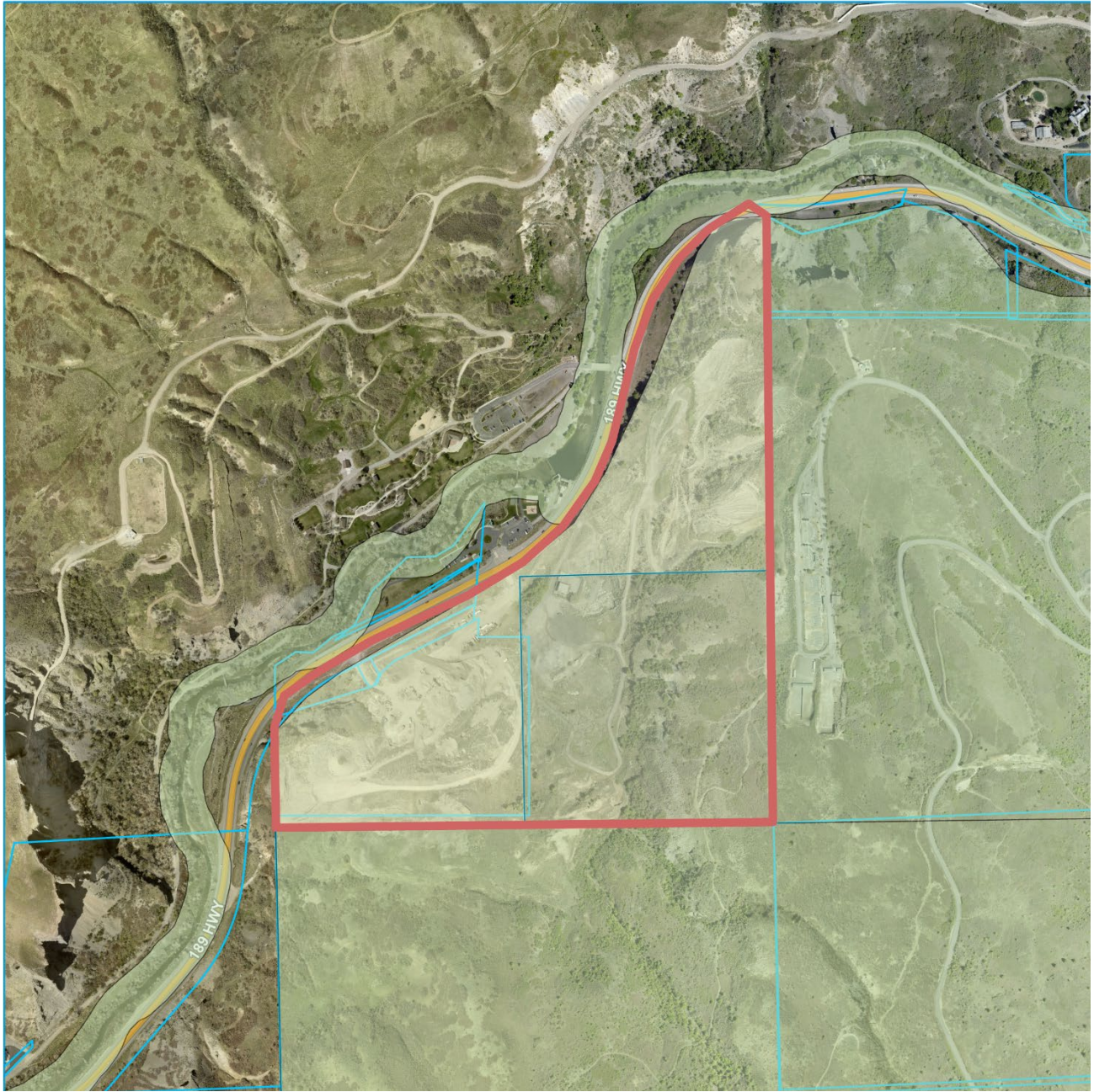
See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ 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



Serial Number: 20:013:0001

COM AT THE S 1/4 COR. SEC. 6, T6S, R3E, SLB&M; N 513 F T; ALONG A CURVE TO THE R (CHORD BEARS: N 37 DEG 38' 26" E 121.8 FT, RADIUS = 854.93 FT); N 72 DEG 30' 0" E 480.3 FT; N 22 DEG 18' 0" E 71 FT; N 48 DEG 28' 0" E 85.4 FT; N 63 DEG 17' 0" E 505 FT; S 4 DEG 10' 0" W 1.5 CH; E 4.1 CH; S 14.2 CH; W 20 CH TO THE POB. AREA: 24.124 AC.

Serial Number: 20:013:0020

Taxing Description: COM N 0 DEG 39' 53" W 876.78 FT & E 476.82 FT & N 63 DEG 4' 46" E 40 FT FROM THE S 1/4 COR. SEC. 6, T6S, R3E, SLB&M; S 26 DEG 55' 15" E 78.78 FT; ALONG

A CURVE TO THE L (CHORD BEARS: S 30 DEG 1' 44" E 17.85 FT, RADIUS = 164.63 FT); N 50 DEG 42' 57" E 15.94 FT; N 22 DEG 17' 59" E .36 FT; N 48 DEG 28' 0" E 85.4 FT; N 63 DEG 17' 0" E 473.7 FT; N 3 DEG 10' 11" E 84.48 FT; S 63 DEG 4' 46" W 615.5 FT TO THE POB.

AREA 1.014 AC.

Serial Number: 20:013:0018

COM N 876.72 FT & E 466.65 FT FROM THE S 1/4 COR. SEC. 6, T6S, R3E, SLB&M; S 63 DEG 4' 45" W 40 FT; S 26 DEG 55' 12" E 78.78 FT; ALONG A CURVE TO THE L (CHORD BEARS: S 33 DEG 20' 50" E 54.77 FT, RADIUS = 244.63 FT) ARC LENGTH = 54.89 FEET; N 72 DEG 30' 0" E 25.46 FT; N 23 DEG 44' 2" E 64.3 FT; ALONG A CURVE TO THE R (CHORD BEARS: N 30 DEG 1' 45" W 17.85 FT, RADIUS = 164.63 FT) ARC LENGTH = 17.86 FEET; N 26 DEG 55' 16" W 78.78 FT; S 63 DEG 4' 45" W 40 FT TO THE POB.

AREA 0.226 AC.

Serial Number: 20:013:0019

COM N 0 DEG 39' 53" W 876.78 FT & E 476.82 FT & S 63 DEG 4' 46" W 40 FT FROM THE S 1/4 COR. SEC. 6, T6S, R3E, SLB&M; S 63 DEG 4' 46" W 114.31 FT; ALONG A CURVE TO THE L (CHORD BEARS: S 52 DEG 13' 4" W 322.22 FT, RADIUS = 854.93 FT); N 72 DEG 30' 0" E 442.86 FT; ALONG A CURVE TO THE R (CHORD BEARS: N 33 DEG 20' 54" W 54.77 FT, RADIUS = 244.63 FT); N 26 DEG 55' 18" W 78.78 FT TO THE POB.

AREA 0.811 AC.

A PORTION OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, LOCATED IN PROVO, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE S89°28'45"W ALONG THE SECTION LINE 1312.75 FEET; THENCE N01°03'50"W ALONG THE 1/16 TH LINE 925.92 FEET; THENCE S89°52'59"W 246.84 FEET; THENCE N04°00'00"E 211.79 FEET TO THE SOUTH RIGHT-OF-WAY AND LIMITED ACCESS LINE OF HIGHWAY 189; THENCE ALONG THE SOUTH RIGHT-OF-WAY AND LIMITED ACCESS LINE

OF HIGHWAY 189 THE FOLLOWING (5) COURSES; THENCE N65°04'46"E 183.48 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 1245.91 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 883.31 FEET, THROUGH THE CENTRAL ANGLE OF 40°37'14", AND A RADIAL BEARING

OF N26°50'20"W (CHORD BEARS: N42°51'03"E 864.92 FEET); THENCE N22°32'25"E 930.21 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 712.04 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT 258.55 FEET, THROUGH THE CENTRAL ANGLE OF 20°48'18", AND A RADIAL BEARING OF S66°21'13"E (CHORD BEARS: N34°02'56"E 257.13 FEET); THENCE N58°47'35"E 293.36 FEET; THENCE S02°32'36"E 406.06 FEET; THENCE S00°49'01"E 1327.79 FEET; THENCE S00°49'01"E 1327.04 FEET TO THE POINT OF BEGINNING.

AREA: 2,895,454 SQUARE FEET OR 66.470 ACRES

EXHIBIT B

Resident Concerns re: proposed Vesper Amphitheater North Timpview Neighborhood Meeting - June 1, 2026

Overall Project Concerns

- Many residents opposed the project or expressed serious reservations about its size, location, and long-term impacts.
- Several speakers said the proposal appears too large and too fast-moving for such a sensitive canyon location.
- Residents repeatedly asked the City to slow down, complete studies first, and allow more public review before any zoning change.
- Some questioned whether a 20,000-seat venue is appropriate at the mouth of Provo Canyon.
- Several comments challenged the framing that the only choices are leaving the gravel pit as-is or approving the Vesper proposal.

Traffic, Parking, and Public Safety

- Traffic was the most repeated concern.
- Residents questioned how 20,000 attendees could safely enter and exit through a constrained canyon corridor.
- Several people compared the situation to BYU game traffic, USANA Amphitheater traffic, and existing congestion during peak canyon use.
- Concerns included:
 - One main road in and out of the canyon
 - Congestion on Highway 189 and Canyon Road
 - Neighborhood cut-through traffic
 - Safety for pedestrians, bikers, runners, pets, and children
 - Existing crashes and accident risks
 - Emergency evacuation during wildfire or other disasters
- Many asked for detailed traffic studies, UDOT projections, ingress/egress plans, and mitigation strategies before approval.

- Parking concerns included whether on-site parking is realistic, whether shuttles would be used, how many vehicles would be accommodated, and whether parking for workers and guests would be sufficient.

Project Scale and Venue Size

- Many residents said the proposed venue is too large for the canyon.
- Several suggested a smaller venue, such as 5,000 seats or something closer in scale to Sundance, Tuacahn, Deer Valley, or Red Rocks.
- Some questioned why a 100-acre footprint is needed for a venue comparable in seating to the Marriott Center.
- Residents raised concerns about the amount of land, paving, parking, and infrastructure required for a 20,000-person venue.
- Some comments questioned whether the business model requires increasingly larger or more frequent events over time.

Zoning, Development Agreement, and Process

- Many residents asked that a formal development agreement be completed before any zone change is considered. Suggested development agreement components included:
 - Clear allowed uses
 - Deed restrictions
 - Required studies
 - Timelines and benchmarks
 - Limits on event size and frequency
 - Enforcement mechanisms
 - Reversion to current zoning if the project becomes infeasible
- Several residents worried that once rezoning occurs, it may be difficult for the City to enforce commitments.
- Some comments said the process feels backwards and that impact studies should come before rezoning.

Environmental and Natural Resource Impacts

- Residents emphasized that Provo Canyon is a major natural and recreational asset for Utah Valley.
- Concerns included:
 - Loss of open space
 - Deforestation and heat from pavement
 - Impacts to wildlife habitat

- Light pollution and dark-sky impacts
- Noise impacts
- Water use
- Groundwater, aquifers, springs, and flood risk
- Construction impacts on nearby natural spaces
- Several residents said the canyon should be preserved as open space, not converted to commercial use.
- Some objected to describing the proposal as “restoration,” arguing that commercial development is not the same as restoring the gravel pit.

Alternatives to the Proposal

- Many residents asked the City to consider other options besides the Vesper project:
 - Reclaiming the gravel pit as a natural recreation area
 - Restoring wildlife habitat or watershed function
 - Creating a public park
 - Adding mountain bike trails
 - Issuing a call for proposals for lower-impact reuse ideas
 - Purchasing and restoring the gravel pit acreage
- Several residents argued that gravel pit reclamation does not require a large commercial development.

Open Space, Public Land, and Precedent

- Residents expressed support for the current open space preservation and recreation zoning.
- Several warned that approving commercial development at the canyon’s mouth could set a precedent for additional canyon development.
- Some raised concerns about public open space being used to support a private developer’s financial model.
- Residents asked how public land, nearby natural areas, and conservation commitments would be protected long-term.
- Some urged that city-owned land retain its current open space zoning rather than being rezoned commercial with a later conservation easement.

Noise, Lighting, and Neighborhood Impacts

- Residents raised concerns about amplified sound, decibel levels, and compliance with Orem’s noise ordinance.

- Questions included what sound levels would be allowed at adjacent properties and what hours music would be permitted.
- Light pollution was raised as a concern for nearby residents, wildlife, and the night sky.
- Residents with experience living near stadiums or large venues described concerns about trespassing, property damage, crowd behavior, and neighborhood disruption.

Recreation and Trail Impacts

- Several speakers described the area as important for hiking, biking, equestrian use, and access to the Bonneville Shoreline Trail and Indian Road Trailhead.
- Concerns included increased foot traffic into adjacent hillside areas and insufficient controls to protect nearby trails and open space.
- Some residents said Provo Canyon is already heavily used and serves as a vital respite for surrounding communities.

Water, Infrastructure, and Costs

- Residents asked how the project would affect water resources, aquifers, springs, groundwater, and flooding.
- Some questioned whether paving permeable land could increase runoff and flood risk.
- Infrastructure questions included:
 - Who would pay for sewer lines or other needed infrastructure?
 - Whether capital funding is in place
 - Whether the project can be financially viable if it operates mainly seasonally
- Some residents questioned whether the scale of the project is being driven by the cost of land acquisition.

Supportive or Mixed Feedback

- A few residents offered more supportive or open-minded comments.
- Some said they want the gravel pit eliminated and asked opponents to identify a realistic alternative buyer or funding source.
- One resident said an amphitheater may be preferable to residential development because it would not be continuously occupied.
- Another urged residents to respect the private property rights process and allow the applicant to complete due diligence.
- Some supportive or mixed comments still suggested the venue should be smaller or subject to strict conditions.

Key Questions Raised by Residents

- Why does the venue need to be 20,000 seats?
- Why not consider a smaller venue?
- What is the realistic parking plan?
- How will traffic, ingress, and egress be handled?
- What are UDOT's long-term traffic and crash projections?
- How would wildfire evacuation work with a large event underway?
- What studies will be required before approval?
- Why not complete the development agreement before rezoning?
- Can zoning revert if the project becomes infeasible?
- How will noise, light, water, wildlife, and trail impacts be mitigated?
- What other reuse or restoration options has the City considered?
- Who controls future event size and frequency?
- Who pays for needed infrastructure?
- How will adjacent neighborhoods be protected?