

1. PER CITY CODE SECTION 7.4.102.D., ALL EXTERIOR LIGHTING SHALL BE ARRANGED TO REFLECT AWAY FROM ANY ADJOINING PREMISES AND ANY PUBLIC RIGHT-OF-WAY AND SHALL BE SHIELDED TO CONTAIN ALL DIRECT ILLUMINATION ON THE SITE. THE EXTERIOR BUILDING LIGHTING, INCLUDING PARKING LOT LIGHTS, SHALL BE FULL CUTOFF FIXTURES WITHOUT SAG LENSES.
2. THIS DEVELOPMENT PROJECT WHICH IS PART OF THE COPPER RIDGE AT NORTHGATE PUD PLAN INCLUDES ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN, PER FLOOD INSURANCE RATE MAP NOS. 08041C0290G, EFFECTIVE DATE DECEMBER 7, 2018.
3. THE GENERAL DRAINAGE PATTERNS ARE IN SOUTHWESTERLY DIRECTION.
4. THIS DEVELOPMENT PROJECT WAS PREVIOUSLY STUDIED AS PART OF THE "MASTER DEVELOPMENT DRAINAGE PLAN FOR POLARIS POINTE SOUTH & FINAL DRAINAGE REPORT FOR POLARIS POINTE SOUTH FILING NO. 1", WHICH WAS APPROVED ON OCTOBER 31, 2016. LATEST "ADDENDUM TO MASTER DEVELOPMENT DRAINAGE PLAN FOR POLARIS POINTE SOUTH & ADDENDUM TO FINAL DRAINAGE REPORT FOR POLARIS POINTE SOUTH FILING NO. 1" WAS APPROVED WITH CHANGES TO THE DRAINAGE CHARACTERISTICS ON FEBRUARY 21, 2017. AN EXISTING MASTER WATER QUALITY/EXTENDED DETENTION BASIN IS LOCATED AT THE WEST END OF THE POLARIS POINTE SOUTH PARCEL ADJACENT TO THE UNITED STATES AIR FORCE ACADEMY PROPERTY LINE. PLANS FOR THIS DETENTION FACILITY IS APPROVED AS "POLARIS POINTE SOUTH DETENTION FACILITY FINAL DESIGN PLANS" AND IS FULLY OPERATIONAL. NO SEPARATE DETENTION FACILITY IS REQUIRED.
5. THIS DEVELOPMENT PROJECT IS PROPOSED IN MULTI-PHASE CONSTRUCTIONS AS FOLLOWS:
 - 5.1. PHASE 1 WILL BE COMPRISED OF THE CONSTRUCTION OF THE AMPHITHEATER AND ASSOCIATED ON-SITE PARKING AND PEDESTRIAN WALKWAYS, INSTALLATION OF SOUND MONITORING EQUIPMENT, RESTRIPIING OF SPECTRUM LOOP, INSTALLATION OF SIDEWALK ON SPECTRUM LOOP AND VOYAGER PARKWAY, INSTALLATION OF LANDSCAPING ALONG BOTH SIDES OF THE SIDEWALK ON SPECTRUM LOOP AND CONSTRUCTION OF EITHER A TEMPORARY SOUND MITIGATION WALL ALONG THE EAST PERIMETER OF LOT 1 (ALONG THE BOUNDARY OF LOT 2 AND LOT 3 AS SHOWN ON THE DEVELOPMENT PLANS-SHEETS 5 AND 6), OR CONSTRUCTION OF RESTAURANT BUILDINGS ON LOT 2 AND LOT 3 BY OTHERS.
 - 5.2. PHASE 2 WILL BE COMPRISED OF RESTAURANT CONSTRUCTION (BY OTHERS) ON LOT 2 AND LOT 3 ADJACENT TO THE EAST LINE OF LOT 1, AND REMOVAL OF THE SOUND MITIGATION WALL, IF SUCH A WALL WAS CONSTRUCTED ALONG THE EAST PERIMETER OF THE AMPHITHEATER SITE.
6. FIRE LANE STRIPING - STRIPING SHALL CONSIST OF PAINTED LINES OF RED TRAFFIC PAINT SIX (6") INCHES IN WIDTH TO SHOW THE BOUNDARIES OF THE LANE. THE WORDS "NO PARKING FIRE LANE" SHALL APPEAR IN FOUR (4") INCHES WHITE REFLECTIVE LETTERS HAVING A THREE-QUARTER (3/4) INCH STROKE AND SPACED AT

TWENTY-FIVE (25') INTERVALS ON THE RED TRAFFIC PAINT ON THE VERTICAL FACE OF THE CURB.

7. PRIOR TO CERTIFICATE OF OCCUPANCY OF THE FIRST BUILDING, A FIRE INSPECTION TO VERIFY FIRE LANE MARKING INSTALLATION SHALL OCCUR. A FIRE INSPECTION MAY BE REQUESTED BY CALLING 719-385-5978.
8. THE PARTIES RESPONSIBLE FOR THIS PLAN HAVE FAMILIARIZED THEMSELVES WITH ALL CURRENT ACCESSIBILITY CRITERIA AND SPECIFICATIONS AND THE PROPOSED PLAN REFLECTS ALL SITE ELEMENTS REQUIRED BY THE APPLICABLE ADA DESIGN STANDARDS AND GUIDELINES AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF JUSTICE. APPROVAL OF THIS PLAN BY THE CITY OF COLORADO SPRINGS DOES NOT ASSURE COMPLIANCE WITH THE ADA OR ANY OTHER FEDERAL OR STATE ACCESSIBILITY LAWS OR ANY REGULATIONS OR GUIDELINES ENACTED OR PROMULGATED UNDER OR WITH RESPECT TO SUCH LAWS. SOLE RESPONSIBILITY FOR COMPLIANCE WITH FEDERAL AND STATE ACCESSIBILITY LAWS LIES WITH THE PROPERTY OWNER.
9. HANDICAPPED PARKING SPACE DESIGN CRITERIA:
 - RAMPS SHALL NOT BE PLACED IN HANDICAPPED ACCESS AISLE, BUT SHALL BE PLACED WITHIN ADJOINING SIDEWALKS;
 - ACCESS AISLES MAY NOT EXCEED A 2% SLOPE IN ANY DIRECTION;
 - HANDICAPPED RAMPS MAY NOT EXCEED A SLOPE OF 8%;
 - THE MINIMUM WIDTH FOR HANDICAPPED RAMPS IS 36 INCHES;
 - THE SIDES OF RAMPS MAY NOT EXCEED A SLOPE OF 10% UNLESS PROTECTED WITH A HANDRAIL
 - HANDICAPPED PARKING SHALL MEET ALL OTHER APPLICABLE CITY AND ADA CODE REQUIREMENTS.
10. ACCESSIBLE ROUTES, INCLUDING RAMPS AND SIDEWALKS WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE PER THE CITY'S STANDARD DRAWINGS AND SPECIFICATIONS, CITY'S ENGINEERING DEVELOPMENT REVIEW INSPECTOR WILL HAVE THE FINAL AUTHORITY ON ACCEPTING THE PUBLIC IMPROVEMENTS.
11. THE POLARIS POINTE SOUTH PROPERTY MAY BE IMPACTED BY NOISE AND OTHER SIMILAR SENSORY EFFECTS OF FLIGHT CAUSED BY AIRCRAFT BOTH IN THE UNITED STATES AIR FORCE ACADEMY'S AIRMANSHIP PROGRAM AND DURING SPECIAL EVENTS. THIS NOTICE SHALL REMAIN IN EFFECT UNTIL THE AIR FORCE ACADEMY SHALL CEASE TO BE USED FOR FLIGHT TRAINING PURPOSES, OR UNTIL ALL AIRPORTS ON THE AIR FORCE ACADEMY SHALL CEASE TO BE ACTIVELY USED. THIS NOTICE SHALL RUN IN PERPETUITY WITH THE LAND.
12. ALL LOTS AND TRACTS WITHIN THIS SUBDIVISION ARE SUBJECT TO AN AVIGATION EASEMENT TO THE UNITED STATES AIR FORCE ACADEMY AS RECORDED UNDER RECEPTION NO. 221049974 IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO.
13. NOTICE: IF A CRANE IS REQUIRED FOR CONSTRUCTION ON THIS SITE, FAA IS REQUIRED TO BE NOTIFIED SO THAT IT CAN BE COORDINATED WITH AIRMANSHIP ACTIVITIES AT THE USAFA MAIN AIRFIELD.

14. THIS DEVELOPMENT PROJECT IS PART OF THE COOPER RIDGE AT NORTHGATE PUD PLAN WHICH IS SUBJECT TO THE FINDINGS SUMMARY AND CONCLUSIONS OF A GEOLOGIC HAZARD EXEMPTION REPORT PREPARED BY ENTECH ENGINEERING, INC. DATED DECEMBER 15, 2008. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE CPCUP 09-00017 AND CPC PUZ 09-00016 OF THE CITY OF COLORADO SPRINGS CITY PLANNING OFFICE. CONTACT CITY LAND USE REVIEW, 30 SOUTH NEVADA AVENUE, COLORADO SPRINGS, CO, IF YOU WOULD LIKE TO REVIEW SAID REPORT.
15. SPEED LIMITS INFORMATION: SPECTRUM LOOP: 25 MPH.
16. A STOP SIGN WILL BE INSTALLED BY THE DEVELOPER AT THE LOCATION SHOWN ON THE DEVELOPMENT PLAN TO MEET MUTCD & TRAFFIC ENGINEERING STANDARDS. CONTACT TRAFFIC ENGINEERING, SIGNS & MARKINGS AT 385-6720 FOR ASSISTANCE.
17. ALL EXISTING CURB AND GUTTER POSING A SAFETY HAZARD, DAMAGED, EXHIBITING EXCESSIVE DETERIORATION OR NOT MEETING CURRENT CITY ENGINEERING STANDARDS ALONG SPECTRUM LOOP ADJACENT TO THE SITE WILL NEED TO BE REMOVED AND REPLACED PRIOR TO ISSUING THE CERTIFICATE OF OCCUPANCY (C.O.). AN ON-SITE MEETING CAN BE SET UP WITH THE ENGINEERING DEVELOPMENT REVIEW INSPECTOR TO DETERMINE WHAT, IF ANY, IMPROVEMENTS ARE REQUIRED. THE INSPECTOR CAN BE REACHED AT 719-385-5977.
18. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED ON THE PLAN.
19. INSTALLATION OF ELECTRICAL DEVICES IN THE PUBLIC ROW SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY SPECIFICATION SECTION 1001 AND COMPLETE THE COLORADO SPRINGS UTILITIES "ELECTRIC INSPECTION IN THE RIGHT-OF-WAY CERTIFICATE" IN ACCORDANCE WITH UTILITIES' REQUIREMENTS FOR ELECTRIFICATION. THE CERTIFICATE SHALL ALSO BE PROVIDED TO THE CITY INSPECTOR.
20. INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR THE MAINTENANCE OF SHARED COMMON ACCESS DRIVES AND LANDSCAPE AND IRRIGATION SYSTEM WITHIN THEIR PROPERTY AREAS. ANY LANDSCAPE AND IRRIGATION SYSTEM WITHIN PUBLIC RIGHT-OF-WAY OF SPECTRUM LOOP WILL BE MAINTAINED BY POLARIS POINTE SOUTH OWNERS ASSOCIATION, INC. UNDER DECLARATION OF COVENANTS, CONDITIONS RESTRICTIONS AND EASEMENTS FOR COPPER RIDGE AT NORTHGATE, RECEPTION NO. #219011585.
21. THE DEVELOPMENT PROJECT IS LOCATED WITHIN THE COPPER RIDGE METRO DISTRICT.
22. RECIPROCAL ACCESS/UTILITY/ DRAINAGE/ PARKING EASEMENT AGREEMENT, POLARIS POINTE SOUTH, RECEPTION NOS. 219011596 & 222005765, GRANTED FOR CROSS ACCESS, UTILITIES, DRAINAGE BETWEEN ADJACENT LOTS. CROSS PARKING SHALL BE PERMITTED BETWEEN LOTS, FOR THE USE OF ALL PROPERTY OWNERS, TENANTS, AND CUSTOMERS/GUESTS EXCEPT FOR THE PARCELS SPECIFICALLY EXCLUDED FOR CROSS PARKING UNDER DECLARATION OF COVENANTS, CONDITIONS RESTRICTIONS AND EASEMENTS FOR POLARIS POINTE SOUTH, RECEPTION NO. #219011585.
23. TRACT A AND TRACT B WILL BE OWNED AND MAINTAINED BY COPPER RIDGE METROPOLITAN DISTRICT. TRACT A AND B WILL PROVIDE ACCESS TO ALL DEVELOPMENTS WITHIN POLARIS POINTE SOUTH DEVELOPMENT AREA. A SEPARATE RECIPROCAL ACCESS/UTILITY/ DRAINAGE/ PARKING EASEMENT AGREEMENT FOR TRACT A AND B WILL BE RECORDED AT EL PASO COUNTY RECORDER'S OFFICE.

24. WITH RESPECT TO BUILDING LOCATION AND HEIGHT FOR FUTURE DEVELOPMENT ON LOT 2 AND LOT 3 IS SUBJECT TO THE FINDINGS SUMMARY AND CONCLUSIONS OF THE SUNSET AMPHITHEATER ENVIRONMENTAL NOISE EMISSIONS STUDY PREPARED BY LSTN, DATED 09/13/2022. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE AR PUD 22-00062 OF THE CITY OF COLORADO SPRINGS CITY PLANNING OFFICE. CONTACT CITY LAND USE REVIEW, 30 SOUTH NEVADA AVENUE, COLORADO SPRINGS, CO, IF YOU WOULD LIKE TO REVIEW SAID REPORT.
25. SIGNAGE IS NOT APPROVED PER THIS PLAN. A SEPARATE SIGN PERMIT IS REQUIRED. CONTACT THE DEVELOPMENT REVIEW ENTERPRISE AT 719-385-5982 TO BEGIN A SIGN PERMIT APPLICATION.
26. PUBLIC IMPROVEMENTS TO BE CONSTRUCTED WITH THIS DEVELOPMENT PROJECT:
 - 26.1. THE DEVELOPER OF LOT 1 (THE AMPHITHEATER) IS RESPONSIBLE FOR THE INSTALLATION OF THE PUBLIC SIDEWALK INFRASTRUCTURE ON BOTH SIDES OF SPECTRUM LOOP AND ALL WALK PATHS TO AND FROM PARKING LOTS WITHIN ONE HALF MILE OF THE OUTDOOR ENTERTAINMENT VENUE.
 - 26.2. THE DEVELOPER OF LOT 1 (THE AMPHITHEATER) IS RESPONSIBLE FOR THE INSTALLATION OF THE WEED BARRIERS AND ROCK/COBBLE IN THE REQUIRED TREE LAWN AREAS ADJACENT TO ALL WALK PATHS ALONG SPECTRUM LOOP. CONCURRENTLY, THE APPLICANT IS REQUESTING A DEFERMENT OF INSTALLATION OF THE PERMANENT LANDSCAPING UNTIL ADJACENT DEVELOPMENTS DEVELOP.
 - 26.3. THE LOT 1 (THE AMPHITHEATER) DEVELOPER IS RESPONSIBLE FOR THE RE-STRIPING SPECTRUM LOOP TO THREE LANES CROSS-SECTION TO ACCOMMODATE ON-STREET PARKING AND BIKE LANE ALONG BOTH SIDES OF SPECTRUM LOOP.
27. THE DEVELOPMENT PROJECT HAS BEEN GRANTED RELIEF TO CODE SECTION 7.4.204.B.1 ALLOWING ON-STREET PARKING CREDIT TO BE APPLIED NOT IMMEDIATELY ADJACENT TO THE DEVELOPMENT PROJECT PROPERTY BOUNDARY AND 7.4.204.C.1.D ALLOWING SHARED PARKING AGREEMENTS TO EXCEED 20% OF THE REQUIRED PARKING TO SATISFY PARKING REQUIREMENTS. PLEASE SEE FILE NUMBERS AR NV 22-00480 & AR NV 22-00481.

PARKING TO SATISFY PARKING REQUIREMENTS. PLEASE SEE FILE NUMBERS AR NV 22-480 & AR NV 22-0481.

| CODE SECTION | CITY FILE NUMBER | CODE REQUIREMENT | VARIANCE REQUESTED |
|-------------------|------------------|--|--|
| 7.4.204.C.1.d.(2) | AR NV 22-00480 | That parking requirements for the use(s) are satisfied by a shared parking arrangement, subject to the following: The location of the shared parking is on a parcel or parcels adjacent to the subject property within four hundred feet (400') by direct pedestrian access. | Allow remote shared parking facilities up to 10,000 feet from the subjects property as provided in the Sunset Amphitheater Parking and Access Plan prepared by Kimley-Horn and Associates, Inc., dated 10/14/2022. |
| 7.4.204.C | AR NV 22-00480 | The maximum reduction of the minimum on site parking requirement allowed under this subsection is thirty five percent (35%). | Minimum on-site parking required is 2,000 spaces. On-site provided is 236 spaces (12%). The requested variance is to allow an 88% reduction of the minimum on-site parking requirement, provided within 10,000 feet of the subject property as provided in the Sunset Amphitheater Parking and Access Plan prepared by Kimley-Horn and Associates, Inc., dated 10/14/2022. |
| 7.4.204.B.1.a-c | AR NV 22-00481 | <p>b. On Street Parking Credit: If the conditions of this subsection B are met, the Manager may count certain on street parking parking spaces as off street parking spaces for purposes of the minimum off street parking requirements in section 7.4.203 of this part.</p> <p>1. Conditions For On Street Parking Credit: The Manager may count immediately adjacent on street parking in determining whether the minimum off street parking requirements for a particular proposed use have been met if all of the following conditions are satisfied:</p> <p>a. The City street immediately adjacent to the subject property allows on street parking; and</p> <p>b. The subject property has a minimum lot width of thirty feet (30') adjacent to the street containing the on street parking spaces; and</p> <p>c. The scope, scale and other characteristics of the proposed use(s) are such that counting on street parking toward the minimum off street parking requirement would not generate significant off site impacts upon neighboring properties.</p> | The request is to allow on-street parking credit to be applied not immediately adjacent to the property, as as provided in the Sunset Amphitheater Parking and Access Plan prepared by Kimley-Horn and Associates, Inc., dated 10/14/2022. |

28. THE PARKING REQUIREMENT IS 2,000 SPACES AVAILABLE FOR EACH EVENT THAT THE OUTDOOR ENTERTAINMENT VENUE WILL BE OPERATIONAL. A MINIMUM OF 70% OF REQUIRED PARKING (1,400 SPACES) SHALL BE WITHIN A ½ MILE RADIUS OF THE SUNSET AMPHITHEATER. IF AT ANY TIME THE AMOUNT OF AVAILABLE PARKING WITHIN A HALF MILE RADIUS OF THE AMPHITHEATER DECREASES BELOW 70% OF THE REQUIRED PARKING (1,400 SPACES) THE MAXIMUM OCCUPANCY OF THE AMPHITHEATER SHALL BE LIMITED PROPORTIONALLY WITH THE DECREASE IN PARKING SPACES (2.5 PERSONS PER PARKING SPACE).
29. THIS DEVELOPMENT PROJECT IS SUBJECT TO THE FINDINGS, SUMMARY, AND CONCLUSIONS OF THE SUNSET AMPHITHEATER PARKING & ACCESS PLAN PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC., DATED 10/14/2022. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE AR PUD 22-00062, AR NV 22-00481 AND AR NV 22-00480 OF THE CITY OF COLORADO SPRINGS CITY PLANNING OFFICE. CONTACT CITY LAND USE REVIEW, 30 SOUTH NEVADA AVENUE, COLORADO SPRINGS, CO, IF YOU WOULD LIKE TO REVIEW SAID REPORT. CHANGES TO PARKING LOCATION OR COUNTS SHALL REQUIRE MODIFICATION OF THE SUNSET AMPHITHEATER DEVELOPMENT PLAN, AS DETERMINED BY THE CITY OF COLORADO SPRINGS PLANNING DEPARTMENT.
30. PER CITY CODE 7.4.204.B.3, THE 499 ON STREET PARKING SPACES WILL BE USED ONLY FOR VEHICULAR PARKING AND ARE PROHIBITED FOR THE FOLLOWING USES AND ACTIVITIES: (1) NO SALES; (2) RENTAL; (3) STORAGE; (4) REPAIR; (5) SERVICING OF VEHICLES, EQUIPMENT OR MATERIALS, DISMANTLING AND (6) OTHER PROHIBITED

- ACTIVITIES. PROPOSED ON STREET PARKING SPACES ARE NOT PRIVATE USE OR RESERVED PARKING (SEE SHEET 31 FOR ON-STREET PARKING PLAN).
31. THE 20 PARKING SPACES IMMEDIATELY ADJACENT TO THE AMPHITHEATER ARE NOT AVAILABLE FOR TEMPORARY USE PERMITS TO USE FOR FOOD TRUCKS, MERCHANDISE TABLES, OR ANY OTHER SIMILAR, NON-PARKING TYPE OF USE.
 32. PERMITS REQUIRED:
 - 32.1. A SPECIAL EVENT PERMIT MUST BE OBTAINED FROM THE CITY OF COLORADO SPRINGS FOR ALL DEVELOPMENT PROJECT EVENTS WHICH EXCEED AN OCCUPANCY OF 1,700 GUESTS (WHICH EQUATES TO 705 PARKING SPACES), OR THE DEVELOPMENT PROJECT IS ANTICIPATED TO HAVE AN IMPACT TO PUBLIC PROPERTY, SUCH AS TRAFFIC CONTROL WHERE POLICE OFFICERS ARE REQUESTED THROUGH EXTRA DUTY SOLUTIONS (EDS) AS REQUIRED BY CITY CODE (CHAPTER 3, ARTICLE 2, PART 4: SPECIAL EVENTS ON PUBLIC PROPERTY). THE SPECIAL EVENT PERMIT APPLICATION SHALL INCLUDE A PARKING MANAGEMENT PLAN, VEHICULAR AND PEDESTRIAN TRAFFIC CONTROL PLAN, SHUTTLE PLAN, EMERGENCY SERVICES PLAN, AND DOCUMENTATION OF PROPERTY OWNER CONSENT(S) FOR USE OF OFF-SITE PARKING SPACES. CHANGES TO EVENT DATES OR THE ADDITION OF EVENT DATES WILL REQUIRE A SPECIAL EVENT PERMIT.
 - 32.2. A NOISE HARDSHIP PERMIT MUST BE OBTAINED FROM THE CITY OF COLORADO SPRINGS FOR ALL EVENTS IF NOISE LEVELS WILL EXCEED THE REQUIREMENTS OF CITY CODE.
 - 32.3. A FIREWORKS, PYROTECHNICS, AND FLAME EFFECTS PERMIT MUST BE OBTAINED FROM THE CITY OF COLORADO SPRINGS FOR ALL EVENTS, WHERE FIREWORKS, PYROTECHNICS AND/OR FLAME EFFECTS WILL BE INVOLVED. CHANGES TO EVENT DATES OR THE ADDITION OF EVENT DATES WILL REQUIRE AN AMENDED FIREWORKS, PYROTECHNICS, AND FLAME EFFECTS PERMIT.
 - 32.4. THE FIRE SAFETY EVACUATION PLAN IS REQUIRED TO BE EVALUATED ANNUALLY BY COLORADO SPRINGS FIRE DEPARTMENT AND ADJUSTMENTS MAY BE REQUIRED.
 33. THE DEVELOPER OF LOT 1 (AMPHITHEATER) WILL INSTALL SOUND DETECTION DEVICES AT TWO LOCATIONS (7 SPECTRUM LOOP AND 13491 BASS PRO DRIVE) TO EFFECTIVELY MANAGE ANY VARIANCES TO THE SOUND FOOTPRINT ACCORDING TO THE OPERATIONAL PLAN AND TO BE CONSISTENT WITH THE SUNSET AMPHITHEATER ENVIRONMENTAL NOISE EMISSIONS STUDY PREPARED BY LSTN, DATED 09/13/2022. A COPY OF THIS REPORT HAS BEEN PLACED WITHIN FILE AR PUD 22-00062 OF THE CITY OF COLORADO SPRINGS CITY PLANNING OFFICE AND IS AVAILABLE FOR PUBLIC VIEW BY CONTACTING CITY LAND USE REVIEW, 30 SOUTH NEVADA AVENUE, COLORADO SPRINGS, CO.
 34. PRIOR TO OPENING OF THE AMPHITHEATER, THE DEVELOPER OF THE LOT 1 (AMPHITHEATER) SHALL CONSTRUCT AND RETAIN TEMPORARY SOUND WALLS AT THE EAST SIDE OF LOT 1 ALONG THE BOUNDARY OF LOT 2 AND 3 LOT AS SHOWN ON THE DEVELOPMENT PLANS (SHEETS 5 AND 6), WHICH SHALL REMAIN IN PLACE UNTIL SUCH TIME AS THE RESTAURANT BUILDINGS ON LOT 2 AND LOT 3 ARE CONSTRUCTED.

35. OPERATIONAL MITIGATION:
- 35.1. CONTRACTS FOR EVENT PRODUCTION TEAMS MUST CONTAIN PROVISIONS THAT REQUIRE COMPLIANCE WITH THE OUTDOOR ENTERTAINMENT VENUE OPERATOR'S DIRECTIONS AND MUST BE MADE SUBJECT TO TERMINATING OR STOPPING ANY EVENT IF THE PERFORMANCE REMAINS OUT OF COMPLIANCE
- 35.2. EVENTS SHALL ONLY OCCUR BETWEEN THE FOLLOWING HOURS:
- I. ON SUNDAY, MONDAY, TUESDAY, WEDNESDAY, AND THURSDAY: 3:00 PM UNTIL 10:30 PM. NO SOUND CHECKS ARE PERMITTED BEFORE 3:00 PM.
- II. FRIDAY AND SATURDAY: NOON UNTIL 11:30 PM. NO SOUND CHECKS ARE PERMITTED BEFORE NOON.
36. THE OUTDOOR ENTERTAINMENT VENUE OPERATOR SHALL SUBMIT AN ANNUAL REPORT WHICH SHALL INCLUDE, AT A MINIMUM: DATES AND TIMES OF PAST EVENTS, SUMMARY OF MONITORING OF NOISE LEVELS, SUMMARY OF TRAFFIC AND PARKING ISSUES, LIST OF ALL COMPLAINTS RECEIVED AND HOW ADDRESSED, AND METHODS TO FURTHER ADDRESS NOISE, TRAFFIC AND PARKING ISSUES AND OUTDOOR ENTERTAINMENT VENUE NON-CONFORMITIES, IF ANY. THE OUTDOOR ENTERTAINMENT VENUE OPERATOR SHALL HIRE A THIRD-PARTY NOISE MONITOR COMPANY ("MONITOR") WHO WILL BE RESPONSIBLE FOR MEASURING NOISE IN 15-MINUTE INCREMENTS DURING ALL EVENTS AND PREPARE A SUMMARY OF THE MONITORING WHICH WILL BE INCLUDED IN THE ANNUAL REPORT.
37. EMPLOYEES FOR LOT 1 (THE OUTDOOR ENTERTAINMENT VENUE) ARE REQUIRED TO PARK AT A REMOTE LOCATION AS ESTABLISHED BY THE PARKING AND ACCESS PLAN BY KIMLEY-HORN AND ASSOCIATES, INC. DATED 10/14/2022. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE AR PUD 22-00062 OF THE CITY OF COLORADO SPRINGS CITY PLANNING OFFICE. CONTACT CITY LAND USE REVIEW, 30 SOUTH NEVADA AVENUE, COLORADO SPRINGS, CO, IF YOU WOULD LIKE TO REVIEW SAID REPORT.
38. PRIOR TO CONSTRUCTION PLANS APPROVAL, THE DEVELOPER IS REQUIRED TO REMIT TO THE CITY OF COLORADO SPRINGS THE AMOUNT OF \$25,000 FOR TRAFFIC SIGNAL MODIFICATIONS.
39. ACCORDING TO THE REQUIREMENTS OF SECTION 7.4.204.C.1.d(1) OF CITY CODE, SHARED PARKING AGREEMENTS ARE RECORDED AS FOLLOWS: THE CLASSICAL ACADEMY RECEPTION NO. _____, COMPASSION INTERNATIONAL RECEPTION NO. _____, BASS PRO SHOPS RECEPTION NO. _____, AND NORTHGATE PROPERTIES RECEPTION NO. _____; ALL IN THE OFFICE OF THE CLERK AND COUNTY RECORDER OF EL PASO COUNTY, COLORADO.

40. ANY CHANGES TO THE FOLLOWING REPORTS SHALL TRIGGER A PUD DEVELOPMENT PLAN AMENDMENT, MAY REQUIRE ADDITIONAL CONSIDERATION OF THE NON-USE VARIANCES, AND WILL REQUIRE CITY PLANNING COMMISSION APPROVAL: LSC TRAFFIC TECHNICAL MEMORANDUM FOR POLARIS POINTE SOUTH FILING NO.4 DATED OCTOBER 14, 2022; LSTN SUNSET AMPHITHEATER ENVIRONMENTAL NOISE EMISSIONS REPORT DATED SEPTEMBER 13, 2022; KIMLEY HORN SUNSET AMPHITHEATER - PARKING AND ACCESS PLAN DATED OCTOBER 14, 2022.

41. ANNUAL REPORTING REQUIREMENTS

I. BEGINNING WITH THE YEAR THE CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE DEVELOPMENT PROJECT, THE OUTDOOR ENTERTAINMENT VENUE OPERATOR SHALL SUBMIT TO THE CITY PLANNING DEPARTMENT BY THE LAST DAY OF DECEMBER, EACH YEAR (“ANNUAL REPORT”).

II. THE ANNUAL REPORT MUST INCLUDE THE FOLLOWING INFORMATION:

A COMPLETE LIST OF EVENTS FOR THE YEAR INCLUDING THE DATE, TIME, DURATION, NUMBER OF ATTENDEES, PARKING LOTS AVAILABLE, MAXIMUM REPORTED NOISE LEVEL.

ANY CHANGES TO PARKING AGREEMENTS, SECURITY CONTRACTS AT REMOTE LOTS, PARKING TRENDS NECESSITATING CHANGES.

A SUMMARY OF NOISE MONITORING METHODS, FIELD TESTING FOR NOISE LEVELS CONDUCTED AT EACH EVENT WHERE A NOISE HARDSHIP PERMIT WAS GRANTED.

A SUMMARY OF THE TRAFFIC MOVEMENT EXPERIENCED DURING EVENTS AND ANY RECOMMENDED MODIFICATIONS TO THE TRAFFIC MITIGATION MEASURES.