

## Baxter, Tamara

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**From:** Mike A <MIKE\_ANGLEY@msn.com>  
**Sent:** Monday, December 5, 2022 1:41 PM  
**To:** Williams, Wayne; OMalley, Mike (Council Member); Henjum, Nancy; Avila, Yolanda; Fortune, Stephannie; Donelson, Dave; Strand, Tom; Helms, Randy  
**Cc:** Evelyn Angley; Mike A  
**Importance:** High

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Dear Colorado Springs City Councilmembers,

We're writing to request that you vote NO on the Sunset Amphitheater project proposed by developer JW Roth. The consequences of this project, if approved, are both predicable and disastrous. You all have an opportunity to avoid this outcome and the inevitable hang-wringing, 'I told you so's,' and blowback from the community.

We've lived in the Middle Creek Manor subdivision since 2005. We're not only residents, but we're veterans, taxpayers, voters, and politically active in our community. In 2017, Mike ran for Sheriff of El Paso County, garnering 34K+ votes. We often hear from many of our supporters, and we've yet to speak with one who supports this project. An amphitheater is not a bad idea per se, but the proposed site is arguably the worst possible venue for it.

Middle Creek Manor sits about one mile southeast of the proposed amphitheater, and about three miles from the USAFA stadium. Each night, we hear the retreat music from the Academy, and during football games, the stadium sounds carry to our home. There is no doubt we will hear the concert music because it's closer to us and the sounds will be at far greater amplification than anything the USAF puts out.

Beyond noise pollution and the decreased quality of life it brings, there are issues with traffic congestion and parking. JW Roth claims he cannot build enough parking spaces to accommodate all the concertgoers he anticipates. As a result, he has created various schemes to partner with local schools and businesses. Invariably, attendees will park anywhere they find open. That means in front of our homes. The increased vehicle and foot traffic in our subdivisions will also bring increased rowdiness, vandalism, littering, and crime. JW Roth's parking problem should NOT become OUR burden.

Since we moved to the area 17 years ago, we've seen steady development. For the most part, it's been good, but it's reached a tipping point of sustainability. Traffic on Voyager Parkway, feeder streets, and within residential areas has intensified. In a stretch of only a half-mile, there are now five new traffic lights that weren't here when we moved to the area. A couple years back, the USAFA hosted an NHL hockey event that drew thousands of people. Many of them parked in our subdivisions and the business in and around the site of the amphitheater. We had an appointment in Denver that evening, and it took us 45 minutes to go the mile and a half from our home to the Interstate due to traffic paralysis. Every concert will do the same thing. It will be an emergency responder's nightmare if police, fire, and ambulance cannot get to someone in need because of concert traffic jams. Trust us when we tell you, this is predictable, disastrous, and avoidable.

Finally, let's talk public perception. As we engage on the political scene, there is a general consensus that our community is an oligarchy where a handful of wealthy developers run city and county government. Developers always seem to get whatever they want, and city council and the county commissioners are mere rubber stamps

for approval. Campaign contributions flow accordingly. It may sound harsh, but that's what people see, feel, and believe. You have an opportunity to prove this perception wrong by voting against this developer's wishes. We've also read the stories about how this amphitheater is JW Roth's personal dream to build. That's incredibly selfish and narcissistic, nor can we think of a less compelling reason to build something that has the guaranteed consequences as we've described for noise, parking, traffic, and public safety. His dream will be our nightmare.

Many years ago, Mike had a professor of history who was fond of saying, "All consequences have antecedents." The amphitheater's consequences are clear. The antecedents will be if you approve it against the wishes of tens of thousands of your constituents. Please vote NO on the Sunset Amphitheater.

Sincerely,

*Mike Angley Evelyn Angley*

**Colonel, United States Air Force (ret) Retired Schoolteacher  
Senior Supervisory Special Agent, OSI (ret) The Classical Academy**

## Baxter, Tamara

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**From:** Gary Asp <aspgary@gmail.com>  
**Sent:** Saturday, December 10, 2022 2:36 PM  
**To:** Baxter, Tamara; Helms, Randy  
**Cc:** Gary Asp; JWRoth@sunset.live  
**Subject:** City Council appeal Sunset Amphitheater - We Support this project!  
**Attachments:** favicon.ico

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Dear Ms / Mrs Baxter and Mr. Helms,

I am a resident of the Villages at Stonewater, the subdivision between Progressive Insurance to the north and Compassion International to the south. We have a private Facebook page for residents and one of the hot topics on that community page is the Sunset Amphitheater. The majority of the sentiment has been negative toward the amphitheater and the majority using scare tactics backed up by little to no facts to support their arguments against the Sunset Amphitheater project. I cannot prove it but I'm pretty sure they are targeting due to continued support for the Sunset Amphitheater under the guise of our HOA in the form of alleged HOA violations and attempting to fine me.

I am in favor of this project, and have done my best to provide factual evidence that contradicts every argument that they bring up against the project. For my efforts, I've been ostracized from this community and my neighbors for having a differing opinion. I have been called colorful names and dealt with in a very unprofessional manner. Despite all of this, I have remained professional, steadfast in my support of this project and treated those of differing opinions to my own with respect. I rose above and can hold my head high.

Please let the council know that not everyone is against this amphitheater project, and that there are many that support it. Here are my talking points that were summarily, shut down and got me ostracized from this community.

For those of you not aware Northern Colorado Springs will be home to a brand new outdoor amphitheater (Sunset Amphitheater). Many are claiming that this amphitheater will be a horrible addition to our community. Unfortunately much of the arguments against the amphitheater I've seen are not based on any type of information, studies or facts but rather relying purely upon emotion and scare tactics.

If you do your research and you look into the topic you'll find that this amenity will bring a lot of benefits to our communities.

Of note there are concerns about crime, noise, traffic congestion, property devaluation etc. if you do your homework you'll find that other communities like Morrison (Red Rocks), Greenwood Village (Fiddlers Green) and many others across this nation have approached these venues as opportunities and acted smartly to ensure success and to the benefit of their communities. We can do the same!

Noise issue: There's much that can be done to address this issue as well. Technology and construction materials I have advanced to allow them to control the decibel level of concerts. Not to mention setting curfews like red rocks and fiddlers green where concerts cannot go past 11 o'clock at night.

Noise Problems at Red Rocks Addressed by  
Data Analysis  
avixa.org

Traffic congestion: At fiddlers green, South Denver they are able to clear that venue in 18 minutes to include surrounding streets<sup>[OBJ]</sup> and communities<sup>[OBJ]</sup>. Additionally they partnered with local businesses like ones here such as compassion international, progressive insurance, bass pro who all have more than sufficient parking space available in addition to the parking that is being provided by the venue to ensure proper traffic management. Check this study out. Note that seating / attendance size for fiddlers green far exceeds that of Sunset Amhitheater.

[https://www.google.com/amp/s/www.thedenverchannel.com/news/local-news/fiddlers-green-traffic-system-empties-all-parking-lots-garages-in-18-minutes%3F\\_amp%3Dtrue](https://www.google.com/amp/s/www.thedenverchannel.com/news/local-news/fiddlers-green-traffic-system-empties-all-parking-lots-garages-in-18-minutes%3F_amp%3Dtrue)

Crime: And this study from 2019, Morrison which is host to red rocks had 171 concerts during that year. They only had 121 crimes reported and not all of those were related to the concert venue. This equates to less than one crime being reported per concert. Check it out

<sup>[OBJ]</sup> <https://www.westword.com/music/red-rocks-crime-statistics-in-2019-11597221>

Economics: Local businesses will benefit with increased commerce, as well as new businesses coming to the area to offer additional services to our communities. Economically northern Colorado springs will be benefited a great deal by the added commerce<sup>[OBJ]</sup>. Check this article out.

<sup>[OBJ]</sup> <https://cityblog.huntsvilleal.gov/high-notes-amphitheater-will-have-far-reaching-economic-cultural-impacts/>

Property Values: In the study below, it was found that properties 20 miles or closer to venues similar to the one being built here in Northern Colorado Springs showed an increase in property values of 9%. Check it out.<sup>[OBJ]</sup>



Your Home Could Be Worth More If It's Near One Of These  
money.com

Sunset amphitheater is an ambitious project. If we as a community approach it smartly as similar communities who have endeavored to bring such a venue to their communities we can ensure that we are able to enjoy the benefits, increase our economy, increase local property values and enjoy some good music / events. But it is up to us to do the proper research and to not give into fear mongering or scare tactics, but rather approach it from a place of logic, reason and facts.

I support this project and encourage you to educate yourself and formulate your own views and opinions.

Sincerely,

Gary Asp  
986 Pistol River Way  
Colorado Springs, CO. 80921  
(719)822-3270

Sent from my iPhone

Sent from my iPhone

## Baxter, Tamara

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**From:** Colorado Springs <noreply@publicstuff.com>  
**Sent:** Tuesday, December 20, 2022 9:27 AM  
**To:** Baxter, Tamara  
**Subject:** Mayor's Office #13025151 has been assigned to you

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### NEW ASSIGNMENT

Mayor's Office

Hi Tamara Baxter,  
Mayor's Office Request #13025151 has been submitted to Accela CRM and assigned to you.

This request was submitted by  
Luther Benson  
Resident at  
Dec 13, 2022, 8:57 AM MST through  
Iframe

<https://gov.publicstuff.com/request/view/13025151>

#### REQUEST DETAILS

##### DESCRIPTION

Opposed to Sunset Amphitheater in Polaris Point Northgate. I would like propose that you print all opposing and support emails when they come in and stack them next to each other to see where they stack up. I am an original owner in my home and have lived in Northgate Highlands for over 20 years and in Colorado Springs for 42 years. I am an original owner in my home and I am a real estate broker owner. I have watched people complain about apartments and commercial development and have even rebutted some complaints on social media explaining to them that they knew that those were commercial lots when they moved in so you should expect it. I am for growth. This outdoor Amphitheater is a different story being built in the middle of and close to hundreds of homes. This is not typical commercial growth and it was not originally zoned as such. We were supposed to get a "Briargate shops" north in that location. There are multiple reasons this is bad for the home owners

and businesses in this area. We are probably about 3 miles as the crow flies from the from the AFA stadium and we still can hear announcements and music at the games which of course are few and far between. This outdoor venue is about a mile from our home and much closer for others. The noise level no matter what time of day will have a negative effect on our peace and hundreds of others, many even closer than us. First it was going to be open from Memorial to Labor day, now it's going to be open from April to October/November. The sound study done by the developer indicates the sound will be 47db north of Northgate rd which is our neighborhood and claim it's like traffic. Well there isn't that much traffic late in the evening and thumping base and whining guitars is NOTHING like the "white sound" of traffic. Then they claim the restaurants will be sound barriers but who knows if the restaurants that are supposed to act as sound barriers and other barrier's in between the restaurants will even be built in time for the venue to start. But let's not pretend that sound only travels forward. Sound waves travel in many directions depending on wind speed, temperature etc.. Just like we hear train sounds that are miles away. We WILL be able to hear these concerts whether we want to or not. This effects our Right to Quiet Enjoyment. The dishonesty in the application for this venue is obvious, that they just want to get it done and then they can do whatever they want. Now the SHAM of a parking situation for an 8000 seat venue with between 300-426 parking places claiming people will park at TCA, Progressive, Boot Barn, Spectrum Loop and Bass Pro. Come on, we know people are going to look for easy escape parking rather than to park in congested parking areas so they will park in our neighborhoods effecting our ability to have guests, not to mention noise sometimes late into the evening and quite frankly it is a safety concern for our children and families. The developer said they will put up signs "no event parking" but there is nothing in writing and this city passed an ordinance that we cannot restrict parking on public streets so the sign has no teeth. People will also park in other parking lots they are not supposed to, like Sprouts, ACE hardware, local restaurants etc... effecting those businesses abilities to do business and neighbors ability to shop and do business at those locations. Then there is the fire and police access during insane traffic congestion affecting the safety of our neighbors. Sure the fire chief said they will deal with it but of course this is disingenuous. If there is an urgent call for a heart attack or criminal activity during concert traffic emergency vehicles WILL be delayed. Concerts especially are events where people like to drink and smoke to excess, so there will also be a percentage of those over indulging, then getting on our local streets causing an even greater concern. People will tailgate prior to the venue opening and will leave bottles and God knows what in the parking lots at places like TCA that has K-12 students attending causing further safety concerns for young people in the community. Then there is the traffic congestion itself. Even if you believe the traffic study that was done and the "roads" can handle the traffic the congestion effects other businesses ability to do business and neighbors to get to the places they need to go and again safety issues for the local area. Then there is road maintenance. For some reason Northgate and Voyager are forgotten when it comes to filling pot holes and maintaining drainage etc... This will put and even further strain on our roads, not to mention our vehicles. When it rains hard Voyager at Spectrum Loop and the new I25 off and entrance ramp floods and cars can't get through. Again I have lived here for 20 years and Voyager has always been in terrible repair so added traffic will only make it worse. Again, I am for responsible growth but this Amphitheater is NOT responsible growth and should not be approved for the Northgate area. I have been watching local social media posts and a vast majority of neighbors in this area are against it with many comments about watching to see if it is approved with elections coming up and voting out or not supporting those in office that support it. This Amphitheater is bad for Colorado Springs. With Respect, Luther Benson – 20+ year Northgate Highlands resident.

PRIORITY



MEDIUM

STATUS

SUBMITTED

ADDRESS

12260 ORACLE BLVD

DUE DATE

Dec 16, 2022,12:00 AM MST

[EMAIL PREFERENCES](#) | [UNSUBSCRIBE](#) | [ABOUT](#) | [SUPPORT](#)



## Baxter, Tamara

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**From:** Jerry Brennan <jerrybrennan@ymail.com>  
**Sent:** Friday, December 9, 2022 12:50 PM  
**To:** Baxter, Tamara  
**Subject:** Fw: Sunset Amphitheatre

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----- Forwarded Message -----

**From:** Jerry Brennan <jerrybrennan@ymail.com>  
**To:** allcouncil@coloradosprings.gov <allcouncil@coloradosprings.gov>  
**Sent:** Friday, December 9, 2022 at 12:48:40 PM MST  
**Subject:** Sunset Amphitheatre

Council,

I'm writing to inform you of the strong local opposition to building this amphitheater where and how it is currently planned. I received 71 comments and emojis with virtually everyone opposed to it on a Nextdoor post over a few days last week. In addition, there have been hundreds of comments on Nextdoor with the same the objections over the past few months as well. No one living in the affected neighborhoods wants it here. And for good reason as I've listed below.

\*Additional congestion to an area already being overbuilt.(Up to 36,000 people coming into our neighborhood every Thursday-Sunday from Memorial day to Labor day). Voyager Pkwy, the main artery through our community will be packed with concert goers vehicles during rush hour and again from 11pm-1am going home. Not to mention the backups on the Interquest, Voyager, and Baptist Rd ramps on 1-25.

\*Insufficient parking being provided by the builders, using existing side streets, other businesses lots, and sharing nearby school's and charity's parking areas, {under certain conditions}, requiring bussing thousands of people to the event location during rush hour and again back in the middle of the night. (11pm-1am) The conditions imposed by the parking owners would prohibit the use of their lots if other activities are going on (TCA) or the show's contents conflicts with their beliefs.(Compassion Int'l). This will reduce available parking and force patrons to seek parking in the surrounding neighborhoods or businesses lots. In addition, this plan required 2 variances of city ordinances under questionable circumstances

\*Concert goers coming and going on foot through residential subdivisions during dinnertime and again in the middle of the night, increasing potential for crime, vandalism, public intoxication, drug use, and other disturbances.

\*Excessive volume levels from the performances with many residences close-by. (One new Apartmnt Complex is RIGHT ACROSS THE STREET from the soundstage!) This also required a variance granted without public input.

This area was originally planned for shopping, a hotel, and a water park. NOT a high density, high volume, outdoor concert venue.

Polaris Junction Apts, Gleneagles, Northgate, Greyhawk, Bella Apts, Serenity Park, Flying Horse, Trail Ridge, and Trail Ridge South are all at ground zero to the negative effects of this project.

A beautiful Amphitheatre is a nice idea, but this is absolutely the wrong place for one as it's being planned.

Im sure you can understand why we feel the need to let our City Council members know we are strongly opposed to this project being built here. We believe it to be a life altering situation that will be detrimental to our neighborhood once its completed. If we wanted noise, congestion, crowds, and nightlife, we would have moved downtown. We want to keep Northgate the peaceful, pleasant, open community we love. Please keep our concerns a priority when considering our appeal at the upcoming hearing on January 10th.

**Jerry Brennan  
1342 Lookout Springs Dr  
Trail Ridge South  
Colorado Springs, CO  
80921  
719-640-4790**

## **Baxter, Tamara**

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**From:** Wendy Kay <wendykvw88@yahoo.com>  
**Sent:** Friday, November 18, 2022 12:08 AM  
**To:** All Council - DL  
**Subject:** Amphitheater

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Hello,

I would like to voice my objection and concerns over the proposed amphitheater.

Colorado Springs zoned the parcel as commercial in the 1980s to the best of my knowledge. At that time there were no residential homes in the area. To be accurate, nothing was in the area at that time. The planning commission was very short sighted when they indicated it was zoned commercial and therefore an amphitheater should be permitted. The area is residential and the greater need in Colorado Springs is shopping, and restaurants, for a city of its size it is very limited. Restaurants and shopping is a greater need and will bring revenue to the city. The amphitheater would cause more problems than it would do good. It would cause families mental and health problems, unable to relax in their homes, children would not be able to go outside during the summer months, cars will line up down the residential street for concerts, not to mention the heavy cannabis use that is widely used at concerts, drunk and high drivers in the neighboring streets, inebriated concert goers using the bathroom on residential lawns, the yelling and screaming during the venue shows, light pollution, noise pollution, car pollution, crime and limited police patrol in the area. These homes will drop in value due to the loud venue, traffic, and drug use at the venue, making it a less than ideal area for families to invest in property. Flying Horse, Northgate, Grayhawk, and the surrounding subdivisions will no longer be premium communities. Please vote no on this project, and place the community safety and well being above monetary gain. Please bring shopping and dining to increase city revenue. The amphitheater is a very destructive addition to the community and has more cons than pros.

Thank you for your time and consideration,  
Wendy Burnfield

## **Baxter, Tamara**

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**From:** BandT Cheatwood <bradandtoni519@gmail.com>  
**Sent:** Tuesday, December 6, 2022 5:00 PM  
**To:** Baxter, Tamara  
**Subject:** We are so excited

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Thank you for working hard to make Colorado Springs a better place to live and more attractive to businesses and growth! We cannot wait to enjoy the new amphitheater!

Brad

## **Baxter, Tamara**

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**From:** John Cinnamon <dr.john.d.cinnamon@gmail.com>  
**Sent:** Friday, November 25, 2022 12:55 PM  
**To:** Helms, Randy  
**Subject:** Sunset Amphitheater

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Randy,

I just wanted to drop you a note at your City Council email to express my support for the Sunset Amphitheater.

This project, which fits nicely into the forecasted activities in the zoned areas around Northgate, would be a fantastic addition to our Colorado Springs community.

I am empathetic to those who live nearby - but I feel like they should have expected development from the city planning documents - which have been published for decades. I also feel like the development team has adjusted, improved, and refined their plan to mitigate the concerns and have documented their work with scientific studies and third-party evaluations.

I hope you support this project when it comes before the City Council.

Thank you for all that you do for our community!

Respectfully,

John Cinnamon, '91

## Baxter, Tamara

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**From:** Colleen O'Shea <oshea.colleen@gmail.com>  
**Sent:** Sunday, December 4, 2022 3:17 PM  
**To:** All Council - DL  
**Subject:** Amphitheater concerned

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Hello,

I live in the neighborhood near where the new amphitheater is being proposed. I am very concerned about this and think it is a terrible idea. This will lower property values and increase crime in my neighborhood. Please don't ruin our amazing neighborhood. I also think the traffic will be out of control. I do not want my family around all of this. I am hoping that you will listen to the people in your community and their concerns. Please do not let this destroy our community. Thank you so much.

Colleen Daly

## Baxter, Tamara

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**From:** Friedman, Samuel  
**Sent:** Tuesday, December 13, 2022 2:24 PM  
**To:** Baxter, Tamara  
**Subject:** FW: Adamantly Apposed to the Sunset Amphitheater

### Sam Friedman

Constituent and Outreach Program Coordinator  
City Council, City of Colorado Springs  
(719) 385-5480 office



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**From:** Gina Clayton Dorny <dornyclan@msn.com>  
**Sent:** Tuesday, December 13, 2022 9:15 AM  
**To:** Strand, Tom <Tom.Strand@coloradosprings.gov>  
**Cc:** Williams, Wayne <Wayne.Williams@coloradosprings.gov>; OMalley, Mike (Council Member) <Mike.OMalley@coloradosprings.gov>; Murray, Bill <Bill.Murray@coloradosprings.gov>; Henjum, Nancy <Nancy.Henjum@coloradosprings.gov>; stephannie.fortune@coloradospring; Avila, Yolanda <Yolanda.Avila@coloradosprings.gov>; Helms, Randy <Randy.Helms@coloradosprings.gov>; dave.donelson@coloradosprings.go  
**Subject:** Adamantly Apposed to the Sunset Amphitheater

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

The current location for the proposed amphitheater is **adamantly opposed** by literally over a thousand households who will be adversely affected and live within its vicinity, including myself. I live within a mile from the site. I am a medical professional along with many other medical professionals that live in my same neighborhood. Many of our 13+ hour shifts, including my own fall over the weekend. Sleep is imperative! Having an amphitheater less than a mile away will break city noise variance ordinances and very negatively affect the quality of life and livelihood thousands of households that live in neighborhoods surrounding the proposed site. In addition, the peak times for the venue will include month during the calendar year where children are in school. The noise and traffic from concerts and events will be incredibly disruptive.

The current proposal does NOT have adequate parking. The proposal relies on neighboring businesses and schools including The Classical Academy in its proposal to satisfy its minimal requirement for parking. This is very problematic particularly when TCA has NOT approved and likely will never approve the use of its parking lots or land to build additional parking lots. There is NO contract or binding agreements. The only conversations had for the proposed parking partnerships between The Classical Academy and the developers of the amphitheater have been independent



between the now stepping down, president of TCA Rob Sojourner and the developers. The TCA community has been very vocal and very against any partnership.

There are many many more reasons for my opposition of the Sunset Amphitheater being built in the middle of a densely populated residential area. Another is the complete disregard to traffic. I live in the Northgate highlands neighborhood which has just 3 points of egress. All within a quarter of a mile from one another and all of which intersect onto Northgate Blvd. Having had many experiences with traffic that is backed from the interstate for one reason or another it always blocks and many times for hours the ability to either get home or leave the neighborhood. Aside from the incredible inconvenience this has presented it is a huge safety issue. Even with the new and additional on and off ramp to I25 the highway itself does not support the infrastructure of thousands of additional high density traffic that would be coming in and out of the amphitheater, regularly blocking entrances and egresses from surrounding neighborhoods.

These and many more problems like, higher crime rates that inevitably follow large public events and gatherings. Please include this letter on all official documents in opposition of the current proposed site for the amphitheater.

Signed,  
Gina Dorny

Sent from my iPhone

Sent from my iPhone

## Baxter, Tamara

---

**From:** Colorado Springs <noreply@publicstuff.com>  
**Sent:** Tuesday, December 20, 2022 9:27 AM  
**To:** Baxter, Tamara  
**Subject:** Mayor's Office #13029637 has been assigned to you

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### NEW ASSIGNMENT

Mayor's Office

Hi Tamara Baxter,  
Mayor's Office Request #13029637 has been submitted to Accela CRM and assigned to you.

This request was submitted by  
Ginadorny  
Resident at  
Dec 14, 2022, 7:40 AM MST through  
Iframe

<https://gov.publicstuff.com/request/view/13029637>

#### REQUEST DETAILS

##### DESCRIPTION

The current location for the proposed amphitheater is adamantly apposed by literally over a thousand households who will be adversely affected and live within its vicinity, including myself and signed the petition sent to the city. I live within a mile from the site. I am a medical professional along with many other medical professionals that live in my same neighborhood. Many of our 13+ hour shifts, including my own fall over the weekend. Sleep is imperative! Having an amphitheater less than a mile away will break city noise variance ordinances and very negatively affect the quality of life and livelihood thousands of households that live in neighborhoods surrounding the proposed site. In addition, the peak times for the venue will include months during the calendar year where children are in school. The noise and traffic from concerts and events will be incredibly disruptive. The current proposal does NOT have adequate parking. The proposal relies on neighboring businesses and schools

including The Classical Academy in its proposal to satisfy its minimal requirement for parking. This is very problematic particularly when TCA has NOT approved and likely will never approve the use of its parking lots or land to build additional parking lots. There is NO contract or binding agreements. The only conversations had for the proposed parking partnerships between The Classical Academy and the developers of the amphitheater have been independent between the now stepping down, president of TCA Rob Sojourner and the developers. The TCA community has been very vocal and very against any partnership. There are many many more reasons for my opposition of the Sunset Amphitheater being built in the middle of a densely populated residential area. Another is the complete disregard to traffic. I live in the Northgate highlands neighborhood which has just 3 points of egress. All within a quarter of a mile from one another and all of which intersect onto Northgate Blvd. Having had many experiences with traffic that is backed from the interstate for one reason or another it always blocks and many times for hours the ability to either get home or leave the neighborhood. Aside from the incredible inconvenience this has presented it is a huge safety issue. Even with the new and additional on and off ramp to I25 the highway itself does not support the infrastructure of thousands of additional high density traffic that would be coming in and out of the amphitheater, regularly blocking entrances and egresses from surrounding neighborhoods. These and many more problems like, higher crime rates that inevitably follow large public events and gatherings. Please include this letter on all official documents in opposition of the current proposed site for the amphitheater. Signed, Gina Dorny

PRIORITY  
MEDIUM

STATUS  
SUBMITTED

ADDRESS

DUE DATE  
Dec 19, 2022,12:00 AM MST

[EMAIL PREFERENCES](#) | [UNSUBSCRIBE](#) | [ABOUT](#) | [SUPPORT](#)



**Baxter, Tamara**

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**From:** Colorado Springs <noreply@publicstuff.com>  
**Sent:** Thursday, November 10, 2022 2:04 PM  
**To:** Friedman, Samuel  
**Subject:** City Council #12905164 has been assigned to you

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**NEW ASSIGNMENT**

City Council

Hi Samuel Friedman,  
City Council Request #12905164 has been submitted to PublicStuff and assigned to you.

This request was submitted by

at  
Nov 10, 2022, 2:03 PM MST through  
iframe

<https://gov.publicstuff.com/request/view/12905164>

REQUEST DETAILS

DESCRIPTION

Good Afternoon, I want to express my concern over the construction of the Sunset amphitheater at polaris point. I live on middle creek parkway and am concerned that the lack of parking will cause issues with concert goers parking in and creating traffic hazards in our neighborhood. To avoid the developers plan to shuttle people to their cars, I foresee patrons to park along middle creek and sybilla drive and cutting across the field to the venue. I am also concerned about the noise making our outdoor spaces unusable. I paid a premium to live in the northgate neighborhood to get away from these activities. I implore the city council to turn down the approval of the amphitheater. I am my neighbors do not want the traffic, issues and noise that will be caused by this. If you are still in doubt ask yourself if you would want this venue in your backyard. Sincerely, Chris Francis

PRIORITY

MEDIUM

STATUS

SUBMITTED

ADDRESS

Polaris Pointe, Colorado Springs, CO 80921, USA

DUE DATE

Nov 21, 2022,12:00 AM MST

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## Baxter, Tamara

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**From:** Chris Francis <c.francis@live.com>  
**Sent:** Thursday, November 10, 2022 2:57 PM  
**To:** All Council - DL  
**Subject:** Sunset Amphitheater at Polaris Point

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Greetings,

As a resident of the Northgate area I am asking the city council to disapprove plans for the Sunset Amphitheater. The area is incapable of accommodating such a venue. This is evidenced by the need to contract with local schools and businesses for parking and shuttling patrons miles to get to and from their vehicles.

I anticipate to avoid the shuttles, venue patrons will flood into the neighborhoods parking on Middlecreek Parkway as well as Sybilla drive clogging ingress and egress and creating safety and traffic hazards to the residents. I also suspect with the increase of traffic and vacant vehicles an increase in opportunistic crime will inevitably follow. The noise is another concern making our outdoor spaces unusable during the concert season.

I ask the city council would you want this venue in your backyard. Please vote NO on approving the placement of the amphitheater on the polaris point property.

Regards,

Chris Francis  
Cell: (801) 529-8331  
Email: c.francis@live.com  
<https://www.linkedin.com/in/christopher-francis-mba-cpm>

## Baxter, Tamara

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**From:** Chelsee Francis <chelseefrancis@gmail.com>  
**Sent:** Monday, December 12, 2022 8:19 PM  
**To:** Baxter, Tamara  
**Subject:** Sunset Amphitheater Appeal Comments

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Ms. Baxter,

As a resident of the area that will be directly impacted by the approval of variances in respect to parking and noise of the proposed Sunset Amphitheater, I have several points I would like to address. I would like these to be taken into consideration from the standpoint of my rights as landowner in the potentially impacted area.

As a homeowner in the Stonewater subdivision who lives between the proposed amphitheater and the proposed contracted parking spaces that are required for this project to move forward, I anticipate a direct impact to my neighborhood. Amphitheater attendees will cut through, park in, and loiter in my residential neighborhood to avoid waiting for a shuttle. The walk directly through my neighborhood will cut several minutes off the attendees commute from parking to the event. For a family with children who enjoy playing outside in the safety of our neighborhood, surrounded by people we know, groups of strangers cutting through our streets is of great concern.

Our summer nights will no longer belong to us, but to the proprietor of this venue who will decide what we listen to as we sit in our backyard. Noise is an issue that was not adequately addressed by the planning board. Please do your due diligence in reading the noise study. This development WILL exceed the City of Colorado Spring's noise ordinance for a residential area. The City will have noise complaints every evening there is a concert.

The increase in suspicious activity, blocked egress, and crime will require the City to provide more police to this area. Currently it is unusual to note any police patrols north of Interquest; there will be a need to expand the City's budget to have a police presence before, during, and after any events at this proposed venue. Off-duty overtime positions provided by Sunset Amphitheater will do nothing to protect the surrounding homeowners.

Parking has already been addressed from one standpoint so far. Here is another: what happens WHEN the businesses contracted to provide parking for the venue exercise their option to terminate the agreement? I am aware that Discovery Canyon Campus has already backed out of the initial agreement to provided access to attendees and shuttles. How many more will follow suit? The hodge-podge of cobbled together parking to meet the requirements for this venue will eventually force those attendees onto residential streets when these agreements end. The variance to the parking requirements for a venue of this size should not be granted based on tenuous agreements with private businesses who may exercise their option to terminate the contracts at any time.

These are issues that have not adequately been address by the planning board or the developer. This project needs revision to meet the building and code standards of the City of Colorado Springs without variances that negatively impact the surrounding land owners and infringing on their rights.

Chelsee Francis  
Stonewater at Northgate

## Baxter, Tamara

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**From:** Chelsee Francis <chelseep@yahoo.com>  
**Sent:** Saturday, November 19, 2022 7:18 AM  
**To:** Helms, Randy  
**Subject:** Request to Deny Approval for Sunset Amphitheater

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Council Member Helms,

As your constituent, I request that you DENY the final approval that is required for this project to move forward.

As a homeowner who lives between the proposed amphitheater and the proposed contracted parking spaces that are required for this project to move forward, I anticipate a direct impact to my neighborhood. Amphitheater attendees will cut through, park in, and loiter in my residential neighborhood to avoid waiting for a shuttle. The walk directly through my neighborhood will cut several minutes off the attendees commute from parking to the event. For a family with children who enjoy playing outside in the safety of our neighborhood, surrounded by people we know, groups of strangers cutting through our streets is of great concern.

Our summer nights will no longer belong to us, but to the proprietor of this venue who will decide what we listen to as we sit in our backyard. Noise is an issue that was not adequately addressed by the planning board. Please do your due diligence in reading the noise study. This development WILL exceed the City of Colorado Springs noise ordinance for a residential area. The City will have noise complaints every evening there is a concert.

The increase in suspicious activity, blocked egress, and crime will require the City to provide more police to this area. Currently it is unusual to note any police patrols north of Interquest; there will be a need to expand the City's budget to have a police presence before, during, and after any events at this proposed venue. Off-duty overtime positions provided by Sunset Amphitheater will do nothing to protect the surrounding homeowners.

Parking has already been addressed from one standpoint so far. Here is another: what happens WHEN the businesses contracted to provide parking for the venue exercise their option to terminate the agreement? I am aware that Discovery Canyon Campus has already backed out of the initial agreement to provided access to attendees and shuttles. How many more will follow suit? Will you allow the hodge-podge of cobbled together parking to meet the requirements for this facility slide, forcing these attendees onto residential streets?

These are questions that have not adequately been address by the planning board or the developer. Please take the time to look at this project from more than a simplified economic standpoint.

As my representative, DENY THE APPROVAL OF THE SUNSET AMPHITHEATER.

Chelsee Francis  
Stonewater at Northgate

[Sent from Yahoo Mail on Android](#)



## Baxter, Tamara

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**From:** Deb Frey <dandmfrey@gmail.com>  
**Sent:** Monday, December 12, 2022 12:45 PM  
**To:** Baxter, Tamara  
**Subject:** Amphitheater concerns

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Tamara,

I am once again emailing to express my concerns for the amphitheater in the North Gate area.

As someone who lives in the area, my biggest concerns are:

1. Traffic. When I25 has traffic issues we can get extra traffic rerouted onto Voyager. Makes it difficult to get around. The concert traffic would be even worse. When The Classical Academy has off or pick up times, it backs up. Again, a fraction of the traffic that would be going to the concerts.

We have a fire station right they the amphitheater area as well as an ER around the corner. Plus an urgent care. How do emergency vehicles get around that traffic when Voyager is 2 lanes each direction - if concert traffic is taking up both lanes there is no place for vehicles to move and let emergency vehicles by?

What is my family has an emergency? How much longer would it take for the police, fire department, or ambulance to arrive fighting this traffic???

I don't want to be stuck in my home because it is about impossible to leave or the inability to have friends or family visiting when a concert is happening.

If the expansion of powers to 25 was complete this would help some but that doesn't appear to be doing anything right now.

2. Safety. The last things this family friendly area needs is extra concert attendees roaming around - drunk, high and noisy. We don't need cars parking in our neighborhoods to save money out park closer to the venue. Also concerned individuals will camp in their vehicles to "sleep it off" - in our neighborhoods. Potential for increased crime as well.

3. Parking. I have read the various proposed parking. Not enough onsite. This putting cars and people into our neighborhoods.

4. Noise. Concerns about noise from the concerts themselves but also from extra traffic, people roaming around, etc.

5. Crime. Self explanatory.

6. Local businesses. While some local businesses may see great benefits in increased traffic (restaurants) others will see just the opposite. I would avoid shopping in the North Gate area to avoid the traffic and hassle. My convenient grocery store, Sprouts, just became impossible to get to.

Please consider NO amphitheater in the North Gate area. We don't need it.

Thanks!

- Deb Frey

## **Baxter, Tamara**

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**From:** grnrok710@comcast.net  
**Sent:** Tuesday, December 6, 2022 3:48 PM  
**To:** Baxter, Tamara  
**Subject:** Amphitheater

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Tamara

I live approximately 1 mile south of the proposed site

- 1) No sound study – currently 56 db due to I 25 traffic.
- 2) No street parking should be allowed – this is a highly residential area.
- 3) Why can't the owners build a parking lot to handle the traffic. 4000 cars at full capacity
- 4) There are many children in the area as well – as well as working professionals.
- 5) The hours will interrupt sleep for all
- 6) What about Compassion for 1500 car parking - then fire risk
- 7) What about the parking surcharge of \$10 – who gets this
- 8) What about security and drugs
- 9) If you have \$40 Million to invest then invest in parking

**Chip Greene**  
**887 Salmon Pond Way**  
**Colorado Springs, CO 80921**  
**719-433-6346**  
**grnrok710@comcast.net**

## Baxter, Tamara

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**From:** Adam & Cheryl Hammarquist <ahamarq@yahoo.com>  
**Sent:** Monday, November 14, 2022 9:16 PM  
**To:** Helms, Randy  
**Subject:** amphitheater

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councilman-

As. stonewater Redident I cannot think of a worse idea for our community than an amphitheater that will create noise pollution, traffic, and and actual pollution. Drunk concert goers will now be driving our streets, parking in our neighborhoods and creating and unsafe environment in general. The fact that a a religious organization ("compassion" international) that is supposed to be our neighbor has helped unleash this on us is even more disconcerting. I place quotes around compassion as they appear more than happy to take this parking money and run with it while showing zero compassion for those of us who live in this neighborhood. As an aside my wife and I have sponsored a child through compassion for years. we continue to do so as we won't abandon our sponsee but we will never again give to compassion on any level.

All I ask, on behalf of myself and the members of our quiet and calm community, is that you do all in your power to preserve that which we now have. A beautiful neighborhood to raise our children in.

Thank you,

Adam Hammarquist

Sent from my iPhone

## Baxter, Tamara

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**From:** Todd and Stacy Huddle <THEHUDDLES@msn.com>  
**Sent:** Tuesday, November 15, 2022 5:11 PM  
**To:** All Council - DL  
**Cc:** Helms, Randy  
**Subject:** Letter of Concern

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Dear City Council Members,

We have closely been following the development of the Sunset Amphitheater as community members who call the area of Northgate our home. We intentionally kept an open mind about this project.

We attended the September Boot Barn informational meeting and looked at the material they supplied. Our open-mindedness quickly turned to caution, reservation and hesitancy.

We have written letters to the City Planning Department about our concerns.

Now with the decision from the City Planning Commissioners meeting on November 9, 2022, our position has turned to one of skepticism, distrust, anger, and resentment.

With this ruling, we have been told that we, the homeowners in the area, do not matter to the city enough to protect our needs on a basic level. The need and right to have a home that allows for rest and peace so we can be the best we can be for our community, families, and jobs – all so someone can attend a concert.

As elected officials representing us, you have an obligation to protect the interests of those that elected you to the office you hold.

Based on our assessment of the City Planning Commissioners meeting that took place on November 9, 2022:

- 1) 500 pages of concerns from the community were sent to City Planning Department; Numerous people gave up a day of work to attend in-person or online to oppose the venue. At the end of the day, they essentially were told; “Thank you for your concern, but it doesn’t play into our decision making.” Therefore, we were disregarded and ignored.
- 2) Concerns about noise mitigation and traffic were repeatedly brought up from the Commissioners as well as the general public. These are the major “**pain points**”.
- 3) It was stated several times by the Commissioners that the noise mitigation study was not in their packet for review, and they had not seen it prior to the meeting. We are curious as to how this occurred since it is such a vital part of this proposed development.
- 4) We heard numerous commissioners state that they had reservations for approval. They claimed more clarification and information was required to answer and satisfy their questions on how the venues proposal would satisfy the city codes. Again, the **two main concerns** were **parking/traffic** and **noise mitigation**.
- 5) Many on the Planning Committee said they would approve, but only with stipulations in place for the venue to fix these concerns.

- 6) The developer countered that with the current plan this is the best scenario and there isn't much else they can modify.
- 7) The developer has publicly stated numerous times they want to be 'good neighbors' to the area and that we will not be affected on a day-by-day basis by the amphitheater.
- 8) This implies that traffic and noise will not be a factor, yet those are the concerns where there is the most unrest.
- 9) If these issues do not fully meet current Code or requirements at the City Planning Commissioner level, and the developer essentially stated, "It's as good as it can be," then it clearly means that the venue is not appropriate for this area.
- 10) We heard several times about how to make this venue all about a wonderful "Ticket holder experience", however it appeared like the experience of the homeowner's day to day existence was not acknowledged or considered.
- 11) A ticket holder pays for one ticket for one night, whereas the homeowners pay yearly taxes, visit the area merchants, and live in the local neighborhoods daily.
- 12) Neighbors we have talked with who share these concerns with us will be the most affected and feel that their justified concerns were blatantly ignored.
- 13) If there are to be no sound checks during school hours for TCA due to the noise, is the same noise going to magically disappear at concert start-times? Since we can clearly hear TCA's band practices and sports events, we will be able to hear the concerts at night, keeping us up until 10:30 PM or 11:30 PM, most likely every night for months.
- 14) It shows this project is only about the financial gain the venue and the city will have. While that is important for business, it's not important enough to totally disregard the homeowners who are active citizens and dedicated taxpayers in the community.
- 15) Approving this venue knowing there are weaknesses in major 'pain points' for the neighborhoods is not acceptable. This is especially true since the developer openly stated there is nothing they can do to bring those concerns up to an acceptable level or benchmark.
- 16) This does not lay a good foundation for cooperative and friendly relations between the affected areas and the venue. It will make the 'good neighbor' philosophy impossible to achieve.
- 17) It sets the stage for lawsuits, complaints, anger, and overall discontent within the area – an area that has been a peaceful, quiet, friendly, and amenable place to live and thrive.
- 18) We ask that before the City Council approves this and construction begins, they take the above serious "**pain points**" for the residents in to account. Otherwise, it is an unethical endeavor.
- 19) We are opposed to this venue. In fact, we feel the same sense of 'impending doom' medical personnel hear from patients who are not doing well and who sense their own demise. Our souls sense this will be disastrous for the neighborhoods.

With Regards,



TO: Members of Colorado Springs City Council  
FROM: Mary J. Talbott and Neil L. Talbott  
SUBJECT: Comments on the Sunset Amphitheater  
DATE: 12 December 2022

## Introduction

The following comments focus primarily on parking, traffic and accountability to the neighborhoods, surrounding area businesses, and the City of Colorado Springs. References to planning documents are provided and select text from planning documents has been added and italicized for easier reading. Each section starts with questions and references to applicable sections of this document for further information. In some cases, recommendations have been added to applicable sections. There is a short summary at the end.

## Parking

- **Where are people going to park for events outside the contracted parking hours?** (Review 1.a.i, ii and iii below)
  - **In Project Phase 1 Parking, when there is a sold-out venue with an expected 2,648 cars and Compassion does not allow parking, where will the other 773 cars park?** (Review Parking 1.b. below)
  - **In Project Phase 2 Parking, when there is a sold-out venue with an expected 2,648 cars and Compassion does not allow parking, where will the other 373 cars park?** (Review Parking 1.b. below)
  - **Why are the number of parking spaces at Compassion sites 1 and 2 in the Kimley-Horn and planning documents higher than the number of parking spaces promised in the Compassion contract?** (Review Parking 1.c. below)
  - **What will be the impact on neighborhoods and businesses if Compassion parking is not available when there is a sold-out venue and 2,648 spaces are needed?** (Review 1.a. and b. below)
1. Reference Item 31 on the Polaris Pointe South Filing No. 4 PUD Development Plan, posted 15 November 2022: *“This property is subject to the findings summary and conclusions of the Sunset Amphitheater Parking & Access Plan prepared by Kimley-Horn and Associates, Inc., Dated 10/14/22. 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, Colorado Springs, CO, if you would like to review said report. Changes to parking location and/or counts shall require modification of the Sunset Amphitheater Development Plan, as determined by the City of Colorado Springs Planning Department.”* The Kimley-Horn plan essentially becomes the governing document for parking for the venue. As such, several issues and conflicts need to be addressed.
    - a. Reference Project Summary Kimley-Horn plan, dated 14 October 2022, page 1, Project Summary paragraphs two and three. Paragraph two states, *“Visitor parking lots will open between 5:00 pm and 5:30 pm, with most performances beginning at 7:00pm...”* Paragraph three states, *“City officials and the Client are*



*interested in meeting Venue parking demand by utilizing shared parking agreements with specific nearby businesses and organizations that have excess parking lot capacity after 5:30 pm when Venue visitors start arriving.”*

- i. Now review the Compassion Parking Lot Lease Agreement, dated 10 June 2022, page 2, Premises – item B. It reads, *“The Premises shall be for the exclusive benefit and quiet enjoyment of Tenant for the parking of the Venue attendees between the hours of 5:30 p.m. MST and 12:30 a.m. MST, Thursday through Saturday (end Sunday), during the months of May through September, and otherwise as permitted under this lease.”* Item C.i. allows for a maximum of one hour setup prior to 5:30 p.m.
  - ii. Now review the TCA contract which allows parking April-October and likely from 5:00 to 10:00 PM, but will depend on the event schedule.
  - iii. **Issue:** Review the scheduled times for events in item 38.2 of the Polaris Point South Filing No. 4: The hours of operation Sunday – Thursday are listed as 3:00 pm – 10:30 pm. The hours of operation on Friday and Saturday are listed as 12:00 pm to 11:30 pm. The point is the amphitheater’s hours of operation exceed the hours when parking in routinely available.
- b. Reference Kimley-Horn report, page 3, Code-Required Minimum Parking, reiterates that a 1:4 seats-to-spaces ratio, or 2,000 spaces for theater land use. Consider the fact that unlike a multi-plex movie theater, most attendees to the Venue, according to Kimley-Horn pages 12 and 13, will come within 90 minutes of the event and leave within 30 minutes of the event. According to Figure 4, page 5, Kimley-Horn plan, 2,648 cars are expected for a sold-out performance. If Compassion, Figure 2 – Project Phase 1 Parking, page 4, is unavailable for parking for any reason during a sold-out event, there will be 1,875 parking spaces available (Onsite Backstage – 20, Lot 1 – 216, Interim – 500, On-street 469, Bass Pro – 195, Off-site TCA – 475). But 2,648 spaces are projected to be needed. That means there is nowhere for 773 cars to park ( $2,648 - 1,875 = 773$ ). The 2,000 city parking space requirement is not met under these conditions. Moreover, the 2,000 parking-space requirement will not be sufficient for a sold-out venue in any circumstances.

In Figure 3 – Project Phase 2 Parking, page 4, if Compassion is not available for a sold-out event, there will be 2,275 spaces (Onsite Backstage – 20, Lot 1 – 216, On-street 469, Bass Pro – 195, Off-site TCA – Future ((or other source)) 900 and Existing 475) spaces available for a projected 2,648 cars. As a result, 373 cars will be left to find parking wherever they can. Indeed, the Venue will exceed the 2,000 space requirement, but it is inadequate for the need Kimley-Horn has projected. **Where will the cars go to park?** This is not an academic exercise. People will park in the business parking areas and in the nearby neighborhoods. There will not be shuttles to and from the unregulated/rogue parking spaces. Even if the Venue meets the 2,000-space requirement in all circumstances, there

is a projected need for an additional 648 spaces assuming Kimley-Horn's projection for a sold-out crowd is accurate. Any lack of capacity for parking represents essentially unregulated/rogue parking. **In unregulated parking situations, there will be no shuttles, no security monitoring and currently no recourse for neighborhoods or businesses.**

Reference Item 30 on the Polaris Pointe South Filing No. 4 PUD Development Plan, posted 15 November 2022: Item 30 reads, *"No less than 2,000 spaces are available for each event that the venue will be operational. A minimum of 70% of the required parking (1,400 spaces) shall be within ½ mile radius of the Sunset Amphitheater. If at any time the amount of available parking within a ½ mile radiance 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)."* In the Kimley-Horn Plan, page 4, Figure 2: Project Phase 1 Parking, without Compassion parking, there are not 2,000 parking spaces available as demonstrated above.

**RECOMMENDATIONS:**

- 1. Require Notes Live identify an additional 125 parking spaces in Project Phase 1 in the event that Compassion parking is unavailable.**
  - 2. Change item 30 so that for every space under 2,000 regardless of location of the spaces, a reduction in occupancy of 2.5 persons per space is required.**
- c. Reference Kimley-Horn report page 4: Figures 2 and 3 indicate 1,164 spots available at the two Compassion lots. However, the Compassion Parking Lot Lease Agreement, 10 June 2022, indicates on page 2, Premises A, *"The premises to be leased shall consist of no more than One Thousand (1,000) reasonably sized parking spaces depicted in Exhibit A, which may be modified by Compassion from time to time with written notice ("Premises")."* It is requested that all documents reflect the contractual number of parking spaces available. Note item 4.E. of the same contract indicates that Compassion at its sole discretion may identify those concerts inconsistent with its mission and corporate purpose and prohibit the use of its parking. (Currently in the Kimley-Horn plan the total available spaces in Figures 2 and 3 should read 3,039 and 3,439 respectively.)
- d. Reference the Off-Site and Remote Parking Chart on the Polaris Pointe South Filing No. 4 PUD Development Plan, posted 15 November 2022: Compassion site 1 and 2 show a total of 1,164 parking spaces. The Compassion Parking Lot Lease Agreement, page 2, Premises A, indicates the premises to be leased shall consist of no more than One Thousand (1,000) spaces.

**RECOMMENDATION: Change the Kimley-Horn and Polaris Pointe South Filing No. 4 PUD Development Plan to reflect the Compassion contracted number of parking spaces, which is 1,000.**

## Traffic

- **How will the increased trips from rideshares impact the overall traffic?** (Review Traffic 1 below)
  - **Since the Non-Use Variance Project Statement failed to identify a neighborhood (Stonewater) and two apartment complexes (Bella Springs and Polaris Junction) in the project area, how can it conclude there will be no adverse impact?** (Review Traffic 1 and 2 below)
  - **What is the City of Colorado Springs plan if CSFD Station 22 emergency response times during concerts increase because of traffic along Voyager?** (Review Traffic 1 below)
1. Reference Kimley-Horn plan, page 2, paragraph 1: *“It is anticipated that some percentage of event visitors (up to 25-35%) may arrive to the Venue via rideshare (Uber or Lyft) or be dropped off.”* Sometimes experts get things wrong. There is no mechanism to correct this estimate over time and to adjust the parking plan. An early LSC Transportation report estimated 2.5 people per car. With 8,000 people that would be an expected 3,200 cars. It is also necessary to recognize that each rideshare trip while eliminating the need for a parking space will generate twice the traffic as the rideshare goes to the venue and leaves the venue at drop-off and pick-up. For example, if 35% of 3,200 projected cars are instead rideshares, that eliminates the need for 1,120 parking spaces. However, each rideshare goes to and leaves the venue twice for a total of 4,480 trips (1,120 x 4 trips total = 4,480) compared to a total of 2,240 trips (1,120 x 2 trips = 2,240) for the 1,120 cars if they park. **That’s an extra 2,240 car trips in a congested area at peak times.**
  2. Reference the Polaris Pointe South Filing No. 4 PUD Development Plan Non-use Variances Project Statement: The map on page 1 showing the surrounding neighborhoods is inaccurate. The 150-home Stonewater neighborhood between Sybilla and Middle Creek Parkway, west of Voyager is not labeled on your map. The Bella Springs Apartments on Voyager at Stout Road are not labeled and the new Polaris Junction apartments on Spectrum Loop south of the amphitheater are not labeled. On your map, the Stonewater neighborhood is between the Compassion International Site 1 and Site 2 on the opposite side of the street (north side of Middle Creek). One of the Bella Springs Apartment entrances/exits is directly opposite Stout Road, the entrance/exit to the TCA parking lot. Their other entrance/exit is just south of Stout Road on Voyager. The Polaris Junction Apartments are on Spectrum Loop south of the amphitheater. Their only ingress and egress is from Spectrum Loop. This is important

because pages 4 and 5 read, *“That the granting of the variance will not have an adverse impact upon surrounding properties.”* On page 6, item 5 states, *“The granting of the variance will not have an adverse impact upon the surrounding properties or neighborhood.”* It is important to recognize N.E.S. apparently did not even know a 150-home development is directly across Middle Creek from Compassion Site 1 and east of Compassion Site 2, Bella Springs is opposite the TCA entrance/exit, and Polaris Junction is on Spectrum Loop. One cannot assume that any of the Planning Commission members or any of the City Council members are familiar enough with the area to know of the omissions. Given these omissions, it may be reasonable to conclude that the Compassion and TCA parking will have an adverse impact upon the surrounding properties and neighborhoods.

### **Accountability**

- **Given the potential negative impacts to area neighborhoods, emergency services and surrounding businesses, is there a way to establish more immediate accountability for the Venue especially during the first year of operations?** (Review Accountability 1 below)
  - **What formal agreement does Notes Live have with the City of Colorado Springs to maintain operations control of the Venue when it is being leased to other entities?** (Review Accountability 2 and 3 below)
1. Reference Item 39 on the Polaris Pointe South Filing No. 4 PUD Development Plan, posted 11/15/22: *“An agreement between the Venue operator and the City of Colorado Springs, recorded at Reception No. \_\_\_\_\_, shall capture timing and details of annual reporting. Annual reporting shall include but not limited to, dates and times of past events, summary of monitoring of noise levels, summary of traffic and parking issues, list of any complaints received and how addressed, and methods to further addressing noise, traffic and parking issues and Venue non-conformities.”* Every policy and decision have unintended consequences, some positive and some negative. Sunset Amphitheater is being built in an area with homes to the north, east, southeast and south of the Venue. As such and in spite of expert opinions and projections, there is potential for negative impacts on homes and neighborhoods up to 60 times annually from May through September and at this time unpredictable disruption from October through April. Because of the outdoor nature of the facility there are potential noise and lighting issues. Because of the off-site parking at Compassion, there is a potential for problems related to people walking back to their cars even with shuttles running and egress problems from the Stonewater neighborhood. Because of traffic at the end of each concert exiting on to Voyager from Spectrum Loop, Stout Road, and Middle Creek Parkway there is a possibility for traffic jams that may even impact emergency vehicle response times. We in the surrounding neighborhoods are more than familiar with the traffic congestion and bottlenecks along Voyager during the drop-off and pick-up periods at Classical Academy when school is in session.

**RECOMMENDATION 1:** It is recommended that item 39 be amended to require a formal meeting be convened after the first month of Venue operation if the first month of operations occurs between May and September and include the Venue operators, representatives of all surrounding neighborhoods and the businesses, including those located on the northeast corner of Northgate and Voyager, the fire department, representatives from the City of Colorado Springs, and the police department. In addition to the requirements specified in item 39 currently, neighborhood complaints, emergency response time data from Fire Station 22 during concert times compared to non-concert response times and police reports related to the Venue should be added to the official record. After the first meeting, quarterly meetings with the same participants should be convened during the first year of Sunset Amphitheater operations. Meetings after the first year should be determined by mutual agreement among the participants with continued annual reporting to the City of Colorado Springs. An email address and phone number for complaints should be added to item 39.

**RECOMMENDATION 2:** Develop a contingency plan to be implemented if emergency response times from Station 22 increase during Venue operations.

2. Reference Kimley-Horn report, 14 October 2022, page 10, Non-Concert Events. *“Venue management may agree to run one or more shuttle lot routes to serve these events based on anticipated or confirmed attendance that is expected to exceed the onsite parking capacity.”* At a meeting on 5 October 2022 between three residents of the Stonewater neighborhood, Notes Live and other personnel (Attachment 1), it was stated that when the Venue was leased, Notes Live would maintain operational control to include responsibility for clean-up, parking, shuttles, security, sound, and traffic control/coordination.

**RECOMMENDATION:** It is recommended that the Kimley-Horn report paragraph 10 be rewritten to state that shuttle service will be provided based on the same criteria as outlined on pages 12 and 13 when each of the identified lots are in use.

3. Reference the 5 October 2022 Memo for Record from the Meeting between Notes Live and Stonewater Residents to Discuss Concerns (Attachment 1):
  - a. Reference Item 2 - In reviewing the documents posted on AR PUD 22-00062, AR NV 22-00480 and AR NV 22-00481, we could not find any commitment to the City of Colorado Springs by Notes Live that Notes Live will always maintain operations control (security, clean-up, parking, shuttles, sound, traffic control/coordination etc.) for the Venue even when it is leased to another entity.

**RECOMMENDATION:** It is recommended that an item be added as item 44 on the Polaris Pointe South Filing No. 4 PUD Development Plan to ensure that Notes Live remain responsible for all venue operations including but not limited to security,

**clean-up, parking, shuttles operations, sound, traffic control/coordination regardless of the time of year and the entity leasing the Venue.**

- b. Reference Item 11 – There was a discussion of using temporary “No Event Parking” signs at the entrances to the Stonewater development prior to each event. We could not find a formal commitment in the documents to ensure that temporary “No Event Parking” signs are put out prior to events for the Stonewater or any of the surrounding neighborhoods.

**RECOMMENDATION: It is recommended that an item 45 to the Polaris Pointe South Filing No. 4 PUD Development Plan be added and specify that Notes Live will be responsible to coordinating the placement and pick up of temporary “No Event Parking” signs at the entrances to the Stonewater, Grey Hawk, Northgate, Serenity Park and Flying Horse neighborhoods before each event when parking in excess of 1,400 spaces will be needed.**

### **Summary**

While substantial improvements have occurred to the plans for the Sunset Amphitheater since the initial submission of the plans by Notes Live, there remain a number of questions, concerns and issues to be resolved. If these issues cannot be addressed before construction begins, it is recommended that the Colorado Springs City Council disapprove the project.

## ATTACHMENT 1

### MEMO FOR RECORD

DATE: 5 October 2022

SUBJECT: Meeting between Notes Live and Stonewater Residents to Discuss Concerns

On 5 October 2022 a meeting was held at 1755 Telstar Drive, Suite 501, Colorado Springs with J. W. Roth (Founder, Chairman and CEO), Bob Mudd (President) (via video cam), Chris Lieber (N.E.S.), Lisa Bachman (Consultant), and Julia Maguire (Investor and Public Relations Director), representing Notes Live. Nancy Rockman Greene, David Styles, and Mary Talbott attended to present concerns of some residents of Stonewater at Northgate.

The following is a summary of key points discussed. This memo has been reviewed and the contents agreed upon by those in attendance.

1. The overarching concern was the use of Compassion's two lots for venue parking and the associated issues of noise, traffic, neighborhood parking, trash and potentially drunk/disorderly conduct by attendees. A question was posed about finding another location to replace Compassion parking. Mr. Mudd said that a formal offer has been submitted to The Classical Academy (TCA) board to build a parking lot of approximately 900 spaces with a connecting road to replace Compassion parking and to lessen the traffic congestion at Stout. This will be a multi-step process that began with TCA board approval and then the entitlement process can begin. When TCA accepts the Letter of Intent (LOI), Notes Live can begin to develop civil drawings that will be submitted to Colorado Springs government, the Army Corp of Engineers because the bridge will cross Monument Creek, Fish and Wildlife because there is a Preble's Meadow Jumping Mouse habitat. Mr. Mudd indicated that this will be a 1 to 3-year process. There will also be a city process as well. It is hoped the TCA lot and connection are done when touring bands begin in 2024. Goal number one is to phase out Compassion parking.
2. Leasing the Venue: When the venue is leased, Notes Live will always maintain operations. That means Notes Live will be responsible for clean-up, parking, shuttles, security, sound, and traffic control/coordination. Most leases are projected to be 6,000 or less, so Compassion parking will not be involved. The primary responsibility of the entity leasing the venue is ticketing.
3. The front page of the development plan has commitments in writing and the new development plan was submitted on 5 October 2022 to the city.
4. By regulation Sunset is required to have 2000 parking spots. We are committing to having 70% of that number within a ½ mile radius and the full requirement within 2 miles radius. For every spot we do not have available related to the 2000, we will reduce occupancy by 2.5 people.
5. Notes Live is buying enough shuttles to ensure that the wait is not outside of 5 to 11 minutes based on a sophisticated analysis by Kimley-Horn. There will be reviews after early-stage events.

6. A concern was raised about how street parking would be prevented. Two security companies have been hired to provide traffic control.
7. The touring events will be the largest events and that is when Compassion will be used.
8. People will be coming at different times for events. Some will come early for the openers, some will come just for the feature, so people will come over different times during a three-hour period. People will leave, however, at about the same time.
9. The issue of trash was raised in the parking lots and along the path where people walk to parking lots. Mr. Roth said that the parking lots would be cleaned up daily and suggested that with city permission they could put trash cans along Voyager. Mr. Roth asked Mr. Mudd to look into it. Because of the analysis by Kimley-Horn and the shuttle plan, Mr. Mudd thought very few people would be walking.
10. A question of the impact of the newly approved apartments at Spectrum Loop and Voyager was raised. The new traffic study is based on the 2030 development plans, so it considers the planned growth and aggregate impacts of all the development in the area and across the community.
11. No event parking signs: Working with the city, there can be "No Event Parking" signs put up well before an event starts (orange sign on the side of the road). That has been effective in the Mill Street neighborhood near Weidner Field. Mr. Lieber said he has spoken to the traffic engineering about temporary and permanent signs. Traffic engineering suggested temporary signs first and get more aggressive with permanent signs if parking continues to be a problem.
12. Problems exiting neighborhood onto Warm Springs at the start of a large event was raised. The current plan calls for 1 traffic control person per 250 cars in the lots. At this time there is no person slated for the Warm Springs entrance of traffic control. Mr. Roth will check the AEG statistics, but he estimated that because people will come to the venue at differing times, traffic should not be highly concentrated.
13. Sound: High sound travels directionally and low decibel sound levels travel omnidirectionally. An artist compound has been added on the south side of the property to block the sound. Restaurants will be built on the east, if not built, a sound wall will be erected to the east. The stage is built seven-stories down to help mitigate sound. Physical, electroacoustic, and operational mitigation will be used to control noise. The sound analysis indicates residential areas east and northeast will experience approximately 47 db(A) during a show, which is below the 50 db(A) residential 7 PM to 7 AM limit.
14. Safety: People will be drinking. Sunset will be operated with the same policies as Boot Barn Hall. Mr. Roth said he wants his wife, daughters, family and friends to be safe. There will be holding cells at Sunset and police officers will be onsite. Mr. Roth said his is a safe serve company. Everyone who serves alcohol is safe serve certified.
15. Smoking: Is there a smoking area or can people smoke in their seats? Mr. Roth said at Boot Barn Hall there is a cigar patio, two people monitor it and disposal of cigarettes is controlled. There will be a designated smoking area at Sunset that is also well controlled. There will not be smoking in the seating or on the lawn.



16. Security: No one with backpacks or duffel bags will be allowed into the venue. Purses will be searched, then people will go through metal detectors. If one fails the metal detector, the person will be screened with a wand.
17. There is a concern that the venue may negatively impact property values. Currently the number of properties in our zip code has increased. Discussion followed and included the rising interest rates; investors bundling properties and selling them; and cash buyers. No definitive conclusions were reached.
18. There was a concern about children playing and riding bikes in the Stonewater development with increased traffic related to venue events. Mr. Roth reaffirmed his commitment to moving the parking north away from Compassion.
19. The Stonewater residents were concerned about points of contact to provide feedback on issues. Mr. Roth identified Julia Maguire will be the contact person, and Mr. Mudd indicated he was interested in keeping the dialogue open as well.

## **Baxter, Tamara**

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**From:** Nancy <ricknancymac@comcast.net>  
**Sent:** Monday, December 5, 2022 12:53 PM  
**To:** All Council - DL  
**Subject:** Amphitheater

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dear Allcouncil:

What is this about a hardship for the amphitheater? There is no hardship for the amphitheater. The hardship is with those who would have to live with it. It is with us who would have to live with the noise, the traffic, lack of parking places, people parking in front of our homes, possible drugs. Can you guarantee with the parking and the traffic that an ambulance could get through if needed? Police protection if there is an incident? To put this into the area with residential living and several schools is shameful and speaks of greed. This is an imposition to monumental and dreadful to put on the people in this area. Please consider this.

Nancy McClellan

I

Sent from my iPad

## Baxter, Tamara

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**From:** Colorado Springs <noreply@publicstuff.com>  
**Sent:** Tuesday, December 20, 2022 9:26 AM  
**To:** Baxter, Tamara  
**Subject:** Mayor's Office #13033236 has been assigned to you

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**



### NEW ASSIGNMENT

Mayor's Office

Hi Tamara Baxter,  
Mayor's Office Request #13033236 has been submitted to Accela CRM and assigned to you.

This request was submitted by  
Krismccoy602  
Resident at  
Dec 14, 2022, 6:32 PM MST through  
iframe

<https://gov.publicstuff.com/request/view/13033236>

#### REQUEST DETAILS

##### DESCRIPTION

STOP THE INSANITY! Traffic is already at an all-time nuisance. This Amphitheatre was NOT planned or talked about when I purchased my home. (2017) The street racing and engine revving has already got us on the intersection ready to take ACTION!

##### PRIORITY

MEDIUM

##### STATUS

SUBMITTED

##### ADDRESS

603 FOX RUN CIR

DUE DATE

Dec 19, 2022,12:00 AM MST

[EMAIL PREFERENCES](#) | [UNSUBSCRIBE](#) | [ABOUT](#) | [SUPPORT](#)



## Baxter, Tamara

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**From:** Douglas McKechnie <douglas.b.mckechnie@gmail.com>  
**Sent:** Monday, December 12, 2022 2:38 PM  
**To:** Baxter, Tamara  
**Cc:** Kristin McKechnie  
**Subject:** Appeal of the Planning Commission - Opposition to the Sunset Amphitheater

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Dear Ms. Baxter,

I write again to voice my and my wife's **opposition to the Sunset Amphitheater** at Polaris Pointe. My wife (cc'd) and I are residents of the Stonewater neighborhood where we have lived with our three children for over eight years. We have very serious concerns about the noise and parking plans for the proposed amphitheater. Currently, our community is a wonderful residential neighborhood. My wife and I fear that the issues caused by the amphitheater, including the late night music from the venue along with the trash, noise, and attendant issues caused by the insufficient onsite parking will significantly degrade the quality of our neighborhood.

Please know that we have enjoyed living in our neighbourhood and the commercial development that has occurred nearby. However, this proposal is for an open air amphitheater to host concerts up to five days a week, from April to October, with some concerts ending at 10:30pm. As this venue is approximately two miles from our home, we have significant concerns about the impact on our family's and our community's quality of life. The amphitheater, and particularly the insufficient onsite parking, is simply incompatible with the number of residential communities so close to the proposed site.

Thank you for registering my and my wife's opposition as voters, tax payers, and members of the Colorado Springs community.

Best regards,

Douglas McKechnie  
12320 Warm Springs Dr., Colorado Springs, CO 80921

## **Baxter, Tamara**

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**From:** Toni Merhar <toni.merhar@hotmail.com>  
**Sent:** Saturday, November 19, 2022 8:02 PM  
**To:** Helms, Randy  
**Subject:** Strong objection to proposed amphitheater

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Col Helms,

I'm reaching out to express strong objection to the proposed 8,000 seat outdoor amphitheater by developer J.W. Roth near Voyager Parkway in north Colorado Springs. As you're well aware, the proposed location is very near a large residential community, and if built, shows an extreme lack of care for those families living in the adjacent communities. The traffic, parking issues, and noise among other negative impacts will definitely result in a decline in safety, respect, and value of a well established and respected neighborhood and its members. I'm extremely saddened to have found what we thought would be our forever home in a neighborhood that we love only to see this development looming. I have yet to meet anyone in the surrounding neighborhoods that is happy about this. We are counting on you to protect our community, schools, families, and children. PLEASE stand up for us and prevent this amphitheater from being built.

Very respectfully,  
Toni Merhar

Sent from my iPhone

## Baxter, Tamara

---

**From:** Helms, Randy  
**Sent:** Sunday, November 20, 2022 11:39 AM  
**To:** Friedman, Samuel  
**Subject:** Fwd: Sunset Amphitheater Appeal

Sam

Can you respond to these emails about my Quasi Judicial response abilities.

Randy

Get [Outlook for iOS](#)

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**From:** timothy.merhar@gmail.com <timothy.merhar@gmail.com>  
**Sent:** Sunday, November 20, 2022 6:01:29 AM  
**To:** Helms, Randy <Randy.Helms@coloradosprings.gov>  
**Subject:** Sunset Amphitheater Appeal

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dear Mr. Helms,

I read recently that the sunset amphitheater has been approved by the planning council. I was hoping you might give some consideration to appealing this decision, or investigating further.

When my family and I PCS'd here in 2018 we were extremely happy to find a home within 5 minutes of the Academy (wife's still active duty) and within walking distance of the DaVinci Academy. We really enjoy the relative peace and quiet of our neighborhood at middle creek, and are greatly concerned about the impact of noise pollution and traffic from this new venue.

I hope you will give some consideration to appealing. Our family had planned on making this our permanent home, but we're concerned about the future of this project.

Thanks very much,

Tim Merhar  
612-710-4107

Sent from my iPhone

## **Baxter, Tamara**

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**From:** Nathan Randall <Nathan.Randall@msn.com>  
**Sent:** Monday, December 12, 2022 3:37 PM  
**To:** Baxter, Tamara  
**Subject:** Sunset Amphitheater Hearing Comment

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Dear Ms. Baxter,

I'm writing about an additional concern regarding the proposed construction of the Sunset Amphitheater that I have not seen raised elsewhere:

On October 1, 2017 a 64-year-old man opened fire on the crowd attending the open-air Route 91 Harvest music festival on the Las Vegas Strip in Nevada. From his room in the nearby Mandalay Bay hotel, he fired more than 1,000 bullets, killing 60 people and wounding at least 413. The ensuing panic brought the total number of injured to approximately 867.

On YouTube there are countless videos of both Russian and Ukrainian forces using off-the-shelf commercial drones to drop improvised explosives on groups of combatants. On standard settings, commercial drones are electronically restricted from flying in certain areas; however there are two easily found means to bypass geofencing restrictions allowing them to (illegally) operate in restricted airspace such as near the Air Force Academy.

Recently a mass shooting occurred at Club Q, an LGBTQ nightclub in Colorado Springs. Five people were killed, and 26 others were injured, putting Colorado Springs on the nightly news.

**Has anyone considered that hosting an open-air “target range” near the high profile Air Force Academy is a recipe for disaster that may someday ensure Colorado Springs is far more notorious for a terrorist act at the Sunset Amphitheater than for the shooting at Club Q?**

In my opinion, this is an unacceptable risk for such a high profile location. I certainly would not want the approval of this project on my conscience.

Sincerely,

Nathan Randall



## **Baxter, Tamara**

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**From:** Stacy Comcast Email <csrea@comcast.net>  
**Sent:** Sunday, December 11, 2022 4:09 PM  
**To:** Baxter, Tamara  
**Subject:** Sunset Amphitheater

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello Tamara,

I am a resident of the Stone Crossing neighborhood, which is just around the corner from the proposed amphitheater. I strongly oppose this new venue. The traffic, parking, and noise I believe will be disturbing to the residents of this area. The Top Golf project is already an eyesore for the residents in this north gate area. To add a noise and traffic problem is not a good idea. The traffic around this end of town is already congested and frustrating. I continually see unsafe driving by drivers who are frustrated that traffic is not moving well. Adding additional concert traffic will only worsen this situation. Please do not allow an outdoor amphitheater with all the noise and traffic to be built in this area.

Sincerely,

Stacy Rea

1630 Oakmont Drive

719-930-3604

## Baxter, Tamara

---

**From:** Helms, Randy  
**Sent:** Tuesday, November 22, 2022 11:04 PM  
**To:** Friedman, Samuel  
**Subject:** Fwd: Sunset Amphitheater opposition

Sam

He lives on my street and doesn't know me. Funny. He has to be the only one. Let him know about the process.

### Randy Helms

Councilmember District 2  
City Council, City of Colorado Springs  
(719) 385-5493 office  
[Randy.Helms@coloradosprings.gov](mailto:Randy.Helms@coloradosprings.gov)

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**From:** Murray Relf <gwagengraz@gmail.com>  
**Sent:** Tuesday, November 22, 2022 3:01:22 PM  
**To:** Helms, Randy <Randy.Helms@coloradosprings.gov>  
**Subject:** Sunset Amphitheater opposition

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Greetings ,

This is Murray Relf of 234 Coyote Willow Drive , just off of Northgate , and I am penning this to voice my opposition to the amphitheater at Polaris pointe .

It bewilders me as to how such a project could have been approved by the city . If you stand on the construction site , the eye sees an arc of residential communities . There is only a thin rim of businesses that separate the venue from hundreds of homes in Flying Horse , Northgate Estates , and other neighborhoods. It is completely unreasonable to expect hundreds of homeowners who have spent 800,000 - 2,000,000\$ for homes in this area only to have constant noise from a rock concert venue which was shoe horned into a tiny land parcel within 1-2 miles of thousands of residents . It is absurd to force the local residents to have to listen to the noise of a rock music venue the entire summer for 4-5 nights all summer .

In addition to the noise , the roads / exits are insufficient to handle the expected traffic . The residents of these neighborhoods will be blocked in regularly by 3-4,000 cars , 4 nights a week , all summer .

Furthermore, the risk of vandalism will rise for the residents in this area .

If I thought coming to whatever city meeting would help stop this , I would move heaven and earth to speak . However, my understanding is this has already been approved - and I doubt any of the voting council live anywhere near this looming disaster .

The home owners in this area are going to have the disruption of constant noise until late at night all summer , lowered property values , rising crime rates , and likely be forced to move to escape this fiasco .

Unfortunately , the only effective way to challenge this is legally . If the homeowners can generate enough of a cash war chest then there may be the possibility of suing the city and the developer . Certainly , if the sound levels in the communities exceed that described by the federal government as harmful to human health there would be grounds to sue the city and the developer for immediate cessation of use of the amphitheater .

At the moment , we are considering options to address this - but a few homeowners going to speak for 3 minutes each when the council has apparently already approved the project is an exercise in futility . The only effective measure in these situations is for the city or developer to understand that they will potentially be responding to litigation .

Murray Relf , MD

Sent from my iPhone

## Baxter, Tamara

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**From:** grnrok@comcast.net  
**Sent:** Monday, December 12, 2022 6:32 PM  
**To:** Baxter, Tamara  
**Cc:** grnrok@comcast.net  
**Subject:** Sunset Amphitheatre

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

I am a resident of the Stonewater community in Northgate. I have met with J. W. Roth and Bob Mudd regarding the Sunset Amphitheatre. Questions have been asked regarding the large seating capacity, lack of sufficient on-site parking, having events 7 nights a week for 5 months, increased noise, increase in traffic, shuttle buses, safety issues, fire potential, unruly guests and strong winds blowing their trash into our yards. The committee for this venue seems to have an answer for our concerns but I am not convinced they will have that kind organization or control.

What really frustrates me is that none of the people involved in this project live within a mile of the Amphitheatre, so it doesn't affect them, their homes or lifestyle. Northgate is a residential area with some of whom have lived here 20 to 30 years. This venue is a disruption and invasion of our neighborhood. J.W. Roth has stated that he wants to be "neighborly". There is nothing about this Amphitheater that is neighborly.

I understand the importance of community growth and offering more amenities to its citizens, but Colorado Springs is exploding. Is it necessary to build on every available scrap of land? Whatever happened to having open space and enjoying the natural beauty of the Colorado landscape? This type of expansion is a disservice to the people of our community.

Please consider placing this venue away from residential areas and out of Northgate. It is bad enough we must look at the ugly nets of Top Golf.

Thank you for your consideration on this matter.

Regards,  
Nancy Rockman-Greene  
[grnrok@comcast.net](mailto:grnrok@comcast.net)

## Baxter, Tamara

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**From:** Colorado Springs <noreply@publicstuff.com>  
**Sent:** Tuesday, December 20, 2022 9:28 AM  
**To:** Baxter, Tamara  
**Subject:** Mayor's Office #12956873 has been assigned to you

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**



### NEW ASSIGNMENT

Mayor's Office

Hi Tamara Baxter,  
Mayor's Office Request #12956873 has been submitted to Accela CRM and assigned to you.

This request was submitted by  
SamSam77  
Resident at  
Nov 24, 2022, 10:38 PM MST through  
Iframe

<https://gov.publicstuff.com/request/view/12956873>

#### REQUEST DETAILS

##### DESCRIPTION

Hello, Please do not approve the construction of an amphitheatre near a residential area. There are no benefits to the residents except to the developers. Bass sound waves travel further away and it will disturb the quality of life and cause anxiety for all residents in the area. They claimed that the sound will be within the ordinance sound parameters. That is a lie. They will measure it without bass and it will pass the test. Then come time for a concert, it will exceed the accepted sound threshold. Even now, it's Thanksgiving evening and there are car racers on Powers. There are laws on the book against racing, against exceeding speed limit, against exceeding sound levels in the city and against reckless driving, yet nothing is done about it. What exactly will be done when the concerts will exceed the accepted sound levels and disturb the residents for miles away? Pretty much nothing. Build an

amphitheatre in the mountains or far away in the plains where there isn't a residential area. Thank you for your consideration. Sam

PRIORITY  
**MEDIUM**

STATUS  
**SUBMITTED**

ADDRESS

DUE DATE  
Nov 29, 2022,12:00 AM MST

[EMAIL PREFERENCES](#) | [UNSUBSCRIBE](#) | [ABOUT](#) | [SUPPORT](#)



## **Baxter, Tamara**

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**From:** Lisa Schmidt <CnLSchmidt@comcast.net>  
**Sent:** Wednesday, November 30, 2022 11:02 AM  
**To:** All Council - DL  
**Subject:** Amphitheater

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

I am writing to oppose the amphitheater that is under consideration on the north end of town. I am a parent of a student who attends one of the schools whose parking would be affected, and I do not believe this location is in the best interest of the city, students, or neighborhoods nearby. I think it's a good idea, but it should be moved /located further out into more open space where appropriate parking can be added.

Thank you,  
Lisa Schmidt

One choice at a time for His glory...

Lisa Schmidt  
651-5546 cell  
CnLSchmidt@comcast.net

## Baxter, Tamara

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**From:** deszar <deszar@protonmail.com>  
**Sent:** Thursday, December 1, 2022 11:27 AM  
**To:** All Council - DL  
**Subject:** Sunset amphitheater proposal

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Dear esteemed City Council members,

I am writing in regard to the proposed Sunset amphitheater, in order to make some brief points regarding this proposal which I understand is being appealed.

The proposed concept, \*if one disregards the impact on surrounding neighborhoods\*, looks amazing. However, when we take the community into account, noise-related issues are particularly concerning, and must be addressed prior to any potential approval.

At the lengthy planning meeting, a large number of community members voiced their concerns about this project. On a personal and more positive note, I feel the developer has done much to mitigate issues related to parking and traffic flow, given the fact that they are required to reduce amphitheater capacity if they do not have appropriate dedicated parking within the prescribed distance.

However, more work **MUST** be done to address noise-related concerns and its impact on the community. Without rehashing the entire planning meeting, some important points from this forum bear highlighting. Various community members identified the impact noise from concerts would have on their quality of life - one mentioned a child with sensory challenges (who requires a quiet environment for sleep), while another mentioned bedroom window proximity to the proposed site (direct line of sight at relatively close distance), among many others.

The planning commission members were not provided the noise study for review prior to their approval. One of the members noted that s/he would not have gained much out of seeing it, then remarked that one should trust the experts (note: hired by the developer), and finally proceeded to make his/her own judgement that train whistles (which many community members hear at night, from a much greater distance than the proposed amphitheater) are designed to carry over distance anyway (it would be interesting to see an expert analysis of this, given that someone three miles away generally doesn't have any need to hear a train whistle).

I simply bring this point up, to emphasize that while there is only one developer-hired expert who has completed a noise study that ostensibly addresses the challenge, we all have our own practical life experiences that inform us as to how sound travels -- which oftentimes does not correspond to the same atmospheric conditions in which analyses are generally conducted. \*I would submit that, if approved as currently proposed, the likelihood of noise having a significant negative impact on the quality of life for the surrounding neighborhoods is quite high.\*

A number of comparisons have been made with Fiddler's Green. Looking at images online, a few points come to mind. 1) There are a number of large structures immediately behind the venue, 2) The venue backs up to the highway, 3) There are noise barriers that completely surround it, and 4) The grade from the top to the bottom (concert floor) is much steeper than the Sunset proposal. Finally, Fiddler's Green has received noise complaints in the past, and as a result took more measures to address them. For the good of the community, addressing potential noise issues in as much detail as possible **PRIOR** to any potential approval is simply the right thing to do for the community. There are numerous families with small children (and early bedtimes), people who have to work early morning shifts, and many for whom evening noise will create a nuisance that truly impacts their health and well-being in a negative manner.

IF this is approved, I strongly believe two requirements must be added at a minimum, for the good of the community:



1. First and foremost, all concerts should end at 10 PM to at least ease the burden of later evening noise. The developer has already mentioned this is a possibility for them (see final portion of planning meeting). Further, as I understand it, this is already a policy at Fiddler's Green.
2. Second, a noise barrier should be required around the amphitheater, similar to that at Fiddler's Green. I understand this may not appear to be as aesthetically pleasing, but it is the right thing to do for the community. Further, wall designs and landscaping could be incorporated to make it attractive.

Thank you for your time, and for your dedication to the multiplicity of people and communities who truly make this city great.

Sincerely,  
Dan Szarke

Sent with [Proton Mail](#) secure email.

## Baxter, Tamara

---

**From:** Friedman, Samuel  
**Sent:** Tuesday, January 3, 2023 9:46 AM  
**To:** Baxter, Tamara  
**Subject:** FW: Please vote NO on the proposed Sunset Amphitheater project

For records

### Sam Friedman

Constituent and Outreach Program Coordinator  
Legislative Services, City of Colorado Springs  
(719) 385-5480 office



---

**From:** Jackie Kangas Beard <jakie.beard@gmail.com>

**Sent:** Sunday, January 1, 2023 12:58 PM

**To:** Strand, Tom <Tom.Strand@coloradosprings.gov>; Williams, Wayne <Wayne.Williams@coloradosprings.gov>; Helms, Randy <Randy.Helms@coloradosprings.gov>; OMalley, Mike (Council Member) <Mike.OMalley@coloradosprings.gov>; Murray, Bill <Bill.Murray@coloradosprings.gov>; Henjum, Nancy <Nancy.Henjum@coloradosprings.gov>; stephanie.fortune@coloradosprings.gov; Avila, Yolanda <Yolanda.Avila@coloradosprings.gov>; Donelson, Dave <Dave.Donelson@coloradosprings.gov>

**Subject:** Please vote NO on the proposed Sunset Amphitheater project

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Good morning & happy new year!

I am writing to add my voice to the chorus of opposition to the proposed Sunset Amphitheater project. As a resident of the Serenity Park HOA (less than two miles due east of the proposed site), the Amphitheater will fundamentally change our - and all of Northgate's - lives for the worse. I understand that the projected tax revenue would benefit the city, but it would do so at the cost of thousands of already established families' safety, security, ability to go about their lives, and financial bottom lines.

Notes Live has successfully spent hundreds of thousands - if not millions - of dollars to build a proposal for the Sunset Amphitheater that checks all the boxes and meets most of the codes required to move the project forward to approval. Well, except for the noise levels. It reads and sounds (according to Mr. Mudd's discussion at the town hall hosted by Notes Live) like they already know the noise will exceed code in nearby neighborhoods. About which nobody seems to care but the residents and homeowners.

They have done exactly enough to get the project recommended for approval, but no more. Notes Live claims they want to be good neighbors, but they declined to take the next step in their planning and analysis - the direct effect the proposed amphitheater will have on the neighborhoods surrounding Polaris Point. The plans submitted never mention the undue, unplanned and unwelcome burden the amphitheater will exert on anyone living in the one-to-five mile radius around it. Or the fact that - if Northgate residents want the traffic, security, noise and pollution problems resulting from the amphitheater addressed - residents, homeowners and small businesses will have to bear the expense themselves.

My specific objections to the Notes Live proposals include, but are in no way limited to, the following:

### **Parking Plan**

The parking plan does not acknowledge the reality that concertgoers will choose to ignore the opportunity to purchase parking at the point of sale and will park for free in local neighborhoods closer to the venue than the off-site parking locations. It also does not give a backup plan for the events at which either or both Compassion International or TCA exercise their contractual right to deny use of their parking facilities (Notes Live claims they will reduce capacity - who is making sure that happens?). Where are those people going to park? In the nearby neighborhoods. Although there are provisions to provide security and janitorial teams to both TCA and Compassion International in their parking lease agreements, there is no plan to provide the same for the surrounding neighborhoods. Those of us who live here are just expected to happily take on the inconveniences, increased security risks and out-of-pocket expenses to keep our neighborhoods clean and safe.

Additionally, all of these off-site parking facilities are only under one-year contracts. What happens if they don't renew? Again, the neighborhoods will have to bear the burden and incur the cost to provide their own security and sanitation services because Notes Live does not have a solid long-term parking plan or any intention of supporting the neighborhoods inconvenienced by their poor planning for this amphitheater.

### **Traffic Plan**

The Traffic Plan only analyzed the effect the proposed amphitheater will have on Voyager Boulevard, North Gate Boulevard, Spectrum Loop and the Voyager entrance to I-25. It did NOT analyze potential traffic patterns in the neighborhoods surrounding Polaris Point, and states that analysis of the streets that empty onto Voyager Parkway will be done at "a later date". At the town hall hosted by Notes Live, Mr. Mudd deferred answering my question about what will be done to protect or stop concertgoers from cutting through neighborhoods when Waze or Google Maps redirects them off of Voyager or North Gate due to congestion until after the traffic analysis was complete. They still can't answer the question. The truth is that Waze and Google Maps will recommend that concertgoers cut through our neighborhoods, and those of us who live in these neighborhoods are just expected to accept the pre- and post-show traffic and bear the expense of hiring security for and cleaning up after every event.

If the analysis on the streets that empty into Voyager and North Gate had been conducted, it would have shown that there are several neighborhoods - Serenity Park included - who will be trapped during peak pre- and post-concert traffic as there are currently not traffic lights or stop signs to stop the flow of traffic on Voyager and/or North Gate to allow egress from or access to every neighborhood. Residents will be unable to safely turn out of or into these unregulated neighborhood intersections, impeding our ability to go to or come home from work, get our children to/from their extracurricular activities or seek emergency services. This is a huge safety issue for everyone who lives in these neighborhoods.

Additionally, I take issue with the "high traffic point" in the Traffic Plan being identified as 9:30 -10:30P on Friday nights. This feels deceitful. If the current noise ordinance allows for a higher level of noise until 11:30P on Friday and Saturday nights, it seems logical to assume that Notes Live will take advantage of that, and that the high

traffic point on Friday and Saturday night will actually be 11:30P - 12:30A. Another example of Notes Live is deliberately downplaying how the amphitheater will affect nearby residents.

### **Noise**

At the town hall hosted by Notes Live, Mr. Mudd said that Notes Live is most concerned about the effectiveness of the proposed sound mitigation efforts for the neighborhoods to the East. That's my neighborhood. We can clearly hear every down of the TCA football games and all events held at the USAFA stadium. Our topography is unique (and is VERY different from Fiddler's Green - to which Notes Live often compares the proposed Sunset Amphitheater) in that we are technically a valley. Sound will bounce off the front range to the West and the hills to the East and North. No amount of noise mitigation technology will adequately address the issues our topography presents. But, again, the residents and homeowners are just expected to accept increased noise from the amphitheater, which will bring an end to quiet summer nights and the ability to get our children to sleep at a decent hour. When a planning commission member echoed resident concerns about the noise, Mr. Mudd unapologetically said that their current noise mitigation plan is the best they can do and they would make no changes to it.

Notes Live has been deliberately vague about how many nights a year there will be events and whether shows will be required to end at 9:30 or 11:30P. The company has listed 30-40 events in materials and at their self-hosted town hall, but Mr. Mudd admitted there could be more than 100 events per year at the Planning Commission meeting. What is the truth & who is responsible for regulating the number of days and what time the music must end? It seems that - if it gets approved - the City needs to take a more active role in governing the proposed Sunset Amphitheater. Fiddler's Green is required by the City of Denver to end its concerts at 10:00P sharp (and has famously cut the sound mid-song on performers like Lenny Kravitz). The City does not seem to be making any requirements of Notes Live or creating or adjusting ordinances/laws to protect Northgate residents. Nor, apparently, does the City plan to expand the police force to provide adequate neighborhood security on event nights. Notes Live should not have the power to dictate when & how the amphitheater can disrupt the lives and compromise the security of the residents around it. It is the City's responsibility to keep its citizens safe.

I hope I'm wrong about this, but, as I understood when I was listening to the City Planning Commission meeting, there was some confusion at the end because the sound study was left out of the Planning Commission's packet of materials for review. Which begs the question of how did the Sunset Amphitheater project - a concert facility whose sole purpose is to amplify music for entertainment purposes - get passed and recommended for approval by the City Planning Council given that the sound study was not included in the Planning Commission's review packet? At best, the Planning Commission behaved incredibly irresponsibly, and should have postponed the vote until they could review the sound study - especially the fact that Notes Live already knows that sound will go above current regulatory thresholds in certain neighborhoods. At worst, it was evidence of corruption and that the rumors that everyone has been paid off by Notes Live are true.

Notes Live and the proposed Sunset Amphitheater will fundamentally change how residents, homeowners and small businesses in our family-focused Northgate community go about life during the summer, and, perhaps the whole year through. It will also raise our cost of living as we will have to bear the expense of keeping our neighborhoods safe and clean ourselves. Please do not allow one company to create a venue that will so negatively affect the lives, livelihoods and household budgets of thousands of families just because it has the resources to do so. Please vote no on the proposed Sunset Amphitheater.

Kind regards,  
Joanna Kangas Beard  
415-601-4761

**From:** [Brad Martin](#)  
**To:** [Lobato, Elena](#)  
**Subject:** Proposed Sunset Amphitheater project  
**Date:** Wednesday, December 28, 2022 9:02:54 PM

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Good evening Elena,

I pray you have had a great Christmas and holiday season!

I am all for progress and the peace and prosperity of our great City. Undoubtedly, I have some concerns and I expect that as Leaders of our City you will and do also.

#### Size

This Project has been compared to Red Rocks Amphitheater by the Developer in saying, "...now you won't have to drive to Denver for (outdoor) entertainment..."

The size of Red Rocks Amphitheater property is 868 acres and seats 9,525.

By comparison, the Sunset Amphitheater Project is slated to be 9.22 acres and seat 8,000 people.

Consider nearly 1,000 people per acre.

#### Location

Beyond the size, this specific location does not support the traffic for such a project. Traffic will be snarled in all directions along I-25 both North and South at North Gate Blvd. and the newly added Voyager exit ramps and perhaps as far south as Interquest Blvd.

By way of example, poor traffic circulation occurred when the NHL's Winter Classic took place in February 2020 at Falcon Stadium taking 2+ hours to get to Stadium from Baptist Road and I-25.

Albeit a much larger crowd, the implications were noticeable.

#### Parking

The Project requires that leased parking lots be utilized for 60%, not including the 500 spaces marked as "interim" on the proposal. If the "interim" parking

spots are taken into account, then the Owner would only have to provide 739 of the 3,042 (24%) as needed by their own proposals.

What businesses or organizations with their own building does the City allow to have 24% of its parking need...

Not FedEx, not Bass Pro, not Progressive, not TCA, not Discovery Canyon Schools, not Flying Horse, not Compassion International, not Oracle, not Top Golf, ...

I might also point out that the 469 street parking spaces come at high risk to pedestrians parking, exiting their vehicles and walking along what will be an extremely busy Spectrum Loop.

#### Security and Policing

It is my understanding that the City is currently short of police officers for our rapidly growing locale.

Should we then add to this issue by taking up on and off duty officers' energy and bandwidth working to secure the parking and additional crime that will undoubtedly follow this project.

#### Network Infrastructure

Presently, there is little to no cellular service at North Gate and Voyager. Both AT&T and T-mobile, two of the largest carriers, have unstable and inconsistent service. (Have you tried making a simple phone call from this area now with no events taking place?)

By way of example, during the 'Farm Fire' in 2022, network and cellular service was almost nonexistent. Consider an emergency during a live concert event with 4,000-8,000 people and inability to contact emergency services and communicate with patrons.

#### Sense that goes beyond common

I implore you as a Leader of the great City of Colorado Springs to use sense that goes beyond common and leave a legacy to future generations of a well thought out City and 'North Springs area.'

#### Possible Solutions

I would be remiss if I did not offer possible solutions to the City's opportunity for a fun, outdoor event venue.

There are a number of plausible locations that come to mind:

First and foremost, the site of the former Martin-Drake Power Station is at the

intersection of I-25 and Hwy. 24. There is already City Parking available within walking distance and the Amphitheater would bring additional tourist traffic and dollars directly to a revitalized downtown corridor. The City could then be the owner of the land for the Amphitheater.

Secondly, it is my understanding that Mr. Roth, Developer, is the owner of 40 acres at I-25 and Baptist Road. If this site is deemed, 'not-suitable,' then perhaps it would be more than sufficient for adequate parking lots for the Amphitheater.

Finally, an alternative is the property adjacent to the UC Health Park baseball field, where the 'old Switchbacks' field' is located. There looks to be significant parking. This along with adjacent property from the now defunct Sand Creek Golf Course would put unused property to good use.

Thank you for your kind consideration,

Brad Martin  
Concerned Colorado Springs Resident