

POLARIS POINTE SOUTH FILING NO. 4 PUD DEVELOPMENT PLAN AND FINAL PLAT (THE SUNSET AMPHITHEATER)

PROJECT STATEMENT

OCTOBER 4, 2022

REQUEST

N.E.S. Inc. on behalf of Northgate Properties, LLC, Copper Ridge Development, Inc., and Notes Live Corporation, requests approval of the following applications:

- A PUD Development Plan for Polaris Pointe South Filing No. 4 (The Sunset Amphitheater).
- A Final Plat of Polaris Pointe South Filing No. 4, a 4-lot and 2-tract subdivision.

LOCATION

The Polaris Pointe South Filing No. 4 site is comprised of 18.029-Acres and is located west of Voyager Parkway, north of the south leg of Spectrum Loop, and south of Powers Boulevard. To the east is undeveloped land within the Polaris Pointe/Northgate development.

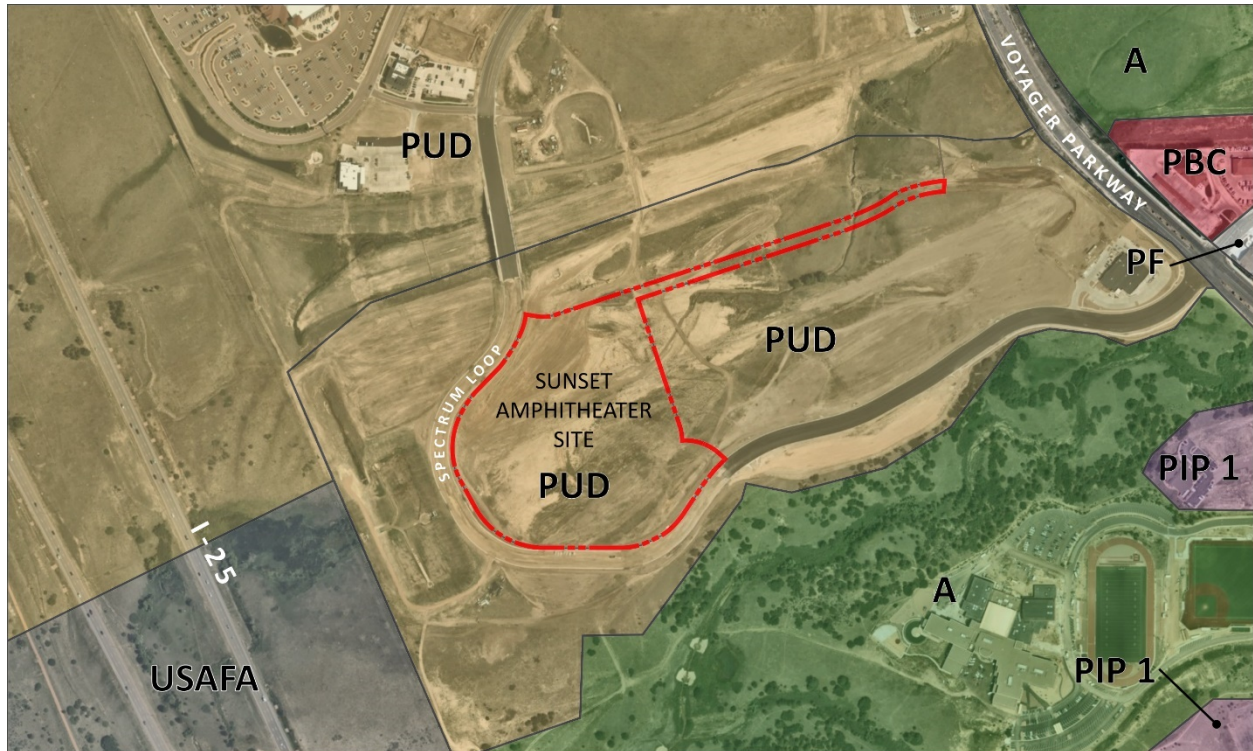


CONTEXT

ZONING AND LAND USE

The site is zoned PUD-Planned Unit Development-Commercial High Rise (120' Maximum Height), and is subject to the Polaris Pointe PUD Plan, which further defines zoning parameters for specific parcels.

Surrounding adjacent zoning in all directions is PUD-Commercial High Rise (120' Maximum Height). Surrounding land use includes a master stormwater detention facility to the west, vacant commercial land to the north and east, and apartments and open space to the south.



MASTER PLAN AND PLANNED UNIT DEVELOPMENT (PUD) PLAN

The property is part of the Northgate Master Plan, which is implemented, but designates the property as Regional Commercial. The property is subject to the Polaris Pointe at Northgate PUD Plan. The PUD Plan designates this property as part of a larger B-1, Mixes Use, area. Permitted uses include Mall, Entertainment Center, and Restaurant; as well as associated parking. Maximum height for the B-1 area is 65', and maximum density is 1,079,000 sf. The PUD Plan establishes a 25' perimeter building setback, and perimeter landscape setbacks, none of which apply to this area of the PUD, as it is not adjacent to an exterior boundary or noted separation use. The proposed development is consistent with the intent of the implemented Master Plan and requirements of the PUD Plan.

FINAL PLAT

The Final Plat of Polaris Pointe South Filing No. 4, is a 4-lot and 2-tract subdivision. Lot 1 is 9.022-Acres, and will be developed as The Sunset Amphitheater. This lot is odd shaped to accommodate

an on-site parking and a pedestrian walkway between the parking lot and the amphitheater. Tract A is 2.568-Acres and will be for two private access drives, including Spectrum Sun View. Tract B is .717-Acre and will be for the private access drive, Spectrum Sun View. Tracts A and B will be developed in conjunction with The Sunset Amphitheater. Lot 2 is 2.422-Acres and will be developed subject to a separate future development plan. Lot 3 is 2.052-Acres and will be developed subject to a separate future development plan. Lot 4 is 1.248-Acres and will be developed subject to a separate future development plan.

PROJECT DESCRIPTION

The Development Plan encompasses 18.029-Acres, comprised of 12.307 acres to be developed as The Sunset Amphitheater site (Lot 1 and Tracts A and B), and the remaining 5.722 acres (Lots 2-4) are proposed restaurant sites to be developed under one or more future separate Development Plans. The Amphitheater project is comprised of a 100,629 sf Amphitheater complex with two primary buildings and a stage, covered suites, and interior guest and venue support facilities; outdoor stadium-style seating, lawn seating, and fireplace suites; and a box office building, three entry gates, on-site parking, pedestrian facilities, loading areas, and trash handling facilities.

The subject property is part of Parcel B-1, of the Polaris Pointe PUD Plan, for which the maximum building height is 65. Perimeter building setbacks are 25'. Perimeter landscape buffers are established, but do not apply to the subject property. The stage is the tallest structure, which is at the maximum height of 65' when measured from average grade. A building setback of 25' is provided at Spectrum Loop, and a landscaped setback of 10' is provided along Spectrum Loop (Collector).

SUNSET AMPHITHEATER

The primary buildings will have multiple access points with various purposes. At the rear of the amphitheater there will be two access drives off of Spectrum Loop to provide for service, employee security, and artist access. At Building #1, there will be 17 standard parking spaces as well as parking and loading for Artist buses, and trash handling areas. At Building #2 there will be three parallel parking spaces and trash handling areas. At each building there will be an exterior gate entry for guest entrances to the facility, with ADA accessible ramp and stair accesses to the buildings.

Among the guest facilities are covered suites, concessions, restrooms, VIP lounge, and hospitality concourse, in both buildings. Among the venue support facilities in Building #1 are commissary, offices, and security, including holding room and infirmary. Among the venue support facilities in Building #2 are commissary and artist green rooms. The Amphitheater has capacity for 8,000 patrons, and will employ approximately 200 to 250 people.

The amphitheater itself will have lower bowl seating in front of the stage, followed by VIP fire pit seating, followed by upper bowl lawn seating on artificial turf. There will be a mid-gate entry central to the upper bowl seating area, which will ultimately be flanked by future restaurant development. This access aligns with the parking lot central walkway, discussed later in this document.

AMPHITHEATER OPERATIONS

General

The primary purpose of the amphitheater is to be an outdoor concert venue for A-list music artists. A secondary purpose is to host local graduations, cultural events, and family-oriented community events such as movie night. The venue is intended to host 50-60 concert events annually, typically during the months of May through September; however, such events may occasionally occur throughout the year. Other smaller and community events are anticipated throughout the year, and would be limited to 1,700 attendees, the equivalent of 708 parking space demand, or a special event permit will be required. Music events will typically occur Thursday through Saturday evenings starting at 7:00 p.m. and ending by 10:30 p.m. on weeknights and Sundays, and by 11:30 p.m. on Friday and Saturdays.

Lighting and Sound

This is an outdoor concert venue, and lights and amplified sound will be part of the operations. An Environmental Noise Emissions Assessment and plan has been prepared to determine mitigation strategies, and projected noise levels. This assessment recommends three types of mitigation, including physical mitigation, electroacoustic mitigation, and operational mitigation. With these strategies employed, the study finds that overall noise decibel levels will be 47 dB(A) at a representative distance of 3,500-feet to the northeast. These noise levels are within the allowable noise levels of 55 dB(A) and 50 dB(A) for adjacent residential uses from 7:00 a.m. to 7:00 p.m. and 7:00 p.m. to 7:00 a.m. respectively. Please see the attached Environmental Noise Emissions Assessment include with this submittal for planned mitigation measures. Of note is that one of the physical mitigation strategies is to install 28-foot height sound mitigation walls at the rear of the amphitheater, which will remain in place until such time as the adjacent proposed restaurant buildings are fully constructed to otherwise mitigate sound. To monitor sound output, two sound detection monitors will be installed, one located east of the amphitheater at 7 Spectrum Loop, and one north of the amphitheater at 13491 Bass Pro Drive. It is acknowledged that it will not be possible to mitigate music event sound at the residential apartment development south of the venue. To that end, the developer has met with the owner of the community, who supports the venue and is intending to inform all potential residents of the nature of the venue's operation and sound impact, including a clause reflecting such in the lease.

It is important to note that the study did not incorporate the impact of the recently approved apartment complex to the east, located off of Voyager which the acoustician believes will have material, additional reduction value of sound impacting residential areas to the east.

On-site lighting includes parking lot pole lighting, pedestrian walkway railing, pole, and wall lighting, seating area flood lighting, and stage under canopy flood lighting. Based on photometric plans included with this submittal, light levels at the property line will not exceed .6 lumens. All lighting will be directed onto the property and away from adjoining right of way or adjacent property.

Security

Private security will be provided prior to, during, and after events; both on-site and at remote parking locations (see Agreement for Security Services included with this submittal). Tailgating in all parking areas will be expressly prohibited and monitored by on-site security officers at a ratio of one officer per 250 parked cars. On-site security facilities, including a holding cell are planned.

ACCESS

Regional access to the development will be via I-25, Northgate Boulevard, and Powers Boulevard. Area access will be from Voyager Parkway and Spectrum Loop. Direct access to the site will be Spectrum Loop. A total of four access points will be provided to the property. Two access will be at the rear of the amphitheater, one to either side of the stage structure. These accesses will serve small parking, loading, and service areas and will be used exclusively for operations and employee traffic. Another access will be provided south and east of the amphitheater and future restaurant properties (Lots 2-4) via Spectrum Sun View, a private access drive in Tract B. The final access will be to a private access drive north of the amphitheater in Tract A. This private access drive will continue southward and connect to the existing private access drive behind the businesses along Voyager Parkway, which connects with Spectrum Loop west of the intersection of Spectrum Loop and Voyager Parkway. All site access drives will be full-movement.

PARKING

Based on amphitheater capacity of 8,000 seats, City Code requires 2,000 parking spaces (one space per four seats). A Parking and Access Plan has been prepared which assesses the venue parking needs and provides strategies for accommodating such parking. This study has determined that for a sell-out event, the venue needs 2,648 parking spaces to accommodate guests and operations and venue staff. This parking need projection factors in a 25% ride share usage. The Development Plan for The Sunset Amphitheater proposes a combination of on-site parking, on-street Spectrum Loop parking, and off-site shared parking in existing parking lots that have extra capacity during event times. With this plan, a total of 2,539 permanent parking spaces are provided, along with 500 interim spaces and a plan with contract for replacement and augmentation of those spaces. The plan further provides 30 on-street Spectrum Loop ride share drop-off and pick-up spaces. The Parking Plan is designed to provide a minimum of 70% of the required parking (1,400 spaces) within a ½ mile radius of the venue, and at no time during events shall less than 2,000 parking spaces be available. All parking will be provided with complimentary optional shuttle service. During large events, employees will be required to park at Roth Industries (which is owned by the amphitheater owner, and thus not included in the parking plan) or the Compassion International lots, and be shuttled to the venue.

On-site Parking

On-site parking is comprised of 736 spaces which includes 20 parking spaces at the rear of the amphitheater building for use primarily by venue staff, 216 parking stalls in a parking lot to the east of Lot 2, 3, and 4 (planned for future restaurant development), and 500 interim parking spaces on undeveloped Polaris Pointe property. Because the 500-space lot is intended to be interim, to be

replaced off-site at a future date, this lot will be surfaced with grass and will not be striped. Temporary lighting will be brought in to serve the interim lot during events. The 216-space lot will likely be used for ADA parking (30 spaces, including 6 van), prepaid parking passes, and premium ticket holder parking. This lot will be striped and have overhead pole lighting. A 30-foot wide, lighted, concrete pedestrian walkway is provided between the parking lot and the amphitheater facility, as it is separated by the future restaurant development lots. A 6' wide detached sidewalk is also provided along the west side of the parking lot/east side of Spectrum Sun View. All parking spaces, including accessible spaces, and access drives meet the required dimensional standards.

On-street Parking

The Development Plan includes 469 parking space on Spectrum Loop. City Staff has agreed that on-street Spectrum Parking is a reasonable request, however, because parking is not currently allowed on Spectrum Loop, the developer is required to restripe the street to provide for parking. Restriping can be accommodated within the existing pavement section which will result in a 9' parking lane on both sides, 5' bike land on both sides, 11' travel lane on both sides, and a 12' striped median in the center. The developer will also be installing a 6' detached sidewalk and 7' landscaped tree lawn along both sides of Spectrum Loop. This design will accommodate pedestrian, bike and vehicular traffic.

Spectrum Loop can accommodate approximately 499 parallel parking spaces, 30 of which are preferred for ride share (Uber/Lyft) pick-up and drop-off parking. On-street parking will be first-come, first-served; however, ride share parking spaces will be managed during events with temporary signage and traffic management staff. The ride share pick-up and drop-off will occur at the rear of the amphitheater south of the private access drive and north of the north access drive to the amphitheater rear parking area. It should be noted that the Parking and Access Plan identifies a need for 27 pick-up spaces after a sold our event. Event staff will monitor this area, which will use variable temporary signage and ride share lanes along Spectrum Loop.

It should be noted that because most of the on-street Spectrum Loop parking will not be immediately adjacent to the development property, a non-use variance is required. See a separate application packet for non-use variances, which is submitted with this application, for more details and justification.

Off-site Parking

The Parking and Access Plan for the development includes 1,834 off-site shared parking spaces in four locations. All off-site parking will be secured with lease contracts, and will be provided with optional shuttle service to the venue. Further, private security at a ratio of 1 security personnel per 250 vehicles will be provided to lots used during events.

The closest off-site lot is located at the Bass Pro Shops, 13012 Bass pro Drive, approximately .28 mile from the venue. This lot has 195 spaces available to share. The Classical Academy, at 975 Stout Road, is the next closest parking lot located within a 1/2-mile radius of the venue. This lot has 475 spaces available to share. There are future plans for additional parking on The Classical Academy site, within .12 mile of the venue, to replace the 500 interim parking spaces on the Polaris Pointe property, as well as provide 400 additional parking spaces for a total of 900. Compassion International, located at 12290

Voyager Parkway, has parking in two locations contracted to share. One lot is located 1.3 miles from the venue and has 627 spaces available to share, and the second lot is 1.9 miles from the venue and has 537 spaces available to share.

City Code provides for reduction in the minimum parking space requirement in the form of an on-street parking credit if such parking is immediately adjacent to the property and the street allows parking, and shared parking if such parking is within 400' by direct pedestrian access. Because Spectrum Loop on-street parking is not all immediately adjacent to the subject property; off-site parking arrangements involve parking further than 400' by direct pedestrian access; and a credit for more than a 20% off-site parking is being, requested Non-use variances for the proposed parking plan are required. See a separate application packet for non-use variances, which is submitted with this application, for more details and justification.

UTILITIES

Municipal water and sanitary sewer are available and adequate to serve the development. The Preliminary Utility and Public Facilities Plan included in the Development Plan set identifies all proposed extensions and connections to public utility infrastructure. Such utilities are stubbed to the property and will be extended to the development site within easements as shown on the Development Plan and provided through the Plat.

DRAINAGE

Existing and new stormwater will be piped to the existing Master Detention Facility located to the west of Spectrum Loop, which is owned and managed by the Copper Ridge Metropolitan District. Drainage plans are included in the Development Plan package.

LANDSCAPING

Landscaping is provided in a 7' wide tree lawn along both sides of Spectrum Loop adjacent to the development site. Landscaped beds are provided on the development property adjacent to the Spectrum Loop frontage, as well as along the portion of the private drive on the north side of the development that is adjacent to the development area. Landscaping is also provided around the perimeter of and in a median within the Lot 1 parking lot. Required plantings are provided consistent with the Landscape Design Manual.

TRAFFIC

A Traffic Memorandum has been prepared by LSC Transportation Consultants, Inc. for The Sunset Amphitheater development. Please see this report for specific methodologies and data. The Memorandum includes the following:

- Inventory of existing conditions;
- Description of the proposed land uses;
- A summary of the Amphitheater Parking Plan, TNC travel and parking lot shuttle operations;
- Traffic count data;

- The projected vehicle-trip generation for the proposed development including event-day peak trip generation estimates;
- A comparison to the trip-generation estimates assumed for this area in previous reports by LSC
- Traffic operations analysis; and
- Recommendations to accommodate daily development traffic and recommendations for the traffic management/control plan for event-day, peak traffic demand for the largest events.

The traffic study found that for a sold out show, the venue will generate 2,370 on-site attendee vehicle trips and 3,200 ride-share trips, 124 on-site employee/staff vehicle trips and 75 ride-share trips, and 287 on-site shuttle bus trips at the venue site in 24 hours. Of the total trips; the number of trips before 5:00 p.m. will include 0 attendee vehicle and ride-share trips, 62 employee/staff trips vehicle trips and 19 ride-share trips, and 4 shuttle bus trips at the venue. Of the total trips; the number of trips between 5:00 p.m. and 6:00 p.m. will include 395 attendee vehicle and 533 ride-share trips, 0 employee/staff trips vehicle trips and 19 ride-share trips, and 56 shuttle bus trips at the venue. Of the total trips; the number of trips between 6:00 p.m. and 7:00 p.m. will include 790 attendee vehicle and 1,067 ride-share trips, 0 employee/staff trips vehicle trips and 0 ride-share trips, and 112 shuttle bus trips at the venue. Of the total trips; the number of trips between 9:30 p.m. and 10:30 p.m. will include 1,185 attendee vehicle and 1,600 ride-share trips, 0 employee/staff trips vehicle trips and 0 ride-share trips, and 112 shuttle bus trips at the venue. Of the total trips; the number of trips after 10:30 p.m. will include 0 attendee vehicle and 0 ride-share trips, 62 employee/staff vehicle trips and 37 ride-share trips, and 4 shuttle bus trips at the venue.

The Traffic Memorandum makes the following recommendations:

For the proposed Sunset Amphitheater event days, an iterative level of service and queuing analysis has been performed to determine the pre and post event peak period special laneage, signal timing/phasing and traffic control needed to accommodate the venue trip demands and entering/exiting vehicle flow rates.

A special event traffic control plan will be needed. An event-day-specific traffic signal timing plan will need to be created for the entire Voyager Parkway corridor. This corridor currently operates in coordination from 6:30 am to 6:30 pm. On event days it will likely be necessary to start a special event planning starting at 5:30 or 6:00 pm. Preliminary analysis utilizes an event peak signal cycle length of 90 seconds between the Northgate/Voyager intersection and the South Spectrum Loop/Voyager intersection.

LSC recommends planning for assistance by traffic control officers during peak event arrival and departure times at the intersection of Voyager/Spectrum Loop (south) and potentially other intersections to the north. There is a heavy traffic flow projected to travel from southbound (locally eastbound) Powers Boulevard to southbound Voyager (short segment), a relatively high volume will also turn right onto Spectrum Loop (South) just to the south. There is also a high volume projected for the eastbound right turn at the Spectrum Loop (North)/Voyager intersection and for the southbound right turn at the Voyager/Powers northbound (locally westbound) on-ramp intersection. The

recommendations shown on the event-plan laneage exhibit have been made to accommodate these high directional volumes associated with large/capacity events.

- The event-specific laneage and signal phasing/timings will likely require event traffic control devices such as cones, temporary signs, variable message signs, traffic control personnel including off-duty law enforcement officers at some intersections along Voyager Parkway. Changes to the traffic signal systems at intersections along Voyager will likely be needed. This may include modification or addition of signal heads, overhead signs, hardware and software changes, as well as creation of event-specific timing plans.
- It is important to note that event traffic control plans, including lane use plans, signal timing/phasing plans will evolve over time. Initial plans will be modified/adjusted based on actual operations once events begin taking place to address issues that arise.
- The event organizers will be able to control several factors affecting travel demand through the ticketing process. The organizers will have the opportunity to, and have indicated the commitment to, continue communication with attendees **after** ticket purchase. This communication would occur during the days prior to the event and on event day in order to relay information, via technology (phone apps., text messages, etc.), such as real-time traffic congestion, recommended vehicular travel routes to/from parking areas and the TNC drop off zone, shuttle status and wait times, and recommended walking routes to/from the venue. Dynamic electronic signage is also proposed to relay information to drivers arriving from North Gate Blvd, Voyager Pkwy, and Powers Boulevard.
- The event organizers may be able to utilize real-time information available from the City TOC (Traffic Operations Center) and coordinate real-time messaging on CDOT changeable message signs along Interstate 25 and other area state highways. These elements could become part of the event traffic management plan.

The Traffic Memorandum also made recommendations related to event-plan laneage, which is detailed in the document exhibits.

PROJECT JUSTIFICATION

CONFORMANCE WITH PUD DEVELOPMENT PLAN CRITERIA (CODE SECTION 7.3.606)

- A. Consistency With City Plans: Is the proposed development consistent with the Comprehensive Plan or any City approved master plan that applies to the site?

The development Plan is consistent with the Northgate Master Plan, which is considered implemented. The project is also consistent with the Polaris Pointe/Copper Ridge Urban Renewal Plan, which identifies entertainment as one of the proposed uses in the district.

The development plan is consistent with the following vision themes of PlanCOS:

Unique Places centers on a vibrant Downtown and is strengthened by our reinvestment in walkable, healthy, and magnetic activity centers that are located in new and reinvented areas throughout the city. The big ideas associated with this vision theme include being a “City of Places” and “Focus on

Corridors and Centers”. Building a world-class, state-of-the-art venue for musical artists to perform for the citizens of Colorado Springs in a location such as Northgate, is exactly what this vision is about. The development is an important addition to this growing and prospering destination area of the city, which is located along major transportation corridors such as I-25 and Powers Boulevard. The use will enhance the existing dining, entertainment, and shopping in the area, and provide an additional option for local entertainment.

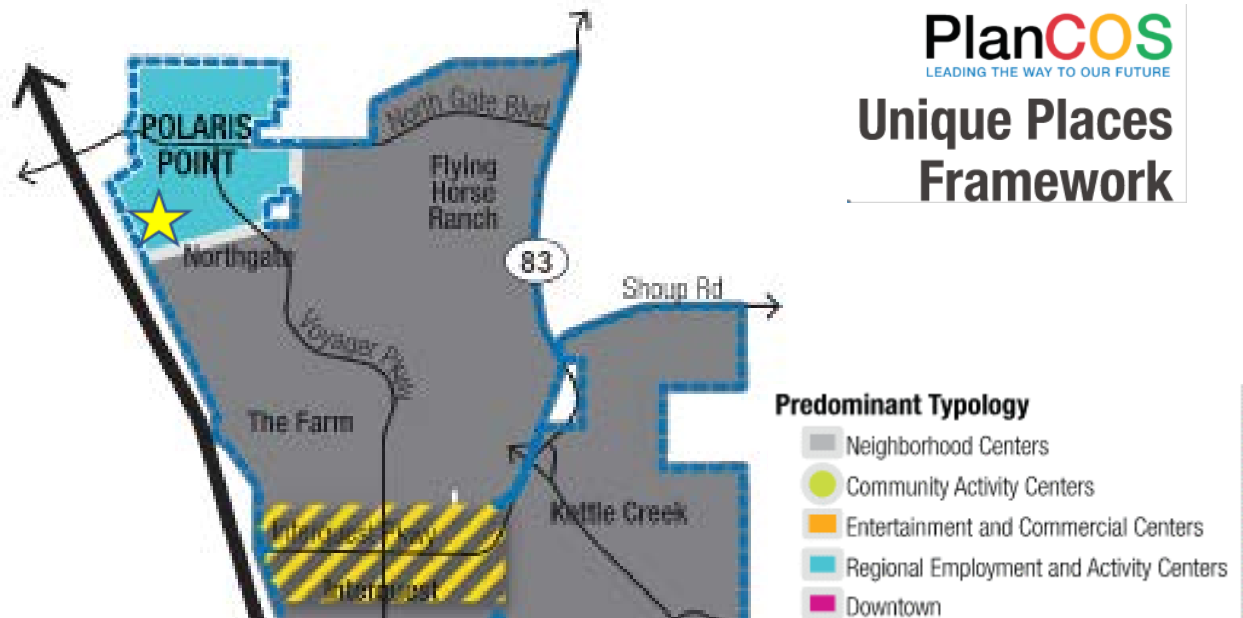
Thriving Economy fosters an environment of inclusivity and economic diversity by attracting an innovative and adaptive workforce, advancing existing and targeted employment sectors, investing in quality of life, supporting our military, and expanding our sports ecosystem as Olympic City USA. The big ideas associated with this vision theme include “Expand our Base” and “Think and Act Regionally”. This one-of-a-kind entertainment venue will expand the city’s economic base by providing a world-class venue that will serve our community as well as other communities in the area. The development will create a projected \$75 million dollars in annual taxable revenue and approximately 200-250 full- time, part-time, and seasonal jobs to the community.

Renowned Culture promotes and embraces arts, culture, and education as essential parts of our lives and our identity. This builds on the efforts of General Palmer and many others that envisioned culture as the cornerstone of the community and where creative energy generates new possibilities, interpersonal connections, and unprecedented philanthropy. The big ideas associated with this vision theme include “Grow and Celebrate Our Culture”, “Create Cross-Cultural Connections”, and “Celebrate our Partnerships”. The City has always valued and supported arts and culture, and development of this privately funded, world class music venue will grow the options to experience musical arts in the community. This development will also further integrate the arts throughout the city in a very relevant way by creating a new venue in another area of the community that is not downtown.

Majestic Landscapes values our natural and man-made outdoor spaces and celebrates our location at the base of America’s Mountain by designing a city oriented around our iconic landmarks. We ensure our community can engage with and enjoy these places through an integrated system of parks, streetscapes, and natural areas. The big ideas of this vision theme include “Engaging with Our Landscaped” and “Celebrate our Scenery and Environment”. It is clear that this development engages with our landscape and celebrates our scenery and environment, as it focuses the audience on our beautiful Americas Mountain, and emulates the landscape in its amphitheater design. In fact, the design and placement of the Amphitheater highlights Americas Mountain over one shoulder of the stage and the Air Force Academy over the other shoulder.

The PlanCos Vision Maps identifies the subject property as a new and developing area. The Unique Places Map identifies Polaris Pointe as a Regional Employment and Activity Center, which recommends the design of public gathering spaces and event spaces. The goals for this typology encourage adaptation and development of regional centers as more complete and well-functioning places, each with an increase in desired elements and places within them. Goal UP-1 and the associated Policy UP-1.A, suggests to Enrich the texture and livability of the city as a tapestry of unique, vibrant, and walkable places by emphasizing placemaking throughout the city with design

and programming that supports distinctive identity and experience. The Sunset Amphitheater is a place maker, that enhances the existing natural and built environment that surrounds it, and will enhance and support the existing and growing activity center of Polaris Pointe. The development will have a distinctive design and be programmed for walkability, with incorporation of sidewalks and pedestrian pathways on both sides of Spectrum Loop and within the development respectively, as well as planned future new facilities in off-site locations that will enhance existing developments in need of new amenities and improvements.



B. Consistency With Zoning Code: Is the proposed development consistent with the intent and purposes of this Zoning Code.

The development is consistent with the intent and purpose of the Zoning Code which provides for Planned Unit Development. The development is consistent with the Polaris Pointe at Northgate PUD Plan, which designates this property as part of a larger B-1, Mixes Use, area, and provides for entertainment center type uses.

C. Compatibility of The Site Design With The Surrounding Area:

1. Does the circulation plan minimize traffic impact on the adjacent neighborhood?

The Development Plan for The Sunset Amphitheater proposes a combination of on-site parking, on-street Spectrum Loop parking, off-site shared parking in existing parking lots that have extra capacity during event times. With this plan, a total of 3,039 parking spaces are provided, including 30 on-street Spectrum Loop ride share drop-off and pick-up spaces. The Parking Plan is designed to provide a minimum of 70% of the required parking (1,400 spaces) within a ½-mile radius of the venue. All parking will be provided with complimentary optional shuttle service. During large events, employees will be required to park at Roth Industries (which is owned by

the amphitheater owner, and thus not included in the parking plan) or the Compassion International lots, and be shuttled to the venue.

2. Do the design elements reduce the impact of the project's density/intensity?

The site is designed to be stepped down from east to west, creating a bowl for the entertainment venue. The highest structure, the stage is placed at the lowest elevations of the bowl to optimize visitor experience, but to also minimize height, sound and light impacts to surrounding low density residential uses. While some parking is provided off-site, the majority of the parking is located off-site in existing parking lots that have excess capacity during event times. With 70% of the parking within a ½-mile radius, and enhancement to sidewalk infrastructure in the area, event attendees are encouraged to walk to the venue. Off-site parking with shuttle service also limits the number of vehicles on-site, which helps to reduce automobile traffic impacts to area streets.

3. Is placement of buildings compatible with the surrounding area?

Placement of the buildings and stage at the west end of the site positions the primary use areas furthest from surrounding low density residential uses, and closest to supporting and compatible retail, restaurant and entertainment uses.

4. Are landscaping and fences/walls provided to buffer adjoining properties from undesirable negative influences that may be created by the proposed development?

Perimeter landscape is provided as required by code, and the facility is fenced for security purposes. A 28' tall sound mitigation wall will be constructed at the perimeter of the venue seating area until such time as adjacent planned restaurant buildings are fully constructed to permanently mitigate sound impacts.

5. Are residential units buffered from arterial traffic by the provision of adequate setbacks, grade separation, walls, landscaping and building orientation?

There are no residential units proposed in this development plan.

D. Traffic Circulation:

1. Is the circulation system designed to be safe and functional and encourage both on and off-site connectivity?

A Traffic Memorandum (TM) was completed for the development. This memorandum makes specific recommendations for traffic circulation on existing roadways within and surrounding the development. An iterative level of service and queuing analysis has been performed to determine the pre and post event peak period special laneage, signal timing/phasing, and traffic control needed to accommodate the venue trip demands and entering/exiting vehicle flow rates. The TM recommends a special event traffic control plan with event-day-specific traffic signal timing plan for the entire Voyager Parkway Corridor. The TM also recommends event-plan laneage, and assistance by traffic control officers (likely private) during peak event arrival

and departure times; as well as real-time messaging on CDOT or other changeable message signs. Implementation of the above recommendations will provide safe and functional circulation and encourage both on and off-site connectivity.

2. Will the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?

The development is served regionally by I-25 via the new Powers interchange and Northgate Blvd., both of which provide access to Voyager Parkway which provides direct access to Spectrum Loop. Direct access to the site is from Spectrum Loop. These streets have been planned to accommodate high volumes of traffic to serve the high density commercial, industrial, and mixed residential development in the area. The venue will operate likely less than 300 days per year. With proper event traffic management, as noted above, the development will have logical, save, and convenient access.

3. Will adequately sized parking areas be located to provide safe and convenient access, avoid excessive parking ratios and avoid expanses of pavement?

Based on amphitheater capacity of 8,000 seats, City Code requires 2,000 parking spaces (one space per four seats). A Parking and Access Plan has determined that for a sell-out event, the venue needs 2,648 parking spaces to accommodate guests as well as operations and venue staff. This parking need projection factors in a 25% ride share usage.

In order to avoid excessive pavement and parking facilities that would sit vacant for approximately 300 days per year, the Development Plan proposes a combination of on-site parking, on-street Spectrum Loop parking, and off-site shared parking in existing parking lots that have extra capacity during event times. With this plan, a total of 3,039 parking spaces are provided, including 30 on-street Spectrum Loop ride share drop-off and pick-up spaces. The Parking Plan is designed to provide a minimum of 70% of the required parking (1,400 spaces) within a ½-mile radius of the venue. All parking will be provided with complimentary optional shuttle service. During large events, employees will be required to park at Roth Industries (which is owned by the amphitheater owner, and thus not included in the parking plan) or the Compassion International lots, and be shuttled to the venue.

The parking plan provides 52% more parking than is required by City Code. There are traffic advantages to off-site dispersed parking because the impact on traffic is much less than what it would be if the venue had one large parking lot on site. The use of complimentary optional shuttles with maximum wait times of 5-11 minutes to transport attendees to the venue is safe and efficient and convenient for attendees. Further, pedestrian facilities such as sidewalk on both sides of Spectrum Loop and pedestrian walkways from on-site parking are being constructed with the development.

4. Are access and movement of handicapped persons and parking of vehicles for the handicapped appropriately accommodated in the project design?

The on-site parking on Lot 1 provides 30 accessible parking spaces, including six van accessible stalls. An accessible pedestrian pathway is provided from the on-site parking lot to the Central access gate is also provided.

5. As appropriate, are provisions for transit incorporated?

There are no transit facilities in the area of the amphitheater. The parking plan provides for shuttle service from all parking lots more than ¼ mile from the venue.

- E. Overburdening Of Public Facilities: Will the proposed development overburden the capacities of existing and planned streets, utilities, parks, and other public facilities?

The amphitheater venue will operate likely less than 100 days per year. The development is served regionally by I-25 via the new Powers interchange and Northgate Blvd., both of which provide access to Voyager Parkway which provides direct access to Spectrum Loop. Direct access to the site is from Spectrum Loop. These streets have been planned to accommodate high volumes of traffic to serve the high density commercial, industrial, and mixed residential development in the area.

A Traffic Memorandum (TM) was completed for the development. This memorandum makes specific recommendations for traffic circulation on existing roadways within and surrounding the development. An iterative level of service and queuing analysis has been performed to determine the pre and post event peak period special laneage, signal timing/phasing, and traffic control needed to accommodate the venue trip demands and entering/exiting vehicle flow rates. The TM recommends a special event traffic control plan with event-day-specific traffic signal timing plan for the entire Voyager Parkway Corridor. The TM also recommends event-plan laneage, and assistance by traffic control officers (likely private) during peak event arrival and departure times; as well as real-time messaging on CDOT or other changeable message signs. With implementation of the above recommendations, the site will not overburden the street infrastructure that serves the development.

Utilities are available and adequate to serve the development, including an existing Master Detention Facility located to the west of Spectrum Loop. Since the amphitheater is an outdoor venue, it is not anticipated it will have much impact on parks. Since this is a commercial operation, it will have no effect on Schools.

- F. Privacy: Is privacy provided, where appropriate, for residential units by means of staggered setbacks, courtyards, private patios, grade separation, landscaping, building orientation or other means?

There are no residential uses within this development.

G. Pedestrian Circulation:

1. Are pedestrian facilities provided, particularly those giving access to open space and recreation facilities?

Sidewalk will be constructed on both sides of Spectrum Loop, and on the east side of Spectrum Sun View, and an accessible walkway will be constructed between the on-site parking lot and the venue. Pedestrian facilities including sidewalks, stairs and ramps will be provided internal to the amphitheater and will connect to the public sidewalk system.

2. Will pedestrian walkways be functionally separated from vehicularways and located in areas that are not used by motor vehicles?

The sidewalk on both sides of Spectrum Loop will be detached, and the sidewalk along Spectrum Sun View will be behind the curb; and the pathway between the parking lot and the venue will away from traffic areas.

H. Landscaping:

1. Does the landscape design comply with the City's landscape code and the City's landscape policy manual?

Yes.

2. The use of native vegetation or drought resistant species including grasses is encouraged. The City's landscape policy manual or the Community Development Department's landscape architect can be consulted for assistance.

The landscape plan has been reviewed by the City's landscape architect.

CONFORMANCE WITH DEVELOPMENT PLAN CRITERIA (CODE SECTION 7.5.502 E.)

1. The details of the use, site design, building location, orientation and exterior building materials are compatible and harmonious with the surrounding neighborhood, buildings and uses, including not-yet-developed uses identified in approved development plans.

The proposed outdoor entertainment venue is consistent with the PUD Plan for the project, and is compatible and complimentary with surrounding retail, restaurant and entertainment uses. Placement of the buildings and stage at the west end of the site positions the primary use areas furthest from surrounding low density residential uses, and closest to supporting and compatible retail, restaurant and entertainment uses. Limiting on-site parking, but providing 70% within ½ mile of the venue with complimentary shuttle service, reduces traffic impacts to the immediate area and provides efficient and convenient access to the venue. Building materials use metal and stone, and are compatible with surrounding development.

2. The development plan substantially complies with any City- adopted plans that are applicable to the site, such as master plans, neighborhood plans, corridor plans, facilities plans, urban renewal plans, or design manuals.

The Development Plan complies with the Northgate Master Plan which is implemented, as well as with the Polaris Pointe/Copper Ridge Urban Renewal Plan, which identifies entertainment as one of the proposed uses in the district. The development complies with PlanCOS as indicated in criteria A. above.

3. The project meets dimensional standards, such as but not limited to, building setbacks, building height and building area set forth in this chapter, or any applicable FBZ or PUD requirement.

The site is zoned PUD-Planned Unit Development-Commercial High Rise (120' Maximum Height), and is subject to the Polaris Pointe PUD Plan, which further defines zoning parameters for specific parcels. The subject property is part of Parcel B-1, for which the maximum height is 65' maximum height for -B-1 Maximum Structure Height 65'). Perimeter building setbacks are 25' and Landscape buffers do not apply to the subject property. The stage is the tallest structure, which is at the maximum height of 65' when measured from average grade. A building setback of 25' is provided at Spectrum Loop, and a landscaped setback of XX' is provided along Spectrum Loop.

4. The project grading, drainage, flood protection, stormwater quality and stormwater mitigation comply with the City's Drainage Criteria Manual and the drainage report prepared for the project on file with the City Engineering Department.

Grading, Drainage, and stormwater quality/mitigation plans are included in the Development Plan Set. Stormwater will be piped to existing public facilities, including an existing Master Detention Facility located to the west of Spectrum Loop.

5. The project provides off-street parking as required by this chapter, or a combination of off-street or on-street parking as permitted by this chapter.

Based on amphitheater capacity of 8,000 seats, City Code requires 2,000 parking spaces (one space per four seats). A Parking and Access Plan has determined that for a sell-out event, the venue needs 2,648 parking spaces to accommodate guests as well as operations and venue staff. This parking need projection factors in a 25% ride share usage.

In order to avoid excessive pavement and parking facilities that would sit vacant for approximately 265 days per year, the Development Plan proposes a combination of on-site parking, on-street Spectrum Loop parking, and off-site shared parking in existing parking lots that have extra capacity during event times. With this plan, a total of 3,039 parking spaces are provided, including 30 on-street Spectrum Loop ride share drop-off and pick-up spaces. The Parking Plan is designed to provide a minimum of 70% of the required parking (1,400 spaces) within a ½-mile radius of the venue. All parking will be provided with complimentary optional shuttle service. During large events, employees will be required to park at Roth Industries (which is owned by the amphitheater owner, and thus not included in the parking plan) or the Compassion International lots, and be

shuttled to the venue. Because Spectrum Loop does not currently provide for on-street parking, the proposed on-street parking is not all immediately adjacent to the property, and more than 35% of the parking is proposed to be off-site or on-street, non-use variances are required for parking. These variances are addressed in more detail in a separate application submitted concurrent with this application.

The parking plan provides 52% more parking than is required by City Code. There are traffic advantages to off-site dispersed parking because the impact on traffic is much less than what it would be if the venue had one large parking lot on site. The use of complimentary optional shuttles with maximum wait times of 5-11 minutes to transport attendees to the venue is safe and efficient and convenient for attendees. Further, pedestrian facilities such as sidewalk on both sides of Spectrum Loop and pedestrian walkways from on-site parking are being constructed with the development.

6. All parking stalls, drive aisles, loading/unloading areas, and waste removal areas meet the location and dimension standards set forth by this chapter.

All on-site parking stalls and access drives meet minimum dimensional requirements. Loading and unloading areas and waste handling facilities are located at the rear of the building and will be screen according to City Code Standards.

7. The project provides landscaped areas, landscape buffers, and landscape materials as set forth in this chapter and the Landscape Design Manual.

The project provides landscaped tree lawns and a 10' wide landscaped setback along Spectrum Loop (Collector) adjacent to the development. Landscape materials are compliance with City Code and the Landscape Manual.

8. The project preserves, protects, integrates or mitigates impacts to any identified sensitive or hazardous natural features associated with the site.

There are no known sensitive or hazardous natural features associated with the site.

9. The building location and site design provide for safe, convenient and ADA-accessible pedestrian, vehicular, bicycle, and applicable transit facilities and circulation.

The on-site parking on Lot 1 provides 30 accessible parking spaces, including six van accessible stalls. An accessible pedestrian pathway is provided from the on-site parking lot to the Central access gate is also provided. Bike lanes are provided in both directions on Spectrum Loop. There are no transit facilities in this area. Complimentary shuttles from parking lots to the venue are provided.

10. The number, location, dimension and design of driveways to the site substantially comply with the City's Traffic Criteria Manual. To the extent practicable, the project shares driveways and connects to drive aisles of adjoining developments.

Access to the site is compliant with the City's Traffic Criteria Manual, and the access along the north line of the development connects to the existing access drive behind the businesses along Voyager Parkway, which also connects to Spectrum Loop.

11. The project connects to or extends adequate public utilities to the site. As required by Colorado Springs Utilities, the project will extend the utilities to connect to surrounding properties.

Municipal utilities are currently extended to the property and utilities within the site will be extended through the property in such a manner as to provide connection to adjacent and future development properties.

12. If necessary to address increased impacts on existing roadways and intersections, the project includes roadway and intersection improvements to provide for safe and efficient movement of multi-modal traffic, pedestrians and emergency vehicles in accordance with the City's Traffic Criteria Manual, public safety needs for ingress and egress and a City accepted traffic impact study, if required, prepared for the project.

This development, which will operate likely less than 100 days per year, is served regionally by I-25 via the new Powers interchange and Northgate Blvd., both of which provide access to Voyager Parkway which provides direct access to Spectrum Loop. Direct access to the site is from Spectrum Loop. These streets have been planned and designed to accommodate high volumes of traffic to serve the high density commercial, industrial, and mixed residential development in the area. No new roads are proposed to serve the development.

A Traffic Memorandum (TM) was completed for the development. This memorandum makes specific recommendations for traffic circulation on existing roadways within and surrounding the development. An iterative level of service and queuing analysis has been performed to determine the pre and post event peak period special laneage, signal timing/phasing, and traffic control needed to accommodate the venue trip demands and entering/exiting vehicle flow rates. The TM recommends a special event traffic control plan with event-day-specific traffic signal timing plan for the entire Voyager Parkway Corridor. The TM also recommends event-plan laneage, and assistance by traffic control officers (likely private) during peak event arrival and departure times; as well as real-time messaging on CDOT or other changeable message signs. The TM recommendations will mitigate increased traffic from the venue and provide for safe and efficient movement of traffic.

The development plan provides bike lanes and accessible sidewalks on both sides of Spectrum Loop, as well as accessible pathways from on-site parking areas to the venue. While there are no public transit facilities within this area yet, the Parking & Access Plan for the venue provides complimentary shuttle service to and from all off-site parking areas.

13. Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practicable. Impacts may include, but are not limited to light, odor and noise.

Because this is an outdoor music venue, an Environmental Noise Emissions Assessment and plan has been prepared to determine mitigation strategies, and projected noise levels. This assessment recommends three types of mitigation, including physical mitigation, electroacoustic mitigation, and operational mitigation. With these strategies employed, the study finds that overall noise decibel levels will be 47 dB(A) at a representative distance of 3,500-feet to the northeast. These noise levels are within the allowable noise levels of 55 dB(A) and 50 dB(A) for adjacent residential uses from 7:00 a.m. to 7:00 p.m. and 7:00 p.m. to 7:00 a.m. respectively. Please see the attached Environmental Noise Emissions Assessment include with this submittal for planned mitigation measures. Of note is that one of the physical mitigation strategies is to install 28-foot height sound mitigation walls at the rear of the amphitheater, which will remain in place until such time as the adjacent proposed restaurant buildings are fully constructed to otherwise mitigate sound. To monitor sound output, two sound detection monitors will be installed, one located east of the amphitheater at 7 Spectrum Loop, and one north of the amphitheater at 13491 Bass Pro Drive. It is acknowledged that it will not be possible to mitigate music event sound at the residential apartment development south of the venue. To that end, the developer has met with the owner of the community, who supports the venue and is intending to inform all potential residents of the nature of the venue's operation and sound impact, including a clause reflecting such in the lease.

This venue will be used likely less than 100 days per year. In order to avoid excessive pavement and parking facilities that would sit vacant most of the time, the Development Plan proposes a combination of on-site parking, on-street Spectrum Loop parking, and off-site shared parking in existing parking lots that have extra capacity during event times. Using off-site parking with shuttle service decreases the amount of traffic generated by the venue in the immediate area of the site. A Traffic Memorandum (TM) completed for the development makes specific recommendations for traffic circulation on existing roadways within and surrounding the development. An iterative level of service and queuing analysis has been performed to determine the pre and post event peak period special laneage, signal timing/phasing, and traffic control needed to accommodate the venue trip demands and entering/exiting vehicle flow rates. The TM recommends a special event traffic control plan with event-day-specific traffic signal timing plan for the entire Voyager Parkway Corridor. The TM also recommends event-plan laneage, and assistance by traffic control officers (likely private) during peak event arrival and departure times; as well as real-time messaging on CDOT or other changeable message signs. Implementation of the TM recommendations will mitigate increased traffic from the venue and provide for safe and efficient movement of traffic in the area.

p:\notes live\sunset amphitheater\admin\submittals\5th submittal\city upload docs\dp\project statement_amphitheater_dp_10-05-22.docx