



February 05, 2025

JAKE HIERSTEINER, BOB MUDD, T. KERN
95 Spectrum Loop
Colorado Springs, CO. 80921

Dear JAKE HIERSTEINER, BOB MUDD, T. KERN

Enclosed is Noise Hardship Permit # NHP 2025-004 for your event.

Please sign this original and keep it (or a copy) with you during your event. In the event that a uniformed officer is dispatched to your location reference a complaint of excessive noise, show the officer your permit and inform him or her that a copy of the permit is maintained in the Colorado Springs Police Department Office of Special Events data base and also with the Colorado Springs Police Department Communications center.

Remember, as per Colorado Springs City Code, 3.2.407: Special Event Permit review, Issuance Denial, once issued, Noise Hardship Permits are revocable. If officers respond to your location and a situation involving public peace, and or the safety of others is at risk, your noise permit can be immediately revoked by the responding officer.

Also enclosed is a Special Event Revocable Permit. Please retain this copy for your records.

If you have any questions regarding this permit, feel free to contact me at 719-444-7705.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory Wilhelmi". The signature is fluid and cursive, with a large loop at the end.

Sgt. Gregory Wilhelmi
Office of Special Events
Colorado Springs Police Department



NOISE HARDSHIP PERMIT

Applicant: JAKE HIERSTEINER, BOB MUDD,
AED Presents; Sunset Operations LLC
95 Spectrum Loop
Colorado Springs, CO. 80921

Date: 1/28/2025

Location: 95 Spectrum Loop - Ford Amphitheater

Permit Number: NHP 2025-004

The Mayor does hereby approve the application to exceed the noise limitations in accordance with the provisions of Chapter 9, Part 8, 109 of the Municipal Code of the City of Colorado Springs as long as the following conditions are met:

TYPE OF USE PERMITTED

Amplified sound is permitted during the
Concert Series 2025

CONDITIONS

Amplification of P.A. system and music must be kept to
a minimum noise level and directed away from any
residential dwelling units in the area.

YOU ARE REQUIRED TO HAVE UNIFORMED POLICE
OFFICERS ON SITE DURING THIS EVENT.



Date(s) Requested

April 15, 2025
October 31, 2025

Time(s) Requested

THROUGH
3:00PM - 10:30PM Mon-Thur
3:00PM - 11:00PM Fri.
12:00PM - 11:00PM Sat.
12:00PM - 10:30PM Sun.
See attached Schedule

Applicant(s) hereby agrees to comply with all conditions specified or implied herein. Failure to comply will require immediate cessation of activity. IF A COMPLAINT OF EXCESSIVE NOISE IS RECEIVED BY THE COLORADO SPRINGS POLICE DEPARTMENT, THIS PERMIT MAY BE REVOKED AT THE DISCRETION OF THE RESPONDING OFFICER/S.

A permit is hereby issued to exceed the noise limitations in accordance with the findings and conditions contained herein. Officer(s) have been scheduled to work your event and you will be invoiced at the appropriate rate. **You must notify the Colorado Springs Police Department Special Event Coordinator's Office at (719) 444-7705, a minimum of 72 business hours prior to scheduled event, to cancel and avoid being charged for this event.**

Applicant(s) Signature

Sgt. Gregory Wilhelmi
Office of Special Events
Colorado Springs Police Department
719-444-7705

Date of Signature

02/05/2025

Date of Signature

COLORADO SPRINGS POLICE DEPARTMENT

APPLICATION FOR A NOISE HARDSHIP PERMIT

Please complete the below information, being sure to include all requested information. Missing information can delay the processing of your request. It is important to note this form is only considered an application until approved. To ensure timely approval the application must be received a minimum of 30 days prior to the request date of event.

APPLY ONLY FOR THE TIMES AMPLIFICATION OF SOUND WILL BE NEEDED.

If it is determined that police officer(s) are required, the applicant will be contacted to discuss coverage and billing arrangements. In the event of cancellation, with less than 72 hours notice, a 2-hour per officer charge will be assessed. If you have any questions please call (719) 444-7705.

***** IF OFFICERS ARE REQUIRED, PAYMENT MAY BE REQUIRED IN ADVANCE OF EVENT *****

APPLICANT INFORMATION

NAME	Jake Hiersteiner; Bob Mudd; T Kern	ORGANIZATION	AEG Presents; Sunset Operations LLC	
ADDRESS	95 Spectrum Loop			
CITY	Colorado Springs	STATE	CO	ZIP 80921
PHONE	719-563-9830	EMAIL	bmudd@venu.live; jhiersteiner@aegpresents.com	

EVENT INFORMATION

CHOOSE TYPE OF APPLICATION		<input type="radio"/> INDIVIDUAL	<input checked="" type="radio"/> ORGANIZATION
EVENT NAME	Concert Series - 2025	EVENT LOCATION	95 Spectrum Loop
EVENT START DATE	4/15/25	EVENT END DATE	10/ 31 / 25
ESTIMATED NUMBER OF ATTENDEES	3500-8000	WHAT TIMES WILL THE EVENT START/END DAILY	
TYPES OF AMPLIFICATION USED	PA speakers and delay speakers	START TIME	12:00 END TIME 11:30 pm
EVENT PURPOSE	Ford Amphitheater 2025 concert series See Legal Provisions and City of Colorado Springs Agreement attached	WILL THERE BE A BEER GARDEN YES <input type="radio"/> NO <input checked="" type="radio"/>	
		LIST DATE AND TIMES YOU WOULD BE EX-EMPTED	Exhibit A - to be supplemented

	Tobin Kern	1/28/25
SIGNATURE	PRINT NAME	DATE

Please mail this form to the attention of the Special Events Unit , Colorado Springs Police Department, 705 S. Nevada Ave., Colorado Springs, CO 80903 or email to CSPDNoisePermit@Coloradosprings.gov

INTERNAL USE ONLY

<input checked="" type="checkbox"/> APPROVED		<input type="checkbox"/> DECLINED	
DATE RECEIVED	01-28-2025	DATE APPROVED	01-28-2025
PERMIT NUMBER	2025-004	REVIEWED BY	Sgt. Wilhelm
# OF OFFICERS REQUIRED		# OF CRUISERS REQUIRED	aitlin.for

PRINT FORM

RESET FORM

**2025 Ford Amphitheater NHP
Attachment A – Schedule for 2025 Concert Series**

April 30, 2025	Jason Isbell and the 400 Unit
May 9, 2025	Dwight Yoakam
May 22, 2025	Leon Bridges
June 6, 2025	Molly Tuttle
June 29, 2025	Styx
August 8, 2025	Colorado Symphony Orchestra – King Gizzard and the Lizard Wizard
August 23, 2025	Chicago
September 4, 2025	“Weird Al” Yankovic

[TO BE SUPPLEMENTED]

**2025 FORD AMPHITHEATER SOUND MITIGATION AND MONITORING
AGREEMENT**

venu holding corporation, a Colorado Corporation ("Venu"), and the **CITY OF COLORADO SPRINGS**, a home rule city and Colorado municipal corporation ("City"), have entered into this agreement as of January 27, 2025.

1. The Planned Unit Development and Development Plan ("PUD") for Venu's amphitheater ("Ford Amphitheater") approved by the City's Planning Commission and City Council in 2022-2023 requires Venu to take certain actions to ensure compliance with the City's noise requirements, set forth in the City Code at 9.8.101 et seq., including monitoring of noise levels, reporting noise complaints to the City, addressing noise complaints, and developing further methods to address noise that are consistent with the approved PUD and related project documents.

2. As provided by the approved PUD, Venu conducted sound monitoring and obtained results at more than 25 locations throughout the City during the 2024 concert season, resulting in more than 72 sound reports provided to the City. Monitoring locations were selected based upon: (a) the PUD-approved monitoring locations; and (b) the locations of citizen noise complaints. The monitored locations included areas east, north, and south of the Ford Amphitheater.

3. In conformity with the City Code, the PUD, and standard sound measuring practices, Venu's sound monitoring accounted for ambient noise at each monitoring location. Accounting for ambient noise, Venu's sound monitoring results indicate that sound mitigation measures already implemented resulted in no violation of City Code limits for approximately 68 of 72 reports. The remaining 4 reports indicated dB(A) levels with concert noise generally 4 dB(A) or less in excess of ambient noise, meaning further analysis is required to determine if

concert or extraneous noise is the actual cause of excess dB(A) levels at those locations. No complaints were received from residents of Polaris Pointe apartment complexes.

4. With respect to the limited number of locations where sound generated by Ford Amphitheater concerts may require further monitoring and possible mitigation, Venu has agreed as follows:

a. Subject to confirmed engineering and design specifications, Venu will install additional sound wall barriers on the north and south perimeters of the Ford Amphitheater, currently anticipated for completion in 2025. Venu will give written notice to the City of completion of the additional sound wall barriers. The additional sound wall barriers will further mitigate sound levels to the north and south of the Ford Amphitheater.

b. In addition to the two noise monitoring stations already required by the approved PUD, Venu will install three additional sound monitoring stations at locations to be agreed upon between Venu and the City in consultation with sound professionals. For all five monitoring locations, Venu will report to the City following each 2025 concert event whether sound levels, including concert noise, exceed ambient noise at each location based upon the following ambient noise measuring method: (a) a 1-hour A-weighted Leq noise reading completed at least 15 minutes prior to each show start (generally 7 p.m.), which per the PUD will include an average (Leq) for a 5 minute period; (b) correlation of the time of the excess noise occurrence with noise measurements at the "front of house" of the amphitheater to determine whether the excess dB(A)s are attributable to concert performances.

c. For all five monitoring locations, other than within the Polaris Pointe Development (defined hereafter), Venu will use operational controls to keep sound levels, that include concert-generated sound, at or below the highest of the ambient noise reading as determined by ¶ 4(b)

above or 50 dB(A) measured on a continuous equivalent level average (Leq) for a sequential 5-minute periods (consistent with the PUD). Measurements will be taken with wind levels less than 5 mph and by equipment that is properly attenuated. Further, sound measurements at each location will isolate and disregard sudden / intermittent extraneous sources of sound (e.g. motorcycle sitting by a remote measurement location).

d. If during any concert event at Ford Amphitheater, the above sound levels are exceeded at two or more of the five measurement stations by at least 6 dB(A), excluding the Polaris Pointe Development, then for each occurrence Venu shall pay \$500 as liquidated damages to the City and shall provide a plan for further mitigation of sound at the location. The purpose of this provision is to account for unexpected "spikes" in concert noise, and Venu acknowledges that \$500 is a reasonable approximation of the City's costs in reviewing and addressing such "spikes."

e. For the Polaris Pointe Development, Venu will monitor and document any non-compliance with the approved PUD (which shall be in addition to the annual report required by the approved PUD). Subject to and consistent with the approved PUD and related project documents, Venu agrees to take prompt corrective action for any such non-compliance. "Polaris Pointe Development" as used herein means Polaris Pointe at Northgate development and master plan area and includes apartment complexes adjacent to or in the immediate vicinity of the amphitheater and parking lot along Spectrum Loop, Bass Pro Drive, or other roads abutting the property.

5. Based upon Venu's compliance with the foregoing requirements, and the additional City Code § 9.8.109 criteria and conditions set forth in any hardship permit issued by the City, the City will maintain in full force and effect any hardship permit issued in conjunction with this Agreement, subject at all times to the City Code and the approved PUD. In coordination with the

CSPD, the Mayor has made findings under City Code § 9.8.109 as set forth in the "Legal Provisions" attachment to the hardship permit that is issued in conjunction with this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first set forth above.

VENU HOLDING CORPORATION,
a Colorado Corporation

By: JN Rotn

Name: J.W. Rotn

Title: Ceo

CITY OF COLORADO SPRINGS, COLORADO,
a home rule city and Colorado municipal corporation

By: Blessing A. Mobolade

Name: Blessing A. Mobolade

Title: Mayor

ATTEST: Will Lohr



APPROVED AS TO FORM:

By: [Signature]

Office of the City Attorney

NOISE HARDSHIP PERMIT

2025-__

January 27, 2025

Legal Provisions—Addendum

The Mayor and the Colorado Springs Police Department ("CSPD") have determined the Applicant meets the noise hardship permit requirements contained in City Code 9.8.109 based upon the following findings:

1. The Applicant has entered into a 2025 Ford Amphitheater Sound Mitigation and Monitoring Agreement with the City, under which the Applicant will complete certain sound mitigation and monitoring measures that are in addition to those set forth in the PUD approved by the Planning Commission and City Council in 2022-2023. The City has determined that the additional sound mitigation and control measures set forth in the Agreement appropriately address the limited number of locations where concert sound during Applicant's 2024 concert season was reported to have exceeded the levels set forth in City Code § 9.8.109, based upon measurements taken by Applicant or reported by citizens to date at various locations.

2. Applicant requires additional time to complete the further mitigation set forth in the 2025 Agreement, including design and construction of additional sound walls, implementation of additional sound monitoring equipment, and optimizing, directional placement, and testing of loudspeakers depending on type of performance, etc., estimated for completion by October 31, 2025.

3. The applicant's noise-generating concert activities while this permit is in effect

will be of temporary duration. The applicant's 2025 concert series is for limited dates and temporary duration and will conform to the day-of-week and time of day restrictions specified in the approved PUD and related project documents, including the LSTN sound report. Applicant has provided to the City the 2025 concert series events scheduled to date and will supplement the schedule provided to the City as additional events are booked.

4. Operating in accordance with the approved PUD and related project documents, some of Applicant's concert events cannot be done in a manner that would comply with City Code sections 9.8.104, 9.8.105, 9.8.106 and 9.8.107 at certain locations within the limited geographic scope of this permit as set forth in ¶ 6 below.

5. Operating in accordance with the approved PUD and related project documents, and except for the additional mitigation set forth in ¶ 2, Applicant has no other reasonable alternative available for its 2025 concert season events at those limited locations that are within the geographic scope of this permit as set forth in ¶ 6 below.

6. Unless otherwise agreed in writing by the City, the City imposes as conditions to this permit that: (a) it shall be limited in scope geographically to the Polaris Pointe Development as defined in the Agreement; and (b) Applicant shall at all times be in satisfactory compliance with the 2025 Agreement terms, as well as the terms and requirements of the approved PUD for the amphitheater.

7. This permit shall be effective until October 31, 2025, which the Mayor and CSPD finds to be a reasonable and limited duration subject to the additional conditions herein and set forth in the Agreement.

8. The Permit and this Addendum are issued pursuant to Mayoral Administrative Regulation 2025-02, "Mayoral Delegation of Authority to Issue/Deny Noise Hardship Permits."