



Bexley Planning Commission

Planning Staff Report – October 27, 2014

Capital University – Bernlohr Stadium Lighting

Application #: 13-004 PC

Location: 650 Pleasant Ridge (Bernlohr Stadium)

Zoning: CP Campus Planning District – Zone1

Request: The applicant is seeking:

- Environmental Review and approval to allow new permanent lights for Bernlohr Stadium and replacement of the existing stadium speakers.

Applicant: Jay Boone – Moody Nolan

Owner: Capital University

A. PROJECT HISTORY

The project was initially proposed in April of 2013 and presented again to the Planning Commission in June of 2013. Subsequent to that application submittal, several public forums were held. Since January of 2014, Capital University and representatives of the South Bexley Neighborhood Association (SBNA) have participated, along with city staff, in a Study Group that was coordinated by the Mayor. This group was established to work through the primary issues identified as potential conflict points between the Capital proposal for the stadium and the concerns expressed by SBNA members.

The Study Group met ten times From January-March of 2014 and two additional times from September-October 2014. Over the course of these meetings, information was requested from KLH Engineers (lighting and sound), E.P. Ferris (transportation, traffic and parking) and Side Street Planning (urban planning). A timeline of the process is attached (*see **A History of the Capital Stadium Lights Application***).

Over the course of the Study Group meetings, city staff and consultants assembled a document outlining potential Conditions of Approval that might be attached to any Planning Commission action on the application (*see **RECOMMENDED Conditions of Approval - Capital Stadium v6.1 14 1027.pdf***).

The technical language in the Game Day Traffic Management and Game Day Parking Management sections was co-authored and reviewed by the transportation, traffic and parking consultant, E.P. Ferris. The technical language in the Stadium Lights Management and Stadium Sound Management sections was co-authored and reviewed by the lighting and sound consultant, KLH Engineers.

It is important to note that, while this document is a result of the process, neither Capital nor the SBNA representatives have endorsed the final result as there are still disagreements on some essential points – most significantly the amount and duration of proposed lighting usage at the

stadium. The Conditions of Approval document references the different lighting usage proposals that have been worked through over the course of this process.

As another point of clarification on the process, the following language was used as the introduction to the draft versions of this document throughout the last several iterations:

“This conceptual draft of “planning approval conditions” has been created in order to facilitate further dialogue between Capital University and representatives of the South Bexley Neighborhood Association. This plan has not been endorsed by either party, but is a draft document attempting to incorporate recommendations and ideas generated through the public process and by studies commissioned by the City of Bexley... Engagement in discussion of these suggested planning approval conditions does not indicate agreement to any part or all of the plan by either party.”

The document presented to you today is the best effort of staff and city consultants to incorporate the essential elements discussed in that process.

B. PROJECT CONSIDERATIONS

The applicant is requesting the installation of lighting for the athletic field at Bernlohr Stadium. The applicant is also requesting to replace the existing sound system at Bernlohr Stadium.

Lighting

The lighting request has been revised by the applicant since the previous application. The current plan calls for 5 poles surrounding the field, 2 on the west side of the field and 3 on the east side.

- The 2 poles on the western side of the field are located to either side of the seating stands, and on the outside of the track. These 2 poles are proposed at 100’ in height.
- The 3 poles on the eastern side of the field are outside the track, adjacent to the existing fence along the alley. These 2 poles are proposed at 50’ in height.

The system proposed is new LED technology. City lighting and sound consultant, KLH Engineers, indicates that this is the best current technology available and will provide the best ability to control light spillage due to the characteristics of the lighting fixtures. KLH provided language regarding lighting in the recommended Conditions of Approval document.

Sound

The applicant has proposed upgrading the sound system to one that is better able to mitigate impacts to the surrounding residential uses. Based on previous concerns with sound voiced by neighbors, this system will better direct the sound downward toward the field and have additional controls to limit top volume settings.

- The sound system proposed includes 6 speakers, mounted on 20’ poles extending from the top of the seating area.

City lighting and sound consultant, KLH Engineers, indicates that any amplified sound system and the background crowd noise from games will never be able to be fully

mitigated; however, the proposed system will be a significant improvement over the current sound system and is the best approach for this site, while still being loud enough for intended game use. The Study Group asked KLH if a more preferred configuration might be to locate the speakers to the east of the field, facing back toward the seating stands. KLH indicates that Capital’s proposed configuration will best limit sound impacts and “bounce-back” of sound that would occur from the stands if the speakers were located elsewhere. KLH provided language regarding sound in the recommended Conditions of Approval document.

C. ZONING CODE

The site is located in the Campus Planning (CP) – Zone 1. The proposed uses fall under the permitted Campus Uses:

1252.03 DISTRICT REGULATIONS

(p) Campus Planning District.
Zoning Map Symbol

CP

Permitted Uses
Zone 1

Campus uses

1268.07 CAMPUS USE.

“Campus use” means classrooms, laboratories, and research facilities, libraries, administrative and faculty offices, performance and meeting facilities, worship facilities, athletic and recreation facilities, student housing and dormitories, student services and activity facilities, and supporting services and facilities of an institution of higher learning offering one or more curricula leading to a degree, certificate or diploma recognized or accepted by the State of Ohio or by a nationally recognized accrediting organization.

The following outlines the Planning Commission responsibilities in reviewing applications in the CP District (these responsibilities had been assigned to the Main Street Commission in the code, and are now under the responsibilities of the Planning Commission). The following is an excerpt from Zoning Code Section 1224.03 (b) Review:

Review. No building, structure or space within the Main Street District or the Campus Planning District shall be constructed, reconstructed, altered, moved, extended, razed, enlarged or changed in external appearance unless and until the plans and specifications for such building, structure or space, including the landscape plan for the premises on which it is or will be located, have been approved by the Commission. The Commission, in reviewing such plans and specifications, shall examine the site plan, architectural style and building composition (including design elements such as entrances, storefronts, upper stories and mechanical screening), the exterior building materials and color, the location of uses within and the arrangement and massing of the buildings and structures on the premises, building height, lighting, signage, parking, the landscape plan and materials, and the impact of the site and design elements of the project upon the appearance and environment of the Main Street District or the Campus Planning District and neighboring properties. The Commission, in deciding whether to approve an application under this chapter, shall determine that the site and design plans for such buildings, structures and spaces as proposed by the applicant are in keeping with the purpose and intent of the Main Street District, the applicable sub-district and the design guidelines contemplated by subsection (c) hereof, or with the purpose and intent of the Campus Planning District, the applicable zone and the campus plans contemplated by subsection (d) hereof, and that such plans would not have a substantial detrimental impact on neighboring properties.

There is not a current plan for the Campus Planning District as referred to as “subsection (d) hereof” in the above code section.

The Zoning Code outlines no development standards for non-residential uses in the CP District. The Zoning Code defers to the Main Street Commission (now the purview of Planning Commission) to determine appropriateness of the application request (Section 1252.03(p)).

D. PLANS AND GUIDELINES

The Southwest Bexley Master Plan (August 2002)

The details of this application are not addressed in the Southwest Bexley Master Plan. The plan designates a designated growth area for Capital (since established as the Campus Planning District) in which this site is located, but does not outline specific design criteria for the district.

Main Street Design Guidelines

The site is not located within the Main Street (MS) district, so is not subject to review according to those guidelines. The Guidelines document does identify the adjacent portion of the Main Street corridor as part of an area having suggested building height limits of 50’, but no heights are prescribed for lighting outside of a parking area.

E. IMPACTS AND MITIGATION

There are several concerns that have been raised by South Bexley residents and staff in the review of this application. If the lights are installed and used to extend stadium usage into the evening hours, there will certainly be additional impacts with regard to light and sound in the adjacent areas. There have also been concerns raised by residents as to the impacts of traffic, parking and fan behavior for night games.

In an effort to mitigate the negative impacts and seek beneficial trade-offs, staff and the Study Group looked at a number of potential improvements to those issues. The detailed recommendations are included in the recommended Conditions of Approval (CoA) document and are summarized as follows:

Lighting

Adding lighting at night will lengthen the hours of usage, for which there is no single or simple mitigation. Staff consultants have verified that the LED system proposed is the best technology currently available from the aspect of limiting light spillage to adjacent properties. The CoA document also proposes specific restrictions on the number and times of lighting usage.

For comparison purposes, the chart below summarizes the various iterations of lighting usage considered over the course of the process:

	Working Group March Draft	SBNA May Vote¹	Capital Proposal (10/14)	City Staff Report: Option 1	City Staff Report: Option 2
3a. Stadium lighting on past 9:30 but off prior to the hour of 11:00 pm	Capital University shall have 1 license annually to operate stadium lighting for games/practices in which the lights are on past the hour of 9:30 pm but off prior to the hour of 11:00 pm.	Capital University shall not be allowed the installation or operation of stadium lighting.	Capital University shall have 1 license annually to operate stadium lighting for games in which the lights are on past the hour of 9:30 pm but off prior to the hour of 11:00 pm.	Capital University shall have 1 license annually to operate stadium lighting in which the lights are on past the hour of 9:30 pm but off prior to the hour of 11:00 pm.	Same as Option 1 with additional language as follows: This license may only be used on a Friday or a Saturday evening.
3b. Stadium lighting on past 8:00 but off prior to the hour of 9:30 pm	Capital University shall have 26 licenses annually to operate stadium lighting for games in which the lights are on past the hour of 8:00 pm but off prior to the hour of 9:30 pm.	Capital University shall not be allowed the installation or operation of stadium lighting.	Capital University shall have 24 licenses annually to operate stadium lighting for games in which the lights are on past the hour of 8:00pm but off prior to the hour of 9:30pm.	Capital University shall have 26 licenses annually to operate stadium lighting in which the lights are on past the hour of 8:00pm but off prior to the hour of 9:30pm.	Same as Option 2 with additional language as follows: This license may only be used on a Friday or a Saturday evening.
3c. Stadium lighting on past 8:00 but off prior to the hour of 9:00 pm	N/A – this timeframe was not in the March draft	N/A – this timeframe was not in the March draft (although SBNA opposed to all installation and operation of stadium lighting)	Capital University shall have 16 licenses annually to operate stadium lighting for practices/ intramurals in which the lights are on past the hour of 8:00pm but off prior to the hour of 9:00pm.	N/A – this additional timeframe is not recommended	N/A – this additional timeframe is not recommended
3d. Stadium lighting on past 6:30 but off prior to the hour of 8:00 pm	Capital University shall have 90 licenses annually to operate stadium lighting for practices or intramurals in which the lights are on past the hour of 6:30 pm but off prior to the hour of 8:00pm.	Capital University shall not be allowed the installation or operation of stadium lighting.	Capital University shall have 90 licenses annually to operate stadium lighting for games or practices or intramurals in which the lights are on past the hour of 7:00pm but off prior to the hour of 8:00pm.	Capital University shall have 90 licenses annually to operate stadium lighting for games or practices or intramurals in which the lights are on past the hour of 6:30pm but off prior to the hour of 8:00pm. (If any of these licenses are used for games , that will subtract from the overall total of 26 game licenses allowed for 3a, 3b, 3c, 3d, and 3e inclusive.)	Same as Option 1

¹ Refers to the May, 2014 vote on the Working Group March Draft taken at the South Bexley Neighborhood Association

	Working Group March Draft	SBNA May Vote¹	Capital Proposal (10/14)	City Staff Report: Option 1	City Staff Report: Option 2
3e. Stadium lighting on past 4:00 but off prior to the hour of 6:30/7:00 pm	Capital University shall have unlimited operation of stadium lighting for games or practices or intramurals in between the hours of 4:00pm and 6:30pm.	Capital University shall not be allowed the installation or operation of stadium lighting.	Capital University shall be allowed to operate stadium lighting for games or practices or intramurals between the hours of 4:00pm and 7:00pm.	Capital University shall be allowed to operate stadium lighting for games or practices or intramurals between the hours of 4:00pm and 6:30pm. (If any of these licenses are used for games , that will subtract from the overall total of 26 game licenses allowed for 3a, 3b, 3c, 3d, and 3e inclusive.)	Same as Option 1
3f. Stadium lighting for morning practices	Capital University shall be allowed to operate stadium lighting for practices or intramurals between the hours of 8:00am and 9:00am, Mondays through Fridays. ²	N/A – this timeframe was not in the March draft (although SBNA opposed to all installation and operation of stadium lighting)	Capital University shall have unlimited operation of stadium lighting for practices or intramurals in between the hours of 7:30am and 9:00am Monday through Friday.	Capital University shall be allowed to operate stadium lighting for practices or intramurals between the hours of 8:00am and 9:00am, Mondays through Fridays.	Capital University shall be allowed to operate stadium lighting for practices between the hours of 8:00am and 9:00am, Mondays through Fridays.

Sound

Adding lighting at night will lengthen the hours of sounds usage, for which there is no single or simple mitigation. Staff consultants have verified that the sound system proposed is the best technology currently available from the aspect of limiting increased volume to adjacent properties. The CoA document also proposes specific restrictions on the number and times of games, and prohibits usage of the sound system for practice and intramurals.

Traffic

The CoA requires the establishment of a Game Day Traffic and Parking Management Plan that is to the satisfaction of the Bexley Police Department. This plan proposes a traffic management plan for all games with expected attendance of 600 or greater. This plan would reduce traffic impacts on the community for the more attended games, during the daytime hours as well.

Parking

The CoA requires the establishment of a Game Day Traffic and Parking Management Plan that is to the satisfaction of the Bexley Police Department. This plan proposes a parking plan for all games with expected attendance of 600 or greater. This plan would reduce parking impacts on the surrounding streets for all of the more attended games,

² This language was contained in the June, 2014 draft

during the daytime hours as well. In addition, the city would collaborate with the neighborhood to determine if greater parking prohibitions for non-residents would be desired on nearby streets.

Safety

The CoA establishes thresholds for the use of safety officers, created through direct input from the Bexley Chief of Police.

F. STAFF RECOMMENDATION

The applicant requests installation of lights and an upgrade to the sound system, both of which are permitted under the Campus Use designation in the established Zoning District as site and design elements of a project. With limited standards for review, it is the task of the Planning Commission to determine whether impacts of the project are more positive or negative for the South Bexley neighborhood, for the Capital campus and for the city as a whole.

Based on the extensive Study Group process and the compiled research of city-hired consultants, staff has prepared the recommended Conditions of Approval. While serving as a guide for the Planning Commission, the document represents an attempt to create a workable approach to not only the use of lights and sound at Bernlohr Stadium, but also to manage the overall game day experience and impacts, both daytime and nighttime and whether indoors or outdoors. It is of note that in items 3a through 3f of Section 3 (“Stadium Lights”), the Conditions of Approval document provides a base set of recommendations, along with several options noted that should be discussed by the Planning Commission in the process of review.

Should the Planning Commission move to approve this application, staff recommends:

1. That approval is contingent on the ***RECOMMENDED Conditions of Approval - Capital Stadium v6.1 14 1027.pdf*** (attached), as modified during the Planning Commission review process; and
2. That final lighting and sound system specifications be provided, to the satisfaction of staff or their designated lighting/sound consultant.

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RECOMMENDED
Bernlohr Stadium
Game Day & Stadium Management for Day and Night Games
and Athletic Events
Planning Approval Conditions

rev 6.1 10/27/2014

Contents

1. Game Day Traffic Management
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6. Durability of the Plan & Miscellaneous Provisions

1. Game Day and Night Traffic Management

A Game Day Traffic and Parking Management Plan will be developed by Capital to implement on a game-by-game basis, which will be used to direct traffic to appropriate campus parking and to route traffic away from the surrounding community. The plan will indicate the number and location of parking attendants to be utilized.

- a. The Game Day Parking Management Plan will be established prior to the start of each semester and will be to the satisfaction of the city of Bexley Police Department.
 - b. The Game Day Traffic and Parking Management Plan will assign expected attendance figures based on attendance from previous years, and other known factors impacting demand (such as rivalry games, seasonal variations, etc).
 - c. The Game Day Traffic and Parking Management Plan will include a list of major campus events taking place on days with scheduled sporting events expected to exceed 600 attendees.
 - d. The Game Day Traffic and Parking Management Plan will include an estimate of the anticipated light usage licenses to be used in the upcoming semester and a listing of those used in the previous semester.
- 1a. PERMANENT SIGNAGE: The City of Bexley shall have installed or request to have installed, and Capital shall fund, additional signage directing traffic to Capital University as outlined herein:

For eastbound traffic, signage shall be placed as follows:

- The city of Bexley has requested the Ohio Department of Transportation has agreed to

relocate the freeway guide signing to use the prior exit **103A MAIN STREET / BEXLEY**, which exits onto an add-lane for northbound Alum Creek Drive, and which presently has CAPITAL UNIVERSITY guide signing.

- At the intersection of Alum Creek Drive and East Main Street for eastbound traffic coming from both Main Street and Alum Creek Drive, The city of Bexley will request permission from the city of Columbus Transportation Division to install a guide sign for eastbound Main Street traffic west of Alum Creek Drive.
- The city of Bexley shall install a 30" x 24" green on white *Parking Area Guide Sign* (D4-1) with a straight ahead arrow on Main Street just west of College Avenue. A supplemental sign with the Capital University logo and/ or the text CAPITAL UNIVERSITY should be installed above it.
- The city of Bexley shall install a 30" x 24" green on white *Parking Area Guide Sign* (D4-1) with a right-turn arrow on Main Street just west of Pleasant Ridge Avenue. A supplemental sign with the Capital University logo and/or the text CAPITAL UNIVERSITY should be installed above it.

For westbound traffic, signage shall be placed as follows:

- On westbound I-70 exit 103 B US-33 LIVINGSTON AVE there is a directional guide sign for CAPITAL UNIVERSITY with a right-turn arrow. The follow-up directional sign on eastbound Livingston Avenue to turn left at College Avenue is missing. Bexley has asked and ODOT and the city of Columbus have agreed to change the off-ramp guide sign to indicate CAPITAL UNIVERSITY should turn left onto Livingston Avenue, and then right onto Alum Creek Drive and then follow the existing guide signing.
- CAPITAL UNIVERSITY signage with a straight-ahead arrow for westbound Main Street shall be placed east of Euclaire Avenue.
- The city of Bexley shall install a 30" x 24" green on white *Parking Area* (D4-1) guide sign with a left-turn arrow on Main Street just east of Pleasant Ridge Avenue. A supplemental sign with the Capital University logo and/or the text CAPITAL UNIVERSITY should be installed with it.

Guide signage on Interstate 70 must be in accordance with the policies and practices and be approved by the Ohio Department of Transportation (ODOT).

Guide signage on local Columbus streets must be in accordance with the policies and practices and be approved by the city of Columbus Planning and Operations Division.

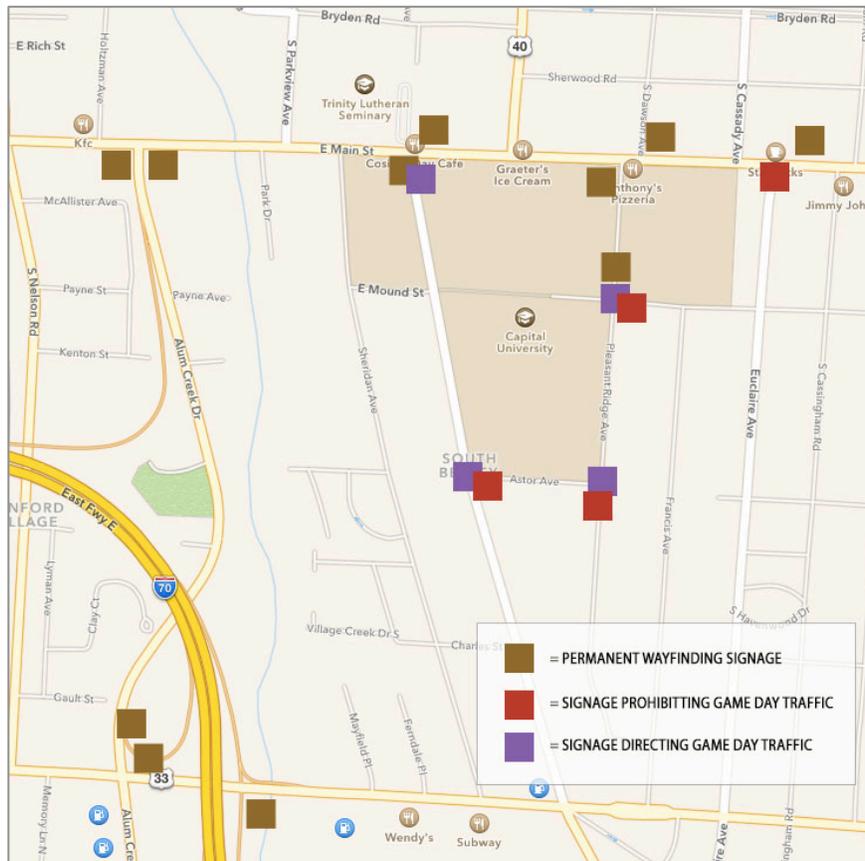
Permanent Parking Area guide signs are to be installed in accordance with the guidance and standards of the Ohio **Manual of Uniform Traffic Control Devices for Streets and Highways (MUTCD)**.

- 1b. **TRAFFIC MANAGEMENT:** Traffic management will be implemented for all games with an anticipated attendance of 600 or greater. The traffic management plan will have the primary goal of restricting traffic on the nearby residential streets, and directing traffic

immediately into and out of the designated Capital University parking lots. The means of ingress and egress to these lots should be limited to Main Street, Pleasant Ridge north of Astor.

In addition to the permanent guide signage, Capital shall place supplemental two-sided, A-frame mounted game-day signage directing traffic and parking. These signs should conform to the requirements of the Ohio **MUTCD**, which are typically 5 square feet (30" x 24"). Game-day signage shall conform to the requirements of the Ohio **Manual of Uniform Traffic Control Devices for Streets and Highways**. Signage shall be placed at the following locations:

1. At Pleasant Ridge and Main directing game day traffic southbound.
2. At College Avenue and Astor directing game day traffic northbound and prohibiting game day traffic on Astor.
3. At Mound, and Pleasant Ridge, prohibiting game day traffic from going eastbound.
4. At Pleasant Ridge at Astor, prohibiting game day traffic from going southbound.



- 1c. Following an event, the parking lots should be required to empty going northbound on Pleasant Ridge Avenue or College Avenue to Main Street.
- 1d. The City of Bexley will explore adding adjusting Residential Permit Parking prohibitions as outlined in 2d. below.

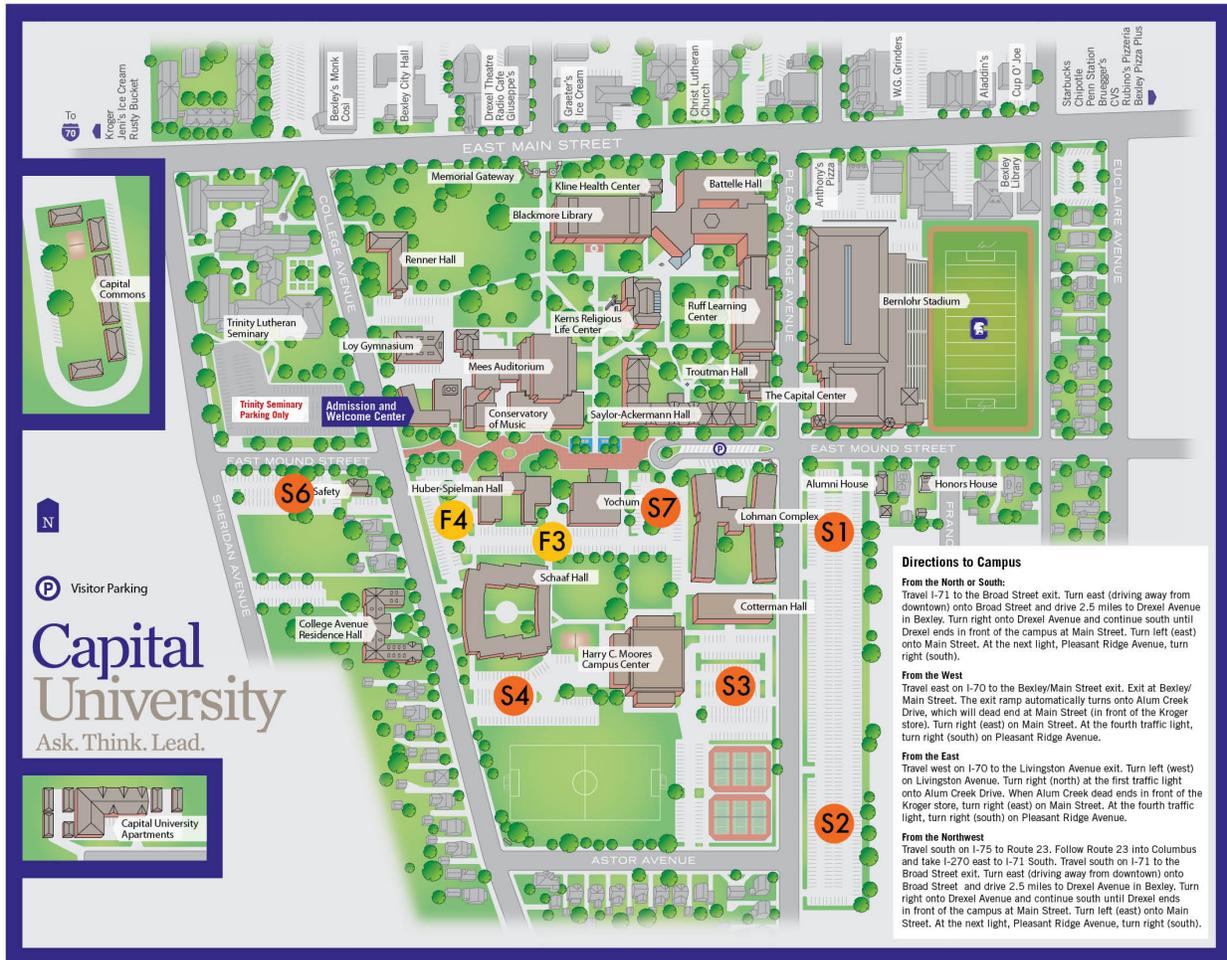
- 1e. Buses may stage unloading and loading on East Mound Street between Pleasant Ridge and Francis, or on Pleasant Ridge. Following unloading, buses shall relocate to the plaza area immediately west of The Capital Center where up to two buses can be stored during games. If there is a third bus, it shall relocate following unloading to a designated parking area at the Capital Commons Apartments. Buses shall be required to shut off their engines while parked during game time.

2. Game Day and Night Parking Management¹

The parking management provisions below refer to the campus parking lots as identified on the diagram included in this section.

- 2a. In the event of a game which has an expected attendance of 600 or greater, Capital shall block off all spaces in lot S1 (a minimum of 130 spaces) for use by attendees of the game at least 2 hours prior to the commencement of the game. Capital shall allocate additional on-campus parking as need to provide parking for the estimate of up to additional 130 vehicles possible as attendance nears 1,200. This shall be done through a Game Day Parking Management Plan developed in consultation with the City of Bexley Police Department. Capital shall provide parking attendants to direct drivers to the appropriate university owned parking lots designated in the Game Day Parking Management Plan.
- 2b. In the event of a game which has an expected attendance of 1,200 or greater, Capital shall block off all spaces in lots S1, S2 (a minimum of 260 spaces) for use by attendees of the game at least 2 hours prior to the commencement of the game. Capital shall allocate additional on-campus parking as need to provide parking for the estimate of up to additional 383 vehicles possible as attendance nears 3,000. This shall be done through a Game Day Parking Management Plan developed in consultation with the City of Bexley Police Department. Capital shall provide parking attendants to direct drivers to the appropriate university owned parking lots designated in the Game Day Parking Management Plan.
- 2c. As part of the Game Day Traffic and Parking Management Plan, Capital shall provide a remote parking facility for games in which the attendance can be expected to exceed the parking space availability.

¹ Parking estimates are based on the *Capital University Athletic Event Traffic Impact Study* dated May 9, 2014, and prepared for



- 2d. The City of Bexley will explore adding restrictions parking as follows: Francis Avenue to exclude non-permit parking on weekends; Euclaire (south of Main and north of Charles), Cassingham (south of Main and north of Charles), Astor (between Pleasant Ridge and College), and Pleasant Ridge (south of Astor) to exclude non-permit parking on evenings and weekends.

3. Stadium Lights Management²

- 3a. Capital University shall have 1 license annually to operate stadium lighting for **games/practices/intramurals** in which the lights are on past the hour of 9:30 pm but off prior to the hour of 11:00 pm. *(option: This license may only be used on a Friday or a Saturday evening)*
- 3b. Capital University shall have 26 licenses annually to operate stadium lighting for **games/practices/intramurals** in which the lights are on past the hour of 8:00 pm but off prior to the hour of 9:30 pm. *(option: This license may only be used on a Friday or a Saturday evening)*
- 3c. N/A
- 3d. Capital University shall have 90 licenses annually to operate stadium lighting for **games or practices or intramurals** in which the lights are on past the hour of 6:30pm but off prior to the hour of 8:00pm. *(note: If any of these licenses are used for **games**, that will subtract from the overall **total of 26 game licenses** allowed for 3a, 3b, 3c, 3d, and 3e inclusive.)*
- 3e. Capital University shall be allowed to operate stadium lighting for **games/practices/intramurals** between the hours of 4:00pm and 6:30pm. *(note: If any of these licenses are used for **games**, that will subtract from the overall **total of 26 game licenses** allowed for 3a, 3b, 3c, 3d, and 3e inclusive.)*
- 3f. Capital University shall be allowed to operate of stadium lighting for **practices/intramurals** between the hours of 8:00am and 9:00am, Mondays through Fridays. *(option: This time of operation may only be used for practices.)*
- 3g. No more than 1 licenses from the licenses in 3a, 3b, and 3c will be used for football games. No more than 26 licenses from the licenses in 3a, 3b, 3c, 3d, and 3e will be used for games.
- 3h. Special Circumstances – OAC and NCAA Tournament Use of Lights for Soccer and Lacrosse Only: Capital University is a member of the Ohio Athletic Conference (OAC) and the National Collegiate Athletic Association (NCAA). Both the OAC and the NCAA have post-season tournaments. Participation in and the hosting of these tournaments is based upon regular-season records and/or a bid process. Because it can be difficult to predict whether Capital University will host an OAC or NCAA tournament contest, a separate special circumstance section has been created in this document to address this situation.

In order to use lights in this special circumstance, Capital University must be participating in the OAC or NCAA postseason tournament. Capital University shall have up to 5 licenses annually to operate stadium lighting for OAC or NCAA tournament contests in which Capital University is participating where lights are on past the hour of 8:00 but off prior to the hour of 9:30 pm. These licenses only can be used for OAC or NCAA tournament contests.

² Technical information contained in sections 3j through 3n, is based on information provided to the city of Bexley by KLH Engineers.

- 3i. Capital shall not operate the stadium lighting during any time of day other than those specifically indicated in sections 3a through 3g above, except in the case of emergency or for testing purposes.
- 3j. Sports lighting luminaires shall be equipped with shielding to effectively reduce direct view of the source lamp arc-tube or excessive brightness from the luminaires optical system by observers from the casements of adjacent residential dwellings. Sports lighting luminaires may meet this requirement with shielding or optically controlled lighting source technology.
- 3k. Sports lighting system initial spill lighting onto adjacent residential properties shall be limited to a maximum of 5 foot-candles horizontal at the property line bordering adjacent right-of-ways and a maximum of 2 foot-candles vertical at 25' above finished grade on adjacent residential dwelling units. Values greater than 5 foot-candles are allowable on either side of the poles for a 20-foot length to either side of pole.
- 3l. Sports lighting system initial spill lighting to be based solely on direct contribution of the sports lighting system on adjacent properties and dwelling units. Initial foot-candle levels to be measured and recorded by an independent contractor hired by the City of Bexley. Measurements shall be taken within 30 days of installation. Copies of the measurements shall be provided to Capital University at no cost to Capital University. Any public street lighting or privately owned lighting contribution shall not be included in the measurements. It is recommended that lighting levels be recorded before and after sports lighting system is energized. Measurements shall be at finished grade. Measurements shall be taken at the same time of night using the same meter, at the residential property line. Light meter shall be capable of measuring to 2 decimal places or better. Capital University shall have 45 days to take corrective actions if measurements indicate that spill lighting is higher than permitted.
- 3m. Sports lighting system pole heights shall be restricted to the height in the submitted proposal.
- 3n. Specific illumination standards of the sports lighting on the field to meet the recommended lighting conditions as set forth by the Illuminating Engineering Society of North America and NCAA sports lighting guidelines for the NCAA category of Capital University for the projected sporting events to be played on the field are the sole responsibility of the project lighting design team.

4. Stadium Sound Management³

- 4a. The stadium speaker system may not be used during practices or intramurals.
- 4b. Air horns and other noise makers other than whistles may not be used during practices in the stadium.
- 4c. The speaker system operation is limited to 45 minutes before the official start time of games played on the stadium field, and for use during the games. The speaker system operation shall end 10 minutes after the conclusion of any game played on the stadium field.
- 4d. Measurements of sound shall be based on audio material produced by the stadium speaker system. To document the sound material being represented as originating from the stadium sound system it shall be required to record the material. The recorded material shall include day, date and time stamping embedded in the recording, which provides sufficient support of the material originating from the stadium sound system. Recording of sound material must be made no closer than the eastern residential property line.
- 4e. It shall not be acceptable for typical street, urban and pedestrian sound sources, whether considered “noise” or not, to be included in the calculation as to whether the stadium speaker system is producing excessive sound. Examples include but are not limited to: trucks with engine brakes, first responder sirens, vehicles sitting at idle, loud car stereos, motorcycles, and pedestrian traffic.
- 4f. The stadium speaker system shall have password-protected electronic limitations set to limit sound levels at the eastern residential property line. Those sound levels shall not exceed 10 decibels above the Community Noise Equivalent Level (CNEL). CNEL is the average A-weighted noise level during a 24-hour day, obtained after addition of 5dB in the evening from 7:00 PM to 10:00 PM and after addition of 10 dB to sound levels in the night between 10:00 PM and 7:00 AM. The CNEL shall be calculated based upon measurements recorded in the area immediately adjacent the Capital University stadium property. Allowance shall be made for potential peaks of sound or noise such as crowd reaction to plays that are spontaneous and uncontrollable, over and above the sound created by the stadium sound system. A professional firm with expertise in sound measurement and analysis shall be engaged to assist in setting the levels at the speakers, in coordination with these field tests, to determine a maximum at-speaker decibel level needed to achieve the maximum allowable levels at the eastern residential property line.
- 4g. Excessive sound levels shall be calculated utilizing ISO standards. Measurements of excessive sound must be presented with proof of the duration of time the sound occurred. Short duration peaks of sound that happen during the acceptable prescribed time periods are expected and are tolerable.

³ Technical information contained in sections 4d through 4l, is based on information provided to the city of Bexley by KLH Engineers.

- 4h. No speaker system will be activated prior to 8:00am or remain active after 11:00pm, unless under emergency conditions where the use is for the protection of attendees / athletes or staff using the facility
- 4i. The speaker system may only be used at events except briefly for sound testing purposes.
- 4j. The speaker system shall be designed in such a manner as to control the coverage to the area occupied by attendees, audience and participants on the field of play to the extent practical.
- 4k. The stadium speaker system may not be expanded or enlarged in such a manner that the decibel level at the residential property line increases above the allowable level.
- 4l. Cannon sounds are prohibited.
- 4m. Capital shall provide a game day manager for all games where the stadium sound system is used. The designated manager for each game will be a full-time Capital University employee with training in sound, light, traffic, and other related game management issues. That person will be on-site and on duty for two hours before the game, during the game, and one hour after the game. He/She will have the responsibility of coordinating with Capital University's police chief to ensure that all safety officers are informed of crowd protocols including emergency exit location, emergency exit plans, all parking traffic attendants, and general oversight of safety, lights, sound, traffic and parking. This person will coordinate with Capital's police chief and with Bexley police when appropriate.

5. Safety Management

- 5a. For all football games and in the event of a stadium game that has an expected attendance in excess of 1000 attendees, Capital shall assign 5 safety officers to engage in game/event area security.
- 5b. In the event of a stadium game which has an expected attendance greater than 500 but less than 1000 attendees, Capital shall assign 3 safety officers to engage in game/event area security.
- 5c. In the event of a stadium game which has an expected attendance greater than 300 but less than 500 attendees, Capital shall assign 2 safety officers to engage in game/event area security.
- 5d. In the event a particular game is anticipated to present a security concern, Capital will consult with the Bexley Chief of Police or his designee to coordinate any needed backup in excess of the number of safety officers in 5a, 5b, or 5c.

6. Durability of the Plan & Miscellaneous Provisions

- 6a. After this plan takes effect, it can be revisited every three years by both signatories to the plan.
- 6b. This plan and the agreements herein shall not take effect until the Bernlohr stadium lighting and new sound system are installed, at which time this plan shall remain in full force and effect until modified or terminated by both parties, in writing. Amendment or termination by the City of Bexley may not be enacted except via adoption of a resolution of Bexley City Council after three readings.
- 6c. Sound calibration as specified in 4f shall be conducted every year for the first 4 years and then at an interval established by the Bexley City Mayor or the Mayor's designee in order to recalibrate the speaker maximums, if needed, to meet the eastern residential property line requirement.
- 6d. The City of Bexley shall conduct audits to determine adherence to these conditions. Observations/measurements will be conducted once annually, at a minimum, at a game involving the use of stadium lights, as randomly selected by the city, with anticipated attendance over 600. The audit will include verification of the following:
1. Temporary game day signage has been placed in accordance with the Game Day Traffic and Parking Management Plan.
 2. Parking areas are designated in accordance with the Game Day Traffic and Parking Management Plan.
 3. Lighting licenses are used in accordance with section 3: Stadium Lights Management.
 4. The sound system is used in accordance with section 4: Sound Management.
 5. Sound board calibrations verified to have not been altered.
 6. Appropriate safety officers have been engaged for events as per section 5.
- 6e. By virtue of these conditions being conditional to permit approval, any violation of these conditions will be a violation of the City Zoning Code and shall be enforced through Bexley's Code Enforcement procedures, which can include termination of the permit.
- 6f. The stadium will primarily be used by Capital University in support of its own teams and the university's programs and activities. The stadium may be loaned to other Division III schools for limited use for football, soccer or lacrosse teams travelling through the area as a reciprocal courtesy, but only during daylight hours and without the use of lights and sound. The stadium can be loaned to other Bexley-based educational institutions, but any use of stadium lights shall be a licensed use under provisions 3a to 3f. The stadium lights and sound shall not be used for concerts.
- 6g. The City of Bexley will revise and/or add ordinances as necessary, and initiate training and enforcement strategies for code enforcement staff to regulate the restrictions provided for in this document.