Minutes of the

Monday, October 27, 2014
07:00 p.m.

These minutes are intended to be interactive minutes, referencing video and audio recordings hosted at www.bexley.org.
To view and listen to the context behind the decisions taken at this meeting, please visit www.bexley.org/meetings/.

1. Call to Order

2. Roll Call

Roll Call:
Voting Members Present: Brian Marsh, Chair; John Behal; Jason Fout; Dan Ferdelman; Butch McDowall; Mike Paplow; David Hodge; Mike Simpson; and Jan Zupnick
Absent: Pete Foster
Excused:
Non-Voting Present: Ben Kessler, Mayor; Lou Chodosh, Attorney for the City of Bexley; Jason Sudy, Planning Consultant; Catherine Cunningham, Planning Attorney; Kathy Rose, Zoning Officer; and Stacy Grossman, Clerk

3. Approval of Minutes from September 22nd, 2014, Planning Commission meeting.

Mike Simpson made a motion to Approve - '3. Approval of Minutes from September 22nd, 2014, Planning Commission meeting.' Motion seconded by Jan Zupnick. **Vote 9 - 0 - passed.**

FOR: Brian Marsh, Chair, John Behal, Jason Fout, Dan Ferdelman, Butch McDowall, Mike Paplow, David Hodge, Mike Simpson, and Jan Zupnick.

AGAINST: None.

ABSENT: Pete Foster.

4. Old Business

a. Application No.: 14-014
Applicant: Anna Sokol - Art With Anna
Owner: Robert Duffy
Location: 420 N. Cassady Ave.
Request: The applicant is seeking Environmental Review and approval to allow a new wooden fence enclosure along the rear (east) property line, and a t the south side of the building, which will replace the existing fence. The applicant is also seeking Sign Review for a wall sign on the front (west) facade and a banner sign on the existing pole located at the northwest corner of the property to indicate the new business at this location "Art With Anna".

Meghan Hoover, applicant, was sworn in to provide testimony regarding the proposed fence enclosure, and wall and banner signs. The Zoning Officer provides background information to the Commission members regarding this application. The applicant and the Commission discuss the design elements and proposed materials for this project.

Mike Paplow made a motion to Table - 'a. Application No.: 14-014
Applicant: Anna Sokol - Art With Anna
Owner: Robert Duffy
Location: 420 N. Cassady Ave.
Request: The applicant is seeking Environmental Review and approval to allow a new wooden fence enclosure along the rear (east) property line, and a t the south side of the building, which will replace the existing fence. The applicant is also seeking Sign Review for a wall sign on the front (west) facade and a banner sign on the existing pole located at the northwest corner of the property to indicate the new business at this location "Art With Anna". Motion made to Table this application.' Motion seconded by Dan Ferdelman. **Vote 9 - 0 - passed.**

FOR: Brian Marsh, Chair, John Behal, Jason Fout, Dan Ferdelman, Butch McDowall, Mike Paplow, David Hodge, Mike Simpson, and Jan Zupnick.

AGAINST: None.

ABSENT: Pete Foster.

b. Application No: 13-0004
Applicant: Beth Anne Carman
Owner: Capital University
Location: 650 Pleasant Ridge Ave. (Bernlohr Stadium)
Request: The applicant is seeking Environmental Review and approval to allow new permanent lights for Bernhohr Stadium, and approval to replace the

existing stadium speakers. Please Note: This application was tabled on October 28, 2013.

Jason Sudy, Planning Consultant, discussed some of the background elements regarding this proposal. Recommendations were provided to the Commission in relation to times when the stadium and the lights would be in use. Other topics that were discussed between the South Bexley Neighborhood Association, Capital University, city staff, and a Study Group coordinated by the Mayor were part of the staff report. The topics for consideration included: lighting, sound, zoning, design guidelines, traffic, parking, and safety. Concerns from the residents, and ideas to mitigate impact to the neighborhood, were also discussed.

Beth Anne Carmen, applicant from Capital University, Stephen Bruning, applicant from Capital University, Tonya Poteet, legal counsel for Capital University, and John Kaufman, representative from Musco Lighting, were sworn in to provide testimony regarding the proposed stadium lights and speaker replacement. Ms. Carmen stated that the stadium lights and replacement of the existing sound system are part of the the third phase in the Bernlohr stadium improvement project. The current proposal brought before the Commission is reflective of the discussion that took place between Capital, the city, and others, in an effort to reach a compromise that best fits the university and the community. Regarding the sound system, Ms. Carmen identifies the location for the proposed speakers, and how their positioning will reduce noise travel to neighboring residents. John Kaufman spoke in regards to the lighting proposal for the stadium. Mr. Kaufman provided information on the type of proposed lighting for the stadium, the placement and height of the lighting on the field, and compared the proposed lighting to other stadiums using the same technology. Steve Bruning spoke in regards to the types of activities that would entail using the proposed stadium lights, and what that would have looked like during the 2014 event schedule. Dr. Bruning explained that the request is a maximum use request, and what that would mean in relation to the times the lights and speakers would be used for events. Dr. Bruning also provided examples of the attendance numbers for the different sporting events currently held at the stadium, how lights and speakers are proposed to be used on a month-by-month basis, and other schools in Ohio who do or do not have light limitations for stadium events.

Ruth Holt, Eloise Buker, Larry Matteson, Mary Gottesman, David Stebenne, Karl Hinch, Larry Christopherson, Connie Lewis, Megan Northrup, and Nancy Belay, members from the South Bexley Neighborhood Association, were sworn in to speak regarding this application. Ms. Holt begins by reading the South Bexley Neighborhood Association Open Letter to the Commission. Ms. Buker provides a presentation regarding the possible impacts on traffic and parking as a result of stadium events. Mr. Matteson offers comments and observations to the Commission regarding the proposed stadium lights. Ms. Gottesman discusses the possible health issues that could occur from exposure to the proposed stadium lights and sound system. Dr. Christopherson spoke regarding the

intensity of light and sound use at Bernlohr stadium, and compared it with the use at Bexley High School and St. Charles Preparatory Academy. Mr. Stebenne referenced the impact of the stadium proposal to the well being of the children in the neighborhood. Mr. Hinch discusses the impact to neighborhood safety that could result from the Bernlohr Stadium proposal. Mrs. Northrup and Mrs. Lewis present alternative options for the stadium improvement proposal to the Commission members. Ms. Belay speaks in regards to the public trust between the residents and civic representatives, and the impact of the relationship between the two in conjunction with the stadium light proposal.

Dr. Bruning responds to the comments from the South Bexley Neighborhood Association's presentation. He addressed some of the topics discussed in the presentation, such as parking and alternative field locations, and referenced where information could be found in the documents the university had provided to the city regarding these topics. Dr. Bruning also read a letter sent to him by a physician regarding the impact of lights and sound to the surrounding residents relating to concerns of sleep deprivation.

Jason Sudy suggests the Commission discuss any technical questions or comments they might have in regards to the lights and sound system.

Laura Emery, lighting consultant, is sworn in to provide testimony regarding the proposed stadium lights. Ms. Emery addresses the Commission members questions and comments in reference to the lights proposed to be installed at Bernlohr stadium.

The Planning Consultant and the Commission members discuss the proposed sound system for Bernlohr stadium, and additional comments are discussed between the Commission members and the lighting consultant.

Norm Divine, resident on Euclaire Avenue, spoke on behalf of this application. Mr. Divine is concerned about the impact of the proposed sound system and lights for this project to the surrounding South Bexley residents. Mr. Divine suggests that at least one day each week be free of stadium events.

David Lauerhass, resident at 753 Francis Avenue, spoke on behalf of this application. Mr. Lauerhass wanted to clarify the different context between street lights and stadium lights, and voice his concners regarding the noise in the Fall coming from the Student Center, and the noise in winter made by fans attending stadium events.

Ms. Rose swears in Norm Divine, David Lauerhass, and Bob Chapman, and others from the public who would like to speak on behalf of this application.

Bob Chapman, resident of South Bexley, spoke on behalf of this application. Mr. Chapman addresses the topic of street parking during stadium events, and compared the number of cars parked during events to the number of cars

parked on the street in the morning on his way to work. Mr. Chapman said the the difference between event and non-event parking was minimal, and he feels that some of the residents do not support Capital when the university is looking to make changes. He believes that the majority of event attendees are Capital students and their parents.

Ann Russell, resident at 2581 Fair, spoke on behalf of this application. Ms. Russell enjoys living in Bexley and being a part of the community. She lives across from the high school, and is familiar with student parking along her street. She suggests that South Bexley residents do what she does for event parking, and invite attendees to park in her driveway. Ms. Russell says that she enjoys hearing the sounds of the band, the football game, and the crowd. She would like the residents to support Capital's stadium proposal.

Ginny Christopherson, resident on Francis, spoke on behalf of this application. Ms. Christopherson is concerned about the effects of the sound of the crowd affecting her grandson's sleep. She feels that the sound from the stadium will affect the sleep quality of the children living within close proximity to the stadium. Ms. Christopherson is also concerned about the effect of the stadium proposal on home sales in South Bexley.

Bev Sapienza, resident of Bexley, spoke on behalf of this application. Ms. Sapienza is a graduate of Capital, and feels that the majority of Capital alumni living in Bexley support the stadium improvement proposal. She feels that the students involved in sports and events at the University, as well as the residents in the surrounding homes, get to enjoy a safe and clean environment referenced on the signs found in South Bexley. She believes that the safety and cleanliness of the area will not change with the addition of the proposed stadium lights or new speakers. Ms. Sapienza states that the number of residents against the stadium proposal is a very minimal portion of the city's population.

David Greene, resident on Francis Avenue, spoke on behalf of this application. He believes the expansion of the field is wrong in its intensity, its duration of use, and that the lights are incompatible with residential uses. He feels that it causes harm, and will be in a sensitive location for the residents. The issues he believes that are important to consider are noise and traffic. He also feels that the primary use of the area is residential, and that the addition of the stadium lights is similar to a commercial use. He then provides zoning descriptions, and types of use, as detailed in the Southwest Bexley Master Plan.

Larry Christopherson spoke on behalf of this application. Dr. Christopherson stated that he is an alumni from Capital, and explained how stadium lighting has been an issue since his attendance there. He explained how the situation was attempted to be rectified, but that no matter how hard they tried to resolve the issue with the lights they were still unable to solve the problem.

Constance Lewis spoke on behalf of this application. She and her husband are

long-time residents of Bexley, have lived in their home since the 1980's, and live close to the field's 40-yard line. When they first bought their home, there were no lights on the field located behind their home. They enjoy living close to the university, but also enjoy their quiet evenings at home. With the introduction of new sports and additional stadium events, the noise has interfered with the Lewis' lifestyle. When the stadium was first built, lights were not added into the plan. Mrs. Lewis would like the lights to remain outside of the stadium improvements, and be able to continue to enjoy the university and its events during the day.

Don Lewis spoke on behalf of this application. Mr. Lewis is concerned about the property value of homes in South Bexley, and their potential loss, in relation to the stadium light proposal. Mr. Lewis knows that the issues of stadium lights is not exclusive to Bexley, and provides an example of a school located in Michigan that was in a similar situation. He stated the homes in the area of the school lost a portion of their value because of the addition of the lights, as well as another city in Virginia who shared a similar experience. He states if the values of the homes in Bexley go down, something else, such as taxes, will have to replace the loss. He then asked the Commission to make the best decision for the residents of the city in regards to this proposal.

Karl Hinch, resident on Pleasant Ridge, spoke on behalf of this application. Mr. Hinch feels that the points stated earlier regarding safety, parking, noise, and lights, are issues that should have been previously addressed. He states that night games are a new use, but should also have been previously taken care of.

Larry Matteson spoke on behalf of this application. Mr. Matteson commented to the Commission to do the right thing for the city of Bexley and the community in South Bexley.

Megan Northrup spoke on behalf of this application. Mrs. Northrup wanted to clarify the costs of alternate options for the current stadium proposal, mentioned when the field was originally placed at its current location, lights were not included as part of that proposal, and commented about the noise of the crowd during each of the stadium events. She would like Capital to achieve their goals through alternate means.

Bailey Higgins, President of Student Government at Capital University, spoke on behalf of this application. Miss Higgins stated that the university has collected a petition with 1,000 signatures. The petition states that the proposal equalizes opportunities to Capital students, and equalizes opportunities which are afforded to other students in the Bexley community. She states that the economic opportunity from the university and the students benefit both the city of Bexley and its residents, that Capital students are also residents of the city and community of Bexley, and believes that this proposal contributes to the growth of all parties involved.

John Northrup, resident at 779 S. Cassingham, spoke on behalf of this

application. Mr. Northrup references current Bexley Code and its definition of harm and use, and compares this definition to the effects of the stadium lights proposal.

Doug Leeds, resident at 341 S. Cassingham, spoke on behalf of this application. Mr. Reeds, his mother, and his children, are all graduates of the Bexley School system. Mr. Leeds lives directly across the street from the elementary, middle, and high school, and states that the location of his residence is a busy place. He was initially concerned about event activity and safety, but states that he and his neighbors have never been on the receiving end of thefts during any of the events taking place across the street. He states

John Offenberg, resident at 33 N. Remington, spoke on behalf of this application. Mr. Offenberg feels that the city of Bexley is a great place to live and work. From his home, and his office, he can hear the games played at Bexley, St. Charles, and at Capital, and enjoys hearing the sounds coming from the games. Although he is not a graduate of the university, he supports the stadium improvement proposal. He states that the university was here first, and has supported the city's local economy, its Chamber of Commerce, and its residents.

Paul Hunt, resident at 868 Pleasant Ridge, spoke on behalf of this application. Mr. Hunt is a graduate of Capital, enjoys living in South Bexley, and enjoys being close to the university. He feels that by adding stadium lights, they will help the university and and help South Bexley. He believes that the property values in South Bexley have not decreased, but have increased, and provides examples of sale prices of homes in South Bexley and around the university. He enjoys living close to the university, and having access to E. Main St. and its amenities. He's grateful to Capital, and his time spent there as an undergraduate.

Chris Kourns, resident at 485 S. Parkview, spoke on behalf of this application. Mr. Kourns feels that evening activities bring families together, while also supporting the community, such as hosting Friday nights movies on the lawn. He asks the Commission that when they make their decision on the stadium lights, to think about the positives that come along with those lights.

Fred Long, 316 S. Stanwood, spoke on behalf of this application. Mr. Long is a Bexley and Capital graduate. He believes that the new sound system and stadium lights will be an improvement to the city and the university. He also provides a brief history of both Capital University and the city of Bexley.

Erin Reed, resident at 814 Francis, was sworn in to speak on behalf of this application. Ms. Reed discusses events at Bexley and St. Charles, and states that as a former resident of Sheridan Avenue, she saw the aftermath of events on Saturday mornings. She also lived next to a residence inhabited by university students, and she discussed the issues she had with the students in relation to trash, litter, and their behavior towards her property.

Chris Murray, resident at 121 N. Remington, was sworn in to speak on behalf of this application. Mr. Murray believes that adding the stadium lights is a benefit to the students, and feels that the students at Capital are a part of the Bexley community. He gives examples of the way students at Capital are involved and cooperate in the community, such as volunteering to patrol the streets during trick-or-treat, and asks the Commission to think of the benefits of the stadium lights for the students.

The Commission members, the Planning Consultant, the city's legal counsel, and the Capital applicants, discuss the use of the stadium, the chronology of Capital and the city of Bexley, and clarification between staff recommendations and Capital's conditions for approval for this project. They also discuss parking management options on streets within close proximity to the university.

Steve Welk, representative from E. P. Ferris, was sworn in to speak on behalf of this application. Mr. Welk addresses options for neighborhood parking for stadium events, better signage signaling where to turn off of Main St. to find the university, and better direction where to park during stadium events.

The Planning Consultant and Mr. Welk continue to discuss parking management, parking space availability, and the number of spaces estimated to accommodate event parking. Mr. Sudy also references portions of the staff report pertaining to this topic, along with other topics for discussion, such as types of use for the stadium lights and sound system. The Commission members, and applicants from Capital University, join in the discussion to provide feedback and additional comments regarding the number of games and practices the lights and sound would be in use, and the hours they are proposed to be in use throughout the year.

Ben Kessler, Mayor of Bexley, was sworn in to speak on behalf of this application. Mayor Kessler responds to Chairman Marsh's question if the city is comfortable with the mechanisms and provisions detailed in the Staff Report and Capital's Conditions of Approval if the stadium lights are approved by the Planning Commission.

Jason Sudy addresses the Commission and refers to the recommendations from the staff report, and Capital's Conditions of Approval for this proposal, that would be included as conditions if this application is approved by the Commission.

Mike Simpson made a motion to Approve - 'b. Application No: 13-0004
Applicant: Beth Anne Carman
Owner: Capital University
Location: 650 Pleasant Ridge Ave. (Bernlohr Stadium)
Request: The applicant is seeking Environmental Review and approval to allow new permanent lights for Bernhohr Stadium, and approval to replace the existing stadium speakers. Please Note: This application was tabled on

October 28, 2013. To adopt the Findings of Facts and Conclusions of Law as stated by Jason Sudy: The Commission finds that after review of the plans and consideration of the testimony given, that the proposed site development plan meets the intent of the district in which the proposed project is located. The site development plan and usage of the stadium lighting and sound systems are subject to the following conditions: 1) That approval and issuance for a special permit for usage of the stadium lights and sound is contingent on the ***APPROVED Conditions of Approval - Capital Stadium v7.0 14 1028,*** which reflect the modifications to *RECOMMENDED Conditions of Approval - Capital Stadium v6.1 14 1027* made 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.' Motion seconded by John Behal. **Vote 8 - 1 - passed.**

FOR: Brian Marsh, Chair, John Behal, Jason Fout, Dan Ferdelman, Mike Paplow, David Hodge, Mike Simpson, and Jan Zupnick.

AGAINST: Butch McDowall.

ABSENT: Pete Foster.

Butch McDowall asks for a clarification regarding the number of licenses and games referenced in the request for use that would be included in the Motion. Jason Sudy replied that there are a total of 30 licenses, one of which would be for a football game.

The Findings of Fact and Conclusions of Law for the property located at 650 Pleasant Ridge Avenue (Bernlohr Stadium): The Commission finds that after review of the plans and consideration of the testimony given, that the proposed site development plan meets the intent of the district in which the proposed project is located. The site development plan and usage of the stadium lighting and sound systems are subject to the following conditions: 1) That approval and issuance for a special permit for usage of the stadium lights and sound is contingent on the ***APPROVED Conditions of Approval - Capital Stadium v7.0 14 1028,*** which reflect the modifications to *RECOMMENDED Conditions of Approval - Capital Stadium v6.1 14 1027* made 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.

Bernlohr Stadium

Game Day & Stadium Management for Day and Night Games and Athletic Events

Planning Approval Conditions

rev 7.0 10/28/2014 Contents

1. Game Day Traffic Management
2. Game Day Parking Management
3. Stadium Lights Management
4. Sound Management
5. Safety Management

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 Traffic and Parking Management Plan will be established prior to the start of each semester and will be to the satisfaction of the city of Bexley.

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 700 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 103**A MAIN STREET / BEXLEY,** which exits onto an add-on 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 loo 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. 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 UNIVERSITYwith 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 if Columbus have agreed to change the off-ramp guide sign to indicate CAPITAL UNIVERSITY should turn left onto Livingston Avenue, 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 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**).

1. TRAFFIC MANAGEMENT: Traffic management will be implemented for all games with an anticipated attendance of 700 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, Astor west of Pleasant Ridge, and College north of Astor.
In addition to the permanent signage guide, Capital shall place supplemental two-sides, 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.

1. Following an event, the parking lots should be required to empty going northbound on Pleasant Ridge Avenue or College Avenue to Main Street.
2. The City of Bexley will explore adjusting Residential Permit Parking prohibitions as outlines in 2b. below.
3. 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 Capital Commons Apartments. Buses shall be required to shut off their engines while parked during game time.

2. Game Day and Night Parking Management
   1. Parking locations will be determined as part of the Game Day Traffic and Parking Management Plan as outlined in Section 1 "Game Day and Night Time Traffic Management."
   2. The City of Bexley will explore adjusting 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 Management *
(* Technical information contained in sections 3j through 3n, is based on information provided to the city of Bexley
by KLH).

1. 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.
2. Capital University shall have 24 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.
3. Capital University shall have 16 licenses annually to operate stadium lighting for
practices/intramurals in which the lights are on past the hour of 8:00 pm but off
prior to the hour of 9:00 pm.
4. 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 7:00
pm but off prior to 8:00 pm. (*note: If any of these licenses are used for **games,** that
will subtract from the overall **total of 30 game licenses** allowed for 3a, 3b, 3d, and
3e inclusive.)*
5. Capital University shall be allowed to operate stadium lighting for
games/practices/intramurals between the hours of 4:00pm and 7:00pm. (*note: If any of
these licenses are used for **games,** that will subtract from the overall **total of 30 game
licenses** allowed for 3a, 3b, 3d, and 3e inclusive.)*
6. Capital University shall be allowed to operate of stadium lighting for **practices** between
hours of 7:30am and 9:00am, Mondays and Fridays.
7. No more than 1 licenses from the licenses in 3a, 3b, 3d, and 3e will

be used for football
games. No more than 30 licenses from the licenses in 3a, 3b, 3d, and 3e will be used for
games.

8. 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 the 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 licensed only can be used for OAC or
NCAA tournament contests.

1. 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.
2. Sports lighting luminaries 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 met this requirement with shielding or optically controlled lighting source
technology.
3. 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 the pole.

4. 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.
5. Sports lighting system pole heights shall be restricted to the height in the submitted proposal designed by MUSCO lighting.
6. 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 Management *

(* Technical information contained in sections 4d through 4l, is based on information provided by the city of Bexley by KLH Engineers)

1. The stadium speakers may not be used during practices or intramurals.
2. Air horns and other noise makers other than whistles may not be used during

practices in the stadium.

1. 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 the any game played on the stadium field.
2. 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.
3. 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.
4. The stadium speaker system shall have password-protected electronic limitations set to limit sounds 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-weighed 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.

5. 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.
6. No speaker system will be activated prior to 8:00 am or remain active after 11:00 pm, unless under emergency conditions where the use is for the protection of attendees/athletes or staff using the facility.
7. 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.
8. Cannon sounds are prohibited.
    1. 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
    1. 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.

2. 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.
3. 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 the game/event area security.
4. 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

1. After this plan takes effect, it can be revisited every three years by both signatories to the plan.
2. 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.
3. 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 700. 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.

3. 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.
4. 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. The stadium lights and sounds shall not be used for concerts.

6f. 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.

5. Other Business:

a. Application No.: 13-015
Applicant: Sef DeChristopher
Owner: Louise Bethel
Location: 508 N. Cassady Ave.
Request: The applicant is seeking Informal Environmental Review for exterior changes to the building and new paved asphalt, at the above noted location.

The meeting went into Recess.

The meeting reconvened.

Sef DeChristopher, applicant, was sworn in to provide testimony regarding the proposed exterior building modifications. The Commission members and the applicant discuss the design elements and proposed materials for this project.

The Findings of Fact and Conclusions of Law for the property located at 508 N. Cassady Ave: The Commission finds it appropriate to grant a recommendation for the Facade Grant with the following condition: That the final design details of the exterior improvements are subject to the final review and approval by the Planning

Commission.

Mike Paplow made a motion to Approve - '5. Other Business: Application No.: 13-015

Applicant: Sef DeChristopher

Owner: Louise Bethel

Location: 508 N. Cassady Ave.

Request: The applicant is seeking Informal Environmental Review for exterior changes to the building and new paved asphalt, at the above noted location. To adopt the Findings of Fact and Conclusions of Law as stated by Kathy Rose: The Commission finds it appropriate to grant a recommendation for the Facade Grant with the following condition: That the final design details of the exterior improvements are subject to the final review and approval by the Planning Commission.' Motion seconded by Dan Ferdelman. **Vote 9 - 0 - passed.**

FOR: Brian Marsh, Chair, John Behal, Jason Fout, Dan Ferdelman, Butch McDowall, Mike Paplow, David Hodge, Mike Simpson, and Jan Zupnick.

AGAINST: None.

ABSENT: Pete Foster.

6. Adjourn