

**CITY OF BEXLEY
PLANNING COMMISSION**



Decision and Record of Action – October 27, 2014

The City of Bexley Planning Commission took the following action at this meeting:

- Location: 650 Pleasant Ridge Avenue (Bernlohr Stadium)**
Application No.: 13-004
Applicant: Beth Anne Carman – Capital University
Owner: Capital University
Zoning: CP Campus Planning District – Zone 1
Request: The applicant is seeking Environmental Review and approval to allow new permanent lights for Bernlohr Stadium and replacement of the existing stadium speakers. The applicant is also seeking a special permit for the use of the lighting and sound systems at Bernlohr stadium.

MOTION: The findings of fact and conclusions of law are, 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*** (attached), 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.

VOTE: 6-yes; 1-no; by the Planning Commission Members.

RESULT: The application was approved with conditions.

Staff Certification

Recorded in the Official Journal this 27th
day of OCT., 2014.

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

rev 7.0 10/28/2014

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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 **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).

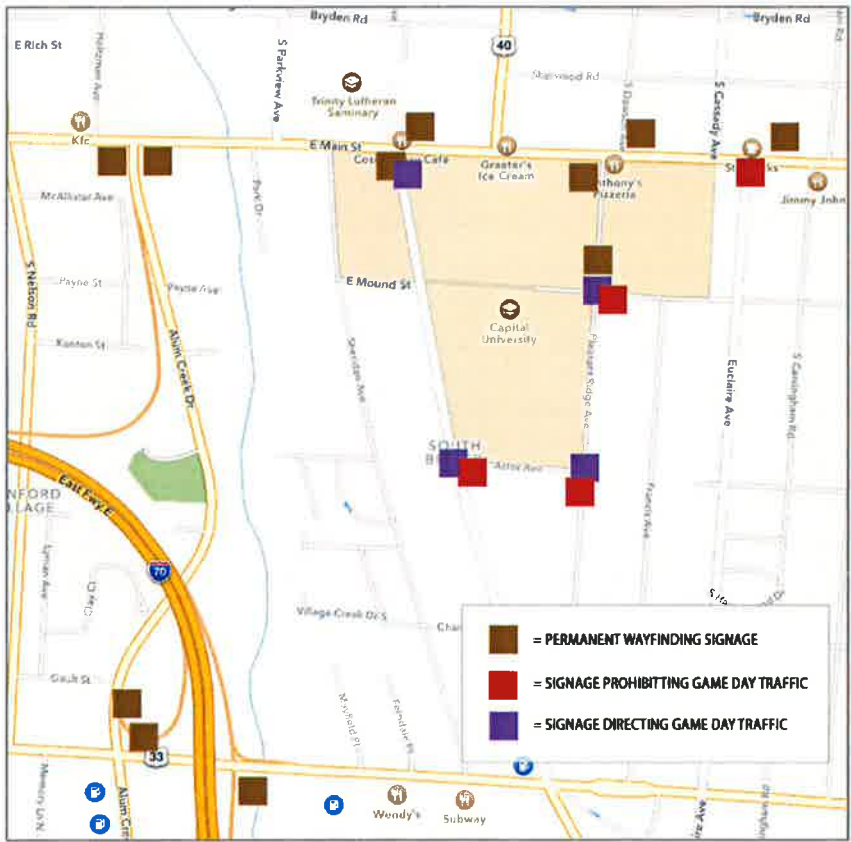
Guide signage on local Columbus streets must be in accordance with the policies and practices and be approved by the city of Columbus Planning and Operations Division.

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 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 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 adjusting Residential Permit Parking prohibitions as outlined in 2b. 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

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the Capital Commons Apartments. Buses shall be required to shut off their engines while parked during game time.

2. Game Day and Night Parking Management

- 2a. 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 Traffic Management."
- 2b. 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 Management¹

- 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.
- 3b. 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.
- 3c. 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
- 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 7:00pm 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 30 game licenses** allowed for 3a, 3b, 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 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.)*
- 3f. Capital University shall be allowed to operate of stadium lighting for **practices** between the hours of 7:30am and 9:00am, Mondays through Fridays.
- 3g. 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.

¹ Technical information contained in sections 3j through 3n, is based on information provided to the city of Bexley by KLH

- 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.

- 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 designed by MUSCO lighting.
- 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 Management²

- 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.

² Technical information contained in sections 4d through 4l, is based on information provided to the city of Bexley by KLH Engineers.

- 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.
- 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. 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.
- 6c. 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.
- 6d. 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.
- 6e. 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 sound 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.