



Development Notes

for

Metrolina Expo/ Mixed Use Sports and Entertainment Facility

City of Charlotte, North Carolina Petition # 09-052 ("Petition")

Petitioner:

Speedway Investment Group, LLC, as agent for GAH International, Ltd. (successor by merger to Mecklenburg Fair, Ltd - a portion of parcel 03720317 and parcel 03720301) and Metrolina Mini Storage, LLC (parcel 03720343)

Current Zoning:

I-1 (64.95 acres), I-2 (65.84 acres), BD (3.36 acres), R-MH .41 Acres), B-2 (.82 acres)

Proposed Zoning:

I-1(CD)

Land Area:

Total Area: Approximately 135.38 Acres ("Site")

Area A: The approximately 39.39 acre portion of the Site proposed to be used for the Mixed Use Sports and Entertainment Facility, including the Permitted Uses designated herein as to such Area.

Area B: The approximately 86.99 acre portion of the Site presently used for flea market and related purposes and including the Permitted Uses designated herein as to such Area (including overnight camping).

Area C: The approximately 9 acre portion of the Site proposed to be used for the Permitted Uses designated herein as to such Area.

General Development Notes:

Development at the Site shall be in accordance with the Zoning Ordinance of the City of Charlotte, North Carolina ("Ordinance"), subject to the prescribed conditions and modifications contained in these Development Notes. Buildings depicted on the Conceptual Site Plan may be constructed in phases over time and in any sequence as determined by the Petitioner.

The Site will be developed as a unified development, provided that the Petitioner/owners of the Site reserve the right to subdivide the Site in the future in compliance with the Charlotte Subdivision Ordinance.

The ultimate configuration of the Areas and the parcels or lots forming parts thereof, have not been finalized. As a consequence, the Area designations on the Technical Data Sheet and the Conceptual Site Plan which accompany the Petition are schematic in nature and is not to be considered as the final definition of the Areas but rather as a preliminary graphic representation of the general locations of the proposed Areas. The dimensions of the Areas generally depicted on the Technical Data Sheet and the Conceptual Site Plan may be subject to variations that do not materially change the development intent generally depicted. The Areas may, therefore, be altered or modified during the design development and construction document phases subject to the

Bicycle Parking:

The Planning Department, in conjunction with the Charlotte Department of Transportation, may waive or reduce required bicycle parking depending upon surrounding land uses and other conditions, as allowed by the Ordinance.

Buffers

Buffers shall be established in accordance with the Ordinance (as depicted on the Technical Data Sheet and Conceptual Site Plan), provided, however that if an adjacent property zoning district or use changes to a district or use that would modify or eliminate buffer requirements, the buffers for the Site may be reduced or eliminated as may be permitted by the Ordinance (notwithstanding buffers shown on the Technical Data Sheet or Conceptual Site Plan).

Driveways/Access Points:

Driveway connection permits for each access point to the Site will be submitted for approval to the applicable transportation authority.

Parking:

Parking at the Site shall meet or exceed minimum standards for uses at the Site as provided in the Ordinance. For purposes of Chapter 12, Part 2 (Section 12.202) of the Ordinance, all auto parking located on the Site shall be considered shared parking. For purposes of making determinations as to the sufficiency of auto parking at the Site: (i) the aggregate number of spaces located on the Site (within all Areas) shall be counted as the total number of available parking spaces, and, (ii) all permitted uses at any time existing shall be taken into account in determining the then required number of auto parking spaces. So long as the amount of auto parking spaces available under (i) above exceeds the amount of auto parking spaces determined as required under (ii) above, the requirements of Section 12.202 shall be deemed satisfied. The Petitioner/then owner reserves the right to pave parking areas shown as grass parking on the Conceptual Site

Post-Construction Storm Water Ordinance:

Development at the Site shall comply with the requirements of the Post Construction Storm Water Ordinance as the same may applicable to development at the Site.

Solid Waste:

Prior to any demolition of structures within an Area, the Petitioner/then owner of the Area where such structure is to be demolished shall submit a Solid Waste Management Plan (including an asbestos Notification of Demolition and Renovation, if applicable) for approval.

Tree Ordinance:

Development at the Site will comply with the Charlotte Tree Ordinance, provided that the Petitioner/then owner of the Site reserve the right to seek variances therefrom.

Area Development Notes:

Area A- Mixed Use Sports and Entertainment Facility

General/Permitted Uses:

Permitted uses in the Area include: Child care center, Facilities and structures necessary for rendering utility service, Hotel and motel (not to exceed 200 rooms), Indoor amusement/recreation, Nightclubs, bars and lounges, Offices, Outdoor amusement/recreation, Open space recreational uses, Overnight camping, Public utility structures, Raceway, Restaurants, Retail establishments (up to 70,000 square feet), Stadium and all accessory uses and structures related thereto, subject to the prescribed conditions and modifications contained in the Development Notes applicable to this Area.

The ultimate layout of the development proposed for the Area and the parcels or lots forming parts thereof, the exact alignments and location of points of access, the configurations and placements of parking areas and the precise locations, of buildings and other individual site elements to be constructed have not been finalized. As a consequence, the Conceptual Site Plan which accompanies the Petition is schematic in nature and is not to be considered as the final development plan for the Area but rather as preliminary graphic representations of the types of development proposed and the general locations of the proposed buildings on the site. The dimensions and specific locations of building/parking envelopes generally depicted on the Conceptual Site Plan may be subject to variations that do not materially change the development intent generally depicted. They may, therefore, be altered or modified during the design development and construction document phases subject to the Ordinance. Without limiting the generality of the foregoing, buildings generally depicted on the Conceptual Site Plan may not be increased beyond the number generally depicted.

Building Height:

Buildings located within 150' of any R-MH district will comply with the Ordinance as to height limitations but in any event shall be limited to 75'.

Raceway:
For purposes of Section 9.1103(42)(b) requiring a raceway use to be located on a lot of at least 50 acres, the Site shall be considered the lot, notwithstanding that Area A may be subdivided in the future from the Site or that there may be further subdivision of the property located within Area The raceway use shall be permitted no more than 10,000 permanent seats.

Restaurant/Bar/Nightclub

The area within any building or structure designated for and used for Bar/Nightclub purposes shall be located at least 400 feet from any residential use or residential district, as measured from the portion of the area within the building or structure located closest to the residential use or residential district.

Stadium:

The raceway is permitted to have a Stadium use provided that non-race related events at the Stadium shall be limited to a maximum of 5,000 ticketed seats.

Buildings located in the area of the Stadium whose primary purpose is ancillary to the raceway (such as garages and related structures) are raceway structures and shall not be considered a part of the Stadium for purposes of Section 9.1103(49)(f) of the Ordinance.

Streets:

Petitioner intends to petition for the abandonment of those portions of Apache Avenue (entrance A on the Conceptual Site Plan) and Airway Avenue (entrance B on the Conceptual Site Plan) as shown on the Technical Data Sheet. Privately maintained streets will be constructed within the remaining public right of way areas of these streets.

Area B- Metrolina Exporuture Development

Permitted Uses:

All uses permitted in the I-I District under the Ordinance effective as of the date of the approval of this Petition (including overnight camping), subject to the prescribed conditions and modifications contained in the General Development Notes section of these Development Notes. Accessory uses to the raceway use permitted in Area A shall be permitted within Area B. For purposes of flea market establishments within the Area, structures with at least 3 walls and a roof shall be considered enclosed spaces for purposes of the Ordinance.

Gibbon Road Extension:

Petitioner/the owners of the area noted on the Conceptual Site Plan as "80'
Proposed R/W to be Dedicated for Future Gibbon Road Extension- By Others" ("Gibbon Dedication Area") shall have the right to pave within, install utilities within (subject to

City of Charlotte permit approval) and otherwise use the Gibbon Dedication Area until such time as the construction of Gibbon Road Extension from Old Statesville Road to Statesville Road is fully funded and ready to be constructed, provided that no buildings or permanent structures shall be constructed within the Gibbon Dedication Area. At the time the construction of Gibbon Road Extension from Old Statesville Road to Statesville Road is fully funded and ready to be constructed Petitioner/the then owners of the Gibbon Dedication Area shall dedicate and/or convey the same to the appropriate transportation authority.

Area C- Indoor Recreation/Flea Market/Retail-Office Uses

Permitted Uses:

Permitted uses in the Area include: Child care center, Facilities and structures necessary for rendering utility service, Flea market establishments, Indoor amusement/recreation, Offices, Outdoor amusement/recreation, Open space recreational uses, Public utility structures, Restaurants, Retail establishments (up to 70,000 square feet) and all accessory uses and structures related thereto, subject to the prescribed conditions and modifications contained in the Development Notes applicable to this Area.

The ultimate layout of the development proposed for the Area and the parcels or lots forming parts thereof, the exact alignments and location of points of access, the configurations and placements of parking areas and the precise locations, of buildings and other individual site elements to be constructed have not been finalized. As a consequence, the Conceptual Site Plan which accompanies the Petition is schematic in nature and is not to be considered as the final development plan for the Area but rather as preliminary graphic representations of the types of development proposed and the general locations of the proposed buildings on the site provided, however, that the building(s) located in the Area shall not be larger than 200,000 square feet. The dimensions and specific locations of building/parking envelopes generally depicted on the Conceptual Site Plan may be subject to variations that do not materially change the development intent generally depicted. They may, therefore, be altered or modified during the design development and construction document phases subject to the Ordinance.

Binding Effect of the Rezoning Approval:

Upon approval of the Petition, the development program established under these Development Notes and other supportive documents shall be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest and assigns, unless the same shall be amended in the manner provided in the Ordinance. It being expressly understood that the owner(s) of portions of Areas of the Site not directly affected by any subsequent modification or amendment of the Petition shall not be required to join in any application for modification or amendment of the Petition not directly affecting property owned by such owner(s). Conveyances of property within the Site shall reference the unified development nature of the site and this Petition.

DESIGN GROUP

ARCHITECTURE/I
Suite 200
Fax (

05-18-09 PER REVIEW COMMENTS

Mark Date Description

Project No.:

Drawn by:

Checked by:

Cad Dwg File:

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Client/Project

MIXED-USE SPORTS AND ENTERTAINMENT FACILITY

> 7100 STATESVILLE RD. 4916 AIRWAY DR CHARLOTTE, NC

Title

REZONING PETITION No. 2009-052

04-27-2009

Sheet Title

DEVELOPMENT NOTES

Drawing No.

• NEW SHEET

RZ-3*

Mixed-Use Sports and Entertainment Facility: Conceptual Parking Calculations

USE	AREA	# OF	PARKING LOAD	RATE	# OF REQ.	# OF
	(SF)	SEATS	CATEGORY		SPACES	GRANDSTAND
						SPACES
Indoor Amusement						
Indoor Karting	47,000		Based on 20 Karts	1.2 sp per kart	24	
Kids (arcade)	4,400		Indoor recreation	1 sp/200 sf	22	
Arcade	10,000		Indoor recreation	1 sp/200 sf	50	
Indoor RC tracks (course)	10,000		None (fixed equip.)	N.A.	0	
Indoor RC tracks (viewing)	5,000		Indoor recreation	1 sp/200 sf	25	
Concessions	7,500		Retail	1 sp/250 sf	38	
Subtotal	76,400				159	
Outdoor Amusement						
Outdoor Karting	50,000		Based on 20 Karts	1.2 sp per kart	24	
Outdoor RC track (course)	25,852		None (fixed equip.)	N.A.	0	
·			, , ,		0	
Subtotal	75,852				24	
Grandstands (Event)						
West Grandstand		A 110	Stadiums	1sp/ 3 seats		1371
New Suites @ W.Grandstand		,	Stadiums	- '		120
East Grandstand			Stadiums	1sp/ 3 seats		608
R/C Grandstand		,	Stadiums	1sp/ 3 seats		84
			Stadiums	1 sp/ 3 seats		
Subtotal		6,186				2,183
Hotel						
150 Rooms			Hotel-rooms	1 sp/room	150	
Conference/Mtg Rooms	34,700	1.400	Hotel-Meeting Rm	1 sp/4 seats	350	
Restaurant 1	11,800		Hotel-Restaurant	1 sp/ 250 sf	48	
Restaurant 2	11,000		Hotel-Restaurant	1 sp/250 sf	44	
Lounge 1	10,200		Hotel-Entertainment	1 sp/250 sf	41	
Lounge 2	8,400		Hotel Entertainment	1 sp/250 sf	34	
Bar area	12,000		Bar Lounge	1 sp/75 sf	160	
Subtotal	69,500				827	
					-	
Lobby (Exhibition Hall)	21,600		N.A.:Accessory Use	N.A.	0	
			·			
Retail	40,000		Retail	1 sp/250 sf	160	
Subtotal	40,000			İ	160	
Office	30,750		Offices	1sp/ 300 sf	103	
Subtotal	30,750				103	
Total Parking for Non-Event Use					1,273	
Additional Parking for Event					1,273	
Use (Grandstand Events)						
USE (Granusianu Events)						2,183
						2,183

<u>Mixed-Use Sports and Entertainment Facility/ Metrolina Expo Development:</u> Conceptual Parking Calculations

USE	AREA	PARKING LOAD	IRATE	# OF REQ.
	(SF)	CATEGORY		SPACES
Indoor Retail				
Building A	42,265	Retail	1 sp/330 sf	128
Building B	15,000	Retail	1 sp/330 sf	45
Building C	20,280	Retail	1 sp/330 sf	61
Mall One (partially enclosed)	25,000	Retail	1 sp/330 sf	76
Café	2,500	N/A: Accessory Use	NA	0
Antique Village (9 Buildings)	28,324	Retail	1 sp/330 sf	86
Antique Village (4 Buildings)	12,590	Retail	1 sp/330 sf	38
Antique Village (1 Building)	1,885	Retail	1 sp/330 sf	6
Piccadilly Lane	16,600	Retail	1 sp/330 sf	50
Subtotal	105,045			491
Outdoor Retail (1 weekend/month)				
Covered Mall Two	8,200	Retail	1 sp/330 sf	25
Outdoor Vendors	35,000		1 sp/330 sf	106
Subtotal	43,200			131
Temporary Tents (only April and Nov.)				
Note:The proposed Multi-Use Building				
will replace Temporary Tent usage and				
is not counted as part of Maximum Use				
Parking calculations	39,800	Retail	1 sp/330 sf	121
Subtotal				0
TOTAL				622

Note: The above information represents a summary of facilities at the Metrolina Expo obtained from the owner. These areas have not been field verified and are used for preliminary calculation purposes only.

Mixed-Use Sports and Entertainment Facility: Conceptual Parking Calculations

USE	AREA (SF)	PARKING LOAD CATEGORY	RATE	# OF REQ. SPACES
Bldg Used as Indoor Retail	(SF)	CATEGORY		SPACES
Retail	130,000	Retail	1 sp/330 sf	394
Offices		Office	1 sp/300 sf	17
Mechanical, Electrical, Storage	3,000		NA	0
Spaces dedicated to Recreational Use	2,200			
Only(e.g. Locker Rooms, Equip.				
Storage)	2,600	NA	NA	0
Subtotal	140,600			411
Building Used as Indoor Recreation				
Indoor recreation (gross)	135,600	Indoor recreation	1 sp/200 sf	411
Offices	5,000	Retail	1 sp/300 sf	17
Subtotal	140,600			428
TOTAL				
Note:Use Highest Use				428

Mixed-Use Sports and Entertainment Facility: Total Conceptual Off-Street Parking Calculations

Rezoning Petition No: 2009-052

Building or Complex Name	Required Off-Street Parking	Required Off-Street Parking	Required Off-Street Parking
	Typical Use: Metrolina Expo, Multi-Use Bldg, and Non-Grandstand Use of Sports and Entertainment Complex	Alternative to Maximum Use: Metrolina Expo, Multi-Use Bldg, and Race Event and Hotel/Restaurant/Bar Use of Sports and Entertainment Complex. Outdoor-Indoor Kart, RC Racing, Retail, and Meeting uses are accessory to Race or Concert events	Maximum Use: Metrolina Expo, Multi-Use Bldg, and Race/Concert Event and Simultaneous Use of Sports and Entertainment Complex
Sports and Entertainment			
Complex	1,273	2,183	3,456
Metrolina Expo	622	622	622
Multi-Use Bldg	428	428	428
Total	2,323	3,233	4,506