

TIME WARNER ARENA SIGNAGE STANDARDS
UPTOWN MIXED USE DISTRICT OPTIONAL SITE PLAN AMENDMENT

Rezoning Petition No. 2008-129 (UMUD-O SPA)

August 14, 2008

1. Summary of Request.

This Petition seeks to modify the previously approved exterior signage package for the Time Warner Cable Arena (formerly the Bobcats Arena; the "Arena") pursuant to the requirements of the Uptown Mixed Use District (UMUD) zoning district.

The modifications include new signs as well as changes to the size of some of the previously approved signs. Some of the previously approved signs are not been modified. These approvals shall be pursuant to the provisions of the UMUD (O) zoning classification and the "optional" provisions as set forth below. No other modification to the Arena or the applicable UMUD standards is sought.

The previous Optional approval to delete three (3) street trees along E. Fifth Street is still applicable and is carried forward with this Site Plan Amendment.

2. UMUD-Optional Provisions (Signage)

The Petitioner hereby requests variations from the UMUD minimum standards for design and development of signage as set forth in this UMUD (optional) application as described in these signage standards (the "standards") and in the Plan (as defined below):

Signage Standards. The UMUD signage provisions may be modified to allow a signage system appropriate to an urban arena. All signage associated with the Arena shall conform to Section 13.108(a) of the Ordinance with the exception of the following optional variations:

- A. Allowable signage types shall include all signs permitted under Chapter 13 of the Ordinance as well as those signs illustrated in the attached Exterior Signage Program, and as detailed on Sheets 2.1p(a) thru 3.7p(a2) entitled "Exterior Signage Program", all as attached hereto (hereafter collectively referred to as the "Plan"). This Optional provision is intended to include, the following types of signs: wall signs, projecting signs, blade signs, banners, LED and other digital signs, LED and other video boards, canopy and awnings signs, identification signs, a roof sign, window signs, and a message center signs, which may be fabricated in a variety of ways, including without limitation: halo illuminated channel letters, non-illuminated channel letters on perforated aluminum backing,

face illuminated reverse pan channel letters, stud mounted letters on aluminum backing, printed mesh banners, printed vinyl banners, neon, LED bordertube, LED digital signage.

- B. Although building or site lighting is not considered signage under the Ordinance, these provisions recognize that lighting will be a key design element for the Arena. Any type of lighting, such as, but not limited to, accent lighting, neon lights, flashing lights, colored lights, attached lighting, major or minor projecting lighting, light beams of any color and lamp posts lighting may be utilized on the site. Any lighting on the site shall not be calculated as a part of the maximum allowable wall signage area noted above.
 - C. Certain exterior signage will be made available to approximately eight (8) businesses that will enter into a relationship with Petitioner as "Founding Partners". It is anticipated that one business (Time Warner Cable) will purchase the right to have the Arena named for such business ("Naming Rights"). Due to the extensive partnership and business relationship between the Arena and the Founding Partners and between the Arena and the purchaser (Time Warner Cable) of the Naming Rights, the exterior signage for the "Founding Partners" and the exterior signage in connection with the Arena Naming Rights shall be deemed to be permitted "business signs" as defined under the Ordinance.
 - D. The proposed sign located on the roof of the Arena will be for the purposes of this MUDD-O application will be treated as a Wall Sign and will be permitted as such. The proposed roof sign can either be (i) a painted sign using reflective paint with down lighting fixtures with the ability to wash the graphic and provide nighttime viewing of the sign from above, or (ii) other sign types can also be employed such as a digital signage and LED color changing lights.
 - E. In the event of any conflict between the specifications for the proposed signage indicated on the Plan as supplemented by these standards, and the standards of Section 13.108(a), the proposed signage (or substantially similar signage) as set forth in the Plan, as supplemented by these standards, shall be deemed as approved. Specifically, limitations on the size, location, or lighting of wall signs, projecting signs, attached signs or canopy and awning signs set forth in Section 13.108(a) shall not prohibit the Petitioner's signage as set forth in the Plan, as supplemented by these standards.
 - F. The proposed signage sizes indicated in the exterior Signage Program are maximum square footages, therefore the Petitioner has the right to at the Petitioners discretion to erect signs that are smaller than the maximum sizes specified.
3. Amendments to Signage. Future amendments to these optional standards may be applied for by the then owner or owners of the site involved in accordance with the provisions of Section 9.911.(2) of the Ordinance.

4. Binding Effect of the Rezoning Documents. If this Rezoning Application is approved, the conditions set forth herein shall be binding upon and inure to the benefit of the Petitioner and the current and subsequent Owners of the Arena and their respective successors in interests and assigns.
5. Terms. The terms "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the Owner or Owners of the site from time to time who may be involved in any future development thereof.
6. Statement with Respect to the Attached Exhibits. The intent of the proposed signage is to create a comprehensive exterior signage package consistent with the contemporary requirements and design standards of an urban arena. The signs described and illustrated in the Plan are intended as conceptual, schematic and illustrative signage themes for the Time Warner Cable Arena (formerly know as the Bobcats Arena). Therefore, the illustrative graphic representations set forth may be modified and alternative graphic designs allowed within the size limits and in accordance with the provisions of these standards. Substantially similar designs will be permitted without further approvals; including without limit changes to type-face, logos, materials, colors and similar sign features. Material changes in such design may be approved as provided in Section 9.911. (2) of the Ordinance.