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**SHEET LISTING**

SHEET NO.	SHEET TITLE
RZ-1.0	EXISTING CONDITIONS PLAN
RZ-2.0	REZONING PLAN
RZ-3.0	TECHNICAL DATA NOTES
RZ-4.0	EXHIBITS
RZ-5.0	ILLUSTRATIVE SECTIONS



**U.S. Performance Center**  
 9209 Baybrook Ln  
 Charlotte, NC 28277



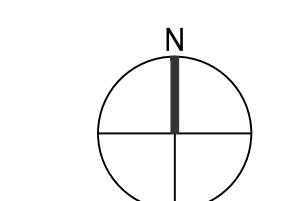
**Charlotte-Mecklenburg Schools**  
 600 E. Fourth Street  
 Fifth Floor  
 Charlotte, NC 28202

REVISIONS		
NO.	DATE	DESCRIPTION
1	04/25/16	CITY REVIEW COMMENTS

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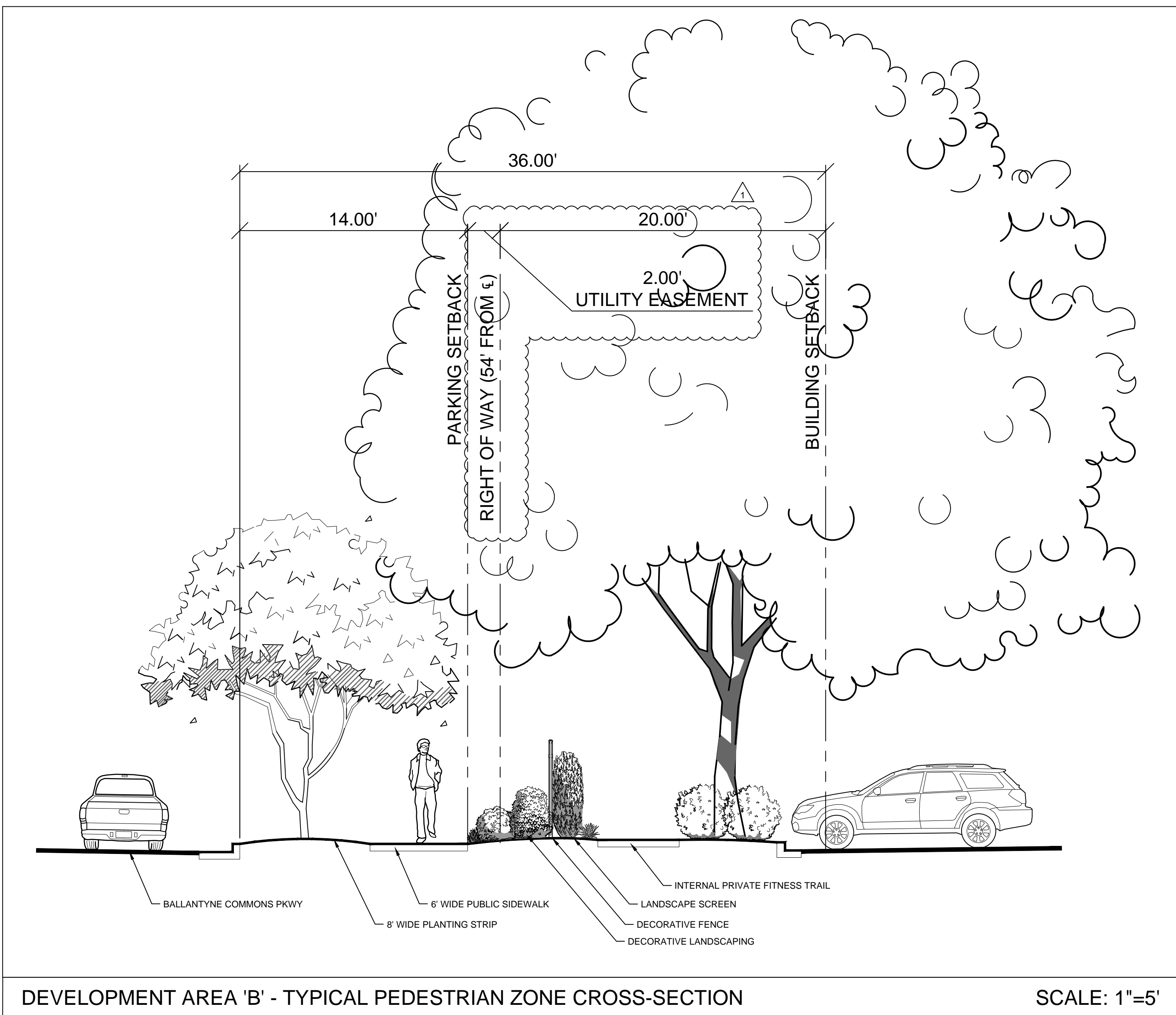
**USPC Charlotte Athletic Park**  
 5925 Ballantyne Commons Pkwy  
 Charlotte, NC 28277  
**Rezoning Petition#:**  
 2016-064



SCALE: 1"=150'  
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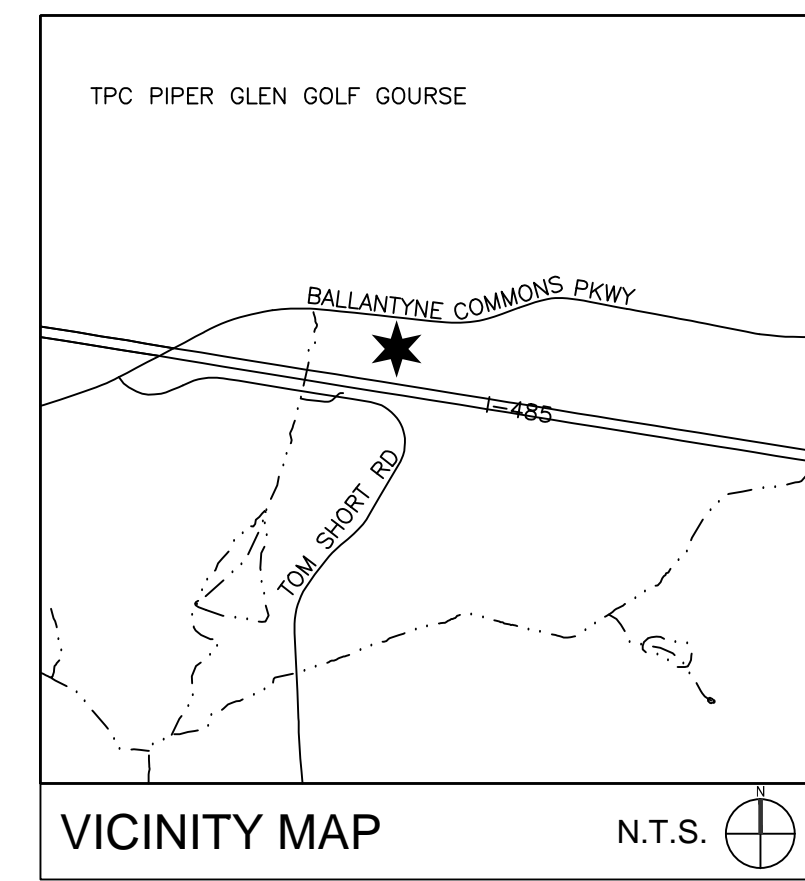
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PROJECT NUMBER: 00232.00	
SCALE: 1"=150'	
TITLE: EXISTING CONDITIONS PLAN	

SHEET NO:  
**RZ-1.0**



DEVELOPMENT AREA 'B' - TYPICAL PEDESTRIAN ZONE CROSS-SECTION

SCALE: 1"=5'



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LEGEND

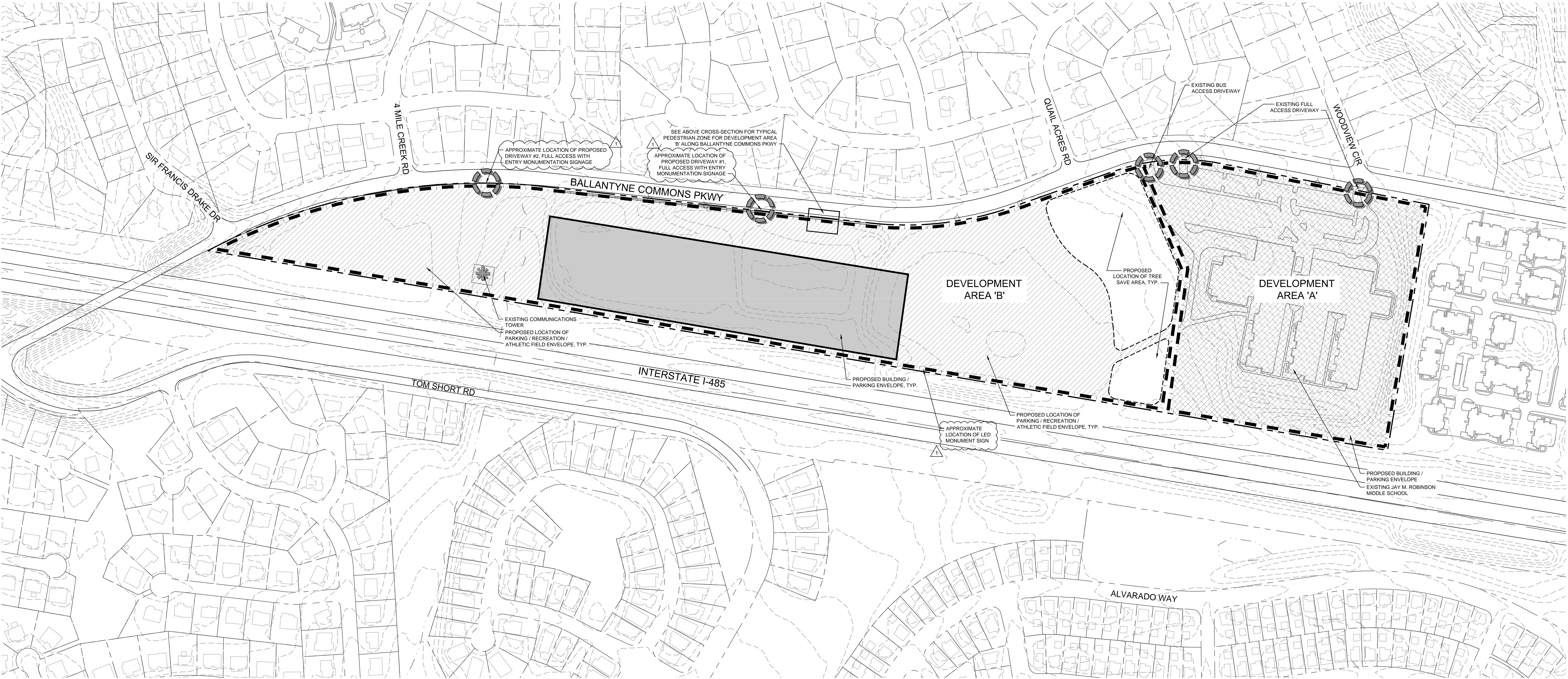
- SYMBOL
- EXISTING PROPERTY LINE
  - PROPOSED DEVELOPMENT AREAS
  - PROPOSED PARKING / RECREATION / ATHLETIC FIELD ENVELOPE
  - PROPOSED BUILDING / PARKING ENVELOPE (DEVELOPMENT AREA 'A')
  - PROPOSED BUILDING / PARKING ENVELOPE (DEVELOPMENT AREA 'B')
  - PROPOSED TREE SAVE AREA

SITE DATA:

TAX PARCELS: 22815109 22914402 22914401 SITE ACREAGE: +/- 47.52 AC

EXISTING ZONING: R-3  
EXISTING USES: CMS MIDDLE SCHOOL, ATHLETIC FACILITY, VACANT

PROPOSED ZONING: MUDD-O  
PROPOSED BUILDING SETBACKS: FRONT: 20' FROM R.O.W. REAR: 10' SIDE: NONE  
PROPOSED PARKING SETBACKS: FRONT: 14' FROM B.O.C. REAR: NONE SIDE: NONE  
\*FOR PROPOSED DEVELOPMENT DATA, SEE SHEET RZ-3.



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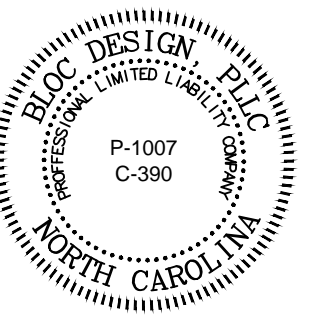


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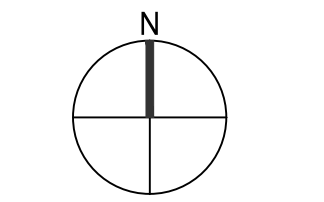
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USPC Charlotte Athletic Park  
5925 Ballantyne Commons Pkwy  
Charlotte, NC 28277

Resoning Petition#: 2016-064



SCALE: 1"=150'  
0 75 150 300'

DATE: 02/22/16	MPIC: WLL
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TITLE: RESONING PLAN	

SHEET NO:  
**RZ-2.0**

1. GENERAL PROVISIONS

- A. The Rezoning Plan, these Development Standards, the exhibits and graphics set out on Sheet RZ-4.0 (and the Illustrative Sections) form this rezoning plan (the "Rezoning Plan") associated with the Rezoning Petition filed by United States Performance Center, LLC to accommodate the continuing operation of an existing public school and the development and operation of an athletics and sports training facility on that approximately 48.25 acre site located on the south side of Ballantyne Commons Parkway between Sir Francis Drake Drive and Woodview Circle (the "Site"). The Site is comprised of Tax Parcel Nos. 229-144-01, 229-144-02 and 229-151-09, and Jay M. Robinson Middle School is located on a portion of the Site.
B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development and use of the Site.
C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback and yard requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Alterations and modifications shall be in accordance with Section 6.207 of the Ordinance.
D. The Site is divided into two development areas that are designated on the Rezoning Plan as Development Area A and Development Area B. A building/parking envelope formed by the applicable setback and yard requirements is located within Development Area A. All principal buildings, accessory structures and parking areas on Development Area A shall be located within the building/parking envelope on Development Area A. A building/parking envelope is located within Development Area B. All principal buildings and structures located on Development Area B shall be located within the building/parking envelope located on Development Area B. Parking areas and athletic fields, athletic courts and similar outdoor uses and accessory structures may also be located within the building/parking envelope located on Development Area B. A parking/recreation/athletic field envelope is also located on Development Area B, which envelope is formed by the applicable setback and yard requirements. Athletic fields and courts, parking areas and accessory structures may be located within the parking/recreation/athletic field envelope.
E. The development of the Site proposed under this Rezoning Plan shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements and other similar zoning standards shall not be required internally between improvements, uses and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and to create lots within the interior of the Site without regard to any such internal separation standards and public/private street frontage requirements, provided, however, that the development of the Site shall be required to meet any applicable setback, side yard and rear yard requirements with respect to the exterior boundary of the Site.
F. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.
G. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. OPTIONAL PROVISIONS

The optional provisions set out below shall apply to the development of the Site.

- A. Surface parking and vehicular maneuvering areas shall be permitted between the permitted uses on Development Area A and Development Area B and the required setbacks.
B. Development located on Development Area A shall not be required to meet the urban design and development standards set out in Section 9.8506 of the Ordinance. Signage located on Development Area A shall be governed by Chapter 13 of the Ordinance.
C. Development located on Development Area B shall not be required to meet the urban design and development standards set out in Section 9.8506 of the Ordinance provided, however, that the requirements set out below shall apply to Development Area B.
(i) The elevation of the building to be located on Development Area B known as the Performance Training Center that will face Ballantyne Commons Parkway shall meet the requirements of Section 9.8506(2)(a) of the Ordinance.
(ii) The development of Development Area B shall meet the screening standards of Section 9.8506(2)(b) of the Ordinance.
(iii) Subject to the applicable optional provisions, signs, banners and pennants on Development Area B shall meet the requirements of Section 9.8506(2)(c) of the Ordinance.
(iv) An 8 foot planting strip and a 6 foot sidewalk shall be installed along Development Area B's frontage on Ballantyne Commons Parkway.
(v) Street trees shall be installed within the 8 foot planting strip to be located along Development Area B's frontage on Ballantyne Commons Parkway.
(vi) Development on Development Area B shall comply with the requirements of Section 9.8506(2)(f) of the Ordinance.

- D. The existing planting strip and sidewalk located along Development Area A's frontage on Ballantyne Commons Parkway may remain in place. Development Area A must remain in compliance with landscape plan approved and dated August 16, 2000.
E. A cellular telephone mast, tower and antennae (the "Cell Tower") is located on that portion of Development Area B that is designated on the Rezoning Plan. The Cell Tower currently meets the stealth requirements of Section 12.108(8)(j) of the Ordinance because it is disguised as a tree. Petitioner may remove the tree and conceal the Cell Tower in the manner depicted on the Communications Tower Exhibit set out on Sheet RZ-4.0 of the Rezoning Plan. The concealment of the Cell Tower in the manner depicted on the Communications Tower Exhibit set out on Sheet RZ-4.0 of the Rezoning Plan shall satisfy the requirements of Section 12.108(8)(j) of the Ordinance.

- F. Petitioner may install a sculpture with a torch (the "Sculpture") on Development Area B. The Sculpture shall be a maximum of 30 feet in height (excluding the flame, which may exceed the 30 foot height limit), and the area in which the flame is located shall be a maximum of 30 feet in diameter. Set out on Sheet RZ-4.0 of the Rezoning Plan is an exhibit that depicts one possible design of the Sculpture. The actual design and appearance of the Sculpture may differ from the Sculpture depicted on the exhibit set out on Sheet RZ-4.0 of the Rezoning Plan.
G. Petitioner may install a monument sign (the "Monument Sign") at the general location depicted on the Rezoning Plan. The Monument Sign shall have a maximum height of 17 feet, and maximum 115 square feet of the Monument Sign on each side of the Monument Sign shall be an electronic changeable face sign, and the remaining portions of the Monument Sign shall contain no signage or content. The electronic changeable face signs shall be subject to the requirements set out below.

- (i) A maximum of two electronic changeable face signs shall be allowed, one per side of the Monument Sign.
(ii) The electronic changeable face sign on each side of the Monument Sign shall be utilized only by the Training Facility (as defined below) to identify the Training Facility and to provide information relating to the Training Facility, Charlotte-Mecklenburg Schools, and the corporate sponsors of the Training Facility to advertise the corporate sponsors and their products.
(iii) No moving, rotating, fluttering, blinking or flashing elements are permitted. No animation, video, audio, pyrotechnic or bluestacking components are permitted.
(iv) Advertising messages or information shall remain in a fixed, static position for a minimum of 8 seconds. The change sequence must be accomplished within an interval of 2 seconds or less.
(v) Each electronic changeable face sign shall have an automatic dimmer (factory set to the illumination intensities set out below) and a photo cell sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle. Each electronic changeable face sign shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during the daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness.
Any external illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway, or any residential use.
(vi) The Monument Sign shall be perpendicular to I-485, so that an electronic changeable face sign does not directly face I-485.
(vii) Set out on Sheet RZ-4.0 of the Rezoning Plan is an exhibit that is representative of the design intent of the Monument Sign. The actual design of the Monument Sign may differ from the Monument Sign depicted on the exhibit set out on Sheet RZ-4.0 of the Rezoning Plan.

- H. Petitioner may install informational, pedestrian scale kiosks within Development Area B.
Note: The optional provisions regarding signs are additions/modifications to the standards for signs in the MUDD zoning district for the signs described above. The MUDD signage standards are to be used for signs not modified by these optional provisions.

3. PERMITTED USES

- A. Development Area A may only be devoted to elementary and/or secondary schools, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district. (Notwithstanding the foregoing, pursuant to a shared use agreement between the owner of Development Area A and the operator of the Training Facility (as defined below), the operator of the Training Facility may use the gymnasium or gymnasiums located on Development Area A for its athletics and sports training program, and it may use the parking lots on Development Area A for vehicular parking.)
B. Development Area B may only be devoted to an athletics and sports training facility (the "Training Facility") comprised of the following:
(i) Athletic and sports facilities and fields.
(ii) Indoor recreational uses which may include, without limitation, a gymnasium, health and exercise facilities, an indoor track and athletics field, indoor batting and pitching cages, an indoor performance training center and similar uses that are in enclosed buildings or structures.
(iii) Outdoor recreational uses which may include, without limitation, tennis courts, ball fields, baseball fields, soccer fields, volleyball courts, performance fields, batting and pitching cages, walking, running and fitness trails and similar uses that are not enclosed in buildings or structures.
(iv) A sports medicine clinic and physical therapy facility.
(v) Offices for the Training Facility.
(vi) Athletics research and development uses.
(vii) An eating, drinking and entertainment establishment (Type 1) that may only serve the staff and employees of the Training Facility and the members of the Training Facility and their guests.
(viii) Telephone and cellular telephone masts, towers, antennae and similar structures, subject to the applicable regulations of subsection 12.108(7) or subsection 12.108(8) of the Ordinance.
(ix) Incidental or accessory uses relating to the Training Facility that are permitted under the Ordinance in the MUDD zoning district including, without limitation, snack bars, pro shops, locker rooms and restroom facilities.
C. Notwithstanding the terms of paragraph B above, pursuant to a shared use agreement between the owner of Development Area A and the operator of the Training Facility, the school located on Development Area A may use the facilities located on Development Area B.

4. NUMBER OF PRINCIPAL BUILDINGS/DEVELOPMENT LIMITATIONS

- A. The Training Facility shall be a private facility operated on a membership basis. The Training Facility may have a maximum of 10,000 members.
B. The maximum number of principal buildings or structures that may be located on Development Area B shall be two, which shall be comprised of a building known as the performance training center (the "Performance Training Center") and an indoor track and athletics field that is enclosed by a dome (the "Indoor Track"). The Performance Training Center and the Indoor Track must be located within the building/parking envelope located on Development Area B. Parking areas, athletic fields, tennis courts, volleyball courts and similar outdoor uses and accessory structures such as restroom facilities and snack bars may also be located within the building/parking envelope located on Development Area B.
C. The number of principal buildings, accessory structures, and surface parking areas that may be located on Development Area A shall be governed by the applicable provisions of the Ordinance, provided, however, that all principal buildings, accessory structures and surface parking areas shall be located within the proposed building/parking envelope on Development Area A. A future expansion to the existing gymnasium located on Development Area A (the "Gym Addition") may be constructed on Development Area A.
D. Ball fields, soccer fields, performance fields, baseball fields, tennis courts, volleyball courts, batting and pitching cages, walking, running and fitness trails and similar uses, accessory structures such as restrooms, facilities and snack bars and parking areas may be located within the parking/recreation/athletic field envelope located on Development Area B.
E. The maximum allowed gross floor area of the Performance Training Center shall be 70,000 square feet.
F. The maximum allowed gross floor area of the Indoor Track shall be 120,000 square feet.
G. An eating, drinking and entertainment establishment (Type 1) that may only serve the staff and employees of the Training Facility and the members of the Training Facility and their guests may only be located in the Performance Training Center.
H. A sports medicine clinic and physical therapy facility may only be located in Performance Training Center. The total maximum allowed gross floor area of a sports medicine clinic and physical therapy facility shall be 5,000 square feet.
I. The permitted hours of operation for the Training Facility shall be 5:30 AM to 9:00 PM on Monday through Friday, and 7:30 AM to 5:00 PM on Saturday and Sunday.

5. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
B. The vehicular entrances into Development Area B may be gated at the option of Petitioner.
C. Vehicular parking shall meet the minimum requirements of the Ordinance. Notwithstanding the foregoing, a minimum of 400 parking spaces shall be located on Development Area B.
D. The Training Facility located on Development Area B and the school located on Development Area A may enter into a shared parking agreement.
E. Petitioner shall install a pedestrian refuge within Ballantyne Commons Parkway along the Site's frontage on Ballantyne Commons Parkway to facilitate the crossing of Ballantyne Commons Parkway by pedestrians. The location of this pedestrian refuge shall be determined by CDOT, NCDOT and Petitioner during the permitting process. Petitioner's obligation to install the pedestrian refuge shall be subject to Petitioner's ability to obtain all approvals and permits required to construct it.

6. ARCHITECTURAL AND DESIGN STANDARDS

- A. The maximum height in stories of the Performance Training Center shall be 2 stories.
B. The maximum height in feet of the Performance Training Center shall be 45 feet as measured from the average grade at the base of the Performance Training Center.
C. The maximum height of the dome enclosing the Indoor Track shall be 69 feet as measured from the base of the dome.
D. The primary exterior building materials for the Performance Training Center shall be a combination of portions of the following: brick, stone, precast stone, synthetic stone, precast concrete and glass. Vinyl as an exterior building material may only be used on windows, soffits, trim and railings.
E. The Gym Addition shall be compatible to and complementary with the existing school building located on Development Area A in terms of architectural style and character and exterior building materials.
F. All roof mounted mechanical equipment on Development Area B will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
G. Dumpster and recycling areas on Development Area B will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.

7. STREETScape AND LANDSCAPING

- A. Petitioner shall install an 8 foot planting strip and a 6 foot sidewalk along Development Area B's frontage on Ballantyne Commons Parkway.
B. The sidewalk and planting strip can meander to save existing trees.
C. Sidewalk connections to the adjoining public street shall be provided as required by the Ordinance.
D. Petitioner shall install a 4 foot planting strip and a 5 foot sidewalk on the northern side of Ballantyne Commons Parkway across Ballantyne Commons Parkway from the Site provided that there is existing right of way to accommodate these improvements. These improvements shall commence on the west side of Quail Acres Road and continue to the west to the east side of Sir Francis Drake Drive where they shall terminate. If existing right of way does not exist, then Petitioner shall not be required to install these improvements.
E. Petitioner shall install a minimum of 6 benches for use by pedestrians along portions of Development Area B's frontage on Ballantyne Commons Parkway. Petitioner shall determine the location and spacing of such benches.

8. ENVIRONMENTAL FEATURES

- A. Development Area A and Development Area B shall comply with the City of Charlotte Tree Ordinance.

9. SIGNS

- A. Subject to the optional provisions set out above, all signs installed on the Site shall comply with the applicable requirements of the Ordinance.

10. LIGHTING

- A. All freestanding lighting fixtures utilized to illuminate the ball fields, baseball fields, soccer fields, performance fields, tennis courts, volleyball courts, batting and pitching cages and similar uses shall be downwardly directed.
B. Excluding the freestanding lighting fixtures described above in paragraph A, the maximum height of any freestanding lighting fixture installed on the Site, including its base, shall be 25 feet. These freestanding lighting fixtures shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
C. Any lighting fixtures attached to the exterior of the buildings and structures to be constructed on the Site shall be decorative, capped and downwardly directed.

11. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



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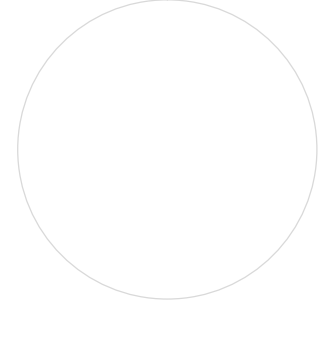
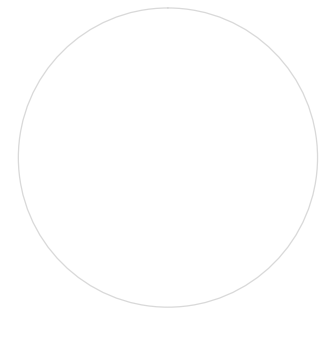
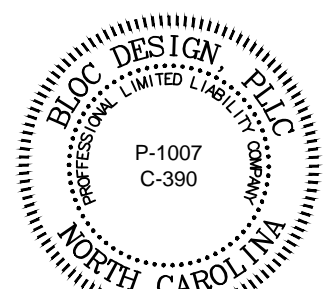
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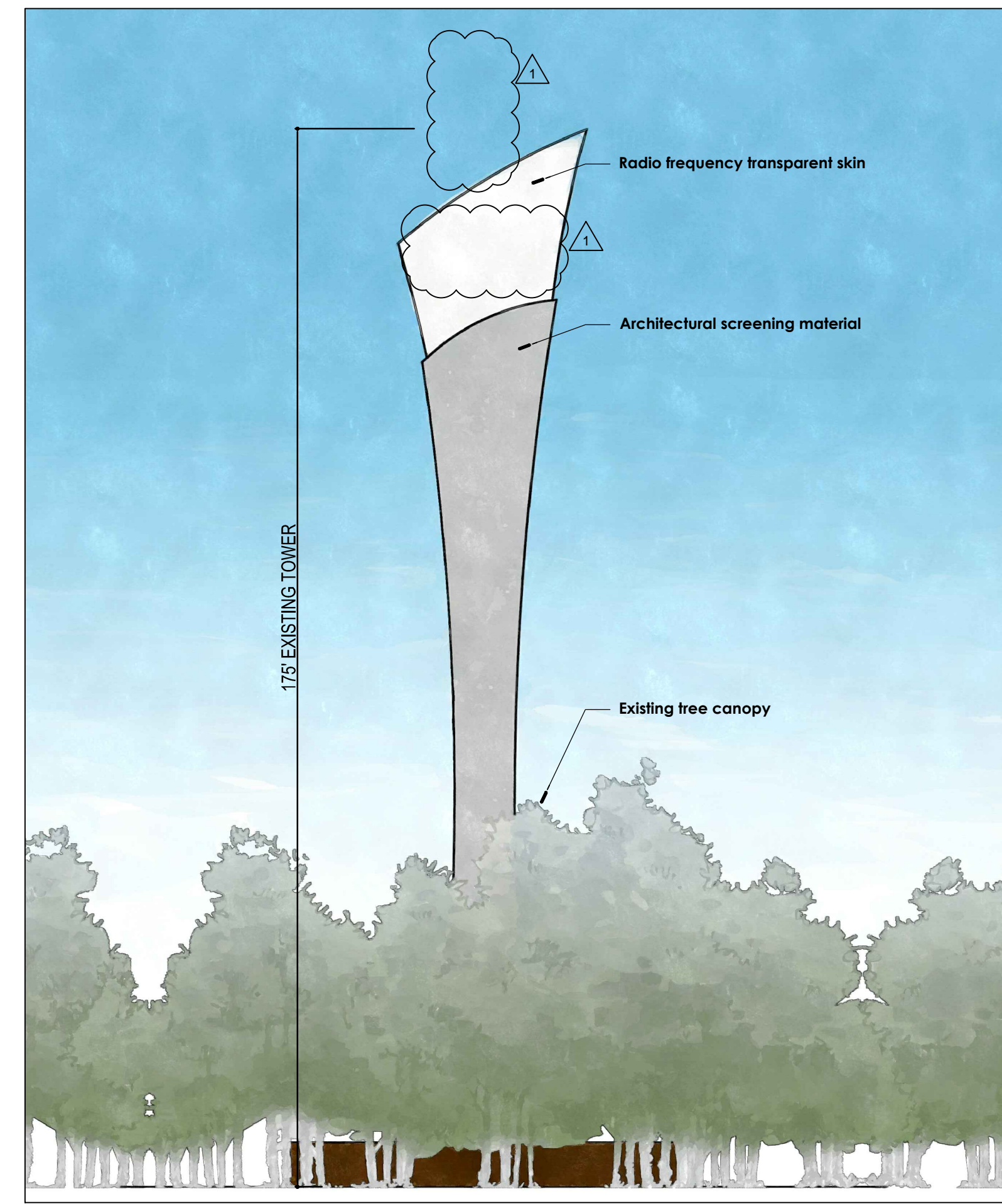
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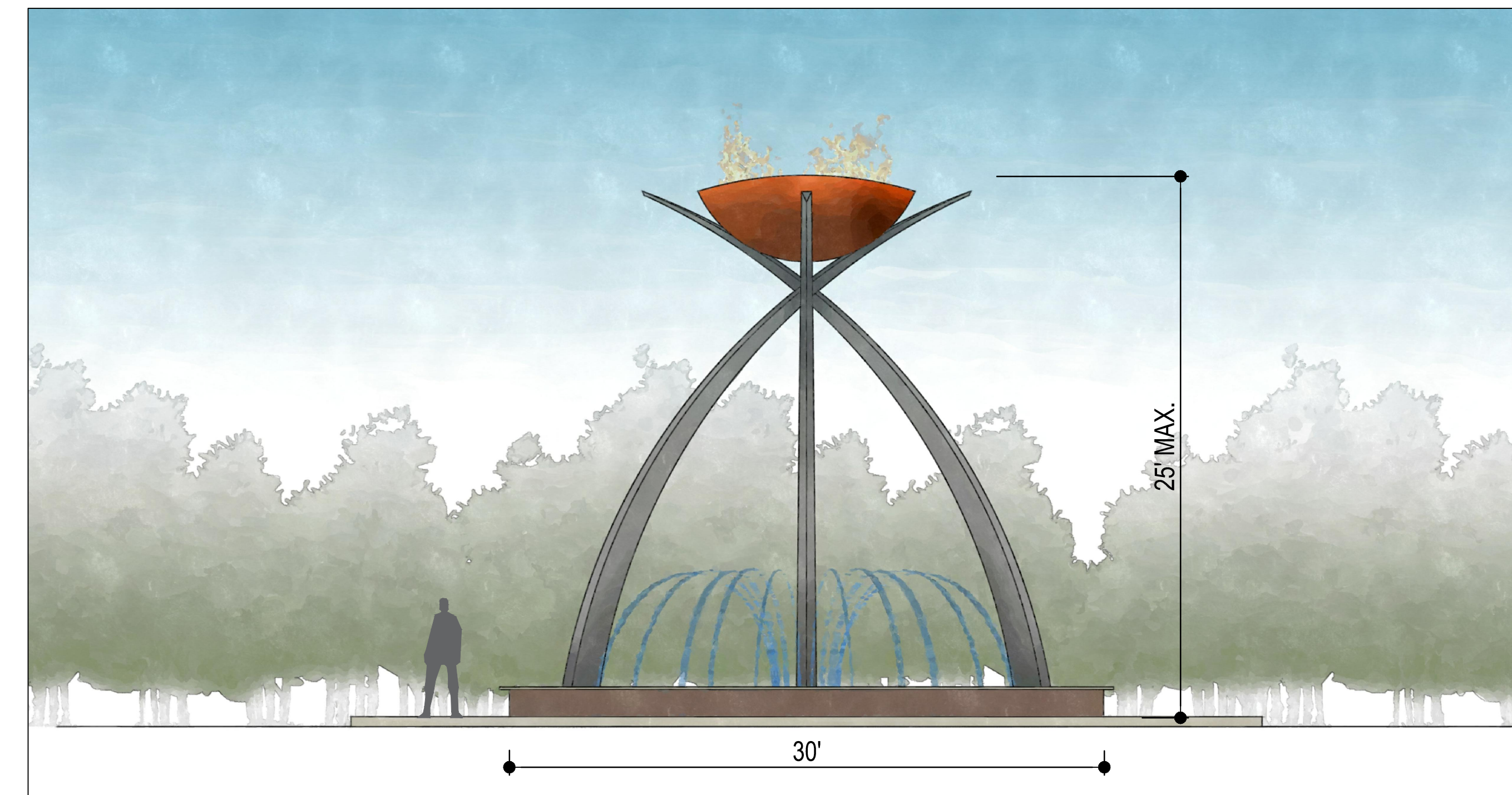
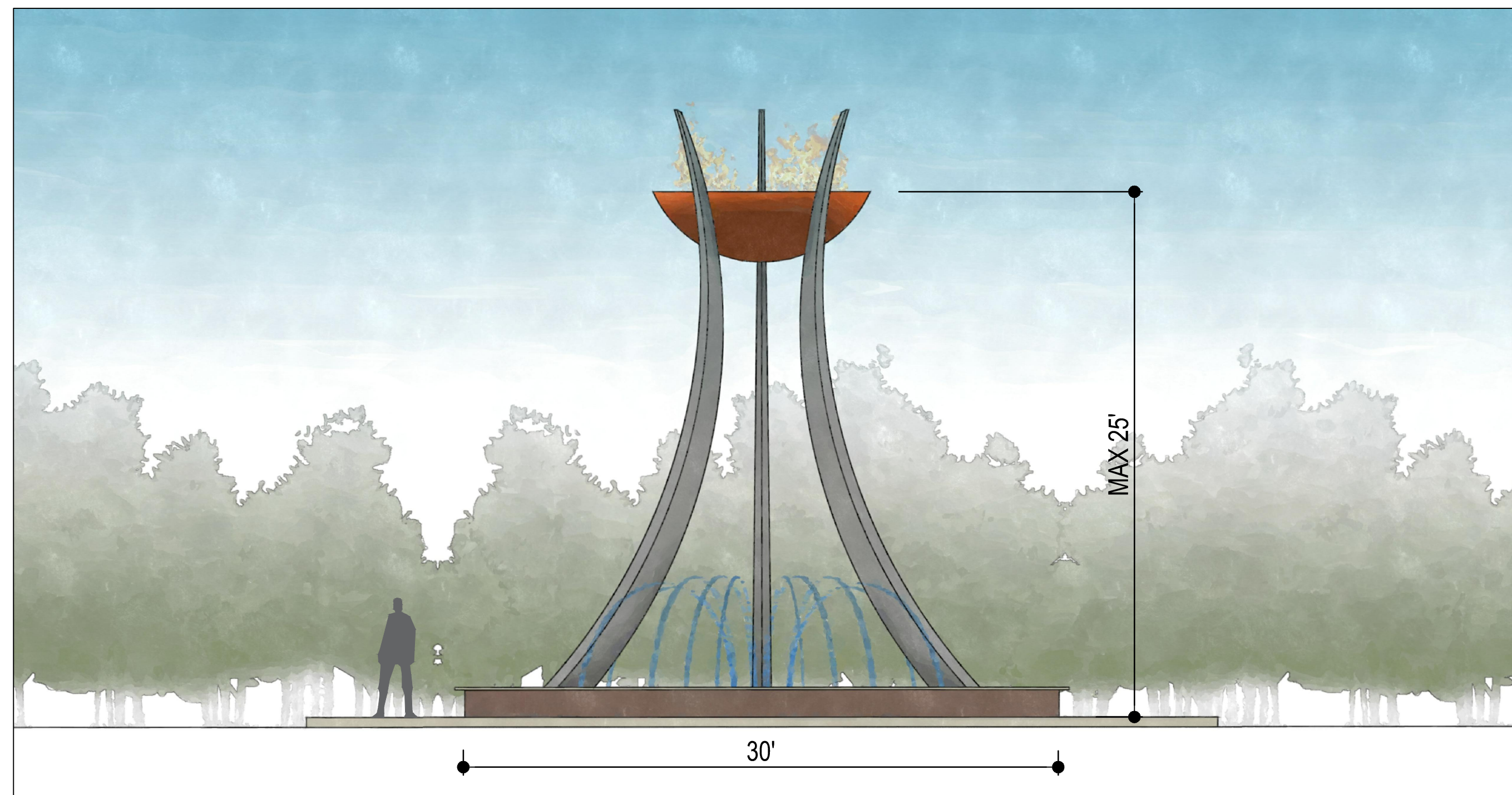
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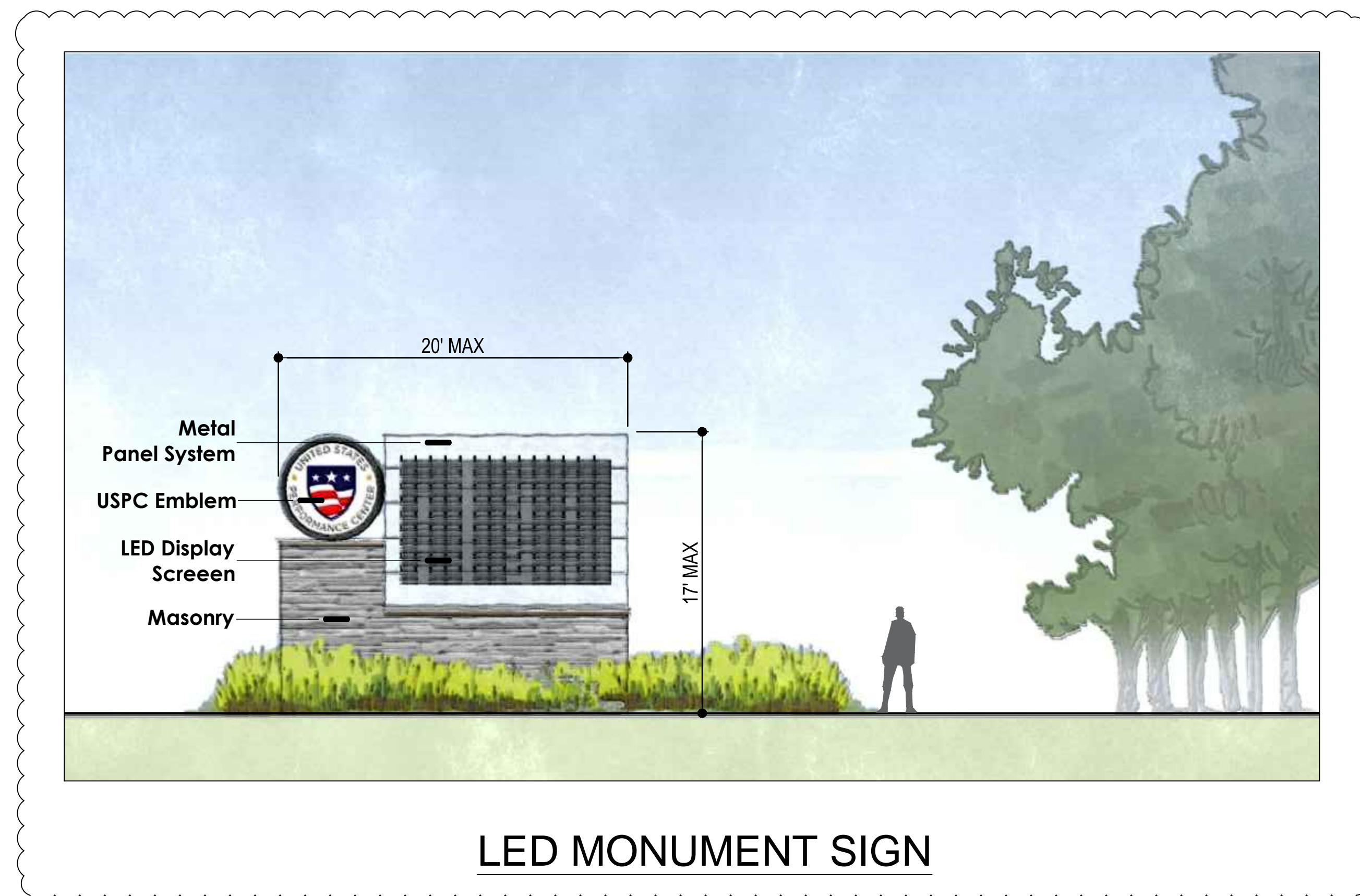
EXISTING COMMUNICATIONS TOWER STEALTH



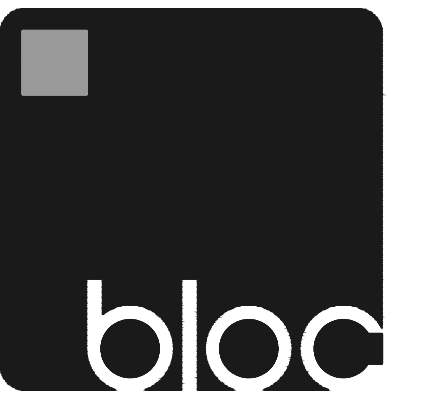
COMMUNICATIONS TOWER STEALTH OPTION



SCULPTURE OPTIONS



LED MONUMENT SIGN



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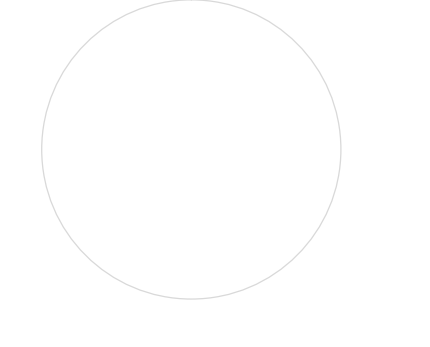
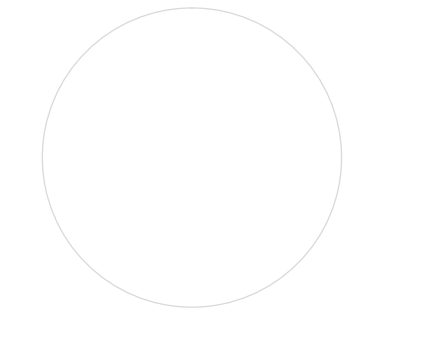
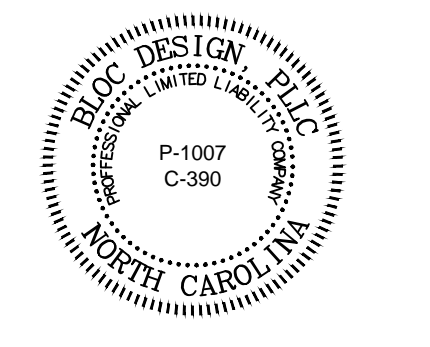


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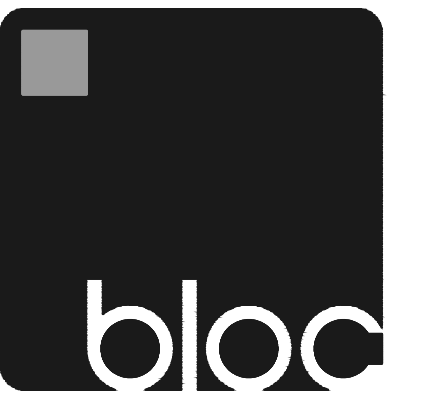


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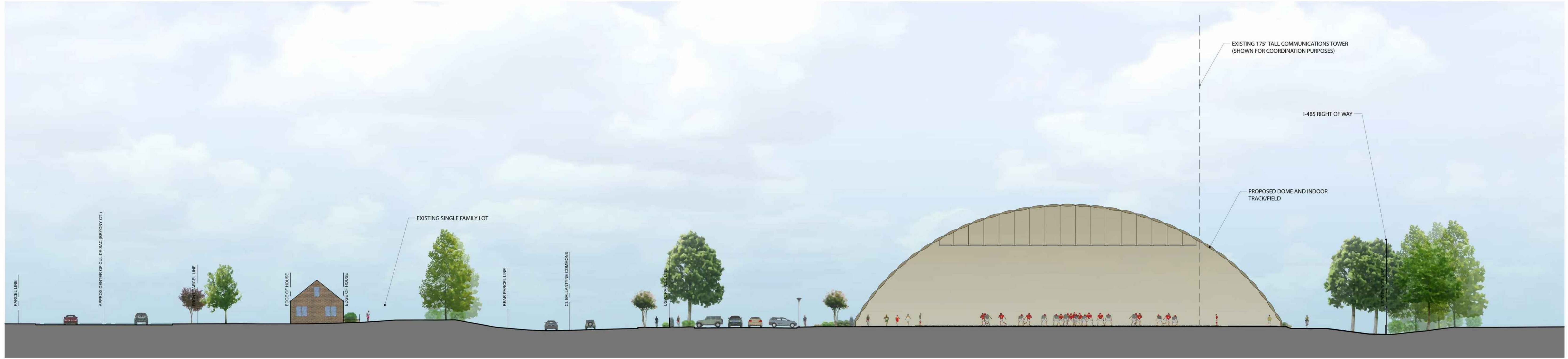
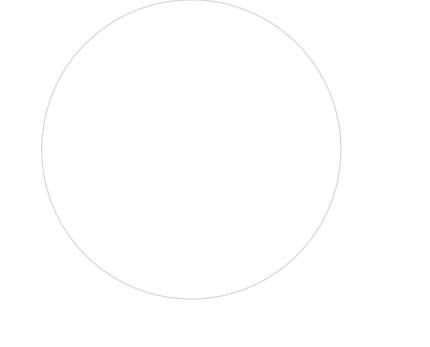
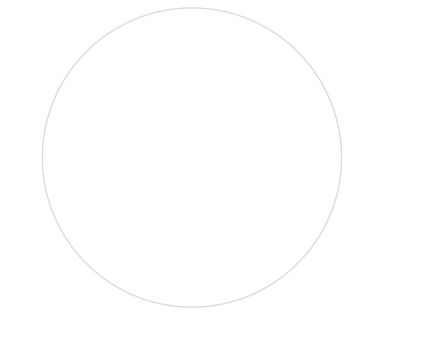
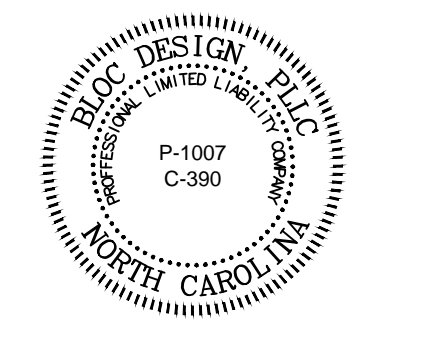


**Charlotte-Mecklenburg Schools**  
 600 E. Fourth Street  
 Fifth Floor  
 Charlotte, NC 28202

REVISIONS		
NO.	DATE	DESCRIPTION
1	04/25/16	CITY REVIEW COMMENTS

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stamp / seal:



**USPC Charlotte Athletic Park**  
 5925 Ballantyne Commons Pkwy  
 Charlotte, NC 28277

**Rezoning Petition#:**  
 2016-064

DATE: 02/22/16  
 DRAWN BY: ESB/JD  
 PROJECT NUMBER: 00232.00

MPIC: WLL  
 CHECKED BY: WLL/JD  
 SCALE: NTS  
 TITLE:  
 ILLUSTRATIVE SECTIONS

SHEET NO:  
**RZ-5.0**