

COMMUNITY MEETING REPORT

Petitioner: Lockard Development, Inc.

Rezoning Petition No. 2017 – 152

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date, time, and location of the Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on October 19, 2017. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Thursday, November 2 at 6:00pm at the former Bi-Lo located at 5336 Docia Crossing Road, Charlotte, North Carolina 28269.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit C. The Petitioner was represented at the Community Meeting by: Dustin Whitehead and Jack Jennings of Lockard Development, Allison Merriman of LandDesign, Bryan Durrett of FisherBroyles, Ted Croft of Studio Movie Grill and Charlie Owens of Jones Lang LaSalle.

SUMMARY OF PRESENTATION/DISCUSSION:

1. Will there be daytime movies shown?

Answer by Ted Croft: Yes, there will be both matinee and evening movies shown. Show times will vary depending on the movies available, show length, etc. SMG also provides a number of "alternate programming" opportunities for children's outreach, classic/popular movie showings, etc.

2. Community member suggest that she enjoyed a Davidson movie theater and asked if SMG would be similar?

Answer by Ted Croft: Not necessarily familiar with the Davidson movie theater but the SMG concept will have approximately 200 employees, 11 to 13 screens, large reclining chairs, full kitchen and bar. Food and drinks are served. Capacity is in the range of 700 to 1200 seats.

3. What is the food like?

Answer by Ted Croft: Open grill concept including salads with excellent restaurant quality offerings.

4. What is the timeline for opening?

Answer by Dustin Whitehead: Delivery of the premises to SMG for them to begin renovations is tracking for first quarter of 2018 depending on rezoning process, etc.

5. Will it be safe? Is crime likely?

Answer by Ted Croft: SMG, at a minimum, will have on-site security during all hours of operation.

6. What is the menu price-point?

Answer by Ted Croft: \$20 price range per person.

7. Is there a curfew in place for kids?

Answer by Ted Croft: Kids under 18 are not allowed without being supervised. SMG prides itself on low crime reports company wide.

8. Will there be reserved seating and is there an app for that?

Answer by Ted Croft: Yes there is reserved seating upon request and SMG is working on an app.

9. Will the grounds/parking lot outside be kept clean?

Answer by Charlie Owens: Common area maintenance is a Landlord responsibility.

Answer by Ted Croft: SMG has extensive janitorial hired to pick up trash. There is no "to-go" food orders so most of the trash will remain inside the building. SMG also does not sell popcorn as much as a traditional movie theater would, which helps as popcorn can be messy. SMG's are not typically considered a "teen hangout". Cleanliness is important to SMG and to be as inviting to guests as possible.

10. Why did SMG choose this location over other, more prominent, shopping areas in Charlotte?

Answer by Charlie Owens: There is a science to locating a movie theater. 1) There are mandates from Hollywood that direct where movies theaters can be located keeping adequate separation from other theaters, which largely narrows down the location options. 2) Diner movie theater demographics in this area. 3) good 20 min drive-time now that Hwy 485 has been finished. 4) excellent available building that meets SMG's needs, if appropriate zoning is available.

11. Is parking going to be an issue for 1000 seats?

Answer by Jack Jennings: We don't expect there to be any lack of parking. The property currently exceeds code requirements for the theater use and we will be maximizing the number of stalls available given the current layout of the shopping center.

Answer by Dustin Whitehead: People tend to drive to the movies in pairs or more and not all of the seats are full at all times.

12. Will construction hurt the other surrounding tenants?

Answer by Charlie Owens: "A rising tide lifts all boats." SMG locating here will be a benefit for the surrounding tenants.

Answer by Dustin Whitehead: Landlord and SMG will designate proper construction staging areas so neighboring tenants will have as little disruption as possible.

13. A community member suggested that they preferred the Alamo Draft House to SMG and asked if there would be a lot of disruptions during the movie showing?

Answer by Ted Croft: Determined that the community member was using the Epicenter SMG as a comparison. Ted explained that location is not prototypical and so is not a fair comparison.

14. What are the hours of operation?

Answer by Ted Croft: Hours can vary by location, season, city regulations, movies available and being shown at that particular time, etc. SMG caters to families and it will be a well-run operation with seven managers in place.

15. Do you have any plans to convert the former Docia Crossing, now dead-end former road, into greenspace or meeting plaza?

Answer by Allison Merriman: That area is being looked at by the city. Landlord does not own that piece of land but is open to the idea.

16. Will the neighboring tenants in the shopping center be staying or do they have to leave?

Answer by Jack Jennings: Yes, tenants will be staying as they have existing leases which will not be affected.

17. Will Landlord be investing into the other storefronts of the shopping center as well or just the former BI-LO building?

Answer by Dustin Whitehead: No plans to change the storefronts/facades of the other buildings. SMG will be free to renovate the façade of the former BI-LO building to fit their prototypical design.

18. Where is SMG expanding other than Charlotte?

Answer by Ted Croft: Florida, California/Southern California currently.

19. Will the signage be moved? Will there be bright movie lights?

Answer by Dustin Whitehead: Landlord is proposing to relocate the shopping center main pylon sign since its position on Docia Crossing is no longer the best location for it to be visible. There will not be large, bright, building marquee signage. SMG will install its standard sign package subject to city approvals.

20. Will Prosperity Crossing Road be extended?

Answer by Dustin Whitehead: The current agreement is that Prosperity Crossing will be extending upon new construction in the shopping center but not in connection with the renovation of the existing BI-LO building.

These notes reflect the author's interpretation of the events at the referenced meeting. Any changes or additions required should be submitted to the author in writing.

Respectfully submitted, this 10th day of November, 2017.

cc: Tammie Keplinger, Charlotte-Mecklenburg Planning Department

ORGANIZATIONS NOTIFIED OF COMMUNITY MEETING
Petition No. 2017-152

Andrea Callahan
Community Provider Coalition
8330 Browne Road
Charlotte, NC 28269

Cindy Peninger
Devonshire Neighborhood Association
4816 Avalon Forest Lane
Charlotte, NC 28269

Karl Beil
Fox Glen Homeowners Association
11603 Fox Trot Drive
Charlotte, NC 28269

Jason Cook
Hampton Leas Homeowners Association
12228 Hampton Place Drive
Charlotte, NC 28269

Heidi Pruess
Hayden Commons Homeowners Association
10430 Baskerville Avenue
Charlotte, NC 28269

Stacie Purcell
Highland Creek Homeowners Association
6121 Chavel Lane
Charlotte, NC 28269

Joyce Gonzalez
Madison Park at Wallace Farms HOA
9302 White Aspen Place
Charlotte, NC 28269

Patrick Dewey
Madison Park at Wallace Farms HOA
10324 Madison Park Drive
Charlotte, NC 28269

Regina Smith
Madison Park at Wallace Farms HOA
11528 Woodfire Road
Charlotte, NC 28269

Rozel Tolliver
Madison Park at Wallace Farms HOA
10145 Madison Park Drive
Charlotte, NC 28269

Tony Lowe
Madison Park at Wallace Farms HOA
11534 Woodfire Road
Charlotte, NC 28269

Carolyn Sands
Mallard Glen Village Homeowners Assn.
4503 Ridge Road
Charlotte, NC 28269

Frank Erwin
Pond Side Homeowners Association
12310 Panthersville Drive
Charlotte, NC 28269

Toya Everett
Preserve at Prosperity Church
8448 Summerford Drive
Charlotte, NC 28269

Dr. Brett Kubricht
Prosperity Village Area Association
10210 Prosperity Park Drive, Unit 400
Charlotte, NC 28269

Shika Raynor
Prosperity Village Area Association
6403 Ridgeview Commons Drive
Charlotte, NC 28269

Valeria Avery
Remount/Parker Heights Area
10109 Fairlea Drive
Charlotte, NC 28269

Vicky Howard
Rolling Oaks I
12017 Old Timber Road
Charlotte, NC 28269

Joseph L. Mercier
Villages of Leacroft Homeowners Association
10321 Billingham Drive
Charlotte, NC 28269

Sandra Lail
Rolling Oaks I
12334 Heritage Hills Lane
Charlotte, NC 28269

Bettye C. Walker
University Park North Community Assn.
4528 Highcroft Lane
Charlotte, NC 28269

**PROPERTY OWNERS
NOTIFIED OF COMMUNITY MEETING
Petition No. 2017-152**

Gloria H. Phillips
9217 Benfield Road
Charlotte, NC 28269

Prosperity Medical I, LLC
1300 Baxter Street, Suite 155
Charlotte, NC 28204

Circle K Stores, Inc.
2440 Whitehall Park Drive, Suite 800
Charlotte, NC 28273

CMWA Holdings, LLC
17908 River Ford Drive
Davidson, NC 28036

Vitality Properties, LLC
9350 Benfield Road
Charlotte, NC 28269

Dawn M. Collins
12555 Jessica Place
Charlotte, NC 28269

Michele E. Middleton
5619-S Keyway Boulevard
Charlotte, NC 28215

MRJ Investments, LLC
3500 Old York Road
Gastonia, NC 28056

Terri A. Nemeth
12561 Jessica Place
Charlotte, NC 28269

Kavondra O. Jeter
12563 Jessica Place
Charlotte, NC 28269

Isaac H. Owens
12565 Jessica Place
Charlotte, NC 28269

Robert W. and Pat Ronk
1380 Gambier Road
Mount Vernon, Ohio 43050

Lawrence Bethea
12573 Jessica Place
Charlotte, NC 28269

Clayton C. Scholand
12575 Jessica Place
Charlotte, NC 28269

Timothy Lee Barnes
4013 Farrington Court, Apt. 301
Woodbridge, VA 22192

Christopher Wayne Kirkman
Missy Elaine Mims Kirkman
113 Marston Court
 Mooresville, NC 28115

Prosperity Village Homeowners Association
10100 Park Cedar Drive, Suite 166
Charlotte, NC 28210

Prosperity Storage, LLC
c/o Real Estate Investment Fund, LLC
4201 Congress Street, Suite 174
Charlotte, NC 28209

Taylor Family Trust
c/o Theodore W. Taylor
P.O. Box 26386
Charlotte, NC 28221

Tommy Kim
13014 Brickingham Lane
Huntersville, NC 28078

Parrott, LLC
23871 Madison Street
Torrance, CA 90505

Jerome Group, LLC
6714 Fortsecue Drive
Charlotte, NC 28213

C and B Newsome Properties, LLC
4845 Johnston Oehler Road, Suite 100
Charlotte, NC 28269

Prosperity Shopping Plaza, LLC
P.O. Box 1376 Midtown
New York, NY 10018

Kareem Hassan Abdelnabi
12767 Livengood Lane
Charlotte, NC 28269

Hiteshkumar and Dipti Rathod
9788 Ravencroft Lane
Concord, NC 28027

Christine I. White
4740 Johnston Oehler Road
Charlotte, NC 28269

Jamelle M. Barr
4748 Johnston Oehler Road
Charlotte, NC 28269

Wendy A. King
4756 Johnston Oehler Road
Charlotte, NC 28269

Prosperity Investment I, LLC
16740 Birkdale Commons Pkwy., Suite 202
Huntersville, NC 28078

Charles Lindsey McAlpine
P.O. Box 34781
Charlotte, NC 28234

Snake River Properties, LLC
405 East 33rd Street, Apt. 102
Charlotte, NC 28205

Prosperity Park Retail, LLC
16740 Birkdale Commons Pkwy., Suite 202
Huntersville, NC 28078

Prosperity Park III, LLC
P.O. Box 34781
Charlotte, NC 28234

GBT Real Estate Holdings, LLC
10210 Prosperity Park Drive, Suite 400
Charlotte, NC 28269

Thomas L. Anderton, Jr.
12763 Livengood Lane
Charlotte, NC 28269

Alice E. Wiggins
4736 Johnston Oehler Road
Charlotte, NC 28269

Bryan L. Fitzpatrick
4744 Johnston Oehler Road
Charlotte, NC 28269

Shawanda L. Ford
4752 Johnston Oehler Road
Charlotte, NC 28269

Barry LaGrant Rhodie
4760 Johnston Oehler Road
Charlotte, NC 28269

David Andrew Ondecker
5220 Prosperity Church Road
Charlotte, NC 28269

Anita R. Fields
5212 Prosperity Church Road
Charlotte, NC 28269

Hemal and Premal Badiani
10012 Royal Colony Drive
Waxhaw, NC 28173

Abhijit Das and Ayantika Saha
10777 Sapphire Trail
Davidson, NC 28036

Jital and Hermendra Patel
c/o Investors Cube, LLC
P.O. Box 346
Gainesville, VA 20156

Biasia Maure'n Sparks
4272 Sutwick Drive
Charlotte, NC 28269

Virginia F. Crump
4264 Sutwick Drive
Charlotte, NC 28269

Jennifer McClurg
4256 Sutwick Drive
Charlotte, NC 28269

Ashley L. Martin
4248 Sutwick Drive
Charlotte, NC 28269

Edmund H. Driggs
Council Member, District 7
600 E. 4th Street
Charlotte, NC 28202-2244

Michael Dennis
5216 Prosperity Church Road
Charlotte, NC 28269

Ifeanyi U. Mwangwu
5208 Prosperity Church Road
Charlotte, NC 28269

Alexis M. Reddick
9812 Aaronda Court
Charlotte, NC 28213

Whitney N. Rice
5232 Prosperity Church Road
Charlotte, NC 28269

Richard X. Nguyen
7227 Barefoot Forest Drive
Charlotte, NC 28269

Daniel L. and McKenzie Jean Dezordo
4268 Sutwick Drive
Charlotte, NC 28269

Satya S. Kovvuri
4260 Sutwick Drive
Charlotte, NC 28269

Kashari Davis
4252 Sutwick Drive
Charlotte, NC 28269

Prosperity Place Owners Association, Inc.
201 N. Tryon Street, Suite 2650
Charlotte, NC 28202

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NOTICE TO INTERESTED PARTIES OF COMMUNITY MEETING

Subject: Community Meeting -- Rezoning Petition filed by Lockard Development, Inc. to rezone approximately 8.914 acres known as Prosperity Market located at 5400 Docia Crossing Road, Charlotte, North Carolina 28269 to permit the conversion of the former BI-LO grocery store to a movie theater

Date and Time of Meeting: Thursday, November 2, 2017 at 6:00 p.m.

Place of Meeting: BI-LO grocery store
5332 Docia Crossing Road
Charlotte, North Carolina 28269

Petitioner: Lockard Development, Inc.

Petition No.: 2017-152

We are assisting Lockard Development, Inc. (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte - Mecklenburg Planning Commission seeking to rezone an approximately 8.914-acre site located at 5400 Docia Crossing Road, Charlotte, North Carolina 28269 (the "Site") from the NS (neighborhood services) zoning district to the MUDD-O (mixed use development district with options) zoning district. The purpose of the rezoning is to permit the conversion of the former BI-LO grocery store to a movie theater.

In accordance with the requirements of the City of Charlotte Zoning Ordinances, the Petitioner will hold a Community Meeting prior to the Public Hearing on the Rezoning Petition for the purpose of discussing the rezoning proposal with nearby property owners and organizations. The Charlotte - Mecklenburg Planning Commission's records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Site.

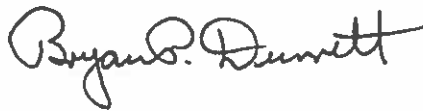
Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding the Rezoning Petition on Thursday, November 2, 2017 at 6:00 p.m. at the former BI-LO grocery store located on the Site at 5332 Docia Crossing Road, Charlotte, North Carolina 28269. The Petitioner's representatives look forward

to sharing the rezoning proposal with you and answering any questions you may have with respect to the Rezoning Petition.

In the meantime, should you have any questions or comments about this matter, please call either Jack Jennings or Dustin Whitehead of Lockard Development, Inc. at (319) 277-8000.

Very truly yours,

FISHERBROYLES, LLP

A handwritten signature in black ink that reads "Bryan P. Durrett". The signature is written in a cursive style with a large initial 'B'.

Bryan P. Durrett
Partner

cc: Gregory A. Phipps (City Council representative)
gaphipps@charlottenc.gov

Date Mailed: October 19, 2017

Lindees 12 @
 gmail.com

<u>Name</u>	<u>Address</u>	<u>Phone</u>	<u>Email</u>
LINDA FLOREZYK	5406 Bentgrass Run	704 945 5155	Lindees12@gmail.com
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Jeffrey Galvin, MD	9350 Benfield Rd.	704-701-2152	DrGalvin@VitalityMWI.com
Janet Joan	5332 Povic Crossway	704.729.9900	Tanaka's Grill and Subs
Theresa Kost	6828 Starlight		
ANISSA BURTON	5915 Shining Oak Lane	28269 704.728.1851	anissaburton@yahoo.com
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WILL RUSSELL			w.russell@comcast.net
KELLY TAYLOR	9122 Swallow Tail Ln	704 430 3222	Ktaylor@asec