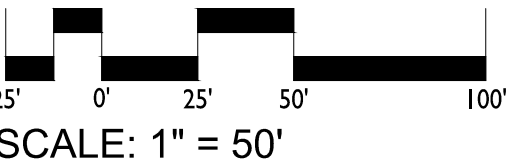


VICINITY MAP
NTS

SITE DEVELOPMENT DATA

Site Acreage:	+/- 9.054 AC.
Existing Building Size:	+/- 47,625 sq. ft.
Tax Parcel:	029-321-34
Existing Zoning:	NS
Proposed Zoning:	MUDD-O
Existing Uses:	RETAIL, RESTAURANT, NEIGHBORHOOD GROCERY SERVICE
Proposed Uses:	MOVIE THEATER
Maximum Gross Square Feet of Development:	110,000 sq. ft.
Maximum Building Ht.:	2 STORIES NOT TO EXCEED 40'
Parking Required:	SHALL SATISFY OR EXCEED MUDD MINIMUM REQUIREMENTS EXISTING PARKING = 305 SPACES
Setbacks:	MINIMUM SETBACK: 14 FEET MINIMUM FROM BACK OF EXISTING OR PROPOSED CURB, WHICHEVER IS GREATER. THE SETBACK APPLIES TO ALL STREET FRONTAGES, NOT JUST TO THE STREET TOWARD WHICH THE STRUCTURE IS ORIENTED.
Minimum Side Yards:	NONE, BUT 10' BUILDING SEPARATION REQUIRED ADJACENT TO A RESIDENTIAL USE.
Minimum Back Yards:	NONE, BUT 10' BUILDING SEPARATION REQUIRED ADJACENT TO A RESIDENTIAL USE.

EXISTING TREES:	
	CRAPE MYRTLE
	SWEETGUM
	MAPLE
	ELM
	OAK



SITE DEVELOPMENT NOTES

4832-4296-1998.5

1. GENERAL PROVISIONS:

These development standards form a part of the technical data sheet associated with the rezoning petition filed by Lockard Midland Square, L.L.C., Midland Tower Properties, L.L.C. and Lockard Development, Inc., as tenants in common, to rezone the site from the NS zoning district to the MUDD-O zoning district in order to accommodate redevelopment of approximately 47,625.83 sq. ft. of existing grocery store space to a movie theater and development of up to a total of 110,000 square feet of interior space on an approximately 9.054-acre site near the intersection of Prosperity Church Road and Johnston Oehler Road.

Alterations or modifications which, in the opinion of the planning director, substantially alter the facade of the building constitute changes which shall not be deemed minor and may only be made in accordance with the provisions of Section 6.207 of the ordinance.

2. MUDD-OPTIONAL PROVISIONS:

This petition proposes utilization of the MUDD-O provisions to allow for the following optional deviations:

- a. Parking and maneuvering of vehicles between buildings and surrounding streets shall be permitted.
- b. Existing streetscape conditions may remain along Docia Crossing Road, the western portion of Johnston Oehler Road and the extension of Prosperity Crossing Drive abutting the site.
- c. One (1) drive-through facility containing not more than 2,600 of interior space shall be permitted on the site.
- d. The existing pylon sign shall be removed from the Docia Crossing Road entrance to the site, and the same or a similar sign not to exceed 24' in height nor 110 square feet of signage panel space may be installed at the Johnston Oehler Road entrance to the site.

3. PERMITTED USES:

- a. All uses allowed within the MUDD zoning district shall be permitted, with the exception of the following: standalone residential dwellings (any residential use must be vertically integrated); automotive service stations, including minor adjustments, repairs, lubrication and accessory car washes; and warehousing in an enclosed building.
- b. A total of 110,000 square feet of interior space (as of the date hereof, 69,783 of existing space plus 40,217 of future development space).

4. ROAD IMPROVEMENTS:

Prior to the issuance of a certificate of occupancy for future development of the first new building constructed on the site along the unnamed road (30' public r/w) frontage to the north of the site, such unnamed road shall be improved by petitioner to Charlotte Department of Transportation Standards from its current point of completion to Prosperity Church Road. Upon completion of the unnamed road, petitioner shall dedicate fee simple title to the Charlotte Department of Transportation to the road right-of-way located on the site to a line set at 2' behind the back of sidewalk.

5. SIGNAGE:

All signage shall meet the requirements of the MUDD zoning district, unless otherwise stated in the Optional Provisions of Section 2 above.

6. ENVIRONMENTAL FEATURES:

The site shall comply with PCSO.

7. PARKS, GREENWAYS, PATHWAYS AND OPEN SPACE:

- a. A minimum 4,500 square foot village green will be constructed in the depiction generally located on the site plan prior to the issuance of the first certificate of occupancy for any new building to be constructed on the site.
- b. Prior to the issuance of the first certificate of occupancy for any new building to be constructed on the site, petitioner shall coordinate with the Prosperity CNIP project team on completion of the multi-use path project adjacent to the site along Docia Crossing Road to its intersection with Prosperity Crossing Drive.

8. STREETSCAPE AND LANDSCAPING:

The following streetscape improvements shall be performed at the times specified below:

- a. Extend the existing 5' planting strip and 5' sidewalk along Johnston Oehler Road from their current terminus east to the property line in common with tax parcel 02932142 prior to the issuance of the first certificate of occupancy for the change of use to allow the movie theater.

- b. Construct a 6' planting strip and a 6' sidewalk along the unnamed street from their current terminus east to Prosperity Church Road prior to the issuance of the first certificate of occupancy for future development of the first new building constructed on the site along the unnamed road frontage.

Existing sidewalks and planting strips may remain as allowed by the Optional Provisions of Section 2 above.

9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS:

If this rezoning petition is approved, all conditions applicable to redevelopment of the building imposed under the technical data sheet and these development standards will, unless amended in the manner provided under the ordinance, be binding upon and inure to the benefit of petitioner and subsequent owners of the site and their respective successors in interest and assigns.

Throughout these development standards, 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 any part of the site from time to time who may be involved in any future development or redevelopment thereof.

10. ARCHITECTURAL AND DESIGN STANDARDS:

All future development of the site, including, without limitation, new buildings, expansions of existing buildings and major modifications and renovations to the facades of existing buildings, shall comply with MUDD zoning district requirements, without options. Placement and site design of new buildings and expansions of existing buildings shall focus on and enhance the pedestrian environment on public or private network required streets, consistent with design guidelines and other elements of the area plan, in addition to the following:

- a. New buildings shall be placed so as to present a front or side facade to all streets.
- b. Facades of new buildings and expansions of existing buildings fronting streets shall include a combination of windows and operable doors for a minimum of 80% of each frontage elevation transparent glass between 2' and 10' on the first floor. Up to 10% of this requirement may be comprised of display windows. The display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.
- c. The facades of first/ground floor of new buildings and expansions of existing buildings along streets shall incorporate a minimum of 20% masonry materials such as brick or stone.
- d. Direct pedestrian connection should be provided between street facing doors, corner entrance features to sidewalks on adjacent streets.
- e. Operable door spacing shall not exceed 75 feet.
- f. New or expanded building elevations shall not have expanses of blank walls greater than 20 feet in all directions, and architectural features such as, but not limited to, banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- g. New or expanded building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.
- h. New or expanded buildings shall be a minimum height of 22' and a maximum height of 40'.