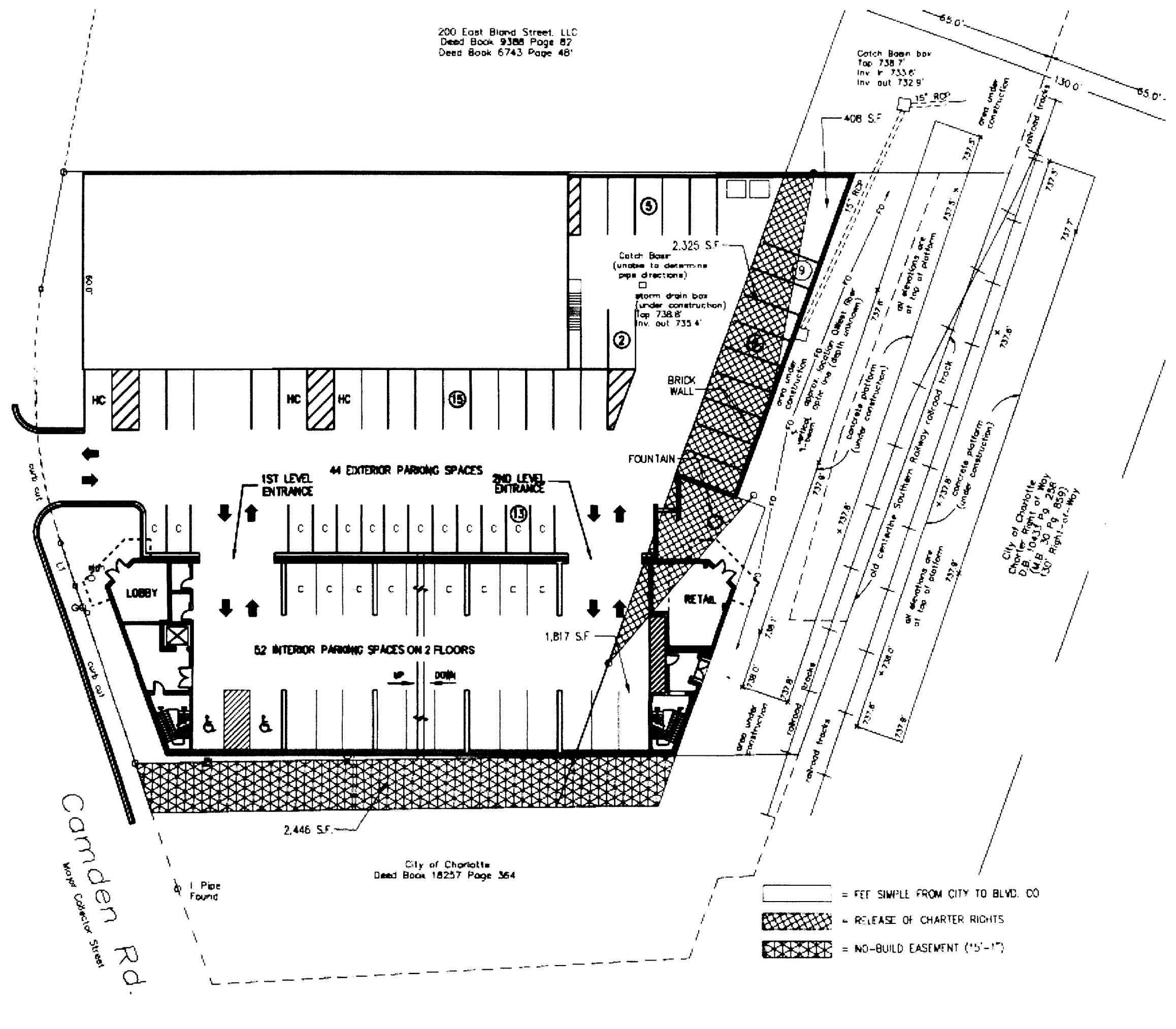
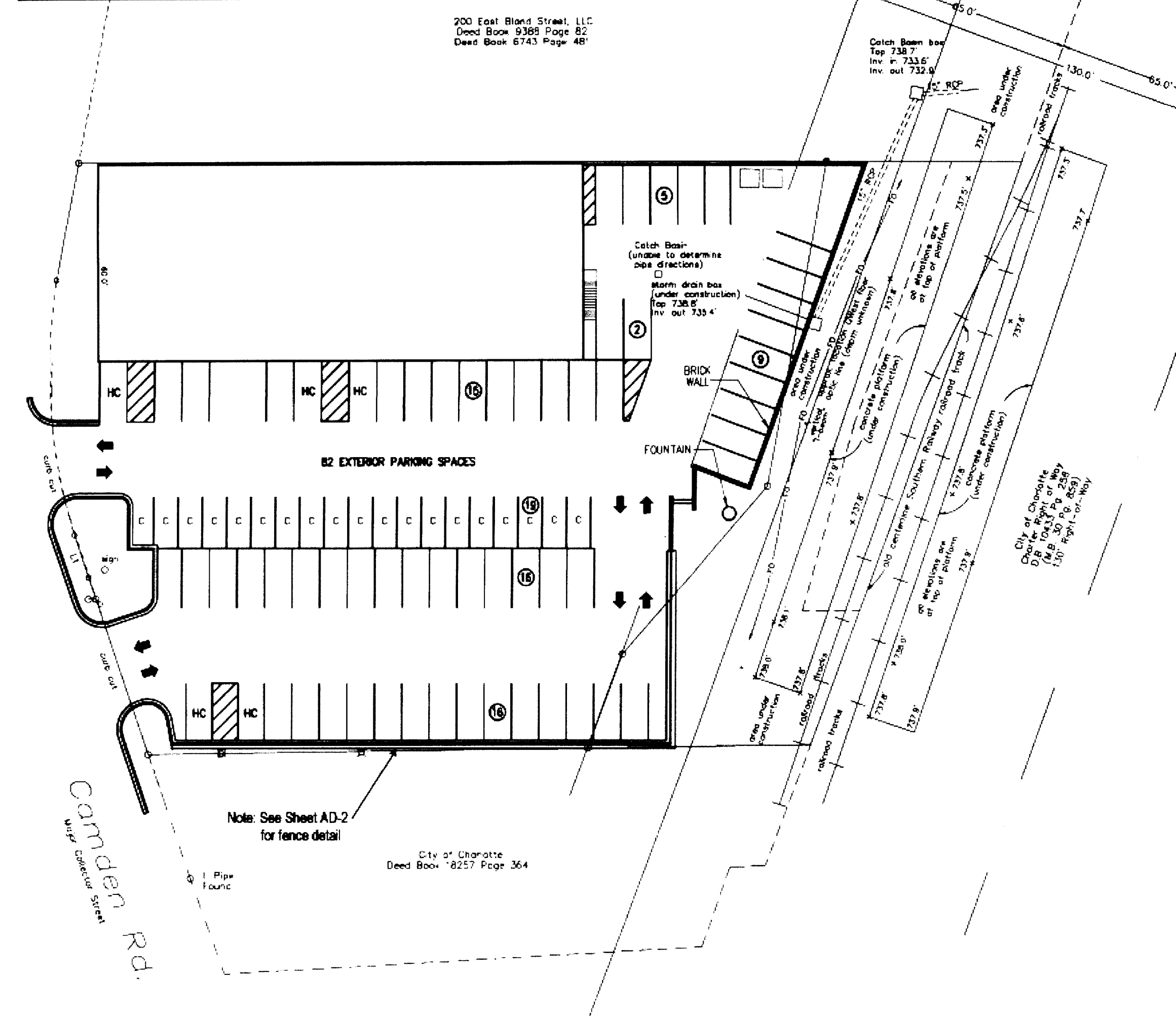


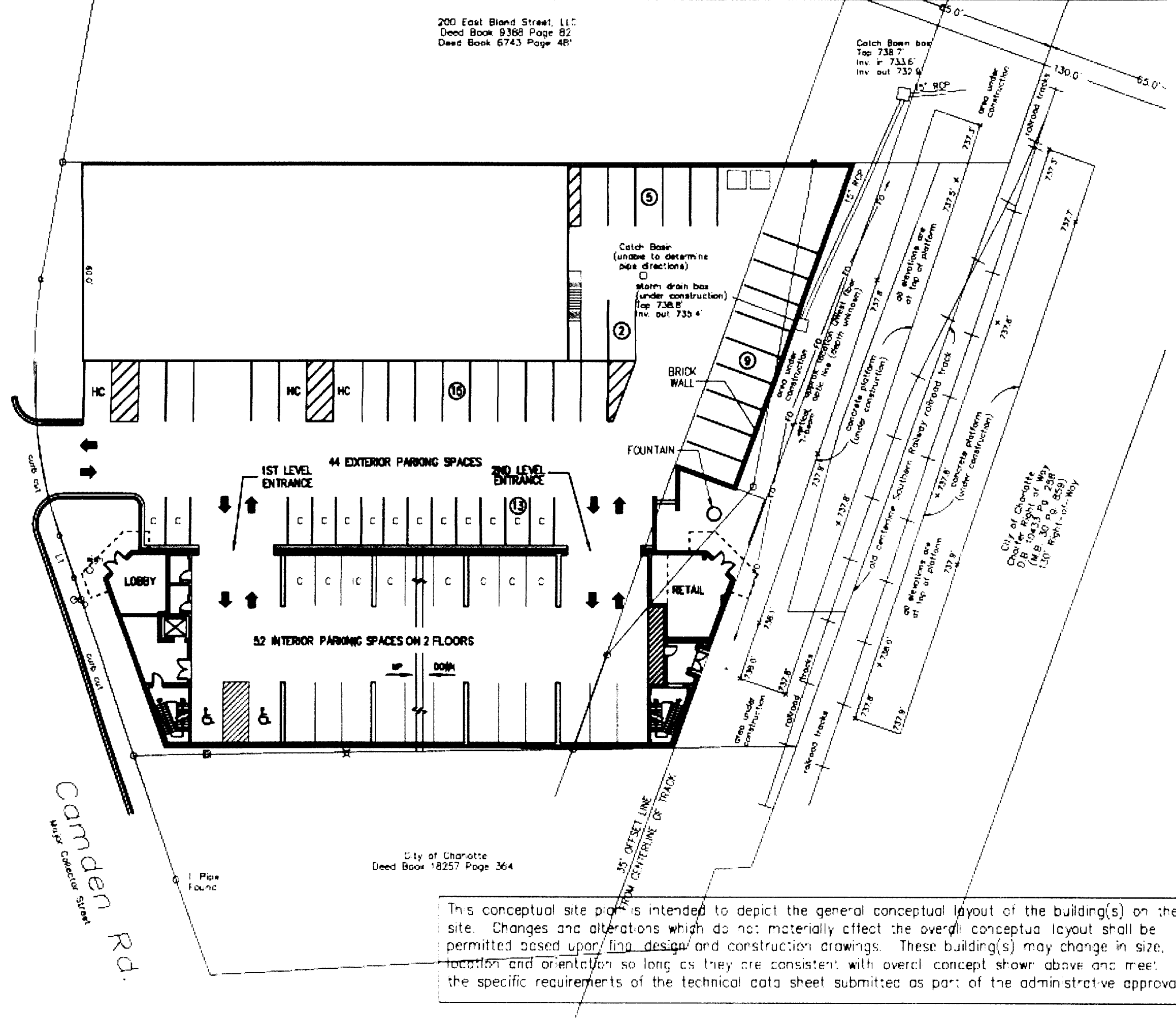
01 Existing Use Site Plan 1" = 30'-0"



02 Grant of Property Interests to Petitioner 1" = 30'-0"



03 Schematic Site Plan: Phase I 1" = 30'-0"



04 Schematic Site Plan: Phase II 1" = 30'-0"

Site Data:
 Acreage: 1.0747 Acres
 Existing Zoning: I-2
 Proposed Zoning: MUDD (CD)
 Proposed Use: See Technical Conditions

Technical Data Sheet & Development Conditions

Background Statement

The Boulevard at 1447 South Tryon LLC ("Boulevard") is the owner of certain property located at 1447 South Tryon Street (the "Property"), which property is depicted on Figure 1 on Sheet AD-1 of this submission (the "Current Site Plan").

The Property was rezoned from I-2 to MUDD(CD) pursuant to rezoning application 2003-001 (the "Rezoning Application"). As a part of the Rezoning Application, the City of Charlotte agreed that the 130' right of way could be reduced to 70' feet and that the City would work with Boulevard to allow Boulevard to acquire fee simple title to the land owned by the City within such right of way.

Although a definitive agreement has not yet been reached (the "Definitive Agreement"), the city and Boulevard have agreed in principle to certain terms and conditions relating to the following: (a) the acquisition by Boulevard of fee simple title to certain land owned by the City within the 130' right of way and 70' right of way lines; (b) the construction by Boulevard of certain improvements in the right of way; (c) the granting of an easement that would allow the construction by Boulevard of the building contemplated by this submission; and (d) the net cash consideration payable by Boulevard in respect of the foregoing.

A) Boulevard's Improvement Obligations. Boulevard is required to make the following improvements, at its own expense, which improvements would be completed in two phases:

(a) Phase I. As more particularly shown on the site plan depicted on Figure 3 of Sheet AD-1 of this submission (the "Phase I Plan"), Boulevard shall proceed - within one year after the conveyance to Boulevard of the real property interests contemplated by the Definitive Agreement - to construct the brick wall, stairs, sidewalk, wood fence and fountain reflected on the Phase I Plan (the "Phase I Improvements"). The brick wall shall be constructed in substantial conformance with the wall design depicted on Figures 1 and 2 of Sheet AD-2 of this submission (the "Brick Wall"). Boulevard would further proceed to have its parking spaces and dumpster relocated in a manner substantially consistent with the Phase I Plan. Boulevard shall, at its sole expense, be responsible for the maintenance of the Phase I Improvements.

(b) Phase II. At any time following the completion of the improvements reflected on the Phase I Plan, Boulevard will proceed to construct the improvements reflected on the site plan attached hereto (the "Phase II Plan"). These improvements and the Phase I Improvements are collectively referred to as the "New Improvements". The elevation for the contemplated building (the "New Building") will be substantially consistent with the elevations shown on Sheet AD-3 of this submission.

In addition to the foregoing, the following are the development notes in replacement of the development notes on the original Rezoning Application.

A) Conditions Regarding Use

01. The site will be developed as a mixed-use development and may include residential, retail and office uses.

B) Conditions Regarding Building Design

04. The New Building will not exceed four heated stories above parking with loft allowed above 4th story. The building will not exceed 80 feet in height from either the average grade surrounding the building to the top of the parapet wall of the building has a flat roof or the average grade surrounding the building to the height of any sloped roof.

05. Any accessory use allowed by the Ordinance shall be permitted on the Site.

06. The surfaces of the New Building, excluding penetrations (e.g., windows, doors, louvers, etc.), will have at least 50% brick or masonry veneer.

07. The material that is not masonry, either brick or CMU block, will be EIFS or cementitious siding or hardipack. The entire non-penetration surfaces of the top floor of the New Building may consist of such materials; provided, however, that the requirement of Note #06 is still satisfied. No Vinyl siding will be used. Plastic or metal material may be used for incidental architectural details including windows, doors and trim details.

08. Boulevard is negotiating with the city to obtain a no-build easement on its property over the area identified on Figure 2 of Sheet AD-1 of this submission. This no-build easement will allow Boulevard to construct the New Building with the building penetrations (e.g., windows) shown on the elevations of the New Building. Boulevard is also negotiating with the city to obtain an encroachment agreement to allow for the New Building to have (i) balconies and roof leaves that overhang into the easement area, and (ii) underground building loadings that encroach into the easement area. The Definitive Agreement will provide that Boulevard shall be responsible for the maintenance of all encroachments. The obligations of Boulevard described in this Technical Data Sheet are contingent upon Boulevard obtaining these easements and entering into the Definitive Agreement.

C) Conditions Regarding Screening, Walls and Dumpsters

10. Screening shall conform to the standards and treatments specified in the Ordinance, except as stipulated in Notes #11, #12 and #13.

11. The parking will be screened by the Brick Wall as shown on the plan.

12. Any dumpsters located on the Site shall be screened from view by a solid enclosure with a gate.

13. Roof top mechanical equipment shall be screened from public view at street level. Roof top HVAC units will be allowed on the New Building and be screened.

14. The petitioner will provide for recycling within the dumpster enclosure shown on the plans per section 12.403(4).

D) Conditions Regarding Parking

15. Off street parking spaces will satisfy the minimum and maximum standards established under the Ordinance.

16. The petitioner shall provide a bicycle rack located along the rail corridor for use by the residents.

E) Conditions Regarding Buffers, Landscaping, Lighting and Signage

17. Trees shall be installed along South Tryon and Camden Streets in accordance with the City of Charlotte Tree Ordinance.

18. All freestanding lighting fixtures will be uniform in design and shall not exceed 20 feet in height except as may be required in the public right of way. All new lighting will be fully shielded.

19. Wall pack lighting will not be allowed.

20. Signage will be allowed in accordance with the Ordinance.

21. The Petitioner shall work with Urban Forestry to determine the number and type of trees the petitioner will provide for the site during Landscape Plan Review.

F) Conditions Regarding City Services and Regulations

22. Adequate fire protection will be provided in accordance with the Fire Marshal's specifications.

23. Storm water runoff from the Site will be managed through proven techniques, which satisfy standards, if any, imposed by the City of Charlotte Engineering Department.

24. All development within the Site will conform to the Charlotte Subdivision Regulations and the Charlotte City Code.

25. The Petitioner shall reserve additional right of way as noted on the plan at South Tryon and Camden Streets for future conveyance and shall convey it required by the Charlotte Department of Transportation.

26. Prior to receiving a certificate of occupancy for the New Building, Boulevard shall provide \$10,000 to the Charlotte Department of Transportation towards construction of a traffic signal, possibly using a video detection system, at the driveway entrance.

G) Conditions Regarding Setbacks, Sidewalks & Access

27. Pursuant to a separate agreement with the city, the Petitioner is acquiring the real property interests described on Figure 2 of Sheet AD-2 of this submission.

28. The existing building will be permitted to remain in its current location. The New Building will maintain a minimum setback of 14' from existing curb or shall be back of the right away) whichever distance is greater.

29. Both the existing and new buildings will have direct pedestrian access to South Tryon Street.

30. The proposed fountain area to the east of the New Building will be permitted to be calculated as urban open space for the site as required by the Zoning Ordinance.

H) Conditions Regarding Ownership and Use

31. The commercial and residential units in the buildings may be sold as condominiums but also may be leased as commercial space or rented as residential apartments.

ATTACHED TO ADMINISTRATIVE APPROVAL
 DATED: August 21, 2007

BY: DEBRA D. CAMPBELL
 DATE: August 21, 2007
 REVISIONS: 1 August 3, 2007

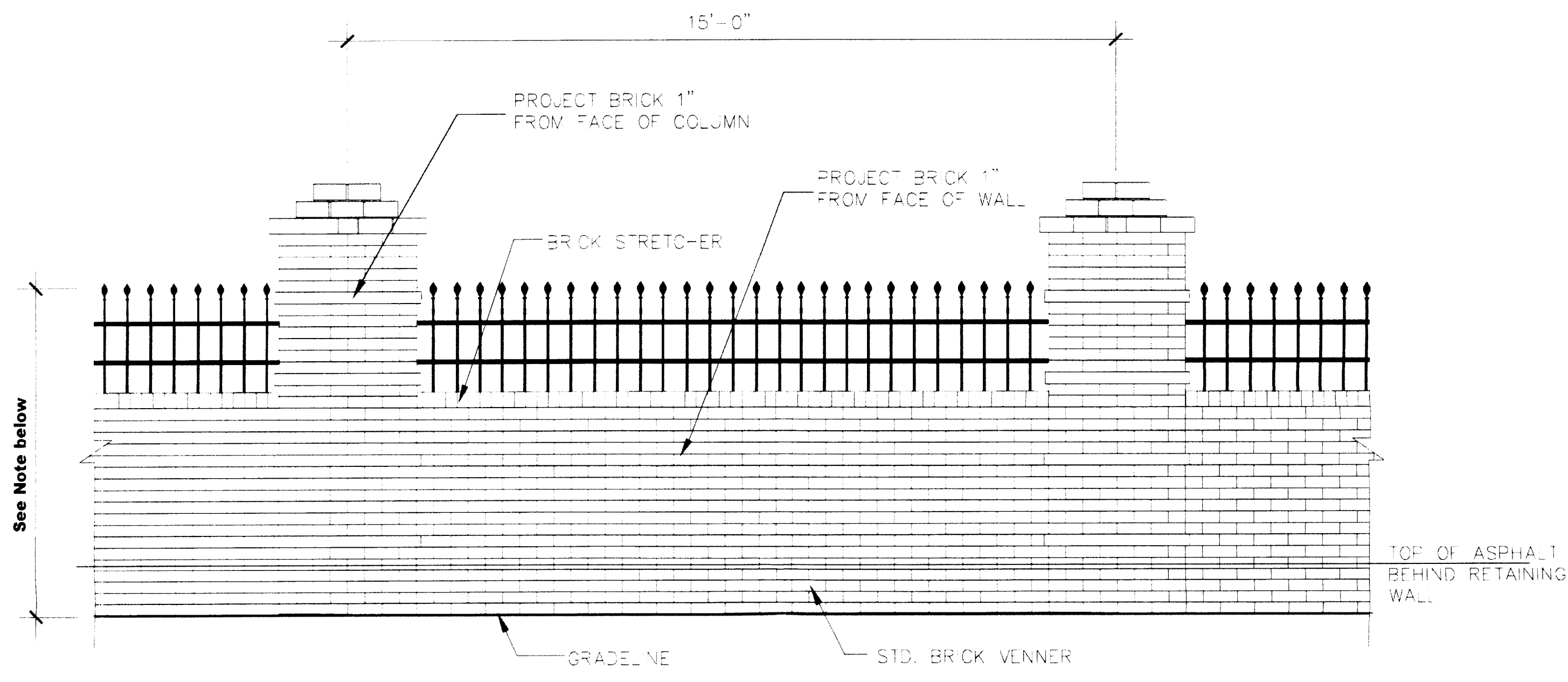
Vicinity Map N.T.S.
 AD-1

CHARLOTTE-MECKLENBURG PLANNING COMMISSION
 INTER-OFFICE COMMUNICATION

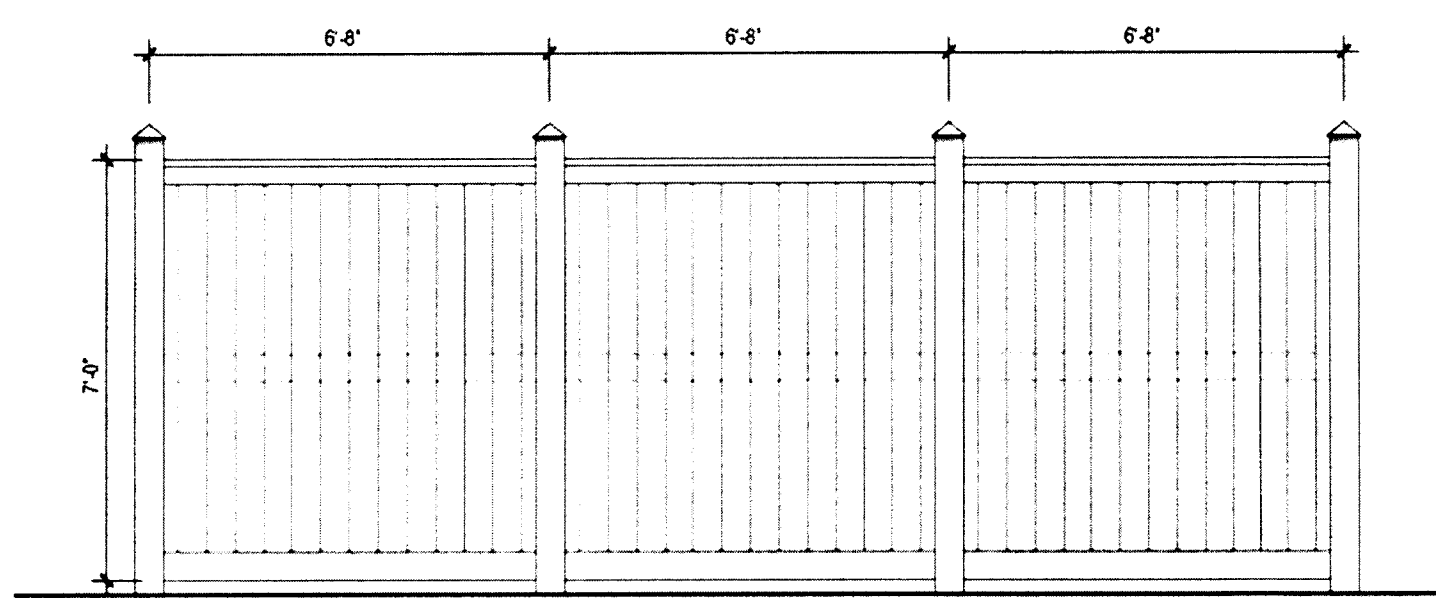
DATE: August 21, 2007
 TO: Gary Huss, Zoning Supervisor
 FROM: Debra Campbell, Planning Director

SUBJECT: Administrative approval for Petition No. 2003-01 by The Boulevard 2000, LLC.

Attached are revised plans and elevations for the above petition. The plans have been revised to incorporate notes regarding agreements to purchase properties from the City of Charlotte and make minor changes to the building elevations. Since these changes are minor, I am administratively approving these revised plans. Please use these attached plans when evaluating requests for building permits and certificates of occupancy. Note that all other ordinance requirements still apply.

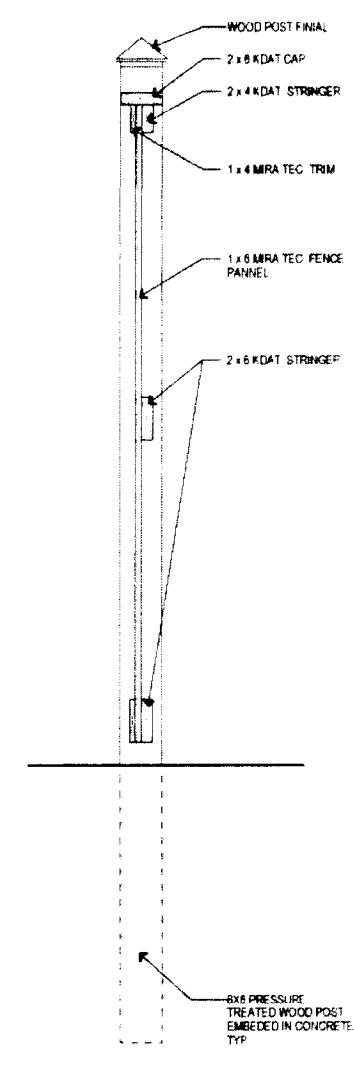


Note: The final height of the wall will depend on many factors relating primarily to the topography of the site. In no event will the height of the wall be less than the minimum height required by code to screen parking behind it.

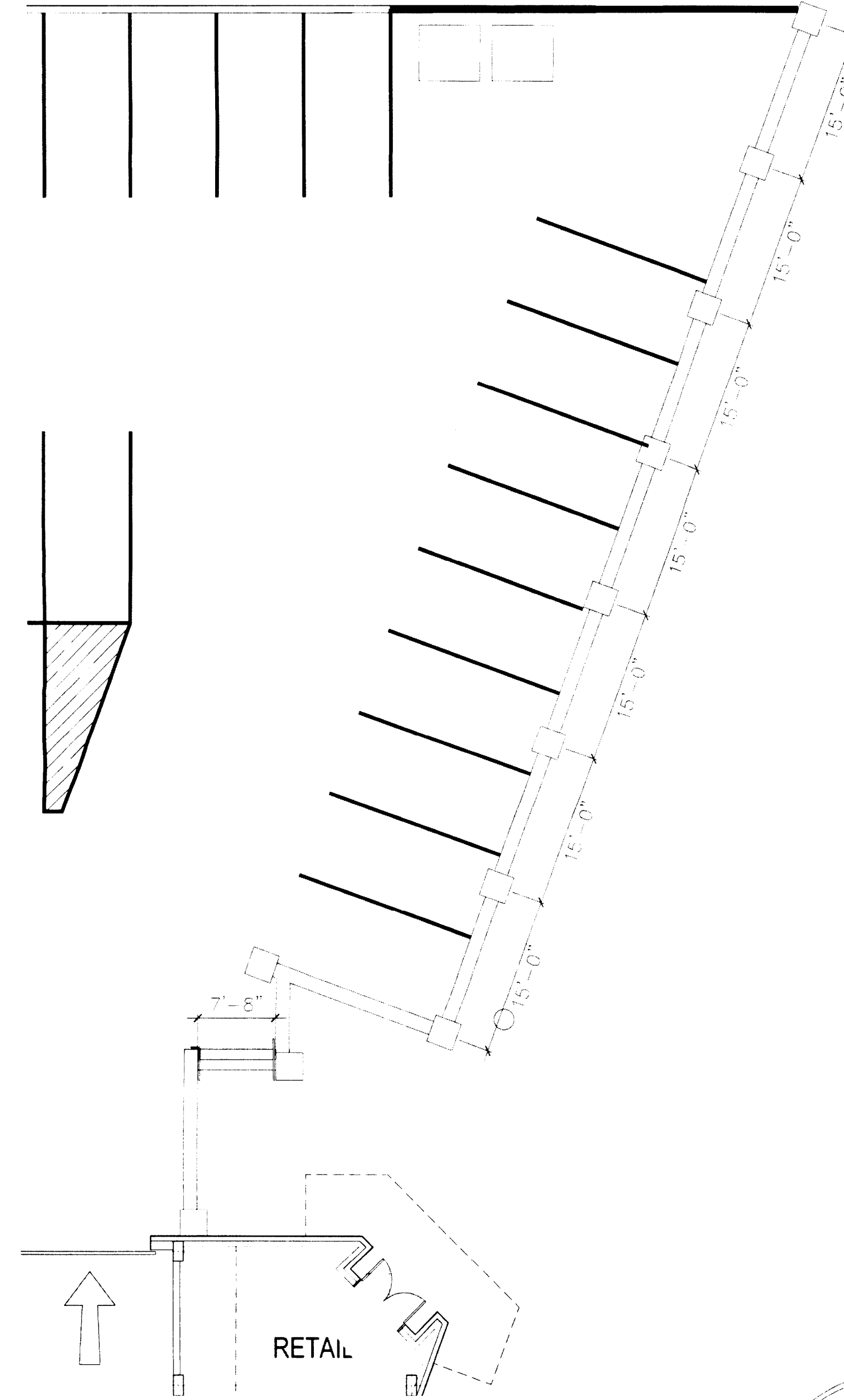


Elevation of Temporary Fence

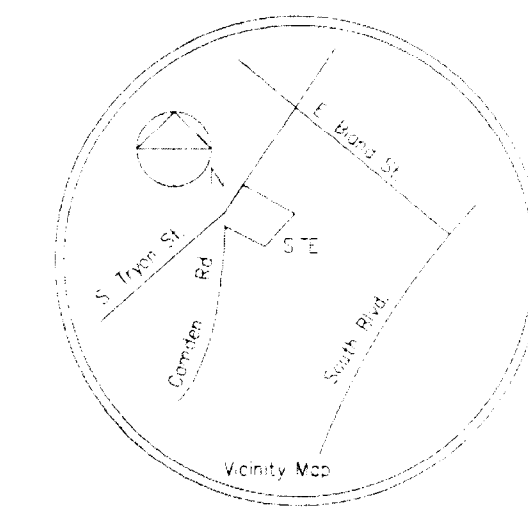
Note: Decorative panels, trellis and ivy and/or other decorative elements to be added in consultation with the Planning Commission.



Temporary Fence Section Detail



This conceptual site plan is intended to depict the general conceptual layout of the brick wall on the site. Changes and alterations which do not materially affect the overall conceptual layout shall be permitted based upon final design and construction drawings. The brick wall and stairs may change in size, location and orientation so long as it is consistent with the overall concept shown above.



01 Elevation at Brick Wall

1/2" = 1'-0"

02 Enlarged Plan at Brick Wall

1" = 15'-0"

Vicinity Map

N.T.S.



01 Elevation Facing Parking Lot 1/16" = 1'-0"



02 Elevation Facing Trolley

1/16" = 1'-0"

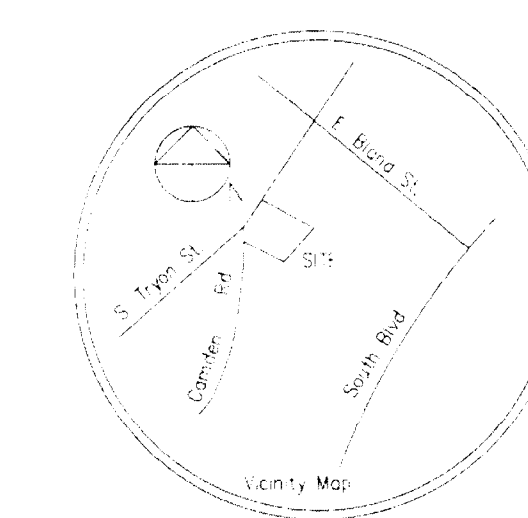


03 Elevation Facing Camden Road 1/16" = 1'-0"



04 Elevation Facing Pedestrian Trolley Access

1/16" = 1'-0"



These conceptual elevations are intended to depict the general conceptual design of the building(s) on the site. Changes and alterations which do not materially affect the overall design shall be permitted based upon final design and construction drawings. The building may change in size, location and orientation so long as they are consistent with overall concept shown above and meet the specific requirements of the technical data sheet submitted as part of this rezoning process.

Vicinity Map

N.T.S.

1447 South Tryon Street
Administrative Approval of Changes
to Rezoning Petition 2003-001

DATE: April 12, 2007
REVISIONS: August 3, 2007

AD-2
ATTACHED TO ADMINISTRATIVE
APPROVAL
DATED: August 21, 2007
BY: DEBRA D. CAMPBELL

1447 South Tryon Street
Administrative Approval of Changes
to Rezoning Petition 2003-001

DATE: April 12, 2007
REVISIONS: August 3, 2007

AD-3
ATTACHED TO ADMINISTRATIVE
APPROVAL
DATED: August 21, 2007
BY: DEBRA D. CAMPBELL