

Calloway Property Update *(9455 IH 10 West)*

Zoning Case Z2008262 pertained to the old Calloway Property on the east side of IH 10 West, approximately 650 feet south of Colony Drive.

Draft deed restrictions were delivered to Councilwoman Cibrian on November 13, 2008. The draft included the following restrictions:

- “A. Vehicular access to the land shall solely be from the Interstate 10 West access road. There shall be no vehicular access to the Land from Powhatan Drive.”
- “B. No bar, tavern, microbrewery or sexually-oriented business will be operated on the Land whatsoever. However, for any business whereby alcohol sales for on-premises consumption constitutes less than fifty percent (50%) of the gross sales of such business in connection with the sale of food products, such alcohol sales will be permitted therein.”
- “C. All exterior lighting must be arranged or shielded so as to substantially prevent any spillover effects, excessive glare or reflection on any portion of Powhatan Drive or onto any residential adjacent tract to the Land. Security and safety illumination shall be installed along the eastern border of the Land as more particularly shown on Exhibit “A” hereto.”
- “D. No outdoor public speaker system will be operated on the Land other than music, such broadcast of music not be at a level that would constitute a legal nuisance to the residential lots located on Powhatan Drive across from the Land.”
- “E. Any and all dumpsters located on the Land shall be located south of the landscape buffer on the northern border of the Land.”

The draft did not include other restrictions that our association requested, concerning on-premise signs, inflatable advertisement, dry cleaning, etc.

The property sale should occur in about 4-6 weeks, which would mean by the end of January 2009.

See our Zoning Cases web page (www.vjni.org/Zoning-Cases) for the details.

Ted Trakas