

Frank Burney

From: Frank Burney
Sent: Tuesday, September 16, 2008 10:44 AM
To: 'Diane G. Cibrian'; 'Michael Shackelford'
Cc: Frank Burney; dmbriggs@yahoo.com; Jack Guenther
Subject: Z2008262

CM Cibrian:

We appreciate you arranging for a meeting with the neighbors surrounding the property at 9455 IH 10 West. As we discussed, the applicant proposes construction of a Porsche dealership on this property. We believe that the requirements of Porsche franchise will result in a property that will be an improvement to the commercial corridor on IH-10.

While there are certain issues that the applicant can agree to relating to this development, issues relating to the height, location on the site, dumpster location, and signage are determined under the franchise operating agreement with Porsche. However, the applicant will insure that it is in full compliance with all COSA regulations.

The issues that we reached agreement on are as follows:

1. Lighting: downward lighting will be installed on the property to prevent any spillover effect on adjoining neighborhood on Powhatan. Lighting shall also be installed to provide security lighting on the eastern buffer.
2. Landscaping: landscaping will be maintained on the eastern existing buffer to screen dealer operations from the neighborhood to the east.
3. Access: entry to the property will only be from the IH-10 frontage.
4. Use: no bar, tavern, microbrewery, or sexually-orientated business will be operated on the property.
5. Amplification: no outdoor speaker system other than Muzak will be operated on the property

These issues would be codified in deed restrictions enforceable by a group of the neighbors, including those directly impacted and neighborhood association. A draft will be provided to your office for review prior to closing of the property.

We will also notify the neighborhood of proposed operational hours. As to the issue of a landscape buffer to the north, zoning staff has already recommended a Type C landscape buffer, which will be incorporated into the zoning case. Therefore, it has not been added to the proposed deed restrictions.

With this agreement, we would request your support of this rezoning. Please call us with any questions.

Thanks for your assistance.

FRANK B. BURNEY
DIRECT DIAL: (210) 220-1339
MOBILE: (210) 289-5843

9/16/2008