

**THESE ARE THE CASES FOR THE NOVEMBER 20, 2019**

**PLANNING BOARD MEETING @ 1:30**

**4 NEW CASES (4070-4074).**



**CITY OF JACKSON, MS**  
Application for Zoning Action  
Application Must Be Signed By Owner of Property

**FOR OFFICE USE ONLY**

**RECEIVED**

SEP 30 2019

City of Jackson  
City Planning Administration

**CASE NO.:** 4074

**Ward #:** 3

**I. Please choose one or more of the following Zoning Action Requests:**

R1  
X Rezoning From R4 To C-2 || \_\_\_ Use Permit || \_\_\_ Special Exception || \_\_\_ Variance(s)

**II. Subject Property Address:** 3703 Medgar Evers Blvd. & 0 Medgar Evers Blvd

(Vacant Lot)

(Street number and name or description of location if property is a vacant lot)

<b>Current Zoning for property:</b> <u>R1 &amp; R4</u>
<b>Tax Parcel Number:</b> <u>408</u> - <u>409</u> - <u>486</u>

**III. Size of Property:** Lot Frontage 350/50 feet  
Lot Depth 125 feet  
Square footage/Acres 13,503.6 sq. ft.  
Improved or **Unimproved?** \_\_\_  
If improved, number of existing buildings? \_\_\_  
**Use of buildings:** Residential **Commercial** Industrial

**IV. Purpose for requested Zoning Action:** (Brief Description)  
City Compliance

**V. Are there any City Code Violations on this property?** N/A  
If yes, please give details and dates of violations:

**VI. Are there any Restrictive Covenants?** No If yes, please attach copies of Covenants.

**VII. Has there been any Zoning Action filed on this property in the past?** No  
If yes, please attach copies of agency findings and decisions.

**APPLICATION MUST BE FILED ON OR BEFORE 12:00PM ON THE DEADLINE DATE** to be included on the next month's Planning Board Meeting Agenda. Planning Board Meetings are held on the fourth (4th) Wednesday of the month at 1:30pm in the Andrew Jackson Conference Room, Warren A. Hood Building located at 200 S. President Street. November and December Planning Board Meetings will be held the third (3rd) Wednesday due to the holidays. Please review the enclosed schedule to confirm exact dates before sending out notification letters.

**DECLARATION:**

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the Zoning Action Request, place signs on the subject property and verify authenticity of the applicant(s) and property owner(s). It is further understood that the Zoning Administrator and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the Planning Board and City Council.

The above information is true, and complete to the best of my knowledge.

[Signature]  
Applicant's Signature

[Signature]  
Property Owner's Signature

**WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at**

3703 Medgar Evers Blvd Jackson, Mississippi

On this the 27 day of September, 20 19.

**STATE OF MISSISSIPPI  
COUNTY OF HINDS**

**Personally came and appeared before me, the within named:**

Floyd Marshall Jr

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledged to me that they are the owner(s) of the subject property as described in this Zoning Action Application.

**GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE,** this the 27 day of

September, 20 19.

**MY COMMISSION EXPIRES:**

Jan. 29, 2021



[Signature]  
NOTARY PUBLIC

**September 23, 2019**

**Statement of Intent**

1. Bring property into present use of compliance
2. Bring property into compliance with the city future use plan
3. Improve and upgrade the area



**CITY OF JACKSON, MS**  
**Application for Zoning Action**  
 Application Must Be Signed By Owner of Property

**FOR OFFICE USE ONLY**  
**RECEIVED**  
 OCT 24 2019  
 City of Jackson  
 City Planning Administration  
**CASE NO.:** 4075  
**Ward #:** 1

**I. Please choose one or more of the following Zoning Action Requests:**

Rezoning From SUD To R-4 ||  Use Permit ||  Special Exception ||  Variance(s)

**II. Subject Property Address:** East of cul-de-sac at east end of St. Andrews Drive, The Country Club of Jackson, Jackson, Mississippi 39211  
*(Street number and name or description of location if property is a vacant lot)*

<b>Current Zoning for property:</b> <u>Special Use District</u>
<b>Tax Parcel Number:</b> <u>751</u> - <u>7</u> - (PORTION)

**III. Size of Property:** Lot Frontage 167.39 feet  
 Lot Depth 378 feet  
 Square footage/Acres 68,084 sq. ft.; 1.563 acres  
 Improved or Unimproved? Unimproved  
 If improved, number of existing buildings? N/A  
**Use of buildings:** N/A Residential Commercial Industrial

**IV. Purpose for requested Zoning Action:** *(Brief Description)*  
Construction of multi-story luxury condominium building

**V. Are there any City Code Violations on this property?** No  
*If yes, please give details and dates of violations:*

**VI. Are there any Restrictive Covenants?** No *If yes, please attach copies of Covenants.*

**VII. Has there been any Zoning Action filed on this property in the past?** No  
*If yes, please attach copies of agency findings and decisions.*

**APPLICATION MUST BE FILED ON OR BEFORE 12:00PM ON THE DEADLINE DATE** to be included on the next month's Planning Board Meeting Agenda. Planning Board Meetings are held on the fourth (4th) Wednesday of the month at 1:30pm in the Andrew Jackson Conference Room, Warren A. Hood Building located at 200 S. President Street. November and December Planning Board Meetings will be held the third (3<sup>rd</sup>) Wednesday due to the holidays. Please review the enclosed schedule to confirm exact dates before sending out notification letters.

**DECLARATION:**

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the Zoning Action Request, place signs on the subject property and verify authenticity of the applicant(s) and property owner(s). It is further understood that the Zoning Administrator and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the Planning Board and City Council.

The above information is true, and complete to the best of my knowledge.

By: Robert A. Malouf  
Azalea Development, LLC  
**Applicant's Signature**  
Robert A. Malouf, Member-Manager

The Country Club of Jackson, Mississippi  
By: John Decker  
**Property Owner's Signature**  
John Decker, President

**WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at** east of cul-de-sac at east end of St. Andrews Drive, The Country Club of Jackson, Jackson, Mississippi 39211

On this the 27<sup>th</sup> day of September, 2019.

**STATE OF MISSISSIPPI  
COUNTY OF HINDS**

**Personally came and appeared before me, the within named:**

John Decker, President, The Country Club of Jackson, Mississippi, a Mississippi Nonprofit Corporation

on behalf of the Corporation as the Corporation's who signed and delivered the above and foregoing instrument ~~as and for their~~ free act and deed on the day and year therein mentioned, and who acknowledged to me that ~~they are~~ the owner(s) of the subject property as described in this Zoning Action Application. the Corporation is

**GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE,** this the 27<sup>th</sup> day of September, 2019.

Charlotte G. Simmons  
**NOTARY PUBLIC**

**MY COMMISSION EXPIRES:**



BEFORE THE CITY PLANNING BOARD OF THE  
CITY OF JACKSON, MISSISSIPPI

IN THE MATTER OF THE REZONING  
AND VARIANCE APPLICATION FOR  
THE CONSTRUCTION OF A LUXURY  
CONDOMINIUM AT THE COUNTRY CLUB  
OF JACKSON

STATEMENT OF INTENT

Introduction

Azalea Development, LLC, a Mississippi limited liability company ("Applicant"), intends to develop a luxury multi-story condominium building on a 1.563-acre tract east of the cul-de-sac at the east end of Saint Andrews Drive ("subject property"). The development will contain 30 individual condominium residences on five floors. A two-level parking garage will be located below the residential levels. The development will also contain a rooftop residential recreational venue.

The Country Club of Jackson, Mississippi, a Mississippi non-profit corporation ("Owner"), the current owner of the subject property, fully supports the project.

On August 12, 2019, the Applicant and the Owner entered into an Option Agreement granting the Applicant the right to

acquire the subject property, which is currently being used by the Owner as a portion of its golf course maintenance facility.

The purchase of the subject property is contingent upon the City of Jackson's rezoning the subject property from its present classification of Special Use District to a classification of R-4 Limited Multi-Family Residential District (the appropriate zoning classification for a condominium). The purchase of the subject property is further contingent upon the City's granting a height variance to permit the multi-story condominium building, including a roof deck venue, to be constructed to a height greater than 45 feet, which is the maximum height for structures in the R-4 Limited Multi-Family Residential District in ordinary cases.

This matter, involving a major development in the City of Jackson, is not an ordinary case. Construction costs for the development are anticipated to be greater than Twenty Million Dollars (\$20,000,000). The luxury condominium development is expected to enhance property values in the adjacent neighborhood, and this development will contribute to the tax base of the City of Jackson.

## I. The Development

The luxury condominiums to be constructed on the subject property will be among the most exclusive residences in the City of Jackson. The 30 condominium residences will be constructed on five residential levels. These residences will enjoy commanding views of the championship course at The Country Club of Jackson. The course is the current home of the Sanderson Farms Championship, a professional golf tournament played annually in the City of Jackson.

The residences are expected to have an initial asking price between \$300 and \$350 per square foot. The development will feature tastefully designed living spaces, large balconies, and luxury appointments throughout. Amenities will include concierge services, state-of-the-art security system, private elevator service for residents, and a rooftop venue featuring expansive views of the golf course and surrounding areas. The residences will be located just a few hundred feet from the restaurants, fitness center, and other amenities offered by The Country Club of Jackson.

Resident parking will be located on two levels below the residential floors and will contain 66 parking spaces for automobiles and 30 spaces for golf carts. Residents and visitors



will reach the development by way of a gated entrance drive connecting to the cul-de-sac at the east end of Saint Andrews Drive, which will be a private drive servicing the residences. Guests will have ample parking in the garage as well as "uncovered" guest parking on the north side of the development.

The condominium grounds will be heavily landscaped, and the building will be surrounded by an attractive security fence.

The architectural style of the development, created by JBHM Architects managing partner Richard McNeel, AIA, is inspired by, and complements, the architectural style of the clubhouse and other buildings in The Country Club of Jackson complex.

There is precedent in the City of Jackson for constructing a luxury multi-story condominium building. The Barrington, a highly successful high-rise condominium building, is located on land in the northwest corner of the intersection of Interstate Highway 55 North with Meadowbrook Road. The Barrington was constructed after the City of Jackson rezoned the site to a classification of R-4 Limited Multi-Family Residential District and also granted the development a height variance in 1983 in Zoning Case No. 2131. The proposed development requires a height variance, similar to that granted to The Barrington, for a roof edge not to exceed 95 feet in height above the ground and for the roof deck, which will include the residential

recreational venue and other necessary mechanical items, not to exceed 115 feet in height above the ground level.

## II. Existing Condominiums in Area

The Country Club of Jackson, Mississippi, lying immediately adjacent to the proposed development, was originally platted as a subdivision approximately 57 years ago, in 1962. From the outset, it was contemplated that the area along the eastern end of Saint Andrews Drive, where the subject property is located, would be developed for condominiums. The original protective covenants for the subdivision which were promulgated and filed in 1962, before the Mississippi Condominium Law was enacted in 1964, expressly stated that "owner-occupied cooperative apartments", the term used in 1962 for what are now called condominiums, would be located on both the north and south sides of the east end of Saint Andrews Drive.

The Applicant and the Owner would note that there are other existing condominiums in the general area of the subject property. Located diagonally across the Saint Andrews cul-de-sac from the subject property is Charleton Place. On August 8, 1984, the Jackson City Council, acting in Zoning Case No. 2285, granted the application of Jesse M. Vaughn, et al, to rezone Lots 123,

124, 125, and 126 of The Country Club of Jackson, Mississippi, from a classification of R-1A Single-Family Residential District to a classification of R-4 Limited Multi-Family Residential District. That rezoning, which is identical to the rezoning being sought in the present case, resulted in Charleton Place being constructed on the north side of Saint Andrews Drive. While the Application in Zoning Case No. 2285 sought rezoning for a condominium development, the Applicant and the Owner in the present case understand that Charleton Place is not a condominium, but rather contains four individually owned units in the same architectural style that appear to be a condominium complex.

Located further to the west on the north side of Saint Andrews Drive is The Manor Condominium, which was constructed prior to the time that this area was annexed into the City of Jackson in 1976 and became subject to the Zoning Ordinance of the City of Jackson. The Manor Condominium was constructed on Lots 127, 128, and 129. For reasons not known to the Applicant and the Owner, the City of Jackson, after annexing this area, placed the lots containing The Manor Condominium in a classification of R-3 Townhouse and Zero Lot Line Residential District rather than in an R-4 classification.

It should also be noted that Saint Andrews Court has been constructed on the north side of Saint Andrews Drive as what appears to be a condominium development between Charleton Place and The Manor condominium. Saint Andrews Court was constructed on the western portion of the property rezoned to an R-4 Limited Multi-Family Residential classification in 1984 in Zoning Case No. 2285.

In seeking to rezone the subject property of the present case to an R-4 classification, the Applicant and the Owner are not seeking to introduce any new use into the general area.

It should be noted that the proposed luxury multi-story condominium building will be constructed on land that is presently being utilized by the Country Club as a maintenance area for the golf course. The proposed development will not block, or interfere with, the view of the golf course from any homes and condominium units of any current residents of the area.

### III. Neighborhood Change

The rezoning of the lots on the north side of Saint Andrews Drive for the development of condominium units thereon is not the only change to have occurred in the general neighborhood.

The original circular cul-de-sac at the east end of Saint Andrews Drive, being part of a publicly dedicated street, was vacated by an Ordinance adopted by the Jackson City Council on March 17, 1998, in connection with extending Saint Andrews Drive further eastward and constructing a new cul-de-sac at the east end thereof.

Other changes in the general neighborhood include the construction of a water tower, tennis courts, and other facilities of the Country Club; the development of such adjacent subdivisions as The Country Club of Jackson, Part II, Saint Andrews Court, and Gleneagles; and the extension of Brae Burn Drive, which runs westward from Saint Andrews Drive, to Old Canton Road, where there is a gated exit area. Of particular significance in regard to change is the fact that there have been twelve rezonings or other zoning related actions in the general area over the past several years.

For example, on November 22, 1978, acting in Zoning Case No. 1731, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Order granting the Application of Patsy H. Ainsworth for a variance so as to reduce the rear yard setback on Lot 17, Avery Gardens Subdivision, from 25 feet to 5 feet. The said lot lies on Avery

Circle on the west side of Old Canton Road just south of County Line Road.

On February 8, 1979, acting in Zoning Case No. 1770, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Order granting the Application of Edgar C. Lloyd, Jr., for a variance from the rear setback requirement on the lot at 133 Cherry Hills Drive (Lot 84 of The Country Club of Jackson, Mississippi). The rear yard setback was reduced from 25 feet to 10 feet.

On June 13, 1979, acting in Zoning Case No. 1806, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Ordinance granting the Application of LLB Corporation (James Lowe, Jr.) to rezone 6.37 acres on the south side of River Oaks Boulevard, 500 feet east of the Mississippi Power and Light Company electric line, from a classification of R-4 Limited Multi-Family Residential District to a classification of R-3 Townhouse and Zero Lot Line Residential District for the construction of townhouses and zero lot line homes.

In July 1979, acting in Zoning Case No. 1816, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Ordinance granting the Application of Canton Road Developers, Ltd., to rezone 6.76 acres

located on the north side of River Oaks Boulevard from a classification of R-4 Limited Multi-Family Residential District to a classification of R-3 Townhouse and Zero Lot Line Residential District for the construction of zero lot line homes and duplexes thereon. The subject property of Zoning Case No. 1816 is located north across River Oaks Boulevard from the subject property of Zoning Case No. 1806.

On September 5, 1979, acting in Zoning Case No. 1836, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Ordinance granting the Application of Northpointe, Inc. (J. A. Brown) to rezone approximately 7 acres on the west side of Old Canton Road, located southwest of the Old Canton Road-Saint Andrews Drive intersection and just across the street from The Country Club of Jackson, Mississippi, subdivision, from a classification of R-4 Limited Multi-Family Residential District to a classification of R-3 Townhouse and Zero Lot Line Residential District for the construction of 19 zero lot line homes.

On October 29, 1980, acting in Zoning Case No. 1943, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Ordinance granting the Application of The Country Club of Jackson, Mississippi, to rezone 2.08 acres on the west side of Saint Andrews Drive and

north of Winged Foot Circle (between Lots 76 and 119 of The Country Club of Jackson, Mississippi) from a classification of Special Use District to a classification of R-1A Single-Family Residential District so that single-family residences could be constructed thereon.

On December 10, 1980, acting in Zoning Case No. 1963, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Ordinance rezoning 5.71 acres on the east side of Old Canton Road, between Saint Andrews Drive on the south and Brae Burn Drive on the north, from a classification of Special Use District to a classification of R-1A Single-Family Residential District for the construction of single-family residences.

On May 8, 1985, acting in Zoning Case No. 2381, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Ordinance granting the Application of Glen Eagles Corporation for a variance to permit the construction of a brick fence 7 feet 9 inches high (where the maximum height is ordinarily 6 feet) on the east side of Old Canton Road between Saint Andrews Drive on the south and Brae Burn Drive on the north so as to help buffer residential areas in The Country Club of Jackson, Mississippi, from the heavily traveled Old Canton Road.



Of particular importance is that on August 8, 1984, acting in the previously mentioned Zoning Case No. 2285, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Ordinance granting the Application of Jesse N. Vaughn, Merrill R. Harris, Bagby Hall, and George B. Pickett to rezone Lots 123, 124, 125, and 126 of The Country Club of Jackson, Mississippi, from a classification of R-1A Single-Family Residential District to a classification of R-4 Limited Multi-Family Residential District, the same rezoning classification being sought in the present case. The subject property of Zoning Case No. 2285, where both the previously mentioned Charleton Place and Saint Andrews Court have been developed, is diagonally across the Saint Andrews Drive cul-de-sac from the subject property.

The Applicant would note that the supporting Statement filed with the rezoning Application in Zoning Case No. 2285 cited as precedent the previous construction of The Manor Condominiums on Lots 127, 128, and 129 and further stated: "There exists in this area a public need for additional R-4 zoning and resulting condominium buildings."

On November 11, 1997, acting in Zoning Case No. 3167, the Jackson City Council accepted the favorable recommendation of the City Planning Board and adopted an Ordinance granting the

Application of Carrington Operating Company, Inc. d/b/a Carrington Communities to rezone 9.8 acres located south of Northpointe Drive on the west side of Old Canton Road from a classification of R-4 Limited Multi-Family Residential District to a classification of Planned Unit Development (PUD), with 6.69 acres to be developed for high-quality condominiums and an assisted living facility. The said Application also proposed single-family residential homes and a real estate office as part of the PUD.

On May 28, 2002, acting in Zoning Case No. 3408, the Jackson City Council granted the Application of Arlington Park Development, LLC, and Waterford Development, LLC, to amend the previously mentioned Ordinance adopted on November 11, 1997, in Zoning Case No. 3167, so as to authorize major amendments to Phase II and Phase III of the PUD.

The latest rezoning in this area occurred on or about November 20, 2006, in Zoning Case No. 3606 (the case file of which may no longer be found in the records of the Zoning Division of the Department of Planning). The subject property of Zoning Case No. 3606 is the southwest corner of the intersection of Old Canton Road with County Line Road, just northwest of where the west end of Brae Burn Drive intersects Old Canton Road. In Zoning Case No. 3606, the Jackson City Council rezoned the land

in question from a classification of R-1A Single-Family Residential District to a classification of C-2 General Commercial District. A Dollar General store was then constructed on the subject property of Zoning Case No. 3606, just across Old Canton Road from beautiful homes on the west side of The Country Club of Jackson, Mississippi, subdivision.

Thus, there has been substantial change along both sides of the Old Canton Road corridor in this general area, both in the Northpointe area on the west side of Old Canton Road and in The Country Club of Jackson, Mississippi, subdivision on the east side of Old Canton Road. There is a trend away from traditional single-family residences and toward townhouses, zero lot line dwellings, and condominiums.

#### IV. Public Need

There is unquestionably a public need for the rezoning of land in the general area of the subject property to an R-4 classification for the development of luxury condominiums thereon. As previously mentioned, that need was expressed in the supporting documents filed with the Application for rezoning in Zoning Case No. 2285, in which the property diagonally across the Saint Andrews Drive cul-de-sac from the subject property was rezoned to a classification of R-4 Limited Multi-Family

Residential District for the construction of both Charleton Place and Saint Andrews Court. The public need is further evidenced by the previously recited rezonings of land on both sides of Old Canton Road in northeast Jackson away from single-family residential classifications to rezoning classifications that have allowed for the construction of townhouses, zero lot line dwellings, and condominium units.

The Applicant and the Owner think it of great importance that, although the Applicant has not begun marketing the proposed condominium development, more than two dozen individuals have expressed a strong interest in purchasing one of the residential condominium units.

There is also public need at The Country Club of Jackson for additional residential units to be made available for members, prospective members, and other prospective residents. Availability of condominium units at The Manor Condominium is practically nil, while prices there have increased some \$50 per square foot during the past three years. There is, indeed, a dire need for condominiums to service the membership at The Country Club of Jackson.

The proposed luxury condominium residences, which will represent an investment of more than Twenty Million Dollars

(\$20,000,000), and which will contain 30 luxury condominium units, will make a substantial addition to the tax base of the City of Jackson. Such will promote the public need.

V. Height Variance

Under Section 602.08.4.6 of the Zoning Ordinance of the City of Jackson, the maximum height of a structure in the R-4 Limited Multi-Family Residential District is ordinarily 45 feet. The primary roof edge of the proposed luxury condominium building will be slightly less than 95 feet above the level of the ground. The height of the parapet on the residential recreational area on the roof deck will be 115 feet above the ground level. It is for this reason that the Applicant and the Owner are seeking a height variance. The height variance will have no adverse effect on any of the neighboring residences. The luxury condominium building will not block the views of the golf course from neighboring homes. The need for a height variance is required in part by the current configuration of the land on which the luxury condominium building will be located and in part by the need for condominium residences to be able to view the golf course from their balconies. The requested variance will not be contrary to the public interest. As previously noted, a similar variance was

granted to the developer of The Barrington high-rise condominium in Zoning Case No. 2131. Disallowance of the variance would result in unnecessary, undue hardship and would defeat this needed development.

### Conclusion

For all of the foregoing reasons, Azalea Development, LLC, as Applicant, and The Country Club of Jackson, Mississippi, as Owner, respectfully request that the City Planning Board recommend, and that the Jackson City Council adopt, an Ordinance rezoning the subject property from its present classifications of Special Use District to a classification of R-4 Limited Multi-Family Residential District for the sole purpose of development of the proposed luxury condominium building thereon. In connection therewith, the Applicant and the Owner further request that the City Planning Board recommend, and that the Jackson City Council approve, a height variance so that the height of the building, including the parapet on the roof deck, can be constructed to a height not to exceed 115 feet above the ground.

THIS is the 4th day of October, 2019.

Respectfully submitted,

AZALEA DEVELOPMENT, LLC,  
APPLICANT

STENNETT, WILKINSON & PEDEN,  
ATTORNEYS FOR APPLICANT

BY: James A. Peden, Jr.  
JAMES A. PEDEN, JR.

BRUNINI, GRANTHAM, GROWER &  
HEWES, PLLC, ATTORNEYS FOR  
OWNER

BY: Ken Rogers  
KEN ROGERS

BY: Ken Harmon  
KEN HARMON

JAMES A. PEDEN, JR., MSB NO. 4086  
STENNETT, WILKINSON & PEDEN  
Post Office Box 13308  
Jackson, Mississippi 39236-3308  
Telephone No.: 601-206-1816  
Email: [jpeden@swplaw.net](mailto:jpeden@swplaw.net)

ATTORNEYS FOR APPLICANT

KEN ROGERS, MSB NO. 99230  
KEN HARMON, MSB. NO. 3091  
BRUNINI, GRANTHAM, GROWER & HEWES, PLLC  
Post Office Drawer 119  
Jackson, Mississippi 39205  
Telephone No.: 601-960-6876  
Email: [krogers@brunini.com](mailto:krogers@brunini.com)  
[kharm@brunini.com](mailto:kharm@brunini.com)

ATTORNEYS FOR OWNER



**CITY OF JACKSON, MS**  
**Application for Zoning Action**  
 Application Must Be Signed By Owner of Property

**FOR OFFICE USE ONLY**  
**RECEIVED**  
 OCT 04 2019  
 City of Jackson  
 City Planning Administration  
**CASE NO.:** 4076  
**Ward #:** 3

**I. Please choose one or more of the following Zoning Action Requests:**

Rezoning From C-2 To C-3 ||  Use Permit ||  Special Exception ||  Variance(s)

**II. Subject Property Address:** 4795 I-55 North Frontage Road, Jackson, MS 39206

*(Street number and name or description of location if property is a vacant lot)*

**Current Zoning for property:** The Property is currently zoned C-3 and C-2

**Tax Parcel Number:** 511 - 620 - \_\_\_\_\_

**III. Size of Property:**

533.5 feet (Chastain Drive)  
 Lot Frontage 115 feet (I-55 Frontage) feet  
 Lot Depth 533.5 (I-55); 304 (Chastain) feet  
 Square footage/Acres 2.649 acres  
 Improved or Unimproved? Improved  
 If improved, number of existing buildings? 1  
**Use of buildings:** Residential  Commercial  Industrial

**IV. Purpose for requested Zoning Action:** *(Brief Description)*

Proposed destruction of existing vacant and dilapidated building on the property and development of the property as a heating and cooled, indoor storage facility

**V. Are there any City Code Violations on this property?** Not to our knowledge

*If yes, please give details and dates of violations:*

**VI. Are there any Restrictive Covenants?** Not to our knowledge *If yes, please attach copies of Covenants.*

**VII. Has there been any Zoning Action filed on this property in the past?** Not to our knowledge  
*If yes, please attach copies of agency findings and decisions.*



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**DECLARATION:**

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The above information is true, and complete to the best of my knowledge.  
Frontage Road Development Company, LLC VOC, LLC

By: [Signature]

**Applicant's Signature**

By: \_\_\_\_\_

**Property Owner's Signature**

**WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at**

4795 I-55 North Frontage Road, Jackson, MS 39206 **Jackson, Mississippi**

On this the 3<sup>rd</sup> day of October, 2019.

**STATE OF MISSISSIPPI** Louisiana  
**COUNTY OF HINDS** Parish of Orleans

**Personally came and appeared before me, the within named:**

Gordon H. Kolb, Jr

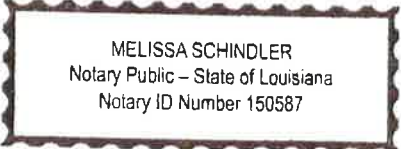
who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledged to me that they are the owner(s) of the subject property as described in this Zoning Action Application.

**GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE**, this the 3<sup>rd</sup> day of October, 2019.

**MY COMMISSION EXPIRES:**

Upon death

Melissa Schindler  
**NOTARY PUBLIC**



**APPLICATION MUST BE FILED ON OR BEFORE 12:00PM ON THE DEADLINE DATE** to be included on the next month's Planning Board Meeting Agenda. Planning Board Meetings are held on the fourth (4th) Wednesday of the month at 1:30pm in the Andrew Jackson Conference Room, Warren A. Hood Building located at 200 S. President Street. November and December Planning Board Meetings will be held the third (3<sup>rd</sup>) Wednesday due to the holidays. Please review the enclosed schedule to confirm exact dates before sending out notification letters.

**DECLARATION:**

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the Zoning Action Request, place signs on the subject property and verify authenticity of the applicant(s) and property owner(s). It is further understood that the Zoning Administrator and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the Planning Board and City Council.

The above information is true, and complete to the best of my knowledge.  
Frontage Road Development Company, LLC

VOC, LLC  
By: [Signature]  
Property Owner's Signature

By: \_\_\_\_\_  
Applicant's Signature

**WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at**

4796 I-55 North Frontage Road, Jackson, MS 39206 **Jackson, Mississippi**

On this the 4<sup>th</sup> day of October, 2019.

**STATE OF MISSISSIPPI  
COUNTY OF HINDS**

**Personally came and appeared before me, the within named:**

Bryan Burns

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledged to me that they are the owner(s) of the subject property as described in this Zoning Action Application.

**GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the** 4<sup>th</sup> **day of**  
October, 2019.



[Signature]  
NOTARY PUBLIC

## Statement of Intent

Re: Proposed Rezoning of Parcel No. 511-620

Frontage Road Development Company, LLC ("**FRDC**") has entered into a contract for the purchase and sale of property including Parcel No. 511-620, being a piece of property located at 4795 I-55 North Frontage Road, Jackson, MS 39206 (the "**Property**"). The current improvements on the Property consist of a dilapidated building that has been vacant for an extended period of time. The Property is the preferred location for a new indoor storage facility, which development would include the demolition of the vacant building currently situated on the Property. A portion of the Property is currently zoned General Commercial District (C-3), and a portion of the north half is zoned Limited Commercial District (C-2). In order to develop the Property as intended, the portion of the Property that is currently zoned Limited Commercial District (C-2) must be rezoned from Limited Commercial District (C-2) to General Commercial District (C-3).

In order to rezone property, FRDC must show (i) a change in the character of the property occurred that justifies rezoning and (ii) a public need exists for the rezoning. FRDC believes that these two requirements are satisfied under the present circumstances.

First, the character of the surrounding property warrants the requested rezoning. A larger portion of the Property is already zoned as General Commercial District (C-3), and all of the parcels along I-55 Frontage Road south of the Property to Northside Drive are zoned General Commercial District (C-3). In addition, there is currently a storage unit facility located at 5111 I-55 North Frontage Rd, Jackson, MS 39206, which is within a half mile of the Property. To the extent there is any concern with regard to residential areas near the Property, there are currently numerous parcels zoned as General Commercial District (C-3) in closer proximity to any of the nearby residential areas than the Property. Given the commercial nature of the area surrounding the Property and the current mixed zoning of the Property, it would be entirely consistent with the standard set forth above to approve the requested rezoning.

Second, a public need exists for the rezoning. The Property is located in an area with little to no recent development and multiple buildings with no current tenants or use, including the vacant building situated on the Property. The current split zoning of the Property between Limited Commercial District (C-2) and General Commercial District (C-3) does not permit development of the entire Property for any uses requiring General Commercial District (C-3) zoning. Rezoning the Property for use as a General Commercial District (C-3) would create the opportunity for the demolition of the existing dilapidated building on the Property, development by FRDC, and productive use of the Property with a new facility. As such, the proposed rezoning will be of great benefit to the public. Further, the research and expertise of the applicant (who has been developing commercial real estate since 1972) confirms that there is a strong need and demand for a storage facility on the Property.

Based upon the facts and controlling law set forth above, FRDC believes the requested rezoning is proper. As such, FRDC respectfully requests that its rezoning application be approved and that the portions of the Property that are zoned Limited Commercial District (C-2) be rezoned from Limited Commercial District (C-2) to General Commercial District (C-3).



**CITY OF JACKSON, MS**  
**Application for Zoning Action**  
 Application Must Be Signed By Owner of Property

**FOR OFFICE USE ONLY**  
**RECEIVED**  
 OCT 04 2019  
 City of Jackson  
 City Planning Administration  
**CASE NO.:** 4077  
**Ward #:** 4

**I. Please choose one or more of the following Zoning Action Requests:**

Rezoning From I-1 To NMU-1 ||  Use Permit ||  Special Exception ||  Variance(s)

**II. Subject Property Address:** 0 Boiling Street

*(Street number and name or description of location if property is a vacant lot)*

**Current Zoning for property:** I1

**Tax Parcel Number:** 732 - 7

**III. Size of Property:**

Lot Frontage 880 feet  
 Lot Depth 1,287 feet  
 Square footage/Acres 23.37 acres  
 Improved or Unimproved? Unimproved  
 If improved, number of existing buildings?       
**Use of buildings:** Residential Commercial Industrial

**IV. Purpose for requested Zoning Action:** *(Brief Description)*

I would like to eliminate the land uses associated with the I-1 zoning and create a development opportunity for the property.

**V. Are there any City Code Violations on this property?** No

*If yes, please give details and dates of violations:*

\_\_\_\_\_  
 \_\_\_\_\_

**VI. Are there any Restrictive Covenants?** No *If yes, please attach copies of Covenants.*

**VII. Has there been any Zoning Action filed on this property in the past?** No

*If yes, please attach copies of agency findings and decisions.*

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The above information is true, and complete to the best of my knowledge.

[Signature]

**Applicant's Signature**

[Signature]

**Property Owner's Signature**

**WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at**

0 Boling Street **Jackson, Mississippi**

On this the 4 day of October, 20 19.

**STATE OF MISSISSIPPI  
COUNTY OF HINDS**

**Personally came and appeared before me, the within named:**

\_\_\_\_\_

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledged to me that they are the owner(s) of the subject property as described in this Zoning Action Application.

**GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the** 4<sup>th</sup> **day of**

Oct., 20 19.

**MY COMMISSION EXPIRES**

[Signature]  
**NOTARY PUBLIC**



## **Statement of Intent**

To Whom It May Concern:

I am seeking rezoning for parcel 732-7 from I-1 to NMU-1. My future goal is to use 3-5 acres of the property to develop a senior independent living facility. I am still undergoing the research phase. However, I do plan on developing the land and will ensure that the development structure will accommodate the permitted uses for NMU-1.

Thanks in advance for your consideration to this rezoning request,

Fredrick Johnson  
Property Owner of Parcel 732-7