APPLICATION	FOR REZO	ONING			
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Name and Address of Minnie J. Bozeman Fam 184 Cornerstone Drive Madison, MS 39110		ership		3,100,100	
APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
December 31, 2022	SU-1	See (Exhibit A)	0821-30-003/03.00		See (Exhibit B)
Steven H. Smith, Attorn	Muutl ney for the Minn	ie J. Bozeman Family	Limited Partnership		
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Petition submitted t Commission on	o Madison C	ounty Planning an	d Development	S.	·
Recommendation of Commission on Pe					
Public Hearing date Supervisors					
Final disposition of	Petition				

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON STATE OF MISSISSIPPI

IN THE MATTER OF REZONING OF CERTAIN LANDS SITUATED IN SECTIONS 31 and 32, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI

PETITIONERS:

MINNIE J. BOZEMAN FAMILY LIMITED PARTNERSHIP AND RICHARD SKINNER, MANAGING GENERAL PARTNER

**PETITIONERS** 

### PETITION TO REZONE REAL PROPERTY

Comes now the Minnie J. Bozeman Family Limited Partnership, by and through its managing general partner, Richard Skinner, Petitioners, and file this their Petition to Rezone Real Property ("Petition") with the Board of Supervisors of Madison County, Mississippi to rezone 350 acres, more or less, of real property from its present SU-1 Special Use classification to a C-2 Commercial classification, located in Sections 31 and 32, Township 8 North, Range 2 East, Madison County, Mississippi.

I.

# Characteristics of the Subject Property

- 1. A copy of the legal description of the property requested to be rezoned/reclassified hereunder is attached hereto as **Exhibit "A"** and made a part hereof.
- 2. A demonstrative map showing the location of all of the property to be rezoned is attached hereto as **Exhibit "B"** and made a part hereof.
- All of the property requested to be rezoned is vacant land and is located between Interstate
   Highway 55 on the east and Bozeman Road on the west. The property is located just south

- of the newly incorporated City of Gluckstadt, MS and just north of the City of Madison, MS.
- 4. Within the last couple of years Madison County, Mississippi has acquired additional rights-of-way and relocated utilities along Bozeman Road from Highway 463 to Gluckstadt Road in anticipation of and in planning for commercial development along Bozeman Road and the Reunion Parkway Corridor.
- 5. As shown on Exhibit "B" all of the property necessary for the construction and extension of the Reunion Parkway has been dedicated to Madison County, Mississippi by the Petitioner which will include a new interchange at the intersection of Reunion Parkway and Interstate 55. The cost of construction for the extension of the Reunion Parkway through the Petitioner's property has been fully funded and actual construction is imminent.
- 6. The extension of Reunion Parkway to Interstate 55 is specifically identified in the Madison County Comprehensive Plan and Thoroughfares Plan (see page 44 Mad. Co. Comprehensive Plan ("MCCP"). This portion of the Reunion Parkway will consist of a new four (4) lane divided roadway capable of accommodating substantial traffic.
- 7. All of the property to be rezoned is currently designated under Madison County 2019 Land Use Plan as C-2 Commercial in conjunction with the extension and construction of the Reunion Parkway between Bozeman Road and Interstate 55. A copy of that portion of the 2019 Madison County Land Use Plan designating the property to be rezoned as C-2 Commercial is attached hereto as collective **Exhibit "C"** and made a part hereof. Rezoning all of the property here in question would be consistent with Madison County's 2019 Comprehensive Plan and all four (4) components thereof, (1) Long Range Goals and Objectives, (2) Land Use Plan (3) Transportation Plan and (4) Community Services Plan.

# Changes or Conditions that Support Rezoning

- 8. Section 806.03 MCZO provides that rezoning is appropriate if the rezoning meets one of two (2) criteria. The second of those criteria is "That the character of the neighborhood has changed to such an extent as to justify reclassification, and that there is a public need for the rezoning." Not only does the Petitioners "Rezoning Petition" squarely meet and exceed this criteria, but the County itself designated the Petitioners 350 acres as C-2 when its 2019 Comprehensive Plan and Land Use Plan were adopted.
- 9. Since January 2021 more than seventy million (\$70,000,000) in commercial construction permits have been issued in Madison County. The cities of Ridgeland, Madison, and Gluckstadt and Madison County continue to be a hot bed for economic activity and development. Over sixty (60) permits were issued in 2021 which included everything from commercial and industrial construction to business and church expansions along with signature retail developments. All of these new developments have also created thousands of new jobs in Madison County, Mississippi which will require additional residential development, this new residential development will in turn require additional real property for commercial development, i.e. residential development drives commercial development. A list of just a few of the more impactful and job creating developments created in Central and Southern Madison County are listed below:
  - (a) The largest permit issued was for the new Amazon conveyer distribution center in the amount of \$56,400,000 located off of Highway 22 in Canton, Mississippi. This 69.2acre development is expected to create over 1,000 new jobs.

- (b) In February of 2022 Nissan announced that its Canton location would be the new manufacturer of two (2) new all-electric vehicles in the State of Mississippi. This will require the upskilling of nearly 2,000 employees to ensure the current manufacturing and assembly jobs remain in Mississippi and that Nissan will continue employment of almost 5,000 people at its Canton, Mississippi Plant.
- (c) The Madison County Economic Development Authority ("MCEDA") has partnered with Agracel and Ergon to construct a 100,000 square foot speculative building on the Madison County Mega Site ("Mega Site"). The building is being constructed with the ability to expand up to 300,000 square feet which will produce hundreds of new jobs for years to come. Madison County currently controls approximately 900 acres of the Mega Site and is working with Entergy to construct a \$60,000,000 substation that would provide upwards of 80 megawatts to service to the entire Mega Site.
- (d) In March of 2022 the University of Mississippi Medical Center ("UMMC") purchased roughly 36 acres in Ridgeland, Mississippi at the intersection of Colony Park Boulevard and I-55 frontage road. UMMC intends to increase its teaching and academic facilities along with its healthcare and surgical capabilities, thereby creating thousands of new jobs.
- (e) In May of 2021 Southern Beverage Company announced its plan to build a new and modern 184,000 square foot distribution facility in Ridgeland, Mississippi which will create and bring an additional 200 jobs to South Madison County.
- (f) The Villages at Madison has been approved and is currently under construction. The Villages at Madison will ultimately consist of over 18,000 square feet of retail, commercial and office space in the City of Madison.

- (g) The building permit for Sullivan's Market Place grocery store in Gluckstadt totaled \$5,500,000. The building permits for Grace Crossing Baptist Church, Germantown Retail Center and Mannsdale Dental respectively totaled \$2,100,000, \$1,100,000 and \$975,000.
- (h) Based on MCEDA records, between October 2017 and February 2022, 18 new developments were announced/started<sup>1</sup>. Over 2,100 new jobs committed, in excess of \$1,225,010,000 investment committed, and all with a corresponding per capita income for Madison County of \$68,381.00.
- 10. The Petitioners further assert that rezoning the Petitioners' 350 acres would not only be consistent with the County's Land Use Plan and Thoroughfares Plan, but it would also be the highest and best use of the property and complement the development currently taking place in this area and in the Cities of Madison and Gluckstadt, Mississippi adjacent to this property.

WHEREFORE, PREMISES CONSIDERED, Petitioners, Minnie J. Bozeman Family Limited Partnership and Richard Skinner as managing general partner, respectfully request that their Petition to Rezone Real Property be received, and after due consideration, the Board of Supervisors of Madison County, Mississippi will enter an Order rezoning the Petitioners' 350 acres, more or less, which is currently SU-1 Special Use to C-2 Commercial, as it is designated on the Madison County 2019 Land Use Plan. The Petitioners further request that the Madison County Land Use Plan and Zoning Map be amended to reflect the rezoning requested hereinabove.

<sup>&</sup>lt;sup>1</sup> Musee; Fastenal; Malouf Construction; Topre; Southern Beverage; Vertex Aerospace; B&B Electric & Utility Contractors, Inc.; Logista; UPS; Amazon; Systems Electro Coasting; The Village at Madison; Agron (Agracel & Ergon); Entergy; Tony's Tamales; Department of Public Safety; Nissan North America; Southern Sky.

RESPECTFULLY SUBMITTED, this the \_\_\_\_\_ day of January, 2023.

Minnie J. Partnership

Bozeman Family

Limited

By:

Richard Skirmer, Managing General Partner

# REZONING DESCRIPTION – MINNIE J. BOZEMAN FAMILY LIMITED PARTNERSHIP PROPERTY

## TRACT 2 (Deed Book 349 Page 65)

All of that part of the Northwest Quarter of Section 32, Township 8 North, Range 2 East, which lies North and West of U. S. Highway No. 55, the West line of which highway is more fully established in that deed to the State Highway Commission now of record in the office of the Chancery Clerk of Madison County, Mississippi, in Deed Book 77 at Page 536 thereof.

### TRACT 3 (Deed Book 349 Page 65)

N ½ less 25 acres in the shape of parallelogram off the west side thereof, and 15 ½ acres in the SW ¼ described as: Beginning at the northeast corner of said SW ¼ thence South 10 chains and 15 links, thence West 15 chains and 16 links, thence North 11 chains and 10 links, thence East to the Point of beginning, all in Section 31, Township 8 North, Range 2 East.

All that part of the following described tract that lies North and West of U. S. Highway 55: Beginning at the northeast corner of the SE ¼ of Section 31, Township 8 North, Range 2 East, running thence South on Section line 460 yards; thence South 80 degrees 30 minutes West 175 yards, thence South 85 degrees West 425 yards, thence West 280 yards, thence North 525 yards to the center of Section line, thence East to point of beginning, all in Section 31, Township 8 North Range 2 East.

### ALSO;

Parcel "A" (6.31 Acres) and Parcel "C" (0.72 Acres) described in Deed Book 2794 at Page 8 of the Records of the Office of the Chancery Clerk of Madison County, at Canton, Mississippi.

### LESS & EXCEPT;

Parcel "B" (2.31 Acres) and Parcel "D" (4.72 Acres) described in Deed Book 2794 at Page 20 of the Records of the Office of the Chancery Clerk of Madison County, at Canton, Mississippi.

### LESS & EXCEPT;

That certain 6.656 acre tract of land described in Deed Book 3709 at Page 211 of the Records of the Chancery Clerk of Madison County, at Canton, Mississippi.

### LESS & EXCEPT;

That certain 0.8389 acre tract of land described in Deed Book 4037 at Page 947 of the Records of the Chancery Clerk of Madison County, at Canton, Mississippi.

### LESS & EXCEPT;

That certain 0.84 acre tract of land described in Deed Book 2691 at Page 494 of the Records of the



Chancery Clerk of Madison County, at Canton, Mississippi.

# LESS & EXCEPT;

That certain 5.00 acre tract of land described in Deed Book 2691 at Page 488 of the Records of the Chancery Clerk of Madison County, at Canton, Mississippi.



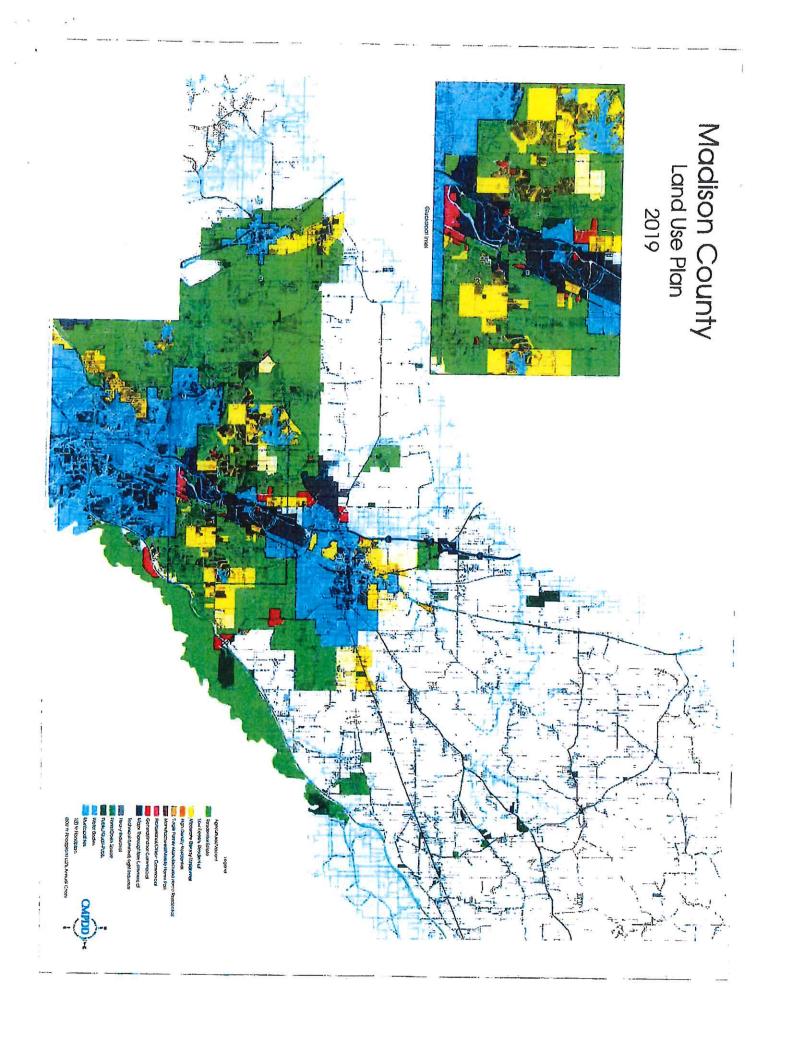


# Madison Count Lhoroughfares Plan Land Use &

Draft

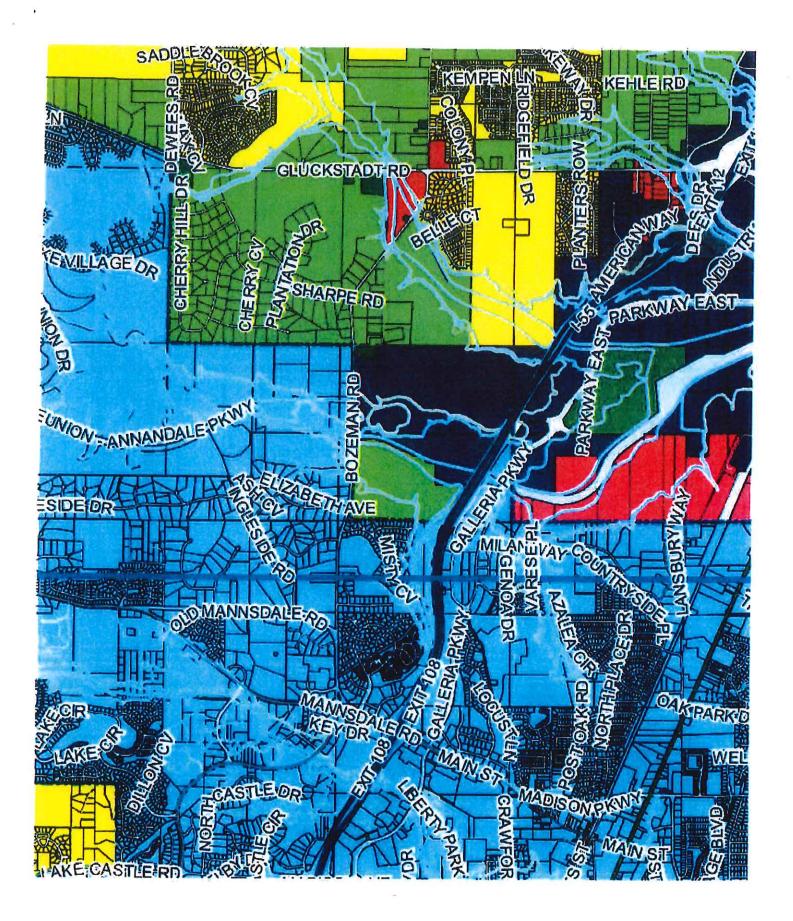
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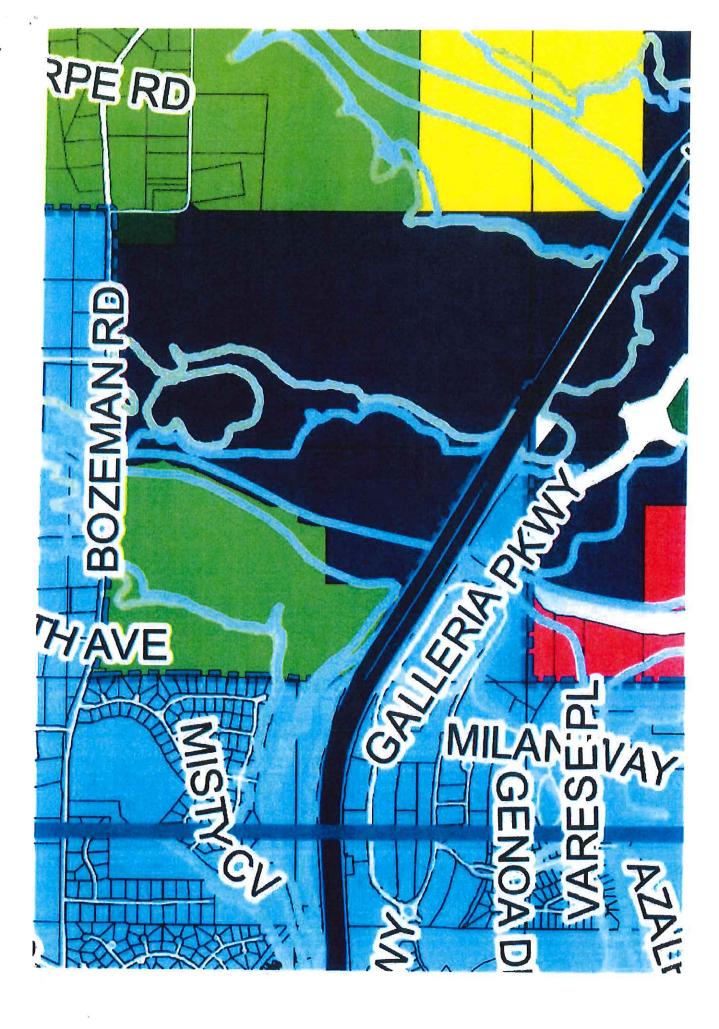




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# Steven H. Smith, PLLC ATTORNEY AT LAW

Steven H. Smith

Legal Assistant: Colleen Wheeler

February 14, 2023

Address: 4316 Old Canton Road Suite 200 Jackson, MS 39211

E-Mail:

ssmith@shsattorneys.com

colleen@shsattorneys.com

Telephone: (601) 987-4800 Facsimile: (601) 987-6600

> Scott Weeks Madison County Planning & Zoning Administrator Scott.weeks@madison-co-com

> > Re:

Minnie J. Bozeman Family Limited Partnership Rezoning Petition

Dear Scott:

Attached is a copy of the receipts that we have received regarding the mailing of our Notice of Hearing by certified mail, return receipt requested. By way of information we mailed a Notice of Hearing to a total of seventeen (17) property owners and received a return receipt on all but five (5) property owners.

Upon receipt and review of the green cards, if you have any questions or if you need anything further from me, please do not hesitate to contact me.

> Steven H. Smith, PLLC By: /s/ Steven H. Smith

Steven H. Smith

Receipts not returned as of February 14, 2023

Minnie Bozeman Family LP

Parkway Pentecostal Church

Catherine Snider

Magnolia Speech School

Holy Trinity Anglican Church

SENDER: COMPLETE THIS SECTION  Complete Items 1, 2, and 3.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.  Article Addressed to:  Barnett Place Properties, LLC P.O. 130x. 270  Flora, MS 39071	A. Signature  X. Mac Complete THIS SECTION ON DELIVERY  A. Signature  X. Mac Complete This Section on Delivery  Addressee  B. Received by (Printed Name)  C. Date of Delivery  M. C. Bozeman  D. Is delivery address different from Item 1?  Yes  If YES, enter delivery address below:  No
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