BEFORE THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI

PETITION AND APPLICATION FOR CONDITIONAL USE PERMIT

(Official Form February 2014)

C	OMES NOW, _	James R. Bagwe	ll . (the	"Petitioner") and
re M Ri Pe	spectfully petitic ississippi, to gra dgeland Zoning	[Name of ons the Mayor and I ont a conditional use Ordinance of Febro cal property describe	Fetitioner(s)] Board of Aldermen of the City of permit as set forth in Section 60 wary, 2014, as more specifically and in support	f Ridgeland, 00.09 of the City of
1.	The name of the (hereinafter ref	ne Petitioner is	ames R. Bagwell ner").	
2.	The Petitioner'	s mailing address is	15340 Hwy 82 Carrollton, Ma	s 38917
	representative's	s mailing address is	and the Petition John Droz @ Cyntergy - 810 2nd Floor, Tulsa, OK 74119	-
3.	The Petitioner's	s phone number is _	(662) 299-0511	_ and the Petitioner's
	representative'	s phone number is	(if applicable)918-877-6000	*
4.	and a copy of the Additionally, di	ne property deed wi igital text version of	erty isWall Enterprises, LLC th legal description is attached he feed the legal description shall be presented the public hearing.	ereto as Exhibit "A". ovided to the Zoning



5.	5. If the Petitioner is not the owner of the property, the owner's address and phone numl	
	is903 Pass Road, Suite D, Bilox	xi, MS 39531
	Contact - Arlene Wall 228-80	6-0022
6.	A copy of the written authority of the Owner is attached hereto as Exhibit	e owner's representative to act on behalf of the "B", if applicable.
7.	The street address of the property is:	
		Ridgeland, Mississippi 39157
	(and/or) Tax Parcel ID Number(s):	072H-33B-141/04.00
		072H-33B-141/05.00
8.	A copy of a plat or map of the proper as Exhibit "C".	ty certified by a licensed land surveyor is attached
9.	in all directions is attached to this Pet	rea of at least 300' surrounding the subject property tition as Exhibit "D". The vicinity map includes the ids within 160' of the subject property.
10.	The property is presently zoned Ger according to the official zoning map of	neral Commercial District C-2A of Ridgeland, Mississippi.
11.	Petitioner requests that it be granted a	a conditional use permit as authorized by
	Section 420.03 Subsection A Ridgeland, Mississippi, dated Februar specified conditional use).	of the Zoning Ordinance of the City of ry. 2014. (Section of ordinance authorizing the



	etitioner intends to use the subject property for the following purpose(s) in accord with
re	quested classification: Fast Casual Restaurant with a drivethru
3. A Oı	site plan for development of the property as required by Section 600.09 of the Zoning rdinance is attached as Exhibit "E".
thi Se be	etitioner acknowledges that in order to assure consideration of the request contained in its Petition, Petitioner must present proof as to all matters required to be proved by action 600.09 of the Zoning Ordinance. Petitioner must answer the following questions fore filing this petition. The petition will not be accepted unless petitioner responds to ach of the following questions:
a.	Why does the Petitioner claim that the requested land use fits the site and is compatible with adjacent properties?
	Restaurant with drive thru are in the area. These include Wendy's, Arby's & Ton
	Tamales. The proposed use fits contextually with all surrounding properties.
b.	How will the proposed use impact traffic on adjacent streets and highways? Driveways will be designed to minimize impact. Drive throats are long enough
	to cue cars into the site without causing any conflicts in the highway.



. . .

C.	Will the requested land use cause an adverse effect (noise, glare, odor, traffic, use, encroachment, etc.) on abutting property or the permitted use thereof? Please explain.		
	No adverse effects will be felt by adjacent property owners. All screening and		
	site elements will be designed in accordance with city requirements.		
d.	What provision(s) have been made for ingress and egress to the subject property and structures located thereon with particular reference to automobile and pedestrian safety, traffic flow, and fire protection?		
	Ingress and Egress have been designed to allow for traffic, both pedestrian and		
	vehicle traffic to move safely in and out of the property. Fire access has been		
	provided in accordance with all local, state and federal requirements.		
e.	What provision(s) have been made to provide adequate off-street parking and loading areas in conformance with Section 37.02 Off-Street Parking of this Ordinance?		
	Off-street parking has been designed to meet the city ordinance. All ADA		
	parking will comply with state and local requirements.		



f.	What provision(s) have been made for refuse storage areas and service areas to be screened from adjoining properties, and are the proposed improvements in conformance with Section 36.07 and Appendix 'D'?
	Refuse storage area shall have 6' high masonry screening. Any storage areas
	will be completely enclosed and and screened from the all adjoining properties.
g.	What provision(s) have been made for controlling drainage and erosion on/from the proposed site?
	Drainage and Erosion control will be designed in accordance with all local, state
	and federal requirements.
h.	What provision(s) have been made for the availability and connection of utilities?
	All utilities are available on site and all connections will be made in accordance
	with city criteria and policies.
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i.	What provisions(s) have been made for signage and lighting at the proposed site?
	Site lighting and signage will be in accordance with city requirements.
•	Does the proposed land use comply with required yards, Landscape Ordinance, and Tree Ordinance? If not, please explain.
	All landscaping, tree and yard ordinances will be in compliance with city
	requirements.
	What provision(s) have been made with respect to hours of operation so as not to cause an adverse effect on neighboring properties?
	Hours of operation will be in line with all city ordinances.



1.	What provision(s) have been made to adequately address any concern for safety?
	Proposed site will not increase any safety concerns.
m	. What provision(s) have been made to address any negative impact on the capacity of public facilities?
	Proposed site will have no negative impact on public facilities
n.	What provision(s) have been made to minimize negative environmental and economic impacts?
	Proposed site will be developed per all local, state and federal environmental
	policies and will cause no negative environmental or economic impacts.



0.	Does the proposed land use encroach upon flood hazard zones or airport approach zones?		
	Proposed site does not encroach into any flood hazard or airport approach zones.		
	And the man and the state of th		
p.	Are there any additional issues that should be addressed in this application? No additional issues to be addressed.		
hele the	itioner acknowledges that prior to approving any petition, a public hearing must be d in accordance with Section 600.15 of the Zoning Ordinance. At the public hearing petitioner will be required to provide proof in the form of testimony and documents o each of the matters listed in paragraph 14 of this petition.		
16. Pet	itioner believes that the reasons set forth in this petition justify the granting of the ditional use permit.		
peri peri	itioner would show that the planned use of the property and the conditional use mit would be in harmony with the general purpose and intent of the land uses mitted in the use district where the property is located, and would not be injurious to neighborhood or detrimental to the public welfare.		
18. The	required \$150.00 filing fee has been paid with the filing of this Petition.		
Respect	tfully submitted,		
λ.	() ₁ ,		
	5-5-2017		
PETATI	ONER DATE		



Alan Hart Director of Community Development City of Ridgeland

Dear Mr. Hart:

This letter will serve as permission for Sonic Aviation, LLC. to file for a conditional use permit on the remaining +/- 1.719 acres located on Lake Harbour Drive in Ridgeland, MS.

A current survey with parcel information is attached.

Please feel free to contact me with any questions or if you need any additional information.

Sincerely,

Arlene H. Wall

Partner

Wall Enterprises, LLC.

228-806-0022

book 1834 pg. 464

452994

DOCUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:
FARISH, SCHWARTZ, & ORGLER, PLLC
2355 B PASS ROAD
BILOXI, MS 39531
(228) 388-7441

STATE OF MISSISSIPPI

GRANTOR: PAUL T. WALL

ARLENE H. WALL 1903 Pass Road Biloxi, MS 39531 (228) 388-6600

COUNTY OF HARRISON

GRANTEE:

WALL ENTERPRISES, LLC

1903 Pass Road Biloxi, MS 39531 (228) 388-6600

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, WE, PAUL T. WALL AND ARLENE H. WALL, do hereby sell, convey and warrant specially unto WALL ENTERPRISES, LLC, a Mississippi Limited Liability Company, the following described property, together with the improvements situated thereon, located and situated in the State of Mississippi, to-wit:

See attached Exhibit "A"

THIS CONVEYANCE is made subject to any and all recorded restrictive covenants,

Deeds of Trust, rights-of-way, easements and prior reservations of oil, gas and mineral rights.

IT IS AGREED and acknowledged that the ad valorem taxes for the current year are assumed by the Grantee herein.

WITNESS OUR SIGNATURES this the 13th day of July, 2004.

PAULT. WALL

ARLENE H. WALL

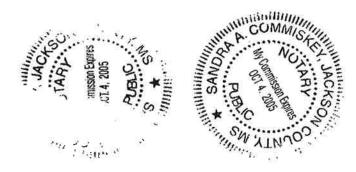
STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the aforesaid County and State, on July 13, 2004, within my jurisdiction, the within named PAUL T. WALL AND ARLENE H. WALL, who acknowledged that they signed, executed and delivered the foregoing Special Warranty Deed on the day and year therein mentioned.

NOTARY PUBLIC

My Commission Expires:



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A certain parcel of land being situated in the Northwest ¼ of the Northwest ¼ of Section 33, T7N-R2E, City of Ridgeland, Madison County, Mississippi, and being more particularly described as follows:

Commence at the Northwest corner of said Section 33, T7N-R2E and run thence South 00 degrees 06 minutes 00 seconds East for a distance of 312.44 feet to a point; run thence North 89 degrees 54 minutes 00 seconds East for a distance of 60.00 feet to a point on the easterly right-of-way line of Old Canton Road (as now laid out and improved); run thence North 89 degrees 54 minutes 00 seconds East for a distance of 310.40 feet to the Southwest corner of the McB's Inc. property as described in deed recorded in Deed Book 247 at Page 414, on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi; said point being the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, run thence North 89 degrees 54 minutes 00 seconds East along the South line of said McB's, Inc. property and along the South line of the Arlene Wall property for a distance of 186.54 feet to the Southwest corner of said Wall property; run thence North 06 degrees 27 minutes 12 seconds East along the East line of said Wall property for a distance of 167.01 feet to a point on the South right-of-way line of Lake Harbor Drive (also known as Charity Church Road and Spillway Road); run thence South 76 degrees 41 minutes 56 seconds East along said South right-of-way line of Lake Harbor Drive for a distance of 100.00 feet to a set ½" iron pin; leaving said South right-of-way line of Lake Harbor Drive, run thence South 06 degrees 27 minutes 12 seconds West for a distance of 355.06 feet to a set 1/2" iron pin; run thence South 89 degrees 54 minutes 00 seconds West for a distance of 262.35 of feet to an existing iron pin marking the Southeast corner of the John David Hall property as described in deed recorded in Deed Book 329 at Page 613, on file and of record in the aforesaid Chancery Clerk's office; run thence north 00 degrees 06 minutes 00 seconds East along the East line of said Hall property for a distance of 210.00 feet to the POINT OF BEGINNING, containing 1.677 acres, more or less.

Index: NW 1/4 of NW 1/4; Section 33; T7N-R2E;
Madison County, MS



Together with a perpetual easement for ingress and egress located along the west side of the following described property:

A parcel of land lying and being situated in the NW1/4 of Section 33, Township 7 North, Range 2 East, Madison County, Mississippi, and being more particularly described as follows, to-wit:

Commencing at the NW corner of Section 33, Township 7 North, Range 2 East, Madison County, Mississippi; thence run South 38 degrees 28 minutes East for a distance of 130.42 feet to the intersection of the South line of Charity Church Road and the East line of Old Canton Road; thence run North S9 degrees 53 minutes East along the South line of Charity Church Road for a distance of 117.96 feet to the point of curvature of a 3 degree 09 minute 57 second curve to the right and the South line of Charity Church Road a chord that bears South 88 degrees 40 minutes East and a chord distance of 92.05 feet; thence continue along said curve to the right and the South line of Charity Church Road a chord that bears South 87 degrees 27 minutes 13 seconds East and a chord a distance of 100.00 feet to the Point of Beginning. From said Point of Beginning run along said curve to the right and the South line of Charity Church Road a chord that bears South 80 degrees 33 minutes 27 seconds East and a chord distance of 86.09 feet; thence run South 06 degrees 27 minutes West for a distance of 190.36 feet; thence run South 89 degrees 54 minutes West for a distance of 86.54 feet; thence run North 06 degrees 27 minutes East for a distance of 190.36 feet; thence run South 89 degrees 54 minutes West for a distance of 86.54 feet; thence run North 06 degrees 27 minutes East for a distance of 204.72 feet to the Point of Beginning, containing 0.39 acres, more or less.

The location of the roadway is reflected on the plat recorded in Deed Book 186 at Page 65 of the records of the Chancery Clerk of Madison County, Mississippi, and which plat is attached to a deed recorded in Book 186 at Page 63 of said records being a deed from the Rotweins to Matt Barnes.

Being the same easement recognized and established in Chancery Court Cause Number 31-024. Said case being styled: Abe A. Rotwein, et al v. McB's Inc., et al.

Index in: NW1/4 of Section 33, Township 7 North, Range 2 East, Madison County, Mississippi

the Northwest ¼ of Section 33, T7N-R2E, City of Ridgeland, Madison County, Mississippi, and being more particularly described as follows:

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BOOK 1834 PAGE 468

Commence at the Northwest corner of said Section 33, T7N-R2E and run thence South 00 degrees 06 minutes 00 seconds East for a distance of 312.44 feet to a point; run thence North 89 degrees 54 minutes 00 seconds East for a distance of 60.00 feet to a point on the easterly right-of-way line of Old Canton Road (as now laid out and improved); run thence North 89 degrees 54 minutes 00 seconds East for a distance of 310.40 feet to the Southwest corner of the McB's, Inc. property as described in deed recorded in Deed Book 247 at Page 414, on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi; run thence North 89 degrees 54 minutes 00 seconds East along the South line of said McB's, Inc. property for a distance of 86.54 feet to an existing iron pin being the Southeast corner thereof; said point being the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, run thence North 06 degrees 27 minutes 00 seconds East along the East line of said McB's, Inc. property for a distance of 190.36 feet to an existing iron pin on the South right-of-way line of Lake Harbor Drive (also known as Charity Church Road or Spillway Road); run thence South 76 degrees 41 minutes 56 seconds East along said South right-of-way line of Lake Harbor Drive for a distance of 100.06 feet to an existing iron

pin; leaving said South right-of-way line of Lake Harbor Drive, run thence South 06 degrees 27 minutes 12 seconds West for a distance of 167.01 feet to an existing iron pin; run thence South 89 degrees 54 minutes 00 seconds West for a distance of 100.00 feet to the POINT OF BEGINNING, containing 17,752.052 square feet or 0.408 acres, more or less.

Index: NW 1/4 of NW 1/4; Section 33; T7N;R2E

MADISON COUNTY MS This instrument was filed for record 2004, Sept 34, at 3.30 p.m.

Book 1834 Page 464

ARTHUR JOHNSTON, C. C.

QUITCLAIM PARCEL DESCRIPTION
0.007 ACRES (300 SQUARE FEET), MORE OR LESS

A parcel of land being situated in the Northwest 1/4 of the Northwest 1/4 of Section 33, T7N-R2E, City of Ridgeland, Madison County, Mississippi, and being more particularly described as follows:

Commence at the Northwest corner of said Section 33, T7N-R2E and run thence South 00 degrees 06 minutes 00 seconds East for a distance of 312.44 feet to a point; run thence North 89 degrees 54 minutes 00 seconds East for a distance of 60.00 feet to a point on the easterly right-of-way line of Old Canton Road (as now laid out and improved); run thence North 89 degrees 54 minutes 00 seconds East for a distance of 310.40 feet to the Southwest corner of the McB's Inc. property as described in deed recorded in Deed Book 247 at Page 414, on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi; said point being a found 1/2" rebar; run thence North 89 degrees 54 minutes 00 seconds East along the South line of said McB's, Inc. property for a distance of 86.54 feet to the Southeast corner of said McB's, Inc. property; run thence North 06 degrees 27 minutes 00 seconds East along the East line of said McB's, Inc. property for a distance of 130.36 feet to a set 1/2" rebar w/cap (02648) and the POINT OF BEGINNING for the herein described parcel of land; from said POINT OF BEGINNING, continue to run North 06 degrees 27 minutes 00 seconds East along said East line of McB's, Inc. property for a distance of 60.00 feet to a found 5/8" iron rod on the South right-of-way line of Lake Harbour Drive (also known as Charity Church Road and Spillway Road) as now laid out and improved; run thence South 76 degrees 41 minutes 56 seconds East along said South right of way line for a distance of 5.00 feet to a set mag nail; thence leaving said South right-of-way line of Lake Harbour Drive, run thence South 06 degrees 27 minutes 02 seconds West for a distance of 60.00 feet to a set 1/2" rebar w/cap; run thence North 76 degrees 38 minutes 58 seconds West for a distance of 5.00 feet back to the POINT OF BEGINNIING, containing 0.007 acres (300 square feet) more or less.

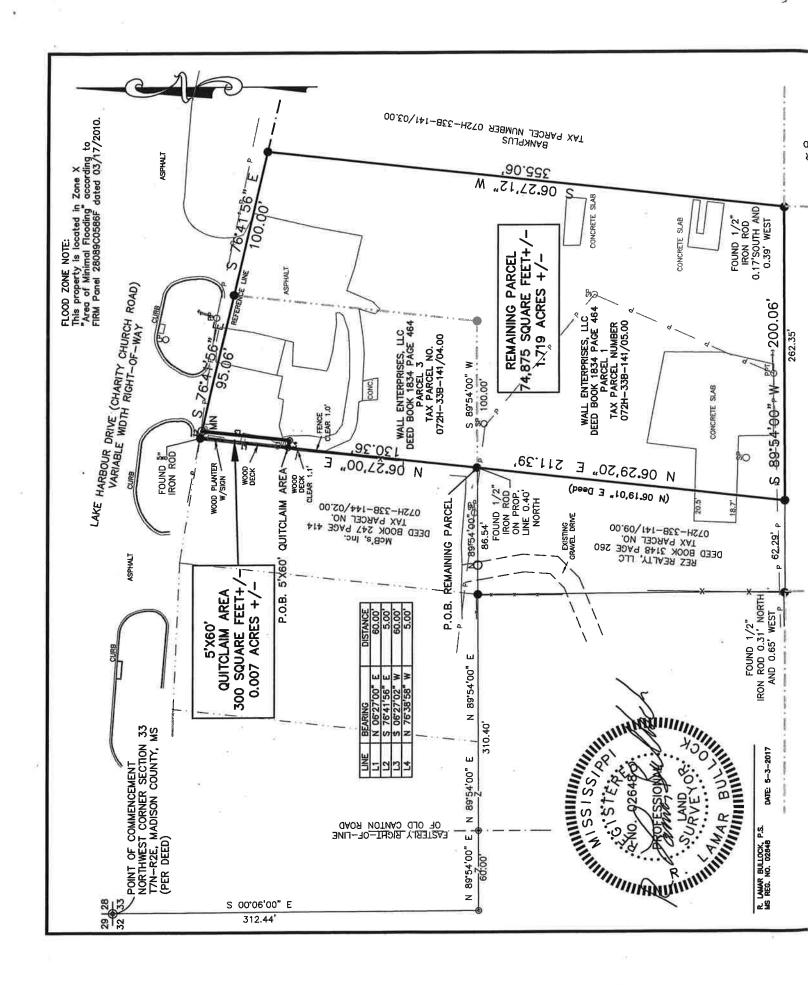
A survey prepared by Bullock Surveying & Mapping, LLC for Project No. BSM 17-036 dated May 3, 2017 is made as an aid and a part of this description. The bearings in the above description are based on deed reference.

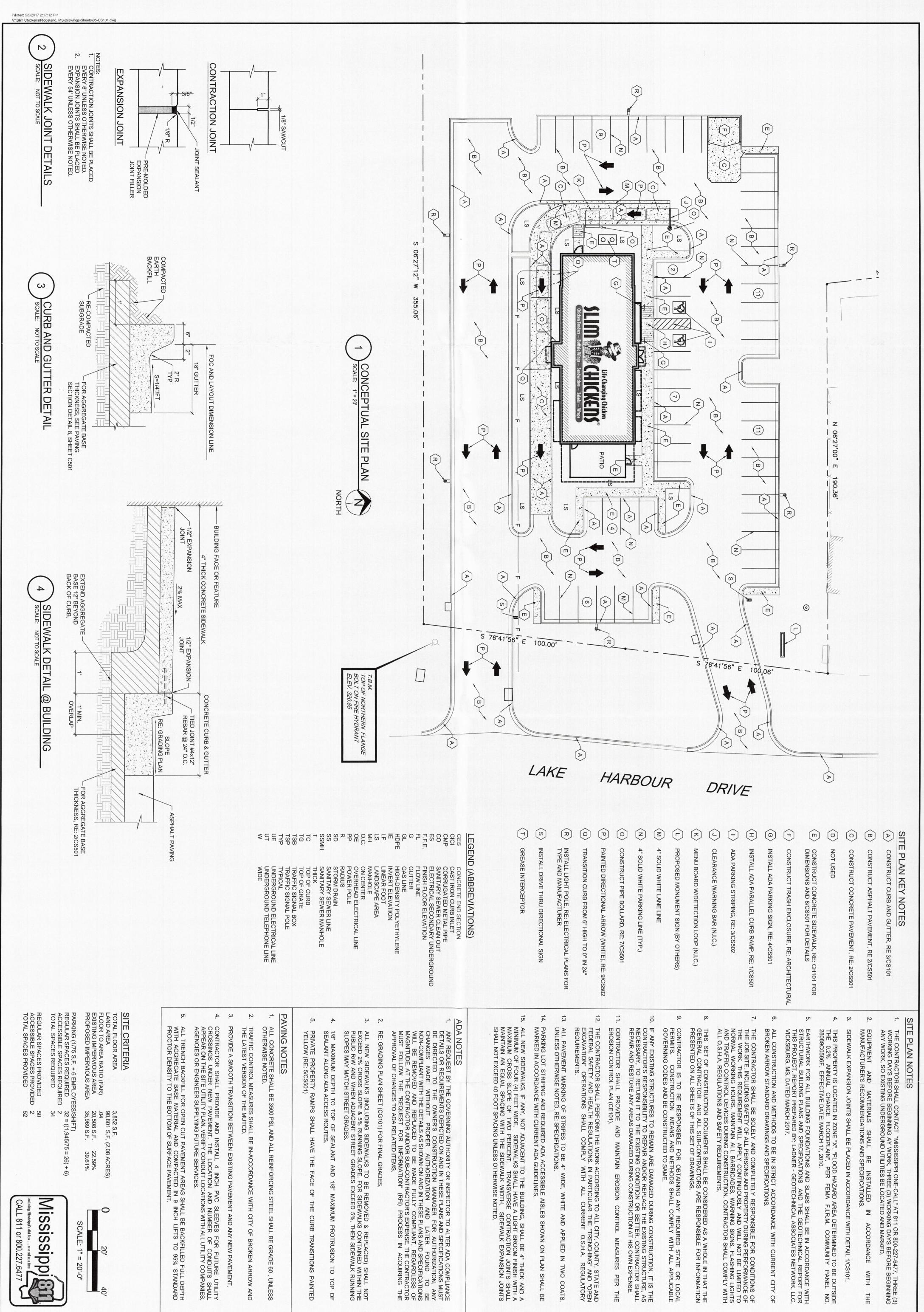
REMAINING PARCEL DESCRIPTION
1.719 ACRES (74,875 SQUARE FEET), MORE OR LESS

A parcel of land being situated in the Northwest 1/4 of the Northwest 1/4 of Section 33, T7N-R2E, City of Ridgeland, Madison County, Mississippi, and being more particularly described as follows:

Commence at the Northwest corner of said Section 33, T7N-R2E and run thence South 00 degrees 06 minutes 00 seconds East for a distance of 312.44 feet to a point; run thence North 89 degrees 54 minutes 00 seconds East for a distance of 60.00 feet to a point on the easterly right-of-way line of Old Canton Road (as now laid out and improved); run thence North 89 degrees 54 minutes 00 seconds East for a distance of 310.40 feet to a found 1/2" iron rod at the Southwest corner of the McB's Inc. property as described in deed recorded in Deed Book 247 at Page 414 and the Northwest corner of the Rez Realty, LLC property as described in deed recorded in Deed Book 3148 at Page 260, on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi; run thence North 89 degrees 54 minutes 00 seconds East along the South line of said McB's, Inc. property and the North line of said Rez Realty, LLC property for a distance of 86.54 feet to the Southeast corner of said McB's, Inc. property and the Northeast corner of said Rez Realty, LLC property; said point being the POINT OF BEGINNING of the parcel herein described; from said POINT OF BEGINNING, run thence North 06 degrees 27 minutes 00 seconds East along the East line of said McB's, Inc. property for a distance of 130.36 feet to a set 1/2" rebar w/cap (02648); thence leaving said East line of McB's property, run South 76 degrees 38 minutes 58 seconds East for a distance of 5.00 feet to a set 1/2" rebar w/cap (02648); thence run North 06 degrees 27 minutes 02 seconds East for a distance of 60.00 feet to a set mag nail on the South right-of-way line of Lake Harbour Drive (also known as Charity Church Road and Spillway Road) as now laid out and improved; run thence South 76 degrees 41 minutes 56 seconds East along the said South right of way line for a distance of 195.06 feet to a found 1/2" iron rod; leaving said South right-of-way line of Lake Harbour Drive, run thence South 06 degrees 27 minutes 12 seconds West for a distance of 355.06 feet to a point; run thence South 89 degrees 54 minutes 00 seconds West for a distance of 200.06 feet to a found 1/2" rebar at the Southeast corner of said Rez Realty, LLC property; run thence North 06 degrees 29 minutes 20 seconds East along the East line of said Rez Realty, LLC property for a distance of 211.39 feet to the POINT OF BEGINNING, containing 1.719 acres (74,875 square feet), more or less.

A survey prepared by Bullock Surveying & Mapping, LLC for Project No. BSM 17-036 dated May 3, 2017 is made as an aid and a part of this description. The bearing in the above description are based on deed reference.





CS101

ISSUE DATE: PROTO DATE:

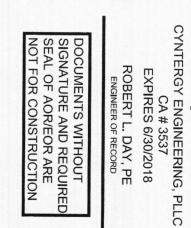
05/01/2017 10/26/16

CHECKED BY: DRAWN BY:

SITE PLAN

RIDGELAND MISSISSIPPI









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