

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

IN THE MATTER OF THE APPLICATION
OF RENAISSANCE AT COLONY PARK, LLC,
TO ESTABLISH A RENAISSANCE AT
COLONY PARK OVERLAY DISTRICT

PETITION TO AMEND ZONING ORDINANCE OF
CITY OF RIDGELAND, MISSISSIPPI, TO ESTABLISH
RENAISSANCE AT COLONY PARK OVERLAY DISTRICT

COMES NOW Renaissance at Colony Park, LLC, a
Mississippi limited liability company, acting by and through its
undersigned attorneys, and hereby petitions the Mayor and Board
of Aldermen of the City of Ridgeland, Mississippi, to amend the
Zoning Ordinance of the City of Ridgeland, Mississippi, so as to
establish a Renaissance at Colony Park Overlay District
permitting certain uses not presently authorized in the
Renaissance at Colony Park area. In support whereof, the
Petitioner would show unto the Mayor and Board of Aldermen the
following:

1. The Petitioner is the owner of the subject
property of this Petition, being a tract of land located
generally north of Old Agency Road, east of Highland Colony
Parkway, west of Interstate Highway 55, and south of the boundary
line created by the south line of the parcels currently owned by
300 Renaissance, LLC (generally known as the C-Spire Building),

and by Madison Lodging, LLC (generally known as the Hyatt Place Hotel), in the City of Ridgeland, Madison County, Mississippi. The subject property consists of 55.0492 acres, more or less. A complete legal description of the subject property is attached hereto as Exhibit "A" and made a part hereof.

2. A map or plat of the subject property is attached hereto as Exhibit "B" and made a part hereof.

3. The subject property is currently zoned Mixed Use District (MU-1) under the Zoning Ordinance of the City of Ridgeland adopted in February 2014. The Mixed Use District (MU-1) permits a number of commercial uses.

4. Located on the southern portion of the subject property is a lifestyle center known as Renaissance at Colony Park. The northern portion of the subject property contains undeveloped areas. Other undeveloped areas surround the lifestyle center. Renaissance at Colony Park contains numerous high-quality stores, restaurants and cafes, a town center square, a clock tower, and water features. Renaissance at Colony Park features beautiful Mediterranean-style architecture. Renaissance at Colony Park draws customers not only from Madison County and the Jackson Metropolitan Area, but indeed from areas throughout Mississippi and from other states. The number of visitors is approximately 2,800,000 per year. Renaissance at Colony Park is

perhaps the premier shopping area in the Deep South. The ad valorem and sales taxes generated by Renaissance at Colony Park are major contributors to the economy of the City of Ridgeland.

5. The Petitioner anticipates developing the undeveloped areas of the subject property in a manner consistent with the existing lifestyle center on the subject property.

6. Certain desirable commercial tenants wish to locate in Renaissance at Colony Park or on the undeveloped areas of the subject property, but are not permitted to do so under the current Mixed Use District (MU-1) zoning classification. The Petitioner has determined that it would benefit the subject property for certain other uses, not presently allowed in the Mixed Use District (MU-1), to be permitted on the subject property. Therefore, the Petitioner requests the Mayor and Board of Aldermen of the City to amend the Zoning Ordinance of the City of Ridgeland by establishing an Overlay District, to be known as the Renaissance at Colony Park Overlay District, allowing on the subject property certain additional uses not currently permitted.

7. The list of requested additional uses that would be allowed in the Renaissance at Colony Park Overlay District are set forth below:

- a. One (1) nail salon (not exceeding 4,000 square feet of premises area) as a "primary business" as a Permitted Use without the need for any granting of a Special Exception or Conditional Use by the City.

- b. Off premises consumption only Craft Beer Establishments (not exceeding 2,500 square feet of premises area) as a "primary business" as a Permitted Use without the need for any granting of a Special Exception or Conditional Use by the City. For the purposes hereof, an "off premises only consumption Craft Beer Establishment as a primary business" is an establishment whose primary business is the sale (for off premises consumption only) of beer made in a traditional and/or non-mechanized way by a small brewery. The allowance herein of off premises consumption only Craft Beer Establishments as a primary business is not intended to limit beer sales (Craft or otherwise) in businesses whose "primary business" is not an off premises consumption only Craft Beer Establishment, but are merely businesses that offer beer (Craft or otherwise) but not as their "primary business" (i.e., a retail store or other appropriate and allowable Land Uses permitted in the Renaissance at Colony Park Overlay District). The term "beer" shall have the definition set forth in Section 67-3-5 of the Mississippi Code of 1972, as amended.

- c. Brewpubs, being restaurants preparing and serving meals and selling beverages in which light wine or beer is manufactured or brewed, subject to the following restrictions: (1) the value of the food given to and consumed by customers is equal to or greater than twenty-five percent (25%) or more of total revenue; (2) the light wine or beer manufactured or brewed by the brewpub and sold on the premises of such brewpub is for consumption exclusively on the premises; and (3) the manufacturing or brewing of light wine or beer is subject to the production limitations imposed in Section 67-3-22 of the Mississippi Code of 1972, as amended, and is subject to any other applicable

provisions of Mississippi law. The terms "light wine" and "beer" shall have the definitions set forth in Section 67-3-5 of the Mississippi Code of 1972, as amended.

Because Renaissance at Colony Park is located within a Qualified Resort Area, brewpubs may remain open for business until 2:00 a.m.

- d. Banks, branch banks, drive-through ATM's, and other banking facilities.
 - e. One (1) laundry and dry cleaning pickup station, with no dry cleaning plant being allowed.
 - f. Food product carry-out and delivery stores.
 - g. Fast food restaurants with a drive-through and fast casual restaurants with a drive-through, so long as
 - (i) No more than a total of three (3) such restaurants with a drive-through are included in the District;
 - (ii) One (1) of such restaurants with a drive-through specializes in the sale of coffee and related goods and services; and
 - (iii) No more than one (1) of such restaurants with a drive-through may be a fast food restaurant, and any such fast food restaurant must have frontage on the I-55 Frontage Road.
- Provided, however, the limitations of subparagraphs (i), (ii), and (iii) of this paragraph shall not limit the operation within the District of fast food or fast casual restaurants without a drive-through.
- h. One (1) pharmacy with a drive-through.

- i. Outside activities that are common to regional malls, including, but not limited to, marathons, fun runs, bicycle races, festivals, art shows, holiday themed events, etc..
- j. Fully enclosed sports and recreational facilities, including exercise and work out facilities and similar uses.
- k. One (1) fully-enclosed entertainment facility such as a motion picture theatre, so long as any motion picture theatre
 - (i) is limited to a boutique or luxury movie theatre;
 - (ii) serves food and beverages with a menu that includes some or all of the following:
hors d'oeuvres, appetizers,
sandwiches, and/or burgers;
and
 - (iii) does not exceed six (6) screens.

8. On June 9, 2014, the Mississippi Department of Revenue, acting upon the request of the City of Ridgeland, which request was supported by the Ridgeland Tourism Commission, the Madison County Business League, the Madison County Economic Development Authority, and the Chief of Police of the City of Ridgeland, designated the subject property as a Qualified Resort Area. That designation is evidenced by a letter of confirmation dated January 26, 2017, from Russell Hanna, Chief of Enforcement for the Alcoholic Beverage Control Division of the Mississippi

Department of Revenue, a copy of which letter is attached hereto as Exhibit "C" and made a part hereof. By a formal Order also dated June 9, 2014, the Mississippi Department of Revenue determined that alcoholic beverages may be served there from 7:00 a.m. in the morning until 12:00 a.m. (midnight) the following morning, seven days a week. A copy of that Order is attached hereto as Exhibit "D" and made a part hereof.

9. There is well-established precedent for creating an Overlay District along Highland Colony Parkway. On or about August 7, 2001, the Mayor and Board of Aldermen created a Traditional Neighborhood Development Overlay District for the area known as The Township at Colony Park, a major commercial and residential development located on the west side of Highland Colony Parkway a short distance to the northwest of the subject property. The Mayor and Board of Aldermen subsequently revised the provisions of the said Overlay District on June 11, 2003; December 20, 2006; December 3, 2013; and August 18, 2015, which revisions authorized in the Township at Colony Park Overlay District many of the uses being requested for the Renaissance at Colony Park Overlay District, including nail salons and Craft Beer Establishments.

10. There is also well-established precedent for creating other Overlay Districts in the City of Ridgeland,

including the Planned Unit Residential District (PURD), the Old Agency Road Corridor Overlay District (OARC), the Controlled Use Overlay District (CUO), the Commerce Park Overlay District, the West Jackson Street Overlay District, the Wireless Communications Facility Overlay Districts, and the Northpark Overlay District. See Section 104.04 of the Zoning Ordinance.

11. According to Section 104.01 of the Zoning Ordinance, Overlay Districts provide a means to incorporate various development regulations across a specified area. Overlay Districts are special zones that lie on top of (superimposed) existing zoning designations to supplement, supersede, or restrict existing regulations. Overlay Districts are used to accomplish a variety of development and land use goals.

12. Establishment of the Renaissance at Colony Park Overlay District, allowing therein the land uses specified in paragraph 7 above, will enhance both Renaissance at Colony Park and the undeveloped areas of the subject property, will promote the economic development of the City of Ridgeland, will enhance tax revenues, and will not adversely affect surrounding areas.

13. It would be in the best interest of the City of Ridgeland that the Renaissance at Colony Park Overlay District be established.

14. The Overlay District would not apply to the area located on the east side of Highland Colony Parkway south of Old Agency Road, sometimes referred to as Renaissance Phase III or simply Renaissance III, for which the City of Ridgeland recently approved a Large Master Planned Commercial Development and the site plan for a proposed Costco store and other facilities on land zoned General Commercial District (C-2).

WHEREFORE, for the reasons set forth above, Renaissance at Colony Park, LLC, respectfully requests the Mayor and Board of Aldermen to process this Petition in accordance with Section 104.03 of the Zoning Ordinance, to set this Petition for a public hearing with at least 15 days' notice thereof being published in accordance with law, and at the conclusion of the public hearing, to amend the Zoning Ordinance of the City of Ridgeland by establishing the Renaissance at Colony Park Overlay District on the subject property and by allowing therein the additional uses

specified in paragraph 7 above. The Petitioner requests such other and general relief as to which it may be entitled.

THIS is the 13th day of November, 2017.

Respectfully submitted,

RENAISSANCE AT COLONY PARK,
LLC, A MISSISSIPPI LIMITED
LIABILITY COMPANY, PETITIONER

JONES WALKER, LLP,
ATTORNEYS FOR PETITIONER

BY: Mark T. Davis
MARK T. DAVIS

STENNETT, WILKINSON & PEDEN,
ATTORNEYS FOR PETITIONER

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

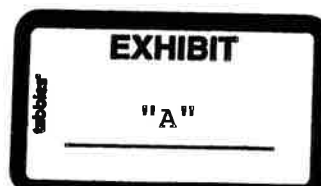
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ATTORNEYS FOR PETITIONER

Being situated in the E ½ and the NE ¼ of the SW ¼ of Section 24, T7N-R1E, and being part of Lots 5 and 6, Block 10 and Lot 3, Block 16, all in Highland Colony Subdivision and part of Acres 1, 2, 3, 4, and 5 of Lot 3, Block 13, Acres 1, 2, 3, 4 and 5 of Lot 6, Block 13 of the Subdivision of Highland Colony Lots, Ridgeland, Madison County, Mississippi all being more particularly described as follows:

Commence at a 1" iron bar marking the Northwest corner of aforesaid Section 24 and run thence South, 2501.12'; run thence East, 2959.37' to an iron bar on the Eastern Right-of-Way line of Highland Colony Parkway; run thence S50°02'55"E, 14.00' to the Southwest corner of the 300 Renaissance, LLC property as recorded in Deedbook 2087 at page 627 of the Chancery records of Madison County, Mississippi and the POINT OF BEGINNING for the property herein described; run thence Easterly, along the South boundary of the said 300 Renaissance, LLC property the following courses: S50°02'55"E, 39.88'; N89°54'47"E, 19.68' to the Northwest corner of Parcel A of that certain property conveyed to 300 Renaissance, LLC and recorded in Deedbook 2386 at page 320 of the aforesaid Chancery records; run thence along the South boundary of said Parcel A the following courses: S0°01'11"W, 6.09'; S89°58'49"E, 139.35'; S44°57'18"E, 18.84'; S89°53'51"E, 77.24' to the Southeast corner of Parcel A; thence leaving the South boundary of said Parcel A, run S0°05'13"E, 7.92' to the Southwest corner of Parcel B of that same certain property conveyed to 300 Renaissance, LLC; run thence N89°58'40"E, along the South boundary of said Parcel B, 124.00' to the Southeast corner thereof; run thence N0°05'13"W, along the East boundary of said Parcel B and the Northerly projection thereof, 7.80' to the Southwest corner of Parcel C of that same certain property conveyed to 300 Renaissance, LLC; run thence along the South boundary of said Parcel C the following courses: N89°58'23"E, 75.59'; N45°04'48"E, 19.14'; S89°57'07"E, 189.24' to the Southeast corner thereof; run thence N0°04'45"E, along the East boundary of said Parcel C, 7.22' to the South boundary of the aforesaid 300 Renaissance, LLC as described in Deedbook 2087 at page 627 of the aforesaid Chancery records; run thence N89°54'47"E, along the said South boundary, 56.45' to the Southeast corner of the said 300 Renaissance, LLC property; thence leaving the said South boundary, run thence S0°01'39"E, 201.37'; run thence N89°54'47"E, 83.31'; run thence South, 30.32'; run thence N89°54'47"E, 136.53'; run thence Northeasterly, clockwise, along the arc of a curve, 30.91'; said curve having the following characteristics: central angle of 8°38'15", radius of 205.00' and chord bearing and distance of N10°46'42"E, 30.88'; run thence N89°54'47"E, 46.77' to the Western Right-of-Way line of Interstate Highway 55 as it is now (September, 2008) in use; run thence S2°04'32"E and along the said Western Right-of-Way line, 492.94'; run thence S4°32'23"W, along the said Western Right-of-Way line, 520.82'; run thence S14°50'20"W along the said Western Right-of-Way line, 459.48' to the North boundary of Lot 3, Block 16 of Highland Colony Subdivision; run thence N87°16'14"W, along the North boundary of said Lot 3 and the Western Right-of-Way line of Interstate Highway 55, 13.60'; run thence S16°22'07"W, along the said Western Right-of-Way line, 184.73'; run thence S24°44'07"W, along the said Western Right-of-Way line, 101.12'; run thence S45°36'14"W, along said Western Right-of-Way line, 151.78' to the North Right-of-Way line of Old Agency Road; run thence S87°57'35"W, along the North Right-of-Way line of Old Agency Road, 62.87'; run thence S89°58'13"W, along the said North Right-of-Way line, 480.77'; run thence N57°54'56"W, along said North Right-of-Way line, 287.92'; run N17°32'45"W, 240.85'; run thence Northeasterly, clockwise, along the arc of a curve, 6.70'; said curve having the following



characteristics: central angle of $7^{\circ}50'03''$, radius of 49.00' and chord bearing and distance of $N16^{\circ}03'05''E$, 6.70' run thence $N17^{\circ}32'45''W$, 72.75'; run thence $N62^{\circ}32'45''W$, 22.62'; run thence $N17^{\circ}32'45''W$, 83.21' to a point on the Eastern Right-of-Way line of Highland Colony Parkway; run thence $N16^{\circ}08'35''E$, along the Eastern Right-of-Way line of Highland Colony Parkway, 10.82'; run thence $N17^{\circ}32'45''W$, along said Eastern Right-of-Way line, 60.00'; run thence $N51^{\circ}14'12''W$, along said Eastern Right-of-Way line, 10.82'; thence leaving the Eastern Right-of-Way line of Highland Colony Parkway run $N17^{\circ}32'45''W$, 363.81'; run thence $N27^{\circ}27'15''E$, 22.62'; run thence $N17^{\circ}32'45''W$, 70.00'; run thence $N62^{\circ}32'45''W$, 22.34'; run thence Northeasterly, clockwise, along the arc of a curve, 350.19' to the Southwest corner of the BankPlus property as recorded in Deedbook 2173 at page 479 of the aforesaid Chancery records; said curve having the following characteristics: central angle of $29^{\circ}14'53''$, radius of 686.00' and chord bearing and distance of $N1^{\circ}32'27''W$, 346.40'; run thence $N89^{\circ}54'45''E$, along the South boundary of the BankPlus property, 171.77' to the Southeast corner thereof; run thence $N39^{\circ}29'47''E$, along the Eastern boundary of the BankPlus property, 237.60' to the Northeast corner thereof; run thence Northwesterly, clockwise, along the arc of a curve in the Northern boundary of the BankPlus property, 108.09' to the point of tangency; said curve having the following characteristics: central angle of $18^{\circ}18'24''$, radius of 338.28' and chord bearing and distance of $N58^{\circ}38'43''W$, 107.63'; run thence $N49^{\circ}29'31''W$, along the North boundary of the Bankplus property, 81.23' to a point on the aforesaid Eastern Right-of-Way line of Highland Colony Parkway; run thence $N39^{\circ}57'05''E$, along the said Eastern Right-of-Way line, and the Northeasterly projection thereof, 85.00'; run thence $N5^{\circ}02'55''W$, 22.67'; run thence $N39^{\circ}57'05''E$, 346.59' to the POINT OF BEGINNING; containing 55.0492 acres, more or less.



PLAT OF Renaissance at Colony Park Overlay District

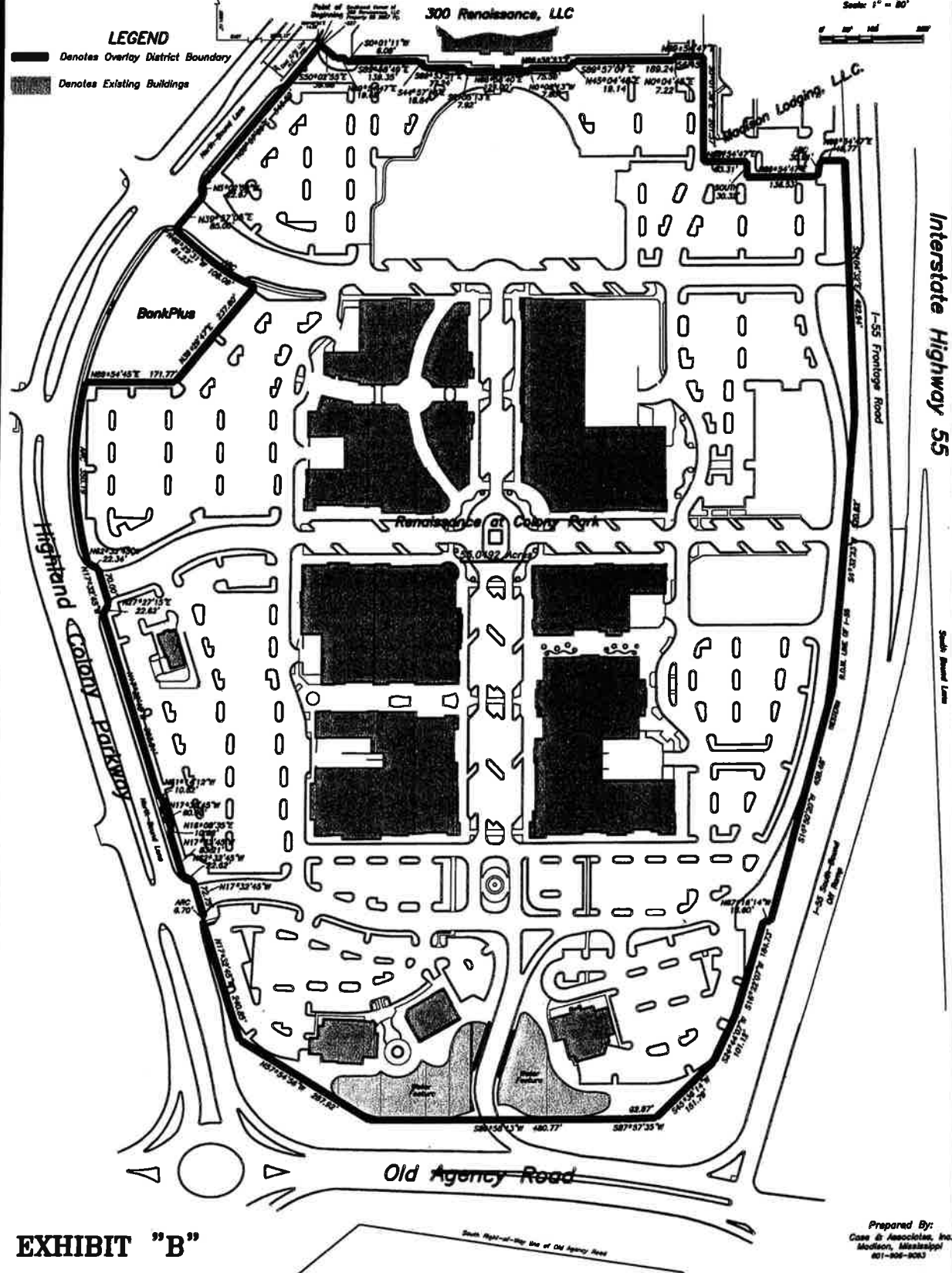
Ridgeland, Mississippi

300 Renaissance, LLC

Scale: 1" = 80'

LEGEND

-  Denotes Overlay District Boundary
-  Denotes Existing Buildings



Interstate Highway 55

Scale: 1" = 80'

EXHIBIT "B"

Prepared By:
Case & Associates, Inc.
Madison, Mississippi
801-806-8083



State of Mississippi
ALCOHOLIC BEVERAGE CONTROL
BUREAU OF ENFORCEMENT
P.O. Box 540
Madison, MS 39130-0540
Ph: (601) 856-1326 Fax: (601) 856-1375
Russell Hanna
Chief of Enforcement
Email: rusty.hanna@dor.ms.gov

January 26, 2017

Renaissance at Colony Park, LLC
1000 Highland Colony Parkway
Ridgeland, Mississippi 39158

Re: Qualified Resort Status Designation of 1000 Highland Colony Parkway, Ridgeland, Mississippi

Dear Sirs:

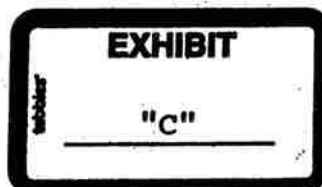
This letter confirms that the parcel of land identified as and located at 1000 Highland Colony Parkway, Ridgeland, Mississippi a/k/a "Renaissance at Colony Park" was designated as a resort area by the Mississippi Department of Revenue on June 9, 2014, pursuant to Title 35, Part II, Subpart 2, Chapter A, Paragraph 101.

Regards,

A handwritten signature in black ink, appearing to read "Russell Hanna", with a long horizontal stroke extending to the right.

Chief Rusty Hanna
~~Alcoholic Beverage Control Division of~~
The Mississippi Department of Revenue

Cc: Gouras & Associates LLC




**IN THE MATTER OF THE RESORT STATUS DESIGNATION OF THE AREA
KNOWN AS "1000 Highland Colony Parkway, Ridgeland, Mississippi" a/k/a
Renaissance**

ORDER

That, pursuant to Title 35, Part II, Subpart 2, Chapter 4, Paragraph 101, the Department, on its own motion, hereby states that the hours for selling alcohol within the parcel of land identified as and located at 1000 Highland Colony Parkway, Ridgeland, Mississippi, previously designated as a resort area by the Commissioner, shall be from 7:00 a.m. in the morning until 12:00 a.m. the following morning, seven days a week.

ORDERED, this the 9 day of June, 2014.



J. Ed Morgan
Commissioner
Mississippi Department of Revenue

EXHIBIT

"D"