ORDER: OPEN PUBLIC HEARING ON REDESIGNATING LAFAYETTE COUNTY PARCEL 185Y-21-052 FROM RESIDENTIAL LOW DENSITY (R-1) DISTRICT TO RESIDENTIAL MEDIUM DENSITY (R-2) DISTRICT

Motion was made by Scott Allen, duly seconded by Tim Gordon, to open Public Hearing on Redesignating Lafayette County Parcel 185Y-21-052 from Residential Low Density (R-1) District to Residential Medium Density (R-2) District.

The vote on the motion was as follows:

Supervisor Brent Larson, voted yes Supervisor John Morgan, voted yes Supervisor Tim Gordon, voted yes Supervisor Scott Allen, voted yes Supervisor Greg Bynum, voted yes

After the vote, President Larson, declared the motion carried, this the 18th day of November, 2024.

Brent Larson, President Board of Supervisors

Mike Roberts, Chancery Clerk



1685 York Avenue, Memphis, TN 38104 (662) 312-9672

September 11, 2024

Joel Hollowell Lafayette County Planning/Building Department 300 North Lamar Oxford, MS 38655

RE: REZONING REQUEST LETTER

12.24-Acre Property Located on MS Hwy 7 (Parcel ID# 185Y-21-052.00) Lafayette County. MS

Dear Joel:

On behalf of L&M Holdings, LLC, we are submitting the attached Rezoning Application for a 12.24-acre parcel of land with Parcel ID#: 185Y-21-052.00. Hudson Magee (owner/partner of L&M Holdings, LLC) currently owns the property outright and has all legal rights to rezone said property. The property is more specifically located south of Cross Creek Drive, east of MS Hwy 7, and at 513 MS Hwy 7 in Lafayette County.

According to Lafayette County's Zoning Map, the property is currently zoned R-1: Low Density Residential. We are requesting to rezone the property to R-2: Medium Density Residential. After rezoning, the current development plans are to subdivide the property into single-family lots for detached dwelling units. The attached site plan shows a conceptual layout of this plan; however, the exact development of the property will be dictated by market demand and will conform to the Lafayette County requirements.

As required by Section 2406.03 of the Zoning Ordinance, rezoning must meet one of the following criteria:

- A. That there was a mistake in the original zoning.
- B. 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.

We do not believe that there was a mistake in the original zoning or future land use planning; however, we do believe that the character of the neighborhood in which this property is located has undergone significant changes, justifying its reclassification, and there is a clear public need for this rezoning, as evidenced by the recent expansion of the city limits and the ongoing widening of the adjacent highway. The key factors that support this request are as follows:

1. Shift in Neighborhood Character:

Over time, neighborhoods evolve, and it is crucial for zoning regulations to reflect these changes. In the case of the property in question, the character of the surrounding area has shifted substantially. The once-distant city limits have moved significantly closer, by approximately 1.3 miles. This change in itself signifies the extension of urban development and a need to adapt to the evolving landscape.

2. Widening of the Adjacent Highway (MS Hwy 7):
Another significant factor contributing to the changed character of the neighborhood is the planned widening of the adjacent MS Highway 7. The expansion of the roadway from a two-lane to a four-lane highway brings with it increased traffic flow, accessibility, and potential economic growth. Such infrastructure improvements alter the dynamics of the area, warranting a reevaluation of the current zoning designation.

3. Increased Demand and Public Need:

As the city limits have expanded and the highway is being widened, it is evident that there is a growing public need for suitable development in the area. Rezoning the property to accommodate the evolving demands of the community will contribute to the overall betterment of the neighborhood and support its growth. It will also provide an opportunity for economic development, job creation, and improved services that align with the changing needs of the population. With the City of Oxford and Lafayette County experiencing exponential growth and development, the demand for residential housing is outpacing the current supply, causing a housing shortage in the County.

4. Compatibility with the Future Land Use Plan and Map:
Rezoning the property in line with the changing neighborhood character ensures compatibility with the surrounding areas and facilitates effective urban planning. The Future Land Use Plan and Map, which serves as a guide for long-term planning and development within the County, designates the property in question for the exact zoning classification we are requesting (R-2-Medium Density Residential). The Future Land Use Plan is a comprehensive document that reflects the County's vision for growth, development, and land use patterns. It takes into account various factors, including population trends, infrastructure plans, and community needs. The fact that the property is already designated for the desired zoning classification on this map indicates that it aligns with the County's long-term vision and development goals.

By rezoning the property in accordance with the Future Land Use Map, we ensure consistency and adherence to the County's strategic planning. This approach fosters predictability and stability in land use decisions, instilling confidence among developers, businesses, and residents alike.

In conclusion, the changing character of the neighborhood, marked by the movement of City limits, rezoning and development of properties near our property, and the widening of the adjacent highway, clearly justifies the rezoning of the property in question (See attached Exhibit showing the "Changes in Neighborhood Character"). This rezoning is not only essential to align with the evolving context but also addresses the public need for suitable development in the area. By embracing this change and engaging in comprehensive community discussions, we can create a neighborhood that meets the demands of its residents while fostering sustainable growth and development.

If any other information is needed, please do not hesitate to contact me.

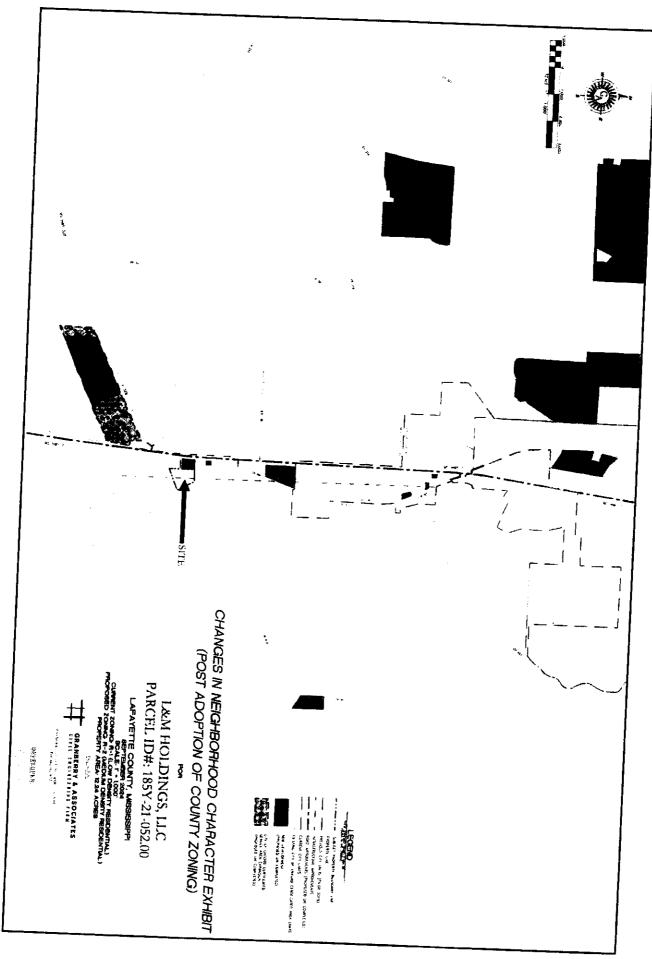
Sincerely,

John Granberry, P.E.

Description: A tract of land being a fraction of the South Half (S 1/2) of Section 21, Township 9 South, Range 3 West, Lafayette County, Mississippi; being described in more detail as follows:

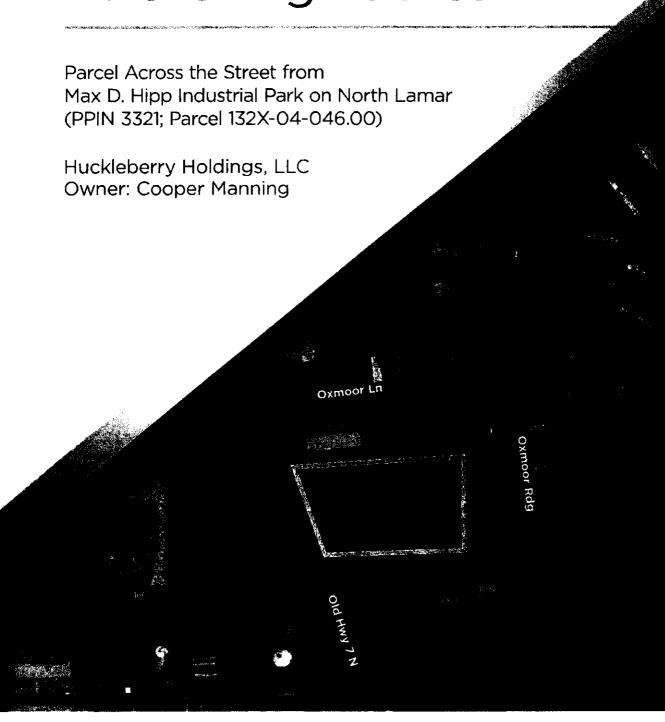
Beginning at a 1/2" rebar found near the corner of a barbed wire fence line marking the Southwest corner of Lot 11 Cross Creek Subdivision, Phase I as recorded in Plat Cabinet-B, Slide-135, in the office of the Chancery Clerk, Lafayette County, Mississippi; run thence S 28° 10' 27" E along and near the West line of Cross Creek Subdivision, Phase I and partially along said barbed wire fence line and partially near the West side of a wood fence line for a distance of 686.50 feet to a 1/2" rebar found, passing through a 1/2" rebar found online 596.19 feet back and passing through a 1/2" iron pipe found online 443.29 feet back and leaving said barbed wire fence line 618.36 feet back and passing the beginning of said wood fence line 503.69 feet back and leaving said wood fence line 299.93 feet back; run thence S 68° 09' 30" W leaving said West line for a distance of 862.82 feet to a 1/2" rebar set; run thence N 00° 20' 57" E for a distance of 459.43 feet to a 1/2" rebar found; run thence N 89° 43' 57" W for a distance of 349.24 feet to a Magnail with survey washer set in pavement on the East right-of-way line of Mississippi State Highway No. 7 (116.93 feet from centerline); run thence along said right-of-way line as follows: N 00° 55' 35" E for a distance of 49.53 feet to a 1/2" rebar set (114.38 feet from centerline); run thence N 89° 04' 25" W for a distance of 14.51 feet to a 1/2" rebar set (99.89 feet from centerline) at the beginning of a circular curve to the left; run thence along said curve having an arc length of 7.45 feet, a chord bearing of N 00° 22' 24" E, a chord length of 7.45 feet, and a radius of 17,290.20 feet to a 1/2" rebar set (99.43 feet from centerline); run thence N 89° 48' 48" E leaving said right-of-way line for a distance of 351.16 feet to a 1/2" rebar found inside a 1 1/2" PVC pipe; run thence N 00° 14' 07" W for a distance of 386.57 feet to a 1/2" rebar with "PLS 1748" cap found on the South right-of-way line of Cross Creek Drive (42.14 feet from centerline) and the South line of Cross Creek Subdivision, Phase I and near a barbed wire fence line, passing through a 1/2" rebar found inside a 1 1/2" PVC pipe online 332.05 feet back and passing through a 1/2" rebar found inside a 1 1/2" PVC pipe online 113.69 feet back; run thence N 89°54'05" E along said right-of-way line and the South line of Cross Creek Subdivision, Phase I and along and near said fence line for a distance of 60.22 feet to a 1/2" iron pipe found; run thence N 87° 18' 23" E leaving said right-of-way line and continuing along and near said fence line and South line of Cross Creek Subdivision, Phase I for a distance of 457.53 feet to the Point of Beginning of the herein described tract of land. Said tract contains 12.24 acres, more or less.

[&]quot;True" Geodetic Bearings were established from GPS Observation by Williams Engineering Consultants, Inc. (662-236-9675)





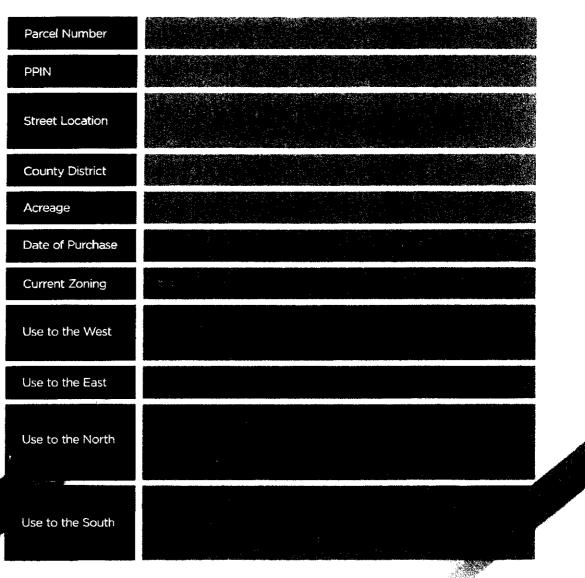






Cooper Manning, through his entity Huckleberry Holdings. LLC, owns a single parcel of property on Old Highway 7/North Lamar that he would like to have rezoned to be comparable to the uses surrounding the parcel. The property around him has been rezoned or built in a way that has basically left Cooper's property "stranded," and his request meets the legal requirements for rezoning. Manning requests rezoning from R-2 to C-1

Executive Summary





Legal Standard and Suitability for Rezoning

In order for a property to be rezoned, an applicant for rezoning must prove either (1) there was a mistake in the original zoning or (2) the character of the neighborhood has changed sufficiently to justify the rezoning and that a public need exists for the rezoning.

Manning is not suggesting mistake. But the character of the neighborhood has changed sufficiently, and there is a public need for rezoning.

The properties touching Manning's property and most comparable to Manning's currently have uses which require C-3 zoning.

Cooper's property is unique in that, when he purchased it, it was not restricted by any zoning ordinances. In fact, for the majority of Manning's thirteen years of ownership, it has not been restricted by zoning ordinances.

Further, when the County did implement zoning, it classified Cooper's property, and two parcels to the north as R-2 in spite of the fact that the parcels to the north were a self storage facility and a large commercial warehouse with 18-wheeler access.

Those two parcels, the self-storage and the warehouse, are the most similar to Cooper's property as they touch his property and are similarly fronting on Old Highway 7 and directly face the Industrial Park across the road. Under the current zoning, these uses would actually require, at least, C-3 zoning.

And, if Cooper's property already had a C-3 use on it, it too would have been grandfathered in as a C-3 use.

Winchester Ammunition is located across the street from Manning's property, and, since Manning's property was zoned, it has been awarded almost \$200 million to provide ammunition for the U.S. Army.

development on Manning's property will look directly at the Industrial Park, Elliott B&B Concrete, and Winchester.

Since Manning's property was zoned in 2018, Winchester has been awarded massive military contracts, expanding its industrial-military operation adjacent to Manning's property.

By Dennis Seid Daily Journal

For the second time in two months, Oxford-based Olin Winchester has been awarded a contract to provide ammunition for the U.S. Army.

An announcement was made Friday that the company has been awarded a \$51.8 million modification to a contract W52P1J-21-C-0016 to manufacture 5.56 mm, 7.62 mm and .50 caliber ammunition.

It is the company's fifth contract in five years. In March Olin Winchester was awarded a \$145 million fixed-price with economic price adjustment contract to manufacture .38 caliber, .45 caliber and 9mm ammunition for the U.S. Army. The estimated completion date for that contract is March 27, 2027. In March of last year, the company secured a \$37 million contract for 5.56mm, 7.62mm and .50 caliber ammunition with a completion date of March 14, 2026

= Daily Juneual May 2, 2022 Olin Winchester lands another ammunition contract for nearly \$52M

Rezoning Packet

Parcel Across the Street from Max D. Hipp Industrial Park on North Lamar (PPIN 3321; Parcel 132X-04-046.00)



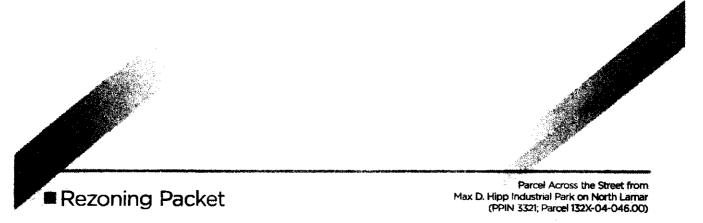


In Summer 2023, the Oxford-Lafayette Economic Development Foundation sold ten acres directly across the street to ICM construction for their new headquarters.

The EDF owns a twenty acre parcel across the street from Manning's property. It is zoned I-2, and it was undeveloped when Manning's property was zoned. However, since then, the EDF has sold ten acres to a large regional construction company, and there are intentions to sell the other ten acres to another industrial user. The development of these sites effectively "landlocks" Manning's property among large industrial, commercial, and even military uses.

County zoning changes and approvals in the direct vicinity of Manning's property have changed the available uses, and the actual constructed uses, in recent years.

County zoning changes in the direct vicinity of Manning's property have changed the available uses, and the actual constructed uses, in recent years. In the last few years, three significant approvals have taken place. First, a conditional use permit was approved to develop a mini-warehouse facility Parcel 132 -09-011. Second, site plan approval was granted to develop a convenience store on Parcel 132X-04-048.01. Finally, site plan approval was granted to develop the ICM headquarters on Parcel 132X-04-045.01.





Manning's property is now on an island, and its zoning does not match the development of the neighborhood.

The Lafayette County Zoning Ordinances describe the "purpose" of the zoning of Manning's property as, "The purpose of this district is to provide areas for the development of medium density residential uses in relatively spacious surroundings"

Growth and economic development has rendered this purpose literally impossible for Manning's property. There are no relatively spacious surroundings on this isolated parcel, and, as such, its appropriate designation should comport with its surroundings and the realities of land use in the area.

Put even more directly, no developer or lender would like to be asked to invest in a single-family home or duplex on a one and a half acre lot fronting on an Industrial Park and a major military ammunition manufacturer.

This property necessitates a change.

Lafayette County has experienced unprecedented growth since Manning's property was zoned, and the County needs this industrial corridor to be developed uniformly with commercial uses grouped with other commercial or industrial uses.

Any driver passing by Winchester would view Manning's property as a complementary commercial site, but, as a remnant of the initial county zoning, it is stranded as an R-2 zoning among commercial, industrial, and military uses. But, the County needs to continue its work to develop this area uniformly with complementary uses.

There is a public need for housing, but the County should not place residences up against an arms manufacturer. Further, Manning's property's ingress and egress front on a road that contains the following:

Concrete batch plant: Concrete trucks driving In and out throughout the day. Lumber yard: Heavy lumber trucks for both delivery and purchase Winchester: Manufacture of amm unition; very large employee base; and military supply delivery trucks

For these reasons, the County needs to minimize residential development in this area, and, fortunately, by rezoning this property to commercial, this need is addressed while also providing much needed additional economic development sites for the area.

■ Nearby Residential

Although Manning's property looks directly on almost exclusively commercial and industrial uses and shares roadways with those uses, there is a residential neighborhood behind his property. Based on the layout of the site and the frontages, a person looking at the neighborhood and then looking at the industrial and commercial uses would certainly link Manning's property with the latter. It is to be expected that those residents may oppose any rezoning in their area.

However, the neighborhood behind Manning's property was platted in 2006, and, more specifically, the two closest residences to Manning's property were built in 2012 and 2013.

Lafayette County had no zoning restrictions whatsoever at those times, and these houses were constructed about 500 feet from the county industrial park.

PARCEL 132x 04 220.00 BUILT 2013

PARCEL 132x 04 219.00

BUILT 2012

Rezoning Packet

Parcel Across the Street from Max D. Hipp Industrial Park on North Lamar (PPIN 3321; Parcel 132X-04-046.00)

Lafayette

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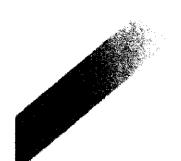
The properties adjacent and most comparable to Manning's are I-2 Heavy Industrial and C-3 Commercial High Density (grandfathered), and the facts and land use would indicate that Manning's most appropriate rezoning would be to match those adjacent uses.

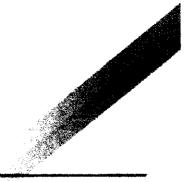
However, in an attempt to fit the needs of the area while considering neighbors, Manning is requesting rezoning to Commercial C-1 instead, a less aggressive zoning which will provide a transition from the industrial and military uses toward nearby neighbors.

Additionally, as Manning's property is 1.55 acres, it creates the opportunity to develop a site plan which uses the frontage, the most desirable property, in the most dense manner while seeking to be conscientious on the rear of the property which is adjacent to a neighborhood developed near the Industrial Park.

It should be noted that Manning's request eliminates the possibility of developing more storage facilities on the site, and this is another compromise and accommodation Manning is proposing to facilitate this request.

For the above reasons, Manning requests that his parcel be rezoned from R-2 to C-1





2. Copy of the written legal description

2011 MAR 21 PM 4: 08

CHANCE

57 D.

This instrument prepared by: Bela J Chain III, Lawyer MS Bar No. 8666 P. C. Box 913, 1130 North Lamar Cxford, MS 38655 (662) 234-1667

Grantor: FIRST NATIONAL BANK OF OXFORD P.O. Box 847 Oxford, MS 38655 662 234-2821 Grantee:
HUCKLEBERRY HOLDINGS, LLC
1100 Poydras Short Switt 3500
NEW Grigons LA 70163
500-383-3005

Chancer, Clerk

Latagette County, Mississippi

MARCH 22 2011 06:47:546W

Instrument 2011/02/97 Page 1 o/ 3

Sherry will D.C.

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INDEXING: A fraction of the Sour. Dif of Section 4, Township 9 South, Range 3 West, Laidyette County, Mississippi, Ania inaction contains (.4) abres, more of Pas.

STATE OF MISSISSIPPI

COUNTY OF LAFAYETTE

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of TEN AND NO/100 (\$10.00) DOLLARS.

hase in hand paid, and other good and valuable homeideration, the ceseipt and sufficiencing of all if which is desembly acknowledged, the FIRST NATIONAL BANK OF OXFORD was desembly grant, barquin, sell, convey and specially warrant unto:

HUCKLEBERRY HOLDINGS, LLC a Mississippi Limited Liability Company

that deshair partiel of land lying situate in Lafayette County,

Mississippi, more particularly described as follows, forwill

A Fraction of the Searn Half of Sent on 4, Township & Seath, Fange 3 West, Lafayette County, Mississippi. This fraction continue 2.800 sores, more or less, and is described in more detail as follows:

Starting at an existing dwinon problem appeals marking the Southeast Corner of Section 9, Tax, 43W, betayethe County, Mississipp), run abende Due West a distance of 2006./2 feet to a point: thence for West a distance or 43%, if feet to a point: of the Morth a distance or 239.8% feet to a 4% that pin set on the Morth right of way of minusting Fack Universation; the coint of pag noing of Tract #3.

First this point of beginning, its toesom State 76°.74°15" West 3.00) sould right of way and generally single force line a distance of 95.00 feet to a no box loscope dith 92°30°15" West along servicing to 50 way and generally along a fence 1 re a distance of 198.94 feet to 30 existing wood team point at the

intersection of the North right of way of industrial Park Drive with the East right of way of Old Mississippi highway #7; thence North 19°25'29" West along the East right of way of Old Mississippi highway #7 and generally along a fence line a distance of 327.76 feet to a 4" iror pin set; thence North distance of 365.34 feet to a 4" iror pin set; thence South 06°35'05" Mast a distance of 332.90 feet to the point of beginning.

Loss and exterp for tollowing tract of wat:

Description: A stact of two being a fraction of the Southwest Quarter (SW 1/2 of Secritor 4, Township a South, Kange & Wood, Lafayette Chunty, Mischesippi; being bescriped to more detail as follows:

Commending those a 6" repair found maching the Southwest perpor of Oxamora Placo Jacobastica as shown or the Official Plat of Example Place Subdiviouses on file in the Office of the Dancery Clark of Lafayerne County, Mississippi in Plat Cabinet B, Page loc; said rebar also being on the Korth right-of-way one of larayers County Kosa No. 1066; run thence along said North sight-of-way line as follows: South 78°29'15" West for a distance of 92.38 seet to a 9" impor previously set; fun thence South 59"37"; West for a distance of 199.94 feet to a 4" repai pray busiy bet et the intersection of the Dorth night-of-way line of Larayense County Road No. 1666 with no dash mintof-way line of Larayense Toursey Road No. 181; gum themps leaving said North right-of-way line of Larayette Tounty Gold Mr. (66 and elong the East lightline of Larayette winning coad was the drawer of the mast light-of-way line of barayette founty down No. 101 as collower North 17/25/297 West for a distance of for 45 feet to a 50 recording to set at the Point of Beginning of this description; but themse Soria 19/25/297 West for a distance of 134.34 reet to a 50 recording to the feet to a 50 recording to a 50 recording to the feet to a 50 reco rebal and at the intersection of the East right-of-way line of Lafayette County Rosu No. 10: with the South right-of-way line of Oxmoor Lane: Zun thance North 83°2/155" East, leaving said Fast right-of-way line and along the South right-of-way line of Oxnoor Lane, for a distance of 365.34 feet to a W" rebar set; run thence South 06°35'05" East, leaving set displication, for a distance of 130.00 feet to a w" rebar provincially set, passing through a 3" stee, tube found on line 16.64 feet back; cun themse South 93°24'55" West for a distance in 335. It (set to the Foint of Beginning of the here in describes that or land. Said trait contains 1.0s ocues, more or less.

It is intologed to blove, hereighted same real property described in that pertain the current appearant among the land removed of Lafayerte County, Glass a ipol. as insertiment on. 7007003596, reference to which is brooks made.

Ad Valorem taxes and compassion to for malendar year 2011 shall be borne in Tall by the Branches, the Creston baving paid also promotes por lon on the dame by means of an appropriate deduction from the same prime.

the warranty density of margod in subject to, and there is excepted thereforms any unit, and this or other pameral inderests

attendant to the subject real property that may have been cotained or conveyed by the Phantor's prodecessors in title, as well as coming and use ordinances of Lafayette County, Mississippi.

WITNESS THE EXECUTION of this festiment on this, the all day of February, 2011.

March

FIRST NATIONAL BANK OF OXFORD

Y: JOHN T PAR

President

STATE OF MISSISSIPPI COUNTY OF LAFAYETTE

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named JOHN L. BARRETT who auknowledged that he is the President of FIRST NATIONAL BANK OF OXFORD, and that for and on behalf of said corporation, and as its act and deed he executed the above and foregoing instrument, after having been duly authorized by said company so to do:

of Peoples, 2011.

My Commission Expired Co. March 35, 2013

ID # 46523

Commission Expires

March 25, 2013

3. Site plan of property (must be in accordance the Lafayette County Subdivision Regulations)

Applicant Note: This item is not applicable to this application.