

**BE IT REMEMBERED** that a Regular Zoning Meeting of the City Council of Jackson, Mississippi was convened in the Council Chambers in City Hall at 2:30 p.m. on June 17, 2019 being the third Monday of said month when and where the following things were had and done to wit:

**Present:** Council Members: Virgi Lindsay, Vice President; Ward 7; Ashby Foote, Ward 1; Charles Tillman, Ward 5 and Aaron Banks Ward 6. Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Ester Ainsworth, Zoning Administrator; Ramina Aghili, Associate Planner and Nakesha Watkins, Deputy City Attorney.

**Absent:** Melvin Priester, Jr., President, Ward 2; Kenneth I. Stokes, Ward 3 and De'Keither Stamps, Ward 4.

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The meeting was called to order by **Vice President Virgi Lindsay**.

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**Vice President Lindsay** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4052, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

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**Vice President Lindsay** requested the Clerk read the Order:

**ORDER GRANTING CANDACE JOINER A CONDITIONAL USE PERMIT TO ALLOW FOR THE SALE OF USED AUTOMOBILES WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 4881 I-55 SOUTH FRONTAGE RD. (PARCEL #871-290), CASE NO. 4052.**

**WHEREAS**, Candace Joiner has filed a petition for a Use Permit to allow for the sale of used automobiles within a C-3 (General) Commercial District in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

**WHEREAS**, Jackson City Planning Board, after holding the required public hearing, has recommended approval of a Use Permit to allow for the sale of used automobiles within a C-3 (General) Commercial District; and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, June 17, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

**WHEREAS**, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on May 2, 2019 and May 16, 2019 that a hearing had been held by the Jackson City Planning Board on May 22, 2019, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned Use Permit within the existing C-3 (General) Commercial District of the City of Jackson; and

**WHEREAS**, the Council, after having considered the matter, is of the opinion that the proposed use will not be detrimental to the continued use, value, or development of properties in the vicinity and that a Conditional Use Permit be granted to allow for the sale of used automobiles within a C-3 (General) Commercial District of the City of Jackson.

**NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:**

That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

Commencing at the Southwest Corner of the SE ¼ of Section 6, Township 4 North, Range 1 East, Hinds County, Mississippi, run thence North 486 feet; thence East 80 feet to the point of beginning; from said point of the beginning, run thence East 467.2 feet to a point on the Westerly boundary line of Interstate 55; thence go South 45 degrees, 15 minutes West along the westerly boundary line of said Interstate 55 for a distance of 189 feet to a concrete monument; thence go South 77 degrees, 32 minutes West along the boundary line of a service road connecting Interstate 55 with Old Byram road for a distance of 219.3 feet to a concrete monument; thence go North 33 degrees, 25 minutes West along the boundary line of said service road connecting the Interstate 55 with said Old Byram road for a distance of 216.4 feet back to the point of beginning, containing 1.24 acres, more or less and being situated in the SE ¼ OF THE Section 6, Township 4 North, Range 1 East, Hinds County, Mississippi.

It is hereby granted a Conditional Use Permit to operate a used car lot for property located at 4881 I-55 South Frontage Rd (Parcel 871-290) within a C-3 (General) Commercial District. The Use Permit is subject to the following conditions: the subject property meeting the minimum lot size of twenty-two thousand (22,000) square feet; that all service doors, buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses are screened by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, to include any required landscape buffer yard ; and with inoperable vehicles, outdoor storage and automobile repair activities being located to the rear or side yard and not being visible from any public right-of-way. Additionally, the Use Permit will not run with the land but be granted to Candace Joiner as the owner/ operator, and subsequent owners of an automobile sales – used business at this location must apply for and receive a new Use Permit; the Use Permit shall be renewed annually with supporting documentation from the MS State Tax Commission and the Use Permit will be cancelled upon the cancellation of any of the requirements from the MS State Tax Commission. However, that before a Use Permit is issued for any structure to be erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

**Council Member Banks** moved adoption; **Vice President Lindsay** seconded.

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**Vice President Lindsay** recognized **Candace Joiner**, Applicant, who spoke in favor to approve a Use Permit to allow for the sale of used automobiles within a C-3 (General) Commercial District.

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**Vice President Lindsay** recognized **Jeremy Buie**, who spoke in favor to approve a Use Permit to allow for the sale of used automobiles within a C-3 (General) Commercial District.

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There was no opposition from the public.

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Thereafter, **Vice President Lindsay** called for a vote on said item:

Yeas- Banks, Foote, Lindsay and Tillman.

Nays- None.

Absent- Priester, Stamps and Stokes.

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Vice President Lindsay recognized Zoning Administrator Ester Ainsworth who provided the Council with a procedural history of Case No. 4053 including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

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Vice President Lindsay requested that the Clerk read the Order:

**ORDINANCE GRANTING DKHA PROPERTIES, LLC A REZONING FROM C2 (LIMITED) COMMERCIAL DISTRICT TO CMU-1- COMMUNITY MIXED USE DISTRICT, PEDESTRIAN ORIENTED TO ALLOW FOR APARTMENTS AND/OR APARTMENTS IN A MIXED USE BUILDING FOR THE PROPERTY LOCATED AT 4436 NORTH STATE ST. (PARCEL # 430-12), CASE NO. 4053.**

WHEREAS, DKHA Properties, LLC has filed a petition to rezone property located at 4436 North State St., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C2 (Limited) Commercial District to C3 (General) Commercial District to allow for apartments in a non-residential structure; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended the approval of the rezoning of the property from C2 (Limited) Commercial District to CMU-1- Community Mixed Use District, Pedestrian Oriented to allow for apartments and/or apartments in a mixed use building; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, June 17, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on May 2, 2019 and May 16, 2019 that a hearing had been held by the Jackson City Planning Board on May 22, 2019, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended the rezoning of the above described property to CMU-1- Community Mixed Use District, Pedestrian Oriented; and

WHEREAS, the Council after having considered the matter, is of the opinion that such changes would be in keeping with sound land use practice and to the best interest of the City and that there has been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is a public need for additional property in that area zoned in accordance with the recommendation of the City Planning Board since any previous City Council action.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:**

**SECTION 1.** That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

That certain parcel of land, together with the buildings and improvements thereon standing, situated in the Frist Judicial District, County of Hinds, State of Mississippi, and being more particularly described as follows:

A parcel of land containing 7.77 acres (338,227.20 square feet), more or less, being situated in Lots 1 & 2, Block L, Northview Addition Part II, map or plat thereof recorded in Plat Book B at Page 116, Hinds County Chancery Clerk's Office, and the North West 1/4 of the North West 1/4 of Section 23, Township 6 North, range 1 East, (being shown as part of the "Reserved" area on the Plat of G.L. Subdivision, as recorded in Cabinet B, Slide 57, Hinds County Chancery Clerk's Office.) Hinds County, Mississippi, and being more particularly described by metes and bounds as follows:

Commence at the intersection of the Northern right of way line of North Mart Plaza with the Eastern right of way line of North State Street; run thence North for a distance of 198.10 feet; thence East for a distance of 29.93 feet to a found iron pin on the Eastern right of way line of North State Street, said pin marking the POINT OF BEGINNING for the parcel herein described; run thence along said right of way North 10 degrees 16 minutes 05 seconds East for a distance of 394.99 feet; thence leave said right of way and run South 89 degrees 44 minutes 00 seconds East for a distance of 35.56 feet to an existing building; thence run along said existing building line South 00 degrees 16 minutes 00 seconds West for a distance of 0.39' feet to a building corner; thence run along building line North 89 degrees 59 minutes 44 seconds East for a distance of 56.70 feet to a building corner; thence run along building line North for a distance of 0.19 feet; thence leave said building line and run South 89 degrees 44 minutes 00 seconds East for a distance of 107.74 feet; thence run North 02 degrees 40 minutes 44 seconds East for a distance of 35.05 feet to a found axle on the South line of Block O, G.I. Subdivision; thence run along said South line South 89 degrees 44 minutes 00 seconds East for a distance of 471.84 feet; thence leave said South line and run North 00 degrees 21 minutes 24 seconds East for a distance of 150.0 feet to the Southern right of way of Naples Road; thence run along said right of way South 89 degrees 36 minutes 01 seconds East for a distance of 72.00 feet; thence leave said right of way and run South 02 degrees 35 minutes 17 seconds East for a distance of 150.02 feet to the South West corner of Lot 9, Block O, G.L. Subdivision; thence run along the south line of G.I. Subdivision South 89 degrees 44 minutes 00 seconds East for a distance of 120.53 feet; thence run South 02 degrees 31 minutes 32 seconds West along the West line of McCall Subdivision Part 2 for a distance of 278.07 feet to the South West corner of McCall Subdivision Part 2 and the South line of Lot 1 Block L, Northview Addition Part II; thence leave the West line of McCall Subdivision Part 2 and run along the South line of Lot 1 Block L, Northview Addition Part II South 89 degrees 50 minutes 43 seconds West for a distance of 332.27 feet to the North West corner of the Callaway Property as described in Deed Book 5227 Page 122; thence run along the West line of the Callaway Property South 06 degrees 38 minutes 16 seconds West for a distance of 151.57 feet; thence leave said West line and run North 89 degrees 52 minutes 27 seconds West for a distance of 59.87 feet; thence North 05 degrees 56 minutes 55 seconds East for a distance of 10.09 feet; thence North 89 degrees 52 minutes 05 seconds West for a distance of 59.80 feet; thence South 09 degrees 03 minutes 52 seconds West for a distance of 10.65 feet; thence South 89 degrees 55 minutes 37 seconds West for a distance of 287.96 feet; thence North 06 degrees 50 minutes 26 seconds East for a distance of 10.03 feet; thence North 89 degrees 55 minutes 04 seconds West for a distance of 174.99 feet to the POINT OF BEGINNING.

It is hereby modified so as to approve the rezoning of the property located at 4436 North State St. (Parcel # 430-12) from C2 (Limited) Commercial District to CMU-1- Community Mixed Use District, Pedestrian Oriented to allow for apartments and/or apartments in a mixed use building. However, that before for any structure is erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi.

**SECTION 2.** That the cost of publication of this Ordinance shall be borne by the petitioner.

**SECTION 3.** That this Ordinance shall be effective thirty (30) days after its passage and after publication of same by the petitioner.

**Council Member Banks** moved adoption; **Vice President Lindsay** seconded.

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There was no representation from the Applicant and no opposition from the public.  
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Thereafter, **Vice President Lindsay** called for a vote on said item:

Yeas- Banks, Foote, Lindsay and Tillman.

Nays- None.

Absent- Priester, Stamps and Stokes.

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Vice President Lindsay recognized Zoning Administrator Ester Ainsworth who provided the Council with a procedural history of Case No. 4054, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

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Vice President Lindsay requested that the Clerk read the Order:

**ORDER GRANTING JCD URBAN DEVELOPMENT A SPECIAL EXCEPTION TO ALLOW FOR A RESIDENTIAL COMMUNITY FACILITY FOR THE CONDUCTING OF OFFICE/ COMMUNITY ACTIVITIES WITHIN AN R-1A RESIDENTIAL DISTRICT FOR PROPERTY LOCATED AT 2034 W. MCDOWELL RD., CASE NO. 4054.**

WHEREAS, JCD Urban Development filed a petition for a Special Exception to allow for a residential community facility for the conducting of office/community activities within a R-1A (Single-Family) Residential District, for the property located at 2034 W. McDowell Rd., in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing has recommended approval of the said petition; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the City Council would be held at the City Hall at 2:30 p.m., June 17, 2019 to consider said petition, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on May 2, 2019 and May 16, 2019 that a hearing had been held by the Jackson City Planning Board on May 22, 2019, as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of a Special Exception for the above described property, within an existing R-1A Zoning District of the City of Jackson; and

WHEREAS, it appears to the Council that the documents are in order, and that the recommendation of the Planning Board to approve a Special Exception to allow for a residential community facility for the conducting of office/community activities within an R-1A (Single-Family) Residential District does support the promotion of the public health, safety, morals, the general welfare of the community and the granting of such will not adversely affect adjacent property owners; and

WHEREAS, it appears to the Council that the petition for the Special Exception be granted based on the findings that the granting of the Special Exception does promote the public health, safety, morals, or the general welfare of the community and the granting of such will not adversely affect surrounding properties.

**NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:**

That the property located in the First Judicial District of Hinds County, Jackson, Mississippi, and being more particularly described as follows:

50 FT E/S MCDOWELL RD X 416.2 FT E & W BEG 50 FT N OF SOUTH LINE NW ¼ NE ¼ SEC 13 T5 RIW.

It is hereby granted a Special Exception to allow for a residential community facility for the conducting of office/community activities for the property located at 2034 W. McDowell Rd. on property zoned R-1A (Single-Family) Residential District. However, that before for any structure is erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

Council Member Banks moved adoption; Vice President Lindsay seconded.

Vice President Lindsay recognized Angela Dyre of JCD Urban Development, Applicant, who spoke in favor to approve a Special Exception to allow for a residential community facility for the conducting of office/community activities within a R-1A (Single-Family) Residential District.

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There was no opposition from the public.

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Thereafter, Vice President Lindsay called for a vote on said item:

Yeas- Banks, Foote, Lindsay and Tillman.

Nays- None.

Absent- Priester, Stamps and Stokes.

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Vice President Lindsay recognized Zoning Administrator Ester Ainsworth who provided the Council with a procedural history of Case No. 4055, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

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Vice President Lindsay requested that the Clerk read the Order:

**ORDINANCE GRANTING PROPERTY SERVICES INVESTMENT, LLC A REZONING FROM R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO C-2 (LIMITED) COMMERCIAL DISTRICT TO ALLOW FOR A NEIGHBORHOOD RESTAURANT FOR THE PROPERTY LOCATED AT 3826 NORTHBROOK DR. (PARCEL #430-70-1), CASE NO. 4055.**

**WHEREAS**, Property Services Investment, LLC has filed a petition to rezone property located at 3826 Northbrook Dr. (Parcel #430-70-1), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-1 (Single-Family) Residential District to C-2 (Limited) Commercial District to allow for a neighborhood restaurant; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has recommended the approval of the rezoning of the property from R-1 (Single-Family) Residential District to C-2 (Limited) Commercial District to allow for a neighborhood restaurant; and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, June 17, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

**WHEREAS**, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on May 2, 2019 and May 16, 2019 that a hearing had been held by the Jackson City Planning Board on May 22, 2019, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended the rezoning of the above described property to C-2 (Limited) Commercial District; and

**WHEREAS**, the Council after having considered the matter, is of the opinion that such changes would be in keeping with sound land use practice and to the best interest of the City and that there has been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is a public need for additional property in that area zoned in accordance with the recommendation of the City Planning Board since any previous City Council action.

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**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:**

**SECTION 1.** That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

That certain parcel of land, together with the buildings and improvements thereon standing, situated in the Frist Judicial District, County of Hinds, State of Mississippi, and being more particularly described as follows:

Begin at the West Line of Lot 6, 278 feet South of the Northwest corner of Lot 6; run thence East and parallel with the North line of Lots 6 and 5, 290.7 feet to the East line of Lot 5; run thence South on the East line of Lot 5, 62 feet; run thence West and parallel with the North line of Lots 5 and 6, 290.7 feet to the West line of Lot 6, run thence North on the West line of Lot 6, 62 feet to the point of beginning, being part of Lots 5 and 6, Northview Addition, Part 3, a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 3 at Page 66, reference to which is hereby made in aid of and as a part of this description.

It is hereby modified so as to approve the rezoning of the property located at 3826 Northbrook Dr. (Parcel #430-70-1) from R-1 (Single-Family) Residential District to C-2 (Limited) Commercial District to allow for a neighborhood restaurant. However, that before for any structure is erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi.

**SECTION 2.** That the cost of publication of this Ordinance shall be borne by the petitioner.

**SECTION 3.** That this Ordinance shall be effective thirty (30) days after its passage and after publication of same by the petitioner.

**Council Member Banks** moved adoption; **Vice President Lindsay** seconded.

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**Vice President Lindsay** recognized **Curtis Boddy**, a representative of the Applicant, who spoke in favor to approve a Rezoning from R-1 (Single-Family) Residential District to C-2 (Limited) Commercial District to allow for a neighborhood restaurant.

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There was no opposition from the public.

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Thereafter, **Vice President Lindsay** called for a vote on said item:

Yeas- Banks, Foote, Lindsay and Tillman.

Nays- None.

Absent- Priester, Stamps and Stokes.

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Vice President Lindsay recognized Zoning Administrator Ester Ainsworth who provided the Council with a procedural history of Case No. 4056, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

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Vice President Lindsay requested that the Clerk read the Order:

**ORDINANCE GRANTING SEDRION THOMAS BLEDSOE SR. A REZONING FROM C2 (LIMITED) COMMERCIAL DISTRICT TO C3 (GENERAL) COMMERCIAL DISTRICT TO OPERATE A SECOND HAND STORE FOR THE PROPERTY LOCATED AT 3165 TERRY RD. (PARCEL #620-114-1), CASE NO. 4056.**

**WHEREAS**, Sedrion Thomas Bledsoe Sr. has filed a petition to rezone property located at 3165 Terry Rd. (Parcel #620-114-1), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C2 (Limited) Commercial District to C3 (General) Commercial District to operate a second hand store; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has recommended the approval of the rezoning of the property from C2 (Limited) Commercial District to C3 (General) Commercial District to operate a second hand store; and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, June 17, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

**WHEREAS**, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on May 2, 2019 and May 16, 2019 that a hearing had been held by the Jackson City Planning Board on May 22, 2019, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended the rezoning of the above described property to C3 (General) Commercial District; and

**WHEREAS**, the Council after having considered the matter, is of the opinion that such changes would be in keeping with sound land use practice and to the best interest of the City and that there has been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is a public need for additional property in that area zoned in accordance with the recommendation of the City Planning Board since any previous City Council action.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:**

**SECTION 1.** That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

That certain parcel of land, together with the buildings and improvements thereon standing, situated in the Frist Judicial District, County of Hinds, State of Mississippi, and being more particularly described as follows:

A part of Lots 14 and 15, Block "E", Alameda First Addition, a subdivision according to a map or plat thereof: which is on file and of record in the office of the Chancery Clerk of Hinds County at Jackson Mississippi, in Plat Book 7 Page 42, reference to which is hereby made in aid of and as a part of this description and being more particularly described as follows:



Commence at the Northwest Corner of Lot 16, Block "E" of said Alameda First Addition thence South along the West Line of Lots 14, 15 and 16 of said Block — "E", Alameda First Addition a distance of 93.93 feet to the point of beginning; continue thence South along said West line of Lots 14, 15, and 16 a distance of 133.9 feet to a point; thence East parallel to the South line of Lot 14 a distance of 154.43 feet to the West line of Terry Road; thence North 18 degrees 16 minutes East along said West line of Terry Road 63.88 feet; thence North 71 degrees 17 minutes W 16.8 feet; thence North 13 degrees 32 minutes East 10.8 feet; thence N 70 degrees 26 minutes W 170.09 feet to the point of beginning.

It is hereby modified so as to approve the rezoning of the property located at 3165 Terry Rd. (Parcel #620-114-1) from C2 (Limited) Commercial District to C3 (General) Commercial District to operate a second hand store. However, that before for any structure is erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi.

**SECTION 2.** That the cost of publication of this Ordinance shall be borne by the petitioner.

**SECTION 3.** That this Ordinance shall be effective thirty (30) days after its passage and after publication of same by the petitioner.

**Council Member Banks** moved adoption; **Council Member Tillman** seconded.

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**Vice President Lindsay** recognized **Sedrion Thomas Bledsoe, Sr.**, Applicant, who spoke in favor to approve a Rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District to operate a second hand store.

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There was no opposition from the public.

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Thereafter, **Vice President Lindsay** called for a vote on said item:

Yeas- Banks, Foote, Lindsay and Tillman.  
Nays- None.  
Absent- Priester, Stamps and Stokes.

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**Vice President Lindsay** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4057, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

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**Vice President Lindsay** requested that the Clerk read the Order:

**ORDER GRANTING JOHN B. STANTON, O/B/H OF JACKSON BREW, LLC A CONDITIONAL USE PERMIT TO ALLOW FOR A DRIVE THRU WINDOW FOR A COFFEE SHOP WITHIN A UTC - URBAN TOWN CENTER (MIXED USE) DISTRICT FOR PROPERTY LOCATED AT 3100 OLD CANTON RD. (PARCEL #2-16), CASE NO. 4057.**

**WHEREAS,** John B. Stanton, o/b/h of Jackson Brew, LLC has filed a petition for a Use Permit to allow for a drive thru window for a coffee shop within a UTC - Urban Town Center (Mixed Use) District for the property located at 3100 Old Canton Rd in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

**WHEREAS**, Jackson City Planning Board, after holding the required public hearing, has recommended approval of a Conditional Use Permit to allow for a drive thru window for a coffee shop within a UTC - Urban Town Center (Mixed Use) District; and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, June 17, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

**WHEREAS**, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on May 2, 2019 and May 16, 2019 that a hearing had been held by the Jackson City Planning Board on May 22, 2019, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of a Conditional Use Permit within the existing UTC - Urban Town Center (Mixed Use) District of the City of Jackson; and

**WHEREAS**, the Council, after having considered the matter, is of the opinion that the proposed use is compatible with the character of development in the vicinity relative to density, bulk and intensity of structures, parking and that a Use Permit be granted for a drive thru window for a coffee shop within the existing UTC (Mixed -Use) District of the City of Jackson with the conditions that the Use Permit be granted on an annual basis; that the Use Permit be granted to the current owner/operator of the Jackson Brew LLC coffee shop; and that subsequent owners or operators of a coffee shop at this location must apply for and receive a new Use Permit.

**NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:**

That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

A parcel of land lying and being situated in the SW ¼ of the NW ¼ of Section 26 T6N R1E Hinds County Mississippi and being a part of Lot 20 of the Odeneal Survey a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery clerk of Hinds County at Jackson, Mississippi, in Plat Book a Page 256 reference to which is hereby made in aid of and as a part of this description, said property being more particularly described as follows:

Commencing at the point where the south line of Lot One, Block "B", Woodland Hills (according to a plat thereof on file and of record in the office of the Clerk of the Chancery Court of Hinds County, Mississippi, at Jackson, reference to which is here expressly made in aid of this description), extended westerly would intersect the east line of Canton Avenue, as presently laid out, improved and used in this city, and which said point is the northwest corner of the Charles M. McEachern Clinic site and property; run thence southerly along said east line of Canton Avenue a distance of 155.58 feet to a nail on the southwest corner of the Dr. Robert M. Moss property (described in deed recorded in Book 764, Page 204, of the land records of Hinds County at Jackson) and the Point of Beginning of the description of the property herein excepted; from said POINT OF BEGINNING; run thence S 19 degrees 00 minutes 36 seconds W along said east line of Canton Avenue a distance of 91.50 feet to a 3/8" iron pin; thence S 58 degrees 02 minutes 36 seconds E a distance of 54.12 feet to a nail in the top and center of the west end of a concrete traffic divider; thence S 71 degrees 01 minutes 10 seconds E and along the approximate center of said concrete traffic divider a distance of 89.81 feet to a nail; thence S 78 degrees 27 minutes 59 seconds E along the approximate center of said concrete traffic divider a distance of 63.02 feet to a nail set on the east end of said divider; thence N 22 degrees 18 minutes 26 seconds E a distance of 79.35 feet to a ½" iron pin set on the inside of curb on the southeast end of a parking island; thence N 02 degrees 42 minutes 01 seconds E a distance of 81.48 feet to a ½" iron pin; thence N 89 degrees 22 minutes 14 seconds W along the face of the south wall and the extension of the face of the south wall of the Dr. Robert Moss building a distance of 196.76 feet to a nail and the aforesaid POINT OF BEGINNING.

It is hereby modified so as to approve a Conditional Use Permit to allow for a drive thru window for a coffee shop for property located at 3100 Old Canton Rd. (Parcel #2-16) within a UTC - Urban Town Center (Mixed Use) District. The conditions of the Use Permit shall be that it is granted on an annual basis; be granted to the current owner/operator of the Jackson Brew LLC coffee shop; and that subsequent owners or operators of a coffee shop at this location must apply for and receive a new Use Permit. However, that before a Use Permit is issued for any structure to be erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

**Council Member Banks** moved adoption; **Vice President Lindsay** seconded.

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There was no representation from the Applicant and no opposition from the public.

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Thereafter, **Vice President Lindsay** called for a vote on said item:

Yeas- Banks, Foote, Lindsay and Tillman.  
Nays- None.  
Absent- Priester, Stamps and Stokes.

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**Vice President Lindsay** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4058, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

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**Vice President Lindsay** requested that the Clerk read the Order:

**ORDER GRANTING ROBERT GREEN JR. A 15'-20' VARIANCE FROM THE REQUIRED 25' SETBACK FOR PROPERTIES WITHIN A R-4 (LIMITED) RESIDENTIAL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF A CARPORT FOR THE PROPERTY LOCATED AT 3328 REVELS AVE. (PARCEL #422-67), CASE NO. 4058.**

**WHEREAS**, Robert Green Jr. has filed a petition for a 15'-20' Variance from the required 25' setback for properties within a R-4 (Limited) Residential District to allow for the construction of a carport for property located at 3328 Revels Ave. in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

**WHEREAS**, Jackson City Planning Board, after holding the required public hearing on May 22, 2019, has recommended approval of the said petition; and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, June 17, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

**WHEREAS**, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on May 2, 2019 and May 16, 2019 that a hearing would be and had been held by the Jackson City Planning Board, as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned 15'-20' Variance from the required 25' setback to allow for the construction of a carport for property located at 3328 Revels Ave. within an existing R-4 (Limited) Residential District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the granting of the Variance will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar lands, structures or buildings in the same district within the existing R-4 (Limited) Residential District of the City of Jackson.

NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

Lot Seven (7) in Block "C" of Redmond Addition, a Subdivision, according to a map or plat of said Subdivision which is of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi in Plat Book 6 at Page 37, reference to which is made in aid hereof.

It is hereby granted a 15'-20' Variance from the required 25' setback for properties to allow for the construction of a carport for property located at 3328 Revels Ave. within a R-4 (Limited) Residential District. However, that before a Variance is issued for any structure to be erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

Council Member Banks moved adoption; Vice President Lindsay seconded.

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There was no representation from the Applicant and no opposition from the public.

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Thereafter, Vice President Lindsay called for a vote on said item:

Yeas- Banks, Foote, Lindsay and Tillman.  
Nays- None.  
Absent- Priester, Stamps and Stokes.

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**ORDER GRANTING EXTENSION OF SPECIAL EXCEPTIONS AND USE PERMITS FOR ONE YEAR.**

Coming for consideration are requests for the approval of the following for certification of renewal for one year and after the anniversary date of approval for Use Permit or Special Exceptions as follows:

<u>CASE NO.</u>	<u>NAME</u>	<u>LOCATION</u>	<u>USE</u>	<u>GRANTED</u>
SE -3974 Ward 7 C-UP	Trey Hester & Brez, LLC	839 S. State St.	Community Recreational Facility to operate and Escape Room	6/19/17
SE - 3975 Ward 7	Midtown Partners, Inc.	2007 N. Lamar St.	Community Facility	6/19/17
SE-2905 Ward 3	Mary Tillman	3651 Mosley Avenue	Personal Care Home	4/08/92

IT IS HEREBY ORDERED by the Council of the City of Jackson that the said Use Permits and /or Special Exceptions be and the same are hereby extended for another year from and after the anniversary date granting said permits.

REGULAR ZONING MEETING OF THE CITY COUNCIL  
MONDAY, JUNE 17, 2019, 2:30 P.M.

Council Member Banks moved adoption; Vice President Lindsay seconded.

Yeas- Banks, Foote, Lindsay, Priester and Tillman.

Nays- None.

Absent- Stamps and Stokes.

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There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Council Meeting to be held at 4:00 p.m. on Wednesday, June 26, 2019 at 3:29 p.m. the Council stood adjourned.

ATTEST:

APPROVED:

Kristi Moore  
CITY CLERK

Chris Foote, 7/19/19  
MAYOR cmw DATE

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