

**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 December 18, 2017, being the third Monday of said month when and where the following things were had and done to wit:

- Present: Council Members: Ashby Foote, Ward 1; Kenneth I. Stokes, Ward 3; De'Keither Stamps, Ward 4; Aaron Banks, Ward 6 and Virgi Lindsay, Ward 7. Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Ester Ainsworth, Zoning Administrator; Biqi Zhao, Deputy Director of City Planning; Mukesh Kumar, Director of Planning and Development and Azande Williams, Deputy City Attorney.
- Absent: Charles Tillman, President, Ward 5 and Melvin Priester, Jr., Vice President, Ward 2.

\*\*\*\*\*

The meeting was called to order by **Council Member Aaron Banks**.

\*\*\*\*\*

**Council Member Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3979, 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.

-----

**Council Member Banks** requested that the Clerk read the Order:

**ORDER DENYING QUALITY PROPERTY, LLC A REZONING FROM C2 (LIMITED) COMMERCIAL DISTRICT TO C3 (GENERAL) COMMERCIAL DISTRICT TO OPERATE AN AUTOMOTIVE SERVICE & REPAIR SHOP FOR PROPERTY LOCATED AT 5408 ROBINSON RD. EXT., CASE NO. 3979.**

**WHEREAS**, Quality Property, LLC has filed a petition to rezone property located at 5408 Robinson Rd. Ext., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C2 (Limited) Commercial District to C3 (General) Commercial District to operate an automotive service & repair shop; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has recommended denial to rezone the property from C2 (Limited) Commercial District to C3 (General) Commercial District to operate an automotive service & repair shop; 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, December 18, 2017 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 Mississippi Link on July 6, 2017 and July 20, 2017 that a hearing would be held by the Jackson City Planning Board on July 26, 2017, 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 denial of the petitioned 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 not be in keeping with sound land use practice and to the best interest of the City and that there has not been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is not a public need for additional property in that area zoned in accordance with the request in said application since any previous City Council action.

**NOW, THEREFORE, BE IT ORDAINED 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:

Being situated in lots 11 and 12 SWEP J. TAYLOR SUBDIVISION, Part 2 according to a plat on file in the Office of Chancery Clerk at Jackson, Hinds County, Mississippi, in Plat Book 5, at page 33, and being more particularly described by metes and bounds to wit:

Commencing at the Northwest corner of lot 10 of the aforesaid SWEP J. TAYLOR SUBDIVISION, Part 2, and run easterly along the North line of lot 10 and the South line of lot 12, a distance of 80.0 feet; thence right through an interior angle of 90 degrees 15 minutes and run northerly a distance of 195.1 feet to the Point of Beginning of the property herein described; thence continue northerly along the last mentioned line a distance of 110.0 feet; thence right through an interior angle of 269 degrees 45 minutes and run easterly a distance of 80.0 feet; thence right through an interior angle of 90 degrees 15 minutes and run northerly a distance of 134.13 feet to the Southeast corner of a certain 1.032 acre tract; thence right through an interior angle of 65 degrees 38 minutes and run southwesterly along said 1.032 acre tract a distance of 258.7 feet to the east line of Robinson Road Extension; thence right through an interior angle of 115 degrees 57 minutes and run southerly along said east line a distance of 70 feet; thence right through an interior angle of 194 degrees 48 minutes and continue along said East line a distance of 70.6 feet; thence right through an interior angle of 73 degrees 37 minutes and leaving said East line, run Easterly a distance of 177.5 feet to the point of beginning containing 0.8518 acres, more or less.

Being situated in lots 11 and 12, SWEP J. TAYLOR SUBDIVISION, Part 2, according to a plat on file in the Office of the Chancery Clerk at Jackson, Hinds County, Mississippi in Plat Book 5, at page 33, and being more particularly described by metes and bounds to wit:

Commencing at the Northwest corner of Lot 10 of the aforesaid SWEP J. TAYLOR SUBDIVISION, Part 2, and run easterly along the North line of lot 10 and the South line of lot 12, a distance of 80.0 feet; thence right through an anterior angle of 90 degrees 15 minutes and run northerly a distance of 195.1 feet to the point of beginning of the property herein described; thence continue northerly along the last mentioned line a distance of 110.0 feet; thence right through an anterior angle of 26 degrees 45 minutes and run easterly a distance of 80.0 feet; thence right through an anterior angle of 89 degrees 45 minutes southerly for a distance of 110 feet to a point; thence run westerly for a distance of 80 feet to the point of beginning, all being a Part of lots 11 and 12, SWEP J. TAYLOR SUBDIVISION, Part 2, according to a plat on file in the Office of the Chancery Clerk at Jackson, Hinds County, Mississippi, in Plat 5, at page 33.

is hereby denied the petitioned rezoning of the property located at 5408 Robinson Rd. Ext. from C2 (Limited) Commercial District to C3 (General) Commercial District.

-----  
**Council Member Banks** recognized **Attorney Joe Deaton**, representative of the Applicant, and **Marcus Murriel**, Applicant, who spoke in favor of a Rezoning from C2 (Limited) Commercial to C3 (General) Commercial to operate an automotive service & repair shop.

-----  
There was no opposition from the public.

-----  
**Council Member Lindsay** moved adoption; **Council Member Foote** seconded.

Yeas- Banks and Lindsay.  
Nays- Foote, Stamps and Stokes.  
Absent- Priester and Tillman.

**Note:** Said item failed for a lack of majority vote.

Council Member Banks requested that the Clerk read the alternative Order:

**ORDINANCE GRANTING QUALITY PROPERTY, LLC A REZONING FROM C2 (LIMITED) COMMERCIAL DISTRICT TO C3 (GENERAL) COMMERCIAL DISTRICT TO OPERATE AN AUTOMOTIVE SERVICE & REPAIR SHOP FOR PROPERTY LOCATED AT 5408 ROBINSON RD. EXT., CASE NO. 3979.**

**WHEREAS**, Quality Property, LLC has filed a petition to rezone property located at 5408 Robinson Rd. Ext., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C2 (Limited) Commercial District to C3 (General) Commercial District to operate an automotive service & repair shop; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has recommended denial to rezone the property from C2 (Limited) Commercial District to C3 (General) Commercial District to operate an automotive service & repair shop; 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, December 18, 2017 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 Mississippi Link on July 6, 2017 and July 20, 2017 that a hearing would be held by the Jackson City Planning Board on July 26, 2017, 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 denial of the petitioned 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 request in said application since any previous City Council action.

**NOW, THEREFORE, BE IT ORDAINED 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:

Being situated in lots 11 and 12 SWEP J. TAYLOR SUBDIVISION, Part 2 according to a plat on file in the Office of Chancery Clerk at Jackson, Hinds County, Mississippi, in Plat Book 5, at page 33, and being more particularly described by metes and bounds to wit:

Commencing at the Northwest corner of lot 10 of the aforesaid SWEP J. TAYLOR SUBDIVISION, Part 2, and run easterly along the North line of lot 10 and the South line of lot 12, a distance of 80.0 feet; thence right through an interior angle of 90 degrees 15 minutes and run northerly a distance of 195.1 feet to the Point of Beginning of the property herein described; thence continue northerly along the last mentioned line a distance of 110.0 feet; thence right through an interior angle of 269 degrees 45 minutes and run easterly a distance of 80.0 feet; thence right through an interior angle of 90 degrees 15 minutes and run northerly a distance of 134.13 feet to the Southeast corner of a certain 1.032 acre tract; thence right through an interior angle of 65 degrees 38 minutes and run southwesterly along said 1.032 acre tract a distance of 258.7 feet to the east line of Robinson Road Extension; thence right through an interior angle of 115 degrees 57 minutes and run southerly along said east line a distance of 70 feet; thence right through an interior angle of 194 degrees 48 minutes and continue along said East line a distance of 70.6 feet; thence right through and interior angle of 73 degrees 37 minutes and leaving said East line, run Easterly a distance of 177.5 feet to the point of beginning containing 0.8518 acres, more or less.

Being situated in lots 11 and 12 SWEP J. TAYLOR SUBDIVISION, Part 2, according to a plat on file in the Office of the Chancery Clerk at Jackson, Hinds County, Mississippi in Plat Book 5, at page 33, and being more particularly described by metes and bounds to wit:

Commencing at the Northwest corner of Lot 10 of the aforesaid SWEP J. TAYLOR

SUBDIVISION, Part 2, and run easterly along the North line of lot 10 and the South line of lot 12, a distance of 80.0 feet; thence right through and anterior angle of 90 degrees 15 minutes and run northerly a distance of 195.1 feet to the point of beginning of the property herein described; thence continue northerly along the last mentioned line a distance of 110.0 feet; thence right through an anterior angle of 26 degrees 45 minutes and run easterly a distance of 80.0 feet; thence right through an anterior angle of 89 degrees 45 minutes southerly for a distance of 110 feet to a point; thence run westerly for a distance of 80 feet to the point of beginning, all being a Part of lots 11 and 12, SWEP J. TAYLOR SUBDIVISION, Part 2, according to a plat on file in the Office of the Chancery Clerk at Jackson, Hinds County, Mississippi, in Plat 5, at page 33.

is hereby modified so as to approve the rezoning of the property located at 5408 Robinson Rd. Ext. from C2 (Limited) Commercial District to C3 (General) Commercial District to allow for the operation of an automotive service and repair shop, however that before a 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. 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 Stamps** moved adoption; **Council Member Foote** seconded.

Yeas- Foote, Stamps and Stokes.

Nays- Banks and Lindsay.

Absent- Priester and Tillman.

**Note:** Said item passed by a majority vote.

\*\*\*\*\*

**Council Member Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3995, 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.

**Council Member Banks** requested that the Clerk read the Order:

**ORDINANCE GRANTING EUGENE WILLIAMS A REZONING FROM R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO C-2 (LIMITED) COMMERCIAL DISTRICT TO OPERATE A COMMERCIAL CHILD CARE CENTER FOR PROPERTY LOCATED AT 4630 TERRY RD., CASE NO. 3995.**

**WHEREAS**, Eugene Williams has filed a petition to rezone property located at 4630 Terry Rd., 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 operate a commercial child care center; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has recommended approval to rezone the property from R-1 (Single-Family) Residential District to C-2 (Limited) Commercial District to operate a commercial child care center; 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, December 18, 2017 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 Mississippi Link on October 26, 2017 and November 9, 2017 that a hearing had been held by the Jackson City Planning Board on November 15, 2017, 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 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 request in said application 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:

The South 120 feet of the West 240 feet of Lot 4 Marshall Subdivision, according to a map or plat thereof on file and or record in the office of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi in Plat Book 4 at page 114.

is hereby modified so as to approve the rezoning of the property located at 4630 Terry Rd. from R-1 (Single-Family) Residential District to C-2 (Limited) Commercial District to operate a commercial child care center. 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** recognized **Eugene and Adrian Williams**, Applicant, who spoke in favor of a Rezoning from R-1 (Single-Family) Residential District to C-2 (Limited) Commercial District to operate a commercial child care center.

-----

There was no opposition from the public.

-----

**Council Member Stokes** moved adoption; **Council Member Stamps** seconded.

Yeas- Banks, Foote, Lindsay, Stamps and Stokes.

Nays- None.

Absent- Priester and Tillman.

\*\*\*\*\*

**Council Member Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3996, 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.

-----

**Council Member Banks** requested that the Clerk read the Order:

**ORDER DENYING BROOKWOOD PROPERTIES, LLC A REZONING FROM C-2 (LIMITED) COMMERCIAL DISTRICT TO C-3 (GENERAL) COMMERCIAL DISTRICT TO DEVELOP A STORAGE FACILITY (MINI-WAREHOUSE) FOR PROPERTY LOCATED AT PARCELS 511-630, 511-630-1 & 511-630-2 ON CORNER OF I-55 FRONTAGE RD. & CHASTAIN DR., CASE NO. 3996.**

WHEREAS, Brookwood Properties, LLC has filed a petition to rezone property located at Parcels 511-630, 511-630-1 & 511-630-2 on corner of I-55 Frontage Rd. & Chastain Dr., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C-2 (Limited) Commercial District to C-3 (General) Commercial District to develop a storage facility (mini-warehouse); and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered no recommendation regarding rezoning of the property from C-2 (Limited) Commercial District to C-3 (General) Commercial District to develop a storage facility (mini-warehouse); 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, December 18, 2017 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 Mississippi Link on October 26, 2017 and November 9, 2017 that a hearing had been held by the Jackson City Planning Board on November 15, 2017, 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 denial of the petitioned rezoning of the above described property to C-3 (General) Commercial District; and

WHEREAS, the Council after having considered the matter, is of the opinion that such changes would not be in keeping with sound land use practice and to the best interest of the City and that there has not been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is not a public need for additional property in that area zoned in accordance with the request in said application since any previous City Council action.

**NOW, THEREFORE, BE IT ORDAINED 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:

**Parcel #511-630**

Commence at the Southeast corner of the intersection of Edgewood Terrace Drive and East McWillie Circle and run thence South 00°16'00" East for a distance of 939.84 feet along the Eastern line of East McWillie Circle to the Northeast corner of the Intersection of the North line of the dedicated road or street known as Chastain Drive along the South side of that certain property conveyed by W.P. Bridges to the Trustees of Jackson Municipal Separate School District, with the East line of the dedicated road or street known as East McWillie Circle along the East side of said school property, said property having been conveyed by W.P. Bridges to the Trustees of the Jackson Municipal Separate School District by Deed dated December 9, 1953 and recorded in Book 818 at Page 562 thereof, in the office of the Chancery Clerk of Hinds County, at Jackson, Mississippi, reference to which is hereby made in aid of this description, and said roads having been dedicated by W.P. Bridges by Deed to Hinds County, Mississippi, dated December 9, 1953 and recorded in Book 818 at Page 564 thereof in the office of the Chancery Clerk of Hinds County, at Jackson, Mississippi, reference to which is hereby made in the aid to this description, and from said intersection, run North 89°42'00" East along the North line of said road or street for a distance of 150 feet to an "X" mark in concrete which marks the POINT OF BEGINNING of the land herein described; thence continue North 89°42'00" East for a distance of 252.96 feet along the Northern line of Chastain Drive to a ferrous metal rod which marks the Western line of Interstate-Highway No. 55; thence North 34°51'00" East for a distance of 28.80 feet along the Western line

of Interstate Highway No. 55 as described in Deed Book 3180 at Page 607 of the said Chancery Records of Hinds County at Jackson, Mississippi, to a concrete right of way marker; thence North 09°15'00" East for a distance of 180.0 feet along the said Western line of Interstate Highway No. 55 to a concrete right of way marker; thence North 01°50'00" East for a distance of 94.91 feet along said Western line of Interstate Highway No. 55 to a ferrous metal rod; thence leave said Western line and run South 89°42'00" West for a distance of 302.77 feet to an "X" mark in concrete; thence South 00°16'00" East for a distance of 295.90 feet along a line which is parallel to the said East line of East McWillie Circle to the POINT OF BEGINNING, containing 1 .9556 acres, more or less.

**Parcel #511-630-1**

Commence at the Southeast corner of the intersection of Edgewood Terrace Drive and East McWillie Circle and run thence South 00°16'00" East for a distance of 939.84 feet along the Eastern line of East McWillie Circle to the Northeast corner of the intersection of the North line of the dedicated road or street known as Chastain Drive along the South side of that certain property conveyed by W.P. Bridges to the Trustees of Jackson Municipal Separate School District, with the East line of the dedicated road or street known as East McWillie Circle along the East side of said school property, said property having been conveyed by W.P. Bridges to the Trustees of the Jackson Municipal Separate School District by Deed dated December 9, 1953 and recorded in Book 818 at page 562 thereof, in the office of the Chancery Clerk of Hinds County, at Jackson, Mississippi, reference to which is hereby made in aid of this description, and said roads having been dedicated by W.P. Bridges by Deed to Hinds County, Mississippi, dated December 9, 1953 and recorded in Book 818 at Page 564 thereof in the office of the Chancery Clerk of Hinds County, at Jackson, Mississippi, reference to which is hereby made in aid to this description, and from said intersection, run North 89°42'00" East along the North line of said road or street for a distance of 150 feet to a "X" mark in concrete which marks the POINT OF BEGINNING of the land herein described; thence continue North 89°42'00" East for a distance of 252.96 feet along the Northern line of Chastain Drive to a ferrous metal rod which marks the Western line of Interstate Highway No. 55; thence North 34°51 '00" East for a distance of 28.80 feet along the Western line of Interstate Highway No. 55 as described in Deed Book 3180 at Page 607 of the said Chancery Records of Hinds County at Jackson, Mississippi, to a concrete right of way marker; thence North 09°15'00" East for a distance of 180.1 feet along the said Western line of Interstate Highway No. 55 to a concrete right of way marker; thence North 01°50'00" East for a distance of 94.91 feet along the said Western line of Interstate Highway No. 55 to a ferrous metal rod; thence leave said Western line and run South 89°42 '00" West for a distance of 302.77 feet to an "X" mark in concrete; thence South 00°16'00" East for a distance of 295.90 feet along a line which is parallel to the said East line of East McWillie Circle to the POINT OF BEGINNING, containing 1.9556 acres, more or less.

**Parcel #511-630-2**

Commence at the Southeast corner of the intersection of Edgewood Terrace Drive and East McWillie Circle and run thence South 00°16'00" East for a distance of 939.84 feet along the Eastern line of East McWillie Circle to the Northeast corner of the intersection of the North line of the dedicated road or street known as Chastain Drive along the South side of that certain property conveyed by W.P. Bridges to the Trustees of Jackson Municipal Separate School District, with the East line of the dedicated road or street known as McWillie Circle along the East side of said school property, said property having been conveyed by W.P. Bridges to the Trustees of the Jackson Municipal Separate School District by Deed dated December 9, 1953 and recorded in Book 818 at Page 562 thereof, in the office of the Chancery Clerk of Hinds County, at Jackson, Mississippi, reference to which is hereby made in aid of this description, and said roads having been dedicated by W.P. Bridges by Deed to Hinds County, Mississippi, dated December 9, 1953 and recorded in Book 818 at Page 564 thereof in the office of the Chancery Clerk of Hinds County, at Jackson, Mississippi, reference to which is hereby made in aid to this description, and from said intersection, run North 89°42'00" East along the North line of said road or street for a distance of 402.96 feet to a ferrous metal rod which marks the Western line of Interstate Highway No. 55 which marks the POINT OF BEGINNING of the land herein described; thence North 34°51 '00" East for a distance of 28.80 feet along the Western line of Interstate Highway No. 55 as described in Deed Book 3180 at Page 607 of the said Chancery Records of Hinds County at Jackson, Mississippi, to a concrete right of way marker; thence North 09°15'00" East for a distance of 49.68 feet along the said Western line of Interstate Highway No. 55; thence leave said Western line and

run North 48°21 '00" West for a distance of 69.36 feet; thence North 64°27'00" West for a distance of 10.32 feet; thence South 72°15'00" West for a distance of 12.0 feet; thence South 26°51 '00" West for a distance of 11.76 feet; thence South 04°24'00" East for a distance of 62.88 feet; thence South 23°33'43" East for a distance of 50.75 feet; thence North 89°42'00" East a distance of 28.32 feet, more or less to the POINT OF BEGINNING, containing 6,700 square feet, more or less.

is hereby denied the petitioned rezoning of the property located at Parcels 511-630, 511-630-1 & 511-630-2 on corner of I-55 Frontage Rd. & Chastain Dr. from C-2 (Limited) Commercial District to C-3 (General) Commercial District to develop a storage facility (mini-warehouse).

-----

**Council Member Banks** recognized **Attorney Reuben Anderson**, representative of the Applicant, who spoke in favor of a Rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District to develop a storage facility (mini-warehouse).

-----

**Council Member Banks** recognized **Dorothy Thompson** who spoke in opposition of a Rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District to develop a storage facility (mini-warehouse).

-----

**Council Member Banks** recognized **Shirley Thomas** who spoke in opposition of a Rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District to develop a storage facility (mini-warehouse).

-----

**Council Member Lindsay** moved adoption; **Council Member Stokes** seconded.

Yeas- Banks, Lindsay, Stamps and Stokes.

Nays- Foote.

Absent- Priester and Tillman.

\*\*\*\*\*

**Council Member Foote** left the meeting.

\*\*\*\*\*

**Council Member Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3997, 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.

-----

**Council Member Banks** requested that the Clerk read the Order:

**ORDER APPROVING KIMBERLY COURSE A SPECIAL EXCEPTION TO ALLOW FOR A RESIDENTIAL DAYCARE CENTER IN A R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT FOR PROPERTY LOCATED AT 451 MCDOWELL PARK CIR., CASE NO. 3997.**

**WHEREAS**, Kimberly Course filed a petition for a Special Exception to allow for a residential daycare center on property zoned R-1A (Single-family) Residential District, located at 451 McDowell Park Cir., 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., December 18, 2017 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 Mississippi Link on October 26, 2017 and November 9, 2017 that a hearing had been held by the Jackson City Planning Board on November 15, 2017, 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 Special Exception of the above described property, within the existing zoning 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 the petitioned Special Exception to allow for a residential daycare center within an area zoned 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 approved 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:

LOT 34, MCDOWELL PARK SUBDIVISION, 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 17 AT PAGE 24, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.

be and is hereby granted a Special Exception to allow for a residential daycare center located at 451 McDowell Park Cir. on property zoned R-1A (Single-family) Residential District. However, before a Special Exception 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.

-----  
There was no opposition from the public.  
-----

**Council Member Stokes** moved adoption; **Council Member Stamps** seconded.

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

\*\*\*\*\*

**Council Member Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3998, 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.

-----  
**Council Member Banks** requested that the Clerk read the Order:

**ORDER GRANTING CURTIS WILLIAMS TWO (2) CONDITIONAL USE PERMITS TO OPERATE TWO (2) ROOMING HOUSES IN AN R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT FOR PROPERTY LOCATED AT 210-212 W. ASH ST., CASE NO. 3998.**

WHEREAS, Curtis Williams has filed a petition for a Use Permit to operate two (2) rooming houses in an R-4 (Limited Multi-family) Residential 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 two (2) Conditional Use Permits to operate two (2) rooming houses in an R-4 (Limited Multi-family) Residential 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, December 18, 2017 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 Mississippi Link on October 26, 2017 and November 9, 2017 that a hearing had been held by the Jackson City Planning Board on November 15, 2017, 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 R-4 (Limited Multi-family) Residential District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the rooming houses will not be detrimental to the continued use, value, or development of properties in the vicinity being hazardous, detrimental, or disturbing to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances and that two (2) Conditional Use Permits be granted to operate two (2) rooming houses within the existing R-4 (Limited Multi-family) 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:

Lots 15 and 16 Ideal Horne Plot, 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 30, reference to which to which map or plat is hereby made in aid of and as a part of this description.

be and is hereby modified so as to approve two (2) Conditional Use Permits to allow for the operation of two (2) rooming houses in an R-4 (Limited Multi-family) for property located at 210-212 W. Ash St. within a R-4 (Limited Multi-family) Residential District. The conditions of the Use Permits shall be that they are granted on an annual basis; granted to Curtis, the owner/operator of the rooming houses, and that subsequent owner or operators of rooming houses at the locations 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.

-----

There was no opposition from the public.

-----

**Council Member Stokes** moved adoption; **Council Member Stamps** seconded.

Yeas- Banks, Lindsay, Stamps and Stokes.

Nays- None.

Absent- Foote, Priester and Tillman.

\*\*\*\*\*

Ester Ainsworth noted for the record: **Cancelled Special Exceptions:**

- SE 2331- New Testament M.B. Church – 2702 Holmes Ave.

No action required.

\*\*\*\*\*

**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>
UP or 1111 Ward 4	Elbert Willis	3384 Elraine Blvd. Jackson, MS 39213	Beauty Shop	12/16/71
SE – 2340 Ward 5	Barbara Moaton	422 Eastview St.	One-Chair Beauty Salon	12/5/84
SE – 1636 Ward 4	Lillie Robinson	3554 Rita Drive Jackson, MS 39213	Day Care Center	11/30/1977
UP- 2704 Ward 4	Mary L. Clay	2684 Maddox Rd. Jackson, MS 39209	One-Chair Beauty Shop	11/9/1988

**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.

**Council Member Stokes** moved adoption; **Council Member Lindsay** seconded.

Yeas- Banks, Lindsay, Stamps and Stokes.

Nays- None.

Absent- Foote, Priester and Tillman.

\*\*\*\*\*

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council Meeting to be held at 6:00 p.m. on Tuesday, December 19, 2017: at 4:10 p.m., the Council stood adjourned.

**ATTEST:**

**APPROVED:**

*Luzita Moore*  
CITY CLERK

*Charles A. Sumner* <sup>1500</sup> 12/29/17  
MAYOR DATE

\*\*\*\*\*