

**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 February 27, 2017, being the fourth Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Tyrone Hendrix, President, Ward 6; Margaret Barrett-Simon, Vice President, Ward 7; Ashby Foote, Ward 1; Melvin Priester, Jr., Ward 2 and De'Keither Stamps, Ward 4. Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Traci Malone, Deputy City Clerk; Ester Ainsworth, Zoning Administrator; Biqi Zhao, Deputy Director of Planning and Azande Williams, Deputy City Attorney.

Absent: Kenneth I. Stokes, Ward 3 and Charles Tillman, Ward 5.

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The meeting was called to order by **President Tyrone Hendrix**.

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**President Hendrix** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3959, 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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**President Hendrix** requested that the Clerk read the Order:

**ORDER GRANTING MAYWOOD MART TEI EQUITIES, LLC A VARIANCE OF SIXTY (60) OFF STREET PARKING SPACES FROM THE REQUIRED NUMBER OF SPACES FOR RETAIL STORES FOR PROPERTY LOCATED AT 1220 E. NORTHSIDE DR. (PARCELS 511-508, 511-510, 511-514, 511-514-1 & 511-524), CASE NO. 3959.**

**WHEREAS**, Maywood Mart Tei Equities, LLC has filed a petition for a Variance of forty-nine (49) off street parking spaces from the required number of spaces for retail stores 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 January 25, 2017, 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, February 27, 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 January 5, 2017 and January 19, 2017 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 a Variance of sixty (60) off street parking spaces from the required number of spaces for retail stores 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 granting the Variance requested will not confer upon the applicant any special privilege which is denied by the Zoning Ordinance to other similar lands, structures or buildings in the same district.

**NOW, THEREFORE, BE IT ORDERED 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:

A PARCEL OF LAND BEING SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 1 EAST, HINDS COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 1 EAST, HINDS COUNTY, MISSISSIPPI; THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTERQUARTER N 00°14'00" E A DISTANCE OF 122.20 FEET TO A POINT; THENCE LEAVING THE EAST LINE OF THE SOUTHWEST QUARTER S 89°58'00" W A DISTANCE OF 117.05 FEET TO THE POINT OF BEGINNING; THENCE S 89°58'19" W A DISTANCE OF 160.43 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 55 AS DESCRIBED IN BOOK 3336, PAGE 679, OFFICIAL RECORDS OF HINDS COUNTY, MISSISSIPPI; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 3328.05 FEET AND AN ARC DISTANCE OF 17.10 FEET, SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF N 06°37'07" E 17.10 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 8203.11 AND AN ARC DISTANCE OF 123.70 FEET, SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF N 06°02'49" E 123.70 FEET TO A POINT ON THE NORTH LINE OF THIS PARCEL; THENCE LEAVING THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 55 ALONG SAID NORTH LINE N 89°58'03" E A DISTANCE OF 172.65 FEET; THENCE LEAVING THE NORTH LINE S 00°00'43" E A DISTANCE OF 127.96 FEET; THENCE S 89°59'17" W A DISTANCE OF 27.25 FEET; THENCE S 00°00'43" E A DISTANCE OF 12.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 24,864 SQUARE FEET OR 0.57 ACRES PLUS OR MINUS.

THE ABOVE DESCRIBED PROPERTY IS THE SAME PROPERTY RECORDED IN DEED BOOK 5719 AT PAGE.287 AND DEED BOOK 5719 AT PAGE 300.

A PARCEL OF LAND CONTAINING 7.727 ACRES SITUATED IN THE SOUTHWEST 'L4 OF THE SOUTHEAST 114 AND THE SOUTHEAST 114 OF THE SOUTHWEST 114 OF SECTION 13, T6N-R1E, JACKSON, HINDS COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST COMER OF THE SOUTHEAST ¼ OF SAID SECTION 13 AND RUN NORTH ALONG THE WESTERN BOUNDARY OF SAID SOUTHEAST ¼ FOR A DISTANCE OF 22.2 FEET TO THE OLD NORTHERN RIGHT-OF-WAY LINE OF NORTHSIDE DRIVE; THENCE NORTH 89 DEGREES 46 MINUTES 58 SECONDS EAST ALONG SAID NORTHERN RIGHT OF WAY LINE FOR A DISTANCE OF 10.00 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 36 SECONDS EAST 10.5 FEET TO THE PRESENT NORTHERN RIGHT-OF- WAY LINE OF NORTHSIDE DRIVE AND THE POINT OF BEGINNING FOR THE PROPERTY HEREIN DESCRIBED; LEAVING SAID NORTHERN RIGHT-OF-WAY LINE, RUN THENCE NORTH 00 DEGREES 08 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 69.50 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 110.10 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 20.00 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 17.35 FEET; THENCE NORTH 00 DEGREES 11 MINUTES 45 SECONDS WEST FOR A DISTANCE OF 12.05 FEET; THENCE NORTH 89 DEGREES 48 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 27.25 FEET; THENCE NORTH 00 DEGREES 11 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 127.96 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 172.65 FEET TO THE EASTERN RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 55; RUN ALONG SAID EASTERN RIGHT-OF-WAY LINE THE FOLLOWING COURSES: RUN NORTHERLY, CLOCKWISE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 158.68 FEET TO THE POINT OF TANGENCY, SAID CURVE HAVING A CENTRAL ANGLE OF 01 DEGREES 06 MINUTES 30 SECONDS, A RADIUS OF 8,203.11 FEET, AND A CHORD BEARING OF NORTH 05 DEGREES 39 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 158.68 FEET; THENCE NORTH 05 DEGREES 06 MINUTE 10 SECONDS

**MINUTE BOOK 6K**

EAST FOR A DISTANCE OF 163.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHERLY, CLOCKWISE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 187.09 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 00 DEGREES 56 MINUTES 13 SECONDS, A RADIUS OF 11,441.16 FEET, AND A CHORD BEARING OF NORTH 05 DEGREES 34 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 187.08 FEET; LEAVING SAID EASTERN RIGHT-OF- WAY LINE, RUN THENCE NORTH 89 DEGREES 46 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 249.54 FEET TO THE WESTERN BOUNDARY OF MAYWOOD SUBDIVISION AS RECORDED IN PLAT BOOK 15 AT PAGE 21 IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY; THENCE SOUTH 00 DEGREES 49 MINUTES 40 SECONDS WEST ALONG SAID WESTERN BOUNDARY FOR A DISTANCE OF 423.54 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 89 DEGREES 51 MINUTES 28 SECONDS EAST ALONG THE SOUTHERN BOUNDARY OF SAID SUBDIVISION FOR A DISTANCE OF 655.96 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY LINE OF OLD CANTON ROAD; THENCE SOUTH 26 DEGREES 27 MINUTES 59 SECONDS WEST ALONG SAID WESTERN RIGHT-OF-WAY LINE FOR A DISTANCE OF 230.66 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 58 SECONDS WEST ALONG SAID WESTERN RIGHT-OF-WAY LINE FOR A DISTANCE OF 11.75 FEET; THENCE SOUTH 26 DEGREES 27 MINUTES 59 SECONDS WEST ALONG SAID WESTERN RIGHT-OF-WAY LINE FOR A DISTANCE OF 90.00 FEET; THENCE SOUTH 58 DEGREES 07 MINUTES 25 SECONDS WEST ALONG SAID WESTERN RIGHT-OF- WAY LINE FOR A DISTANCE OF 48.09 FEET TO THE NORTHERN RIGHT-OF-WAY LINE OF AFORESAID NORTHSIDE DRIVE; THENCE SOUTH 89 DEGREES 46 MINUTES 58 SECONDS WEST ALONG SAID NORTHERN RIGHT-OF-WAY LINE FOR A DISTANCE OF 479.10 TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY IS THE SAME PROPERTY RECORDED IN DEED BOOK 5719 AT PAGE 287 AND DEED BOOK 5719 AT PAGE 300.

be and is hereby granted a Variance of sixty (60) off street parking spaces from the required number of spaces for retail stores, however, 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.

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**President Hendrix** recognized **Attorney William Drinkwater**, a representative of the Applicant, who spoke in favor to approve a Variance of sixty (60) off street parking spaces from the required number of spaces for retail stores within a C-3 (General) Commercial District.

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There was no opposition from the public.

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**Council Member Barrett-Simon** moved adoption; **Council Member Stamps** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester and Stamps.  
Nays- None.  
Absent- Stokes and Tillman.

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**President Hendrix** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3960, 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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**President Hendrix** requested that the Clerk read said Order:

**ORDER GRANTING JAMES ADDISON A CONDITIONAL USE PERMIT TO OPERATE A GENERAL RESTAURANT WITHIN A C-2 (LIMITED) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 1805 BAILEY AVE., CASE NO. 3960.**

**WHEREAS**, James Addison has filed a petition for a Use Permit to operate a night club/general restaurant within a C-2 (Limited) 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 Conditional Use Permit to operate a general restaurant within a C-2 (Limited) 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, February 27, 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 January 5, 2017 and January 19, 2017 that a hearing would be held by the Jackson City Planning Board on January 25, 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 a Conditional Use Permit within the existing C-2 (Limited) Commercial District of the City of Jackson; and

**WHEREAS**, the Council, after having considered the matter, is of the opinion that the proposed operation of a general restaurant 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 general restaurant within the existing C-2 (Limited) Commercial District of the City of Jackson and with the conditions that the Use Permit be granted on an annual basis; that the Use Permit be granted to the owner/operator of the Magic Spot Bar and Grill; all outdoor activities for the Magic Spot Bar Grill be held between the hours of 3:00 p.m. – 8:00 p.m.; and that subsequent owners or operators of a general restaurant 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:

3 feet off North side of Lot 1; 32 feet off South side of Lot 2; 32 feet off North side of Lot 2; and 43 and 1/3 feet off the East side of Lot 3, all being in Black "B", NORTH SUNNYSIDE ADDITION, a subdivision according to the map or plat thereof which is on file and of record in the Office of the Chancery Clerk of Hinds County, of Jackson, Mississippi, in Plat Book 1 at Page 69 thereof.

AND

Lot one (1), Block "B" of North Sunnyside Addition, less three (3) feet off the North side thereof, a subdivision according to the map or plat of which is of record in the office of the chancery Clerk of the First Judicial District of Hinds County at Jackson, Mississippi, in Plat Book 1 at page 69, reference to which map or plat is hereby made in aid of this description.

be and is hereby modified so as to approve a Conditional Use Permit to operate a general restaurant for property located at 1805 Bailey Ave. within a C-2 (Limited) Commercial District. However, 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.

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**President Hendrix** recognized **Attorney Alton Peterson**, representative of the Applicant, who spoke in favor to approve a Conditional Use Permit to operate a general restaurant within a C-2 (Limited) Commercial District.

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There was no opposition from the public.

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**Council Member Barrett-Simon** moved adoption; **Council Member Stamps** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester and Stamps.

Nays- None.

Absent- Stokes and Tillman.

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**President Hendrix** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3961, 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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**President Hendrix** requested that the Clerk read said Order:

**ORDER GRANTING JAX-ZEN, LLC (JASON & JINA DANIELS) A VARIANCE FOR SEVEN (7) SPACES FROM THE REQUIRED NUMBER OF OFF STREET PARKING SPACES FOR RETAIL STORES WITHIN A I-1 (LIGHT) INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 153/155 WESLEY AVE., CASE NO. 3961.**

**WHEREAS**, Jax-Zen, LLC (Jason & Jina Daniels), LLC has filed a petition for a Variance of seven (7) spaces from the required number of off street parking spaces for retail stores 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 January 25, 2017, 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, February 27, 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 January 5, 2017 and January 19, 2017 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 Variance for seven (7) spaces from the required number of off street parking spaces for retail stores within the existing I-1 (Light) Industrial District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the Variance requested will not confer upon the applicant any special privilege which is denied by the Zoning Ordinance to other similar lands, structures or buildings be granted within the existing I-1 (Light) Industrial District of the City of Jackson.

**NOW, THEREFORE, BE IT ORDERED 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:

LOT FOUR (4), BLOCK "0", HOWIE-ROELL RESURVEY OF MILLSAPS COLLEGE ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF ON FILE AND OF RECORD IN PLAT CABINET A AT SLIDE 263 IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY, AT JACKSON, MISSISSIPPI, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.

be and is hereby granted a Variance of seven (7) spaces from the required number of off street parking spaces for retail stores, however, 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.

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There was no opposition from the public.

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**Council Member Barrett-Simon** moved adoption; **Council Member Priester** seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester and Stamps.  
Nays- None.  
Absent- Stokes and Tillman.

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**President Hendrix** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3963, 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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**President Hendrix** requested that the Clerk read said Order:

**ORDER GRANTING THE MISSISSIPPI REGIONAL HOUSING AUTHORITY NO. VI A USE PERMIT TO CONSTRUCT APARTMENTS FOR THE ELDERLY WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 150 & 170 ANGLE DR., CASE NO. 3963.**

WHEREAS, Mississippi Regional Housing Authority No. VI has filed a petition for a Use Permit to construct apartments for the elderly 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 construct apartments for the elderly 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, February 27, 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 January 5, 2017 and January 19, 2017 that a hearing would be held by the Jackson City Planning Board on January 25, 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 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 construction of an elderly apartment complex will not be detrimental to the continued use, value, or development of properties in the vicinity and that a Use Permit be granted to construct apartments for the elderly within the existing 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:

**150 Angle Drive**

Being a 1.85 acre parcel of land situated in the Southeast Quarter (SE ¼ ) of the Northeast Quarter (NE ¼ ) of Section 17, Township 5 North, Range 1 East, City of Jackson, First Judicial District, Hinds County, Mississippi and being a part of that Tract of land, as conveyed to Mississippi Regional Housing Authority No. VI and recorded in Deed Book 7133, Page 951 in the Chancery Clerk's Office of the First Judicial District of Hinds County, Mississippi and being more particularly described as follows:

The following description is based on the Mississippi State Plane Coordinate System, West Zone, NAD83(CORS96), grid values, using a combined factor of 0.99993981 and convergence angle of 0.06370430 as determined specifically for this project.

Commencing at ½ inch rebar found marking the Northeast corner of Lot 15, Wagwood Angle Subdivision, Block "B", as recorded in Plat Book 15, Page 34;

THENCE along the Northern line of said Block B same being the Southern line of a fifty (50) foot wide permanent and irrevocable non-exclusive ingress and egress easement known also as Angle Street and as recorded in Deed Book 2098, Page 209 and 213 and in Deed Book 7122, Page 9382, run North 58 22 56 West for a distance of 61.78 feet to a point;

THENCE leaving said Northern line of Block B same being the Southern line, run North 31 37 04 East for a distance of 50.00 feet to a ½ rebar found marking the Southwest corner of a tract of land as conveyed to Andrew L. Smith and recorded in Deed Book 7122, Page 9382, same being POINT OF BEGINNING of the herein described 1.85 acre tract;

THENCE along the Northern line of aforesaid Angle Street (easement), run North 58 22 56 West for a distance of 410.91 feet to a PK Nail set;

THENCE leaving said Northern line, run North 31 37 04 East for a distance of 200.57 feet to a set drill hole in concrete on the South Right-of-Way line of Interstate 20 and 55 interchange;

THENCE along said South Right-of-Way line, run the following two (2) courses:

1. South 66 38 57 East for a distance of 137.93 feet to a ½ inch rebar set;
2. South 45 46 56 Est for a distance of 281.19 feet to a ½ inch rebar set at a point marking the Northwest comer of aforesaid Andrew L. Smith tract;

THENCE leaving said South Right-of-Way line and along the West line of said "Smith" tract, run South 31 37 04 West for a distance of 159.06 feet back to the POINT OF BEGINNING, containing 1.85 acres, (80,795 square feet), more or less.

Along with the above runs an existing fifty (50) foot wide Permanent and Irrevocable Non-Exclusive Easement for Ingress and Egress along what is called Angle Street as is mentioned and recorded in Deed Book 2098, Page 209 and 213, as well as Deed Book 7122, Page 9382.

**The above described being the same as that parcel of land as referenced above and described in Deed Book 7133, at Page 951 and recorded in the Chancery Clerk's Office of aforesaid County.**

**170 Angle Drive**

A certain parcel of land lying and being situated in the East ½ of Section 17, Township 5 North, Range 1 East, in the City of Jackson, Hinds County, Mississippi, and being more particularly described by metes and bounds, to wit:

Commencing at the Northwest comer of Lot 22, of Wagwood Angle Subdivision, Part I according to the plat on file in the office of the Chancery Clerk at Jackson, Hinds County, Mississippi, as now recorded in Plat Book 15 at Page 34, thence north 58 degrees 27 minutes west along a projection of the north line of said Wagwood Angle Subdivision, Part I a distance of 82.76 feet to an iron pin in the east right of way of Terry Road; thence such 28 degrees 16 minutes east along said east right of way 50.1 feet; thence south 58 degrees 27 minutes east along the northerly right of way of a 50 foot street easement for a distance of 823.18 feet to the southernmost comer of the LaQuinta Motor Inns property said point also being the point of beginning; thence north 31 degrees 33 minutes east along the LaQuinta Motor Inns property a distance of 159.06 feet to the easternmost comer of the LaQuinta Motor Inns property; thence the following bearings and distance along the south right of way of the Interstate Highway 20, south 45 degrees 51 minutes east, 103.31 feet south 36 degrees 25 minutes 40 seconds east a distance of 379.31 feet to a concrete monument; thence south 26 degrees 12 minutes 20 seconds east a distance of 38.26 feet; thence leaving said highway run north 75 degrees 33 minutes 40 seconds west along the north line of Wagwood Angle Subdivision, Part I a distance of 81.36 feet; thence north 31 degrees 33 minutes east along the east line of said 50 foot street easement for a distance of 50 feet; thence north 58 degrees 27 minutes west along the aforementioned north line of a 50 foot street easement for a distance of 406.91 feet to the point of beginning, containing 40,347 square feet.

be and is hereby modified so as to approve a Use Permit to construct apartments for the elderly for property located at 150 & 170 Angle Dr. within a C-3 (General) Commercial District. 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.

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**President Hendrix** recognized **Hickman Johnson**, a representative of the Applicant, who spoke in favor to approve a Use Permit to construct apartments for the elderly within a C-3 (General) Commercial District.

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There was no opposition from the public.  
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Council Member Stamps moved adoption; Council Member Barrett-Simon seconded.

Yeas- Barrett-Simon, Foote, Hendrix, Priester and Stamps.

Nays- None.

Absent- Stokes and Tillman.

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Council Member Stamps left the meeting.

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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 – 2949 Ward 3	Operation Shoestring	1709/1711 Bailey Ave. Jackson, MS 39283	Office/Youth Center	02/03/93
SE – 3286 Ward 1	Linda Maley	1500 Sherman Ave.	Swimming Instructions	02/01/00
UP – 3893 Ward 7	Richard Miles	2771 Old Canton Rd.	Outdoor Venue for Consumption of beers/cigars	02/23/15
SE – 3815 Ward 1	LeFleur East Foundation	4658 Old Canton Rd.	Professional Office	1/22/13

**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.

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**President Hendrix** recognized **Baxter Brown**, President of Acadia Court Homeowner’s Association, who spoke in opposition to the renewal of a Use Permit for the LeFleur East Foundation.

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**President Hendrix** moved, seconded by **Council Member Priester** to remove case SE-3815 LeFleur East from the Special Exceptions and consider it separately. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Hendrix and Priester.

Nays- Foote.

Absent- Stamps, Stokes and Tillman.

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Thereafter, **President Hendrix** called for a vote on said item as amended:

**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:

**REGULAR ZONING MEETING OF THE CITY COUNCIL  
MONDAY, FEBRUARY 27, 2017, 2:30 P.M.**

<u>CASE NO.</u>	<u>NAME</u>	<u>LOCATION</u>	<u>USE</u>	<u>GRANTED</u>
SE – 2949 Ward 3	Operation Shoestring	1709/1711 Bailey Ave. Jackson, MS 39283	Office/Youth Center	02/03/93
SE – 3286 Ward 1	Linda Maley	1500 Sherman Ave.	Swimming Instructions	02/01/00
UP – 3893 Ward 7	Richard Miles	2771 Old Canton Rd.	Outdoor Venue for Consumption of beers/cigars	02/23/15

**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.

**President Hendrix** moved adoption; **Council Member Priester** seconded.

Yeas- Barrett-Simon, Foote, Hendrix and Priester.

Nays- None.

Absent- Stamps, Stokes and Tillman.

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**President Hendrix** recognized **Azande Williams**, Deputy City Attorney, who informed Council that whatever action taken could affect the pending litigation regarding LeFleur East Foundation and suggested that the Council go into Executive Session for a brief update.

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**President Hendrix** moved, seconded by **Council Member Priester** to consider going into Executive Session to discuss ongoing litigation. The motion prevailed by the following vote:

Yeas- Foote, Hendrix and Priester.

Nays- Barrett-Simon.

Absent- Stamps, Stokes and Tillman.

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**President Hendrix** moved, seconded by **Council Member Priester** to go into Executive Session to discuss ongoing litigation. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Foote, Hendrix and Priester.

Nays- None.

Absent- Stamps, Stokes and Tillman.

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**President Hendrix** announced to the public that the Council voted to go into Executive Session to discuss ongoing litigation.

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Council Member Barrett-Simon moved and President Hendrix seconded to come out of Executive Session. The motion prevailed by the following vote:

Yeas- Barrett-Simon, Foote, Hendrix and Priester.  
Nays- None.  
Absent- Stamps, Stokes and Tillman.

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President Hendrix announced that the Council voted to come out of Executive Session and no action was taken.

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

SE – 3815	LeFleur East	4658 Old Canton Rd.	Professional Office	1/22/13
Ward 1	Foundation			

Council Member Foote moved adoption; Council Member Barrett-Simon seconded.

Yeas- Barrett-Simon, Foote and Hendrix.  
Nays- None.  
Abstention- Priester.  
Absent- Stamps, Stokes and Tillman.


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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 10:00 a.m. on Tuesday, March 7, 2017: at 4:03 p.m., the Council stood adjourned.

ATTEST:

  
CITY CLERK

APPROVED:

  
MAYOR 3.23.17  
DATE

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