

**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 November 19, 2018 being the third Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Melvin Priester, Jr., President, Ward 2; Virgi Lindsay, Vice President; Ward 7; Ashby Foote, Ward 1; Kenneth I. Stokes, Ward 3; Charles Tillman, Ward 5 and Aaron Banks Ward 6. Angela Harris, Deputy City Clerk; Ester Ainsworth, Zoning Administrator; Jordan Hillman, Deputy Director of City Planning and Shanda Lewis, Deputy City Attorney.

Absent: De'Keither Stamps, Ward 4.

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The meeting was called to order by **President Melvin Priester, Jr.**

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**President Priester** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4016, 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 Priester** recognized **Council Member Stokes** who requested that Case No. 4016 be tabled for further discussion. Thereafter, **President Priester** stated that Case No. 4016 would be tabled until the December 17, 2018 Zoning Council meeting:

**ORDINANCE GRANTING VLP, LLC A REZONING FROM I-2 (HEAVY) INDUSTRIAL DISTRICT TO CMU-1 (COMMUNITY) MIXED-USE DISTRICT, PEDESTRIAN ORIENTED FOR PROPERTY LOCATED AT 2605 LIVINGSTON RD., CASE NO. 4016.**

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**President Priester** recognized **Council Member Stokes** who requested that Agenda Item No. 6, Case No. 4029 be moved forward on the Agenda. Hearing no objections, **President Priester** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4029, 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 Priester** requested that the Clerk read the Order:

**ORDER GRANTING JACKSON HOUSING AUTHORITY VARIANCES FROM THE AREA, BUILDING SETBACKS FOR THE YARDS AND THE REQUIRED NUMBER OF PARKING SPACES FOR PROPERTIES WITHIN A R-4 (LIMITED) RESIDENTIAL DISTRICT FOR PROPERTIES LOCATED AT 3430 & 3450 ALBERMARLE RD., CASE NO. 4029.**

**WHEREAS**, Jackson Housing Authority/Allison Cox has filed a petition for Variances from the area, building setbacks for the yards and the required number of parking spaces for properties located at 3430 & 3450 Albermarle Rd. 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 on October 24, 2018, 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, November 19, 2018 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 October 4, 2018 and October 18, 2018 that a hearing 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 Variances from the area, building setbacks for the yards and the required number of parking spaces to be located at 3430 & 3450 Albermarle Rd. 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 granting the Variances requested would not confer upon the applicant any special privilege that 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:**

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

**Golden Key Apartments (Parcel #404-8)**

Being situated in Section 28, Township 6 North, Range 1 East, in the City of Jackson, County of Hinds, State of Mississippi, being more particularly described as follows

Beginning at the Northeast corner of Lot 27, Dale Haven Subdivision, Part 1, as recorded in Plat Book 22 at page 16 and running North 85 degrees 5 minutes West along the North line of said Lot 27, 120.08 feet to an iron bar marking the Northwest corner thereof; thence run South 47 degrees 50 minutes 30 seconds West, 72.76 feet to an iron bar marking the Northeast corner of Lot 28 of said subdivision; run thence North 89 degrees 43 minutes 30 seconds West along the North line of Lot 28, 40.85 feet to an iron bar; run thence North 0 degrees 4 minutes West 252.45 feet to an iron bar; run thence North 89 degrees 59 minutes 30 seconds West 450.15 feet to an iron bar on the Eastern right of way line of Albemarle Road; run thence North 0 degrees 1 minute East along the Eastern right of way line of Albemarle Road 345 feet; run thence South 89 degrees 50 minutes 30 seconds East 619.44 feet; run thence South 10 degrees 6 minutes East 348.46 feet to an iron bar; run thence South 4 degrees 8 minutes 30 seconds West 216.73 feet to the Point of Beginning, containing 6.2832 acres, more or less.

**Golden Key Activities Center (Parcel #404-7-1)**

Being situated in Section 28, T6N-R1E, Jackson, Hinds County, Mississippi and being more particularly described as follows:

Commence at the NW corner of Lot 33, Dale Haven Part I, as recorded in Plat Book 22 at page 16 of the Chancery records of Hinds County, Mississippi and run northerly, along the East R. 0. W. line of Albemarle Road, 565.40' to an iron bar marking the SW corner of and the Point of Beginning for the property herein described; run thence N0°01' East, along the East R. 0. W. line of said Albemarle Road, 359.46'; run thence S89° 45' East, 171.55'; run thence S00° 01' West, 360.24'; run thence N89°59' 30" West, 171.55' to the Point of Beginning. Containing 1.417 acres more or less. SUBJECT, however, to a perpetual easement for ingress and egress in favor of the grantor, its successors or assigns, over and across the north fifty (50) feet of said land.

Be and is hereby granted Variances for properties located at 3430 and 3450 Albermarle Rd.:

- 31,000 sq. ft. of land area for the family units from the required total land area of 304,000 sq. ft. for the 152 units located at 3430 Albermarle Rd (Parcel 404-8) in a R-4 (Limited) Multi-family Residential District;
- 183 Parking Spaces from the required number of parking spaces for multi-family units for the 152 units located at 3430 Albermarle Rd (Parcel 404-8) where 504 parking spaces is required;

- Seven (7) feet the required twenty-five (25) ft. front yard setback/depth for the building located at 3450 Albermarle Rd. (Parcel 404-7-1) in a R-4 (Limited Multi-family) Residential District; and
- Eight (8) feet from the required rear yard setback/depth of twenty (20) ft. for the property located at 3430 Albermarle Rd (Parcel 404-8) in an R-4 (Limited) Multi-family Residential District.

Before any Variances are issued for any structure to be erected or use thereof on the said properties, the applicant must meet the requirements established through the Site Plan Review process.

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

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**President Priester** recognized **Allison Cox**, Executive Director of Jackson Housing Authority (Applicant), who spoke in favor of Variances from the area, building setbacks for the yards and the required number of parking spaces for properties within a R-4 (Limited) Residential District.

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There was no opposition from the public.

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

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

Nays- None.

Absent- Stamps.

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**Council Member Stokes** left the meeting.

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**President Priester** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4021, 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 Priester** recognized **Artie Armstrong**, a representative of the Applicant, who spoke in favor to approve a Rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for a bar & grill establishment.

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**President Priester** recognized **Claude McCants**, President of Associations of South Jackson Neighborhoods, who spoke in opposition to a Rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for a bar & grill establishment.

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**President Priester** recognized **Mary Lou Vaughn** who spoke in opposition to a Rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for a bar & grill establishment.

After a lengthy discussion, **President Priester** stated that Case No. 4021 would be tabled until the December 17, 2018 Zoning Council meeting:

**ORDER GRANTING A CONDITIONAL USE PERMIT TO OPERATE A BAR & GRILL ESTABLISHMENT WITHIN A C-2 (LIMITED) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 3165 TERRY RD., CASE NO. 4021.**

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**President Priester** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4025, 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 Priester** requested that the Clerk read the Order:

**ORDER GRANTING DUCKWORTH PROPERTY INVESTMENT II, LLC A CONDITIONAL USE PERMIT TO ALLOW FOR A SURFACE PARKING LOT WITHIN A C-4 CENTRAL BUSINESS DISTRICT FOR PROPERTIES LOCATED AT 100 S CONGRESS STREET PARCEL 192-32 & PARCEL 192-31, CASE NO. 4025.**

**WHEREAS**, Duckworth Property Investment II, LLC has filed a petition for a Use Permit to allow for a surface parking lot for property located at 100 S. Congress St. (Parcel 192-32) within a C-4 Central Business 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 for 100 S. Congress St. (Parcel 192-32) and (Parcel 192-31) to allow for a surface parking lot within a C-4 Central Business 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 City Hall at 2:30 p.m., Monday, November 19, 2018 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 October 4, 2018 and October 18, 2018 that a hearing had been held by the Jackson City Planning Board on October 24, 2018, 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-4 Central Business District of the City of Jackson; and

**WHEREAS**, the Council, after having considered the matter, is of the opinion that the proposed use would not be 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 a Use Permit be granted to allow for a surface parking lot within a C-4 Central Business District of the City of Jackson with the Condition that the Site Plan Review Application be submitted within sixty (60) to ninety (days) of City Council approval of the Use Permit.

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

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

Beginning at a point on the East line of South Congress Street One Hundred Fifty-two (152) feet Three (3) inches South of its intersection with the South line of Capitol Street; thence run South along the East line of South Congress Street Ninety-one (91) feet; thence East and parallel to the Northern boundary line of Pearl Street a distance of One Hundred Sixty (160) feet; thence North and parallel to the East boundary line of South Congress Street a distance of Ninety-One (91) feet; and thence Westerly One Hundred Sixty (160) feet to the point of beginning.

This property is also known as 100 South Congress Street, Jackson, Mississippi, and is shown on the Hinds County tax rolls as Parcel 192-32.

Being the same property described as follows, to-wit:

A parcel of land containing 0.3343 acres, (14,559.96 square feet), more or less, being situated in Lots 5, 6, 7 and 8 of Square Ten (10) South, of the H.C. Daniel's Official Map of the City of Jackson, dated 1875, City of Jackson, First Judicial District, Hinds County, Mississippi, and being more particularly described by metes and bounds as follows:

Commence at the point of intersection of the Eastern Right of Way line of South Congress Street with the Southern Right of Way line of Capitol Street; thence run along said right of way of South Congress Street South 09 degrees 10 minutes 49 seconds West for a distance of 152.25 feet to the POINT OF BEGINNING for the parcel herein described; thence leave said right of way of South Congress Street and run South 80 degrees 56 minutes 48 seconds East for a distance of 160.00 feet thence South 09 degrees 10 minutes 49 seconds West for a distance of 91.00 feet; thence North 80 degrees 56 minutes 48 seconds West for a distance of 160.00 feet back to the Eastern Right of Way line of South Congress Street; thence run along said right of way North 09 degrees 10 minutes 49 seconds East for a distance of 91.00 feet to the POINT OF BEGINNING; and

**(Parcel No. 192-31)** - A certain parcel of land being parts of Lots 5 and 6, Square 10 South, of the official survey of the City of Jackson, dated 1875, by Henry C. Daniels, containing 10,953.61 square feet or 0.25 acre, more or less, and being more particularly described by metes and bounds as follows:

Beginning at the Southwest corner of the aforesaid Lot 6, Square 10 South, said Southwest corner also being in the intersection of the North right-of-way line of East Pearl Street with the East right-of-way line of South Congress Street (as both are now laid out and improved, March 24, 2004); run thence Northerly along said East right of way line of South Congress Street for a distance of 80.35 feet; thence leaving said East right of way line of South Congress Street, turn right through a deflection angle of 89 degrees 54 minutes 00 seconds and run Easterly and parallel to the North right of way line of said East Pearl Street for a distance of 135.91 feet; turn thence right through a deflection angle of 89 degrees 30 minutes 09 seconds and run Southerly and along the West line of an existing building for a distance of 80.35 feet to a point on the North right of way of said East Pearl Street; turn thence right through a deflection angle of 90 degrees 29 minutes 51 seconds and run Westerly along the North right of way line of East Pearl Street for a distance of 136.75 feet to the POINT OF BEGINNING.

Be and is hereby modified so as to approve a Conditional Use Permit to allow for a surface parking lot for properties located at 100 S. Congress St. (Parcel 192-32) and (Parcel 192-31) within a C-4 Central Business District. The Condition shall be that the Site Plan Review Application be submitted within sixty (60) to ninety (days) of City Council approval of the 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.

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

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**President Priester** recognized **Robert Hutchinson**, representative of the Applicant, who spoke in favor to approve a Conditional Use Permit to allow for a surface parking lot within a C-4 Central Business District.

There was no opposition from the public.

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

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

Nays- None.

Absent- Stamps and Stokes.

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**President Priester** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4026, 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 Priester** requested that the Clerk read the Order:

**ORDINANCE GRANTING YMCA OF METROPOLITAN JACKSON A REZONING FROM R-5 (MULTI-FAMILY) RESIDENTIAL DISTRICT & C-2 (LIMITED) COMMERCIAL DISTRICT TO NMU-1 (NEIGHBORHOOD) MIXED-USE DISTRICT, PEDESTRIAN ORIENTED TO ALLOW FOR A MIXED USE DEVELOPMENT FOR THE PROPERTY LOCATED AT 826 NORTH ST., CASE NO. 4026.**

**WHEREAS**, YMCA of Metropolitan Jackson has filed a petition to rezone property located at 826 North St., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-5 (Multi-family) Residential District & C-2 (Limited) Commercial District to CMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of the property as a mixed use; 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-5 (Multi-family) Residential District & C-2 (Limited) Commercial District to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of the property as a mixed use; and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at City Hall at 2:30 p.m., Monday, November 19, 2018 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 October 4, 2018 and October 18, 2018 that a hearing had been held by the Jackson City Planning Board on October 24, 2018, 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 NMU-1 (Neighborhood) 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 request in said application since any previous City Council action.

**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 part of five-acre Lot 7, North Jackson, according to a map or plat thereof of record as made by H. C. Daniel in 1875, which is described as follows, to-wit:

Beginning at a point on the east side of North Street, which said point is measured southerly along the east line of North Street from the south line of Boyd Street for a distance of 302 feet, which said point is the southwest corner of that certain property as conveyed to S. V. Crowe by deed recorded in Book 310 at page 506 of the records of the Chancery Clerk of Hinds County at Jackson, Mississippi, and running thence southerly along the east line of said North Street for a distance of 103 feet, more or less to a point, which said point is the northwest corner of that certain land and property as described in that certain Deed of Trust of Mrs. Julia Neal to First Federal Savings and Loan Assn. as recorded in Book 437 at page 414 of the records of said Chancery Clerk, and running thence easterly along the north line of said Mrs. Julia Neal property, and said line extended easterly, if necessary, for a distance of 160 feet to a point; thence northerly and parallel with the east line of North Street for a distance of 103 feet, more or less, to a point; thence westerly along the south line of said S. V. Crowe property for a distance of 160 feet to the point of beginning.

The above described land and property is further described as being the same land and property as conveyed by Richard F. McGill and Mary E. McGill to H.B. Jenkins by Warranty Deed dated November 27, 1901, and recorded in Book 35 at page 564 of the records of said Chancery Clerk.

LESS AND EXCEPT FROM THE ABOVE DESCRIBED PROPERTY ALL land lying east and adjacent to a wall running North and South near the east lot line described above.

It is hereby modified so as to approve the rezoning of the property located at 826 North St. from R-5 (Multi-family) Residential District & C-2 (Limited) Commercial District to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of the property as a mixed use. However, that before for any structure is erected or used 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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**President Priester** recognized **Cody Cox**, a representative of the Applicant, who spoke in favor to approve a Rezoning from R-5 (Multi-family) Residential District & C-2 (Limited) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of the property as a mixed use.

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**President Priester** recognized **Matthew Benton**, who spoke in favor to approve a Rezoning from R-5 (Multi-family) Residential District & C-2 (Limited) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of the property as a mixed use.

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**President Priester** recognized **Jennifer Welch**, who spoke in favor to approve a Rezoning from R-5 (Multi-family) Residential District & C-2 (Limited) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of the property as a mixed use.

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There was no opposition from the public.  
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Thereafter, **President Priester** called for a vote on said item:

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

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**President Priester** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4028, 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.

**President Priester** requested that the Clerk read the Order:

**ORDER GRANTING RICHARD LEE A USE PERMIT FOR A CHURCH ON A SITE OF LESS THAN ONE (1) ACRE AND GREATER THAN TEN THOUSAND (10,000) SQ. FT. IN ADDITION TO A VARIANCE OF FIFTEEN (15) FEET FROM THE FRONT YARD SETBACK REQUIREMENTS OF TWENTY-FIVE (25) FEET IN AN R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT TO ALLOW FOR THE EXPANSION OF THE EXISTING CHURCH FACILITY FOR PROPERTIES LOCATED AT 1700/02 DALTON STREET (PARCEL 164-27) AND FOR PARCELS 164-26-3 & 164-26-4, CASE NO. 4028.**

**WHEREAS**, Richard Lee has filed a petition for a Use Permit for a church on a site of less than one (1) acre and greater than ten thousand (10,000) sq. ft. in addition to a Variance from the front yard setback requirements of twenty-five (25) feet to allow for the expansion of the existing church facility for properties located at 1700/02 Dalton Street (Parcel 164-27) and for Parcels 164-26-3 & 164-26-4 within a 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 a Use Permit for a church on a site of less than one (1) acre and greater than ten thousand (10,000) sq. ft. in addition to a Variance of fifteen (15) feet from the front yard setback requirements of twenty-five (25) feet to allow for the expansion of the existing church facility within a 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, November 19, 2018 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 October 4, 2018 and October 18, 2018 that a hearing had been held by the Jackson City Planning Board on October 24, 2018, 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 and Variance 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 proposed expansion of the existing church facility will not be 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 the granting of a fifteen (15) feet Variance from the required front yard setback requirements not conferring upon the applicant any special privilege that 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:**

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

Lot 145; LESS AND EXCEPT 10 FEET OFF THE WEST END FOR STREET, HANDY PLACE 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, Page 74, reference to which is hereby made in aid of and as a part of this description; and

Lot 146, Handy Place, a subdivision in the City of Jackson, Mississippi, according to the map or plat thereof recorded in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 3 at Page 74, reference is hereby made in aid of and as a part of this description; and

Lot 147, HANDY PLACE, 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, Page 74, reference to which is hereby made in aid of and as a part of this description; Less and Except 10 feet off the West side of said lot; and

Lot 148, HANDY PLACE, 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, Page 74, reference to which is hereby made in aid of and as a part of this description; Less and Except 10 feet off the West side of said lot; and

Lot 149, HANDY PLACE, 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, Page 74, reference to which is hereby made in aid of and as a part of this description; Less and Except 10 feet off the West side of said Lot; and

East half of the following described property, to-wit: Lot 150, HANDY PLACE, less ten feet off the West end thereof, 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, Page 74, reference to which is hereby made in aid of and as a part of this description.

Be and is hereby modified so as to approve a Use Permit for a church on a site of less than one (1) acre and greater than ten thousand (10,000) sq. ft. in addition to a fifteen (15) feet Variance from the front yard setback requirements of twenty-five (25) feet to allow for the expansion of the existing church facility for properties located at 1700/02 Dalton Street (Parcel 164-27) and for Parcels 164-26-3 & 164-26-4 within a R-4 (Limited Multi-family) Residential 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.

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

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**President Priester** recognized **George Reed**, representative of the Applicant, who spoke in favor to approve a Use Permit for a church on a site of less than one (1) acre and greater than ten thousand (10,000) sq. ft. in addition to a Variance from the front yard setback requirements of twenty-five (25) feet in an R-4 (Limited Multi-family) Residential District to allow for the expansion of the existing church facility.

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**President Priester** recognized **Richard Lee**, Applicant, who spoke in favor to approve a Use Permit for a church on a site of less than one (1) acre and greater than ten thousand (10,000) sq. ft. in addition to a Variance from the front yard setback requirements of twenty-five (25) feet in an R-4 (Limited Multi-family) Residential District to allow for the expansion of the existing church facility.

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There was no opposition from the public.  
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Thereafter, **President Priester** called for a vote on said item:

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

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**Council Member Banks** left the meeting.

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

- **C-UP 3878** – Denise Eley – 5495 Robinson Rd. Ward 4

No action required.

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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>
<b>SE – 1636 Ward 4</b>	Lillie Robinson	3554 Rita Drive Jackson, MS 39213	Day Care Center	11/30/1977
<b>SE – 2704 Ward 4</b>	Mary L. Clay	2684 Maddox Rd. Jackson, MS 39209	One-Chair Beauty Shop	11/9/1988
<b>SE – 2981 Ward 3</b>	New Evergreen M.B. Church	401 Jennings Street Jackson, MS 39203	Church on Less Than 1 Acre	11/03/1993
<b>SE – 3788 Ward 4</b>	Artemesia Thompson	471 Roland St. Jackson, MS 39209	Residential Child Care Center	11/14/2011
<b>SE – 3877 Ward 1</b>	Kodi D. Hobbs	5016 Old Canton Rd. Jackson, MS 39211	Professional Insurance Office	11/17/2014
<b>3916 Ward 4 C-UP</b>	Fondren Yana Enhancement	Parcel #52-10 on Northview Dr. Jackson, MS	Accessory Off-Street Parking Lot	11/16/2015
<b>3948 Ward 4 C-UP</b>	Marvin Cornelius	2926 J R Lynch St. Jackson, MS 39209	Used Car Dealership/ Mechanic Shop	11/21/2016

**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, NOVEMBER 19, 2018, 2:30 P.M.

Council Member Tillman moved adoption; Vice President Lindsay seconded.

Yeas- Foote, Lindsay, Priester and Tillman.

Nays- None.

Absent- Banks, 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 Regular Council Meeting to be held at 6:00 p.m. on Tuesday, November 20, 2018; at 3:55 p.m. the Council stood adjourned.

ATTEST:

APPROVED:

Keisti Moore  
CITY CLERK

Chadma Antia Yumunda, 12/10/18  
MAYOR SM DATE

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