

**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 20, 2017, being the third Monday of said month when and where the following things were had and done to wit:

- Present: Council Members: Charles Tillman, President, Ward 5; Melvin Priester, Jr., Vice President, Ward 2; Ashby Foote, Ward 1 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; Ramina Aghili and Azande Williams, Deputy City Attorney.
- Absent: Kenneth I. Stokes, Ward 3; De'Keither Stamps, Ward 4 and Aaron Banks, Ward 6.

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The meeting was called to order by **President Charles Tillman**.

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There came on for consideration Agenda Item No. I, Case No. 3979:

**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.**

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**President Tillman** recognized **Attorney Joe Deaton**, a representative of the Applicant, who requested that said item be tabled until the next Regular Zoning Meeting.

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**President Tillman** stated that Case No. 3979 would be tabled until the next Regular Zoning meeting to be held on December 18, 2017 at 2:30 p.m.

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**President Tillman** recognized **Biqi Zhao**, Deputy Director of City Planning, who provided the Council with a procedural history of Case No. 3990, 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 Tillman** requested that the Clerk read the Order:

**ORDINANCE GRANTING KMS INVESTMENTS, LLC A REZONING FROM C2 (LIMITED) COMMERCIAL TO C3 (GENERAL) COMMERCIAL TO ALLOW FOR AUTOMOBILE SALES FOR PROPERTY LOCATED AT 5750 I-55 N. FRONTAGE RD., CASE NO. 3990.**

**WHEREAS**, KMS Investments, LLC has filed a petition to rezone property located at 5750 I-55 N. Frontage Rd., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C2 (Limited) Commercial to C3 (General) Commercial to allow for automobile sales; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has recommended approval to rezone the property from C2 (Limited) Commercial to C3 (General) Commercial to allow for automobile sales; 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 20, 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 5, 2017 and October 19, 2017 that a hearing would be held by the Jackson City Planning Board on October 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 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:**

**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 CONTAINING 0.78 ACRES (33,995.48 SQUARE FEET), MORE OR LESS, BEING SITUATED IN THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 6 NORTH, RANGE 1 E, HINDS COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 6 NORTH, RANGE 1 EAST, HINDS COUNTY, MISSISSIPPI; RUN EAST ALONG THE NORTH LINE OF SECTION 12 FOR A DISTANCE OF 1649.16 FEET; THENCE SOUTH FOR A DISTANCE OF 238.19 FEET; THENCE N81°27'36"W FOR A DISTANCE OF 85.99 FEET TO THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING RUN S00°09'00"E FOR A DISTANCE OF 144.29 FEET; THENCE S89°53'46"W FOR A DISTANCE OF 62.00 FEET; THENCE N80°53'14"W FOR A DISTANCE OF 172.87 FEET TO THE EAST RIGHT OF WAY LINE OF HIGHWAY I-55; THENCE RUN ALONG SAID RIGHT OF WAY 150.30 FEET ALONG THE ARC OF A 4748.50 FOOT RADIUS CURVE TO THE RIGHT, SAID ARC HAVING A 150.29 FOOT CHORD BEARING N06°47'19"E; THENCE S81°27'36"E FOR A DISTANCE OF 216.95 FEET TO THE POINT OF BEGINNING.

is hereby modified so as to approve the rezoning of the property located at 5750 I-55 N. Frontage Rd. from C2 (Limited) Commercial to C3 (General) Commercial to allow for automobile sales. 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.

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**President Tillman** recognized **Attorney Marc Brand**, a representative of the Applicant, who spoke in favor to approve a Rezoning from C2 (Limited) Commercial District to C3 (General) Commercial District to allow for automobile sales.

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There was no opposition from the public.  
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Vice President Priester moved adoption; Council Member Foote seconded.

Yeas- Foote, Lindsay, Priester and Tillman.

Nays- None.

Absent- Banks, Stamps and Stokes.

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President Tillman recognized **Biqi Zhao**, Deputy Director of City Planning, who provided the Council with a procedural history of Case No. 3991, 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 Tillman requested that the Clerk read the Order:

**ORDER GRANTING JIMMY BOGAN A CONDITIONAL USE PERMIT TO OPERATE A TATTOO PARLOR AND ART GALLERY WITHIN A C80-MU (MIXED-USE) SUBDISTRICT FOR PROPERTY LOCATED AT 4700 ROBINSON RD. – SUITE 750, CASE NO. 3991.**

WHEREAS, Cobalt Realty, LLC on behalf of Jimmy Bogan has filed a petition for a Use Permit to operate a tattoo parlor and art gallery within a C80-MU (Mixed-Use) Subdistrict 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 tattoo parlor and art gallery within a C80-MU (Mixed-Use) Subdistrict; 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 20, 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 5, 2017 and October 19, 2017 that a hearing would be held by the Jackson City Planning Board on October 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 C80-MU (Mixed-Use) Subdistrict of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the proposed tattoo parlor and art gallery is compatible with the character of development in the vicinity relative to density, bulk and intensity of structures, parking and other uses and that a Use Permit be granted to operate such a use within the existing C80-MU (Mixed-Use) Subdistrict 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:

A parcel of land being situated in the Northwest Quarter of the Northwest Quarter of Section 12, Township 5 North, Range 1 West, Hinds County, Mississippi, and being more particularly described as follows:

Commence at an existing iron pin marking the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 12, Township 5 North, Range 1 West and run thence South 00 degrees 01 minute 53 seconds East along the East line of said Northwest Quarter of the Northwest Quarter of Section 12 for a distance of 520.48 feet to a point on the South right of way line of the Illinois Central Railroad; run thence North 61 degrees 09 minutes 11 seconds West along said South right of way line of the Illinois Central Railroad for a distance of 401.79 feet to the Point of Beginning of the parcel of land herein described; from said Point of Beginning, leaving said South right of way line of the Illinois Central Railroad, run thence South 00 degrees 09 minutes 39 seconds West, for a distance of 208.02 feet; run thence North 89 degrees 50 minutes 21 seconds West for a distance of 56.18 feet; run thence South 28 degrees 55 minutes 38 seconds West for a distance of 29.47 feet; run thence South 53 degrees 24 minutes 50 seconds West for a distance of 138.02 feet; run thence North 89 degrees 51 minutes 07 seconds West for a distance of 112.63 feet to the Point of Curvature of a 13.402500 degree curve bearing to the left having a central angle of 19 degrees 07 minutes 08 seconds and a radius of 427.50 feet; run thence along the arc of said 13.402500 degree curve bearing to the left a chord bearing of South 80 degrees 05 minutes 01 seconds West and a chord distance of 141.99 feet to the end of said curve; run thence South 89 degrees 36 minutes 06 seconds West for a distance of 27.20 feet; run thence North 16 degrees 17 minutes 40 seconds East for a distance of 259.39 feet to the Point of Curvature of a 23.873333 degree curve bearing to the left having a central angle of 31 degrees 56 minutes 25 seconds and a radius of 240.00 feet; run thence along the arc of said 23.873333 degree curve bearing to the left a chord bearing of North 00 degrees 19 minutes 28 seconds East and a chord distance of 132.06 feet to the Point of Tangency of said curve; run thence North 15 degrees 38 minutes 45 seconds West for a distance of 76.88 feet; run thence North 18 degrees 18 minutes 42 seconds East for a distance of 69.66 feet to an existing iron pin on the aforesaid South right of way line of the Illinois Central Railroad; run thence South 68 degrees 32 minutes 52 seconds East along said South right of way line of the Illinois Central Railroad for a distance of 98.30 feet; run thence South 66 degrees 17 minutes 52 seconds East along said South right of way line of the Illinois Central Railroad for a distance of 98.20 feet; run thence South 64 degrees 29 minutes 52 seconds East along said South right of way line of the Illinois Central Railroad for a distance of 98.00 feet; run thence South 61 degrees 44 minutes 22 seconds East along said South right of way line of the Illinois Central Railroad for a distance of 98.50 feet; run thence South 61 degrees 09 minutes 11 seconds East along said South right of way line of the Illinois Central Railroad for a distance of 34.54 feet to the Point of Beginning, containing 3.625 acres, more or less.

be and is hereby modified so as to approve a Conditional Use Permit to allow for a tattoo parlor and art gallery for property located at 4700 Robinson Rd. – Suite 750 within a C80-MU (Mixed-Use) Subdistrict. The conditions of the Use Permit shall be that it is granted on an annual basis; granted to Jimmy Bogan, the owner/operator of the tattoo parlor and art gallery; and that subsequent owners or operators of a tattoo parlor and art gallery at this location must apply for and receive a new Use Permit. However, that before a Use Permit is issued for any structure to be erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

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**President Tillman** recognized **Jimmy Bogan**, Applicant, who spoke in favor to approve a Conditional Use Permit to operate a tattoo parlor and art gallery within a C80-MU (Mixed-Use) Subdistrict.

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There was no opposition from the public.

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

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

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**President Tillman** recognized **Biqi Zhao**, Deputy Director of City Planning, who provided the Council with a procedural history of Case No. 3993, 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 Tillman** requested that the Clerk read the Order:

**ORDER DENYING IVORY MAYNOR A REZONING FROM SUD SPECIAL USE DISTRICT TO C3 (GENERAL) COMMERCIAL DISTRICT TO OPERATE AN AUTOMOTIVE SERVICE SHOP AND A USE PERMIT TO SELL USED CARS FOR PROPERTY LOCATED AT 0 COUNTRY CLUB DR. – PARCEL #805-12, CASE NO. 3993.**

**WHEREAS**, Ivory Maynor has filed a petition to rezone property located at 0 Country Club Dr. – Parcel #805-12, in the City of Jackson, First Judicial District of Hinds County, Mississippi, from SUD Special Use District to C3 (General) Commercial District to operate an automotive service shop and a Use Permit to sell used cars; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has recommended denial to rezone the property from SUD Special Use District to C3 (General) Commercial District with a Use Permit to operate an automotive service 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, November 20, 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 5, 2017 and October 19, 2017 that a hearing would be held by the Jackson City Planning Board on October 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 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 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:

The North Half of the Southeast quarter of the Southeast Quarter (N ½ of SE ¼ of SE ¼), of Section 13, Township 6, Range 1 West, First Judicial District of Hinds County, Mississippi, containing 20 acres, more or less

AND ALSO:

Lot Forty-Nine (49) Ridgewood Park, Part One (1), and a subdivision according to the map or plot thereof on file and of record in the office of the Chancery Clerk of Hinds County, at Jackson, Mississippi, in Plot Book 19 at Page 1 reference to which is hereby made.

is hereby denied the petitioned rezoning of the property located at 0 Country Club Dr. – Parcel #805-12 from SUD Special Use District to C3 (General) Commercial District.

There were no representatives present on behalf of the Petitioner and no opposition from the public.

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

Yeas- Foote, Lindsay, Priester and Tillman.

Nays- None.

Absent- Banks, Stamps and Stokes.

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

- **SE 1636 – Lillie Robinson – 3554 Rita Dr.**
- **SE 1859 – Bessie Tyler & Leroy Tyler- 1915 Oakland Ave.**
- **SE 2704 – Mary L. Clay – 2684 Maddox Rd.**
- **SE 2844 – John R. Jones/Dr. Samuel Jones, Jr. – 232 Moss Ave.**
- **SE 3695 – Dr. Elijah Arrington, III – 4562 N. State St.**
- **SE 3789 – Neighborhood Christian Center – 430 Ash St.**
- **SE 3918 – Sandra Boyd – 1700 University Blvd. – St. 9**

No action required.

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

**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 – 2981 Ward 3	New Evergreen M.B. Church	401 Jennings Street Jackson, MS 39203	Church on Less Than 1 Acre	11/03/1993
SE – 3788 Ward 4	Artemesia Thompson	471 Roland St. Jackson, MS 39209	Residential Child Care Center	11/14/2011
SE- 3877 Ward 1	Kodi D. Hobbs	5016 Old Canton Rd. Jackson, MS 39211	Professional Insurance Office	11/17/2014
SE – 3878 Ward 4	Denise Eley	5495 Robinson Rd. Jackson, MS 39204	Commercial Adult Day Care	11/17/2014
C-UP SE – 3916 Ward 4 C-UP	Fondren Yana Enhancement	Parcel #52-10 on Northview Dr. Jackson, MS	Accessory Off-Street Parking Lot	11/16/2015
SE – 3948 Ward 4 C-UP	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.

**President Tillman** moved adoption; **Vice President Priester** 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 21, 2017: at 3:20 p.m., the Council stood adjourned.

**ATTEST:**

**APPROVED:**

*Krista Moore*  
CITY CLERK

*Chelue A. Lumbala* <sup>1560</sup>  
MAYOR *12/4/17*  
*AM* DATE

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