

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 September 16, 2019 being the third Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Virgi Lindsay, Council President; Ward 7; Ashby Foote, Ward 1; Kenneth I. Stokes, Ward 3 and Aaron Banks Ward 6. Angela Harris, Deputy City Clerk; Ester Ainsworth, Zoning Administrator; Jordan Hillman, Interim Director of Planning; Ramina Aghili, Associate Planner and Nakesha Watkins, Deputy City Attorney.

Absent: Melvin Priester, Jr., Ward 2; De'Keither Stamps, Vice President, Ward 4 and Charles Tillman, Ward 5.

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

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4064, 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 Lindsay requested that the Clerk read the Order:

ORDER GRANTING JACKSON CELLULAR TELEPHONE CO., INC., D/B/A VERIZON WIRELESS A USE PERMIT TO INSTALL A MONOPOLE TYPE WIRELESS COMMERCIAL COMMUNICATIONS TOWER 150' IN HEIGHT WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 196 LAKESHORE RD. (PARCEL #873-475-1), CASE NO. 4064.

WHEREAS, Jackson Cellular Telephone Co., Inc., d/b/a Verizon Wireless has filed a petition for a Use Permit to install a monopole type wireless commercial communications tower 150' in height 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 install a monopole type wireless commercial communications tower 150' in height 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, September 16, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on August 1, 2019 and August 15, 2019 that a hearing had been held by the Jackson City Planning Board on August 28, 2019, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned Use Permit within the existing C-3 (General) Commercial District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the proposed use is not detrimental to the continued use, value, or development of properties in the vicinity; does not adversely affect vehicular or pedestrian traffic in the vicinity and can be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools and that a Use Permit be granted to allow for the installation of a monopole type wireless commercial communications tower 150' in height within a C-3 (General) Commercial District of the City of Jackson.

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

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

A CERTAIN PARCEL OF LAND BEING SITUATED IN THE NORTHWEST ¼ OF SECTION 6, T4N-R1E, CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT AN EXISTING IRON PIN MARKING THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF OLD U.S. HIGHWAY 51 (TERRY ROAD) AND THE SOUTH RIGHT- OF-WAY LINE OF LAKESHORE ROAD (AS BOTH ARE NOW LAID OUT AND IMPROVED) AND RUN THENCE SOUTH 89 DEGREES 54 MINUTES 57 SECONDS WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF LAKESHORE ROAD FOR A DISTANCE OF 276.72 FEET TO AN EXISTING IRON PIN MARKING THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED RECORDED IN DEED BOOK 2870 PAGE 763, ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY AT JACKSON, MISSISSIPPI BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING AND LEAVING SAID SOUTH RIGHT-OF-WAY LINE OF LAKESHORE ROAD, RUN THENCE SOUTH 00 DEGREES 02 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 198.54 FEET TO A SET IRON PIN; RUN THENCE SOUTH 12 DEGREES 32 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 151.67 FEET TO A SET IRON PIN; RUN THENCE NORTH 84 DEGREES 58 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 131.79 FEET TO A SET IRON PIN; RUN THENCE NORTH 05 DEGREES 30 MINUTES 04 SECONDS EAST FOR A DISTANCE OF 337.71 FEET TO A SET IRON PIN ON THE AFORESAID SOUTH RIGHT OF WAY LINE OF LAKESHORE DRIVE; RUN THENCE SOUTH 89 DEGREES 31 MINUTES 31 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF LAKESHORE DRIVE FOR A DISTANCE OF 132.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.111 ACRES, MORE OR LESS. THE ABOVE DESCRIBED PROPERTY BEING PART OF THE PROPERTY AS DESCRIBED IN DEED RECORDED IN DEED BOOK 2870 AT PAGE 763, ON FILE AND OF RECORD IN THE AFORESAID CHANCERY CLERK'S OFFICE.

Be and is hereby modified so as to approve a Use Permit to install a monopole type wireless commercial communications tower 150' in height for property located at 196 Lakeshore Rd. (Parcel #873-475-1) 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.

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

President Lindsay recognized **David McGehee**, a representative of the Applicant, who spoke in favor to approve a Use Permit to install a monopole type wireless commercial communications tower 150' in height within a C-3 (General) Commercial District.

President Lindsay recognized Claude McCants, who spoke in opposition to approve a Use Permit to install a monopole type wireless commercial communications tower 150' in height within a C-3 (General) Commercial District.

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

Yeas- Foote.

Nays- Banks, Lindsay and Stokes.

Absent- Priester, Stamps and Tillman.

President Lindsay requested that the Clerk the Order to Deny:

ORDER DENYING JACKSON CELLULAR TELEPHONE CO., INC., D/B/A VERIZON WIRELESS A USE PERMIT TO INSTALL A MONOPOLE TYPE WIRELESS COMMERCIAL COMMUNICATIONS TOWER 150' IN HEIGHT WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 196 LAKESHORE RD. (PARCEL #873-475-1), CASE NO. 4064.

WHEREAS, Jackson Cellular Telephone Co., Inc., d/b/a Verizon Wireless has filed a petition for a Use Permit to install a monopole type wireless commercial communications tower 150' in height 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 install a monopole type wireless commercial communications tower 150' in height 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, September 16, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on August 1, 2019 and August 15, 2019 that a hearing had been held by the Jackson City Planning Board on August 28, 2019, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned Use Permit within the existing C-3 (General) Commercial District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the proposed use is detrimental to the continued use, value, or development of properties in the vicinity; adversely affects vehicular or pedestrian traffic in the vicinity and cannot be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools and that a Use Permit be denied to allow for the installation of a monopole type wireless commercial communications tower 150' in height within a C-3 (General) Commercial District of the City of Jackson.

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

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

A CERTAIN PARCEL OF LAND BEING SITUATED IN THE NORTHWEST ¼ OF SECTION 6, T4N-R1E, CITY OF JACKSON, HINDS COUN1Y, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT AN EXISTING IRON PIN MARKING THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF OLD U.S. HIGHWAY 51 (TERRY ROAD) AND THE SOUTH RIGHT- OF-WAY LINE OF LAKESHORE ROAD (AS BOTH ARE NOW LAID OUT AND IMPROVED) AND RUN THENCE SOUTH 89 DEGREES 54 MINUTES 57 SECONDS WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF LAKESHORE ROAD FOR A DISTANCE OF 276.72 FEET TO AN EXISTING IRON PIN MARKING THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED RECORDED IN DEED BOOK 2870 PAGE 763, ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY AT JACKSON, MISSISSIPPI BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING AND LEAVING SAID SOUTH RIGHT-OF-WAY LINE OF LAKESHORE ROAD, RUN THENCE SOUTH 00 DEGREES 02 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 198.54 FEET TO A SET IRON PIN; RUN THENCE SOUTH 12 DEGREES 32 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 151.67 FEET TO A SET IRON PIN; RUN THENCE NORTH 84 DEGREES 58 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 131.79 FEET TO A SET IRON PIN; RUN THENCE NORTH 05 DEGREES 30 MINUTES 04 SECONDS EAST FOR A DISTANCE OF 337.71 FEET TO A SET IRON PIN ON THE AFORESAID SOUTH RIGHT OF WAY LINE OF LAKESHORE DRIVE; RUN THENCE SOUTH 89 DEGREES 31 MINUTES 31 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF LAKESHORE DRIVE FOR A DISTANCE OF 132.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.111 ACRES, MORE OR LESS. THE ABOVE DESCRIBED PROPERTY BEING PART OF THE PROPERTY AS DESCRIBED IN DEED RECORDED IN DEED BOOK 2870 AT PAGE 763, ON FILE AND OF RECORD IN THE AFORESAID CHANCERY CLERK'S OFFICE.

Be and is hereby denied a Use Permit for property located at 196 Lakeshore Rd. (Parcel #873-475-1) within a C-3 (General) Commercial District.

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

Yeas- Banks, Lindsay and Stokes.

Nays- Foote.

Absent- Priester, Stamps and Tillman.

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4065, 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 Lindsay requested that the Clerk read the Order:

ORDER GRANTING ANNIE L. & DAVID DOTY A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A USED CAR LOT WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 4405-15 TERRY RD. (PARCEL: 860-140), CASE NO. 4065.

WHEREAS, Annie L. & David Doty have filed a petition for a Use Permit to allow for the operation of a used car lot within a C-3 (General) Commercial District 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 a Use Permit to allow for the operation of a used car lot 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, September 16, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on August 1, 2019 and August 15, 2019 that a hearing had been held by the Jackson City Planning Board on August 28, 2019, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned Use Permit within the existing C-3 (General) Commercial District of the City of Jackson; and

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

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

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

A lot or parcel of land lying in the South East Quarter (SE $\frac{1}{4}$) of the South West (SW $\frac{1}{4}$) of Section Thirty One (31), Township Five (5) North, Range One (1) East in the First Judicial District of Hinds County, Mississippi, and being described by metes and bounds as follows, to-wit: Beginning at the intersection of the west R.O.W. line of the Jackson-Terry Road (Old U.S. Highway #51) said point being 20 feet measured at right angles from the center thereof with the South line of 40 foot road known as the McGowan Road; thence from the intersection of said roads run thence North 58 degrees and 30 minutes West along the south line of McGowan Road and along the North line of the lot known as the Ed. Barnes lot; this being the point of beginning of the herein described lot; thence from said point of beginning run South 32 degrees and 00 minutes West along the west line of the Barnes lot a distance of 120 feet; thence North 60 Degrees and 00 minutes West a distance of 100 feet; thence North 32 Degrees and 00 Minutes East a distance of 120 feet to a point on the south line of the McGowan Road; thence South 60 Degrees and 00 Minutes East along the south line of the McGowan Road a distance of 100 feet to the point of beginning.

That part of the Southwest quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 31, Township 5 North, Range 1 East, particularly described by metes and bounds as follows:

For the point of beginning, start at a point on the West side of U.S. Highway No. 51, which point is 1008 feet West of the East line of the aforesaid SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and 20 feet North of the South line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, which point is also 20 feet Westerly from, measured at right angles to, the center line of the aforesaid U.S. Highway No. 51, and from this point run North 24 degrees East, and parallel to the center line of the aforesaid Highway, a distance of 95 feet to an iron stake; and run thence North 29 degrees 29 minutes East parallel to and 20 feet westerly from, measured at right angles to, the center line of the aforesaid Highway, a distance of 285.2 feet to an iron stake, which latter stake is the point of beginning, and the Southeastern corner of the tract herein being conveyed, and from this point of beginning run North 31 degrees 45 minutes East, parallel to and 20 feet westerly from, measured at right angles to, the center line of the aforesaid Highway, a distance of 120 feet; run thence North 58 Degrees 15 minutes West, a distance of 210 feet; run thence South 31 degrees 45 minutes West, parallel to the center line of the aforesaid Highway, a distance of 120 feet; and run thence South 58 degrees 15 minutes East, a distance of 210 feet to the point of beginning.

Beginning at a point where the north line of the County black top road intersects the west R.O.W. line of the old U.S. Highway #51 (said point being 38 feet north and 1000 feet west of the southeast corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31) run North 27° E 77 feet to a point on said old U.S. Highway #51 R.O.W. line, which is the point of beginning:

Run northeasterly along said Highway R.O.W. line 286 feet to a point; thence northwesterly 364 feet to the northeast corner of Richard H. McGowan lot; thence south 351 feet to a point; thence South 66 E 196.5 feet to a point of beginning; all in Section 31, Township 5 North, Range 1 East.

Be and is hereby modified so as to approve a Use Permit to allow for the operation of a used car lot for property located at 4405-15 Terry Rd. (Parcel: 860-140) within a C-3 (General) Commercial District. The Use Permit is subject to the following conditions: the subject property meeting the minimum lot size of twenty-two thousand (22,000) square feet; that all service doors, buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses are screened by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, to include any required landscape buffer yard ; and with inoperable vehicles, outdoor storage and automobile repair activities being located to the rear or side yard and not being visible from any public right-of-way. Additionally, the Use Permit will not run with the land but be granted to Annie L. Doty and David Doty as the owners/ operators, and subsequent owners of an automobile sales – used business at this location must apply for and receive a new Use Permit; the Use Permit shall be renewed annually with supporting documentation from the MS State Tax Commission and the Use Permit will be cancelled upon the cancellation of any of the requirements from the MS State Tax Commission. However, that before a Use Permit is issued for any structure to be erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

Council Member Foote moved adoption.

Said item failed for a lack of a second.

* * * * *

President Lindsay called for a vote on Order to Deny:

ORDER DENYING ANNIE L. & DAVID DOTY A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A USED CAR LOT WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 4405-15 TERRY RD. (PARCEL: 860-140), CASE NO. 4065.

WHEREAS, Annie L. & David Doty have filed a petition for a Use Permit to allow for the operation of a used car lot within a C-3 (General) Commercial District 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 a Use Permit to allow for the operation of a used car lot 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, September 16, 2019 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Jackson Advocate on August 1, 2019 and August 15, 2019 that a hearing had been held by the Jackson City Planning Board on August 28, 2019, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned Use Permit within the existing C-3 (General) Commercial District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the proposed use will be detrimental to the continued use, value, or development of properties in the vicinity and that a Use Permit be denied to allow for the operation of a used car lot within a C-3 (General) Commercial District of the City of Jackson.

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

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

A lot or parcel of land lying in the South East Quarter (SE ¼) of the South West (SW ¼) of Section Thirty One (31), Township Five (5) North, Range One (1) East in the First Judicial District of Hinds County, Mississippi, and being described by metes and bounds as follows, to-wit: Beginning at the intersection of the west R.O.W. line of the Jackson-Terry Road (Old U.S. Highway #51) said point being 20 feet measured at right angles from the center thereof with the South line of 40 foot road known as the McGowan Road; thence from the intersection of said roads run thence North 58 degrees and 30 minutes West along the south line of McGowan Road and along the North line of the lot known as the Ed. Barnes lot; this being the point of beginning of the herein described lot; thence from said point of beginning run South 32 degrees and 00 minutes West along the west line of the Barnes lot a distance of 120 feet; thence North 60 Degrees and 00 minutes West a distance of 100 feet; thence North 32 Degrees and 00 Minutes East a distance of 120 feet to a point on the south line of the McGowan Road; thence South 60 Degrees and 00 Minutes East along the south line of the McGowan Road a distance of 100 feet to the point of beginning.

That part of the Southwest quarter of the Southwest quarter (SE ¼ SW ¼) of Section 31, Township 5 North, Range 1 East, particularly described by metes and bounds as follows:

For the point of beginning, start at a point on the West side of U.S. Highway No. 51, which point is 1008 feet West of the East line of the aforesaid SE ¼ of the SW ¼ and 20 feet North of the South line of the SE ¼ SW ¼, which point is also 20 feet Westerly from, measured at right angles to, the center line of the aforesaid U.S. Highway No. 51, and from this point run North 24 degrees East, and parallel to the center line of the aforesaid Highway, a distance of 95 feet to an iron stake; and run thence North 29 degrees 29 minutes East parallel to and 20 feet westerly from, measured at right angles to, the center line of the aforesaid Highway, a distance of 285.2 feet to an iron stake, which latter stake is the point of beginning, and the Southeastern corner of the tract herein being conveyed, and from this point of beginning run North 31 degrees 45 minutes East, parallel to and 20 feet westerly from, measured at right angles to, the center line of the aforesaid Highway, a distance of 120 feet; run thence North 58 Degrees 15 minutes West, a distance of 210 feet; run thence South 31 degrees 45 minutes West, parallel to the center line of the aforesaid Highway, a distance of 120 feet; and run thence South 58 degrees 15 minutes East, a distance of 210 feet to the point of beginning.

Beginning at a point where the north line of the County black top road intersects the west R.O.W. line of the old U.S. Highway #51 (said point being 38 feet north and 1000 feet west of the southeast corner of the SE ¼ of SW ¼ of Section 31) run North 27° E 77 feet to a point on said old U.S. Highway #51 R.O.W. line, which is the point of beginning:

Run northeasterly along said Highway R.O.W. line 286 feet to a point; thence northwesterly 364 feet to the northeast corner of Richard H. McGowan lot; thence south 351 feet to a point; thence South 66 E 196.5 feet to a point of beginning; all in Section 31, Township 5 North, Range 1 East.

Be and is hereby denied a Use Permit for the property located at 4405-15 Terry Rd. (Parcel: 860-140) within a C-3 (General) Commercial District.

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

President Lindsay recognized **Claude McCants**, who spoke in favor to deny a Use Permit to allow for the operation of a used car lot within a C-3 (General) Commercial District

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

Yeas- Banks, Foote, Lindsay and Stokes.

Nays- None.

Absent- Priester, Stokes and Tillman.

There came on for consideration Agenda Item No. III, Case No. 4066:

ORDINANCE GRANTING VERNELL VANCE A REZONING FROM I-1 (LIGHT) INDUSTRIAL DISTRICT TO SUD (SPECIAL USE) DISTRICT TO ALLOW FOR A PERPETUAL CARE CEMETERY FOR PROPERTY LOCATED AT 2474 MADDOX RD. (PARCEL: 829-10-2), CASE NO. 4066. Said item would be tabled until the next Zoning Council meeting to be held on October 21, 2019 at 2:30 p.m.

* * * * *

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 -3329 Ward 7	North Midtown Community Development Co.	219 McTyere Ave. Jackson, MS 39202	Office	09/06/00
SE - 3844 Ward 1	Anthony R. Simon	621 E. Northside Dr. Jackson, MS 39206	Professional Non-Retail Office	09/16/13
3914 C-UP Ward 7	Richard & Company, LLC- C/o Richard McKey	Patton Ave. Parcel #48-97 Jackson, MS 39206	Accessory Parking Lot	09/21/15
SE - 4018 Ward 4	Shantana Taylor Brown	4417 O'Bannon Dr. Jackson, MS 39213	Commercial Day Care	09/17/18
SE- 3946 Ward 7 C-UP	Catholic Diocese of Jackson	921 N. President St. Jackson, MS 39202	Emergency Shelter/Mission	08/15/16
SE- 4014 Ward 3 C-UP	Dwayne A. Starling	2230 Powers Ave. Jackson, MS 39213	One Chair Beauty Salon	08/20/18
SE-3890 Ward 2	Patricia Sampson Parker	Cynthia Rd. (Parcel 906-8)	Residential Community Center	01/26/15

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

President Lindsay recognized **Council Member Stokes** who moved, seconded by **Council Member Banks** to remove Case No. SE 4014 and consider said item separately. The motion prevailed by the following vote:

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

Thereafter, **President Lindsay** 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:

<u>CASE NO.</u>	<u>NAME</u>	<u>LOCATION</u>	<u>USE</u>	<u>GRANTED</u>
SE -3329 Ward 7	North Midtown Community Development Co.	219 McTyere Ave. Jackson, MS 39202	Office	09/06/00
SE - 3844 Ward 1	Anthony R. Simon	621 E. Northside Dr. Jackson, MS 39206	Professional Non-Retail Office	09/16/13
3914 C-UP Ward 7	Richard & Company, LLC- C/o Richard McKey	Patton Ave. Parcel #48-97 Jackson, MS 39206	Accessory Parking Lot	09/21/15
SE - 4018 Ward 4	Shantana Taylor Brown	4417 O'Bannon Dr. Jackson, MS 39213	Commercial Day Care	09/17/18
SE- 3946 Ward 7 C-UP	Catholic Diocese of Jackson	921 N. President St. Jackson, MS 39202	Emergency Shelter/Mission	08/15/16
SE-3890 Ward 2	Patricia Sampson Parker	Cynthia Rd. (Parcel 906-8)	Residential Community Center	01/26/15

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.

Yeas- Banks, Foote, Lindsay and Stokes.

Nays- None.

Absent- Priester, Stamps and Tillman.

ORDER GRANTING EXTENSION OF SPECIAL EXCEPTIONS AND USE PERMITS FOR ONE YEAR FOR CASE NO. SE-4014.

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:

SE- 4014 Ward 3 C-UP	Dwayne A. Starling	2230 Powers Ave. Jackson, MS 39213	One Chair Beauty Salon	08/20/18
-------------------------------------	--------------------	---------------------------------------	---------------------------	----------

Said item failed for a lack of a motion and second.

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, SEPTEMBER 16, 2019, 2:30 P.M.

635

President Lindsay recognized Council Member Stokes who moved, seconded by Council Member Banks to deny the renewal of a special exception for:

SE- 4014		2230 Powers Ave.	One Chair	
Ward 3	Dwayne A. Starling	Jackson, MS 39213	Beauty Salon	08/20/18
C-UP				

The motion prevailed by the following votes:

Yeas- Banks, Foote, Lindsay and Stokes.

Nays- None.

Absent- Priester, Stamps 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, September 17, 2019 at 3:26 p.m. the Council stood adjourned.

ATTEST:

APPROVED:

Kristi Moore
CITY CLERK

Chris Foote 10/19/2019
MAYOR DATE
