

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 June 20, 2016, being the third Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Tyrone Hendrix, Vice-President, Ward 6; Ashby Foote, Ward 1; De'Keither Stamps, Ward 4 and Charles Tillman, Ward. Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Ester Ainsworth, Zoning Administrator; Biqi Zhao, Deputy Director of Planning; Ramina Aghili, Associate Planner and Azande Williams, Deputy City Attorney.

Absent: Melvin Priester, Jr.; President, Ward 2; Kenneth I. Stokes, Ward 3 and Margaret Barrett-Simon, Ward 7.

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

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There came on for consideration Agenda Item No. 1:

ORDER DENYING JACKSON MEMORIAL FUNERAL SERVICES, LLC A REZONING FROM R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT AND C-3 (GENERAL) COMMERCIAL DISTRICT TO SUD SPECIAL USE DISTRICT, TO DEVELOP A CEMETERY FOR PROPERTY LOCATED AT SOUTH DRIVE ON PARCEL #638-35-1, CASE NO. 3926.

Vice President Hendrix recognized **Ester Ainsworth**, Zoning Administrator, who announced that the applicant withdrew their application.

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Vice President Hendrix recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3933, 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 and transcript of planning board meeting.

ORDER GRANTING SINGH PETRO I, LLC A FIVE (5) FEET VARIANCE FROM THE SIDE YARD VARIANCE WHERE A TWENTY-FIVE (25) FEET SET BACK IS REQUIRED FOR PROPERTIES THAT ADJOIN RESIDENTIALLY ZONED PROPERTIES WITHIN A C-2 (LIMITED) COMMERCIAL FOR PROPERTY LOCATED AT 1302 NORTH STATE ST., CASE NO. 3933.

Vice President Hendrix recognized **Attorney Fariss Crisler**, a representative of the Applicant, who requested a continuance to allow the architect to appear before the Council.

Vice President Hendrix recognized **Singh Petro**, Applicant, who spoke in favor to approve the five (5) foot variance to build within twenty (20) feet of the required twenty-five (25) setback requirements for properties zoned residential for 1302 N. State Street.

Vice President Hendrix recognized **Attorney Amanda Tollison**, a representative of Keifer's Restaurant, who spoke in opposition to approve a five (5) foot variance to build within twenty (20) feet of the required twenty-five feet setback requirements for properties zoned residential for 1302 N. State Street.

Vice President Hendrix recognized **Mike Stevens** from Baptist Health Systems, who spoke in opposition to approve a five (5) foot variance to build within twenty (20) feet of the required twenty-five feet setback requirements for properties zoned residential for 1302 N. State Street.

After a thorough discussion, **Council Member Foote** moved and **Council Member Tillman** seconded to remand said item back to the Planning Board for further consideration. The motion prevailed by the following vote:

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

Vice President Hendrix recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3940, 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.

Vice President Hendrix requested that the Clerk read said Order:

ORDER GRANTING CHRIST TABERNACLE CHURCH A USE PERMIT TO ALLOW FOR THE OPERATON OF A DAYCARE AND EDUCATIONAL ACTIVITIES WITHIN A R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT FOR PROPERTY LOCATED AT 1201 COOPER RD., CASE NO. 3940.

WHEREAS, Christ Tabernacle Church has filed a petition for a Use Permit to allow for a daycare/afterschool within a R-1 (Single-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, May 25, 2016, 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, June 20, 2016 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 May 5, 2016 and May 19, 2016 that a hearing would be held by the Jackson City Planning Board on May 25, 2016, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned Use Permit within the existing R-1 (Single-Family) Residential 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 to allow for the operation of a daycare and educational activities be granted within the existing R-1 (Single-Family) Residential District of the City of Jackson; and

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 situated in the East ½ of the Northeast ¼ Section 26, Township 5 North, R 1 West, Hinds County, Mississippi, containing 4.73 acres, more or less, and being more particularly described as follows:

Beginning at the intersection of the East right-of-way line of Forest Hill Road and the South right-of-way of Cooper Road (as now laid out and improved, August, 1983); run thence North 69 degrees 07 minutes 41 seconds East along said South right-of-way line of Cooper Road, for a distance of 428.85 feet to an iron pin; leaving said South right-of-way line of Cooper Road, run South 00 degrees 16 minutes East for a distance of 593.7 feet to an iron pin, run thence North 89 degrees 26 minutes 25 seconds West for a distance of 400.0 feet to an iron pin on said East right-of-way line of Forest Hill Road; run thence North 00 degrees 16 minutes East along said East right-of-way line of Forest Hill Road for a distance of 437.0 feet to the POINT OF BEGINNING.

A certain parcel of land situated in the East ½ of the Northeast ¼ Section 26, Township 5 North, Range 1 West, Hinds County, Mississippi, containing 8.20 acres, more or less and being more particularly described as follows:

Commence at the intersection of the East right-of-way line of Forest Hill Road with the South right-of-way line of Cooper Road (as now laid out and improved, August, 1983); run thence North 69 degrees 07 minutes 41 seconds East along said South right-of-way line of Cooper Road for a distance of 914.72 feet to an iron pin and the POINT OF BEGINNING of the parcel of land herein described; continue thence North 69 degrees 07 minutes 41 seconds East along said South right-of-way line of Cooper Road for a distance of 443.93 feet to an iron pin; leaving and said South right-of-way line of Cooper Road, run South 00 degrees 14 minutes 08 seconds East for a distance of 933.52 feet to an iron pin; run thence North 89 degrees 26 minutes 25 seconds West for a distance of 422.42 feet to an iron pin; run thence North 00 degrees 16 minutes West for a distance of 771.24 feet to the POINT OF BEGINNING.

A certain parcel of land situated in the East ½ of the Northeast ¼ Section 26, Township 5, North, Range 1 West, Hinds County, Mississippi, containing 7.10 acres, more or less, and being more particularly described as follows:

Commence at the intersection of the East right-of-way line of Forest Hill Road with the South right-of-way line of Cooper Road (as now laid out and improved, August, 1983); run thence North 69 degrees 07 minutes 41 seconds East along said South right-of-way line of Cooper Road for a distance of 428.85 feet to an iron pin and the POINT OF BEGINNING of the parcel of land herein described; continue thence North 69 degrees 07 minutes 41 seconds East along said South right-of-way line of Cooper Road for a distance of 485.87 feet to an iron pin, leaving said South right-of-way line of Cooper Road; run thence South 00 degrees 16 minutes East for a distance of 771.24 feet to an iron pin; run thence North 89 degrees 26 minutes 25 seconds West for a distance of 453.18 feet to an iron pin; run thence North 00 degrees 16 minutes West for a distance of 593.7 feet to the POINT OF BEGINNING.

be and is hereby modified so as to approve a Use Permit to allow for the operation of a daycare/afterschool and educational activities for property located at 1201 Cooper Rd. within an R-1 (Single-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.

Vice President Hendrix recognized **Hosea Hines**, Pastor of Christ Tabernacle Church, who spoke in favor to approve the use permit to allow for a daycare/afterschool within a R-1 (Single-Family) Residential.

Vice President Hendrix recognized Claude McCants, President of Association of South Jackson Neighborhood Association, who spoke in favor to approve the use permit to allow for a daycare/afterschool within a R-1 (Single-Family) Residential.

There was no opposition from the public.

Council Member Stamps moved adoption; Council Member Tillman seconded.

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

There came on for consideration Agenda Item No. IV:

ORDINANCE APPROVING AMENDMENTS TO THE TEXT OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF JACKSON AS ADOPTED ON MAY 29, 1974 AND SUBSEQUENTLY AMENDED IN ORDER TO PROVIDE FOR AND ESTABLISH MORE EFFECTIVE ZONING REGULATIONS FOR THE CITY OF JACKSON LAND USES.

Vice President Hendrix announced said item would be tabled until the next Zoning Council meeting to be held on July 18, 2016 at 2:30 p.m.

Ester Ainsworth noted for the record: Cancelled Special Exceptions:

- SE 3737 – Gary & Marion Sibley – 4580 Old Canton Rd.
- SE 3833 – Sharika Fleming/Roy Dixon, Jr. – 3554 Rita Dr.
- UP 3864- Darlene Harper Gates- 3211 Jayne Ave.

No action required.

President Priester requested the Clerk to read the following:

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 -3832 Ward 1	Terry L. Smith	644 Newland St.	One Chair Beauty Salon	6/17/13
SE -3863 Ward 1	Thuy Tran Woo	4570 Old Canton Rd.	Professional Design & Art Studio Office	6/16/14

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, JUNE 20, 2016, 2:30 P.M.

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

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

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, June 28, 2016: at 3:38 p.m., the Council stood adjourned.

ATTEST:

APPROVED:

Kristi Moore
CITY CLERK

[Signature], 7.1.16
MAYOR DATE
