

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, NOVEMBER 18, 2013, 2:30 P.M.**

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 18, 2013, being the third Monday of said month when and where the following things were had and done to wit:

Present: Council Members: President, Charles Tillman; Vice-President, Melvin Priester, Jr.; De'Keither Stamps, Ward 4; Tony T. Yarber, Ward 6 and Margaret Barrett-Simon, Ward 7. Brenda Pree, City Clerk; Ester Ainsworth, Zoning Administrator; Bennie Hopkins, Director of Planning and Development; and Azande Williams, Deputy City Attorney.

Absent: LaRita Cooper-Stokes, Ward 3 and Quentin Whitwell, Ward 1.

* * * * *

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

* * * * *

President Tillman recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3850, 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. Thereafter, **President Tillman** requested that the Clerk read said Order:

**ORDINANCE APPROVING FONDREN RENAISSANCE FOUNDATION A
REZONING FROM C-1 (RESTRICTED) COMMERCIAL DISTRICT TO C-1A
(RESTRICTED) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT
3304 NORTH STATE ST (PARCELS #48-74 & 48-71), CASE NO. 3850.**

WHEREAS, Fondren Renaissance Foundation has filed a petition to rezone property located at 3304 North State St.,(Parcels #48-74 & 48-71),in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C-1 (Restricted) Commercial District to C-1A (Restricted) Commercial District; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended approval to rezone the properties from C-1 (Restricted) Commercial District to C-1A (Restricted) 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, November 18, 2013 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 Clarion Ledger on October 3, 2013 and October 17, 2013 and that a hearing would be held by the Jackson City Planning Board on October 23, 2013, 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 C-1A (Restricted) Commercial District and within the existing zoning of the City of Jackson; and

WHEREAS, it appears to the Council 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.

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, NOVEMBER 18, 2013, 2:30 P.M.

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:

PARCEL NUMBER 48-71

LOT 6 AND 5 FEET OFF THE SOUTHSIDE OF LOT 5 LESS THAN 8 FEET WEST WHICH ENDS TO STREET, BLOCK 7, GORDONS SUBDIVISION.

PARCEL NUMBER 48-74

LOT 9, BLOCK 7, GORDONS SUBDIVISION.

is hereby rezoned and changed from C-1 (Restricted) Commercial District to C-1A (Restricted) Commercial District provided, however that before a permit is issued for any structure to be erected on the said property, or for any use thereof, provision for adequate off-street parking must be made and approved by the Department of Planning Development and the Department of Public Works. 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.

President Tillman recognized **Katie Hester, Fondren Renaissance Foundation**, who addressed the Council and argued in favor of the property located at 3304 North State St. be rezoned and changed from C-1 (Restricted) Commerical District to C-1A (Restricted) Commerical District.

There was no opposition from the public.

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

Yeas: Barrett-Simon, Priester, Stamps, Tillman and Yarber.

Nays: None

Absent: Cooper-Stokes and Whitwell.

President Tillman recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3852, 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. Thereafter, **President Tillman** requested that the Clerk read said Order:

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, NOVEMBER 18, 2013, 2:30 P.M.**

ORDINANCE APPROVING DAVID HOARD (JSU FOUNDATION), MARIETA JOHNSON, EVELYN SUTTON, PEARL CLARK EST., DAVID CHURCH, NARA OTIS FOR ALICE R DEAN AND TIM MCCARTYA REZONING FROM R-2A (SINGLE-FAMILY) RESIDENTIAL, R-3 (TOWN-HOUSE & ZERO LOT LINE) RESIDENTIAL AND R-5 (MULTI-FAMILY) RESIDENTIAL DISTRICT TO CMU-1 (COMMUNITY) MIXED-USE DISTRICT FOR PROPERTY ON MULTIPLE PARCELS: 143-14, 144-41, 143-50, 143-51, 143-52-1, 143-55, 143-56, 144-94, 144-109, 144-118, 144-135-2, 144-138, CASE NO. 3852.

WHEREAS, David Hoard (JSU Foundation), Marietta Johnson, Evelyn Sutton, Pearl Clark Est., David Church, Nara Otis for Alice R Dean, and Tim McCarty has filed a petition to rezone property located in parcels 143-14, 144-41, 143-50, 143-51, 143-52-1, 143-55, 143-56, 144-94, 144-109, 144-118, 144-135-2, 144-138 in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-2A (Single-family) Residential, R-3 (Town-house & Zero Lot Line) Residential and R-5 (Multi-family) Residential to CMU-1 (Community) Mixed-Use District; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended approval to rezone the properties from R-2A (Single-family) Residential, R-3 (Town-house & Zero Lot Line) Residential and R-5 (Multi-family) Residential to CMU-1 (Community) Mixed-Use 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 18, 2013 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 Clarion Ledger on October 3, 2013 and October 17, 2013; and that a hearing would be held by the Jackson City Planning Board on October 23, 2013, 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 CMU-1 (Community) Mixed-Use District and within the existing zoning of the City of Jackson; and

WHEREAS, it appears to the Council 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; and

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:

Parcel Number 143-14

LOTS 5 AND 6, JOHNSONS PTN OF LOT 5, CLIFTON ESTATES SURVEY.

Parcel Number 143-41

BEGINNING AT THE NORTH SIDE OF PASCAGOULA STREET 29.94 FEET NORHEASTERLY FROM MINERVA ST GO THENCE NORTH 199.73 FEET; GO THENCE EAST FOR 80.5 FEET; GO THENCE SOUTHERLY FOR 38.7 FEET; GO THENCE EASTERLY FOR 62.1 FEET; GO THENCE SOUTH FOR 86.36 FEET; GO THENCE SOUTHWESTERLY ALONG THE STREET FOR 174.36 FEET TO THE POINT OF BEGINNING IN LOTS 8 AND 9, CLIFTON ESTATES SURVEY.

Parcel Number 143-50

60.33 FEET ON THE SOUTH SIDE OF PEARL STREET BY 210 FEET NORTH AND SOUTH BEGINNING 202.17 FEET WEST OF THE NORTHEAST CORNER OF LOT 19 IN LOT 19, CLIFTON ESTATES SURVEY.

Parcel Number 143-51

57 FEET ON THE SOUTH SIDE OF PEARL STREET BY 210 FEET NORTH AND SOUTH, EAST OF YOUNG, AND WEST OF THE MAPLES IN LOT 19, CLIFTON ESTATES SURVEY.

Parcel Number 143-52-1

48.5 FEET EAST AND WEST BY 54 FEET NORTH AND SOUTH BEGINNING 152.5 FEET SOUTH OF PEARL STREET AND 67 FEET EAST OF MINERVA STREET IN LOT 19, CLIFTON ESTATES SURVEY.

Parcel Number 143-55

LOT 3, BLOCK C, CHAPMAN SMYLYE SUBDIVISION.

Parcel Number 143-56

LOT 4, BLOCK C, CHAPMAN SMYLYE SUBDIVISION.

Parcel Number 144-94

LOT 12, BLOCK C, BEARDS RESURVEY.

Parcel Number 144-109

LOT 30, BLOCK C, BEARDS RESURVEY.

Parcel Number 144-118

LOTS 3, 4, 5, 6, & 7, BLOCK D, BEARDS RESURVEY.

Parcel Number 144-135-2

LOT 34, BLOCK D, BEARDS RESURVEY.

Parcel Number 144-138

ALL OF BLOCK E, BEARDS RESURVEY LESS TO STREET.

are hereby rezoned and changed from R-2A (Single-family) Residential, R-3 (Town-house & Zero Lot Line) Residential and R-5 (Multi-family) Residential to CMU-1 (Community) Mixed-Use District provided, however that before a permit is issued for any structure to be erected on the said property, or for any use thereof, provision for adequate off-street parking must be made and approved by the Department of Planning Development and the Department of Public Works. 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.

President Tillman recognized **Jason Brookins, Director of Jackson State University Center for University-Based Developed**, who addressed the Council and argued in favor of the approval of rezoning properties located in parcels 143-14, 144-41, 143-50, 143-51, 153-52-1, 143-55, 143-56, 144-94, 144-109, 144-118, 144-352-2, 144-138 in the City of Jackson from R-2A (Single-family) Residential, R-3 (Town-house & Zero Lot Line) Residential and R-5 (Multi-family) Residential to CMU-1 (Community) Mixed-Use District.

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, NOVEMBER 18, 2013, 2:30 P.M.

There was no opposition from the public.

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

Yeas- Barrett-Simon, Priester, Stamps, Tillman and Yarber.

Nays- None.

Absent- Cooper-Stokes and Whitwell.

President Tillman recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of this matter, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the staff report and planning board meeting minutes. Thereafter, **President Tillman** requested that the Clerk read said Order:

ORDINANCE APPROVING AMENDMENTS TO THE TEXT OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF JACKSON TO PROVIDE FOR THE IMPLEMENTATION OF THE FONDREN/NORTH STATE STREET OVERLAY DISTRICT.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI that Article XI, Section 1101.03 of the Zoning Ordinance of Jackson, Mississippi, for uses permitted in the Fondren/North State Street Overlay District is hereby amended to read as follows:

1. Antiques and Specialty Retail Shop
2. Apartments (Only permitted for property zoned R-4, R-5 and C-1A)
3. Art Studio and Gallery
4. Bed and Breakfast Inn Class A
5. Professional Occupation as defined by this Ordinance
6. Live/work Units as defined by this Ordinance
7. Mixed Use Buildings as defined by this Ordinance
8. Single Family Residential
9. Townhouses and Zero Lot Line Residential (Only permitted on property zoned R-3, R-4 and R-5.)
10. Overlay District Restaurant, south of Decelle Street on the west side of North State Street and south of Broadway Avenue on the east side of North State Street
11. Catering Services, south of Decelle Street on the west side of North State Street and south of Broadway Avenue on the east side of North State Street
12. Health Club/Fitness Center, when located in an existing structure which does not exceed 3,000 square feet, south of Decelle Street on the west side of North State Street and south of Broadway Avenue on the east side of North State Street
13. Off street surface parking, subject to the requirements of the Landscape Ordinance, south of Decelle Street on the west side of North State Street and south of Broadway Avenue on the east side

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

Yeas- Barrett-Simon, Priester, Stamps, Tillman and Yarber.

Nays- None.

Absent- Cooper-Stokes and Whitwell.

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, NOVEMBER 18, 2013, 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 - 1636 Ward 4	Lillie Robinson	3554 Rita Drive Jackson, MS 39213	Day Care Center	11/30/1977
SE - 1859 Ward 3	Bessie Tyler & Leroy Tyler	1915 Oakland Ave. Jackson, MS 39213	One-Chair Beauty Salon	11/07/1979
SE - 2704 Ward 4	Mary L. Clay	2684 Maddox Road Jackson, MS 39209	One-Chair Beauty Salon	11/09/1988
SE - 2844 Ward 5	John R. Jones/ Dr. Samuel Jones, Jr.	232 Moss Avenue. Jackson, MS 39219	Personal Care Home	11/07/1990
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 - 3695 Ward 1	Dr. Elijah Arrington, III	4562 N. State St. Jackson, MS 39209	Professional Office	11/17/2008

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.

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

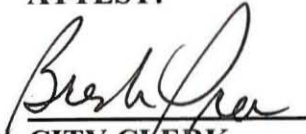
Yeas- Barrett-Simon, Priester, Stamps, Tillman and Yarber.

Nays- None.


Absent- Cooper-Stokes and Whitwell.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Meeting to be held at 6:00 p.m. on Tuesday, November 19, 2013; and at 3:15 p.m., the Council stood adjourned.

ATTEST:


CITY CLERK

APPROVED:

 11/18/13
MAYOR DATE
