

**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 July 19, 2021 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; Angelique Lee, Council Vice President, Ward 2; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; Brian Grizzell, Ward 4; Vernon Hartley, Ward 5; Aaron Banks, Ward 6 and. Directors: Shanekia Mosley-Jordan, Clerk of the Council; Constance White, Chief Deputy Clerk of the Council; Ester Ainsworth, Zoning Administrator; and Chandra Gayten, Deputy City Attorney.

Absent: None.

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

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**President Lindsay** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4129, 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 Lindsay** requested that the Clerk read the Order:

**ORDER GRANTING TRUE WORSHIP MINISTRY CHURCH A USE PERMIT WITHIN A R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO ALLOW FOR THE EXTENSION OF AN EXISTING CHILD CARE CENTER AS AN ACCESSORY USE FOR A CHURCH FOR THE PROPERTY LOCATED AT 5007 CLINTON BLVD. (PARCEL: 637-204), CASE NO. 4129.**

**WHEREAS**, True Worship Ministry Church has filed a petition for a Use Permit within a R-1A (Single-family) Residential District to allow for the extension of an existing child care center 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 within a R-1A (Single-family) Residential District to allow for the extension of an existing child care center as an accessory use for a church; and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Jackson City would be held at the City Hall at 2:30 p.m., Monday, July 19, 2021 to consider said change, based upon the record of the case as developed before the Jackson City Planning Board; and

**WHEREAS**, it appeared to the satisfaction of the Jackson City Council that notice of said petition had been published in the Mississippi Link on June 3, 2021 and June 17, 2021 that a hearing had been held by the Jackson City Planning Board on June 23, 2021, 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-1A (Single-family) Residential District of the City of Jackson; and

**WHEREAS**, the Jackson City Council, after having considered the matter, is of the opinion that the extension of an existing child care center within the existing R-1A (Single-family) Residential District of the City of Jackson as an accessory use for a church will not be detrimental to the continued use, value, or development of properties in the vicinity; will not adversely affect vehicular or pedestrian traffic in the vicinity; and 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 that a Use Permit be granted for such a use.

**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:

LOTS NOS. THREE (3) AND FOUR (4) OF THE MIDWAY SUBDIVISION BY EUGENE GRAHAM ACCORDING TO A MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY IN JACKSON, MISSISSIPPI, MADE BY W.B. MONTGOMERY, SURVEYOR AND CIVIL ENGINEER.

be and is hereby modified so as to approve a Use Permit within a R-1A (Single-family) Residential District to allow for the extension of an existing child care center as an accessory use for a church for the property located at 5007 Clinton Blvd. (Parcel: 637-204). 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 Stokes** moved adoption; **Council President Grizzell** seconded.

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

Yeas – Banks, Foote, Grizzell, Hartley, Lee, Lindsay, and Stokes.  
Nays – None.  
Absent – None.

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

**ORDER GRANTING WMIW, LLC A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A COMMUNITY RECREATIONAL CENTER WITHIN A C80-MU (MIXED-USE) SUBDISTRICT FOR PROPERTY LOCATED AT 3883 METRO DR. (PARCEL 824-557-1 & 824-557-2) AND 3885 METRO DR. (PARCEL 824-557-2), CASE NO. 4130.**

**WHEREAS**, WMIW, LLC has filed a petition for a Use Permit to allow for the operation of a community recreational center within a C80-MU (Mixed-Use) Sub district for the property located at 3883 Metro Dr. (Parcel 824-557-1) and 3885 Metro Dr. (Parcel 824-557-2) 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 allow for the operation of a community recreational center within a C80-MU (Mixed-Use) Sub district for the property located at 3883 Metro Dr. (Parcel 824-557-1) and 3885 Metro Dr. (Parcel 824-557-2); and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Jackson City Council would be held at the City Hall at 2:30 p.m., Monday, July 19, 2021 to consider said change, based upon the record of the case as developed before the Jackson City Planning Board; and

**WHEREAS**, it appeared to the satisfaction of the Jackson City Council that notice of said petition had been published in the Mississippi Link on June 3, 2021 and June 17, 2021 that a hearing

had been held by the Jackson City Planning Board on June 23, 2021, 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 for the above described property, within an existing C80-MU (Mixed-Use) Sub district of the City of Jackson; and

**WHEREAS**, the Jackson City Council, after having considered the matter, is of the opinion that the proposed use is compatible with the character of development in the vicinity relative to density, bulk and intensity of structures, parking and other uses; would not be detrimental to the continued use, value or development of properties in the vicinity and not adversely affect vehicular or pedestrian traffic in the vicinity and that a Conditional Use Permit be granted to operate a community recreational center for the property located at 3883 Metro Dr. (Parcel 824-557-1 ) and 3885 Metro Dr. (Parcel 824-557-2) within the existing C80-MU (Mixed-Use) Sub 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:

**3883 Metro Drive**

27,360.73 square feet, or 0.6281 acre in the NE 1/4 of the SW 1/4 of Section 1, T5N, R1W, City of Jackson, First Judicial District, Hinds County, Mississippi more fully described as follows:

Begin at the SE Corner of the NE 1/4 of the SW 1/4 (or the NW Corner of the SW 1/4 of the SE 1/4) of Section 1, T5N, R1W and proceed thence:

1. North for 523.85 feet; thence,
2. West for 340.58 feet to a hole in a concrete curb marking the SE Corner of the Lot conveyed to Clark, Ltd. by the Warranty Deed recorded in Deed Book 29-98 at Page 299 of the Land Records for the First Judicial District of Hinds County, said point being also:
  - a. the South end of the line between the above described Clark, Ltd. property and the property conveyed to Unifiers Federal Savings and Loan Association by the Warranty Deed recorded in Deed Book 2486 at Page 89 of the Land Records for the First Judicial District of Hinds County,
  - b. On the North line of the 44-foot-wide Right-of-Way for Metro Drive (Private), and
  - c. The POINT OF BEGINNING for the description of the subject property.

Continue thence:

3. N 06° 07' 22" E along the line between the above described Clark, Ltd. property and the above described Unifirst Federal Savings and Loan Association property for 264.40 feet to a point on the South line of the Right-of-Way for US Highway 80; thence,
4. N 59° 48' 30" W along the South line of the Right-of-Way for US Hwy 80, for 121.88 feet, thence
5. N 87° 05' 01" W along the South line of the Right-of-Way for US I-Highway 80 for 89.88 feet; thence,
6. S 14° 26' 06" E along a line that is 25.92 feet East of and parallel with the East edge of the concrete walk along the East side of the building at 3895 Metro Drive now occupied by Luther's Bar-B-Q for 122.05 feet; thence,
7. N 75° 53' 46" E for 44.08 feet to a point at the back of a concrete curb; thence,
8. N 14° 26' 06" W along the back of the concrete curb for 76.38 feet; thence,
9. S 85° 26' 06" E for 4213 feet; thence,
10. S 14° 26' 06" E for 121.30 feet to a point at the back of a concrete curb; thence,
11. S 09° 12' 05" W for 186.61 feet to a point on the North line of the 44 foot wide Right-of-Way for Metro Drive (Private), said Right-of-Way line being defined at this point by a circular curve with a radius of 480.63 feet. Turn to N 77° 51' 07" E to obtain tangency to the curve at this point and continue thence:
12. Easterly and clockwise along the above described circular curve for 71.12 feet to the POINT OF BEGINNING.

LESS AND EXCEPT: An Ingress-Egress Easement across a strip of land 24.08 feet wide off the West edge of the above-described property;

PLUS: An Ingress-Egress Easement across a 30 foot wide strip of land being 5.92 feet wide West of 24.08 feet wide East of and along and adjacent to the following described line:

BEGIN at the hole in the concrete curb marking the SE Corner of the property

conveyed to Clark, Ltd. by the Warranty Deed recorded in Deed Book 2998 at Page 299 of the Land Records for the First Judicial District of Hinds County and proceed thence:

12. N 06° 07' 22" E along the East line of the above-described Clark, Ltd. property for 264.40 feet to a point on the South line of the Right-of-Way for US Highway 80; thence,
13. N 59° 48' 30" W along the South line of the Right-of-Way for US Highway 80 for 121.88 feet; thence,
14. N 87° 05' 01" W along the South line of the Right-of-Way for US Highway 80 for 89.88 feet to the Point of Beginning for the subject line.

Continue thence:

S 14° 26' 06" E along a line that is 25.92 feet east of and parallel with the East edge of the sidewalk along the East side of the building at 3895 Metro Drive now, occupied by Luther's Bar-B-Q for 351.63 feet to a point on the North line of the 44 foot wide Right-of-Way for Metro Drive (Private).

**3885 Metro Drive**

15,641.28 square feet, or 0.3591 acre in the NE ¼ of the SW ¼ of Section 1, T5N, R1W, City of Jackson, First Judicial District, Hinds County, Mississippi more fully described as follows:

Begin at the SE Corner of the NE ¼ of the SW ¼ (or the NW Corner of the SW ¼ of the SE ¼) of Section 1, T5N, R1W and proceed thence:

1. North for 523.85 feet; thence
2. West for 340.58 feet to a hole in a concrete curb marking the SE Corner of the Lot conveyed to Clark, Ltd. by the Warranty Deed recorded in Deed Book 2998 at Page 299 of the Land Records for the First Judicial District of Hinds County, said point being also:
  - a. the South end of the line between the above described Clark, Ltd. property and the property conveyed to Unifirst Federal Savings and Loan Association by the Warranty Deed recorded in Deed Book 2486 at Page 89 of the Land Records for the First Judicial District of Hinds County, and
  - b. On the North line of the 44-foot-wide Right-of-Way for Metro Drive (Private).

Continue thence:

3. N 06° 07' 22" E along the line between the above described Clark, Ltd. Property and the above described Unifirst Federal Savings and Loan Association property for 190.84 feet; thence,
4. S 74° 53' 46" W along a line that includes the back of a concrete curb for 60.76 feet to the Point of Beginning for the Description of the Subject Property.

Continue thence:

5. N 14° 26' 06" W for 121.30 feet; thence,
6. N 85° 26' 06" for 42.13 feet to a point at the back of a concrete curb; thence,
7. S 14° 26' 06" E along the back of the concrete curb for 76.38 feet; thence,
8. S 75° 53' 46" W for 44.08 feet to a point on a line that is 25.92 feet East of and parallel with the East edge of the concrete walk along the East side of the building at 3895 Metro Drive now occupied by Luther's Bar-B-Q; thence,
9. S 14° 26' 06" E along the above described line for 229.58 feet to a point on the North line of the 44 foot wide Right-of-Way for Metro Drive (Private), said Right-of-Way line being defined at this point by a circular curve with a radius of 480.63 feet. Turn to N 76° 46' 13" E to obtain tangency to the curve at this point and continue thence;
10. Easterly and clockwise along the above described circular curve for 9.08 feet; thence
11. N 09° 12' 05" E for 186.61 feet to the Point of Beginning.

LESS AND EXCEPT: An Ingress-Egress Easement across a strip of land 24.08 feet wide off the West edge of the above described property;

PLUS: An Ingress-Egress Easement across a 30-foot-wide strip of land being 5.92 feet wide west of, 24.08 East of, and along and adjacent to the following described line:

Begin at the hold in the concrete curb marking the SE Corner of the property conveyed to Clark, Ltd. by the Warranty Deed recorded in Deed Book 2998 at Page 299 of the Land Records for the First Judicial District of Hinds County and proceed thence:

12. N 06° 07' 22" E along the East line of the above described Clark, Ltd. property for 264.40 feet to a point on the South line of the Right-of-Way for US Highway 80; thence,
13. N 59° 48' 30" W along the South line of the Right-of-Way for US Highway 80 for 121.88 feet; thence,
14. N 87° 05' 01" W along the South line of the Right-of-Way for US Highway 80 for

89.88 feet to the Point of Beginning for the subject line.

Continue thence:

15. S 14° 26' 06" E along a line that is 25.92 feet East of and parallel with the East edge of the sidewalk along the East side of the building at 3895 Metro Drive now occupied by Luther's Bar-B-Q for 351.63 feet to a point on the North line of the 44 foot wide Right-of-Way for Metro Drive (Private).

be and is hereby modified so as to approve a Conditional Use Permit to allow for the operation of a community recreational center within a C80-MU (Mixed-Use) Sub district for the property located at 3883 Metro Dr. (Parcel 824-557-1) and 3885 Metro Dr. (Parcel 824-557-2). The Conditions of the Use Permit shall be that it is granted on an annual basis; it is granted to the owner/operator of the community recreational center; and that subsequent owners or operators of a community recreational center 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.

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

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**President Lindsay** recognized **Robert Ireland**, representative for the applicant, who spoke in favor to approve a Conditional Use Permit to allow for the operation of a community recreational center within a C80-MU (Mixed-Use) Subdistrict.

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There was no opposition from the public.

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

Yeas – Banks, Foote, Grizzell, Hartley, Lee, Lindsay, and Stokes.

Nays – None.

Absent – None.

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

**ORDINANCE GRANTING KELVIN WILLIAMS A REZONING FROM R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT & C-2 (LIMITED) COMMERCIAL DISTRICT TO C-3 (GENERAL) COMMERCIAL DISTRICT TO CREATE A SINGLE ZONING CLASSIFICATION FOR THE PROPERTY AND TO ALLOW FOR MORE DEVELOPMENT OPPORTUNITIES AT THE PROPERTY LOCATED ON 5356 NORTH STATE ST. (PARCEL 500-1050), CASE NO. 4131.**

**WHEREAS**, Kelvin Williams has filed a petition to rezone the property located on 5356 North State St. (Parcel: 500-1050), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-1A (Single-family) Residential District & C-2 (Limited) Commercial District to C-3 (General) Commercial District to create a single Zoning classification for the property and to allow for more development opportunities; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the properties from R-1A (Single-family) Residential District & C-2 (Limited) Commercial District to C-3 (General) Commercial District to create a single Zoning classification for the property and to allow for more development opportunities; and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Jackson City Council would be held at the City Hall at 2:30 p.m., Monday, July 19, 2021 to consider said change, based upon the record of the case as developed before the Jackson City Planning Board; and

**WHEREAS**, it appeared to the satisfaction of the Jackson City Council that notice of said

petition had been published in the Mississippi Link on June 3, 2021 and June 17, 2021 that a hearing had been held by the Jackson City Planning Board on June 23, 2021, 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 has offered the recommendation to rezone the above described property from R-1A (Single-family) Residential District & C-2 (Limited) Commercial District to C-3 (General) Commercial District; and

**WHEREAS**, the Jackson City 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 particularly described as follows:

BEG INT E/L NORTH STATE ST & S/L CEDARS OF LEBANON E 750 FT S 348.0 FT W 790 FT N 185.3 FT W 120 FT NLY 185.3 FT IN SW ¼ SE ¼ SEC 11 T6 R1E

is hereby modified so as to approve the rezoning of the property located on 5356 North State St. (Parcel 500-1050) from R-1A (Single-family) Residential District & C-2 (Limited) Commercial District to C-3 (General) Commercial District to create a single Zoning classification for the property and to allow for more development opportunities. 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.

**Council Member Lee** moved adoption; **Council President Grizzell** seconded.

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There was no representation from the applicant.

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There was no opposition from the public.

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

Yeas – Banks, Foote, Grizzell, Hartley, Lee, Lindsay, and Stokes.

Nays – None.

Absent – None.

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

**ORDINANCE GRANTING JACKSON MEMORIAL FUNERAL SERVICES, LLC A REZONING FROM C-2 (LIMITED) COMMERCIAL DISTRICT TO R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT WITH A SPECIAL EXCEPTION TO ALLOW FOR THE DEVELOPMENT OF A COMMUNITY RESIDENTIAL FACILITY ON THE PROPERTIES LOCATED ON 800 WOODROW WILSON AVE. (PARCEL 405-473); 816 WOODROW WILSON AVE. (PARCEL 405-471); & 818 WOODROW WILSON AVE. (PARCEL 405-470), CASE NO. 4133.**

**WHEREAS**, Jackson Memorial Funeral Services, LLC has filed a petition to rezone the properties located on 800 Woodrow Wilson Ave (Parcel 405-473; 816 Woodrow Wilson Ave (Parcel 405-471); & 818 Woodrow Wilson Ave. (Parcel 405-470) in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C-2 (Limited) Commercial District to R-4 (Limited Multi-Family) Residential District with a Special Exception to allow for the development of a community residential facility; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the properties from C-2 (Limited) Commercial District to R-4 (Limited Multi-Family) Residential District with a Special Exception to allow for the development of a residential community facility; 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, July 19, 2021 to consider said change, based upon the record of the case as developed before the Jackson City Planning Board; and

**WHEREAS**, it appeared to the satisfaction of the Jackson City Council that notice of said petition had been published in the Mississippi Link on June 3, 2021 and June 17, 2021 that a hearing had been held by the Jackson City Planning Board on June 23, 2021, 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 has offered the recommendation to rezone the above described property from C-2 (Limited) Commercial District to R-4 (Limited Multi-Family) Residential District with a Special Exception; and

**WHEREAS**, the Jackson City 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; and

**WHEREAS**, the Jackson City Council after having considered the matter is of the opinion that that the documents are in order, and that the recommendation of the Planning Board to approve a Special Exception to allow for a residential community facility within a R-4 (Limited Multi-family) Residential District does support the promotion of the public health, safety, morals, the general welfare of the community and the granting of such not adversely affecting adjacent property owners.

**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 particularly described as follows:

Parcel 405-473

LOTS 3 & 4 BLK 11 CLOVER HILL SUB LESS TO ST

Parcel 405-471

LOT TWO, BLOCK 11, CLOVER HILL SUBDIVISION, A SUBDIVISION ACCORDING TO THE 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 2 AT PAGE 17, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.

Parcel 405-470

LOT ONE (1) OF BLOCK ELEVEN (11) OF CLOVER HILL, A SUBDIVISION ACCORDING TO THE 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 2 AT PAGE 17, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.

SUBJECT TO ANY PORTION OF THE ABOVE LOT WHICH HAS BEEN CONVEYED TO THE CITY OF JACKSON, MISSISSIPPI IN THAT CERTAIN EASEMENT IN BOOK 1156 AT PAGE 514 IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY AT JACKSON, MISSISSIPPI

is hereby modified so as to approve the rezoning of the properties located on 800 Woodrow Wilson Ave (Parcel 405-473; 816 Woodrow Wilson Ave (Parcel 405-471); & 818 Woodrow Wilson Ave. (Parcel 405-470) from C-2 (Limited) Commercial District to R-4 (Limited Multi-Family) Residential District with a Special Exception to allow for the development of a residential community facility. 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.

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

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**President Lindsay** recognized **Damian Murriel**, Applicant, who spoke in favor to approve a Rezoning from C-2 (Limited) Commercial District to R-4 (Limited Multi-Family) Residential District to develop a residential community facility with a Special Exception to allow for the development of a community residential facility.

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There was no opposition from the public.

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

Yeas – Banks, Foote, Grizzell, Hartley, Lee, Lindsay, and Stokes.  
Nays – None.  
Absent – None.

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

**ORDER GRANTING FORTIFICATION 1012, LLC A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A NEIGHBORHOOD RESTAURANT WITHIN A C-1A (RESTRICTED) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 1012 E. FORTIFICATION ST. (PARCEL 18-63), CASE NO. 4134.**

**WHEREAS**, Fortification 1012, LLC has filed a petition for a Use Permit to allow for the operation of a neighborhood restaurant within a C-1A (Restricted) Commercial District for the property located at 1012 E. Fortification St. (Parcel 18-63) 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 allow for the operation of a neighborhood restaurant within a C-1A (Restricted) Commercial District for the property located at 1012 E. Fortification St. (Parcel 18-63); and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Jackson City Council would be held at the City Hall at 2:30 p.m., Monday, July 19, 2021 to consider said change, based upon the record of the case as developed before the Jackson City Planning Board; and

WHEREAS, it appeared to the satisfaction of the Jackson City Council that notice of said petition had been published in the Mississippi Link on June 3, 2021 and June 17, 2021 that a hearing had been held by the Jackson City Planning Board on June 23, 2021, 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 for the above described property, within an existing C-1A (Restricted) Commercial District of the City of Jackson; and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that the proposed neighborhood restaurant would not be detrimental to the continued use, value or development of properties in the vicinity and that a Conditional Use Permit be granted to operate such a use within the existing C-1A (Restricted) 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:

LOT 38 KENWOOD SUBDIVISION, A SUBDIVISION ACCORDING TO THE MAP OR PLATE THERE OF WHICH IS ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY AT JACKSON, MISSISSIPPI, IN PLAT BOOK/CABINET 4 AT PAGE/SLIDE/SLOT 52 THEREOF, RREFERENCE TO WHICH IS MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.

AND BEING THE SAME PROPERTY DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 6439 AT PAGE 322.

be and is hereby modified so as to approve a Conditional Use Permit to allow for the operation of a neighborhood restaurant within a C-1A (Restricted) Commercial District for the property located at 1012 E. Fortification St. (Parcel 18-63). The Conditions of the Use Permit shall be that it is granted on an annual basis; it is granted to owner/operator of the neighborhood restaurant; and that subsequent owners or operators of a neighborhood restaurant 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.

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

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There was no representation from the applicant.

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There was no opposition from the public.

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

- Yeas – Banks, Foote, Grizzell, Hartley, Lee, Lindsay, and Stokes.
- Nays – None.
- Absent – None.

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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:

**REGULAR ZONING MEETING OF THE CITY COUNCIL  
MONDAY, JULY 19, 2021 2:30 P.M.**

<u>CASE NO.</u>	<u>NAME</u>	<u>LOCATION</u>	<u>USE</u>	<u>GRANTED</u>
<u>SE-2482</u> <u>Ward 3</u>	<u>George Wilkes, Jr.</u>	<u>729 Beaverbrook Dr.</u> <u>Jackson, MS 39206</u>	<u>One-Chair Barber</u> <u>Shop</u>	<u>07/16/86</u>
<u>SE-2483</u> <u>Ward 7</u>	<u>Carl Lackey</u>	<u>1718 Bailey Ave.</u> <u>Jackson, MS 39203</u>	<u>Commercial Parking</u> <u>Lot</u>	<u>07/16/86</u>
<u>SE - 3313</u> <u>Ward 3</u>	<u>Eva Shell</u>	<u>303 Wilshire Dr.</u> <u>Jackson, MS 39206</u>	<u>Day Care Center</u>	<u>07/14/00</u>
<u>C-UP- 4059</u> <u>Ward 2</u>	<u>Avtar Singh</u> <u>o/b/o United</u> <u>Development,</u> <u>LLC</u>	<u>1001 W. County Line Rd.</u> <u>Jackson, MS 39213</u>	<u>Automobile Repair</u> <u>Shop</u>	<u>07/15/19</u>
<u>SE-4085</u> <u>Ward 2</u>	<u>Laura Robbins</u>	<u>5663 Beechwood Dr.</u> <u>Jackson, MS 39206</u>	<u>Residential Day</u> <u>Care Center</u>	<u>07/20/20</u>
<u>C-UP- 4087</u> <u>Ward 2</u>	<u>Jamika Dixon</u>	<u>241 Briarwood Dr.</u> <u>Jackson, MS 39206</u>	<u>Commercial Child</u> <u>Care Center</u>	<u>07/20/20</u>
<u>C-UP- 4088</u> <u>Ward 3</u>	<u>Rhemalyn Lewis</u>	<u>5155 Keele St. - Apt 13A</u> <u>Jackson, MS 39206</u>	<u>Commercial Child</u> <u>Care Center</u>	<u>07/20/20</u>

**IT IS HEREBY ORDERED** by the Council of the City of Jackson that the said Special Exceptions and/or Use Permits be and the same are hereby extended for another year from and after the anniversary date granting said Special Exceptions and/or Use Permits.

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

Yeas – Banks, Foote, Grizzell, Hartley, Lee, and Lindsay.

Nays – None.

Absent – 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 Special Council Meeting to be held at 10:00 a.m. on Tuesday, July 20, 2021. At 3:52 p.m., the Council stood adjourned.

**PREPARED BY:**

*Shanekia McLean-Jordan*  
CLERK OF COUNCIL

**APPROVED:**

*Charles L. Lee*, 9/17/2021  
MAYOR DATE

**ATTEST:**

*Angela Harris*  
CITY CLERK

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