

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, APRIL 19, 2021, 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 April 19, 2021 being the third Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Ashby Foote, Ward 1; Charles Tillman, Vice President Ward 5; Aaron Banks, Council President; Ward 6 and Virgi Lindsay, Ward 7. 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: Angelique Lee, Ward 2; Kenneth Stokes, Ward 3; De'Keither Stamps, Ward 4

The meeting was called to order by **President Aaron Banks**.

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4117, 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 Banks requested that the Clerk read the Order:

ORDINANCE GRANTING MIDTOWN PARTNERS/MIDTOWN DEVELOPMENT & MANAGEMENT A REZONING FROM I-1 (LIGHT) INDUSTRIAL DISTRICT & I-2 (HEAVY) INDUSTRIAL DISTRICT TO R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT TO ALLOW FOR A RESIDENTIAL HOUSING DEVELOPMENT FOR THE PROPERTIES LOCATED ON 1126 MILL ST. (PARCEL: 65-18), PARCEL 65-17 ON MILL ST, PARCEL 71-4 ON BELL ST., CASE NO. 4117.

WHEREAS, Midtown Partners/Midtown Development & Management has filed a petition to rezone the properties located on 1126 Mill St. (Parcel: 65-18), Parcel 65-17 on Mill St, Parcel 71-4 on Bell St., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to R-4 (Limited Multi-Family) Residential District to allow for a residential housing development; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the properties from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to R-4 (Limited Multi-Family) Residential District to allow for a residential housing development; 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, April 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 March 4, 2021 and March 18, 2021 that a hearing had been held by the Jackson City Planning Board on March 24, 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 I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to R-4 (Limited Multi-Family) Residential District; and

WHEREAS, the Council after having considered the matter, is of the opinion that such changes would be in keeping with sound land use practice and to the best interest of the City and

that there has been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is a public need for additional property in that area zoned in accordance with the request in said application since any previous Jackson 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:

1126 N. Mill St. (65-18)

LOT 2 & S 1/2 LOTS 3 4 & 5 & LOTS 24 25 26 & 27 BLK B SCHOOL SUBN

0 N. Mill St. (65-17)

1128-1130 Mill Street: 201-203 Taft Street: 205-207 Taft Street: Hinds 1st District: Parcel 65-17

Lot One (1) and the North Half of Lots 3, 4, and 5, Block B, School Subdivision, as shown by a plat of said subdivision of record in the Chancery Clerk's Office of Hinds County, 1st District, Mississippi.

0 E Bell St. (71-4)

Part of Lots 1 and 2, Dreyfus Subdivision, and part of Lots 55, 56 and 57 of Ben Whitfield Survey, according to the map or plat of said subdivisions of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi and being more particularly described to wit:

Beginning at a point on the south line of Bell Street 239.8 feet measured Easterly along the South line of Bell Street from its intersection with the East line of Mill Street, as both streets are now laid out in the City of Jackson, Mississippi; run thence Easterly along the South line of Bell Street 258 feet to an iron stake; thence Southerly at right angles 84 feet to a point; thence Westerly at right angles 273.2 feet to a point; thence Northerly at right angles 84 feet to a point on the South line of Bell Street; thence Easterly 15.2 feet to the point of the beginning.

is hereby modified so as to approve the rezoning of the properties located on 1126 Mill St. (Parcel: 65-18), Parcel 65-17 on Mill St, Parcel 71-4 on Bell St. from I-1 (Light) Industrial District to I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to R-4 (Limited Multi-Family) Residential District to allow for a residential housing development. 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 Lindsay moved adoption; **Council Member Foote** seconded.

President Banks recognized **Kristi Hendrix**, representative for the Applicant, who spoke in favor to approve a rezoning from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to R-4(Limited Multi-Family) Residential District to allow for a residential housing development.

President Banks recognized **Jordan Hillman, Director of Planning and Development**, who gave a brief overview of said item.

There was no opposition from the public.

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

Yeas – Banks, Foote, Tillman and Lindsay.

Nays – None.

Absent – Lee, Stokes and Stamps.

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4120, 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 Banks requested that the Clerk read the Order:

ORDINANCE GRANTING GREEN INVESTMENTS, LLC A REZONING FROM I-1 (LIGHT) INDUSTRIAL DISTRICT TO A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO ALLOW FOR THE REHABILITATION AND PRESERVATION OF A HISTORIC RESIDENTIAL HOUSING COMMUNITY FOR THE PROPERTIES LOCATED ON PARCELS 73-18 & 73-29 (MILL ST.), 73-19 & 73-6 (W. COHEA ST) AND 73-31 (W. MONUMENT ST.), CASE NO. 4120.

WHEREAS, Green Investments, LLC has filed a petition to rezone the properties located on Parcels 73-18 & 73-29 (Mill St.), 73-19 & 73-6 (W. Cohea St) and 73-31 (W. Monument St.), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from I-1 (Light) Industrial District to a Planned Unit Development (PUD) District to allow for the rehabilitation and preservation of a historic residential housing community; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the properties from I-1 (Light) Industrial District to a Planned Unit Development (PUD) District to allow for the rehabilitation and preservation of a historic residential housing community; 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, April 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 City Council that notice of said petition had been published in the Mississippi Link on March 4, 2021 and March 18, 2021 that a hearing had been held by the Jackson City Planning Board on March 24, 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 properties from I-1 (Light) Industrial District to a Planned Unit Development (PUD) 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 Jackson City Council action; 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 particularly described as follows:

TRACT 1

PARCEL I

A certain parcel of land situated in Jackson, Hinds County, Mississippi, and being a part of Lots 11, 12, 13, 15, 16, 17 and 18 of the Third Cohea Estate Survey, according to the map or plat thereof, on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book A at Page 258; said parcel contains 208,233.49 square feet or 4.78 acres, more or less, and being more particularly described by metes and bounds as follows:

Beginning at the intersection of the North right-of-way line of Monument Street with the East right-of-way line of Mill Street (as both are now laid out and improved, July, 1983); run thence northerly along said East right-of-way line of Mill Street for a distance of 448.14 feet; leaving said East right-of-way line of Mill Street, turn thence right through a deflecting angle of 91 degrees 11 minutes 26 seconds and run easterly for a distance of 115.80 feet; turn thence left through a deflection angle of 86 degrees 52 minutes 48 seconds and run northerly for a distance of 51.90 feet; turn thence right through a deflection angle of 86 degrees 19 minutes 38 seconds and run easterly for a distance of 40.0 feet; turn thence left through a deflection angle of 86 degrees 19 minutes 38 seconds and run northerly for a distance of 100.0 feet; to a point on the South right-of-way line of Cohea Street (as now laid out and improved, July, 1983); turn thence right through a deflection angle of 86 degrees 19 minutes 38 seconds and run easterly along said South right-of-way line of Cohea Street for a distance of 35.68 feet; leaving said South right-of-way line of Cohea Street, turn thence right through a deflection angle of 92 degrees 45 minutes 54 seconds and run southerly for a distance of 200.0 feet; turn thence left through a deflection angle of 92 degrees 45 minutes 54 seconds and run easterly for a distance of 30.0 feet; turn thence left through a deflection angle of 87 degrees 14 minutes 06 seconds and run northerly for a distance of 18.01 feet; turn thence right through a deflection angle of 88 degrees 41 minutes 21 seconds and run easterly for a distance of 118.48 feet; turn thence left through a deflection angle of 86 degrees 16 minutes 26 seconds and run northerly for a distance of 8.39 feet; turn thence right through a deflection angle of 85 degrees 51 minutes 20 seconds and run easterly for a distance of 305.89 feet to a point on the West right-of-way line of Farish Street (as now laid out and improved, July, 1983); turn thence right through a deflection angle of 87 degrees 43 minutes 51 seconds and run southerly along said West right-of-way line of Farish Street for a distance of 51.59 feet; leaving said West right-of-way line of Farish Street, turn thence right through a deflection angle of 91 degrees 02 minutes 18 seconds and run westerly for a distance of 98.5 feet; turn thence left through a deflection angle of 91 degrees 02 minutes 18 seconds and run southerly for a distance of 49.5 feet; turn thence right through a deflection angle of 89 degrees 33 minutes 44 seconds and run westerly for a distance of 160.7 feet; turn thence left through a deflection angle of 00 degrees 55 minutes 16 seconds and continue thence westerly for a distance of 53.69 feet; turn thence left through a deflection angle of 87 degrees 42 minutes 23 seconds and run southerly for a distance of 95.0 feet; turn thence right through a deflection angle of 90 degrees 06 minutes 14 seconds and run westerly for a distance of 35.0 feet; turn thence left through a deflection angle of 90 degrees 06 minutes 14 seconds and run southerly for a distance of 112.0 feet to a point on the aforesaid North right-of-way line of Monument Street; turn thence right through a deflection angle of 90 degrees 06 minutes 14 seconds and run westerly along said North right-of-way line of Monument street for a distance of 300.13 feet to the POINT OF BEGINNING

PARCEL II

A certain lot or parcel of land in the Southeast corner of Lot Eighteen (18), Cohea Third Survey, and more particularly described by metes and bounds as follows, to-wit:

Beginning at a point on the North line of Monument Street which is 335.22 feet measured easterly along the North line of Monument Street from the East line of Mill Street as both streets are now laid out and improved in the City of Jackson, Mississippi, run thence westerly along the East line of Monument Street for a distance of: 35 feet; thence turning to the right through an angle of 90 degrees run northerly 112 feet to an iron stake; thence easterly and parallel with Monument Street for a distance of 35 feet to an iron stake; thence southerly 112 feet to the point of beginning. Being 35 feet by 112 feet off the south end of the property devised by Jennie Henry to the grantors herein.

PARCEL III

Beginning at a point on the south side of Cohea Street in the City of Jackson, Mississippi, which point is 319.7 feet Westerly from the West line of North Farish Street, as both streets are now laid out and improved in the City of Jackson, Mississippi, run thence Southerly along the east line of that certain tract of land belonging formerly to Morton, Lumber Company for a distance of 185.8 feet to the southeast corner of said Morton Lumber Company tract; run westerly along the south line of said tract for 116.6 feet to the southwest corner thereof; ran thence Northerly along the west line of said tract for 35.2 feet to a point; which point is the point of beginning of the property herein described; from this point of beginning run thence Easterly for 99.6 feet to a point; thence Southerly 35.2 feet to a point; thence Westerly for 99.6 feet to the West line of the said Morton Lumber company tract; run thence Northerly along the West line of said Morton Lumber Company tract for 32.5 feet to the point of beginning.

There is also conveyed a perpetual easement over and across the 12-foot alley lying immediately East of the above property which said alley is to be used jointly with the property lying immediately North of

the property herein conveyed in the First Judicial District of Hinds County, Mississippi, all being part of Lot 15 & 16, Cohea Survey First Judicial District of Hinds County, Mississippi.

PARCEL IV

Beginning at a point on the south Side of Cohea Street in said City which point is 319.7 feet westerly from the West line of North Farish Street, as both streets are now laid out and improved in the City of Jackson, Mississippi, run thence Southerly along the East line of that certain tract of land belonging formerly to Morton Lumber Company for 185.8 feet to the southeast corner of said Morton Lumber Company tract; run westerly along the south line of said tract for 116.6 feet to the Southwest corner thereof; run thence northerly along the west line of said tract of land formerly belonging to the said Morton Lumber Company for a distance of 75.2 feet to a point, which is the point of beginning of the property herein described; now, taking said point as the point of beginning run thence easterly for a distance of 99.6 feet to a point; thence southerly for a distance of 40 feet to a point; which said point is 40 inches south of the house now located on said property; thence westerly for a distance of 99.6 feet to the west line of said Morton Lumber Company Tract; thence northerly along the west line of said Morton Lumber Company tract thence northerly along the west line of said Morton Lumber Company Tract for a distance of 40 feet to the point of beginning. The South line of the property herein conveyed is located 40 inches south of the house now located on said property.

There is also conveyed a perpetual easement over and across the 12 foot alley lying immediately East of the above property which said alley is to be used jointly with the property of the grantor lying immediately south of the property herein conveyed.

PARCEL V

A parcel of land being at the northeast corner of lot owned by w. L. Hayes and Emma Hayes and later owned by H. Botnick, described as the one-half (1/2) acre in in North part of Lots fifteen (15) and Sixteen (16) of the Cohea Estate being the same land sold for taxes on the 3rd day of March, A.D. 1884 to the State of Mississippi and the deed showing said purchase being recorded in Deed Book No. 18 on Page 160 thereof in the office of the Chancery clerk of the First Judicial District of Hinds County, Mississippi. Said land facing on Cohea Street running thence westerly from the said point of beginning along Cohea Street for a distance of 30 feet thence southerly two hundred (200) feet parallel with the East line of said land owned by W.L. Hayes and Emma Hayes and thence easterly thirty (30) feet along the South line of said land owned now by H. Botnick and thence northerly two hundred (200) feet to the point of beginning. This being the same land conveyed to J.L.I. Conic by Pauline Dukes King on March 1, 1929, together with an easement or a right-of-way eight (8) feet wide and one hundred (100) feet along from said Cohea Street. Said right-of-way being next west of said lot or parcel of land conveyed. All of the said land and property herein conveyed lying and being situated in the First Judicial District of Hinds County, State of Mississippi and being the same land conveyed to J.L.I. Conic on the 1st day of March A. D. 192-9, and recorded in the Chancery Clerk's office of the First Judicial District of Hinds County, State of Mississippi in Deed Book 220 and Page 584, being the same land conveyed to J.E. Conic by J.L.I. Conic and Eudora Ruth Conic by deed recorded in the office of the Clerk of the Chancery Court of Hinds at Jackson Mississippi, in Deed Book 319, Page 297.

AND ALSO

To establish the point of beginning run 180 feet South on the East side of Dreyfus Street from the Southeast intersection of said Dreyfus Street with Monument Street, from said point run East parallel with Monument Street 1.38 1/2 feet: with this as the point of beginning run North parallel to Dreyfus Street 85 feet, more or less, thence East parallel with Monument Street 28 1/2 feet more or less, thence run South 85 feet, more or less parallel with Dreyfus Street to the alley, thence West parallel with Monument Street 28 1/2 feet, more or less, along the North side of the alley to the point of beginning. Cohea Estate Survey Two (2) located and situated in the First Judicial District of Hinds County, Mississippi.

Tract 2

Begin at a point in the South line of Cohea Street, which point is 207.6 feet measured westerly along the South line of Cohea street from the West line of Farish Street, as both streets are now laid out and improved in said City of Jackson, and from said point of beginning run thence westerly along the South line of Cohea street for a distance of 96 feet to a point on the East line of a 12 foot alley, which point is 342.2 feet measured easterly along the south line of Cohea Street from the East line of Mill street; turn thence to the left through an angle of 90 degrees 37 minutes and run southerly in a straight line along the East boundary line of said private alley way and parallel with the East line of Hill Street for a distance of 170 feet; run thence easterly and parallel with the South line of Cohea street for a distance of 96 feet; run thence northerly in a straight line a distance of 170 feet to the point of beginning; TOGETHER WITH all the right, title and interest of the grantor herein in and to the said private alley way and their non-exclusive right to the use thereof, which alley way is 12 feet wide and runs southerly from Cohea street along the West side of the above described land.

(Said property now being Tax Assessor - Parcel No. 73/19, and "indexed" as a part of Lots 13 and 14, of Third Cohea Estates)

Tract 3

For a Point of Beginning, commence at an iron pin set at a point on the south line of Cohea Street, which point is 170 feet measured Westerly along the said south line of Cohea street from the West line of Farish Street, and from said Point of Beginning, run thence Westerly along the south line of Cohea Street for a distance of 37.46 feet, more or less, to the Northeast corner of that certain parcel of land conveyed by Maurice H. Joseph to Wade Comer, Inc., by deed dated September 20, 1968, and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi in Book 1782 at Page 388; run thence southerly along the East line of the aforesaid property conveyed by Maurice H. Joseph to Wade Comer, Inc., by the aforesaid deed for a distance of 64 feet to a point; run thence North 89 degrees 51 feet East for a distance of 38.26 feet; run thence North 1 degree 24 minutes East for a distance of 64 feet to the point of beginning.

(Said property now being Tax Assessor - Parcel No. 73/6, and "indexed" as a part of Lots 13 and 14, of Third Cohea Estates Survey.)

Tract 4

A parcel in Lot 15, and 16 COHEA SY NJ, JACKSON, MISSISSIPPI, a subdivision according to a 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 Book 3050 at Page 514, reference to which is hereby made in aid of and as a part of this description.

is hereby modified so as to approve the rezoning of the properties located on Parcels 73-18 & 73-29 (Mill St.), 73-19 & 73-6 (W. Cohea St) and 73-31 (W. Monument St.) from I-1 (Light) Industrial District to a Planned Unit Development (PUD) District to allow for the rehabilitation and preservation of a historic residential housing community. However, that before any structure is erected or used 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 Lindsay moved adoption; **Council Member Foote** seconded.

President Banks recognized **Mary Elizabeth Evans**, representative for the Applicant, who spoke in favor to approve a rezoning from I-1 (Light) Industrial District to a Planned Unit Development (PUD) District to allow for the rehabilitation and preservation of a historic residential housing community.

President Banks recognized **Frank Figgers**, who expressed concerns about how the owners of the properties that were outside of the proposed development area could receive assistance to make improvements to their properties.

There was no opposition from the public.

President Banks recognized **Jordan Hillman, Director of Planning and Development**, who gave a brief overview of said item.

After a thorough discussion, **Council Members Lindsay** and **Foote**, withdrew their motion and second. Said item was tabled until a Special Zoning Council Meeting, Thursday, April 29, 2021 at 1:30 p.m.

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4118, 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 Banks requested that the Clerk read the Order:

ORDINANCE GRANTING HARWELL PAYMON A REZONING FROM R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO C-3 (GENERAL) COMMERCIAL DISTRICT TO PROVIDE FOR CONSISTENCY IN THE ZONING FOR THE PROPERTY AND TO ALLOW FOR THE OPERATION OF A SECOND HAND STORE AT THE PROPERTY LOCATED ON 801 COOPER RD. (PARCEL: 838-98), CASE NO. 4118.

WHEREAS, Harwell Paymon has filed a petition to rezone the property located on 801 Cooper Rd. (Parcel: 838-98), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-1A (Single-Family) Residential District to C-3 (General) Commercial District to provide for consistency in the zoning for the property and to allow for the operation of a second hand store at the property; 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 to C-3 (General) Commercial District to provide for consistency in the zoning for the property and to allow for the operation of a second hand store at the property; 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, April 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 March 11, 2021 and March 18, 2021 that a hearing had been held by the Jackson City Planning Board on March 24, 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 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 Jackson 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:

Indexing Instructions: Lot One (1), Block One(1), Oak Forest Subdivision, Part Eleven (11), a subdivision in the according to a map or plat on file and of record in City of Jackson, First Judicial District. Hinds County Mississippi as shown by the map or plat thereof on file and or record of Plat Book 18 at page 17, in the office of the Chancery Clerk of Hinds County at Jackson Mississippi, reference to which is hereby made in aid of and as a part of this description and Part of the Southeast Quarter (SW ¼ SE ¼ SE ¼) of Section 24, Township 5 North, Range 1 West, First Judicial District of Hinds County Mississippi.

Parcel One

Lot One (1), Block One(1), Oak Forest Subdivision, Part Eleven (11), a subdivision in the First Judicial District of Hinds County Mississippi as shown by the map or plat on file and of record in plat book 18 at page 17, in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, reference to which is hereby made in aid of and as a part of the description.

Parcel Two

All that part of the Southwest Quarter of the Southeast Quarter of Southeast Quarter (SW ¼ SE ¼ SE ¼) of Section 24, Township 5 North, Range 1 West, First Judicial District of Hinds County, Mississippi, which lies North of the North line of Cooper Road, South and West of the Southwestern side of the New Caney Creek Channel and East of the East line of Lot 1, of Block 1, of Oak Forest Subdivision, Part 11, a subdivision in Hinds County Mississippi, and being more particularly described as follows:

For a point of Beginning, begin at the Southeast of corner of Section 24, Township 5 North, Range 1 West, First Judicial District of Hinds County, Mississippi, said point being 34 feet measured North 1 degrees, 42 minutes east from and iron stake at the northwest corner of Lot 1, of Block C, of Oak Tree Park, Hinds County, Mississippi Section 24 and 25, Township 5 North, Range 1 West, for a

distance of 660.2 feet to the Southeast corner of the Southwest Quarter of the Southeast of the Southeast Quarter (SW ¼ SE ¼ SE ¼) of said Section 24, continue thence North 89 degrees 00 minutes West along the South line of the said Section 24; for a distance of 36.5 feet: run thence 0 degrees 50 minutes East for a distance of 14.84 feet to an iron stake marking the intersection of the West line of Oak Forest Drive with the North line of Cooper Road, as both streets are now laid out and improved, said point also being 354.27 feet measured South 89 degrees 02 minutes East along the south line of Oak Forest Subdivision – Part 11 extended Easterly from the Southeast corner of Lot 1 of block, Part 11, Hinds County, Mississippi run thence North 89 degrees 02 minutes West along the said North line of Cooper Road for a distance of 168.19 feet to an iron stake; then, using this point as the POINT OF BEGINNING for the parcel of land being herein described, continue thence North 89 degrees 02 West along the said North line of Cooper Road for a distance of 186.08 feet to an iron stake at the Southeast corner of said Lot 1 of Block 1 of oak Forest Subdivision — Part 11; turn thence to the right through a deflection angle of 90 degrees 00 minutes and run North 0 degrees at 58 minutes East along the East line Lot 1 of Block 1 for a distance of the North 165 feet to an iron stake at the Northeast corner thereof; turn thence to the right through a deflection angle of 23 degrees 35 minutes and run North 24 degrees 33 minutes East for a distance of 15 feet to an iron stake on the Southwest side of the New Caney Creek Channel; turn thence to the right through a deflected angle of 111 degrees 12 minutes and run South 44 degrees 15 minutes East along the Southwestern side of said New Caney Creek Chanel for a distance of 253.71 feet to the POINT OF BEGINNING; and containing an area of 17,124 square feet.

is hereby modified so as to approve the rezoning of the property located on 801 Cooper Rd. (Parcel: 838-98) from R-1A (Single-Family) Residential District to C-3 (General) Commercial District to provide for consistency in the zoning for the property and to allow for the operation of a second hand store at the property. 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.

President Banks moved adoption; **Council Member Tillman** seconded.

There was no presentation from the Applicant and no opposition from the public.

There was no opposition from the public.

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

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

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4119, 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 Banks requested that the Clerk read the Order:

ORDER GRANTING DORSEY DEVELOPMENT, LLC VARIANCES FROM THE PARKING AND LANDSCAPING REQUIREMENTS TO ALLOW FOR THE CONSTRUCTION OF A DOLLAR GENERAL STORE WITHIN A C-2 (LIMITED) COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT 4580 CLINTON BLVD. (PARCEL: 639-301, 639-302 & 639-303), CASE NO. 4119.

WHEREAS, Dorsey Development, LLC has filed a petition for Variances from the

parking and landscaping requirements for properties within a C-2 (Limited) Commercial District to allow for the construction of a Dollar General Store for the property located at 4580 Clinton Blvd. 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 March 24, 2021, has recommended the approval of a Variance of up to four (4) feet from the required landscaped buffer area of at least five (5) feet in width around the perimeter of all vehicular use area and a Variance of up to seven (7) parking spaces from the required thirty-seven (37) parking spaces for the proposed 9,100 sq. ft. retail store to be located at 4580 Clinton Blvd. (Parcel: 639-301, 639-302 & 639-303); 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, April 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 City Council that notice of said petition had been published in the Mississippi Link on March 4, 2021 and March 18, 2021 that a hearing would be and had been held by the Jackson City Planning Board, as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi; and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that special conditions and circumstances exist which do not result from the actions of the applicant and that the granting of the Variances will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar lands, structures or buildings in the same district within the existing C-2 (Limited) 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 parcel or tract of land, containing **0.85** acres, more or less, lying and being situated in the SE ¼ of Section 25, T6N-RIW, Hinds County, Mississippi, being a part of the Warren Center, Ltd. property as described in Deed Book 3116 Page 546 of the Records of the Office of the Chancery Clerk of said Hinds County, Mississippi, and being more particularly described as follows:

COMMENCING at Station 142+00 on the centerline of survey of Interstate Highway No. 220 as described in Federal Aid Project No I-IG-220-3(2)41; run thence

North 78 degrees 11 minutes 32 seconds West for a distance of 180.00 feet to the **POINT OF BEGINNING** of the herein described property; thence

South 85 degrees 41 minutes 07 seconds West for a distance of 100.97 feet along the Northerly right-of-way line of the previously described Interstate Highway No. 220; thence

North 62 degrees 31 minutes 59 seconds West for a distance of 126.08 feet along the Northerly right-of-way line of the previously described Interstate Highway No. 220; thence

North 05 degrees 27 minutes 34 seconds West for a distance of 146.69 feet along the Easterly right-of-way line of Country Club Drive, previously known as White Rock Road, as described in Federal Aid Project No I-IG-220-3(2)41; thence

Leaving the right-of-way line of Country Club Drive, run South 76 degrees 48 minutes 19 seconds East for a distance of 262.01 feet; thence

South 11 degrees 48 minutes 28 seconds West for a distance of 139.73 feet to the **POINT OF BEGINNING**

be and is hereby granted a Variance of up to four (4) feet from the required landscaped buffer area of at least five (5) feet in width around the perimeter of all vehicular use area and a Variance of up to seven (7) parking spaces from the required thirty-seven (37) parking spaces for the proposed 9,100 sq. ft. retail store for properties within a C-2 (Limited) Commercial District on the property located at 4580 Clinton Blvd. (Parcel: 639-301, 639-302 & 639-303). However, that before a Variance 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 Lindsay moved adoption; **President Banks** seconded.

President Banks recognized **Steve Mejogevich**, representative for the Applicant, who spoke in favor to approve a variance of up to four (4) feet from the required landscaped buffer area of at least five (5) feet in width around the perimeter of all vehicular use area and a Variance of up to seven (7) parking spaces for the proposed 9,100 sq. ft. retail store for properties zoned C-2 (Limited) Commercial District for the property located at 4580 Clinton Blvd. (Parcel: 639-301, 639-302 & 639-303).

President Banks recognized **Frank Omobude**, who offered support for the project and expressed concerns about how the existing shopping center and the proposed development would co-exist.

There was no opposition from the public.

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

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

Ester Ainsworth noted for the record: **Cancelled Special Exceptions/Use Permits – No action required**

(Ward 2) C-UP 3886 – Etheridge Jamison – 128 Richardson Dr. (Parcel 806-33)

- Conditional Use Permit was granted to Etheridge Jamison on Apr. 20, 2015 to operate a wrecker service within an I-1 (Light) Industrial District.
- Cancellation was based upon **non-response** from the grantee by the deadline date of **April 5, 2021**.

(Ward 1) C-UP 3894 – Meena Sabharwal – 1625 E. County Line Rd. Suite 320. (Parcel 750-26)

- Conditional Use Permit was granted to Meena Sabharwal on Apr. 20, 2015 to operate a liquor store within a C-2 (Limited) Commercial District.
- Cancellation was based upon **non-response** from the grantee by the deadline date of **April 5, 2021**.

(Ward 3) C-UP 3896 – Quarquerite Lowe – 532 W. Northside Dr. (Parcel 427-10)

- Conditional Use Permit was granted to Quarquerite Lowe on Apr. 20, 2015 to operate a Commercial Child Care Center within a C-1A (Restricted) Commercial District.
- Cancellation was based upon **non-response** from the grantee by the deadline date of **April 5, 2021**.

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 -2905 Ward 3	Mary Tillman	3651 Mosley Avenue	Personal Care Home	4/08/92
SE -3048 Ward 4	Deborah Harper	405 Queen Margaret Lane	One-Chair Beauty Salon	4/5/95
SE - 3962 Ward 7	Morrison Heights Baptist Church	142 E. Bell St.	Residential Community Facility	4/17/17
C-UP-3952 Ward 7	Hugh J. Thomas	2906 North State St.	Tattoo Parlor	3/20/17

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

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – None.

Absent – Lee, Stokes and Stamps.

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, April 27, 2021 at 4:30 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Mosley-Brendan

CLERK OF COUNCIL

APPROVED:

Charles S. ... 7/2/21

MAYOR

MAYOR

DATE

ATTEST:

Angele Harris

CITY CLERK
